



## Denmark - Compliance Audit Return 2009

**Certified Copy of Return**

Please submit a signed copy to the Director General of the Department of Local Government and Regional Development together with a copy of section of relevant minutes.

<b>Caravan Parks and Camping Grounds</b>					
No	Reference	Question	Response	Comments	Respondent
1	s21(1) Caravan Parks and Camping Grounds Act 1995	Did the local government inspect each caravan park or camping ground in its district within the period 1 July 2008 to 30 June 2009.	Yes		Garry Bird
2	Section 14(1) of the Caravans and Camping Grounds Act 1995	Did you keep a register of caravan park licenses. (For the return period)	Yes		Garry Bird

<b>Cemeteries</b>					
No	Reference	Question	Response	Comments	Respondent
1	s40(1)(a), (b) Cemeteries Act 1986	Has a register been maintained which contains details of all burials in the cemetery, including details of the names and descriptions of the deceased persons and location of the burial. (For the return period)	Yes		Garry Bird
2	s40(1)(a), (b) Cemeteries Act 1986	Has a register been maintained which contains details of all grants of right of burial in the cemetery, including details of assignments or bequests of grants. (For the return period)	Yes		Garry Bird
3	s40(2) Cemeteries Act 1986	Have plans been kept and maintained showing the location of all burials registered in as above.	Yes		Garry Bird



<b>Commercial Enterprises by Local Governments</b>					
No	Reference	Question	Response	Comments	Respondent
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 2009.	N/A		Garry Bird
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 2009.	N/A		Garry Bird
3	s3.59(2)(a)(b)(c) F&G Reg 7,11	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 2009.	N/A		Garry Bird
4	s3.59(4)	Has the local government given Statewide public notice of each proposal to commence a major trading undertaking or enter into a major land transaction for 2009.	N/A		Garry Bird
5	s3.59(5)	Did the Council, during 2009, resolve to proceed with each major land transaction or trading undertaking by absolute majority.	N/A		Garry Bird

<b>Delegation of Power / Duty</b>						
No	Reference	Question	Response	Comments	Respondent	
1	s5.16, 5.17, 5.18	Were all delegations to committees resolved by absolute majority.	Yes		Garry Bird	
2	s5.16, 5.17, 5.18	Were all delegations to committees in writing.	Yes		Garry Bird	
3	s5.16, 5.17, 5.18	Were all delegations to committees within the limits specified in section 5.17.	Yes		Garry Bird	
4	s5.16, 5.17, 5.18	Were all delegations to committees recorded in a register of delegations.	Yes		Garry Bird	
5	s5.18	Has Council reviewed delegations to its committees in the 2008/2009 financial year.	Yes		Garry Bird	
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		Garry Bird	
7	s5.42(1)(2) Admin Reg 18	Were all delegations to the CEO resolved by an absolute majority.	Yes		Garry Bird	
8	s5.42(1)(2) Admin Reg 18	Were all delegations to the CEO in writing.	Yes		Garry Bird	
9	s5.44(2)	Were all delegations by the CEO to any employee in writing.	Yes		Garry Bird	
10	s5.45(1)(b)	Were all decisions by the Council to amend or revoke a delegation made by absolute majority.	N/A		Garry Bird	
11	s5.46(1)	Has the CEO kept a register of all delegations made under the Act to him and to other employees.	Yes		Garry Bird	
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 2008/2009 financial year.	Yes		Garry Bird	
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		Garry Bird	

<b>Disclosure of Interest</b>						
No	Reference	Question	Response	Comments	Respondent	
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		Garry Bird	
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.	N/A		Garry Bird	

No	Reference	Question	Response	Comments	Respondent
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		Garry Bird
4	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		Garry Bird
5	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		Garry Bird
6	s5.76(1) Admin Reg 23 Form 3	Was an annual return lodged by all continuing elected members by 31 August 2009.	Yes		Garry Bird
7	s5.76(1) Admin Reg 23 Form 3	Was an annual return lodged by all designated employees by 31 August 2009.	Yes		Garry Bird
8	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		Garry Bird
9	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		Garry Bird
10	s5.88(1)(2) Admin Reg 2	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		Garry Bird
11	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		Garry Bird
12	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		Garry Bird
13	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		Garry Bird
14	s5.66(b)	Did the person presiding at a meeting, on all occasions, when given a member's written financial interest disclosure by the CEO, bring its contents to the attention of persons present immediately before any matters to which the disclosure relates were discussed.	Yes		Garry Bird



No	Reference	Question	Response	Comments	Respondent
15	s5.71(a)	Did the CEO disclose to the mayor or president the nature of the interest as soon as practicable after becoming aware that he or she had an interest in the matter to which the delegated power or duty related.	Yes		Garry Bird
16	5.71(b)	Did an employee disclose to the CEO the nature of the interest as soon as practicable after becoming aware that he or she had an interest in the matter to which the delegated power or duty related.	Yes		Garry Bird
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		Garry Bird
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		Garry Bird
19	s5.66(a)	Did the CEO, on all occasions, where a council member gave written notice of a disclosure of interest before a meeting, cause that notice to be given to the person who presided at the meeting.	Yes		Garry Bird
20	s5.71	On all occasions were delegated powers and duties not exercised by employees that had an interest in the matter to which the delegated power or duty related.	Yes		Garry Bird

### 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)).	N/A		Garry Bird
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		Garry Bird

### Elections

No	Reference	Question	Response	Comments	Respondent
1	4.17(3)	Was approval sought from the Electoral Commissioner where council allowed a vacancy to remain unfilled as a result of a councillor's position becoming vacant under s2.32 and in accordance with s4.17(3)(a) & (b).	N/A		Garry Bird

No	Reference	Question	Response	Comments	Respondent
2	s4.20(2)	Did the local government appoint a person other than the CEO to be the returning officer of the local government for an election or all other elections held while that appointment applied, after having written agreement of the person concerned and the Electoral Commissioner.	Yes		Garry Bird
3	s4.20(4)	Did the local government declare the electoral commissioner to be responsible for the conduct of an election, after having first obtained the written agreement of the electoral commissioner.	Yes		Garry Bird
4	s4.20(5)	Where a declaration has not already been made, was a declaration made under s4.20(4) prior to the 80th day before election day.	N/A		Garry Bird
5	s4.32(4)	Did the CEO, within 14 days after receiving a claim for enrolment, decide whether the claimant was eligible or not eligible under s4.30(1)(a)&(b) and accept or reject the claim accordingly.	Yes		Garry Bird
6	s4.32(6) Elect Reg 13	Did the CEO record on all occasions the decision in the owners and occupiers register in accordance with Regulation 13 of the Local Government (Elections) Regulations 1997 and give written notice of the decision to the claimant without delay, for eligibility to enrol.	Yes		Garry Bird
7	s4.35(2)	Did the CEO give written notice to the person before making a decision under subsection (1)(c) and allow 28 days for the person to make submissions on the matter.	Yes		Garry Bird
8	s4.35(3)	Did the CEO, after making a decision under subsection (1)(c), give written notice of it to the person.	Yes		Garry Bird
9	s4.35(5)	Did the CEO, on receipt of advice of the Electoral Commissioner's decision on an appeal, take any action necessary to give effect to that decision.	N/A		Garry Bird
10	s4.35(6)	Did the CEO give written notice on all occasions to the person, where after considering submissions made under subsection 2, the CEO decided that the person was still eligible under s4.30 to be enrolled to vote at elections for the district or ward.	Yes		Garry Bird
11	s4.35(7)	Did the CEO, on all occasions, record any decision under subsection (1) or (6) in the register referred to in section 4.32(6).	Yes		Garry Bird
12	s4.39(2)	Did the CEO on or after the 70th day, but no later than the 56th day give statewide public notice of the time and date of the close of enrolments.	Yes		Garry Bird



