

Ordinary Council Meeting

23 March 2022

Commencing at 1.00pm

AGENDA

Notice of Meeting.

To: The President and Councillors.

The next Ordinary Council Meeting of the Shire of Toodyay will be held at the Shire of Toodyay Council Chambers, 15 Fiennes Street, Toodyay WA 6566 on the above-mentioned date and time.

Elected Members are requested to familiarise themselves with the Agenda and prepare notes to help address key issues for the debate during the Ordinary Council Meeting.

Elected Members are requested to email questions to the CEO via email at ceo@toodyay.wa.gov.au at the earliest opportunity so that Officers can respond to those questions prior to the Agenda Briefing.

An Agenda Briefing will be held at the same venue as above on 16 March 2022, commencing at 4.00pm to discuss the contents of this agenda.

on behalf of

Suzie Haslehurst

CHIEF EXECUTIVE OFFICER



Our Vision, Purpose and Values

The Shire of Toodyay works together with the community to obtain the best possible social, economic, and environmental outcomes for the people of Toodyay.

Vision: We are a vibrant rural community that respects our environment, celebrates our past and embraces a sustainable future.

Purpose: Local Government and community working together to obtain the best possible social, economic, and environmental outcomes for the people of Toodyay.

Community Values: We value highly:

- Our sense of community support and spirit;
- Our natural environment and healthy ecosystems;
- Our rural lifestyle;
- Our historic town; and
- Our local economy built on agriculture and emerging tourism, arts and cultural opportunities.

Shire Values: To progress the community's aspirations, the Shire is guided by:

Integrity: We behave honestly to the highest ethical standard.

Accountability: We are transparent in our actions and accountable to the community.

Inclusiveness: We are responsive to the community and we encourage involvement by all people.

Commitment: We translate our plans into actions and demonstrate the persistence that produces results.

Disclaimer

Members of the public should note that in any discussion regarding any planning or other application that any statement or intimation of approval made by any member or officer of the Shire of Toodyay during the course of any meeting is not intended to be and is not to be taken as notice of approval from Council. No action should be taken on any item discussed at a Council Meeting prior to written advice on the resolution of the Council being received. Any plans or documents contained in this document may be subject to copyright law provisions (*Copyright Act 1998*, as amended) and the express permission of the copyright owner(s) should be sought prior to reproduction.

Availability of Meeting Agenda and its Attachments

Information about Council Meetings is located on the website

<http://www.toodyay.wa.gov.au/Council/Council-Meetings>

Agendas & Minutes are located under the heading "Council Meetings" at

<http://www.toodyay.wa.gov.au/Council/Council-Meetings/Agendas-Minutes-and-Notes>

Public copies are available by contacting the Shire on (08) 9574 9300.



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ATTACHMENTS have been incorporated into this agenda.

1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Presiding Member is to run through the Preliminaries on the previous page of the Agenda, and to declare the Ordinary Meeting of Council open.

Acknowledgement of Country: *"I acknowledge the Ballardong Noongar people, the traditional custodians of the land where we meet today and the Yued and Whadjuk people, who are traditional custodians of respective lands within the wider Shire of Toodyay. I pay my respect to their Elders, past, present and emerging."*

2 RECORDS OF ATTENDANCE**2.1 APOLOGIES****2.2 APPROVED LEAVE OF ABSENCE**

Nil

2.3 APPLICATIONS FOR LEAVE OF ABSENCE**2.3.1 Cr Ruthven Application for Leave**

On 7 March 2022, Cr B Ruthven requested to be granted Approved Leave of Absence from 11 April 2022 to 20 April 2022 inclusive.

OFFICER'S RECOMMENDATION

That the Application for Leave of Absence by Cr B Ruthven from 11 April 2022 to 20 April 2022 inclusive be granted.

3 DISCLOSURE OF INTERESTS

4 PUBLIC QUESTIONS**4.1 RESPONSES TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

At the Ordinary Meeting of Council held on 23 February 2022, the following questions were taken on notice:

4.1.1 Bindoon Dewar's Pool Road

The following question on notice was received from Mr Foley.

Question One

When the shoulder repair was undertaken why weren't the edges of the bitumen repaired and not just filled with gravel?

Response from Manager Infrastructure and Assets

The road upgrade project between SLK 8.95 and SLK 14.30 includes the widening of existing road pavement by approx. 1.9 metres either side. This includes damages to edges and reseal works.

Question Two

I know you have agreed to do Arborist's repairs on the trees. When is that scheduled for?

Response from Manager Infrastructure and Assets

No formal agreement was given to engage a suitable qualified arborist. However we are committed to rectify some of the damages. The previous given timeframe of April was perhaps wishful as we are subject to contractor availability.

