



City of Cockburn
Special Council Meeting
Minutes

For Tuesday, 25 March 2025

These Minutes are subject to confirmation

Presiding Member's signature

Date: 8 April 2025

Special Council Meeting, Tuesday, 25 March 2025

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Special Council Meeting, Tuesday, 25 March 2025
Minutes
Elected Members

| | |
|----------------------|---------------------------------|
| Deputy Mayor C Stone | Central Ward (Presiding Member) |
| Cr P Eva | Central Ward |
| Cr T Widenbar | Central Ward |
| Cr T Dewan | East Ward |
| Cr C Reeve-Fowkes | East Ward |
| Cr K Allen | West Ward |
| Cr P Corke | West Ward |
| Cr M Separovich | West Ward |

Staff

| | |
|----------------|---|
| Mr D Simms | Chief Executive Officer |
| Mr D Arndt | Director Planning and Sustainability |
| Ms C Bywater | Director Corporate and System Services |
| Ms K Johnson | Director Community and Place |
| Mr A Lees | Director Infrastructure |
| Mr N Mauricio | Chief Financial Officer |
| Mr J Blanchard | General Counsel |
| Mr A Natale | Service Manager Procurement and Contracts |
| Ms T Hardmeier | Service Lead Governance and Council Support |
| Mr M Lee | Systems Support Officer (IT Support) |
| Mrs S D'Agnone | Council Minute Officer |

1. Declaration of Meeting

The Presiding Member declared the meeting open at 7:00pm.

“Kaya, Wanju Whadjuk Boodja” which means “Hello, Welcome to Whadjuk Land”

The Presiding Member acknowledged the Whadjuk Nyungars as the traditional owners of the land on which the meeting was being held, paid respect to her Elders past and present, and thanked them for their strength and resilience. It is due to their strength and resilience that they are the oldest living culture in the world.

7.01pm: Cr Widenbar departed the meeting.



2. Appointment of Presiding Member

As Mayor Howlett was an apology, Deputy Mayor Stone performed the role of Presiding Member for the meeting.

3. Disclaimer

The Presiding Member read the Disclaimer:

Members of the public, who attend Council Meetings, should not act immediately on anything they hear at the Meetings, without first seeking clarification of Council's position.

Persons are advised to wait for written advice from the Council prior to taking action on any matter that they may have before Council.

4. Acknowledgement of Receipt of Written Declarations of Financial Interests and Conflict of Interest (by Presiding Member)

Nil

5. Apologies & Leave of Absence

Mayor L Howlett
Cr C Zhang

6. Public Question Time

Nil

7. Deputations

Nil

8. Declaration by Members Who have Not Given Due Consideration to Matters Contained in the Business Paper Presented before the Meeting

Nil



9. Purpose of Meeting

1. To adopt the Compliance Audit Return (CAR) for the period of 1 January to 31 December 2024, for it to be submitted to the Department Local Government Sports and Cultural Industries by the statutory timeframe of 31 March 2025, as required by Regulations 14 and 15 of the Local Government (Audit) Regulations 1996 (as amended).
2. To consider Tender RFQ08/20265 – Supply of Energy.

7:04pm **Cr Widenbar returned to the meeting.**



10 Reports - CEO (and Delegates)**10.1 Corporate and System Services**

7:09pm Cr Corke departed and returned to the meeting.

(2025/MINUTE NO 0044) Meeting to Proceed Behind Closed Doors**Council Decision**

MOVED Cr T Dewan SECONDED Cr C Reeve-Fowkes

That, pursuant to Section 5.23(2)(a) of the Local Government Act 1995, the Council meeting proceeds behind closed doors to consider the confidential attachment to Item 10.1.1, the time being 7:13pm.

LOST 3/5

For: Deputy Mayor C Stone, Cr T Dewan and Cr C Reeve-Fowkes

Against: Cr P Eva, Cr T Widenbar, Cr K Allen, Cr P Corke, Cr M Separovich

10.1.1 (2025/MINUTE NO 0045) Supply of Energy - Renewable Electricity and Gas

Executive Director Corporate and System Services

Author Service Manager Procurement and Contracts

Attachments

1. WALGA RFQ03-2025 Procurement Report (**Confidential**)
2. WALGA Estimated Analysis (**Confidential**)
3. Cockburn Costing Evaluation Summary (**Confidential**)

Council Decision

MOVED Cr C Reeve-Fowkes SECONDED Cr K Allen

That Council:

- (1) ACCEPTS the submission from Electricity Generation and Retail Corporation trading as Synergy for RFQ 03/2024 Contestable Electricity and Renewables Supply as conducted by WALGA, for the agreed unbundled contracted rates with an estimated contract sum of \$4,131,807 Ex GST, for a period of three (3) years from the 1 April 2025. The contract will supply electricity to all nominated contestable sites except for the Cockburn ARC. The Contract provides the City an opportunity to purchase renewable energy during the contract period;
- (2) ACCEPTS the submission from Alinta Sales Pty Ltd for RFQ 08/2025 Supply of Renewable Electricity (Cockburn ARC) and Natural Gas (City wide), for an estimated contract sum of \$2,138,486 Ex GST, for a period of three (3) years from 1 April 2025. The contract will supply electricity to the Cockburn ARC facility. The Contract provides the City an opportunity to purchase renewable energy during the contract period; and
- (3) ACCEPTS the submission from Perth Energy Pty Ltd for RFQ 08/2025 Supply of Renewable Electricity (Cockburn ARC) and Natural Gas (City wide), for an estimated contract sum of \$413,600 Ex GST, for a period of three (3) years from 1 May 2025. The contract will supply gas to all City facilities during the period of the contract.

CARRIED 7/1

| |
|--|
| For: Deputy Mayor C Stone, Cr P Eva, Cr T Widenbar, Cr C Reeve-Fowkes, Cr K Allen, Cr P Corke, Cr M Separovich |
| Against: Cr T Dewan |

Background

The City requires the supply of electricity and natural gas for sites owned or controlled within its boundaries.