No	Reference	Question	Response	Comments	Respondent
13	s4.41(1)	Did the CEO prepare an owners and occupiers roll for the election on or before the 36th day before election day.	Yes		Garry Bird
14	s4.41(2)	Did the CEO certify that the owners and occupiers roll included the names of all persons who were electors of the district or ward under s4.30 at the close of enrolments.	Yes		Garry Bird
15	s4.43(1)	Where the CEO was returning officer (RO) and the rolls were not consolidated, did the RO delete the names of any person from the owners and occupiers roll whose name also appeared on the residents roll, on or before the 22nd day before election day.	Yes		Garry Bird
16	s4.47(1)	Where the CEO was returning officer (RO), did the RO give statewide public notice calling for nominations of candidates for the election on or after the 56th day but no later than the 45th day before election day.	Yes		Garry Bird
17	s4.47(2)(a)	Did the notice referred to in s4.47(1) calling for nominations specify the kind of election to be held and the vacancy or vacancies to be filled.	Yes		Garry Bird
18	s4.47(2)(b)	Did the notice referred to in s4.47(1) calling for nominations specify the place where nominations may be delivered or sent.	Yes		Garry Bird
19	s4.47(2)(c)	Did the notice referred to in s4.47(1) calling for nominations specify the period within which nominations have to be delivered or sent.	Yes		Garry Bird
20	s4.47(2)(d)	Did the notice referred to in s4.47(1) calling for nominations specify any other arrangements made for the receipt by the returning officer of nominations.	Yes		Garry Bird
21	s4.61(2)	Did the Council of the local government, where it decided to conduct the election as a postal election, make that decision by absolute majority.	Yes		Garry Bird
22	s4.61(3)	Where a decision was made under s4.61(2) and a relevant declaration had not already been made, was that decision made prior to the 80th day before election day.	Yes		Garry Bird
23	s4.64	Where the CEO was returning officer (RO), did the RO give Statewide public notice (election notice) as soon as practicable after preparations for the election, but no later than on the 19th day before election day, in accordance with regulations that included details of how, when and where the election will be conducted and the names of the candidates.	N/A		Garry Bird



No	Reference	Question	Response	Comments	Respondent
24	Elect Reg 7	Did a person, before acting as an electoral officer, make the required declaration as stated in local government election regulation 7.	Yes		Garry Bird
25	Elect Reg 8(2)	Where the CEO was returning officer (RO), did the RO prepare and adopt a Code of Conduct for the 2009 Ordinary Elections.	N/A		Garry Bird
26	Elect Reg 8(3)	Where the CEO was returning officer (RO), did the RO provide each electoral officer a copy or access to a copy of the electoral code of conduct for the 2009 Ordinary Elections.	N/A		Garry Bird
27	Elect Reg 13(1)	Has the relevant information as listed in Election Reg 13 been recorded in the owners and occupiers register.	Yes		Garry Bird
28	Elect Reg 13(4)	Did the CEO amend the register from time to time to make sure that the information recorded in it is accurate.	Yes		Garry Bird
29	Elect Reg 17	Did the local government keep an enrolment eligibility claim form, if accepted, a copy of a notice of acceptance for 2 years after the claim and notice expired, and a copy of a notice of rejection for 2 years after the claim was rejected.	Yes		Garry Bird
30	Elect Reg 26(4)	Did the CEO or an employee of the local government appointed as Returning Officer keep the deposit referred to in s4.49(d) separate from other money and credited to a fund of the local government.	N/A		Garry Bird
31	Elect Reg 30G (1)	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		Garry Bird
32	Elect Reg 30G(3)	Did the CEO remove any "disclosure of gifts" forms completed by unsuccessful candidates from the electoral gift register in accordance with the period under regulation 30C and retain those forms separately for a period of at least 2 years.	N/A	No disclosures made by candidates	Garry Bird
33	Elect Reg 30H	Has the electoral gift register been kept at the appropriate local government offices.	Yes		Garry Bird
34	Elect Reg 40	Has a postal voters register been kept of electors whose applications are under regulation 37(1)(b) and are accepted under regulation 38(1), which contains the enrolment details of each elector included on it and any ward in respect of which the elector is registered.	N/A		Garry Bird





No	Reference	Question	Response	Comments	Respondent
35	Elect Reg 81	Was the report relating to an election under s4.79 provided to the Minister within 14 days after the declaration of the result of the election.	Yes		Garry Bird

**Executive Functions**

No	Reference	Question	Response	Comments	Respondent
1	s3.18(3)(a)	Has the local government satisfied itself that the services and facilities that it provides ensure integration and co-ordination of services and facilities between governments.	Yes		Garry Bird
2	s3.32(1)	Was a notice of intended entry given to the owner or occupier of the land, premises or thing that had been entered.	N/A		Garry Bird
3	s3.50	Did the local government close a thoroughfare wholly or partially for a period not exceeding 4 weeks under the guidelines of 3.50.	N/A		Garry Bird
4	s3.18(3)(b)	Has the local government satisfied itself that the services and facilities that it provides avoid unnecessary duplication of services or competition particularly with the private sector.	Yes		Garry Bird
5	s3.18(3)(c)	Has the local government satisfied itself that the services and facilities that it provides ensure services and facilities are properly managed.	Yes		Garry Bird
6	s3.40A(1)	Where in the opinion of the local government a vehicle was an abandoned vehicle wreck, was it removed and impounded by an employee authorised (for that purpose) by the local government.	N/A		Garry Bird
7	s3.40A(2)	Where the owner of the vehicle was identified within 7 days after its removal under s3.40A(1), did the local government give notice to that person advising that the vehicle may be collected from a place specified during such hours as are specified in the notice.	N/A		Garry Bird
8	s3.40A(3)	Where notice was given under s3.40A(2) did it include a short statement of the effect of subsection (4)(b) and the effect of the relevant provisions of sections 3.46 and 3.47.	N/A		Garry Bird
9	s3.51(3)	Did the local government give notice of what is proposed to be done giving details fo the proposal and inviting submissions from any person who wishes to make a submission and allow a reasonable time for submissions to be made and consider any submissions made.	N/A		Garry Bird



No	Reference	Question	Response	Comments	Respondent
10	s3.52(4)	Has the local government kept plans for the levels and alignments of public thoroughfares that are under its control or mangement, and made those plans available for public inspection.	No	Plans are kept for all new roads since introduction of new Act in 1995.	Garry Bird
11	s3.32(2)	Did the notice of intended entry specify the purpose for which the entry was required.	N/A		Garry Bird
12	s3.32(3)	Was the notice of intended entry given not less than 24 hours before the power of entry was exercised.	N/A		Garry Bird

