



City of Nedlands

# ***Minutes***

## ***Audit & Risk Committee Meeting***

***10 February 2020***

### **ATTENTION**

**These Minutes are subject to confirmation**

This is a committee which has only made recommendations to Council. No action should be taken on any recommendation contained in these Minutes. The council resolution pertaining to an item will be made at the Ordinary Council Meeting next following this meeting.

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## City of Nedlands

**Minutes of the Audit & Risk Committee meeting held in the Council Chambers at the City of Nedlands, 71 Stirling Highway, Nedlands on Monday 10 February 2020 at 5.30 pm.**

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### **Declaration of Opening**

The Presiding Member declared the meeting open at 5.30 pm and drew attention to the disclaimer below.

(NOTE: Council at its meeting on 24 August 2004 resolved that should the meeting time reach 11.00 p.m. the meeting is to consider an adjournment motion to reconvene the next day).

### **Present and Apologies and Leave of Absence (Previously Approved)**

<b>Councillors</b>	Councillor L J McManus Her Worship the Mayor, C M de Lacy Councillor A W Mangano Councillor R Senathirajah	(Presiding Member)  Dalkeith Ward Melvista Ward
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<b>Staff</b>	Mr M A Goodlet Mrs L M Driscoll Mr P L Mickleson Mr A Khetani Mrs S C Gibson	Chief Executive Officer Director Corporate & Strategy Director Planning & Development Senior Finance Officer – Governance PA to Director Corporate & Strategy
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<b>Invited Guests</b>	Ms A Cheng	Moore Stephens
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<b>Public</b>	There were no members of the public present.	
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<b>Press</b>	There were no representatives from the press	
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<b>Leave of Absence (Previously Approved)</b>	Councillor B Hodsdon	Hollywood Ward
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<b>Apologies</b>	Mr Paul Setchell	Community Member
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## **Disclaimer**

Members of the public who attend Council meetings should not act immediately on anything they hear at the meetings, without first seeking clarification of Council's position. For example, by reference to the confirmed Minutes of Council meeting. Members of the public are also advised to wait for written advice from the Council prior to taking action on any matter that they may have before Council.

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### **1. Public Question Time**

Nil

### **2. Addresses By Members of the Public (only for items listed on the agenda)**

Nil

### **3. Disclosures of Financial Interest**

The Presiding Member reminded Councillors and Staff of the requirements of Section 5.65 of the Local Government Act to disclose any interest during the meeting when the matter is discussed.

There were no disclosures of financial interest.

### **4. Disclosures of Interests Affecting Impartiality**

The Presiding Member reminded Councillors and Staff of the requirements of Council's Code of Conduct in accordance with Section 5.103 of the Local Government Act.

There were no disclosures affecting impartiality.

### **5. Declarations by Members That They Have Not Given Due Consideration to Papers**

Nil.

**6. Confirmation of Minutes**

**6.1 Audit & Risk Committee Meeting 14 November 2019**

Moved – Councillor Mangano  
Seconded – Councillor Senathirajah

**The minutes of the Audit & Risk Committee held 14 November 2019 be confirmed.**

**CARRIED UNANIMOUSLY 4/-**

**7. Matters for Which the Meeting May Be Closed**

Nil.

**8. Items for Discussion**

Note: Regulation 11(da) of the *Local Government (Administration) Regulations 1996* requires written reasons for each decision made at the meeting that is significantly different from the relevant written recommendation of a committee or an employee as defined in section 5.70, but not a decision to only note the matter or to return the recommendation for further consideration.

## 8.1 Planning and Development Audit

<b>Owner</b>	City of Nedlands
<b>Employee Disclosure under section 5.70 Local Government Act 1995</b>	Nil.
<b>Director</b>	Peter Mickleson – Director Planning & Development
<b>CEO</b>	Mark Goodlet
<b>Attachments</b>	<ol style="list-style-type: none"> <li>1. CONFIDENTIAL – Audit and Investigation Report</li> <li>2. CONFIDENTIAL Appendix 1 Mcleods Legal Advice</li> <li>3. CONFIDENTIAL – Appendix 2 Audit of Transactions with Discrepancy</li> <li>4. CONFIDENTIAL – Appendix 3 Observation &amp; Comments by Director Planning &amp; Development</li> </ol>

**Regulation 11(da) – Not Applicable – Minor addition requesting report back to the next Committee Meeting.**

Moved – Councillor Senathirajah

Seconded – Mayor de Lacy

**That the Recommendation to Committee be adopted subject to adding the words “has expressed disappointment at some of the” before the words “contents of the report; and” and adds an additional clause 3 as follows:**

3. **notes the actions proposed to ensure assessment of Planning matters are fully compliant and requests the CEO to report back to the next Audit & Risk Meeting on the matter.**

**CARRIED UNANIMOUSLY 4/-**

### **Committee Recommendation**

**The Audit and Risk Committee:**

1. **receives the Investigation and Audit report;**
2. **notes the information and has expressed disappointment at some of the contents of the report; and**
3. **notes the action proposed to ensure assessment of Planning matters are fully compliant and requests the CEO to report back to the next Audit & Risk Meeting on the matter.**

## Recommendation to Committee

The Audit and Risk Committee:

1. receives the Investigation and Audit report; and
2. notes the information and contents of the report.

