



Local Government Compliance Audit Return

1 January 2001 to 31 December 2001

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INSTRUCTIONS

1. Each local government is to carry out a compliance audit for the period 1 January to 31 December 2001 against the requirements included in this Compliance Audit Return. On completion of the compliance audit the local government is to complete the Compliance Audit Return.
2. The Compliance Audit Return is to be:
 - (a) presented to Council at a meeting of the Council;
 - (b) adopted by the Council; and
 - (c) recorded in the minutes of the meeting at which it is adopted.
3. After the Compliance Audit Return has been presented to the Council, a certified copy of the return, along with the relevant section of the minutes and any additional information explaining or qualifying the compliance audit, is to be submitted to the **Director General by 31 March 2002**. (Certified means signed by the Mayor or President and the CEO)
4. The Chief Executive Officer may delegate the responsibility to complete any sections of the return to another person or persons. The delegated person's initials must be clearly identified by name, position and signature in the section indicated in the return.
3. Each item should be completed by the person responsible initialling and dating the appropriate box and providing the relevant information. In the case of multiple answers, or if full compliance is not achieved, the additional information should be attached to the Compliance Audit Return as an appendix. If necessary, a brief comment may be included adjacent to the appropriate box, or, if required, more details may be provided on the comment area at the end.
4. Please use a pen or some other form of indelible print in black or blue when completing this Return.
5. All references to the Act mean the *Local Government Act 1995* unless otherwise stated.

Please note the Act is referred to by section and sub-section. The first time that Regulations are referred to they are given their full title. Following references are covered by the initials.

1. LOCAL LAWS

- 1.1 The local government gave statewide public notice stating the purpose and effect of the proposed local law.

s3.12(3)(a)

YES NO N/A Initials & Date

☒ ☐ ☐ *S.* 08/03

- 1.2 On all occasions, as soon as the notice referred to in 1.1 was published, a copy of the proposed law, together with a copy of the notice, was given to the Minister and, where applicable, to the Minister who administers the Act under which the local law was made.

s3.12(3)(b)

☒ ☐ ☐ *S.* 8/3

- 1.3 All of Council's resolutions to make local laws were by special majority and recorded as such in the minutes of the meeting.

s3.12(4)

☒ ☐ ☐ *S.* 8/3

- 1.4 Each local law was given statewide public notice after gazettal.

s3.12(6)

☒ ☐ ☐ *S.* 8/3

- 1.5 On all occasions, the decision to repeal or amend a local law was determined by absolute majority.

s3.16(4)

☐ ☐ ☒ *S.* 8/3

- 1.6 Council's decision on each local law review was given statewide public notice, so as to conform with section 3.16(5).

s3.16(5)

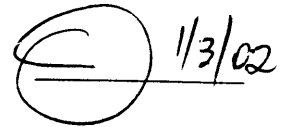
☐ ☐ ☒ *S.* 8/3

2. COMMERCIAL ENTERPRISES BY LOCAL GOVERNMENTS

YES NO N/A Initials & Date

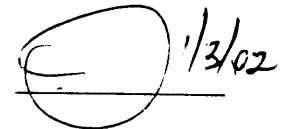
2.1 As required by the *Local Government Functions and General (F & G) Regulations 1996*, the local government has:

- a) Prepared a business plan for each major trading undertaking. (Note: major trading undertaking is defined as \$250,000 or 10% of the operating expenditure incurred from the municipal fund in the last completed financial year, whichever is the lowest);

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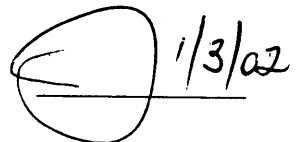
s3.59(2)(a)
(F & G) Reg 9,10

- b) Prepared a business plan for each major land transaction that was not exempt. (Note: major land transaction is defined as \$500,000 or 10% of operating expenditure incurred from the municipal fund in the last completed financial year, which ever is the lowest); and

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s3.59(2)(b)
(F & G) Reg 7,10

- c) Prepared a business plan before entering into each land transaction that was preparatory to entry into a major land transaction.

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s3.59(2)(c)

2.2 The local government gave statewide public notice, as required by section 3.59(4)(a), for each proposal to commence a major trading undertaking or enter into a major land transaction.

