

Compliance calendar task

C143-1.3 Commercial Enterprise by Local Governments	
Description	Commercial Enterprise by Local Governments
Position responsible	Manager Governance Risk and Planning
Assigned to	Ibrahim Macrae (ibrahim.macrae@cocos.wa.gov.au)
Status	Completed 7 January 2025

Checklist and outcome		
Not applicable	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?	---
Not applicable	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?	---
Not applicable	3. s3.59(2)(c) F&G Regs 7,8A, 8,10 - Has the local government prepared a business plan before entering into each land transaction that was preparatory to entry into a major land transaction in 2024?	---
Not applicable	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 into a major land transaction or a land transaction that is preparatory to a major land transaction for 2024?	---
Not applicable	5. s3.59(5) - During 2024, did the council resolve to proceed with each major land transaction or trading undertaking by absolute majority?	---
Details of outcome	completed.	
Supporting comments	---	
Supporting documents	None	

Compliance calendar task

C143-1.2 Delegation of Power / Duty	
Description	Delegation of Power / Duty
Position responsible	Manager Governance Risk and Planning
Assigned to	Ibrahim Macrae (ibrahim.macrae@cocos.wa.gov.au)
Status	Completed 8 January 2025

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Checklist and outcome		
Not applicable	1. s5.16 (1) - Were all delegations to committees resolved by absolute majority?	---
Not applicable	2. s5.16 (2) - Were all delegations to committees in writing?	---
Not applicable	3. s.5.17 - Were all delegations to committees within the limits specified in section 5.17 of the Local Government Act 1995?	---
Not applicable	4. s5.18 - Were all delegations to committees recorded in a register of delegations?	---
Not applicable	5. s5.18 - Has council reviewed delegations to its committees in the 2023/2024 financial year?	---
Not applicable	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 Local Government Act 1995?	---
Yes or completed	7. s5.42(1) - Were all delegations to the CEO resolved by an absolute majority?	last review 27 November 2024
Yes or completed	8. S5.42(2) - Were all delegations to the CEO in writing?	---
Yes or completed	9. s5.44(2) - Were all delegations by the CEO to any employee in writing?	---
Yes or completed	10 s.5.16(3)(b) & s5.45(1)(b) - Were all decisions by the Council to amend or revoke a delegation made by absolute majority?	---
Yes or completed	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?	---
No or not completed	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?	Last review 27 November 2024
Yes or completed	13. s.5.46(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 Local Government (Administration) Regulations 1996, regulation 19?	---

Details of outcome	completed.
Supporting comments	---
Supporting documents	<i>None</i>

Compliance calendar task

C143-1.4 Disclosure of Interest	
Description	Disclosure of Interest
Position responsible	Manager Governance Risk and Planning
Assigned to	Ibrahim Macrae (ibrahim.macrae@cocos.wa.gov.au)
Status	Completed 8 January 2025

Checklist and outcome		
Yes or completed	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 Local Government Act 1995, did the council member ensure that they did not remain present to participate in discussion or decision making relating to the matter?	---
Yes or completed	2. s5.68(2) & s5.69(5) Admin Reg 21A Were all decisions regarding participation approval, including the extent of participation allowed & where relevant, the information required by Local Government (Administration) Regs 1996 reg 21A, recorded in minutes of the relevant council or committee meeting?	---
Yes or completed	3. s5.73 Were disclosures under sections 5.65, 5.70 or 5.71A(3) of the Local Government Act 1995 recorded in the minutes of the meeting at which the disclosures were made?	---
No or not completed	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?	Cr Knight lodged his Primary Return 22 August 2024. Cr Knight was elected for a 9-month term ending in October 2023 and lodged primary and annual returns. After re-election in October 2023, there was uncertainty about the need for a new primary return, causing the late lodgement. Cr Knight has also been on extended leave for personal reasons.
No or not completed	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?	Cr Lacy lodged his Annual Return 3 September 2023. Cr Sloan lodged his Annual Return 23 September 2023.
Yes or completed	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?	---

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Yes or completed	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 Local Government Act 1995?	---
Yes or completed	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 Local Government Act 1995, in the form prescribed in Local Government (Administration) Regulations 1996, regulation 28	---
Yes or completed	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 Local Government Act 1995, did the CEO remove from the register all returns relating to that person?	---
Yes or completed	10. s5.88(4) - Have all returns removed from the register in accordance with section 5.88 (3) of the Local Government Act 1995 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 or completed	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 Local Government Act 1995, in the form prescribed in the Local Government (Administration) Regulations 1996, regulation 28A?	---
Yes or completed	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 or completed	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 Local Government Act 1995, did the CEO remove from the register all records relating to those people?	---
Yes or completed	14. - s5.89A(7) Have copies of all records removed from the register under section 5.89A(6) of the 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?	---

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Yes or completed	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?	---
Not applicable	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 Local Government Act 1995 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?	---
Not applicable	17. s5.71B(6) & s5.71B(7) - Was any decision made by the Minister under subsection 5.71B (6) of the Local Government Act 1995 recorded in the minutes of the council meeting at which the decision was considered?	---
Yes or completed	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?	---
No or not completed	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 Local Government Act 1995?	---
Yes or completed	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 or completed	21. s5.51A(1) & (3) - Has the CEO prepared and implemented a code of conduct to be observed by employees of the local government? If yes, has the CEO published an up-to-date version of the code of conduct for employees on the local government's website?	---
Details of outcome	completed.	