## Executive Summary

The objective of this report is to inform the Audit & Risk Committee about an investigation and audit conducted by the CEO for the City's Planning & Development department in relation to the processing of development applications (DA).

The investigation and audit are concluded, and the report is compiled to present the facts and outcome to the Audit & Risk Committee.

Given that the risks have been assessed and mitigated, and the actions required have been implemented, the recommendation to the committee is to receive and note the report. The audit has provided useful information to inform the Planning Business Unit's structure and assessment processes, particularly in light of the current upsurge in development applications.

## Discussion/Overview

Mid last year, the City responded to received complaints regarding some of the determined Development Approvals (DA's) applications from the applicant or affected neighbours. Following review and response to the complaints an internal audit was commissioned by the CEO as a compliance and performance tool to assess and address risk and improve the business.

The CEO nominated Senior Finance Officer – Governance to ensure the internal audit was executed effectively and appropriately. The Senior Finance Officer – Governance was nominated based on his:

- professional experience in the performance of audits over 9 years including Local Government audits; and
- independence from the Planning & Development department including reporting directly to the CEO.

The Audit was concluded, and the report was compiled to present the findings and necessary details to the committee. Accordingly, the report is tabled to the Audit & Risk Committee for their information and consideration.

## Key Relevant Previous Council Decisions:

Nil.

## **Consultation**

Nil.

## **Budget/Financial Implications**

The internal audit has been conducted using internal resources and there are no other financial impacts for the City.

Mr Mickleson, Director Planning & Development retired from the meeting at 6.29 pm.



## 8.2 Internal Audit Actions Log

<b>Owner</b>	City of Nedlands
<b>Employee Disclosure under section 5.70 Local Government Act 1995</b>	Nil.
<b>Director</b>	Lorraine Driscoll – Director Corporate & Strategy
<b>CEO</b>	Mark Goodlet
<b>Attachments</b>	1. CONFIDENTIAL – Internal Audit Actions Log

### Regulation 11(da) – Not Applicable – Recommendation Adopted

Moved – Councillor Senathirajah  
 Seconded – Councillor Mangano

### Committee Recommendation / Recommendation to Committee

The Audit and Risk Committee receives the internal audit Actions Log.

**CARRIED UNANIMOUSLY 4/-**

### Executive Summary

The attached Internal Audit Actions Log contains details of the matters raised by the auditors during the City’s Internal Audit program. The list apporitions information detailing the Log Reference, Audit Name, Original and Revised Due Dates, Action Owner details, Item Status, Status Comments and Rating.

The recently updated internal audit Actions Log is presented to the Audit and Risk Committee for their information.

### Discussion/Overview

An audit is a process through which internal control effectiveness is examined and assessed. The objective is to provide an audit for compliance with relevant management policies and procedures. Each internal audit undertaken results in actions being recommended to the City’s Administration. These actions are monitored for completion using the internal audit Actions Log.

The attached list contains details of the Actions raised and outcome.

The recently updated internal audit Actions Log is presented to the Audit and Risk Committee for their information.

### Key Relevant Previous Council Decisions:

Nil.

## **Consultation**

Nil.

## **Budget/Financial Implications**

Nil.

Any actions requiring expenditure that is not allocated to an existing budget will be considered by Council during budget deliberations.

### 8.3 Annual Compliance Audit Return

<b>Owner</b>	City of Nedlands
<b>Employee Disclosure under section 5.70 Local Government Act 1995</b>	Nil.
<b>Director</b>	Lorraine Driscoll – Director Corporate & Strategy
<b>CEO</b>	Mark Goodlet
<b>Attachments</b>	1. Compliance Audit Return 2019

#### **Regulation 11(da) – Not Applicable – Recommendation Adopted**

Moved – Mayor de Lacy  
 Seconded – Councillor Senathirajah

#### **Committee Recommendation / Recommendation to Committee**

**The Audit and Risk Committee:**

- 1. receives the completed 2019 Annual Compliance Audit Return and review the information and contents of the return;**
- 2. report the results of the review to the Council; and**
- 3. recommends Council to support the adoption of the 2019 Annual Compliance Audit Return.**

**CARRIED UNANIMOUSLY 4/-**

### **Executive Summary**

The 2019 Compliance Audit Return is an annual return that is required to be reviewed and adopted by Council prior to submission to the Department of Local Government, Sport and Cultural Industries by 31 March 2019. The Audit and Risk Committee are required to review the return and is to submit results for that review to Council.