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s3.59(4)

2.3 Council resolved to proceed with each major land transaction or trading undertaking by absolute majority.

☒ ☐ ☐ 

s3.59(5)

3. TENDERS FOR PROVIDING GOODS OR SERVICES

YES NO N/A Initials & Date

- 3.1 The local government invited tenders, in accordance with the (F & G) Regulations, before it entered into contracts for the supply of goods or services, where consideration under the contract was, or expected to be, worth more than \$50,000.

☒ ☐ ☐

RF 7/03/01

s3.57
(F&G) Reg 11, 12

- 3.2 The local government's invitations to tender under F & G Regulations 11(1), 12 or 13 were in accordance with the requirements of (F & G) Regulation 14(3) and were given statewide public notice on all occasions.

☒ ☐ ☐

RF 7/03/01

(F&G) Reg 14(1), (3)

- 3.3 A Tender Register that included all details required by (F & G) Regulation 17(2) was kept by the CEO, entered up to date and was available for public inspection.

☒ ☐ ☐

RF 7/03/01

(F&G) Reg 17

- 3.4 On all occasions, the tender was rejected where a tender was not submitted at a place and within the time specified in the invitation for tenders.

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RF 7/03/01

(F&G) Reg 18(1)

- 3.5 The local government advised each tenderer in writing of the particulars of the successful tender or that no tender was accepted.

☒ ☐ ☐

RF 7/03/01

s3.57
(F&G) Reg 19

- 3.6 The local government complied with the requirements of the Regulations on all occasions when expressions of interest were sought for the supply of goods or services.

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RF 7/03/01

(F&G) Regs 21, 22, 23, 24

- 3.8 The local government prepared, adopted and advertised a regional price preference policy in accordance with the requirements of the (F & G) Regulations 24E and 24F before applying the policy to tenders.

☐ ☐ ☒

RF 7/03/01

s3.57
(F&G) Reg 24CDFG

	YES	NO	N/A	Initials & Date
3.9 The local government determined a tender amount and delegated the power to the CEO to accept tenders up to that amount. <i>s5.42(1)</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	RF 7/03/02
3.10 The CEO did not accept any tender that exceeded the amount referred to in 3.9. <i>s5.43(b)</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	RF 7/03/02
4. DISPOSING OF PROPERTY				
4.1 Any property not disposed of by public auction or tender was given statewide public notice prior to disposal. <i>s3.58(3)</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	RF 1/3/02
4.2 Details, as prescribed by section 3.58(4), were given in each statewide public notice for the disposal of property. <i>s3.58(4)</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	RF 1/3/02
5. ELECTIONS AND OTHER POLLS (Ordinary, Extraordinary and Inaugural)				
5.1 The person elected as Mayor or President, Deputy Mayor or President, or Councillor, took an oath or affirmation of allegiance, or made a declaration where applicable:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	RF 8/3
a) Before acting in the office;	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	RF 8/3
b) in the prescribed form; and	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	RF 8/3
c) before a prescribed person. <i>s2.29(1), (2), (3)</i>				
5.2 Council, in resolving to appoint a person other than the CEO to be Returning Officer, did so by absolute majority at least 80 days before all election days. <i>s4.20(2)</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	RF 8/3

- | | YES | NO | N/A | Initials & Date |
|---|-------------------------------------|--------------------------|--------------------------|---------------------------|
| 5.3 Council, in resolving to declare the Electoral Commissioner to be responsible for the conduct of any election, did so by special majority at least 80 days before election day.
<i>S4.20(4)</i> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <i>[Signature]</i> 8/3 |
| 5.5 Statewide public notice was given by the Returning Officer no later than the 19 th day before all election days, giving details on the conduct of the election and candidates.
<i>s4.64(1), (2)</i> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <i>[Signature]</i> 8/3 |
| 5.6 The CEO kept a register of the decisions on the enrolment eligibility claims of non-resident owners and occupiers.
<i>s4.32(6)</i> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <i>[Signature]</i> 1/3/02 |
| 5.7 On or after the 70 th day, but not later than the 56 th day before all election days, the CEO, where required, gave statewide public notice of the time and date of the close of enrolments for a person to be included on the electoral roll.
<i>s4.39(2)</i> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <i>[Signature]</i> 8/3 |
| 5.8 The CEO, where required, prepared and certified the Owners and Occupiers Roll on or before the 36 th day before all election days.
<i>S4.41</i> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <i>[Signature]</i> 1/3/02 |
| 5.9 On or before the 22 nd day before all election days, the Returning Officer, where required, deleted from the Owners and Occupiers Roll the name of any person whose name also appeared on the Residents Roll.
<i>s4.43(1)</i> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <i>[Signature]</i> 1/3/02 |
| 5.10 Statewide public notice calling for nominations of candidates was given by the Returning Officer on or before the 56 th day, but not later than on the 45 th day, before all election days.
<i>S4.47</i> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <i>[Signature]</i> 8/3 |

YES NO N/A Initials & Date

- 5.11 The returning officer prepared and adopted an electoral code of conduct for the election and provided each electoral officer with a copy or access to a copy of the electoral code of conduct.

