

COMPLIANCE AUDIT RETURN 2024

Commercial Enterprises by Local Governments				
No	Reference	Question	Response	Comments
1	s3.59(2)(a) F&G Regs 7,9,10	Has the local government prepared a business plan for each major trading undertaking that was not exempt in 2024?	N/A	No undertakings
2	s3.59(2)(b) F&G Regs 7,8A, 8, 10	Has the local government prepared a business plan for each major land transaction that was not exempt in 2024?	N/A	No undertakings
3	s3.59(2)(c) F&G Regs 7,8A, 8,10	Has the local government prepared a business plan before entering each land transaction that was preparatory to entry into a major land transaction in 2024?	N/A	No undertakings
4	s3.59(4)	Has the local government complied with public notice and publishing requirements for each proposal to commence a major trading undertaking or enter a major land transaction or a land transaction that is preparatory to a major land transaction for 2024?	N/A	No undertakings
5	s3.59(5)	During 2024, did the council resolve to proceed with each major land transaction or trading undertaking by absolute majority?	N/A	No undertakings

No Reference	Question	Response	Comments
1 s5.16 (1)	Were all delegations to committees resolved by absolute majority?	Yes	Delegation 1.1 Audit & Risk Committee Delegated functions to: 1. Meet with the Shire's Auditors at leas once per year 2. Authority to examine the report of the Auditor 3. Ensure that appropriate actions are taken in relation to the report 4. Authority to review and endorse the Shire's report on actions taken in response to the Auditors report, prior to it being forwarded to the Minister.



2	s5.16 (2)	Were all delegations to committees in writing?	Yes	List of Delegations available on the LG website.
3	s5.17	Were all delegations to committees within the limits specified in section 5.17 of the <i>Local Government Act 1995</i> ?	Yes	List of Delegations available on the LG website.
4	s5.18	Were all delegations to committees recorded in a register of delegations?	Yes	List of Delegations available on the LG website.
5	s5.18	Has council reviewed delegations to its committees in the 2023/2024 financial year?	Yes	See Council Minutes dated 20 February 2024
6	s5.42(1) & s5.43 Admin Reg 18G	Did the powers and duties delegated to the CEO exclude those listed in section 5.43 of the <i>Local Government Act 1995</i> ?	Yes	
7	s5.42(1)	Were all delegations to the CEO resolved by an absolute majority?	Yes	See minutes dated February 2024 Ordinary Council Meeting (CMRef:0914)
8	s5.42(2)	Were all delegations to the CEO in writing?	Yes	Yes, letter provided on commencement/amended delegation
9	s5.44(2)	Were all delegations by the CEO to any employee in writing?	Yes	Yes, letter provided to employees on commencement/amended delegation
10	s5.16(3)(b) & s5.45(1)(b)	Were all decisions by the Council to amend or revoke a delegation made by absolute majority?	No	Amendment to Delegation Register on 21 May 2024 Ordinary Council Meeting (CMRef:0959) made by SIMPLE majority. • 5.1 Payments from the Municipal or Trust Funds Delegation amended to allow the additional subdelegation to the: • Asset & Works Coordinator (AWC) • CRC Coordinator (CRCC) • Aged Care Coordinator (ACC) *No powers of sub-delegation from the AWC, CRCC, or ACC have been expressed since the 21 May 2024 Ordinary Council Meeting. *Sub-delegation powers only expressed by the appointed sub-delegators of Deputy Chief Executive Officer and Executive Governance Officer during the 2024 calendar year.



				 Whilst the Officer report inaccurately stated simple majority was required, the decision was carried 5/1. In any case, the Shire has since noted the Council has no authority to determine sub-delegation as its power under s.5.42 is limited to delegating to the CEO. Sub delegations in future will be determined by the CEO in accordance with s.5.44(3).
11	s5.46(1)	Has the CEO kept a register of all delegations made under Division 4 of the Act to the CEO and to employees?	Yes	Yes, all delegations made have been kept in the delegation register.
12	s5.46(2)	Were all delegations made under Division 4 of the Act reviewed by the delegator at least once during the 2023/2024 financial year?	Yes	These are reported to Council on a monthly basis as part of the Information Report and recorded in the Delegation Register
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 in accordance with <i>Local Government</i> (Administration) Regulations 1996, regulation 19?	Yes	These are reported to Council on a monthly basis as part of the Information Report and recorded in the Delegation Register