As the current supply agreements for both electricity and natural gas expire on 31 March 2025, the City is seeking new arrangements that help achieve its renewable energy targets and provide value for money.

This was achieved by participating in the RFQ 03/2024 Contestable Electricity and Renewables Supply - WALGA Sustainable Energy Project and RFQ08-2025 for the Supply of Renewable Electricity (Cockburn ARC) and Natural Gas (City wide).

WALGA on behalf of the City of Cockburn and 51 other West Australian Local Governments has conducted a Request for Quotation for the supply of renewable electricity to contestable sites.

This procurement process forms Phase Two of the WALGA Sustainable Energy Project which began in 2020 with a 15-Year ACCC buying group authorisation obtained.

The City signed a Memorandum of Understanding with WALGA, enabling the inclusion of contestable energy expenditure in this procurement process.

The City is a current participant in the WALGA Sustainable Energy Project.

The Project is an ACCC-approved buying group of local governments that has contracted electricity under a volume aggregated purchasing process.

The WALGA Sustainability Project aligns with the objectives contained within the City's Sustainability Strategy and the intention to achieve net-zero status by 2030.

Participants previously benefited from access to renewable energy and reduced energy prices.

There are 48 local government participants contracted to the Phase One contract term which commenced on 1 April 2022 and expires on 31 March 2025.

The Phase One term of the Project is estimated to save Local Governments \$34 million in expenditure and offset over 120,000 tonnes of carbon.

RFQ 03/2024 Contestable Electricity and Renewables Supply procurement process for Phase Two was overseen by a steering committee and evaluated by a team of WALGA officers, local government officers, and independent technical consultants.



This process was conducted between 20 July 2024 and 25 September 2024, being open for a period of 61 days. Six (6) Preferred Suppliers of WALGA were invited to respond, including:

- Alinta Sales Pty Ltd
- Electricity Generation and Retail Corporation
- Perth Energy Pty Ltd
- Avertas Energy Limited (Kwinana WTE Project CO Pty Ltd)
- Change Energy Pty Ltd
- Shell Energy Retail Pty Ltd.

The City has worked closely with WALGA to evaluate the combined benefits of supplying electricity to contestable sites and has explored additional options including further market testing.

The process reviewed value for money and identified the optimal mix to maximise renewable energy availability and secure the best rates. Additionally, the City conducted a Request for the Supply of Renewable Electricity (Cockburn ARC) and Natural Gas (City wide).

This RFQ was released through the WALGA vendor panel procurement portal to the following three (3) WALGA suppliers:

- Alinta Sales Pty Ltd
- Electricity Generation and Retail Corporation
- Perth Energy Pty Ltd

The RFQ 08/2025 was conducted between 21 February 2025 and 4 March 2025.

Submission

Submissions for RFQ 03/2024 Contestable Electricity and Renewables Supply closed at 2:00pm (AWST), 25 September 2024. Two (2) submissions were received.

| Tenderer's Name | Registered Business Name |
|-----------------|---|
| Synergy | Electricity Generation and Retail Corporation |
| Change Energy | Change Energy Pty Ltd |

These submissions included alternative and non-conforming options.

Submissions for RFQ 08/2025 closed at 2:00pm (AWST) on 4 March 2025 and three (3) submissions were received.

| Tenderer's Name | Registered Business Name |
|-----------------|---|
| Synergy | Electricity Generation and Retail Corporation |
| Alinta Energy | Alinta Energy Pty Ltd |
| Perth Energy | Perth Energy Pty Ltd |



ReportCompliance Criteria

RFQ 03/2024 Contestable Electricity and Renewables Supply.

The City of Cockburn used the following index to determine whether the submissions received for RFQ08/2025 were compliant.

| | Compliance Criteria |
|---|---|
| A | Compliance with the Conditions of Responding in the Request. |
| B | Compliance with the Scope of Service contained in this Request. |
| C | Compliance with the General and Special Conditions of Contract |
| D | Compliance to the Economic Regulation Authority requirements in maintaining a license to Supply Gas in Western Australia. |
| E | Acknowledgement of any Addenda issued. |

Compliance Tenderers

The WALGA panel deemed both responses compliant for the purpose of assessment.

All three (3) responses were deemed compliant for City of Cockburn RFQ08/2025.

Evaluation Criteria

The following Weighted Criteria was used for to evaluate the RFQ 03/2024 Contestable Electricity and Renewables Supply Procurement process. Consultant, Ironbark Consulting was engaged to assist with the evaluation of the technical scope and pricing.

| Evaluation Criteria | Weighting Percentage |
|---|-----------------------------|
| Contract Management and Flexibility | 60% |
| Sustainability and Renewable Technology | 20% |
| Value Added Services | 20% |

Responses to RFQ 08/2025 were assessed against the following criteria:

| Evaluation Criteria | Weighting Percentage |
|----------------------------|-----------------------------|
| Management / Reporting | 10% |
| Sustainability | 10% |
| Quoted Price | 80% |
| TOTAL | 100% |



Tender Intent/ Requirements

The intent of this report is to consider the WALGA Recommendation and subsequent City of Cockburn RFQ 08-2025 to identify the most suitable provider of Renewable Electricity and Natural Gas to the City.

Evaluation Panel

The WALGA evaluation panel comprised six evaluators from participating Local Governments, and non-voting representatives from WALGA. Process and probity advice during evaluation was provided by WALGA.

The Evaluation Panel made a recommendation to the WALGA Power Purchase Agreement (PPA) Steering Group.

The City had a representative on the Steering Group.

The WALGA PPA Steering Group approved the recommended respondent.

The submissions for RFQ08-2025 were evaluated by the following:

| Name | Position |
|---|---|
| Shane Pike (Chair) | City Facilities Manager |
| Rory Garven | Service Manager - Sustainability |
| Toby McCready | Cockburn Aquatic and Recreation (ARC) Manager |
| Probity Role: | |
| Tony Natale – Service Manager Procurement and Contracts | |

Scoring Table – Combined Totals

The Evaluation Panel made a recommendation to the WALGA Power Purchase Agreement (PPA) Steering Group. The City had a representative on the Steering Group. The WALGA PPA Steering Group approved the recommended respondent.

