



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 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	The Shire maintains a register of relevant disclosures (SJ2038-2) and each instance is recorded in the minutes of the meeting, available on the Shire's website.
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 Local Government (Administration) Regulations 1996 regulation 21A, recorded in the minutes of the relevant council or committee meeting?	N/A	No occurrences in 2023.
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?	Yes	Each instance is recorded in the minutes of the meeting, available on the Shire's website.
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?	No	Primary returns are in the correct form and stored in the Shire's record keeping system (SJ527-8). The Shire maintains an Annual and Primary Returns Register to track compliance (E17/1248). There was one incidence of a primary return not being completed by a relevant person within the prescribed time. The receipt of the late return was reported to the appropriate agencies.
5	s5.76 Admin Reg 23, Form 3	Was an annual return in the prescribed form lodged by all relevant persons by 31 August 2022?	No	Annual returns are in the correct form and are stored in the Shire's record keeping system (SJ527-8). The Shire maintains an Annual and Primary Returns Register to track compliance (E17/1248). There was one incidence of an annual return not being completed by a relevant person within the prescribed time. The receipt of the late return was reported to the appropriate agencies.



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	Written acknowledgements are stored in the Shire's record keeping system (SJ527-8). The Shire maintains an Annual and Primary Returns Register to track compliance (E17/1248).
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	The Shire maintains Annual and Primary Returns in the Shire's record keeping system(SJ527-8).
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 the Local Government (Administration) Regulations 1996, regulation 28?	Yes	The Shire maintains the disclosure of interest in the Shire's record keeping system (SJ2038-2).
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	Those who cease to be a person required to lodge a return are removed from the Shire's record keeping file (SJ527-7).
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	Previous employee and Councillor primary and annual returns are stored in a record keeping file for ceased Councillors and employees (SJ2315-2), for at least 5 years.
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	The Shire's gift register complies with Form 4 of the Regs and contains relevant disclosures (https://www.sjshire.wa.gov.au/registers/gifts)
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	https://www.sjshire.wa.gov.au/registers/gifts
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	People who cease to be a person required to make a disclosure are removed from the Shire's gift register (https://www.sjshire.wa.gov.au/registers/gifts)



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	Records removed from the register are kept for a period of at least five years in the Shire's record keeping system (SJ2003).
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	Each instance is recorded in the minutes of the meeting, available on the Shire's website.
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?	N/A	No applications were made in 2023.
17	s5.71B(6) & s5.71B(7)	Was any decision made by the Minister under section 5.71B(6) of the Local Government Act 1995, recorded in the minutes of the council meeting at which the decision was considered?	N/A	No applications were made in 2023.
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 candidates that incorporates the model code of conduct?	Yes	Council adopted the Councillor, Committee Member and candidate code of conduct (E21/1003871) at the 19 April 2021 Ordinary Council Meeting (OCM092/04/21) by absolute majority.
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?	N/A	The model code was adopted by Council in April 2021. The code adopted did not include requirements in addition to those contained in the model code.
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	https://www.sjshire.wa.gov.au/council/governance/conduct-and-code-of-ethics/codes-of-conduct.aspx
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	The code adopted in April is available on the Shire's website https://www.sjshire.wa.gov.au/council/governance/conduct-and-code-of-ethics/codes-of-conduct.aspx



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 Local Government Act 1995 (unless section 3.58(5) applies)?	N/A	All property covered under section 3.58 of the LG Act were disposed of by public auction, in accordance with 3.58(2).
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?	N/A	All property covered under section 3.58 of the LG Act were disposed of by public auction, in accordance with 3.58(2).