**Finance**

No	Reference	Question	Response	Comments	Respondent
1	s5.53, Admin Reg 19B	Has the local government prepared an annual report for the financial year ended 30 June 2009 that contained the prescribed information under the Act and Regulations.	Yes		Garry Bird
2	s5.54(1), (2)	Was the annual report accepted by absolute majority by the local government by 31 December 2009.	Yes		Garry Bird
3	s5.54(1), (2)	Where the Auditor's report was not available in time for acceptance by 31 December, was it accepted no more than two months after the Auditor's report was made available.	N/A		Garry Bird
4	s5.55	Did the CEO give local public notice of the availability of the annual report as soon as practicable after the local government accepted the report.	Yes		Garry Bird
5	S5.56 Admin Reg 19C(2)	Has the local government made a plan for the future of its district in respect of the period specified in the plan (being at least 2 financial years).	Yes		Garry Bird
6	Admin Reg 19D	After a plan for the future, or modifications to a plan were adopted under regulation 19C, did the local government give public notice in accordance with subsection (2).	Yes		Garry Bird
7	s5.94, s5.95	Did the local government allow any person attending the local government during office hours to inspect information, free of charge, listed in s5.94 of the Act and subject to s5.95 whether or not the information was current at the time of inspection.	Yes		Garry Bird
8	s5.96	Where a person inspected information under Part 5, Division 7 of the Act and requested a copy of that information, did the local government ensure that copies were available at a price that did not exceed the cost of providing those copies.	Yes		Garry Bird
9	s5.98 Admin Reg 30	Was the fee made available to elected members for attending meetings within the prescribed range.	Yes		Garry Bird



No	Reference	Question	Response	Comments	Respondent
10	s5.98 Admin Reg 31	Was the reimbursement of expenses to elected members within the prescribed ranges or as prescribed.	Yes		Garry Bird
11	s5.98A Admin Reg 33A	Where a local government decided to pay the deputy mayor or the deputy president an allowance, was it resolved by absolute majority.	Yes		Garry Bird
12	s5.98A Admin Reg 33A	Where a local government decided to pay the deputy mayor or the deputy president an allowance, was it up to (or below) the prescribed percentage of the annual local government allowance to which the mayor or president is entitled under section 5.98 (5).	Yes		Garry Bird
13	s5.99 Admin Reg 34	Where a local government decided to pay Council members an annual fee in lieu of fees for attending meetings, was it resolved by absolute majority.	Yes		Garry Bird
14	s5.99 Admin Reg 34	Where a local government decided to pay Council members an annual fee in lieu of fees for attending meetings, was it within the prescribed range.	Yes		Garry Bird
15	s5.99A Admin Reg 34A, AA, AB	Where a local government decided to pay Council members an allowance instead of reimbursing telephone, facsimile machine rental charges and other telecommunication, information technology, travelling and accommodation expenses, was it resolved by absolute majority.	Yes		Garry Bird
16	s5.99A Admin Reg 34A, AA, AB	Where a local government decided to pay Council members an allowance instead of reimbursing telephone, facsimile machine rental charges and other telecommunication, information technology, travelling and accommodation expenses, was it within the prescribed range.	Yes		Garry Bird
17	s5.100 (1)	Did the local government pay a fee for attending committee meetings only to a committee member who was a council member or employee.	N/A	No fee paid for attending Committee Meeting	Garry Bird
18	s5.100 (2)	Where the local government decided to reimburse a committee member, who was not a council member or employee, for an expense incurred by the person in relation to a matter affecting the local government, was it within the prescribe range.	N/A	No reimbursement made	Garry Bird
19	s6.2	Did Council, prior to 31 August in the review period, adopt by absolute majority, a budget in the form and manner prescribed by Financial Management (FM) Reg 22 and the Act. (Please enter the date of the Council Resolution in the "Comments" column)	Yes		Garry Bird
20	s6.2	If 'no', was Ministerial approval sought for an extension.	N/A		Garry Bird



No	Reference	Question	Response	Comments	Respondent
21	s6.3	Did the council prepare and adopt a budget in a manner similar to the annual budget with modifications as listed in section 6.3.	Yes		Garry Bird
22	FM Reg 33	Was the 2009/2010 budget forwarded to the Department of Local Government and Regional Development within 30 days of its adoption. (Please enter the date sent in the "Comments" column).	Yes	25 August 2009	Garry Bird
23	s6.4(1) FM Reg 34	Did the local government prepare an annual financial report as prescribed.	Yes		Garry Bird
24	s6.4(1) FM Reg 34	Did the local government prepare other financial reports as prescribed.	Yes		Garry Bird
25	FM Reg 34	If the local government prepared other financial reports as prescribed in s6.4 (1) FM Reg 34, were they presented to Council and recorded in the minutes of the meetings in which they were submitted.	Yes		Garry Bird
26	s6.4(3)(b)	Was the annual financial report, prepared for the financial year ended 30 June 2009, submitted to the Auditor by 30 September 2009 or by the extended time allowed by the Minister or his delegate.	Yes		Garry Bird
27	FM Reg 51(2)	Was the annual financial report submitted to the Department of Local Government and Regional Development sent by the CEO within 30 days after receiving the Auditor's report.	N/A	No fee paid for attending Garry Bird Committee Meeting	Garry Bird
28	s6.8	Was expenditure that the local government incurred from its municipal fund, but not included in its annual budget, authorised in advance on all occasions by absolute majority resolution.	N/A	No reimbursemnt made	Garry Bird
29	s6.8(1)(c)	Did the Mayor or President authorise expenditure from the municipal fund in an emergency. (Please indicate circumstances in the "Comments" column)	Yes		Garry Bird
30	s6.8	In relation to expenditure that the local government incurred from its municipal fund that was authorised in advance by the mayor or president in an emergency, was it reported on all occasions to the next ordinary meeting of council.	N/A		Garry Bird
31	s6.9 (1)	Does the local government's trust fund consist of all money (or the value of assets) that are required by the Local Government Act 1995 or any other written law to be credited to the fund.	Yes		Garry Bird
32	s6.9 (1)	Does the local government's trust fund consist of all money or the value of assets held by the local government in trust.	Yes		Garry Bird

No	Reference	Question	Response	Comments	Respondent
33	s6.9(2)	Has the local government's trust fund been applied for the purposes of and in accordance with the trusts affecting it.	Yes		Garry Bird
34	s6.9(3)	Has money held in the trust fund, been paid to the person entitled to it, together with, if the money has been invested, any interest earned from that investment.	Yes		Garry Bird
35	s6.9(3)	Has property held in trust been delivered to the persons entitled to it.	N/A		Garry Bird
36	s6.11(2)	Have all decisions to change the use or purpose of money held in reserve funds been by absolute majority.	N/A		Garry Bird
37	s6.11(2) FM Reg 18	Did the local government give one months public notice of the proposed change of purpose or proposed use of money held in reserve funds . (Notice not required where the local government has disclosed the change of purpose or proposed use of reserve funds in its annual budget or where the money was used to meet expenditure authorised under s6.8(1) (c) of the Act or where the amount to be used did not exceed \$5,000).	N/A		Garry Bird
38	s6.12, 6.13, 6.16 (1),(3)	Did Council at the time of adopting its budget, determine the granting of a discount or other incentive for early payment by absolute majority.	N/A	No discount offered by Council	Garry Bird
39	s6.12, 6.13, 6.16 (1),(3)	Did Council determine the setting of an interest rate on money owing to Council by absolute majority.	Yes		Garry Bird
40	s6.12, 6.13, 6.16 (1),(3)	Did Council determine to impose or amend a fee or charge for any goods or services provided by the local government by absolute majority. (Note: this applies to money other than rates and service charges).	Yes		Garry Bird
41	s6.17(3)	Were the fees or charges imposed for receiving an application for approval, granting an approval, making an inspection and issuing a licence, permit, authorisation or certificate, limited to the cost of providing the service or goods.	N/A		Garry Bird
42	s6.17(3)	Were the fees or charges imposed for any other service prescribed in section 6.16 (2)(f), limited to the cost of providing the service or goods.	N/A		Garry Bird
43	s6.19	After the budget was adopted, did the local government give local public notice for all fees and charges stating its intention to introduce the proposed fees or charges and the date from which it proposed to introduce the fees or charges.	N/A		Garry Bird