(Electoral)Reg 8 (2)(3)

☒ ☐ ☐ S. 8/3

- 5.12 The Chief Executive Officer established and maintained an electoral gift register and all “disclosure of gifts” forms completed by candidates and received by the CEO have been place in the register and allowed the public access to the register.

(E)Reg 30G(1)(2)

(E) Reg 30H

☒ ☐ ☐ S. 8/3

- 5.13 A declaration was made in the prescribed form by the Returning Officer or a person appointed under section 4.21 or 4.23 of the Act.

(E) Reg 7

☒ ☐ ☐ S. 8/3

6. ADMINISTRATION

- 6.1 The granting of leave to a member from attending ordinary meetings of Council, was, on all occasions, by Council resolution and was recorded in the minutes of the meeting where the leave was granted.

s2.25(1)(3)

☒ ☐ ☐ S. 8/3

- 6.2 On all occasions, Ministerial approval was sought before leave of absence was granted to an elected member in respect of more than six consecutive ordinary meetings.

s2.25(2)

☐ ☐ ☒ S. 8/3

- 6.3 On all occasions where Councillors called an ordinary or special meeting of Council, it was called by at least 1/3 (one third) of the number of Councillors, by a notice to the CEO setting out the date and purpose of the proposed meeting.

s5.4(a)(ii)

☐ ☐ ☒ S. 8/3

	YES	NO	N/A	Initials & Date
6.4 Each Council member was given at least 72 hours notice of the date, time, place and an agenda of each ordinary meeting. <i>s5.5(16)</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>S.</u> 8/3
6.5 The Minister approved, on each occasion, as required, a reduction in the numbers needed for a Council meeting quorum, or for certain majorities. <i>s5.7</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<u>S.</u> 8/3
6.6 All Council committees during the review period were established by an absolute majority. <i>s5.8</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>S.</u> 8/3
6.7 All members of Council committees during the review period were appointed by an absolute majority. <i>s5.10(1)(a)</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>S.</u> 8/3
6.8 Each Council member was given their entitlement during the review period to be appointed as a committee member of at least one committee as referred to in section 5.9(2)(a) & (b) of the Act. <i>s5.10(2)</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>S.</u> 8/3
6.9 Presiding members of committees were elected by the members of the committees from amongst themselves in accordance with Schedule 2.3, Division 1 of the Act. <i>s5.12</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>S.</u> 8/3
6.10 The Mayor or President, if present, conducted the election of the Deputy Mayor or the Deputy President. <i>s5.12</i> <i>Schedule 2.3 Division 2</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>S.</u> 8/3
6.11 On each occasion where the quorum of a committee meeting was reduced, the decision was an absolute majority decision of Council. <i>s5.15</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<u>S.</u> 8/3

YES NO N/A Initials & Date

- 6.12 On all occasions where a person presiding at a Council or committee meeting cast a second vote, the details of the outcome of the motion were recorded in the minutes.

☒ ☐ ☐ JS 8/3

s5.21(3)
(Administration) Reg 11(c)

- 6.13 The contents of the minutes of all Council and committee meetings include all information as required under the Act.

☒ ☐ ☐ JS 8/3

s5.22(1)
(Admin) Reg 11

- 6.14 The minutes of all Council and committee meetings have been submitted to the next meeting of Council or committee, as the case requires, for confirmation.

☒ ☐ ☐ JS 8/3

s5.22(2)

- 6.15 On all occasions, the person presiding at the meeting at which the minutes of a Council or committee have been confirmed, has signed the minutes certifying their confirmation.

☒ ☐ ☐ JS 8/3

s5.22(3)

- 6.16 On all occasions, the reason, or reasons, for closing any Council or committee meeting to members of the public was in accordance with the Act.

☒ ☐ ☐ JS 8/3

s5.23(2)

- 6.17 On all occasions, a decision to close a meeting, or part of a meeting, to members of the public, and the reasons for the decision, were recorded in the minutes of that meeting.