Supporting comments	---
Supporting documents	<i>None</i>

Compliance calendar task

C143-1.5 Disposal of Property	
Description	Disposal of Property
Position responsible	Manager Governance Risk and Planning
Assigned to	Ibrahim Macrae (ibrahim.macrae@cocos.wa.gov.au)
Status	Completed 7 January 2025

Checklist and outcome		
Not applicable	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 Local Government Act 1995 (unless section 3.58(5) applies)?	Land was written off from our accounting records as it was discovered that the Shire was not the owner.
Not applicable	2. s3.58(4) - Where the local government disposed of property under section 3.58(3) of the Local Government Act 1995, 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?	---
Details of outcome	completed.	
Supporting comments	---	
Supporting documents	None	

Compliance calendar task

C143-1.11 Elections	
Description	Elections
Position responsible	Manager Governance Risk and Planning
Assigned to	Ibrahim Macrae (ibrahim.macrae@cocos.wa.gov.au)
Status	Completed 8 January 2025

Checklist and outcome		
Yes or completed	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 Local Government (Elections) Regulations 1997?	No disclosures made
Yes or completed	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 Local Government (Elections) Regulations 1997?	No disclosures made
Yes or completed	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?	---
Details of outcome	completed.	
Supporting comments	---	
Supporting documents	None	

Compliance calendar task

C143-1.8 Finance	
Description	Finance
Position responsible	Manager Finance and Corporate Services
Assigned to	David Tombs (david.tombs@cocos.wa.gov.au)
Status	Completed 7 January 2025

Compliance calendar task

Checklist and outcome		
Yes or completed	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 Local Government Act 1995?	---
Not applicable	2. s7.1B - Where the council delegated to its audit committee any powers or duties under Part 7 of the Local Government Act 1995, did it do so by absolute majority?	---
Yes or completed	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?	---
Not applicable	4. s7.12A(3) - Where the local government determined that matters raised in the auditor's 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?	No matters were raised in the independent auditors report.
Not applicable	5. s7.12A(4)(a) & (4)(b) - Where matters identified as significant were reported in the auditor's report, 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?	No significant matters were raised in the independent auditors report.
Not applicable	6. s7.12A(5) - Within 14 days after the local government gave a report to the Minister under 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?	---
Yes or completed	7. Audit Reg 10(1) - Was the auditor's report for the financial year ending 30 June 2024 received by the local government within 30 days of completion of the audit?	---
Details of outcome	completed.	
Supporting comments	---	

Supporting documents	<i>None</i>
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Compliance calendar task

C143-1.6 Integrated Planning and Reporting	
Description	Integrated Planning and Reporting
Position responsible	Manager Governance Risk and Planning
Assigned to	Ibrahim Macrae (ibrahim.macrae@cocos.wa.gov.au)
Status	Completed 8 January 2025

Checklist and outcome		
Yes or completed	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?	adopted 14 December 2022
Yes or completed	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?	Adopted 14 December 2022
Yes or completed	3. Admin Reg 19DA(2) & (3) - Does the corporate business plan comply with the requirements of Local Government (Administration) Regulations 1996 19DA(2) & (3)?	---
Details of outcome	completed.	
Supporting comments	---	
Supporting documents	None	

Compliance calendar task

C143-1.1 Local Government Employees	
Description	Local Government Employees
Position responsible	Manager Governance Risk and Planning
Assigned to	Ibrahim Macrae (ibrahim.macrae@cocos.wa.gov.au)
Status	Completed 8 January 2025

Checklist and outcome		
Yes or completed	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?	---
Not applicable	2. Admin Reg 18E - Was all information provided in applications for the position of CEO true and accurate?	---
Not applicable	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 Local Government Act 1995?	---
Yes or completed	4. s5.37(2) - Did the CEO inform council of each proposal to employ or dismiss senior employee?	---
Not applicable	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?	---
Details of outcome	completed.	
Supporting comments	---	
Supporting documents	None	

Compliance calendar task

C143-1.9 Official Conduct	
Description	Official Conduct
Position responsible	Manager Governance Risk and Planning
Assigned to	Ibrahim Macrae (ibrahim.macrae@cocos.wa.gov.au)
Status	Completed 8 January 2025

Checklist and outcome		
Yes or completed	1. s5.120 - Has the local government designated an employee to be its complaints officer?	---
Yes or completed	2. s5.121(1) & (2) - Has the complaints officer for the local government maintained a register of complaints which records all complaints that resulted in a finding under section 5.110(2)(a) of the Local Government Act 1995?	---
Yes or completed	3. S5.121(2) - Does the complaints register include all information required by section 5.121(2) of the Local Government Act 1995?	---
Yes or completed	4. s5.121(3) - Has the CEO published an up-to-date version of the register of the complaints on the local government's official website?	---
Details of outcome	completed	
Supporting comments	---	
Supporting documents	None	