No	Reference	Question	Response	Comments	Respondent
44	s6.20(2) FM Reg 20	On each occasion where the local government exercised the power to borrow and details of the proposal were not included in the annual budget for that financial year, did the local government give one month's local public notice of the proposal (except where the proposal was of a kind prescribed in FM Regulation 20).	Yes		Garry Bird
45	s6.20(2) FM Reg 20	On each occasion where the local government exercised the power to borrow, was the Council decision to exercise that power by absolute majority (Only required where the details of the proposal were not included in the annual budget for that financial year).	Yes		Garry Bird
46	s6.20(3) FM Reg 21	On each occasion where the local government changed the use of borrowings, did the local government give one month's local public notice of the change in purpose. (Only required if the details of the change of purpose were not included in the annual budget or were of the kind prescribed in FM Regulation 21).	Yes		Garry Bird
47	s6.20(3) FM Reg 21	On each occasion where the local government changed the use of borrowings, was the decision on the change of use by absolute majority. (Only required if the details of the change of purpose were not included in the annual budget or were of the kind prescribed in FM Regulation 21)	N/A		Garry Bird
48	s6.32(1)(a)	Did Council determine by absolute majority to impose a general rate on rateable land within its district .	N/A		Garry Bird
49	s6.32(1)(b)(i)	Did Council determine by absolute majority to impose a specified area rate on rateable land within its district .	N/A		Garry Bird
50	s6.32(1)(b)(ii)	Did Council determine by absolute majority to impose a minimum payment on rateable land within its district .	N/A		Garry Bird
51	s6.32(1)(c)	Did Council determine by absolute majority to impose a service charge on rateable land within its district .	N/A		Garry Bird
52	s6.33(3)	Did Council obtained the approval of the Minister or his delegate before it imposed a differential general rate that was more than twice the lowest differential rate imposed.	N/A		Garry Bird
53	s6.34	Did Council obtain the approval of the Minister or his delegate before it adopted a budget with a yield from general rates that was plus or minus 10% of the amount of the budget deficiency.	N/A		Garry Bird

No	Reference	Question	Response	Comments	Respondent
54	s6.35(4) FM Reg 53	Did the local government ensure that it did not impose a minimum payment on more than 50% of the number of separately rated properties in the district (unless the general minimum did not exceed \$200).	Yes		Garry Bird
55	s6.35(4) FM Reg 53	Did the local government ensure that it did not impose a minimum payment on more than 50% of the number of separately rated properties, rated on gross rental value (unless the general minimum did not exceed \$200).	Yes		Garry Bird
56	s6.35(4) FM Reg 53	Did the local government ensure that it did not impose a minimum payment on more than 50% of the number of separately rated properties rated on unimproved value (unless the general minimum did not exceed \$200).	Yes		Garry Bird
57	s6.35(4) FM Reg 53	Did the local government ensure that it did not impose a minimum payment on more than 50% of the number of separately rated properties in each differential rating category (unless the general minimum did not exceed \$200).	N/A		Garry Bird
58	s6.36	Did the local government before imposing any differential general rate, or a minimum payment applying to a differential rate category, give local public notice of its intention to do so containing details of each rate or minimum proposed.	N/A		Garry Bird
59	s6.36	Did the local government, before imposing any differential general rate or a minimum payment applying to a differential rate category, give local public notice of its intention to do so by extending an invitation for a period of 21 days or longer for submissions.	N/A		Garry Bird
60	s6.36	Did the local government before imposing any differential general rate or a minimum payment applying to a differential rate category, give local public notice of its intention to do so, detailing the time and place where the document describing the objects and reasons for each proposed rate and minimum payment may be inspected.	N/A		Garry Bird
61	s6.38(1) FM Reg 54	Where a local government imposed a service charge was it only imposed for a prescribed purposes of television and radio rebroadcasting, volunteer bush fire brigades, underground electricity, water, property surveillance and security.	N/A		Garry Bird
62	s6.38	Was money received from the imposition of a service charge applied in accordance with the provisions of s6.38 of the Act.	N/A		Garry Bird



No	Reference	Question	Response	Comments	Respondent
63	s6.46	Did Council, in granting a discount or other incentive for early payment of any rate or service charge, do so by absolute majority.	N/A		Garry Bird
64	s6.47	When a local government resolved to waive a rate or service charge or grant other concessions did it do so by absolute majority.	N/A		Garry Bird
65	s6.51	Did Council, in setting an interest rate on a rate or service charge that remained unpaid, do so by absolute majority.	Yes		Garry Bird
66	S6.76(6)	Was the outcome of an objection under section 6.76(1) promptly conveyed to the person who made the objection including a statement of the local government's decision on the objection and its reasons for that decision.	N/A		Garry Bird
67	FM Reg 5	Has efficient systems and procedures been established by the CEO of a local government as listed in Finance Reg 5.	Yes		Garry Bird
68	FM Reg 6	Has the local government ensured that an employee to whom is delegated responsibility for the day to day accounting or financial management operations of a local government is not also delegated the responsibility for conducting an internal audit or reviewing the discharge of duties by that employee.	N/A		Garry Bird
69	FM Reg 8	Did the local government maintain a separate account with a bank or other financial institution for money to be held in a municipal fund, trust fund or reserve accounts.	Yes		Garry Bird
70	FM Reg 9	On all occasions have separate financial records been kept for each trading undertaking and each major land transaction.	N/A		Garry Bird
71	FM Reg 11(1)	Has the local government developed procedures for the authorisation of, and the payment of, accounts to ensure that there is effective security for and properly authorised use of 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.	Yes		Garry Bird
72	FM Reg 11(1)	Has the local government developed procedures for the authorisation of, and the payment of, accounts to ensure that there is effective security for and properly authorised use of petty cash systems.	Yes		Garry Bird



No	Reference	Question	Response	Comments	Respondent
73	FM Reg 11(2)	Has the local government developed procedures that ensure a determination is made that the debt was incurred by a person who was properly authorised, before any approval for payment of an account is made.	Yes		Garry Bird
74	FM Reg 11(2)	Has the local government developed procedures that ensure a determination is made that the goods or services to which each account relates were provided in a satisfactory condition or to a satisfactory standard, before payment of the account.	Yes		Garry Bird
75	FM Reg 12	Have payments from the Municipal or Trust fund been made under the appropriate delegated authority.	Yes		Garry Bird
76	FM Reg 12	When Council are presented with a list detailing the accounts to be paid, have payments from the Municipal or Trust fund been authorised in advance by resolution of Council.	Yes		Garry Bird
77	FM Reg 13	Did the list of payments made or accounts for approval to be paid from the Municipal or Trust fund that were recorded in the minutes of the relevant meeting include the payee's name.	Yes		Garry Bird
78	FM Reg 13	Did the list of payments made or accounts for approval to be paid from the Municipal or Trust fund, that were recorded in the minutes of the relevant meeting, include the amount of the payment.	Yes		Garry Bird
79	FM Reg 13	Did the list of payments made or accounts for approval to be paid from the Municipal or Trust fund that were recorded in the minutes of the relevant meeting, include sufficient information to identify the transaction.	Yes		Garry Bird
80	FM Reg 13	Did the list of accounts for approval to be paid from the Municipal or Trust fund that were recorded in the minutes of the relevant meeting, include the date of the meeting of Council.	Yes		Garry Bird
81	FM Reg 19	Do the internal control procedures over investments established and documented by the local government enable the identification of the nature and location of all investments.	Yes		Garry Bird
82	FM Reg 33A	Did the local government, between 1 January and 31 March 2009, carry out a review of its annual budget for the year ended 30 June 2009.	Yes		Garry Bird
83	FM Reg 55	Does the local government's rate record include all particulars set out in the FM Regulations.	Yes		Garry Bird
84	FM Reg 56,57	Are the contents of the local government's rate notice in accordance with the FM Regulations.	Yes		Garry Bird