Disc	Disclosure of Interest				
No	Reference	Question	Response	Comments	
1	s5.67	Where a council member disclosed an interest in a matter and did not have participation approval under sections 5.68 or 5.69 of the <i>Local Government Act 1995</i> , did the council member ensure that they did not remain present to participate in discussion or decision making relating to the matter?	Yes	Declarations of Interest were made at the 18 June, 21 May Ordinary Council Meetings, and at the 3 December 2024 Australia Day Honours Committee. On all occasions, the minutes correctly recorded the nature of the interest with the action then required, being in accordance with the Act.	
2	s5.68(2) & s5.69(5) Admin Reg 21A	Were all decisions regarding participation approval, including the extent of participation allowed and, where relevant, the information required by the <i>Local Government (Administration) Regulations 1996</i> regulation 21A, recorded in the minutes of the relevant council or committee meeting?	Nil		



3	s5.73	Were disclosures under sections 5.65, 5.70 or 5.71A(3) of the <i>Local Government Act 1995</i> recorded in the minutes of the meeting at which the disclosures were made?	Yes	Refer to minutes on Shire website Ordinary Council Meeting 18 June 2024 Ordinary Council Meeting 21 May 2024 Australia Day Honours Committee Meeting 3 December 2024
4	s5.75 Admin Reg 22, Form 2	Was a primary return in the prescribed form lodged by all relevant persons within three months of their start day?	Yes	Refer to Returns register on website
5	s5.76 Admin Reg 23, Form 3	Was an annual return in the prescribed form lodged by all relevant persons by 31 August 2024?	Yes	Refer to Returns register on website
6	s5.77	On receipt of a primary or annual return, did the CEO, or the Mayor/President, give written acknowledgment of having received the return?	Yes	Yes, written letters were provided by the CEO or President.
7	s5.88(1) & (2)(a)	Did the CEO keep a register of financial interests which contained the returns lodged under sections 5.75 and 5.76 of the <i>Local Government Act 1995</i> ?	Yes	Refer to LG website
8	s5.88(1) & (2)(b) Admin Reg 28	Did the CEO keep a register of financial interests which contained a record of disclosures made under sections 5.65, 5.70, 5.71 and 5.71A of the <i>Local Government Act 1995,</i> in the form prescribed in the Local Government (Administration) Regulations 1996, regulation 28?	Yes	Register available on website
9	s5.88(3)	When a person ceased to be a person required to lodge a return under sections 5.75 and 5.76 of the <i>Local Government Act 1995</i> , did the CEO remove from the register all returns relating to that person?	Yes	
10	s5.88(4)	Have all returns removed from the register in accordance with section 5.88(3) of the <i>Local Government Act 1995</i> been kept for a period of at least five years after the person who lodged the return(s) ceased to be a person required to lodge a return?	Yes	Located in secured strong-room
11	s5.89A(1), (2) & (3) Admin Reg 28A	Did the CEO keep a register of gifts which contained a record of disclosures made under sections 5.87A and 5.87B of the <i>Local Government Act 1995</i> , in the form prescribed in the <i>Local Government (Administration) Regulations 1996</i> , regulation 28A?	Yes	Nil to report
12	s5.89A(5) & (5A)	Did the CEO publish an up-to-date version of the gift register on the local government's website?	Yes	Available on website