### **Discussion/Overview**

Local governments are required to complete the annual Compliance Audit Return. The attached return for the City of Nedlands is for the period 1 January 2019 to 31 December 2019. It is required to be considered and adopted by Council, and submitted to the Department of Local Government, Sports and Cultural Industries by 31 March 2020. The Audit and Risk Committee is required to review the return and is to submit the results of that review to Council.

In accordance with Regulation 14 and 15 of the Local Government (Audit) Regulations 1996 the 2019 Annual Compliance Audit Return must be:

1. Presented to the Audit and Risk Committee for review and then presented to Council;
2. Adopted by Council;
3. Recorded in the minutes of the meeting at which it was adopted; and
4. A certified copy of the return, along with a copy of the minutes recording its adoption, to be submitted to the Department by 31 March 2020.

The City's 2019 Compliance Audit Return was completed in February by Management following a review and assessment of:

- Council meeting agendas and minutes;
- Performance plans, media advertisements, procedures and policies, registers, delegation records, local laws; and
- Interviews with responsible officers.

**Key Relevant Previous Council Decisions:**

Nil.

**Consultation**

The Audit and Risk Committee is required to review the return and is to submit the results of that review to Council.

**Budget/Financial Implications**

The 2019 Compliance Audit Return has been conducted using internal resources and there are no other financial impacts.



## Nedlands - Compliance Audit Return 2019

### Certified Copy of Return

Please submit a signed copy to the Director General of the Department of Local Government, Sport and Cultural Industries together with a copy of section of relevant minutes.

<b>Commercial Enterprises by Local Governments</b>					
<b>No</b>	<b>Reference</b>	<b>Question</b>	<b>Response</b>	<b>Comments</b>	<b>Respondent</b>
1	s3.59(2)(a)(b)(c) F&G Reg 7,9	Has the local government prepared a business plan for each major trading undertaking in 2019?	N/A		Lorraine Driscoll - Director Corporate & Strategy
2	s3.59(2)(a)(b)(c) F&G Reg 7,10	Has the local government prepared a business plan for each major land transaction that was not exempt in 2019?	N/A		Lorraine Driscoll - Director Corporate & Strategy
3	s3.59(2)(a)(b)(c) F&G Reg 7,10	Has the local government prepared a business plan before entering into each land transaction that was preparatory to entry into a major land transaction in 2019?	N/A		Lorraine Driscoll - Director Corporate & Strategy
4	s3.59(4)	Has the local government complied with public notice and publishing requirements of each proposal to commence a major trading undertaking or enter into a major land transaction for 2019?	N/A		Lorraine Driscoll - Director Corporate & Strategy
5	s3.59(5)	Did the Council, during 2019, resolve to proceed with each major land transaction or trading undertaking by absolute majority?	N/A		Lorraine Driscoll - Director Corporate & Strategy



<b>Delegation of Power / Duty</b>						
<b>No</b>	<b>Reference</b>	<b>Question</b>	<b>Response</b>	<b>Comments</b>	<b>Respondent</b>	
1	s5.16, 5.17, 5.18	Were all delegations to committees resolved by absolute majority?	Yes		Nicole Ceric - Executive Assistant to CEO & Mayor	
2	s5.16, 5.17, 5.18	Were all delegations to committees in writing?	Yes		Nicole Ceric - Executive Assistant to CEO & Mayor	
3	s5.16, 5.17, 5.18	Were all delegations to committees within the limits specified in section 5.17?	Yes		Nicole Ceric - Executive Assistant to CEO & Mayor	
4	s5.16, 5.17, 5.18	Were all delegations to committees recorded in a register of delegations?	Yes		Nicole Ceric - Executive Assistant to CEO & Mayor	
5	s5.18	Has Council reviewed delegations to its committees in the 2018/2019 financial year?	Yes		Nicole Ceric - Executive Assistant to CEO & Mayor	
6	s5.42(1),5.43 Admin Reg 18G	Did the powers and duties of the Council delegated to the CEO exclude those as listed in section 5.43 of the Act?	Yes		Nicole Ceric - Executive Assistant to CEO & Mayor	
7	s5.42(1)(2) Admin Reg 18G	Were all delegations to the CEO resolved by an absolute majority?	Yes		Nicole Ceric - Executive Assistant to CEO & Mayor	
8	s5.42(1)(2) Admin Reg 18G	Were all delegations to the CEO in writing?	Yes		Nicole Ceric - Executive Assistant to CEO & Mayor	
9	s5.44(2)	Were all delegations by the CEO to any employee in writing?	Yes		Nicole Ceric - Executive Assistant to CEO & Mayor	
10	s5.45(1)(b)	Were all decisions by the Council to amend or revoke a delegation made by absolute majority?	Yes		Nicole Ceric - Executive Assistant to CEO & Mayor	
11	s5.46(1)	Has the CEO kept a register of all delegations made under the Act to him and to other employees?	Yes		Nicole Ceric - Executive Assistant to CEO & Mayor	
12	s5.46(2)	Were all delegations made under Division 4 of Part 5 of the Act reviewed by the delegator at least once during the 2018/2019 financial year?	Yes		Nicole Ceric - Executive Assistant to CEO & Mayor	
13	s5.46(3) Admin Reg 19	Did all persons exercising a delegated power or duty under the Act keep, on all occasions, a written record as required?	Yes		Nicole Ceric - Executive Assistant to CEO & Mayor	