No	Reference	Question	Response	Comments	Respondent
85	FM Reg 56,57	Are the contents of the local government's reminder notice for instalment payments in accordance with the FM Regulations.	Yes		Garry Bird
86	FM Reg 68	Was the maximum rate of interest imposed 5.5% as prescribed under section 6.45(3).	Yes		Garry Bird
87	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		Garry Bird
88	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		Garry Bird
89	s7.3	Was the person(s) appointed by the local government to be its auditor, a registered company auditor.	N/A	Appointment made for 5 years in an earlier period	Garry Bird
90	s7.3	Was the person(s) appointed by the local government to be its auditor, an approved auditor.	Yes		Garry Bird
91	s7.3	Was the person or persons appointed by the local government to be its auditor, appointed by an absolute majority decision of Council.	N/A	Not appointed in period of review	Garry Bird
92	Audit Reg 10	Was the Auditor's report for the financial year ended 30 June 2009 received by the local government within 30 days of completion of the audit.	Yes		Garry Bird
93	s7.9(1)	Was the Auditor's report for 2008/2009 received by the local government by 31 December 2009.	Yes		Garry Bird
94	S7.12A(3), (4)	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 by the local government, was that action undertaken.	N/A	No matters raised	Garry Bird
95	S7.12A(3), (4)	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 by the local government, was a report prepared on any actions undertaken.	N/A		Garry Bird
96	S7.12A(3), (4)	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 by the local government, was a copy of the report forwarded to the Minister by the end of the financial year or 6 months after the last report prepared under s7.9 was received by the local government whichever was the latest in time.	N/A		Garry Bird



No	Reference	Question	Response	Comments	Respondent
97	Audit Reg 7	Did the agreement between the local government and its auditor include the objectives of the audit.	N/A		Garry Bird
98	Audit Reg 7	Did the agreement between the local government and its auditor include the scope of the audit.	N/A		Garry Bird
99	Audit Reg 7	Did the agreement between the local government and its auditor include a plan for the audit.	N/A		Garry Bird
100	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.	N/A		Garry Bird
101	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.	N/A		Garry Bird

**Local Government Employees**

No	Reference	Question	Response	Comments	Respondent
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	No appointment made in 2009	Garry Bird
2	s5.36(4) s5.37(3)	Were all vacancies for the position of CEO and for designated senior employees advertised.	Yes		Garry Bird
3	s5.36(4) s5.37(3) Admin Reg 18A(1)	Did the local government advertise for the position of CEO and for designated senior employees in a newspaper circulated generally throughout the State.	Yes		Garry Bird
4	s5.36(4), 5.37(3), Admin Reg 18A	Did all advertisements for the position of CEO and for designated senior employees contain details of the remuneration and benefits offered.	Yes		Garry Bird
5	s5.36(4), 5.37(3), Admin Reg 18A	Did all advertisements for the position of CEO and for designated senior employees contain details of the place where applications for the position were to be submitted.	Yes		Garry Bird
6	s5.36(4), 5.37(3), Admin Reg 18A	Did all advertisements for the position of CEO and for designated senior employees detail the date and time for closing of applications.	Yes		Garry Bird
7	s5.36(4), 5.37(3), Admin Reg 18A	Did all advertisements for the position of CEO and for designated senior employees indicate the duration of the proposed contract.	Yes		Garry Bird
8	s5.36(4), 5.37(3), Admin Reg 18A	Did all advertisements for the position of CEO and for designated senior employees provide contact details of a person to contact for further information.	Yes		Garry Bird



No	Reference	Question	Response	Comments	Respondent
9	s5.37(2)	Did the CEO inform council of each proposal to employ or dismiss a designated senior employee.	Yes		Garry Bird
10	s5.38	Was the performance of each employee, employed for a term of more than one year, (including the CEO and each senior employee), reviewed within the most recently completed 12 months of their term of employment.	No	Some outside staff not done but process in place to complete annually on anniversary date	Garry Bird
11	Admin Reg 18D	Where Council considered the CEO's performance review did it decide to accept the review with or without modification (if Council did not accept the review, the preferred answer is N/A & refer Q12).	Yes	Review undertaken by Council	Garry Bird
12	Admin Reg 18D	Where the Council considered the CEO's performance review, but decided not to accept the review, did it decide to reject the review (if Council accepted the review, the preferred answer is N/A refer Q11).	N/A		Garry Bird
13	s5.39	During the period covered by this Return, were written performance based contracts in place for the CEO and all designated senior employees who were employed since 1 July 1996.	Yes		Garry Bird
14	s5.39 Admin Reg 18B	Does the contract for the CEO and all designated senior employees detail the maximum amount of money payable if the contract is terminated before the expiry date. This amount is the lesser of the value of one year's remuneration under the contract.	Yes		Garry Bird
15	s5.39 Admin Reg 18B	Does the contract for the CEO and all designated senior employees detail the maximum amount of money payable if the contract is terminated before the expiry date and this amount is the lesser of the value of the remuneration they would be entitled to had the contract not been terminated.	Yes		Garry Bird
16	s5.50(1)	Did Council adopt a policy relating to employees whose employment terminates, setting out the circumstances in which council would pay an additional amount to that which the employee is entitled under a contract or award.	N/A	Policy adopted prior to 2009	Garry Bird
17	s5.50(1)	Did Council adopt a policy relating to employees whose employment terminates, setting out the manner of assessment of an additional amount.	N/A	Policy adopted prior to 2009	Garry Bird
18	s5.50(2)	Did the local government give public notice on all occasions where council made a payment that was more than the additional amount set out in its policy.	N/A		Garry Bird



No	Reference	Question	Response	Comments	Respondent
19	S5.53(2)(g) Admin Reg 19B	For the purposes of section 5.53(2)(g) did the annual report of a local government for a financial year contain the number of employees of the local government entitled to an annual salary of \$100,000 or more.	Yes		Garry Bird
20	S5.53(2)(g) Admin Reg 19B	For the purposes of section 5.53(2)(g) did the annual report of a local government for a financial year contain the number of those employees with an annual salary entitlement that falls within each band of \$10,000 and over \$100,000.	Yes		Garry Bird
21	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).	Yes		Garry Bird
22	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		Garry Bird
23	Admin Reg 33	Was the allowance paid to the mayor or president for the purposes of s5.98 (5) within the prescribed range.	Yes		Garry Bird

**Local Laws**

No	Reference	Question	Response	Comments	Respondent
1	s3.12(2) F&G Reg 3	On each occasion that Council resolved to make a local law, did the person presiding at the Council meeting give notice of the purpose and effect of each proposed local law in the manner prescribed in Functions and General Regulation 3.	N/A	No new Local Laws during 2009	Garry Bird
2	s3.12(3)(a)	On each occasion that Council proposed to make a local law, did the local government give Statewide and local public notice stating the purpose and effect of the proposed local law	N/A		Garry Bird
3	s3.12(3)(a)	Did the local government give Statewide and local public notice stating details of where a copy of the local law may be inspected or obtained.	N/A		Garry Bird
4	s3.12(3)(b)	On all occasions, as soon as a Statewide and local public notice was published, did the local government provide a copy of the proposed law, together with a copy of the notice, to the Minister for Local Government and Regional Development	N/A		Garry Bird