☒ ☐ ☐ JS 8/3

s5.23 (3)

- 6.18 A summary of each question raised by members of the public at meetings and a summary of the response to each question was included in the minutes of the meetings.

☒ ☐ ☐ JS 8/3

s5.25(f)
(Admin) Reg 11

	YES	NO	N/A	Initials & Date
6.19 Subject to section 5.23(2) of the Act, the following were open to members of the public:				
a) all Council meetings; and	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>[Signature]</i> 8/3
b) all meetings of committees to which a power or duty had been delegated.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<i>[Signature]</i> 8/3
				s5.23
6.20 A minimum of 15 minutes for public question time was allocated by the Council for:				
a) every ordinary meeting of Council;	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>[Signature]</i> 8/3
b) every special meeting of Council; and	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>[Signature]</i> 8/3
c) every meeting of a committee with a delegated power or duty.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<i>[Signature]</i> 8/3
				s5.24 (Admin) Reg 5, 6
6.21 A period of 30 minutes was allowed from the advertised commencement time before any Council or committee was adjourned due to the lack of a quorum.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<i>[Signature]</i> 8/3
				s5.25(c) (Admin) Reg 8
6.22 Voting at Council or committee meetings was conducted so that no vote was secret.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>[Signature]</i> 8/3
				s5.25(d) (Admin) Reg 9
6.23 All decisions to revoke or change decisions made at Council or committee meetings were made in accordance with the Act and Regulations.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>[Signature]</i> 8/3
				s5.25(e) (Admin) Reg 10

YES NO N/A Initials & Date

- 6.24 At least once during the period covered by this Return, the local government gave local public notice of the date, time and place of ordinary Council meetings and those committee meetings that were required under the Act to be open to the public or that were proposed to be open to the public for the ensuing 12 months.



S. 8/3

s5.25(g)

(Admin) Reg 12(1)

- 6.25 The local government gave local public notice of any changes to the dates, times or places referred to in 6.24 above.



S. 8/3

s5.25(g)

(Admin) Reg 12(2)

- 6.26 The local government made available for public inspection unconfirmed minutes of all Council and committee meetings:

a) within 10 business days after the Council meetings; or



S. 8/3

b) within five business days after the committee meetings.



S. 8/3

s5.25(j)

(Admin) Reg 13

- 6.27 Notice papers, agenda and other documents relating to any Council or committee meeting were made available for inspection, other than those referred to in Admin Reg 14(2).



S. 8/3

s5.25(j)

(Admin) Reg 14(1), (2)

- 6.28 The annual general meeting of electors was held within 56 days of the local government's acceptance of the annual report for the previous financial year.



S. 8/3

s5.27(2)

- 6.29 The CEO convened all electors' meetings by giving at least 14 days local public notice and each Council member at least 14 days notice of the date, time, place and purpose of the meeting.



S. 8/3

s5.29

	YES	NO	N/A	Initials & Date
6.30 The CEO caused the minutes of all electors' meetings to be kept and made available for public inspection before the Council meeting at which decisions made at the electors' meeting were first considered. <i>s5.32</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>[Signature]</u> 8/3
6.31 All decisions made at all electors' meetings were considered at the next ordinary Council meeting, or, if not practicable, at the first ordinary Council meeting after that, or at a special meeting called for that purpose. <i>s5.33(1)</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>[Signature]</u> 8/3
6.32 The reasons for Council decisions, in response to decisions made at all electors' meetings, were recorded in the minutes of the appropriate Council meeting. <i>s5.33(2)</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>[Signature]</u> 8/3
6.33 The local government reviewed its code of conduct in the 12 months immediately following each ordinary election day. Date of Review _____ <i>s5.103(2)</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<u>[Signature]</u> 8/3
6.34 The CEO has kept a register of all token gifts received by Council members and employees. <i>s5.103(3)</i> (Admin) Reg 34B	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>[Signature]</u> 8/3
7. LOCAL GOVERNMENT EMPLOYEES				
7.1 The salary and total value of all remuneration and benefits was stated in all advertisements for the position of CEO and for designated senior employees. <i>s5.36(4), 5.37(3)</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<u>[Signature]</u> 25/2
7.2 The CEO informed Council of each proposal to employ or dismiss a designated senior employee. <i>s5.37(2)</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<u>[Signature]</u> 25/2

YES NO N/A Initials & Date

The performance of employees was reviewed, within the most recently completed 12 months of their term of employment.