<b>Disclosure of Interest</b>						
<b>No</b>	<b>Reference</b>	<b>Question</b>	<b>Response</b>	<b>Comments</b>	<b>Respondent</b>	
1	s5.67	If a member disclosed an interest, did he/she ensure that they did not remain present to participate in any discussion or decision-making procedure relating to the matter in which the interest was disclosed (not including participation approvals granted under s5.68)?	Yes		Nicole Ceric - Executive Assistant to CEO & Mayor	
2	s5.68(2)	Were all decisions made under section 5.68(1), and the extent of participation allowed, recorded in the minutes of Council and Committee meetings?	Yes		Nicole Ceric - Executive Assistant to CEO & Mayor	
3	s5.73	Were disclosures under section 5.65 or 5.70 recorded in the minutes of the meeting at which the disclosure was made?	Yes		Nicole Ceric - Executive Assistant to CEO & Mayor	
4	s5.73	Where the CEO had an interest relating to a gift under section 5.71A(1), was written notice given to the Council?	N/A	No gifts received or interests.	Nicole Ceric - Executive Assistant to CEO & Mayor	
5	s5.73	Where the CEO had an interest relating to a gift in a matter in respect of a report another employee is providing advice on under section 5.71A (3), was the nature of interest disclosed when the advice or report was provided?	N/A	No interests or gifts.	Nicole Ceric - Executive Assistant to CEO & Mayor	
6	s5.75(1) Admin Reg 22 Form 2	Was a primary return lodged by all newly elected members within three months of their start day?	Yes		Nicole Ceric - Executive Assistant to CEO & Mayor	
7	s5.75(1) Admin Reg 22 Form 2	Was a primary return lodged by all newly designated employees within three months of their start day?	Yes		Nicole Ceric - Executive Assistant to CEO & Mayor	
8	s5.76(1) Admin Reg 23 Form 3	Was an annual return lodged by all continuing elected members by 31 August 2019?	Yes		Nicole Ceric - Executive Assistant to CEO & Mayor	
9	s5.76(1) Admin Reg 23 Form 3	Was an annual return lodged by all designated employees by 31 August 2019?	Yes		Nicole Ceric - Executive Assistant to CEO & Mayor	
10	s5.77	On receipt of a primary or annual return, did the CEO, (or the Mayor/ President in the case of the CEO's return) on all occasions, give written acknowledgment of having received the return?	Yes		Nicole Ceric - Executive Assistant to CEO & Mayor	
11	s5.88(1)(2) Admin Reg 28	Did the CEO keep a register of financial interests which contained the returns lodged under section 5.75 and 5.76?	Yes		Nicole Ceric - Executive Assistant to CEO & Mayor	
12	s5.88(1)(2) Admin Reg 28	Did the CEO keep a register of financial interests which contained a record of disclosures made under sections 5.65, 5.70 and 5.71, in the form prescribed in Administration Regulation 28?	Yes		Nicole Ceric - Executive Assistant to CEO & Mayor	



No	Reference	Question	Response	Comments	Respondent
13	s5.89A Admin Reg 28A	Did the CEO keep a register of gifts which contained a record of disclosures made under section 5.71A, in the form prescribed in Administration Regulation 28A?	Yes	Nil received.	Nicole Ceric - Executive Assistant to CEO & Mayor
14	s5.88 (3)	Has the CEO removed all returns from the register when a person ceased to be a person required to lodge a return under section 5.75 or 5.76?	Yes		Nicole Ceric - Executive Assistant to CEO & Mayor
15	s5.88(4)	Have all returns lodged under section 5.75 or 5.76 and removed from the register, been kept for a period of at least five years, after the person who lodged the return ceased to be a council member or designated employee?	Yes		Nicole Ceric - Executive Assistant to CEO & Mayor
16	s5.103 Admin Reg 34C & Rules of Conduct Reg 11	Where an elected member or an employee disclosed an interest in a matter discussed at a Council or committee meeting where there was a reasonable belief that the impartiality of the person having the interest would be adversely affected, was it recorded in the minutes?	Yes		Nicole Ceric - Executive Assistant to CEO and Mayor
17	s5.70(2)	Where an employee had an interest in any matter in respect of which the employee provided advice or a report directly to the Council or a Committee, did that person disclose the nature of that interest when giving the advice or report?	Yes		Nicole Ceric - Executive Assistant to CEO & Mayor
18	s5.70(3)	Where an employee disclosed an interest under s5.70(2), did that person also disclose the extent of that interest when required to do so by the Council or a Committee?	Yes		Nicole Ceric - Executive Assistant to CEO & Mayor
19	s5.103(3) Admin Reg 34B	Has the CEO kept a register of all notifiable gifts received by Council members and employees?	Yes		Nicole Ceric - Executive Assistant to CEO & Mayor