The scoring table for RFQ08-2025 are as follows:

| Tenderer's Name | Percentage Score |
|------------------------|---------------------|
| | Non-Cost Evaluation |
| | 20% |
| Alinta Energy** | 10 |
| Perth Energy | 10 |
| Synergy | 9 |

** Recommended Submission



Evaluation Criteria Assessment

The assessment of RFQ 03/2024 Contestable Electricity and Renewables Supply conducted by the WALGA panel members is provided as a confidential attachment.

The assessment covered below relates to RFQ 08-2025.

Management / Reporting

All respondents provided a limited but sufficient response that they can meet the City requirements for Management and Reporting as detailed in the Specifications, and the General and Special Conditions of Contract as stated in the Request document.

Perth Energy and Alinta achieved the highest scores in this Criteria, both indicating they would provide dedicated account management. The Panel were able to identify that all respondents have previous successful experience working with other Local Governments.

Sustainability

All respondents scored well for this criterion, with Alinta and Perth Energy providing more detail in demonstrating the best understanding of the Principal's sustainability values and objectives. All respondents demonstrated they have or can provide an improved social and economic outcome to the Principal.

Cost

Due to the nature of Electricity and Natural Gas Procurements, the Cost criteria formed a more substantial role in evaluating the value for money of the responses.

In evaluating the cost criteria of the WALGA Sustainable Energy Project, it was identified that the City consider other price options for it Cockburn ARC facility.

Summation

In reference to RFQ 03/2024 Contestable Electricity and Renewables Supply, the Modelling from WALGA shows that the Western Australian Wholesale Electricity Market (WEM) has changed significantly since the Project was first tendered to the market in 2021.

The short-term electricity market price has increased from \$48.03 in Q3 2021 to \$98.54 at the end of June 2024, an increase of 105%.

The most advantageous offer from the RFQ 03/2024 was to accept an alternative offer received from Electricity Generation and Retail Corporation trading as Synergy. This proposal is summarised as follows:

- A three-year contract term from 1 April 2025 to 31 March 2028
- A new Time-of-Offer band that allows for Peak, Midday and Off-Peak rates allowing for spend optimisation by scheduling consumption in business hours
- Unbundled pricing
- Value added services that include an option to apply Natural Power to street lighting.



WALGA modelling estimates that by accepting the most advantageous offer from Synergy, WALGA Members will incur an estimated average 36% increase for the preferred unbundled rates from their incumbent three-year contract (locked in rates from 2022).

The above assumption is valid for most City sites, except for the Cockburn ARC. Noting, the increase for the Cockburn ARC site is over 50% with some natural power included.

This compares to an estimated increase for other contract types of over 50% for other Synergy offers.

The collective savings from the recommended offer are modelled (based on historic consumption profiles) to deliver an estimated \$34.7 million savings in energy costs over a new three-year term for Participants.

WALGA requires notification by 26 March 2025 to secure Synergy's offer.

The evaluation panel recommends that Council accept the submission from Electricity Generation and Retail Corporation trading as Synergy for RFQ 03/2024 Contestable Electricity and Renewables Supply, as being the most advantageous respondent to deliver the Supply of Electricity to City of Cockburn Facilities (excluding the Cockburn ARC) over a three-year period.

The evaluation panel also recommends that Council accept the submission from Alinta Sales Pty Ltd as being the most advantageous respondent to deliver the Supply of Electricity to the Cockburn ARC Facility over a three-year period.

The evaluation panel also recommends that Council accept the submission from Perth Energy Pty Ltd as being the most advantageous respondent to deliver the Supply of Natural Gas to City of Cockburn Facilities over a three-year period.

The recommendation is based on:

- Well demonstrated experience in performing similar services
- Having the required annual contract quantity, contract method and the most advantageous min pay and take provisions
- The best value for money.

Strategic Plans/Policy Implications

Environmental Responsibility

A leader in environmental management that enhances and sustainably manages our local natural areas and resources.

- Sustainable resource management including waste, water and energy.

Listening and Leading

A community focused, sustainable, accountable, and progressive organisation.

- Best practice Governance, partnerships and value for money.



Budget/Financial Implications

Acceptance of these submissions for supply of electricity is likely to have financial implications which will affect the City's annual budget and approved long-term financial plan.

Legal Implications

Section 3.57 of the Local Government Act 1995 and Part 4 of the Local Government (Functions and General) Regulations 1996 refers.

Community Consultation

Nil

Risk Management Implications

If the recommendation is not approved the City will not be able to contract with providers of energy to supply City of Cockburn facilities.

All quotes received have a short validity date requiring the City to award the contract in a timely manner. Any delay will result in an increase in cost due to the spot market price being charged.

The significant risk of this contract reflects the consumption of gas at the Cockburn ARC facility and the purchase of renewable energy in future years.

This risk will be mitigated by the contract method being applied and the acceptable level of pay and take provision in the contractual terms. This is further mitigated by the negotiated contracted rates for the respective sites and supplier contracts.

Failure to procure renewable energy will result in the City failing to meet the target of net-zero emissions by 2030.

An assessment against the Risk Management Framework has determined that this presents as a 'low' environmental risk, a 'high' organisational performance risk and a 'high' reputational risk.

Advice to Proponent(s)/Submitters

The Proponent(s) and those who lodged a submission on the proposal have been advised that this matter is to be considered at the 25 March 2025 Special Council Meeting.