☐ ☒ ☐ AK 25/2

s5.38

During the period covered by this Return, written performance based contracts were in place for the CEO and senior employees (designated under s5.37) who were employed since 1 July 1996.

☒ ☐ ☐ AK 25/2

s5.39

Public notice was given on all occasions where Council made a payment that was more than the additional amount set out in its policy adopted in accordance with section 5.50 (1).

☐ ☐ ☒ AK 25/2

s5.50(2)(b)

8 DELEGATION OF POWER/DUTY

8.1 All delegations to committees were:

a) resolved by absolute majority; and

☐ ☐ ☒ AK 8/3

b) in writing; and

☐ ☐ ☒ AK 8/3

c) recorded in a register of delegations.

☐ ☐ ☒ AK 8/3

s5.16,5.18

8.2 Council reviewed delegations to committees in the 2000/2001 financial year.

☐ ☐ ☒ AK 8/3

s5.18

8.3 Powers and duties of the Council delegated to the CEO:

a) excluded those as listed in section 5.43(a) to (i) of the Act; and

☒ ☐ ☐ AK 8/3

b) were by absolute majority decision.

☒ ☐ ☐ AK 8/3

s5.42(1),5.43

	YES	NO	N/A	Initials & Date
8.4 All delegations:				
a) to the CEO were resolved by an absolute majority and were in writing; and	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>S.</u> 8/3
b) by the CEO to any employee are in writing. s5.42(2), 5.44(2)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>S.</u> 8/3
8.5 Decisions to amend or revoke a delegation were made by absolute majority. s5.45(1)(b)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<u>S.</u> 8/3
8.6 The CEO has kept a register of all delegations made to the CEO and to employees under the Act. s5.46(1)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>S.</u> 8/3
8.7 Delegations made under the Act were reviewed by the delegator at least once during the financial year ended 30 June 2001. s5.46(2)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>S.</u> 8/3
8.8 Persons exercising a delegated power or duty under the Act have, on all occasions, kept a written record as required. s5.46(3) (Admin) Reg 19	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>S.</u> 8/3
9. DISCLOSURE OF INTERESTS				
9.1 On all occasions where a member disclosed a financial interest by written notice, the presiding person brought the notice and its contents to the attention of the meeting immediately before the matter to which the interest related was discussed. s5.66(b)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>S.</u> 8/3
9.2 All decisions made under section 5.68(1), and the extent of participation allowed, was recorded in the minutes of Council and committee meetings. s5.68(2)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<u>S.</u> 8/3

YES NO N/A Initials & Date

- 9.3 On all occasions, when a member disclosed an interest, he/she did not remain present to participate in any discussion or decision making procedure relating to the matter, if not allowed to do so under section 5.68 and 5.69 of the Act.

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S. 8/3

s5.67

- 9.4 Disclosures under section 5.65 or 5.70 were recorded in the minutes of the meeting at which the disclosure was made.

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S. 8/3

s5.73

- 9.5 A primary return was lodged by all newly elected members and new designated employees within three months of their start day.

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S. 8/3

s5.75(1)

(Admin) Reg 22 Form 2

- 9.6 Continuing elected members and designated employees lodged an annual return in the prescribed form by 31 August 2001.

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S. 8/3

s5.76(1)

(Admin) Reg 23 Form 3

- 9.7 On receipt of a primary or annual return, the CEO, or the Mayor/ President (in the case of the CEO's return), on all occasions, gave written acknowledgment of having received the return.

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S. 8/3

s5.77

- 9.8 The CEO kept a register, in accordance with the requirements of (Admin) Regulation 28, of elected members' and employees' disclosures of financial interests and allowed any person to inspect the register during office hours free of charge.