13	s5.89A(6)	When people cease to be a person who is required to make a disclosure under section 5.87A or 5.87B of the <i>Local Government Act 1995</i> , did the CEO remove from the register all records relating to those people?	Yes	Located in secured strong-room
14	s5.89A(7)	Have copies of all records removed from the register under section 5.89A(6) Local Government Act 1995 been kept for a period of at least five years after the person ceases to be a person required to make a disclosure?	Yes	Located in secured strong-room
15	s5.70(2) & (3)	Where an employee had an interest in any matter in respect of which the employee provided advice or a report directly to council or a committee, did that person disclose the nature and extent of that interest when giving the advice or report?	Yes	Yes, below Ordinary Council Meetings. Staff member left the room during the presentation of the items in question during both meetings. Ordinary Council Meeting 18 June 2024 Ordinary Council Meeting 21 May 2024
16	s5.71A & s5.71B(5)	Where council applied to the Minister to allow the CEO to provide advice or a report to which a disclosure under section 5.71A(1) of the <i>Local Government Act 1995</i> relates, did the application include details of the nature of the interest disclosed and any other information required by the Minister for the purposes of the application?	N/A	No applications
17	s5.71B(6) & s5.71B(7)	Was any decision made by the Minister under section 5.71B(6) of the <i>Local Government Act 1995</i> , recorded in the minutes of the council meeting at which the decision was considered?	N/A	Not Applicable
18	s5.104(1)	Did the local government prepare and adopt, by absolute majority, a code of conduct to be observed by council members, committee members and candidates that incorporates the model code of conduct?	Yes	Adopted 2021
19	s5.104(3) & (4)	Did the local government adopt additional requirements in addition to the model code of conduct? If yes, does it comply with section 5.104(3) and (4) of the <i>Local Government Act 1995</i> ?	N/A	Nil additional were adopted
20	s5.104(7)	Has the CEO published an up-to-date version of the code of conduct for council members, committee members and candidates on the local government's website?	Yes	Available on the LG website



21	s5.51A(1) & (3)	Has the CEO prepared and implemented a code of conduct to be observed by	Yes	Document enforced from 2022
		employee of the local government?		Available on the LG website
		If yes, has the CEO published an up-to-date version of the code of conduct for		
		employees on the local government's website?		

Dispo	Disposal of Property					
No	Reference	Question	Response	Comments		
1	s3.58(3)	Where the local government disposed of property other than by public auction or tender, did it dispose of the property in accordance with section 3.58(3) of the <i>Local Government Act 1995</i> (unless section 3.58(5) applies)?	N/A	Nil to report		
2	s3.58(4)	Where the local government disposed of property under section 3.58(3) of the <i>Local Government Act 1995</i> , did it provide details, as prescribed by section 3.58(4) of the Act, in the required local public notice for each disposal of property?	N/A	Nil to report		



Elect	Elections				
No	Reference	Question	Response	Comments	
1	Elect Regs 30G(1) & (2)	Did the CEO establish and maintain an electoral gift register and ensure that all disclosure of gifts forms completed by candidates and donors 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 forms relating to each candidate in accordance with regulations 30G(1) and 30G(2) of the <i>Local Government (Elections) Regulations 1997</i> ?	Yes	NIL election 2024	
2	Elect Regs 30G(3) & (4)	Did the CEO remove any disclosure of gifts forms relating to an unsuccessful candidate, or a successful candidate that completed their term of office, from the electoral gift register, and retain those forms separately for a period of at least two years in accordance with regulation 30G(4) of the <i>Local Government (Elections) Regulations 1997</i> ?	N/A	Nil election	
3	Elect Regs 30G(5) & (6)	Did the CEO publish an up-to-date version of the electoral gift register on the local government's official website in accordance with regulation 30G(5) of the Local Government (Elections) Regulations 1997?	Yes	Nil updates	

Finai	Finance				
No	Reference	Question	Response	Comments	
1	s7.1A	Has the local government established an audit committee and appointed members by absolute majority in accordance with section 7.1A of the <i>Local Government Act 1995</i> ?	Yes	Refer to Special Council Meeting 2 November 2023. Item 11.1 CMRef 0876. Members are nominated for the term to be reviewed at the next LG Elections in October 2025.	
2	s7.1B	Where the council delegated to its audit committee any powers or duties under Part 7 of the <i>Local Government Act 1995</i> , did it do so by absolute majority?	Yes	Delegation 1.1 Audit & Risk Committee	
3	s7.9(1)	Was the auditor's report for the financial year ended 30 June 2024 received by the local government by 31 December 2024?	Yes	November 2024	