### Disposal of Property

No	Reference	Question	Response	Comments	Respondent
1	s3.58(3)	Was local public notice given prior to disposal for any property not disposed of by public auction or tender (except where excluded by Section 3.58(5))?	No		Peter Mickleson - Director Planning & Development
2	s3.58(4)	Where the local government disposed of property under section 3.58(3), did it provide details, as prescribed by section 3.58(4), in the required local public notice for each disposal of property?	N/A		Peter Mickleson - Director Planning & Development





<b>Elections</b>					
<b>No</b>	<b>Reference</b>	<b>Question</b>	<b>Response</b>	<b>Comments</b>	<b>Respondent</b>
1	Elect Reg 30G (1) (2)	Did the CEO establish and maintain an electoral gift register and ensure that all 'disclosure of gifts' forms completed by candidates and received by the CEO were placed on the electoral gift register at the time of receipt by the CEO and in a manner that clearly identifies and distinguishes the candidates?	Yes	Nil received.	Nicole Ceric - Executive Assistant to CEO & Mayor
2	Elect Reg 30G(3) & (4)	Did the CEO remove any 'disclosure of gifts' forms relating to an unsuccessful candidate or a successful candidate that completed the term of office from the electoral gift register, and retain those forms separately for a period of at least 2 years?	Yes	Nil received.	Nicole Ceric - Executive Assistant to CEO & Mayor

<b>Finance</b>					
<b>No</b>	<b>Reference</b>	<b>Question</b>	<b>Response</b>	<b>Comments</b>	<b>Respondent</b>
1	s7.1A	Has the local government established an audit committee and appointed members by absolute majority in accordance with section 7.1A of the Act?	Yes		Amit Khetani - Senior Finance Officer - Governance
2	s7.1B	Where a local government determined to delegate to its audit committee any powers or duties under Part 7 of the Act, did it do so by absolute majority?	N/A		Amit Khetani - Senior Finance Officer - Governance
3	s7.3(1)	Was the person(s) appointed by the local government under s7.3(1) to be its auditor, a registered company auditor?	Yes		Amit Khetani - Senior Finance Officer - Governance
4	s7.3(1), 7.6(3)	Was the person or persons appointed by the local government to be its auditor, appointed by an absolute majority decision of Council?	Yes		Amit Khetani - Senior Finance Officer - Governance
5	Audit Reg 10	Was the Auditor's report(s) for the financial year(s) ended 30 June received by the local government within 30 days of completion of the audit?	Yes		Amit Khetani - Senior Finance Officer - Governance
6	s7.9(1)	Was the Auditor's report for the financial year ended 30 June 2019 received by the local government by 31 December 2019?	Yes		Amit Khetani - Senior Finance Officer - Governance
7	S7.12A(3)	Where the local government determined that matters raised in the auditor's report prepared under s7.9 (1) of the Act required action to be taken, did the local government, ensure that appropriate action was undertaken in respect of those matters?	Yes		Amit Khetani - Senior Finance Officer - Governance



Department of  
**Local Government, Sport  
and Cultural Industries**

No	Reference	Question	Response	Comments	Respondent
8	S7.12A (4)	Where the auditor identified matters as significant in the auditor's report (prepared under s7.9(1) of the Act), did the local government prepare a report stating what action had been taken or it intended to take with respect to each of the matters and give a copy to the Minister within 3 months after receipt of the audit report?	N/A		Amit Khetani - Senior Finance Officer - Governance
9	S7.12A (5)	Within 14 days after the local government gave a report to the Minister under s7.12A(4)(b), did the CEO publish a copy of the report on the local government's official website?	N/A		Amit Khetani - Senior Finance Officer - Governance
10	Audit Reg 7	Did the agreement between the local government and its auditor include the objectives of the audit?	Yes		Amit Khetani - Senior Finance Officer - Governance
11	Audit Reg 7	Did the agreement between the local government and its auditor include the scope of the audit?	Yes		Amit Khetani - Senior Finance Officer - Governance
12	Audit Reg 7	Did the agreement between the local government and its auditor include a plan for the audit?	Yes		Amit Khetani - Senior Finance Officer - Governance
13	Audit Reg 7	Did the agreement between the local government and its auditor include details of the remuneration and expenses to be paid to the auditor?	Yes		Amit Khetani - Senior Finance Officer - Governance
14	Audit Reg 7	Did the agreement between the local government and its auditor include the method to be used by the local government to communicate with, and supply information to, the auditor?	Yes		Amit Khetani - Senior Finance Officer - Governance