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 Local Government (Elections) Regulations 1997?	Yes	An electoral gift register is established and maintained. No disclosures of electoral gifts occurred in 2023.
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?	N/A	In 2023 the Electoral Gift Register did not include any disclosures from unsuccessful candidate, or a successful candidate that completed their term of office to remove
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	The Electoral Gift Register reflects there are currently no items to display, on the website.



				https:// /www.sjshire.wa.gov.au/registers/election
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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 Local Government Act 1995?	Yes	Audit committee members were appointed by absolute majority at the Special Council Meeting 6 November 2023 (SCM021/11/23).
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?	N/A	Audit committee does not hold any delegated powers.
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	Auditors Report for the financial year 30 June 2023 received at the 4 December 2023 Special Audit, Risk and Governance Committee Meeting (ARG023/12/23)
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?	Yes	Management Comment and Actions are detailed in the report received by the Audit, Risk and Governance Committee at the 4 December 2023 Special meeting (ARG023/12/23)
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?	N/A	No significant matters were identified.
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?	N/A	As above, not applicable.
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	The audit exit meeting was held on 21 November 2023



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?	N/A	No appointments to the position of CEO or positions designated as a Senior Employee were made in 2023.
2	Admin Reg 18E	Was all information provided in applications for the position of CEO true and accurate?	N/A	The CEO was appointed in 2019.
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?	N/A	The CEO was appointed in 2019.
4	s5.37(2)	Did the CEO inform council of each proposal to employ or dismiss senior employee?	N/A	No appointments were made in 2023.
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	No rejections were made in 2023.

Official Conduct				
No	Reference	Question	Response	Comments
1	s5.120	Has the local government designated an employee to be its complaints officer?	Yes	The CEO is the complaints officer.
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	A Register of complaints is maintained in the Shire's Record Keeping System (E19/11391).
3	S5.121(2)	Does the complaints register include all information required by section 5.121(2) of the Local Government Act 1995?	Yes	The Shire's Complaints Register complies with section 5.121(2).
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	https://www.sjshire.wa.gov.au/council/governance/conduct-and-code-of-ethics/councillor-conduct.aspx



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 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?	No	Council Policy 3.2.4 - Purchasing - Procurement of Goods or Services up to \$250,000 (E19/5674) requires a requisition and purchase order to be raised and approved prior to the commitment of purchases unless an exemption in accordance with the Policy applies. The Shire tracks compliance with this provision on a regular basis. In 2023, there were instances of noncompliance with this provision which were managed in accordance with the non-compliance provisions of the Policy.
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	A tender register for 2023 is maintained and records all tenders - kept on the Shire's website.
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)?	Yes	All the requirements under 14(3) and 14(4) are covered in our Invitation to Tender and Specification Document sent out to all Tenderers. All Tenders are advertised on Tenderlink and also the West Australian.
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?	N/A	The Shire did not attempt to avoid the requirements of Regulation 11(1).
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?	Yes	All Addendums are recorded against each Tender in Content Manager, the Shire records system. Information is also recorded on Tenderlink. When a variance occurred, all tenderers were notified through the Tenderlink Portal via an Addendum.



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?	Yes	All Tenders complied with the procedure for receiving and opening of Tenders. This information can be found on the Opening Checklist for all Tenders done.
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?	Yes	A tender register for 2023 is maintained that records all tenders (E23/8984). This complies with Reg 17 and is available on the Shire's Website: https://www.sjshire.wa.gov.au/our-shire/tenders-and-procurement.aspx
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	The Shire's tender portal, Tenderlink, is automated and does not receive tenders outside the time specified.
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	Recorded in the Shire's Manager record system, Content Manager (Content Manager Corporate Management - Tendering - Tender Documents).
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	Recorded in the Shire's Manager record system, Content Manager (Content Manager Corporate Management - Tendering - Tender Documents).
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?	N/A	The Shire did not do any expression of interests.
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	The Shire did not do any expression of interests.
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?	N/A	The Shire did not do any expression of interests.



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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?	N/A	The Shire did not do any expression of interests.
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 Local Government (Functions & General) Regulations 1996 regulations 24AD(4) and 24AE?	N/A	No panel established.
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 established.
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?	N/A	No panel established.
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 Local Government (Functions and General) Regulations 1996, Regulation 24AG?	N/A	No panel established..
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?	N/A	No panel established.
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 established.
21	F&G Reg 24AI	Did the CEO send each applicant written notice advising them of the outcome of their application?	N/A	No panel established.
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?	N/A	A metropolitan local government, no regional price preference given.