Implications of Section 3.18(3) Local Government Act 1995

Nil



11. Committee Reports

11.1 Audit Risk and Compliance Committee Meeting – 18/03/2025

11.1.1 (2025/MINUTE NO 0045) Local Government Compliance Audit Return 2024

| | |
|--------------------|---|
| Executive | Chief Executive Officer |
| Author | Risk and Governance Advisor |
| Attachments | 1. Compliance Audit Return 2024 ↓ |

Council Decision

MOVED Cr M Separovich SECONDED Cr K Allen
That Council:

- (1) ADOPTS the Local Government Compliance Audit Return 2024 for the 2024 calendar year presented as the attachment to this report, for adoption by Council; and
- (2) ACKNOWLEDGES that the Compliance Audit Return 2024 presented as the attachment to this report will be subsequently jointly certified by the Mayor and Chief Executive Officer for submission to the Department of Local Government, Sport and Cultural Industries.

CARRIED 8/0

Background

As part of its governance requirements, the City of Cockburn regularly audits compliance obligations under the Local Government Act.

Under Regulations 14 and 15 of the *Local Government (Audit) Regulations 1996* (the Regulations) completion of the Local Government Compliance Audit Return (CAR) has been mandatory for all local governments in Western Australia since 2000.

The Audit Risk and Compliance (ARC) Committee reviews the CAR and reports to Council the results of that review.

Submission

N/A

Report

The Compliance Audit is for the period 1 January to 31 December 2024. The format of the CAR is produced by the Department of Local Government, Sports and Cultural Industries (DLGSC).



Attachment 1 represents the CAR 2024 completed by City Officers, to be reviewed by the ARC Committee. The CAR 2024 was facilitated by the City's Legal and Compliance Service Unit.

The CAR 2024 indicates a conformity rating of 93% for the year.

The CAR sets out each area of non-conformance that has been identified and provides officer comment in relation to that item.

The City intends to conduct an Integrity Maturity Self-Assessment as part of the WA Government's Integrity Strategy for Public Agencies.

Completion of the Self-Assessment will result in development of an Integrity Strategy for the City of Cockburn as recommended by the Public Sector Commission.

The outcome of the Integrity Maturity Self-Assessment and the draft Integrity Strategy will be reported to the Audit Committee and will assist the City to improve its approach to compliance management.

Following its adoption by Council, the City will submit the following documents to DLGSC by 31 March 2025:

- City of Cockburn CAR 2024 Certified Copy of Return for the period 1 January 2024 to 31 December 2024, signed by the Mayor and Chief Executive Officer.
- Copy of the relevant section of the Council Minutes, confirming Council's adoption of the CAR 2024

Strategic Plans/Policy Implications

Listening & Leading

A community focused, sustainable, accountable and progressive organisation.

- Best practice Governance, partnerships and value for money.

Budget/Financial Implications

N/A

Legal Implications

Regulations 14 15 of the *Local Government (Audit) Regulations 1996* refer.

Community Consultation

N/A

Risk Management Implications

Failure to adopt the recommendation will result in non-compliance with meeting the 31 March 2025 deadline for the CAR statutory reporting requirements to the regulator, the DLGSC.



Advice to Proponent(s)/Submitters

N/A

Implications of Section 3.18(3) Local Government Act 1995

Nil

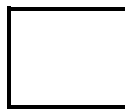




COMPLIANCE AUDIT RETURN 2024

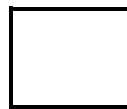
| Commercial Enterprises by Local Governments | | | | |
|---|----------------------------------|---|----------|--|
| No | Reference | Question | Response | Comments |
| 1 | s3.59(2)(a) F&G Regs 7,9,10 | Has the local government prepared a business plan for each major trading undertaking that was not exempt in 2024? | N/A | Respondent: Manager Property Services 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? | N/A | Respondent: Manager Property Services 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? | N/A | Respondent: Manager Property Services 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? | N/A | Respondent: Manager Property Services 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? | N/A | Respondent: Manager Property Services Not Applicable. |

| Delegation of Power/Duty | | | | |
|--------------------------|-----------|---|----------|---|
| No | Reference | Question | Response | Comments |
| 1 | s5.16 (1) | Were all delegations to committees resolved by absolute majority? | Yes | Respondent: Senior Governance Officer Report titled 'Annual Review – Register of Delegated Authority' Item 15.1 (2024/Minute No. 0148), at the 09 July 2024 Ordinary Council Meeting [ECM Doc Set ID: 11987035]. |
| 2 | s5.16 (2) | Were all delegations to committees in writing? | Yes | Respondent: Senior Governance Officer |





| | | | | |
|---|--------------------------------|---|-----|---|
| | | | | Report titled 'Annual Review – Register of Delegated Authority' Item 15.1 (2024/Minute No. 0148), at the 09 July 2024 Ordinary Council Meeting [ECM Doc Set ID: 11987035]. |
| 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 | Respondent: Senior Governance Officer Report titled 'Annual Review – Register of Delegated Authority' Item 15.1 (2024/Minute No. 0148), at the 09 July 2024 Ordinary Council Meeting [ECM Doc Set ID: 11987035]. |
| 4 | s5.18 | Were all delegations to committees recorded in a register of delegations? | Yes | Respondent: Senior Governance Officer All delegations to committees are recorded in the City of Cockburn Register of Delegations – adopted in July 2024, and published in the City of Cockburn website. |
| 5 | s5.18 | Has council reviewed delegations to its committees in the 2023/2024 financial year? | No | Respondent: Senior Governance Officer The review occurred 9 days after the end of the 2023/24 financial year in a report titled 'Annual Review – Register of Delegated Authority' Item 15.1 (2024/Minute No. 0148), at the 09 July 2024 Ordinary Council Meeting [ECM Doc Set ID: 11987035]. |
| 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 | Respondent: Senior Governance Officer Report titled 'Annual Review – Register of Delegated Authority' Item 15.1 (2024/Minute No. 0148), at the 09 July 2024 Ordinary Council Meeting [ECM Doc Set ID: 11987035]. |
| 7 | s5.42(1) | Were all delegations to the CEO resolved by an absolute majority? | Yes | Respondent: Senior Governance Officer |