<b>Integrated Planning and Reporting</b>					
<b>No</b>	<b>Reference</b>	<b>Question</b>	<b>Response</b>	<b>Comments</b>	<b>Respondent</b>
1	s5.56 Admin Reg 19DA (6)	Has the local government adopted a Corporate Business Plan. If Yes, please provide adoption date of the most recent Plan in Comments?	Yes	Adopted 20/06/2013. Currently being updated	Nicole Ceric - Executive Assistant to CEO & Mayor
2	s5.56 Admin Reg 19DA (4)	Has the local government reviewed the Corporate Business Plan in the 2018-2019 Financial Year. If Yes, please provide date of Council meeting the review was adopted at?	No	Reviewed late 2019, will go to the March Council Meeting.	Nicole Ceric - Executive Assistant to CEO & Mayor
3	s5.56 Admin Reg 19C	Has the local government adopted a Strategic Community Plan. If Yes, please provide adoption date of the most recent Plan in Comments?	Yes	22/05/2018	Lorraine Driscoll - Director Corporate & Strategy
4	s5.56 Admin Reg 19C (4)	Has the local government reviewed the current Strategic Community Plan. If Yes, please provide date of most recent review by Council in Comments.  Note: If the current Strategic Community Plan was adopted after 1/1/2016, please respond N/A and provide adoption date in Comments?	N/A	Adoption date 22/05/2018, next review due 2021	Nicole Ceric - Executive Assistant to CEO & Mayor
5	S5.56 Admin Reg 19DA (3)	Has the local government developed an Asset Management Plan(s) that covers all asset classes. If Yes, please provide the date of the most recent Plan adopted by Council in Comments?	Yes	Adopted 27/08/2019	Lorraine Driscoll - Director Corporate & Strategy
6	S5.56 Admin Reg 19DA (3)	Has the local government developed a Long Term Financial Plan. If Yes, please provide the adoption date of the most recent Plan in Comments?	Yes	Adopted May 2018. Currently being reviewed	Nicole Ceric - Executive Assistant to CEO & Mayor
7	S5.56 Admin Reg 19DA (3)	Has the local government developed a Workforce Plan. If Yes, please provide adoption date of the most recent Plan in comments?	Yes	Endorsed by Executive Team in August 2013 and reviewed every two years since then.	Shelley Mettam - Manager Human Resources



<b>Local Government Employees</b>					
<b>No</b>	<b>Reference</b>	<b>Question</b>	<b>Response</b>	<b>Comments</b>	<b>Respondent</b>
1	Admin Reg 18C	Did the local government approve the process to be used for the selection and appointment of the CEO before the position of CEO was advertised?	N/A	Recruited 2018	Shelley Mettam - Manager Human Resources
2	s5.36(4) s5.37(3), Admin Reg 18A	Were all vacancies for the position of CEO and other designated senior employees advertised and did the advertising comply with s.5.36(4), 5.37(3) and Admin Reg 18A?	Yes		Shelley Mettam - Manager Human Resources
3	Admin Reg 18F	Was the remuneration and other benefits paid to a CEO on appointment the same remuneration and benefits advertised for the position of CEO under section 5.36(4)?	N/A		Shelley Mettam - Manager Human Resources
4	Admin Regs 18E	Did the local government ensure checks were carried out to confirm that the information in an application for employment was true (applicable to CEO only)?	N/A	Recruited 2018	Shelley Mettam - Manager Human Resources
5	s5.37(2)	Did the CEO inform Council of each proposal to employ or dismiss a designated senior employee?	N/A		Shelley Mettam - Manager Human Resources



<b>Official Conduct</b>					
<b>No</b>	<b>Reference</b>	<b>Question</b>	<b>Response</b>	<b>Comments</b>	<b>Respondent</b>
1	s5.120	Where the CEO is not the complaints officer, has the local government designated a senior employee, as defined under s5.37, to be its complaints officer?	N/A	CEO is complaints officer.	Nicole Ceric - Executive Assistant to CEO & Mayor
2	s5.121(1)	Has the complaints officer for the local government maintained a register of complaints which records all complaints that result in action under s5.110(6)(b) or (c)?	Yes		Nicole Ceric - Executive Assistant to CEO & Mayor
3	s5.121(2)(a)	Does the complaints register maintained by the complaints officer include provision for recording of the name of the council member about whom the complaint is made?	Yes		Nicole Ceric - Executive Assistant to CEO & Mayor
4	s5.121(2)(b)	Does the complaints register maintained by the complaints officer include provision for recording the name of the person who makes the complaint?	Yes		Nicole Ceric - Executive Assistant to CEO & Mayor
5	s5.121(2)(c)	Does the complaints register maintained by the complaints officer include provision for recording a description of the minor breach that the standards panel finds has occurred?	Yes		Nicole Ceric - Executive Assistant to CEO & Mayor
6	s5.121(2)(d)	Does the complaints register maintained by the complaints officer include the provision to record details of the action taken under s5.110(6)(b) or (c)?	Yes		Nicole Ceric - Executive Assistant to CEO & Mayor