4.2 PUBLIC QUESTION TIME**5 CONFIRMATION OF MINUTES****5.1 Ordinary Meeting of Council held on 23 February 2022****OFFICER'S RECOMMENDATION**

That the Unconfirmed Minutes of the Ordinary Council Meeting held on 23 February 2022 be confirmed.

5.2 Special Meeting of Council held on 22 March 2022**OFFICER'S RECOMMENDATION**

That the Unconfirmed Minutes of the Special Council Meeting held on 22 March 2022 be confirmed.

5.3 Agenda Briefing held on 16 March 2022**OFFICER'S RECOMMENDATION**

That the Notes of the Agenda Briefing held on 16 March 2022 be confirmed.

6 PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS**6.1 PETITIONS**

A petition is to be addressed to the Shire President and is to be presented by a Councillor.

6.2 DEPUTATIONS

A deputation must be applied for, to the CEO in writing at least 5 working days prior to the Meeting.

6.3 PRESENTATIONS

A presentation can only be made with prior approval of the CEO.

6.4 SUBMISSIONS

A submission can be made ad hoc, but it is preferred that notice be given by midday on the day of the Meeting.

7 BUSINESS FROM PREVIOUS MEETING (IF ADJOURNED)

Nil.

8 ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)

Nil.

9 OFFICER REPORTS

9.1 DEVELOPMENT AND REGULATION

Nil.

9.2 CORPORATE AND COMMUNITY SERVICES**9.2.1 Monthly Financial Statements - January and February 2022**

Date of Report:	9 March 2022
Applicant or Proponent:	Shire of Toodyay
File Reference:	FIN24
Author:	T Bateman – Finance Coordinator
Responsible Officer:	T Bateman – Manager Corporate and Community Services
Previously Before Council:	NA
Author's Disclosure of Interest:	Nil
Council's Role in the matter:	Legislative/Review
Attachments:	1. Statement of Financial Activity as at 31 January 2022 ↓ 2. Statement of Financial Activity as at 28 February 2022 ↓ 3. Bank Accounts - February 2022 ↓ 4. Outstanding Rates - February 2022 ↓

PURPOSE OF THE REPORT

This report provides Council with financial information for the periods ending 31 January 2022 and 28 February 2022.

BACKGROUND

Local governments are required to prepare general purpose financial reports in accordance with the *Local Government Act 1995*, the *Local Government (Financial Management) Regulations 1996* and the *Australian Accounting Standards*.

A statement of financial activity and any accompanying documents are to be presented at an ordinary meeting of the Council within two months after the end of the month to which the statement relates.

COMMENTS AND DETAILS

The Statement of Financial Activity summarises the Shire's operating and capital activities and provides an indication of the Shire's financial performance as the year progresses. In accordance with *FM Regulation 34(1)* this statement is to include comparisons with the annual budget and the year-to-date budget. The year-to-date budget is an estimate only and many factors can affect timing for completion of projects, emphasising discrepancies between budgets and actuals.

The attached reports include a Statement of Financial Activity (SFA) for January and February. As reported to Council last month, it is expected that the Rate Setting Statement

and Statement of Financial Activity will be available at the end of March 2022. Officers continue to work alongside Datacom to rectify this situation.

Key Financial areas

The following information provides balances for key financial areas for the Shire of Toodyay's financial position as at 28 February 2022.

Outstanding Rates and Services

The total outstanding rates and charges balance at the end of February was \$2,150,958 compared to the January 2022 closing balance of \$2,423,271. Further detail regarding the composition of outstanding rates is included in **Attachment 4**.

Outstanding Sundry Debtors

The total outstanding sundry debtors balance at the end of February was \$284,788 broken down as follows:

Category	28/02/2022	31/01/2022
> 90 days and over	134,227.58	308,895.73
> 60 days and over	29,614.46	1,702.35
> 30 days and over	32,852.48	65,743.08
Current	88,092.98	52,038.92
TOTAL	284,787.50	428,380.08

The table above shows a significant decrease in outstanding sundry debtors in the 90 days and over category as grant funds due from DFES were paid during the month. The remaining balance in that category pertains mainly to an invoice raised in 2020/21 for water charges at the Toodyay Recreation Centre. Officers will report back to Council on this matter following close out of the investigations.

IMPLICATIONS TO CONSIDER

Consultative:

Datacom

Strategic:

Governance: The way the Shire leads and operates.

Objective 3: Ensure rigorous organisational systems.

Policy related:

- F.02 Authorised Signatories
- F.03 Purchasing
- F.11 Corporate Credit Cards
- F.16 Financial Governance
- CS.1 Payments from the municipal or trust fund (referred to in Section 6.10 "Financial management regulations" of the Local Government Act 1995)

Financial:

Financial implications are reported and explained in the attached financial statements.

Legal and Statutory:

Section 6.4 of the *Local Government Act 1995* requires a local government to prepare financial reports.