| | | | | |
|----|---------------------------|--|-----|---|
| | | | | Report titled 'Annual Review – Register of Delegated Authority' Item 15.1 (2024/Minute No. 0148), at the 09 July 2024 Ordinary Council Meeting [ECM Doc Set ID: 11987035]. |
| 8 | s5.42(2) | Were all delegations to the CEO in writing? | Yes | Respondent: Senior Governance Officer Report titled 'Annual Review – Register of Delegated Authority' Item 15.1 (2024/Minute No. 0148), at the 09 July 2024 Ordinary Council Meeting [ECM Doc Set ID: 11987035]. |
| 9 | s5.44(2) | Were all delegations by the CEO to any employee in writing? | Yes | Respondent: Senior Governance Officer Refer to City of Cockburn Delegations Register [ECM Doc Set ID 11542145]. |
| 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? | N/A | Respondent: Senior Governance Officer No LGA delegations amended. Amendment of Planning delegation, revocation of "Policy delegation" in report titled 'Review of Delegations: 10.1. Structure Plans and 10.1.3 Town Planning Scheme – Development Contributions' Item 15.1.1 (2024/Minute No. 0248), at the 12 November 2024 Ordinary Council Meeting [ECM Doc Set ID: 12136509]. |
| 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 | Respondent: Senior Governance Officer Refer to City of Cockburn Delegations Register [ECM Doc Set ID 11542145]. |
| 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? | No | Respondent: Senior Governance Officer Report titled 'Annual Review – Register of Delegated Authority' Item 15.1 (2024/Minute No. 0148), at the 09 July 2024 Ordinary Council Meeting [ECM Doc Set ID: 11987035]. |

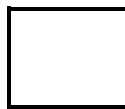


| | | | | |
|----|-----------------------|---|-----|--|
| | | | | Council reviewed their delegations at the 09 July 2024 Ordinary Council Meeting [ECM Doc Set ID: 11987035]. CEO reviewed his delegation in August 2024, approved 9 August. |
| 13 | s5.46(3) Admin Reg 19 | Did all persons exercising a delegated power or duty under the Act keep, on all occasions, a written record in accordance with <i>Local Government (Administration) Regulations 1996</i> , regulation 19? | Yes | Respondent: Senior Governance Officer Not consolidated into one register. Individual documents exist in Enterprise Content Management (ECM) System. |

| 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 | Respondent: Senior Governance Officer Minutes of meetings in the City of Cockburn Agenda and Minutes webpage record that when a member declared a financial or proximity interest that member left the chamber, did not participate, and only returned after the item had been dealt with. |
| 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? | N/A | Respondent: Senior Governance Officer No decisions to allow participation occurred. |
| 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 | Respondent: Senior Governance Officer Minutes of meetings in the City of Cockburn Agenda and Minutes webpage record that disclosures made. |



| | | | | |
|---|----------------------------|---|-----|--|
| 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 | <p>Respondent: Senior Governance Officer</p> <p>Annual returns lodged by all relevant persons are recorded in the City of Cockburn Register of Primary Returns & Annual Returns.</p> <p>Five officers lodged late primary returns. In accordance with requirements of section 28 of the <i>Corruption, Crime and Misconduct Act 2003</i> the lodgement of late returns was reported to the Corruption and Crime Commission.</p> <p>The City is reviewing the approach to collecting primary returns to ensure improved compliance in future years.</p> |
| 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? | No | <p>Respondent: Senior Governance Officer</p> <p>Annual returns lodged by all relevant persons are recorded in the City of Cockburn Register of Primary Returns & Annual Returns.</p> <p>One officer lodged a late primary return. In accordance with requirements of section 28 of the <i>Corruption, Crime and Misconduct Act 2003</i> the lodgement of the late return was reported to the Corruption and Crime Commission.</p> |
| 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 | <p>Respondent: Senior Governance Officer</p> <p>On receipt of a primary or annual return, the CEO, and the Mayor, as appropriate, gives written acknowledgement of having received the return.</p> |





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| 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 | Respondent: Senior Governance Officer The registers are: ‘Annual Returns and Primary Returns – Chief Executive Officer and Employees – July 2020 Onwards’ [ECM Doc Set ID: 11307375]; and ‘Register of Lodged Primary and Annual Returns – Elected Members – July 2020 Onwards’ [ECM Docs Set ID 11307172]. |
| 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 | Respondent: Senior Governance Officer Financial interests, which contains the disclosure made, are recorded in the City of Cockburn Register of Declaration of Interest webpage. |
| 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 | Respondent: Senior Governance Officer |
| 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 | Respondent: Senior Governance Officer |
| 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 | Respondent: Senior Governance Officer Gifts disclosed by City of Cockburn officers and Elected Members are recorded in the City of Cockburn Register of Gifts webpage. |
| 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 | Respondent: Senior Governance Officer A register of gifts which contains a record of disclosures made by City of Cockburn staff and Elected Members is published in the City of Cockburn Register of Gifts webpage. |



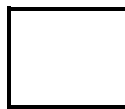


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| 13 | s5.89A(6) | When people cease to be a person who is required to make a disclosure under section 5.87A or 5.87B of the <i>Local Government Act 1995</i> , did the CEO remove from the register all records relating to those people? | Yes | Respondent: Senior Governance Officer A register of gifts is published in the City of Cockburn Register of Gifts webpage. |
| 14 | s5.89A(7) | Have copies of all records removed from the register under section 5.89A(6) <i>Local Government Act 1995</i> been kept for a period of at least five years after the person ceases to be a person required to make a disclosure? | Yes | Respondent: Senior Governance Officer |
| 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 | Respondent: Senior Governance Officer |
| 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 | Respondent: Senior Governance Officer Not Applicable. |
| 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 | Respondent: Senior Governance Officer 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 | Respondent: Senior Governance Officer The City of Cockburn Council adopted, by absolute majority, a code of conduct to be observed by council members, committee members and candidates that incorporates the model code of conduct, in the report titled ' <i>Model Code of Conduct for Elected Members</i> ', Item 13.1 (2021/Minute No. 0021), at the 11 March 2021 Ordinary Council Meeting [ECM Doc Set ID: 10333788]. |
| 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> ? | No | Respondent: Senior Governance Officer The City's Code of Conduct does not adopt additional requirements. |