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S. 8/3

s5.88, 5.94(b)

- 9.9 Where an elected member or an employee disclosed an interest in a matter discussed at a Council or committee meeting where there is a reasonable belief that the impartiality of the person having the interest would be adversely affected, it was recorded in the minutes.

s5.103

(Admin) Reg 34C

YES NO N/A Initials & Date

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[Signature] 8/3

10. ANNUAL REPORT

- 10.1 The local government prepared an annual report for the financial year ended 30 June 2001 which contained the prescribed information under the Act and Regulations.

s5.53

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[Signature] 1/3/02

- 10.2 The annual report was accepted by the local government either:

- a) by 31 December 2001; or
- b) if the Auditor's report was not available in time for acceptance by 31 December, it will be accepted no more than two months after the Auditor's report was made available.

s5.54(1), (2)

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[Signature] 1/3/02

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- 10.3 The CEO gave local public notice of the availability of the annual report as soon as practicable after the report was accepted by the local government.

s5.55

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[Signature] 1/3/02

11. FEES, EXPENSES AND ALLOWANCES

- 11.1 The annual allowance for expenses made available to the Mayor or President was within the prescribed range.

s5.98(5)

(Admin) Reg 33

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☐

[Signature] 8/3

	YES	NO	N/A	Initials & Date
11.2 The fee made available to elected members for attending meetings and for reimbursement of expenses incurred was within the prescribed ranges. <i>s5.98</i> (Admin) Reg 30, 31	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<u>S. 8/3</u>
11.3 Where a local government decided to pay the Deputy Mayor or the Deputy President an allowance, it was:				
a) resolved by absolute majority; and	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>S. 8/3</u>
b) within the prescribed ranges. <i>s5.98A</i> (Admin) Reg 33A	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>S. 8/3</u>
11.4 Where a local government decided to pay Council members an annual fee in lieu of fees for attending meetings, it was:				
a) resolved by absolute majority; and	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>S. 8/3</u>
b) within the prescribed ranges. <i>s5.99</i> (Admin) Reg 34	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>S. 8/3</u>
11.5 Where a local government decided to pay Council members an allowance instead of reimbursing telephone, facsimile machine rental charges and other telecommunication expenses, it was:				
a) resolved by absolute majority; and	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>S. 8/3</u>
b) within the prescribed ranges. <i>s5.99</i> (Admin) Reg 34A	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>S. 8/3</u>

12. FINANCE

YES NO N/A Initials & Date

- 12.1 A Principal Activities Plan for the next four or more financial years was prepared in 2000/2001 which contained the details set out in section 5.56(2) of the Act.

s5.56

☒ ☐ ☐ (S) 1/3/02

- 12.2 Council, prior to 31 August in the review period, adopted by absolute majority, a budget in the form and manner prescribed by Financial Management (FM) Reg 22 and the Act.

☒ ☐ ☐ (S) 1/3/02

Date of Council Resolution 8 AUGUST 2001

☐ ☐ ☒ (S) 1/3/02

If 'no', Ministerial approval was sought for an extension.

s6.2

- 12.3 The 2001/2002 budget was forwarded to the Department of Local Government within 30 days of its adoption.

☒ ☐ ☐ (S) 1/3/02

Date sent 29 AUGUST 2001

(Financial Management) Reg 33

- 12.4 Expenditure that the local government incurred from its municipal fund which was not included in its annual budget was:

☒ ☐ ☐ (S) 1/3/02

a) authorised in advance on all occasions by absolute majority resolution; or

☐ ☐ ☒ (S) 1/3/02

b) if authorised in advance by the Mayor or President in an emergency, it was reported on all occasions to the next ordinary meeting of Council.

s6.8

YES NO N/A Initials & Date

12.5 The local government has developed procedures for the authorisation of, and the payment of, accounts to ensure that there is effective security for and properly authorised use of:

- a) cheques, credit cards, computer encryption devices and passwords, purchasing cards and other devices or methods by which goods, services, money or other benefits may be obtained; and
- b) petty cash systems.

☒ ☐ ☐ E 1/3/02

☒ ☐ ☐ E 1/3/02

(FM) Reg 11

12.6 The local government has established and documented internal control procedures to ensure control over investments. These control procedures enable the identification of:

- a) the nature and location of all investments; and
- b) the transactions related to each investment.

☒ ☐ ☐ E 1/3/02

☒ ☐ ☐ E 1/3/02

(FM) Reg 19

12.7 Council determined the following by absolute majority:
(apply to money other than rates and service charges).

- a) at the time of adopting its budget, the granting of a discount or other incentive for early payment; and
- b) the setting of interest rates on money owing to Council.

☒ ☐ ☐ E 1/3/02




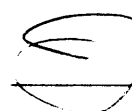


☒ ☐ ☐ E 1/3/02






s6.12, 6.13

12.8 Council, in granting a discount or other incentive for early payment of any rate or service charge, did so by absolute majority.