4	s7.12A(3)	Where the local government determined that matters raised in the auditor's	Yes	Nil significant findings
		report prepared under section 7.9(1) of the Local Government Act 1995		
		required action to be taken, did the local government ensure that appropriate		
		action was undertaken in respect of those matters?		
5	s7.12A(4)(a) &	Where matters identified as significant were reported in the auditor's report,	N/A	
	(4)(b)	did the local government prepare a report that stated what action the local		
		government had taken or intended to take with respect to each of those		
		matters? Was a copy of the report given to the Minister within three months		
		of the audit report being received by the local government?		
6	s7.12A(5)	Within 14 days after the local government gave a report to the Minister under	N/A	
		section 7.12A(4)(b) of the Local Government Act 1995, did the CEO publish a		
		copy of the report on the local government's official website?		
7	Audit Reg 10(1)	Was the auditor's report for the financial year ending 30 June 2024 received	Yes	17 December 2024 Ordinary Council Meeting
		by the local government within 30 days of completion of the audit?		(CMRef:1046)

No	Reference	Question	Response	Comments
1	Admin Reg 19C	Has the local government adopted by absolute majority a strategic community plan? If yes, please provide the adoption date or the date of the most recent review in the Comments section?	Yes	20 July 2021- Item 12.2 - CMRef 0443. The Shire of Dowerin adopted the Integrated Strategic Plan which incorporated the Strategic Community Plan and the Corporate Business Plan Integrated Strategic Plan review April 2024
2	Admin Reg 19DA(1) & (4)	Has the local government adopted by absolute majority a corporate business plan? If yes, please provide the adoption date or the date of the most recent review in the Comments section?	Yes	21/11/2023 20 July 2021- Item 12.2 - CMRef 0443. The Shire of Dowerin adopted the Integrated Strategic Plan which incorporated the Strategic Community Plan and the Corporate Business Plan. Integrated Strategic Plan review April 2024



3	Admin Reg	Does the corporate business plan comply with the requirements of <i>Local</i>	Yes			
	19DA(2) & (3)	Government (Administration) Regulations 1996 19DA(2) & (3)?				

Loca	Local Government Employees				
No	Reference	Question	Response	Comments	
1	s5.36(4) & s5.37(3) Admin Reg 18A	Were all CEO and/or senior employee vacancies advertised in accordance with Local Government (Administration) Regulations 1996, regulation 18A?	Yes	CEO recruitment undertaken by Lo-Go and vacancy advertised in the West Australian, on the LG Pro website, on Lo-Go website, and Seek.	
2	Admin Reg 18E	Was all information provided in applications for the position of CEO true and accurate?	Yes	All applicants were required to sign a certification document prior to submitting their application.	
3	Admin Reg 18F	Was the remuneration and other benefits paid to a CEO on appointment the same remuneration and benefits advertised for the position under section 5.36(4) of the <i>Local Government Act 1995</i> ?	Yes	Yes, the appointed CEO's package was agreed on as per the advertised amount.	
4	s5.37(2)	Did the CEO inform council of each proposal to employ or dismiss senior employee?	N/A	Nil dismissal of senior employees.	
5	s5.37(2)	Where council rejected a CEO's recommendation to employ or dismiss a senior employee, did it inform the CEO of the reasons for doing so?	N/A	Nil dismissal of senior employees.	

Offic	Official Conduct				
No	Reference	Question	Response	Comments	
1	s5.120	Has the local government designated an employee to be its complaints officer?	Yes	Chief Executive Officer February 2021 (CMRef 0372).	



2	s5.121(1) & (2)	Has the complaints officer for the local government maintained a register of	Yes	Register is available on the LG Website.
		complaints which records all complaints that resulted in a finding under		Nil complaints received for the reporting
		section 5.110(2)(a) of the Local Government Act 1995?		period.
3	S5.121(2)	Does the complaints register include all information required by section	Yes	The register is available on the Shire's website.
		5.121(2) of the Local Government Act 1995?		
4	s5.121(3)	Has the CEO published an up-to-date version of the register of the complaints	Yes	The register is available on the Shire's website.
		on the local government's official website?		