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| 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 | Respondent: Senior Governance Officer The City of Cockburn Code of Conduct for Council Members, Committee Members and Candidates , adopted March 2021, is published in the City of Cockburn website. |
| 21 | s5.51A(1) & (3) | Has the CEO prepared and implemented a code of conduct to be observed by employee 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 | Respondent: Head of People, Culture and Safety The roll out to all staff of the 'City of Cockburn Code of Conduct – The Cockburn Way' [ECM Doc Set ID: 11145350] was announced by the Executive People Experience and Transformation on an email to all staff on 25 August 2022 [ECM Doc Set ID: 11232252]. As of 19 December 2024, out of a head count of 1153 City of Cockburn staff, 976 had completed a <i>CiAnywhere</i> online code of conduct induction. The City of Cockburn Code of Conduct – The Cockburn Way is published in the City of Cockburn website. |

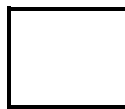
| Disposal of Property | | | | |
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| No | Reference | Question | Response | Comments |
| 1 | s3.58(3) | Where the local government disposed of property other than by public auction or tender, did it dispose of the property in accordance with section 3.58(3) of the <i>Local Government Act 1995</i> (unless section 3.58(5) applies)? | Yes | Respondent: Manager Property Services Claude Outdoor Pty Ltd – Licence various sites - commenced 1 January 2025 |





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| | | | | Naval Base Shack Owners – 1136 Cockburn Road, Naval Base – 170 Leases – Leases commenced 1 September 2024 |
| 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? | Yes | Respondent: Manager Property Services Claude Outdoor Pty Ltd – advertised State Newspaper 11/12/2024 & Local Newspaper Paper 12/12/2024. Naval Base Shacks – advertised State Newspaper 14/08/2024 & Local Newspaper 15/08/2024 and State Newspaper 25/09/2024 and Local Newspaper 26/09/2024. |

| 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 | Respondent: Senior Governance Officer The City maintained the City of Cockburn Register of Electoral Gifts webpage for disclosures by candidates and donors. No disclosures were received in relation to the 2023 Ordinary election. |
| 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 | Respondent: Senior Governance Officer No disclosures were received. |





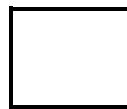
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| 3 | Elect Regs 30G(5) & (6) | Did the CEO publish an up-to-date version of the electoral gift register on the local government's official website in accordance with regulation 30G(5) of the <i>Local Government (Elections) Regulations 1997</i> ? | Yes | Respondent: Senior Governance Officer A register of gifts is published in the City of Cockburn Register of Electoral Gifts webpage. |
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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 <i>Local Government Act 1995</i> ? | N/A | Respondent: Senior Governance Officer This did not occur in 2024. Council adopted the report titled ' <i>Audit Risk and Compliance Committee Membership</i> ', Item 10.1.2 (2023/Minute No. 0254), at the 30 October 2023 Special Council Meeting - [ECM Doc Set ID: 11701930]. |
| 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 | Respondent: Senior Governance Officer Council adopted, by absolute majority, the report titled ' <i>Annual Review Register of Delegations</i> ', Item 15.1.1, Attachment 1, (2024/Minute No. 0148), at the 09 July 2024 Ordinary Council Meeting - [ECM Doc Set ID: 11987035]. |
| 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 | Respondent: Head of Finance Report titled ' <i>Financial Report and Audit Results for City of Cockburn Year Ending 30 June 2024</i> ' Item 11.1.1 (2024/Minute No. 0032), at the 03 December 2024 Audit, Risk and Compliance Committee Meeting [ECM Doc Set ID: 12148205]. |



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| 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 <i>Local Government Act 1995</i> required action to be taken, did the local government ensure that appropriate action was undertaken in respect of those matters? | N/A | Respondent: Head of Finance 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? | N/A | Respondent: Head of Finance 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 <i>Local Government Act 1995</i> , did the CEO publish a copy of the report on the local government’s official website? | N/A | Respondent: Head of Finance Not Applicable. |
| 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? | Yes | Respondent: Head of Finance Draft auditor’s report tabled at audit committee meeting held on 3 December (considered audit completion date). Signed auditor’s report received on 5 December. |

| 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 | Respondent: Manager Strategy and Integrated Planning Council adopted, by absolute majority, the report titled ‘ <i>Adoption of Strategic Community Plan 2020-2030</i> ’, Item 13.1 (2020/Minute No. 0144), at the 09 July 2020 Ordinary Council Meeting - [ECM Doc Set ID: 9559384]. |

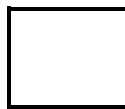




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| | | | | <p>Council adopted, by absolute majority, the report titled '<i>Minor Review – Strategic Community Plan 2020-2030</i>', Item 11.1 (2021/Minute No. 0094), at the 24 June 2021 Special Council Meeting - [ECM Doc Set ID: 10603566].</p> <p>The Strategic Community Plan 2020-2030 is currently under review and will be presented for adoption at the proposed Special Council Meeting 24 June 2025.</p> |
| 2 | Admin Reg 19DA(1) & (4) | <p>Has the local government adopted by absolute majority a corporate business plan?</p> <p>If yes, please provide the adoption date or the date of the most recent review in the Comments section?</p> | Yes | <p>Respondent: Manager Strategy and Integrated Planning</p> <p>Council adopted, by absolute majority, the report titled '<i>Corporate Business Plan 2024-25 to 2027-28 Adoption FY25 Corporate Business Plan KPI Setting FY 25 Service Plans, FY 25 Project Plans Workforce Plan 2022-2026 Annual review</i>', Item 10.1.2 (2024/Minute No. 0130), at the 25 June 2024 Special Council Meeting - [ECM Doc Set ID: 11967527].</p> |
| 3 | Admin Reg 19DA(2) & (3) | <p>Does the corporate business plan comply with the requirements of <i>Local Government (Administration) Regulations 1996</i> 19DA(2) & (3)?</p> | Yes | <p>Respondent: Manager Strategy and Integrated Planning</p> <p>June 2024 City of Cockburn Corporate Business Plan 2024-2028 [ECM Doc Set ID 11962560].</p> |