Compliance calendar task

C143-1.10 Optional Questions	
Description	Optional Questions
Position responsible	Manager Governance Risk and Planning
Assigned to	Ibrahim Macrae (ibrahim.macrae@cocos.wa.gov.au)
Status	Completed 8 January 2025

Checklist and outcome		
Yes or completed	<p>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 Local Government (Financial Management) Regulations 1996 regulations 5(2)(c) within the three financial years prior to 31 December 2024?</p> <p>If yes, please provide the date of council's resolution to accept the report.</p>	Adopted 30 June 2023
Yes or completed	<p>2. Audit Reg 17 - Did the CEO review the appropriateness and effectiveness of the local government's systems and procedures in relation to risk management, internal control and legislative compliance in accordance with Local Government (Audit) Regulations 1996 regulation 17 within the three financial years prior to 31 December 2024?</p> <p>If yes, please provide date of council's resolution to accept the report.</p>	Adopted 30 June 2023
Not applicable	<p>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?</p>	No gifts received

Yes or completed	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 or completed	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 Local Government Act 1995?	---
Yes or completed	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 or completed	7. s5.127Did 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 or completed	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 or completed	9. s.6.2(3) - When adopting the annual budget, did the local government take into account all it's expenditure, revenue and income?	---
Details of outcome	completed	
Supporting comments	---	
Supporting documents	None	

Compliance calendar task

C143-1.7 Tenders for Providing Goods and Services	
Description	Tenders for Providing Goods and Services
Position responsible	Manager Governance Risk and Planning
Assigned to	Ibrahim Macrae (ibrahim.macrae@cocos.wa.gov.au)
Status	Completed 13 January 2025

Checklist and outcome		
Not applicable	1. F&G Reg 11A(1) & (3) Did the local government comply with its current purchasing policy, adopted under the Local Government (Functions and General) Regulations 1996, 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?	---
Not applicable	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?	---
Not applicable	3. F&G Regs 11(1), 12(2), 13, & 14(1), (3), and (4) - When regulations 11(1), 12(2) or 13 of the Local Government Functions and General) Regulations 1996, required tenders to be publicly invited, did the local government invite tenders via Statewide public notice in accordance with Regulation 14(3) and (4)?	---
Not applicable	4. F&G Reg 12 - Did the local government comply with Local Government (Functions and General) Regulations 1996, Regulation 12 when deciding to enter into multiple contracts rather than a single contract?	---

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Not applicable	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?	---
Not applicable	6. F&G Regs 15 & 16 - Did the local government's procedure for receiving and opening tenders comply with the requirements of Local Government (Functions and General) Regulations 1996, Regulation 15 and 16?	---
Not applicable	7. F&G Reg 17 - Did the information recorded in the local government's tender register comply with the requirements of the Local Government (Functions and General) Regulations 1996, Regulation 17 and did the CEO make the tenders register available for public inspection and publish it on the local government's official website?	---
Not applicable	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?	---
Not applicable	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?	---
Not applicable	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?	---
Not applicable	11. F&G Regs 21 & 22 - Did the local government's advertising and expression of interest processes comply with the requirements of the Local Government (Functions and General) Regulations 1996, Regulations 21 and 22?	---
Not applicable	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?	---

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Not applicable	13. F&G Reg 23(3) & (4)- Were all expressions of interest that were not rejected under the Local Government (Functions and General) Regulations 1996, Regulation 23(1) & (2) assessed by the local government? Did the CEO list each person as an acceptable tenderer?	---
Not applicable	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 Local Government (Functions and General) Regulations 1996, Regulation 24?	---
Not applicable	15. F&G Regs 24AD(2) & (4) and 24AEDid the local government invite applicants for a panel of pre-qualified suppliers via Statewide public notice in accordance with Local Government (Functions & General) Regulations 1996 regulations 24AD(4) and 24AE?	---
Not applicable	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?	---
Not applicable	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 Local Government (Functions and General) Regulations 1996, Regulation 16, as if the reference in that regulation to a tender were a reference to a pre-qualified supplier panel application?	---
Not applicable	18. F&G Reg 24AGDid the information recorded in the local government's tender register about panels of pre-qualified suppliers comply with the requirements of Local Government (Functions and General) Regulations 1996, Regulation 24AG?	---
Not applicable	19. F&G Reg 24AH(1) - Did the local government reject any applications to join a panel of pre-qualified suppliers that were not submitted at the place, and within the time, specified in the invitation for applications?	---

Not applicable	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?	---
Not applicable	21. F&G Reg 24AI - Did the CEO send each applicant written notice advising them of the outcome of their application?	---
Not applicable	22. F&G Regs 24E & 24F - Where the local government gave regional price preference, did the local government comply with the requirements of Local Government (Functions and General) Regulations 1996, Regulation 24E and 24F?	---
Details of outcome	completed	
Supporting comments	---	
Supporting documents	<i>None</i>	