Opti	onal Questions			
No	Reference	Question	Response	Comments
1	Financial Management Reg 5(2)(c)	Did the CEO review the appropriateness and effectiveness of the local government's financial management systems and procedures in accordance with the <i>Local Government (Financial Management) Regulations 1996</i> regulations 5(2)(c) within the three financial years prior to 31 December 2024? If yes, please provide the date of council's resolution to accept the report.	Yes	Refer to OCM Minutes 26 November 2019 - Item 11.4 CMRef 0082. An external contractor completed the Financial Management Review in November 2022.
2	Audit Reg 17	Did the CEO review the appropriateness and effectiveness of the local government's systems and procedures in relation to risk management, internal control and legislative compliance in accordance with <i>Local Government (Audit) Regulations 1996</i> regulation 17 within the three financial years prior to 31 December 2024? If yes, please provide date of council's resolution to accept the report.	Yes	Regulation 17 Report conducted in December 2022 Adopted March 2023 (CMRef 0744)
3	s5.87C	Where a disclosure was made under sections 5.87A or 5.87B of the Local Government Act 1995, were the disclosures made within 10 days after receipt of the gift? Did the disclosure include the information required by section 5.87C of the Act?	Yes	All relevant information was recorded and available on the LG website
4	s5.90A(2) & (5)	Did the local government prepare, adopt by absolute majority and publish an up-to-date version on the local government's website, a policy dealing with the attendance of council members and the CEO at events?	Yes	Policy 1.3 Councillor Attendance at Conferences, Seminars, Training Courses and Meetings. Reviewed 16 July 2024 (CMRef 0985)



5	s5.96A(1), (2), (3) & (4)	Did the CEO publish information on the local government's website in accordance with sections 5.96A(1), (2), (3), and (4) of the <i>Local Government Act 1995?</i>	Yes	Refer to website.
6	s5.128(1)	Did the local government prepare and adopt (by absolute majority) a policy in relation to the continuing professional development of council members?	Yes	Policy 1.15 Councillor Training & Continuing Professional Development Policy Reviewed 16 July 2024 (CMRef 0985).
7	s5.127	Did the local government prepare a report on the training completed by council members in the 2022/2023 financial year and publish it on the local government's official website by 31 July 2024?	Yes	Refer to website.
8	s6.4(3)	By 30 September 2024, did the local government submit to its auditor the balanced accounts and annual financial report for the year ending 30 June 2024?	Yes	
9	s.6.2(3)	When adopting the annual budget, did the local government take into account all its expenditure, revenue and income?	Yes	Council budget adopted at 23 August Special Council Meeting (CMRef 1004)

Tend	Tenders for Providing Goods and Services				
No	Reference	Question	Response	Comments	
1	F&G Reg 11A(1) & (3)	Did the local government comply with its current purchasing policy, adopted under the <i>Local Government (Functions and General) Regulations 1996</i> , regulations 11A(1) and (3) in relation to the supply of goods or services where the consideration under the contract was, or was expected to be, \$250,000 or less or worth \$250,000 or less?	Yes	Refer to 3.11 – Purchasing Policy available in the Policy Manual on the LG Website	
2	s3.57 F&G Reg 11	Subject to Local Government (Functions and General) Regulations 1996, regulation 11(2), did the local government invite tenders for all 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 Regulations?	Yes	T2024-01 – Maintenance Grading Road Works T2024-03 – Road Construction Program 24/25	
3	F&G Regs 11(1), 12(2), 13, & 14(1), (3), and (4)	When regulations 11(1), 12(2) or 13 of the <i>Local Government Functions and General</i>) <i>Regulations 1996</i> , required tenders to be publicly invited, did the local government invite tenders via Statewide public notice in accordance with Regulation 14(3) and (4)?	Yes	T2024-01 – Maintenance Grading Road Works West Australian 25 May 2024 Dowerin Despatch 7 June 2024 LG Website from 25 May 2024	