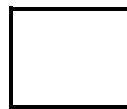
| Local Government Employees | | | | |
|----------------------------|-----------------------------------|---|----------|--|
| No | Reference | Question | Response | Comments |
| 1 | s5.36(4) & s5.37(3) Admin Reg 18A | Were all CEO and/or senior employee vacancies advertised in accordance with <i>Local Government (Administration) Regulations 1996</i> , regulation 18A? | Yes | Respondent: Head of People, Culture and Safety Role of Director Community and Place and Director Corporate and System Services were advertised in a compliant manner from 18 April 2024. No CEO recruitment took place for the reporting period. |
| 2 | Admin Reg 18E | Was all information provided in applications for the position of CEO true and accurate? | N/A | Respondent: Head of People, Culture and Safety No CEO recruitment took place during the reporting period. |
| 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> ? | N/A | Respondent: Head of People, Culture and Safety No new CEO appointment took place in the reporting period. Remuneration paid in line with SAT Determination. |
| 4 | s5.37(2) | Did the CEO inform council of each proposal to employ or dismiss senior employee? | Yes | Respondent: Head of People, Culture and Safety Council was informed of the proposed appointment of the Director Community and Place and Director Corporate and System |





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| | | | | Services at the 09 July 2020 Ordinary Council Meeting - [ECM Doc Set ID: 9559384]. |
| 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 | Respondent: Head of People, Culture and Safety Council accepted the proposal made by the CEO. |

| Official Conduct | | | | |
|------------------|-----------------|---|----------|--|
| No | Reference | Question | Response | Comments |
| 1 | s5.120 | Has the local government designated an employee to be its complaints officer? | Yes | Respondent: Head of Finance The City of Cockburn Director of Corporate & System Services was appointed as the City of Cockburn Complaints Officer by the CEO on 26 June 2024 [ECM Doc Set ID 12197496]. Council adopted the report titled ‘Behaviour Complaints Officer’, Item 14.5.1 (2024/Minute No. 0147), at the 09 July 2024 Ordinary Council Meeting - [ECM Doc Set ID: 11987035]. |
| 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 <i>Local Government Act 1995</i> ? | Yes | Respondent: Senior Governance Officer A City of Cockburn Register of Complaints is published in the City of Cockburn website. |
| 3 | S5.121(2) | Does the complaints register include all information required by section 5.121(2) of the <i>Local Government Act 1995</i> ? | Yes | Respondent: Senior Governance Officer A City of Cockburn Register of Complaints is published in the City of Cockburn website. |





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| 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 | Respondent: Senior Governance Officer A City of Cockburn Register of Complaints is published in the City of Cockburn website. |
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| 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 <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 | Respondent: Head of Finance Report titled ' <i>Financial Management Review (FMR)</i> ' Item 12.3 (2022/Minute No. 0018, at the 21 September 2022 Audit, Risk and Compliance Committee Meeting [ECM Doc Set ID: 11244644]. Council accepted above report, in report titled ' <i>Minutes – Audit, Risk and Compliance Committee Meeting 21 September 2022</i> ' Item 18.3 (2022/Minute No. 0211, at the 13 October 2022 Ordinary Council Meeting [ECM Doc Set ID: 11270437]. |
| 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. | No | Respondent: Senior Governance Officer The City of Cockburn's former Audit and Strategic Finance Committee (ASFC) received the report titled ' <i>Chief Executive Officer's Triennial Review for Risk Management, Internal Control and Legislative Compliance</i> ', Item 15.1 (2020/Minute No. 0021), at its 19 November 2020 ASFC meeting - [ECM Doc Set ID: 9994746]. |



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| | | | | <p>In December 2022 the City of Cockburn engaged an external service provider to review the appropriateness and effectiveness of the City’s risk management practices, against the Australian Standard AS ISO 31000:2018 <i>Risk management-Guidelines</i>. The review was to support CEO’s Triennial Review for Risk Management, Internal Control and Legislative Compliance, which was due in November 2023. The external review took longer than anticipated. This coincided with organisational changes within the City. The external review was submitted to the City of Cockburn Audit Risk and Compliance Committee (ARC) as a report titled ‘<i>Risk Maturity Assessment - Report</i>’, Item 11.4.1 (2023/Minute No. 0009), at its 25 May 2023 ARC meeting - [ECM Doc Set ID: 11510391].</p> <p>The CEO’s Triennial Review for Risk Management, Internal Control and Legislative Compliance, will be submitted to the ARC at its 18 March 2025 meeting.</p> |
| 3 | s5.87C | Where a disclosure was made under sections 5.87A or 5.87B of the <i>Local Government Act 1995</i> , 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? | No | <p>Respondent: Senior Governance Officer</p> <p>A disclosure, 60 days after a gift was received, was made by an Elected Member. The late disclosure included the information required by section 5.57C of the Act. [ECM Doc Set ID: 12169303].</p> |
| 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 | <p>Respondent: Senior Governance Officer</p> <p>Council adopted, by absolute majority, the report titled ‘<i>Policy Review – Attendance at</i></p> |

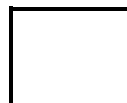


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| | | | | <p><i>Events'</i>, Item 15.2.28 (2024/Minute No. 0277), at the 12 November 2024 Ordinary Council Meeting - [ECM Doc Set ID: 12136509].</p> <p>The City of Cockburn Council Policy – Attendance at Events, adopted November 2024, is published in the City of Cockburn website.</p> |
| 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 | <p>Respondent: Senior Governance Officer</p> <p>All the information stipulated in sections 5.96A(1), (2), (3), and (4) of the <i>Local Government Act 1995</i> is published in the City of Cockburn website.</p> <p>The City of Cockburn does not record the exact decisions of Council in minutes of matters considered behind closed doors.</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 | <p>Respondent: Senior Governance Officer</p> <p>Council adopted, by absolute majority, the report titled ‘<i>Proposed Amendment to Policy “Elected member Professional Development”</i>’, Item 15.1.9 (2023/Minute No. 0126), at the 11 May 2023 Ordinary Council Meeting - [ECM Doc Set ID: 11503667].</p> <p>The City of Cockburn Council Policy – Elected Member Professional Development, adopted 14 September 2023, is published in the City of Cockburn website.</p> |



