

# Keeping registers and records—statutory requirements checklist and calendar

## *Local Government Act 2009 (LGA09)* *Local Government Regulation 2012 (LGR12)*

Item	Legislative Reference	Requirement	Mandatory elements	Calendar Action	Status / Comments Responsible officer
<b>Registers</b>					
Local law register	s31 LGA09 s14 LGR12	The local government must: <ul style="list-style-type: none"> <li>keep a register of its local laws</li> <li>make the register available for inspection at the local government's public office and displayed on its website.</li> </ul>	The register must contain, for each local law, the law's name, purpose and general effect.	Ongoing	Officer ..... Current: Yes <input type="checkbox"/> No <input type="checkbox"/>
Roads map and register	s74 LGA09 s57 LGR12	The local government must: <ul style="list-style-type: none"> <li>prepare and keep updated a map of every road in its local government area and a register of the roads</li> <li>make the map and the register available to the public.</li> </ul>	The road register must identify: <ul style="list-style-type: none"> <li>the category of every road</li> <li>the level of every road that has a fixed level</li> <li>the length of every road</li> <li>if the road is formed, gravelled pavement or sealed pavement, the length and width of the formed, gravelled pavement or sealed pavement part.</li> </ul>	Ongoing	Officer: ..... Current: Yes <input type="checkbox"/> No <input type="checkbox"/>
Register of cost-recovery fees	s98 LGA09	The local government must:	The register must state the type of cost-recovery fee and the provision of the legislation	Ongoing	Officer: .....

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		<ul style="list-style-type: none"> <li>keep a register of all cost-recovery fees</li> <li>make the register available to the public.</li> </ul>	authorising the action for which the cost-recovery fee has been levied.		Current: Yes <input type="checkbox"/> No <input type="checkbox"/>
Asset register	s104 LGA09 s180 LGR12	The local government must prepare and keep an asset register.	The asset register must be current and record the local government's non-current physical assets.	Ongoing	Officer ..... Completed : Yes <input type="checkbox"/> No <input type="checkbox"/>
Councillor conduct register	s150DX s150DY s150DZ LGA09	<p>The local government must:</p> <ul style="list-style-type: none"> <li>keep an up-to-date councillor conduct register about the following matters:– <ul style="list-style-type: none"> <li>orders made about the unsuitable meeting conduct of councillors at local government meetings</li> <li>decisions about suspected inappropriate conduct of councillors referred to the local government</li> <li>decisions about whether or not councillors have engaged in misconduct made by the Councillor Conduct Tribunal</li> <li>complaints about the conduct of councillors dismissed by the Independent Assessor</li> <li>decisions to take no further action in relation to the conduct of councillors investigated by the Independent Assessor</li> </ul> </li> </ul>	<p>For a complaint that has been dismissed by the Independent Assessor, the register must include:</p> <ul style="list-style-type: none"> <li>the date the complaint was made</li> <li>a summary of the complaint</li> <li>a statement about why the complaint was dismissed.</li> </ul> <p>For all other councillor conduct complaints, the register must include:</p> <ul style="list-style-type: none"> <li>a summary of the decision made about a councillor's conduct and the reasons for the decision</li> <li>the name of the councillor about whom the decision was made</li> <li>the date of the decision.</li> </ul>	Ongoing	Officer ..... Completed : Yes <input type="checkbox"/> No <input type="checkbox"/>

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		<ul style="list-style-type: none"> <li>make the register available for inspection and purchase at the local government's public office, and publish the register on its website.</li> </ul>			
Delegations register	s260 LGA09  s305 LGR12	<p>The CEO must:</p> <ul style="list-style-type: none"> <li>keep a register of all delegations by the local government, mayor or chief executive officer</li> <li>make the register must be available to the public.</li> </ul>	<p>The register must include:</p> <ul style="list-style-type: none"> <li>the name or title of the person, or the name of the committee, to whom powers are delegated</li> <li>a description of the powers delegated and provisions under a Local Government Act permitting or requiring the exercise of the power</li> <li>if the delegation was by the local government—a summary of the resolution, including date and number of the resolution and a summary of any conditions to which the delegation is subject.</li> </ul>	Ongoing	<p>Officer: .....</p> <p>Current: Yes <input type="checkbox"/> No <input type="checkbox"/></p>
Registers of interests	ss289 - 297 LGR12  Schedule 5 LGR12	<p>The CEO must maintain a register of interests of:</p> <ul style="list-style-type: none"> <li>each councillor</li> <li>senior executive employees</li> <li>a person related to a councillor or senior executive employee.</li> </ul> <p>The register of interests of a councillor must be available to the public at the local government's public office and on its website.</p> <p>The mayor must keep a register of interests of:</p>	<p>The registers must contain the financial and non-financial interests as prescribed by Schedule 4 of LGR12.</p> <p>A councillor, the CEO or a senior executive employee must ensure that their register and the register of any related person is updated within 30 days after the person knows that the register is not up to date.</p> <p>The copy of the register of interests of a councillor available for public inspection must include a change to the register no later than 5 business days after the change is made.</p>	Ongoing	<p>Officer: .....</p> <p>Current: Yes <input type="checkbox"/> No <input type="checkbox"/></p>