No	Reference	Question	Response	Comments	Respondent
5	s3.12(3)(b)	On all occasions, as soon as a Statewide and local public notice was published, did the local government provide a copy of the proposed law, together with a copy of the notice where applicable, to the Minister who administers the Act under which the local law was made.	N/A		Garry Bird
6	s3.12(4)	Have all Council's resolutions to make local laws been by absolute majority.	N/A		Garry Bird
7	s3.12(4)	Have all Council's resolutions to make local laws been recorded as such in the minutes of the meeting.	N/A		Garry Bird
8	s3.12(5)	After making the local law, did the local government publish the local law in the Gazette.	N/A		Garry Bird
9	s3.12(5)	After making the local law, did the local government give a copy to the Minister for Local Government and Regional Development and where applicable to the Minister who administers the Act under which the local law was made.	N/A		Garry Bird
10	s3.12(6)	After the local law was published in the Gazette, did the local government give local public notice stating the title of the local law.	N/A		Garry Bird
11	s3.12(6)	After the local law was published in the Gazette, did the local government give local public notice summarising the purpose and effect of the local law and the day on which it came into operation.	N/A		Garry Bird
12	s3.12(6)	After the local law was published in the Gazette, did the local government give local public notice advising that copies of the local law may be inspected or obtained from its office.	N/A		Garry Bird
13	s3.16(1)	Have all reviews of local laws under section 3.16(1) of the Act been carried out within a period of 8 years.	Yes	Last review undertaken 2008	Garry Bird
14	s3.16(1)(2)	If the local government carried out a review of a local law under section 3.16 of the Act, to determine whether or not the local law should be repealed or amended, did it give Statewide public notice stating that it intended to review the local law.	N/A		Garry Bird
15	s3.16(1)(2)	If the local government carried out a review of a local law under section 3.16 of the Act, to determine whether or not the local law should be repealed or amended, did it give Statewide public notice advising that a copy of the local law could be inspected or obtained at the place specified in the notice.	N/A		Garry Bird



No	Reference	Question	Response	Comments	Respondent
16	s3.16(1)(2)	If the local government carried out a review of a local law under section 3.16 of the Act, to determine whether or not the local law should be repealed or amended, did it give Statewide public notice detailing the closing date for submissions about the local law.	N/A		Garry Bird
17	s3.16(3)	Did the local government (after the last day for submissions) prepare a report of the review and have it submitted to Council.	N/A		Garry Bird
18	s3.16(4)	Was the decision to repeal or amend a local law determined by absolute majority on all occasions.	N/A		Garry Bird

### Meeting Process

No	Reference	Question	Response	Comments	Respondent
1	s2.25(1)(3)	Where Council granted leave to a member from attending 6 or less consecutive ordinary meetings of Council was it by Council resolution.	Yes		Garry Bird
2	s2.25(1)(3)	Where Council granted leave to a member from attending 6 or less consecutive ordinary meetings of Council, was it recorded in the minutes of the meeting at which the leave was granted.	Yes		Garry Bird
3	s2.25(3)	Where Council refused to grant leave to a member from attending 6 or less consecutive ordinary meetings of Council, was the reason for refusal recorded in the minutes of the meeting.	N/A	No LoA refused	Garry Bird
4	s2.25(2)	Was Ministerial approval sought (on all occasions) before leave of absence was granted to an elected member in respect of more than 6 consecutive ordinary meetings of council.	N/A		Garry Bird
5	s5.4	On all occasions when the mayor or president called an ordinary or special meeting of Council, was it done by notice to the CEO setting out the date and purpose of the proposed meeting;	N/A		Garry Bird
6	s5.5	On all occasions when councillors called an ordinary or special meeting of Council was it called by at least 1/3 (one third) of the councillors, by notice to the CEO setting out the date and purpose of the proposed meeting.	N/A		Garry Bird
7	s5.5(1)	Did the CEO give each council member at least 72 hours notice of the date, time, place and an agenda for each ordinary meeting of Council.	Yes		Garry Bird
8	s5.5(2)	Did the CEO give each council member notice before the meeting, of the date, time, place and purpose of each special meeting of Council.	Yes		Garry Bird



No	Reference	Question	Response	Comments	Respondent
9	s5.7	Did the local government seek approval (on each occasion as required) from the Minister or his delegate, for a reduction in the number of offices of member needed for a quorum at a Council meeting	N/A		Garry Bird
10	s5.7	Did the local government seek approval (on each occasion as required) from the Minister or his delegate, for a reduction in the number of offices of member required for absolute majorities.	N/A		Garry Bird
11	s5.8	Did the local government ensure all Council committees (during the review period) were established by an absolute majority.	Yes	All existing Committees reestablished in October 2009, no new Committees formed in 2009	Garry Bird
12	s5.10(1)(a)	Did the local government ensure all members of Council committees, during the review period, were appointed by an absolute majority (other than those persons appointed in accordance with section 5.10 (1)(b)).	Yes		Garry Bird
13	s5.10(2)	Was each Council member 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.	Yes		Garry Bird
14	s5.12(1)	Were Presiding members of committees elected by the members of the committees (from amongst themselves) in accordance with Schedule 2.3, Division 1 of the Act.	Yes		Garry Bird
15	s5.12(2)	Were Deputy presiding members of committees elected by the members of the committee (from amongst themselves) in accordance with Schedule 2.3 Division 2 of the Act.	Yes		Garry Bird
16	s5.15	Where the local government reduced a quorum of a committee meeting, was the decision made by absolute majority on each occasion.	N/A		Garry Bird
17	s5.21 (4)	When requested by a member of Council or committee, did the person presiding at a meeting ensure an individual vote or the vote of all members present, were recorded in the minutes.	Yes		Garry Bird
18	s5.22(1)	Did the person presiding at a meeting of a Council or a committee ensure minutes were kept of the meeting's proceedings.	Yes		Garry Bird
19	s5.22(2)(3)	Were the minutes of all Council and committee meetings submitted to the next ordinary meeting of Council or committee, as the case requires, for confirmation.	Yes		Garry Bird





No	Reference	Question	Response	Comments	Respondent
20	s5.22(2)(3)	Were the minutes of all Council and committee meetings signed to certify their confirmation by the person presiding at the meeting at which the minutes of Council or committee were confirmed.	Yes		Garry Bird
21	s5.23 (1)	Were all council meetings open to members of the public (subject to section 5.23(2) of the Act).	Yes		Garry Bird
22	s5.23 (1)	Were all meetings of committees to which a power or duty had been delegated open to members of the public (subject to section 5.23(2) of the Act).	Yes		Garry Bird
23	s5.23(2)(3)	On all occasions, was the reason, or reasons, for closing any Council or committee meeting to members of the public, in accordance with the Act.	Yes		Garry Bird
24	s5.23(2)(3)	On all occasions, was the reason, or reasons, for closing any Council or committee meeting to members of the public recorded in the minutes of that meeting.	Yes		Garry Bird
25	s5.24 (1) Admin Reg 5&6	Was a minimum time of 15 minutes allocated for questions to be raised by members of the public and responded to at every ordinary meeting of Council.	Yes		Garry Bird
26	s5.24 (1) Admin Reg 5&6	Was a minimum time of 15 minutes allocated for questions to be raised by members of the public and responded to at every special meeting of Council.	Yes		Garry Bird
27	s5.24 (1) Admin Reg 5&6	Was a minimum time of 15 minutes allocated for questions to be raised by members of the public and responded to at every meeting of a committee to which the local government has delegated a power or duty.	Yes		Garry Bird
28	Admin Reg 8	Was a period of 30 minutes allowed from the advertised commencement time before any Council or committee was adjourned due to the lack of a quorum.	N/A		Garry Bird
29	Admin Reg 9	Was voting at Council or committee meetings conducted so that no vote was secret.	No	Election of President and Deputy President conducted by secret ballot as per LG Act.	Garry Bird
30	Admin Reg 10(1)	Were all motions to revoke or change decisions at Council or committee meetings supported in the case where an attempt to revoke or change the decision had been made within the previous 3 months but failed, by an absolute majority.	Yes		Garry Bird
31	Admin Reg 10(1)	Were all motions to revoke or change decisions at Council or committee meetings supported in any other case, by at least one third of the number of officers of member (whether vacant or not) of the Council or committee.	Yes		Garry Bird