☒ ☐ ☐ E 1/3/02



s6.46

	YES	NO	N/A	Initials & Date
12.9 Council, on all occasions where it was resolved to waive a rate or service charge or grant other concessions in relation to a rate or service charge, did so by absolute majority. <i>s6.47</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	 1/3/02
12.10 Council, in setting an interest rate on a rate or service that remained unpaid, did so by absolute majority. <i>s6.51</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	 1/3/02
12.11 Ministerial approval was sought and obtained to adopt a budget with a yield from general rates that was plus or minus 10% of the amount of the budget deficiency. <i>s6.34</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	 1/3/02
12.12 All rates imposed by the Council complied with the provisions of the Act Part 6, Division 6.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	 1/3/02
12.13 Ministerial approval was granted to impose a differential general rate that was more than twice the lowest differential rate imposed. <i>s6.33(3)</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	 1/3/02
12.14 A minimum payment was not imposed on more than 50% of the number of separately rated properties in a district unless the general minimum was less than \$200.00. <i>s6.35(4)</i> <i>(FM) Reg 53</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	 1/3/02

	YES	NO	N/A	Initials & Date
12.15 Where a service charge was imposed in the budget, the local government used the income raised under the service charge for the purpose of:				
a) television and radio rebroadcasting;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	 1/3/02
b) volunteer bush fire brigades;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	 1/3/02
c) underground electricity;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	 1/3/02
d) property surveillance and security; and	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	 1/3/02
e) water supplies.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	 1/3/02

s6.38(2)(4)
(FM) Reg 54

13. FINANCIAL REPORTING

13.1 Financial reports, other than the annual financial report, and where Council made a resolution as per question 13.2, as prescribed, have been prepared in accordance with the (FM) regulations, presented to Council and recorded in the minutes of the meetings where submitted.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	 1/3/02
13.2 Council resolved, by absolute majority, not to prepare a quarterly or triannual report for the period ending 30 June 2001.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	 1/3/02
Date _____ of _____ Resolution _____				

s6.4(1)
(FM) Reg 34(1a)

	YES	NO	N/A	Initials & Date
<p>13.3 The annual financial report, prepared for the financial year ended 30 June 2001, was submitted to the Auditor by 30 September 2001 or by the extended time allowed by the Minister.</p> <p style="text-align: right;"><i>s6.4(3)(b)</i> <i>(FM) Reg 36</i></p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>E</u> 1/3/02
<p>13.4 The annual financial report was submitted to the Department of Local Government within 30 days of the receipt by the CEO of the Auditor's report.</p> <p style="text-align: right;"><i>(FM) Reg 51(2)</i></p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>E</u> 1/3/02
14. AUDIT				
<p>14.1 The Auditor's report for the financial year ended 30 June 2001 was received by the local government within 30 days of completion of the audit.</p> <p style="text-align: right;"><i>(Audit) Reg 10</i></p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>E</u> 1/3/02
<p>14.2 The Auditor's report for 2000/2001 was received by the local government by 31 December 2001.</p> <p style="text-align: right;"><i>s7.9(1)</i></p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>E</u> 1/3/02
<p>14.3 The agreement between the local government and its auditor includes;</p> <p>a) the objective of the audit;</p> <p>b) the scope of the audit;</p> <p>c) a plan for the audit;</p> <p>d) details of the remuneration and expenses to be paid to the auditor; and</p> <p>e) the method to be used by the local government to communicate with, and supply information to, the auditor</p> <p style="text-align: right;"><i>(A)Reg 7</i></p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>E</u> 1/3/02
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>E</u> 1/3/02
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>E</u> 1/3/02
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>E</u> 1/3/02
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>E</u> 1/3/02
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>E</u> 1/3/02

YES NO N/A Initials & Date

15 MISCELLANEOUS PROVISIONS

- 15.1 Each person who has received an unfavourable decision from Council, or from an employee of local government exercising delegated authority under Part 3 of the Act, or any local law, or any regulation operating as a local law, was informed of their right to object and appeal against the decision.

☒ ☐ ☐ CEO

s9.4

- 15.2 On all occasions, those employees who represented the local government in court proceedings, were appointed by the CEO in writing.

☒ ☐ ☐ CEO

s9.29(2)

16. PRIVATE SWIMMING POOLS

- 16.1 Inspections of known private swimming pools either have been, or are proposed to be, carried out as required by section 245A(5)(aa) of the *Local Government (Miscellaneous Provisions) Act 1960*.