				T 2024-03 – Road Construction Program 24/25 • West Australian 10 Sept 24 • Dowerin Despatch 13 Sept 24 • LG Website from 10 Sept 24
4	F&G Reg 12	Did the local government comply with <i>Local Government (Functions and General) Regulations 1996,</i> Regulation 12 when deciding to enter into multiple contracts rather than a single contract?	N/A	Single contracts only
5	F&G Reg 14(5)	If the local government sought to vary the information supplied to tenderers, was every reasonable step taken to give each person who sought copies of the tender documents, or each acceptable tenderer notice of the variation?	N/A	Nil variations
6	F&G Regs 15 & 16	Did the local government's procedure for receiving and opening tenders comply with the requirements of <i>Local Government (Functions and General)</i> Regulations 1996, Regulation 15 and 16?	Yes	All tenders were submitted to a locked email account that can only be accessed after the closure of the tender submission period, or dropped into a locked tender box which was only opened after the tender closing period.
7	F&G Reg 17	Did the information recorded in the local government's tender register comply with the requirements of the <i>Local Government (Functions and General) Regulations 1996,</i> Regulation 17 and did the CEO make the tenders register available for public inspection and publish it on the local government's official website?	Yes	Refer to LG wesite
8	F&G Reg 18(1)	Did the local government reject any tenders that were not submitted at the place, and within the time, specified in the invitation to tender?	N/A	Nil rejections
9	F&G Reg 18(4)	Were all tenders that were not rejected assessed by the local government via a written evaluation of the extent to which each tender satisfies the criteria for deciding which tender to accept?	Yes	Evaluations were undertaken in accordance with internal tender checklists.
10	F&G Reg 19	Did the CEO give each tenderer written notice containing particulars of the successful tender or advising that no tender was accepted?	Yes	
11	F&G Regs 21 & 22	Did the local government's advertising and expression of interest processes comply with the requirements of the <i>Local Government (Functions and General) Regulations 1996,</i> Regulations 21 and 22?	Yes	There were no EOI processes conducted during the reporting period for tenders.



12	F&G Reg 23(1) & (2)	Did the local government reject any expressions of interest that were not submitted at the place, and within the time, specified in the notice or that failed to comply with any other requirement specified in the notice?	N/A	Nil required
13	F&G Reg 23(3) & (4)	Were all expressions of interest that were not rejected under the <i>Local Government (Functions and General) Regulations 1996,</i> Regulation 23(1) & (2) assessed by the local government? Did the CEO list each person as an acceptable tenderer?	N/A	There were no EOI processes conducted during the reporting period for tenders.
14	F&G Reg 24	Did the CEO give each person who submitted an expression of interest a notice in writing of the outcome in accordance with <i>Local Government</i> (Functions and General) Regulations 1996, Regulation 24?	N/A	There were no EOI processes conducted during the reporting period for tenders.
15	F&G Regs 24AD(2) & (4) and 24AE	Did the local government invite applicants for a panel of pre-qualified suppliers via Statewide public notice in accordance with <i>Local Government</i> (Functions & General) Regulations 1996 regulations 24AD(4) and 24AE?	N/A	No panel assessments or supplier panels required for review period.
16	F&G Reg 24AD(6)	If the local government sought to vary the information supplied to the panel, was every reasonable step taken to give each person who sought detailed information about the proposed panel or each person who submitted an application notice of the variation?	N/A	No panel assessments or supplier panels required for review period.
17	F&G Reg 24AF	Did the local government's procedure for receiving and opening applications to join a panel of pre-qualified suppliers comply with the requirements of <i>Local Government (Functions and General) Regulations 1996</i> , Regulation 16, as if the reference in that regulation to a tender were a reference to a pre-qualified supplier panel application?	N/A	No panel assessments or supplier panels required for review period.
18	F&G Reg 24AG	Did the information recorded in the local government's tender register about panels of pre-qualified suppliers comply with the requirements of <i>Local Government (Functions and General) Regulations 1996,</i> Regulation 24AG?	N/A	No panel assessments or supplier panels required for review period.
19	F&G Reg 24AH(1)	Did the local government reject any applications to join a panel of prequalified suppliers that were not submitted at the place, and within the time, specified in the invitation for applications?	N/A	No panel assessments or supplier panels required for review period.
20	F&G Reg 24AH(3)	Were all applications that were not rejected assessed by the local government via a written evaluation of the extent to which each application satisfies the criteria for deciding which application to accept?	N/A	No panel assessments or supplier panels required for review period.



21	F&G Reg 24AI	Did the CEO send each applicant written notice advising them of the outcome	N/A	No panel assessments or supplier panels
		of their application?		required for review period.
	F&G Regs 24E & 24F	Where the local government gave regional price preference, did the local government comply with the requirements of <i>Local Government (Functions and General) Regulations 1996,</i> Regulation 24E and 24F?	Yes	Refer to 3.15 – Regional Price Preference Policy available on the LG Website. RPP applicable to both T2024-01 and T2024- 03

Chief Executive Officer	Date
Mayor/President	Date