<b>Optional Questions</b>					
<b>No</b>	<b>Reference</b>	<b>Question</b>	<b>Response</b>	<b>Comments</b>	<b>Respondent</b>
1	Financial Management Reg 5 (2)(c)	Did the CEO review the appropriateness and effectiveness of the local government's financial management systems and procedures in accordance with Local Government (Financial Management) Regulation 5 (2)(c) within the 3 years prior to 31 December 2019? If yes, please provide date of Council resolution in comments?	Yes	5 August 2018.	Lorraine Driscoll - Director Corporate & Strategy
2	Audit Reg 17	Did the CEO review the appropriateness and effectiveness of the local government's systems and procedures in relation to risk management, internal control and legislative compliance in accordance with Local Government (Audit) Regulation 17 within the 3 years prior to 31 December 2019? If yes, please provide date of Council resolution in comments?	Yes	27 March 2018.	Lorraine Driscoll - Director Corporate & Strategy
3	Financial Management Reg 5A.	Did the local government provide AASB 124 related party information in its annual report(s) tabled at an electors meeting(s) during calendar year 2019?	Yes	12 December 2019.	Lorraine Driscoll - Director Corporate & Strategy
4	S6.4(3)	Did the local government submit to its auditor by 30 September 2019 the balanced accounts and annual financial report for the year ending 30 June 2019?	Yes	17 September 2019.	Lorraine Driscoll - Director Corporate & Strategy

<b>Tenders for Providing Goods and Services</b>					
<b>No</b>	<b>Reference</b>	<b>Question</b>	<b>Response</b>	<b>Comments</b>	<b>Respondent</b>
1	s3.57 F&G Reg 11	Did the local government invite tenders on all occasions (before entering into contracts for the supply of goods or services) where the consideration under the contract was, or was expected to be, worth more than the consideration stated in Regulation 11(1) of the Local Government (Functions & General) Regulations (Subject to Functions and General Regulation 11(2))?	Yes		Lorraine Driscoll - Director Corporate & Strategy
2	F&G Reg 12	Did the local government comply with F&G Reg 12 when deciding to enter into multiple contracts rather than inviting tenders for a single contract?	Yes		Lorraine Driscoll - Director Corporate & Strategy
3	F&G Reg 14(1) & (3)	Did the local government invite tenders via Statewide public notice?	Yes		Lorraine Driscoll - Director Corporate & Strategy
4	F&G Reg 14 & 15	Did the local government's advertising and tender documentation comply with F&G Regs 14, 15 & 16?	Yes		Lorraine Driscoll - Director Corporate & Strategy



No	Reference	Question	Response	Comments	Respondent
5	F&G Reg 14(5)	If the local government sought to vary the information supplied to tenderers, was every reasonable step taken to give each person who sought copies of the tender documents or each acceptable tenderer, notice of the variation?	Yes		Lorraine Driscoll - Director Corporate & Strategy
6	F&G Reg 16	Did the local government's procedure for receiving and opening tenders comply with the requirements of F&G Reg 16?	Yes		Lorraine Driscoll - Director Corporate & Strategy
7	F&G Reg 18(1)	Did the local government reject the tenders that were not submitted at the place, and within the time specified in the invitation to tender?	Yes		Lorraine Driscoll - Director Corporate & Strategy
8	F&G Reg 18 (4)	In relation to the tenders that were not rejected, did the local government assess which tender to accept and which tender was most advantageous to the local government to accept, by means of written evaluation criteria?	Yes		Lorraine Driscoll - Director Corporate & Strategy
9	F&G Reg 17	Did the information recorded in the local government's tender register comply with the requirements of F&G Reg 17 and did the CEO make the tenders register available for public inspection?	Yes		Lorraine Driscoll - Director Corporate & Strategy
10	F&G Reg 19	Did the CEO give each tenderer written notice advising particulars of the successful tender or advising that no tender was accepted?	Yes		Lorraine Driscoll - Director Corporate & Strategy
11	F&G Reg 21 & 22	Did the local governments advertising and expression of interest documentation comply with the requirements of F&G Regs 21 and 22?	Yes		Lorraine Driscoll - Director Corporate & Strategy
12	F&G Reg 23(1)	Did the local government reject the expressions of interest that were not submitted at the place and within the time specified in the notice?	Yes		Lorraine Driscoll - Director Corporate & Strategy
13	F&G Reg 23(4)	After the local government considered expressions of interest, did the CEO list each person considered capable of satisfactorily supplying goods or services?	Yes		Lorraine Driscoll - Director Corporate & Strategy
14	F&G Reg 24	Did the CEO give each person who submitted an expression of interest, a notice in writing in accordance with Functions & General Regulation 24?	Yes		Lorraine Driscoll - Director Corporate & Strategy
15	F&G Reg 24AC (1) & (2)	Has the local government established a policy on procurement of goods and services from pre-qualified suppliers in accordance with the regulations?	Yes		Lorraine Driscoll - Director Corporate & Strategy
16	F&G Reg 24AD(2)	Did the local government invite applicants for a panel of pre-qualified suppliers via Statewide public notice?	Yes		Lorraine Driscoll - Director Corporate & Strategy