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		<ul style="list-style-type: none"> <li>the CEO</li> <li>a person related to the CEO.</li> </ul>			
<b>Records</b>					
Record of unsuitable meeting conduct orders	s150I LGA09	The chairperson of a local government meeting must ensure details of an order made against a councillor for unsuitable meeting conduct at a local government meeting are recorded in the meeting minutes of the meeting.	The record in the minutes of the meeting must include details of the order.	Ongoing	Officer ..... Completed : Yes <input type="checkbox"/> No <input type="checkbox"/>
Record of the taking of declaration of office	s169(4) LGA09	The CEO must keep a record of the taking of declaration of office.		Ongoing	Officer ..... Completed : Yes <input type="checkbox"/> No <input type="checkbox"/>
Record of declaration of material personal interest	s175J(1) LGA09	A declaration of a material personal interest must be included in the meeting minutes and on the local government's website.	<p>The record in the minutes and the local government's website must include:</p> <ul style="list-style-type: none"> <li>the name of the councillor</li> <li>the nature of the material personal interest or possible material personal interest as described by the councillor outlining:- <ul style="list-style-type: none"> <li>the name of the person or other entity who stands to gain a benefit, or suffer a loss, depending on the outcome of the council's consideration of the matter</li> </ul> </li> </ul>	Ongoing	Officer ..... Completed : Yes <input type="checkbox"/> No <input type="checkbox"/>

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			<ul style="list-style-type: none"> <li>• how the person or entity stands to gain the benefit or suffer the loss</li> <li>• if the person or other entity who stands to gain the benefit or suffer the loss is not the councillor—the nature of the councillor’s relationship to the person or entity</li> <li>• whether the councillor participated in the meeting or was present during the meeting under an approval from the Minister.</li> </ul>		
Record of declaration of conflict of interest	s175J(2) LGA09	A declaration of a conflict of interest must be included in the meeting minutes and on the local government's website.	<p>The record in the minutes and the local government's website must include</p> <ul style="list-style-type: none"> <li>• the name of the councillor</li> <li>• the nature of the personal interest as described by the councillor</li> <li>• if the councillor’s personal interests arise because of the councillor’s relationship with, or receipt of a gift from, another person:- <ul style="list-style-type: none"> <li>• the name of the other person</li> <li>• the nature of the relationship or value and date of receipt of the gift</li> <li>• the nature of the other person’s interests in the matter</li> </ul> </li> <li>• details about any decisions made by other councillors about participation of the councillor in the meeting, including the reasons for those decisions</li> <li>• whether the councillor participated in the meeting or was present during the meeting under an approval from the Minister</li> <li>• if the Councillor voted on the matter, how they voted</li> </ul>	Ongoing	<p>Officer .....</p> <p>Completed : Yes <input type="checkbox"/> No <input type="checkbox"/></p>

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			<ul style="list-style-type: none"> <li>how the majority of councillors who were entitled to vote at the meeting voted.</li> </ul>		
Land record	s154 LGR12	The local government must keep a land record detailing specific information about each parcel of rateable land.	<p>The land record must contain:</p> <ul style="list-style-type: none"> <li>the name and postal address of the owner</li> <li>a description of the land, including its location and size</li> <li>its value and the day of effect of the relevant valuation under the Land Valuation Act</li> <li>information about rates or charges levied as specified in s154(2)(d) LGA09.</li> </ul>	Ongoing	Officer ..... Completed : Yes <input type="checkbox"/> No <input type="checkbox"/>
Record of financial management risks and control measures	s164 LGR12	The local government must keep a record of risks to which local government operations are exposed to the extent they relate to financial management.	<p>The record must include:</p> <ul style="list-style-type: none"> <li>operational risks related to financial management</li> <li>control measures adopted to manage the risks.</li> </ul> <p>The local government must keep with the record, each of the following its:</p> <ul style="list-style-type: none"> <li>community grants policy</li> <li>entertainment and hospitality policy</li> <li>advertising spending policy</li> <li>procurement policy.</li> </ul>	Ongoing	Officer ..... Completed : Yes <input type="checkbox"/> No <input type="checkbox"/>
Record of administrative action complaints	s306 LGR12	The local government must keep a record of all administrative action complaints.	<p>The local government must also ensure:</p> <ul style="list-style-type: none"> <li>internal reports are occasionally provided to senior management about the operation of the complaints management process</li> </ul>	Ongoing	Officer ..... Completed : Yes <input type="checkbox"/> No <input type="checkbox"/>

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			<ul style="list-style-type: none"> <li>mechanisms are in place to identify, analyse and respond to complaint trends and monitor effectiveness of the process.</li> </ul>		