No	Reference	Question	Response	Comments	Respondent
32	Admin Reg 10(2)	Were all decisions to revoke or change decisions made at Council or committee meetings made (in the case where the decision to be revoked or changed was required to be made by an absolute majority or by a special majority), by that kind of majority.	Yes		Garry Bird
33	Admin Reg 10(2)	Were all decisions to revoke or change decisions made at Council or committee meetings made in any other case, by an absolute majority.	Yes		Garry Bird
34	Admin Reg 11	Did the contents of minutes of all Council or committee meetings include the names of members present at the meeting.	Yes		Garry Bird
35	Admin Reg 11	Did the contents of minutes of all Council or committee meetings include where a member entered or left the meeting, the time of entry or departure, as the case requires, in the chronological sequence of the business of the meeting.	Yes		Garry Bird
36	Admin Reg 11	Did the contents of minutes of all Council or committee meetings include details of each motion moved at the meeting, including details of the mover and outcome of the motion.	Yes		Garry Bird
37	Admin Reg 11	Did the contents of minutes of all Council or committee meetings include details of each decision made at the meeting.	Yes		Garry Bird
38	Admin Reg 11	Did the contents of the minutes of all Council or committee meetings include, where the decision was significantly different from written recommendation of a committee or officer, written reasons for varying that decision.	Yes		Garry Bird
39	Admin Reg 11	Did the contents of minutes of all Council or committee meetings include a summary of each question raised by members of the public and a summary of the response given.	Yes		Garry Bird
40	Admin Reg 11	Did the contents of minutes of all Council or committee meetings include in relation to each disclosure made under sections 5.65 or 5.70, where the extent of the interest has been disclosed, the extent of the interest.	Yes		Garry Bird
41	Admin Reg 12(1)	Did the local government, at least once during the period covered by this return, give local public notice for the next twelve months of the date, time and place of ordinary Council meetings.	Yes		Garry Bird



No	Reference	Question	Response	Comments	Respondent
42	Admin Reg 12(1)	Did the local government, at least once during the period covered by this return, give local public notice for the next twelve months of the date, time and place of 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.	Yes		Garry Bird
43	Admin Reg 12(2)	Did the local government give local public notice of any changes to the dates, time or places referred to in the question above.	N/A		Garry Bird
44	Admin Reg 12(3) (4)	In the CEO's opinion, where it was practicable, were all special meetings of Council (that were open to members of the public) advertised via local public notice.	Yes		Garry Bird
45	Admin Reg 12(3) (4)	Did the notice referred to in the question above include details of the date, time, place and purpose of the special meeting.	Yes		Garry Bird
46	Admin Reg 13	Did the local government make available for public inspection unconfirmed minutes of all Council meetings within 10 business days after the Council meetings.	Yes		Garry Bird
47	Admin Reg 13	Did the local government make available for public inspection unconfirmed minutes of all committee meetings within 5 business days after the committee meetings.	Yes		Garry Bird
48	Admin Reg 14(1) (2)	Were notice papers, agenda and other documents relating to any Council or committee meeting, (other than those referred to in Admin Reg 14(2)) made available for public inspection.	Yes		Garry Bird
49	Admin Reg 14A	On all occasions where a person participated at a Council or committee meeting by means of instantaneous communication, (by means of audio, telephone or other instantaneous contact) as provided for in Administration Regulation 14A, did the Council approve of the arrangement by absolute majority.	Yes		Garry Bird
50	Admin Reg 14A	On all occasions where a person participated at a Council or committee meeting by means of instantaneous communication, (as provided for in Administration Regulation 14A) was the person in a suitable place as defined in Administration Regulation 14A(4)	Yes		Garry Bird
51	s5.27(2)	Was the annual general meeting of electors held within 56 days of the local government's acceptance of the annual report for the previous financial year.	Yes		Garry Bird



No	Reference	Question	Response	Comments	Respondent
52	s5.29	Did the CEO convene 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.	Yes		Garry Bird
53	s5.32	Did the CEO ensure the minutes of all electors' meetings were kept and made available for public inspection before the Council meeting at which decisions made at the electors' meeting were first considered.	Yes		Garry Bird
54	s5.33(1)	Were all decisions made at all electors' meetings 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.	Yes		Garry Bird
55	s5.33(2)	Were the reasons for Council decisions in response to decisions made at all electors' meetings recorded in the minutes of the appropriate Council meeting.	Yes		Garry Bird
56	s5.103(3) Admin Reg 34B	Has the CEO kept a register of all notifiable gifts received by Council members and employees.	Yes		Garry Bird

### Miscellaneous Provisions

No	Reference	Question	Response	Comments	Respondent
1	s9.4	Has each person who received an unfavourable decision from Council, or from an employee of the local government exercising delegated authority, (that is appealable under Part 9 of the Act) been informed of his or her right to object and appeal against the decision.	Yes		Garry Bird
2	s9.29(2)(b)	On all occasions, were those employees who represented the local government in court proceedings, appointed in writing by the CEO.	N/A		Garry Bird
3	s9.6(5)	Did the local government ensure that the person who made the objection was given notice in writing of how it has been decided to dispose of the objection and the reasons why.	Yes		Garry Bird

<b>Official Conduct</b>						
No	Reference	Question	Response	Comments	Respondent	
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.	Yes		Garry Bird	
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		Garry Bird	
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		Garry Bird	
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		Garry Bird	
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		Garry Bird	
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) (c).	Yes		Garry Bird	

<b>Swimming Pools</b>						
No	Reference	Question	Response	Comments	Respondent	
1	s245A(5)(aa) LG (MiscProv) Act 1960	Have inspections of known private swimming pools, either been, or are proposed to be, carried out as required by section 245A(5)(aa) of the Local Government (Miscellaneous Provisions) Act 1960.	Yes		Garry Bird	

<b>Tenders for Providing Goods and Services</b>						
No	Reference	Question	Response	Comments	Respondent	
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		Garry Bird	

