

Compliance calendar task

C114-57 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	Due 31 March 2024

Checklist and outcome

Yes or completed	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 2023?	Not applicable
Yes or completed	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 2023?	Not applicable
Yes or completed	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 2023?	Not applicable
Yes or completed	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 2023?	Not applicable
Yes or completed	5. s3.59(5) - During 2023, did the council resolve to proceed with each major land transaction or trading undertaking by absolute majority?	Not applicable
Details of outcome	---	
Supporting comments	---	
Supporting documents	None	

Compliance calendar task

C114-59 Delegation of Power / Duty	
Description	Delegation of Power / Duty
Position responsible	Governance & Risk Coordinator
Assigned to	Ibrahim Macrae (ibrahim.macrae@cocos.wa.gov.au)
Status	Due 31 March 2024

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Checklist and outcome		
Yes or completed	1. s5.16(1) - Were all delegations to committees resolved by absolute majority?	Not applicable
Yes or completed	2. s5.16 (2) - Were all delegations to committees in writing?	Not applicable
Yes or completed	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
Yes or completed	4. s5.18 - Were all delegations to committees recorded in a register of delegations?	Not applicable
Yes or completed	5. s5.18 - Has council reviewed delegations to its committees in the 2022/2023 financial year?	Not applicable
Yes or completed	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?	Not applicable
Yes or completed	7. s5.42(1) - Were all delegations to the CEO resolved by an absolute majority?	Yes. Last reviewed 30/06/2021
Yes or completed	8. S5.42(2) - Were all delegations to the CEO in writing?	Yes
Yes or completed	9. s5.44(2) - Were all delegations by the CEO to any employee in writing?	Yes
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
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?	Yes
Yes or completed	12. s5.46(2) - Were all delegations made under Division 4 of the Act reviewed by the delegator at least once during the 2022/2023 financial year?	No. Last reviewed 30/06/2021
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?	Yes

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

Compliance calendar task

C114-60 Disclosure of Interest

Description	Disclosure of Interest
Position responsible	Governance & Risk Coordinator
Assigned to	Ibrahim Macrae (ibrahim.macrae@cocos.wa.gov.au)
Status	Due 31 March 2024

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
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
Yes or completed	3. s5.73 - Were disclosures under section 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?	Yes
Yes or 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?	Yes
Yes or 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 2023?	Yes
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?	Yes

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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
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
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
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
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
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
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
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?	Yes

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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?	Yes
Yes or completed	16.s5.71A & s5.71B(5)Where council applied to Minister to allow CEO to provide advice or a report to which a disclosure under s5.71A (1) of the Act relates, did application include details of nature of the interest disclosed & any information required by the Minister for the purpose of application?	Not applicable
Yes or completed	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?	Not applicable
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?	Yes
Yes or 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?	No
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
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?	Yes
Details of outcome	---	
Supporting comments	---	

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

C114-61 Disposal of Property	
Description	Disposal of Property
Position responsible	Governance & Risk Coordinator
Assigned to	Ibrahim Macrae (ibrahim.macrae@cocos.wa.gov.au)
Status	Due 31 March 2024

Checklist and outcome		
Yes or completed	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)?	No - Rubbish truck and skid steer were traded in not by public auction.
Yes or completed	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) in the required local public notice for each disposal of property?	No - future vehicles etc are to be sent to public auction in Perth.
Details of outcome	---	
Supporting comments	---	
Supporting documents	None	

Compliance calendar task

C114-62 Integrated Planning and Reporting

Description	Integrated Planning and Reporting
Position responsible	Governance & Risk Coordinator
Assigned to	Ibrahim Macrae (ibrahim.macrae@cocos.wa.gov.au)
Status	Due 31 March 2024

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?	Yes - adopted 14/12/2022.
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?	Yes - adopted 14/12/2022.
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)?	Yes
Details of outcome	---	
Supporting comments	---	
Supporting documents	None	

Compliance calendar task

C114-63 Local Government Employees

Description	Local Government Employees
Position responsible	Governance & Risk Coordinator
Assigned to	Ibrahim Macrae (ibrahim.macrae@cocos.wa.gov.au)
Status	Due 31 March 2024

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?	No - Manager Governance Risk and Planning not advertised.
Yes or completed	2. Admin Reg 18E - Was all information provided in applications for the position of CEO true and accurate?	Not applicable
Yes or completed	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?	Not applicable
Yes or completed	4. s5.37(2) - Did the CEO inform council of each proposal to employ or dismiss senior employee?	Not applicable
Yes or completed	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?	Not applicable
Details of outcome	---	
Supporting comments	---	
Supporting documents	None	

Compliance calendar task

C114-64 Tenders for Providing Goods and Services

Description	Tenders for Providing Goods and Services
Position responsible	Governance & Risk Coordinator
Assigned to	Ibrahim Macrae (ibrahim.macrae@cocos.wa.gov.au)
Status	Due 31 March 2024

Checklist and outcome

Yes or completed	1. F&G Reg 11A(1) & (3) - Did the local government comply with its current purchasing policy, adopted under F & G Reg 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
Yes or completed	2. s3.57 F&G Reg 11 Subject to F&G Reg 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 F&G Reg 11(1)?	Yes
Yes or completed	3. F&G Regs 11(1), 12(2), 13, & 14(1), (3), and (4)-When regulations 11(1), 12(2) or 13 of the F & G Regs, 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
Yes or completed	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?	Not applicable
Yes or completed	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