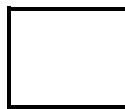
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| 7 | s5.127 | Did the local government prepare a report on the training completed by council members in the 2022/2023 financial year and publish it on the local government's official website by 31 July 2024? | Yes | Respondent: Senior Governance Officer A register of on the training completed by Elected Members in the 2022/2023 financial year is published in the City of Cockburn Elected Members Training Register 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 | Respondent: Head of Finance Date the financial statements submitted and considered to be of audit ready quality by auditor was 20 September 2024. |
| 9 | s.6.2(3) | When adopting the annual budget, did the local government take into account all its expenditure, revenue and income? | Yes | Respondent: Chief Financial Officer |

| 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? | No | Respondent: Strategic Procurement Manager The City has adopted a purchasing policy City of Cockburn Procurement Policy - [ECM Doc Set ID 4134032]. The City has processes and systems for implementing its purchasing policy for the supply of goods and services under \$250,000. These processes and systems include a robust process for identifying and reporting any instances of non-compliance with the purchasing policy. Instances of non- |



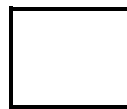


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| | | | | <p>compliance are reported, and a leadership response is required in relation to any non-compliance.</p> <p>For all purchases between \$50,000 and \$250,000 there were no instances of non-compliance.</p> <p>The City undertakes post procurement compliance audits for purchases below \$50,000.</p> <p>Of 7681 purchases under \$50,000, 15 were identified as non-compliant (0.2%).</p> |
| 2 | s3.57 F&G Reg 11 | Subject to <i>Local Government (Functions and General) Regulations 1996</i> , 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 | <p>Respondent: Strategic Procurement Manager</p> <p>All applicable expenditure was tendered.</p> |
| 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) 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 | <p>Respondent: Strategic Procurement Manager</p> <p>Tender registers are available through the Procurement and Tendering systems. The register is also available on the City of Cockburn Public Tenders website.</p> |
| 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? | Yes | <p>Respondent: Strategic Procurement Manager</p> <p>Documentation including Tender recommendations and Procurement Plans available within the Procurement systems.</p> |



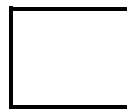


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| 5 | F&G Reg 14(5) | If the local government sought to vary the information supplied to tenderers, was every reasonable step taken to give each person who sought copies of the tender documents, or each acceptable tenderer notice of the variation? | Yes | Respondent: Strategic Procurement Manager Tender varying notice transmissions and distributions are available through the Procurement and Tendering systems. |
| 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) Regulations 1996</i> , Regulation 15 and 16? | Yes | Respondent: Strategic Procurement Manager Tender opening notices are available through the Procurement and Tendering systems. |
| 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 | Respondent: Strategic Procurement Manager Tender registers are available for public viewing and published on the City of Cockburn Tender Register website. |
| 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? | Yes | Respondent: Strategic Procurement Manager All late Tenders that were received were rejected. |
| 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 | Respondent: Strategic Procurement Manager Documentation including Tender recommendations and evaluation summaries are available within the Procurement systems. |
| 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 | Respondent: Strategic Procurement Manager Notices provided to tenderers and available within the Procurement systems. |



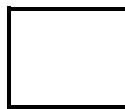


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| 11 | F&G Regs 21 & 22 | Did the local government's advertising and expression of interest processes comply with the requirements of the <i>Local Government (Functions and General) Regulations 1996</i> , Regulations 21 and 22? | Yes | Respondent: Strategic Procurement Manager Information available on City of Cockburn Register for Procurement Opportunities website. |
| 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 | Respondent: Strategic Procurement Manager No expression of interest was conducted during the period. |
| 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 | Respondent: Strategic Procurement Manager No expression of interest was conducted during the period. |
| 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 (Functions and General) Regulations 1996</i> , Regulation 24? | N/A | Respondent: Strategic Procurement Manager No expression of interest was conducted during the period. |
| 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 (Functions & General) Regulations 1996</i> regulations 24AD(4) and 24AE? | N/A | Respondent: Strategic Procurement Manager No panel of pre-qualified suppliers public notice process was conducted during the 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 | Respondent: Strategic Procurement Manager No panel of pre-qualified suppliers public notice process was conducted during the 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 | N/A | Respondent: Strategic Procurement Manager |





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| | | <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? | | No panel of pre-qualified suppliers public notice process was conducted during the 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 | Respondent: Strategic Procurement Manager No panel of pre-qualified suppliers public notice process was conducted during the period. |
| 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 | Respondent: Strategic Procurement Manager No panel of pre-qualified suppliers public notice process was conducted during the 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 | Respondent: Strategic Procurement Manager No panel of pre-qualified suppliers public notice process was conducted during the period. |
| 21 | F&G Reg 24AI | Did the CEO send each applicant written notice advising them of the outcome of their application? | N/A | Respondent: Strategic Procurement Manager No panel of pre-qualified suppliers public notice process was conducted during the period. |
| 22 | 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? | N/A | Respondent: Strategic Procurement Manager No regional price preference available or applicable within the City of Cockburn Procurement Policy - [ECM Doc Set ID 4134032]. |





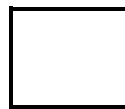
Department of
**Local Government, Sport
and Cultural Industries**

Daniel Simms Chief Executive Officer City of Cockburn

Date

His Worship Mayor Logan K. Howlett, JP, City of Cockburn

Date



12. Confidential Business

Nil

13. Closure of Meeting

There being no further business, the Presiding Member closed the meeting at 7:14pm.