No	Reference	Question	Response	Comments	Respondent
2	F&G Reg 12	Has the local government, as far as it is aware, only entered into a single contract rather than multiple contracts so as to avoid the requirements to call tenders in accordance with F&G Reg 11 (1).	Yes		Garry Bird
3	F&G Reg 14(1)	Did the local government invite tenders via Statewide public notice.	Yes		Garry Bird
4	F&G Reg 14(3)	Did all the local government's invitations to tender include a brief description of the goods and services required and contact details for a person from whom more detailed information could be obtained about the tender.	Yes		Garry Bird
5	F&G Reg 14(3)	Did all the local government's invitations to tender include information as to where and how tenders could be submitted.	Yes		Garry Bird
6	F&G Reg 14(3)	Did all the local government's invitations to tender include the date and time after which tenders would not be accepted.	Yes		Garry Bird
7	F&G Reg 14(3)(4)	Did the local government ensure information was made available to all prospective tenderers concerning detailed specifications of the goods or services required.	Yes		Garry Bird
8	F&G Reg 14(3)(4)	Did the local government ensure information was made available to all prospective tenderers of the criteria for deciding which tender would be accepted.	Yes		Garry Bird
9	F&G Reg 14(3)(4)	Did the local government ensure information was made available to all prospective tenderers about whether or not the local government had decided to submit a tender.	Yes		Garry Bird
10	F&G Reg 14(3)(4)	Did the local government ensure information was made available to all prospective tenderers on whether or not tenders were allowed to be submitted by facsimile or other electronic means and if so, how tenders were to be submitted.	Yes		Garry Bird
11	F&G Reg 14(3)(4)	Did the local government ensure all prospective tenderers had any other information that should be disclosed to those interested in submitting a tender.	Yes		Garry Bird
12	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.	N/A		Garry Bird



No	Reference	Question	Response	Comments	Respondent
13	F&G Reg 15	Following the publication of the notice inviting tenders, did the local government allow a minimum of 14 days for tenders to be submitted.	Yes		Garry Bird
14	F&G Reg 16(1)	Did the local government ensure that tenders submitted, (including tenders submitted by facsimile or other electronic means) were held in safe custody.	Yes		Garry Bird
15	F&G Reg 16(1)	Did the local government ensure that tenders submitted, (including tenders submitted by facsimile or other electronic means) remained confidential.	Yes		Garry Bird
16	F&G Reg 16 (2)& (3)(a)	Did the local government ensure all tenders received were not opened, examined or assessed until after the time nominated for closure of tenders.	Yes		Garry Bird
17	F&G Reg 16 (2)& (3)(a)	Did the local government ensure all tenders received were opened by one or more employees of the local government or a person authorised by the CEO.	Yes		Garry Bird
18	F&G Reg 16 (3)(b)	Did the local government ensure members of the public were not excluded when tenders were opened.	Yes		Garry Bird
19	F&G Reg 16 (3)(c)	Did the local government record all details of the tender (except the consideration sought) in the tender register immediately after opening.	Yes		Garry Bird
20	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.	N/A	No late tenders received in 2009	Garry Bird
21	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.	N/A	No EoI sought	Garry Bird
22	F&G Reg 17 (2) & (3)	Does the local government's Tender Register include (for each invitation to tender) a brief description of the goods or services required.	Yes		Garry Bird
23	F&G Reg 17 (2) & (3)	Does the local government's Tender Register include (for each invitation to tender) particulars of the decision made to invite tenders and if applicable the decision to seek expressions of interest under Regulation 21(1).	Yes		Garry Bird
24	F&G Reg 17 (2) & (3)	Does the local government's Tender Register include (for each invitation to tender) particulars of any notice by which expressions of interest from prospective tenderers were sought and any person who submitted an expression of interest.	Yes		Garry Bird

No	Reference	Question	Response	Comments	Respondent
25	F&G Reg 17 (2) & (3)	Does the local government's Tender Register include (for each invitation to tender) any list of acceptable tenderers that was prepared under regulation 23(4)	Yes		Garry Bird
26	F&G Reg 17 (2) & (3)	Does the local government's Tender Register include (for each invitation to tender) a copy of the notice of invitation to tender.	Yes		Garry Bird
27	F&G Reg 17 (2) & (3)	Does the local government's Tender Register include (for each invitation to tender) the name of each tenderer whose tender was opened.	Yes		Garry Bird
28	F&G Reg 17 (2) & (3)	Does the local government's Tender Register include (for each invitation to tender) the name of the successful tenderer.	Yes		Garry Bird
29	F&G Reg 17 (2) & (3)	Does the local government's Tender Register include (for each invitation to tender) the amount of consideration or the summary of the amount of the consideration sought in the accepted tender.	Yes		Garry Bird
30	F&G Reg 19	Was each tenderer sent written notice advising particulars of the successful tender or advising that no tender was accepted.	Yes		Garry Bird
31	F&G Reg 21(3)	On each occasion that the local government decided to invite prospective tenderers to submit an expression of interest for the supply of goods or services, did the local government issue a Statewide public notice.	N/A	No EoI sought	Garry Bird
32	F&G Reg 21(4)	Did all public notices inviting an expression of interest, include a brief description of the goods and services required.	N/A		Garry Bird
33	F&G Reg 21(4)	Did all public notices inviting an expression of interest, include particulars of a person from whom more detailed information could be obtained.	N/A		Garry Bird
34	F&G Reg 21(4)	Did all public notices inviting an expression of interest, include information as to where and how expressions of interest could be submitted.	N/A		Garry Bird
35	F&G Reg 21(4)	Did all public notices inviting an expression of interest, include the date and time after which expressions of interest would not be accepted.	N/A		Garry Bird
36	F&G Reg 22	Following the publication of the notice inviting expressions of interest, did the local government allow a minimum of 14 days for the submission of expressions of interest.	N/A		Garry Bird





No	Reference	Question	Response	Comments	Respondent
37	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.	N/A		Garry Bird
38	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.	N/A		Garry Bird
39	F&G Reg 24	Was each person who submitted an expression of interest, given a notice in writing in accordance with Functions & General Regulation 24.	N/A		Garry Bird
40	F&G Reg 24E	Where the local government gave a regional price preference in relation to a tender process, did the local government prepare a proposed regional price preference policy (only if a policy had not been previously adopted by Council).	N/A	Policy previously adopted	Garry Bird
41	F&G Reg 24E	Where the local government gave a regional price preference in relation to a tender process, did the local government give Statewide public notice of its intention to have a regional price preference policy and include in that notice the region to which the policy is to relate (only if a policy had not been previously adopted by Council).	N/A		Garry Bird
42	F&G Reg 24E	Where the local government gave a regional price preference in relation to a tender process, did the local government include in the notice details of where a complete copy of the proposed policy may be obtained (only if a policy had not been previously adopted by Council).	Yes		Garry Bird
43	F&G Reg 24E	Where the local government gave a regional price preference in relation to a tender process, did the local government include in the notice a statement inviting submissions commenting on the proposed policy, together with a closing date of not less than 4 weeks for those submissions (only if a policy had not been previously adopted by Council).	Yes		Garry Bird
44	F&G Reg 24E	Where the local government gave a regional price preference in relation to a tender process, did the local government make a copy of the proposed regional price preference policy available for public inspection in accordance with the notice (only if a policy had not been previously adopted by Council).	N/A		Garry Bird



No	Reference	Question	Response	Comments	Respondent
45	F&G Reg 11A(1)	Has the local government prepared and adopted a purchasing policy in relation to contracts for other persons to supply goods or services where the consideration under the contract is, or is expected to be, \$100,000 or less or worth \$100,000 or less.	N/A		Garry Bird
46	F&G Reg 11A(3)(a)	Did the purchasing policy that was prepared and adopted make provision in respect of the form of quotations acceptable.	N/A		Garry Bird
47	F&G Reg 11(3)(b)	Did the purchasing policy that was prepared and adopted make provision in respect to the recording and retention of written information, or documents for all quotations received and all purchases made.	N/A		Garry Bird

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

\_\_\_\_\_  
Signed Mayor / President, Denmark

\_\_\_\_\_  
Signed CEO, Denmark