Integrated Planning and Reporting				
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	11/12/2023 The Strategic Community Plan (Council Plan) was adopted by absolute majority at the Ordinary Council meeting in December 2023 (OCM313/12/23).
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	20/11/2023 Most recent review adopted by absolute majority at the Ordinary Council Meeting 20 November 2023 (OCM286/11/23).
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	The Shire's Corporate Business Plan complies with Regulation (E23/16131).

Optional 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 Local Government (Financial Management) Regulations 1996 regulations 5(2)(c) within the three financial years prior to 31 December 2023? If yes, please provide the date of council's resolution to accept the report.	Yes	21/03/2022 Latest review accepted by Council at the 21 March 2022 Ordinary Council Meeting (OCM037/03/22) following consideration by the Audit, Risk and Governance Committee on 28 February 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 Local Government (Audit) Regulations 1996 regulation 17 within the three financial years prior to 31 December 2023? If yes, please provide date of council's resolution to accept the report.	Yes	21/03/2022 Latest review accepted by Council at the 21 March 2022 Ordinary Council Meeting (OCM037/03/22) following consideration by the Audit, Risk and Governance Committee on 28 February 2022.



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	Gifts disclosed were within 10 days, and included the information required by s 5.87C (see gifts register https://www.sjshire.wa.gov.au/registers/gifts and record keeping folder SJ2003)
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	Council Policy 3.3.5 Councillor and CEO Attendance at Events (E20/9355) was adopted by absolute majority at the September 2020 Ordinary Council Meeting (OCM297/09/20). This Policy is also available on the Shire Website https://www.sjshire.wa.gov.au/documents/485/council-policy-335-councillor-and-ceo-attendance-at-events
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	5. 96A(1)(a): https://www.sjshire.wa.gov.au/council/council/about-council/ward-maps.aspx 5. 96A(1)(b): https://www.sjshire.wa.gov.au/council/governance/local-laws-and-policies/local-laws.aspx 5.96A(1)(c) and (d): https://www.sjshire.wa.gov.au/council/plans-and-publications/budgets 5. 96A(1)(e): https://www.sjshire.wa.gov.au/council/plans-and-publications/corporate-plans-and-strategies.aspx 5.96A(1)(f), (g) and (h): https://www.sjshire.wa.gov.au/council/council/council-and-committee-meetings/minutes-and-agendas.aspx 5.96A(1)(i): Regulation 29C(2)(a) and (b) - n/a Regulation 29C(2)(c): https://www.sjshire.wa.gov.au/council/gover



				<p>nance/local-laws-and-policies/policies.aspx Regulation 29C(2)(d) and (e): https://www.sjshire.wa.gov.au/council/governance/registers/financial-interests-register.aspx Regulation 29C(2)(f): https://www.sjshire.wa.gov.au/council/governance/201920-elected-members-allowances-and-sitting-fees.aspx Regulation 29C(2)(g) https://www.sjshire.wa.gov.au/publicnotices/local-government-ordinary-in-person-election-notice-of-results/10103 Subsections 2, 3 and 4 are compliant.</p>
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	Council Policy 3.3.4 Councillor Training and Continuing Professional Development (E19/15203) was adopted by absolute majority at the 18 July 2022 Ordinary Council Meeting (OCM174/07/22).
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	The report was published in July 2023 (E23/9815) and is available on the website https://www.sjshire.wa.gov.au/council/governance/registers/councillor-training-and-continuing-professional-development-report.aspx
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	The Shire submitted balanced accounts and annual financial report for the year ending 30 June 2023 to appointed auditor by 30 September 2023.
9	s.6.2(3)	When adopting the annual budget, did the local government take into account all its expenditure, revenue and income?	Yes	Yes, all expenditure, revenue and income was taken into account when adopting the local government.



Department of
**Local Government, Sport
and Cultural Industries**

Chief Executive Officer

Date

Mayor/President

Date