☒ ☐ ☐ 9/25/2/02

s245A(5)(aa)

Local Government (Miscellaneous Provisions) Act 1960

17. CEMETERIES

- 17.1 A register has been maintained in accordance with the provisions of section 40(1)(a) & (b) of the *Cemeteries Act 1986*.

☐ ☐ ☒ J. 8/3

s40(1)(a), (b)

Cemeteries Act 1986

- 17.2 Plans have been kept and maintained in accordance with the provisions of section 40(2) of the *Cemeteries Act 1986*.

☐ ☐ ☒ J. 8/3

s40(2)

Cemeteries Act 1986

YES NO N/A Initials & Date

18. LOCAL GOVERNMENT GRANTS

- 18.1 The local government supplied to the Grants Commission such financial and other information as to its affairs as specified and required by the Commission.

☒ ☐ ☐

 1/3/02

s12(4)

Local Government Grants Act 1978

19. CARAVAN PARKS AND CAMPING GROUNDS

- 19.1 The local government has inspected each caravan park or camping ground in its district within the period 1 July 2000 to 30 June 2001.

☒ ☐ ☐




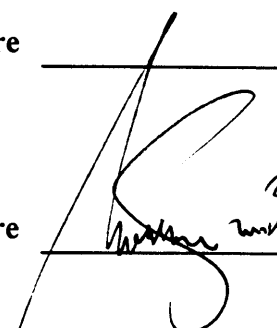
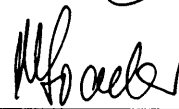
 25/4/02

s21(1)

Caravan Parks and Camping Grounds Act 1995

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**THE INITIALS APPEARING IN THIS RETURN RELATE TO THE
FOLLOWING**

Full Name	_____	Signature	_____	Initials	<div style="border: 1px solid black; width: 40px; height: 40px;"></div>
Position	_____		CEO		
Full Name	JOHN BROOKS & TURKINGTON	Signature		Initials	<div style="border: 1px solid black; width: 40px; height: 40px; text-align: center;">JB</div>
Position	DIRECTOR RESOURCE M'MENT				
Full Name	CLAYTON MORRIS HIGHAM	Signature		Initials	<div style="border: 1px solid black; width: 40px; height: 40px; text-align: center;">CMH</div>
Position	DIRECTOR PLANNING & DEVELOPMENT				
Full Name	RAYMOND GORDON FLETCHER	Signature		Initials	<div style="border: 1px solid black; width: 40px; height: 40px; text-align: center;">RF</div>
Position	EXECUTIVE MANAGER STRATEGIC PLANNING				
Full Name	_____	Signature	_____	Initials	<div style="border: 1px solid black; width: 40px; height: 40px;"></div>
Position	_____				
Full Name	MICHAEL GEORGE SMITH	Signature		Initials	<div style="border: 1px solid black; width: 40px; height: 40px; text-align: center;">MS</div>
Position	MANAGER WINDUP SUPPORT				
Full Name	MARK WARDER	Signature		Initials	<div style="border: 1px solid black; width: 40px; height: 40px; text-align: center;">MW</div>
Position	Manager HUMAN RESOURCES				
Full Name	_____	Signature	_____	Initials	<div style="border: 1px solid black; width: 40px; height: 40px;"></div>
Position	_____				

**JOINT CERTIFICATION BY THE MAYOR/PRESIDENT
AND
CHIEF EXECUTIVE OFFICER**

We,

_____ (full name),
being the elected Mayor/President, and

_____ (full name)

being the appointed Chief Executive Officer

of the _____ (local government),

hereby Certify that:

- ☐ The information contained in this Return are true and correct to the best of our knowledge.
- ☐ This Return was included in the agenda papers and considered by Council at the Ordinary/
Special Meeting of Council held on _____ (date).
- ☐ Each Councillor has had the opportunity to review the Return and to make comment to the
Council.
- ☐ The particulars of any matters of concern relating to the Return were recorded in the minutes
of the meeting.
- ☐ The Appendix attached to this Return is a true and correct copy of the relevant section(s)
of those minutes.
- ☐ Subject to the matters of concern raised and recorded, the Council adopted the Compliance
Audit Return as the official Return of Council for the period 1 January 2001 to
31 December 2001.
- ☐ The resolution of adoption was carried _____ (state vote detail) eg 7/2.

_____ (signature)
MAYOR/PRESIDENT

_____ (signature)
CHIEF EXECUTIVE OFFICER

_____ (date)

_____ (date)