No	Reference	Question	Response	Comments	Respondent
17	F&G Reg 24AD(4) & 24AE	Did the local government's advertising and panel documentation comply with F&G Regs 24AD(4) & 24AE?	Yes		Lorraine Driscoll - Director Corporate & Strategy
18	F&G Reg 24AF	Did the local government's procedure for receiving and opening applications to join a panel of pre-qualified suppliers comply with the requirements of F&G Reg 16 as if the reference in that regulation to a tender were a reference to a panel application?	Yes		Lorraine Driscoll - Director Corporate & Strategy
19	F&G Reg 24AD(6)	If the local government sought to vary the information supplied to the panel, was every reasonable step taken to give each person who sought detailed information about the proposed panel or each person who submitted an application, given notice of the variation?	Yes		Lorraine Driscoll - Director Corporate & Strategy
20	F&G Reg 24AH(1)	Did the local government reject the applications to join a panel of pre-qualified suppliers that were not submitted at the place, and within the time specified in the invitation for applications?	Yes		Lorraine Driscoll - Director Corporate & Strategy
21	F&G Reg 24AH(3)	In relation to the applications that were not rejected, did the local government assess which application (s) to accept and which application(s) were most advantageous to the local government to accept, by means of written evaluation criteria?	Yes		Lorraine Driscoll - Director Corporate & Strategy
22	F&G Reg 24AG	Did the information recorded in the local government's tender register about panels of pre-qualified suppliers, comply with the requirements of F&G Reg 24AG?	Yes		Lorraine Driscoll - Director Corporate & Strategy
23	F&G Reg 24AI	Did the CEO send each person who submitted an application, written notice advising if the person's application was accepted and they are to be part of a panel of pre-qualified suppliers, or, that the application was not accepted?	Yes		Lorraine Driscoll - Director Corporate & Strategy
24	F&G Reg 24E	Where the local government gave a regional price preference, did the local government comply with the requirements of F&G Reg 24E including the preparation of a regional price preference policy?	N/A	No regional price preference.	Lorraine Driscoll - Director Corporate & Strategy
25	F&G Reg 24F	Did the local government comply with the requirements of F&G Reg 24F in relation to an adopted regional price preference policy?	Yes		Lorraine Driscoll - Director Corporate & Strategy
26	F&G Reg 11A	Does the local government have a current purchasing policy that comply with F&G Reg 11A(3) in relation to contracts for other persons to supply goods or services where the consideration under the contract is, or is expected to be, \$150,000 or less?	Yes		Lorraine Driscoll - Director Corporate & Strategy





Department of  
**Local Government, Sport  
and Cultural Industries**

No	Reference	Question	Response	Comments	Respondent
27	F&G Reg 11A	Did the local government comply with its current purchasing policy in relation to the supply of goods or services where the consideration under the contract is, or is expected to be \$150,000 or less or worth \$150,000 or less?	Yes		Lorraine Driscoll - Director Corporate & Strategy

I certify this Compliance Audit return has been adopted by Council at its meeting on \_\_\_\_\_

\_\_\_\_\_  
Signed Mayor / President, Nedlands

\_\_\_\_\_  
Signed CEO, Nedlands

#### 8.4 Audit & Risk Committee Dates for 2020

<b>Owner</b>	City of Nedlands
<b>Employee Disclosure under section 5.70 Local Government Act 1995</b>	Nil.
<b>Director</b>	Lorraine Driscoll – Director Corporate & Strategy
<b>CEO</b>	Mark Goodlet
<b>Attachments</b>	Nil.

#### Regulation 11(da) – Not Applicable – Recommendation Adopted

Moved – Councillor Senathirajah  
 Seconded – Councillor Mangano

#### Committee Recommendation / Recommendation to Committee

The Audit and Risk Committee agrees to the following Audit and Risk Committee Meetings dates for the remainder of 2020:

1. 8<sup>th</sup> June 2020;
2. 5<sup>th</sup> October 2020; and
3. 9<sup>th</sup> November 2020.

**CARRIED UNANIMOUSLY 4/-**

#### Executive Summary

This report seeks the Audit and Risk Committee’s approval to set the remaining Committee dates for 2020.

#### Discussion/Overview

For the Audit and Risk Committee to fulfill its duty to the Council, it must meet several times a year.

In scheduling the remaining meetings for 2020 around key financial and auditing dates the Audit & Risk Committee will be allowing Administration to plan reports around these dates and provide timely information to the Committee.

#### Key Relevant Previous Council Decisions:

There are no relevant previous Council decisions to consider.

## **Budget/Financial Implications**

There are no Budget/Financial Implications.

**9 Confidential Items**

Nil.

**10 Date of next meeting**

The date of the next meeting of the Audit & Risk Committee is 8 June 2020.

**Declaration of Closure**

There being no further business, the Presiding Member declared the meeting closed 6.57 pm.