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Yes or completed	6. F&G Regs 15 & 16 - Did the local government's procedure for receiving and opening tenders comply with the requirements of F&G Regs 15 and 16?	Not applicable
Yes or completed	7. F&G Reg 17 - Did the information recorded in the local government's tender register comply with the requirements of F&G Reg 17 and did the CEO make the tenders register available for public inspection and publish it on the local government's official website?	Yes
Yes or completed	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?	No
Yes or completed	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
Yes or completed	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
Yes or completed	11. F&G Regs 21 & 22 - Did the local government's advertising and expression of interest processes comply with the requirements of F&G Regs 21 and 22?	Yes
Yes or completed	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?	No
Yes or completed	13. F&G Reg 23(3) & (4) Were all expressions of interest that were not rejected under F&G Reg 23(1) & (2) assessed by the local government? Did the CEO list each person as an acceptable tenderer?	Not applicable
Yes or completed	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 F&G Reg 24?	Not applicable

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Yes or completed	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 F&G Reg 24AD(4) and 24AE?	Not applicable
Yes or completed	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
Yes or completed	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 F&G Reg 16, as if the reference in that regulation to a tender were a reference to a pre-qualified supplier panel application?	Not applicable
Yes or completed	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 F&G Reg 24AG?	Not applicable
Yes or completed	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
Yes or completed	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?	Yes
Yes or completed	21. F&G Reg 24AI - Did the CEO send each applicant written notice advising them of the outcome of their application?	Yes
Yes or completed	22. F&G Regs 24E & 24F - Where the local government gave regional price preference, did the local government comply with the requirements of F&G Regs 24E and 24F?	Not applicable
Details of outcome	---	

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

Compliance calendar task

C114-65 Official Conduct	
Description	Official Conduct
Position responsible	Governance & Risk Coordinator
Assigned to	Ibrahim Macrae (ibrahim.macrae@cocos.wa.gov.au)
Status	Due 31 March 2024

Checklist and outcome		
Yes or completed	1. s5.120 - Has the local government designated an employee to be its complaints officer?	Yes
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
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
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?	Yes
Details of outcome	---	
Supporting comments	---	
Supporting documents	None	

Compliance calendar task

C114-66 Optional Questions

Description	Optional Questions
Position responsible	Governance & Risk Coordinator
Assigned to	Ibrahim Macrae (ibrahim.macrae@cocos.wa.gov.au)
Status	Due 31 March 2024

Checklist and outcome

Yes or completed	1. Reg 5(2)(c)- Did CEO review appropriateness & effectiveness of local government's financial management systems & procedures in accordance with FM regulations 5(2)(c) within the 3 financial years prior to 31 Dec 2023? If yes, please provide the date of council's resolution to accept the report	Yes - 30 June 2023
Yes or completed	2. Did CEO review appropriateness & effectiveness of local government's systems & procedures in relation to risk management, internal control & legislative compliance in accordance with Audit Reg 17 within the 3 Fin years prior to 31/12/23? If yes, provide date of council's resolution to accept report	Yes - 30 June 2023
Yes or completed	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?	Not applicable. 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
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

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
Yes or completed	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 2023?	Yes
Yes or completed	8. s6.4(3) By 30 September 2023, did the local government submit to its auditor the balanced accounts and annual financial report for the year ending 30 June 2023?	Yes
Yes or completed	9. s.6.2(3) - When adopting the annual budget, did the local government take into account all its expenditure, revenue and income?	Yes
Details of outcome	---	
Supporting comments	---	
Supporting documents	None	

Compliance calendar task

C114-67 Elections	
Description	Elections
Position responsible	Governance & Risk Coordinator
Assigned to	Ibrahim Macrae (ibrahim.macrae@cocos.wa.gov.au)
Status	Due 31 March 2024

Checklist and outcome		
Yes or completed	1. Did CEO establish & maintain an electoral gift register, ensuring that all disclosure of gifts completed by candidates & donors and received by CEO were placed on the electoral gift register at time of receipt by CEO that clearly identifies and distinguishes the forms relating to each candidate?	Yes - no disclosure 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?	Yes - no disclosure made
Yes or completed	3. 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
Details of outcome	---	
Supporting comments	---	
Supporting documents	None	

Compliance calendar task

C114-20 Finance	
Description	Finance
Position responsible	Manager Finance and Corporate Services
Assigned to	Vikki Lauritsen (vikki.lauritsen@cocos.wa.gov.au)
Status	Completed 5 February 2024

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?	Yes
Yes or completed	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?	No
Yes or completed	3. s7.9(1) - Was the auditor's report for the financial year ended 30 June 2023 received by the local government by 31 December 2023?	Yes
Yes or completed	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 raised in independent auditors report.
Yes or completed	5. Where matters identified as significant were reported in auditor's report, did local government prepare report that stated what action they had taken or intended to take with respect to each of those matters? Was copy of report given to the Minister within 3 months of audit report being received?	No matters raised in independent auditors report.
Yes or completed	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?	No report as no significant matters raised in independent auditors report.
Yes or completed	7. Audit Reg 10(1) - Was the auditor's report for the financial year ending 30 June 2023 received by the local government within 30 days of completion of the audit?	Yes
Details of outcome	Responses submitted to Ibrahim for CAR	
Supporting comments	Responses submitted to Ibrahim for CAR	
Supporting documents	None	