Section 6.8(1)(a) of the *Local Government Act 1995* states a local government must not incur expenditure for an additional purpose except where it is incurred before the adoption of the annual budget.

Regulation 34 of the *Local Government (Financial Management) Regulations 1996* sets out the form and content of the financial reports.

Risk related:

There is a compliance risk in relation to this report as it is a requirement of the *Local Government (Financial Management) Regulations 1996* that local governments prepare a Statement of Financial Activity within two months after the end of the reporting period. This report mitigates the risk of non-compliance with the regulations.

Workforce related:

To date, monthly financial reports for the 2021/22 financial year have lacked the level of detail previously provided to Council due to the fact the Datascope configuration was incomplete and unable to cater for effective monthly financial reporting associated with the transition. Officers' time continues to be focused on the transition of the Shire's enterprise software. It is envisaged that as the transition progresses, the presentation of the monthly financial reports will improve.

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION 1

That Council receives the Monthly Financial Statements for the months ending 31 January 2022 and 28 February 2022.

SHIRE OF TOODYAY
STATEMENT OF FINANCIAL ACTIVITY
(Statutory Reporting Program)
For the Period Ended 31 January 2022

	Note	2021/2022 Adopted Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)	Var. % (b)-(a)/(a)	Var
OPERATING ACTIVITIES		\$		\$	\$	%	
Net current assets at start of financial year - surplus/(deficit)		780,101	780,101	780,101			
Revenues from operating activities							
Governance		128,950	136,952	237,238	100,286	73.23%	P
General Purpose Funding - Other		7,707,282	7,329,710	7,475,814	146,104	1.99%	
Law, Order, Public Safety		1,222,643	853,314	683,387	(169,927)	(19.91%)	
Health		80,500	44,953	16,950	(28,003)	(62.29%)	
Education & Welfare		0	0	0	0		
Housing		13,780	8,852	5,236	(3,616)	(40.85%)	
Community Amenities		945,011	882,126	868,563	(13,563)	(1.54%)	
Recreation and Culture		254,570	149,284	129,772	(19,512)	(13.07%)	
Transport and Infrastructure		579,832	531,507	509,190	(22,317)	(4.20%)	
Economic Services		309,740	192,089	124,727	(67,362)	(35.07%)	
Other Property and Services		133,041	68,479	22,073	(46,406)	(67.77%)	
		11,375,349	10,197,266	10,072,951	(124,315)		
Expenditure from operating activities							
Governance		(574,779)	(892,551)	(1,260,133)	(367,582)	41.18%	
General Purpose Funding		(350,046)	(190,771)	(50,312)	140,459	(73.63%)	
Law, Order, Public Safety		(2,178,243)	(1,334,792)	(988,804)	345,988	(25.92%)	
Health		(241,016)	(125,832)	(43,234)	82,598	(65.64%)	
Education & Welfare		(39,713)	(17,786)	(245)	17,541	(98.62%)	
Housing		(34,503)	(18,779)	0	18,779	(100.00%)	
Community Amenities		(1,665,311)	(1,165,822)	(886,089)	279,733	(23.99%)	
Recreation and Culture		(1,980,471)	(1,358,210)	(816,694)	541,516	(39.87%)	
Transport and Infrastructure		(3,873,047)	(2,322,836)	(713,117)	1,609,719	(69.30%)	
Economic Services		(1,281,297)	(768,611)	(417,986)	350,625	(45.62%)	
Other Property and Services		(1,231,790)	(923,563)	(680,454)	243,109	(26.32%)	
Total Operating Expenditure		(13,450,216)	(9,119,553)	(5,857,067)	3,262,486		
Net cash provided by (used in) Operating activities		(2,074,867)	1,077,713	4,215,885	3,138,172		
Operating activities excluded from budget							
Add back Depreciation		3,907,920	2,279,618	125,442	(2,154,176)	(94.50%)	
Adjust (Profit)/Loss on Asset Disposal	8	(4,000)	(1,776)	0	1,776	(100.00%)	
Adjust Deferred Pensioner Provision		0	0	0	0		
Adjust Provisions and Accruals		0	0	0	0		
Amount attributable to operating activities		1,829,053	3,355,556	4,341,327	985,772		
CASH FLOWS FROM INVESTING ACTIVITIES							
Grants, Subsidies and Contributions	11	3,301,633	3,301,633	1,125,456	(2,176,177)	(65.91%)	
Proceeds from Disposal of Assets	8	692,500	352,500	0	(352,500)	(100.00%)	
Land Held for Resale		0	0	0	0		
Land and Buildings	13	(757,099)	(140,082)	(140,082)	0	0.00%	
Infrastructure - Roads	13	(3,749,829)	(394,002)	(394,002)	0	0.00%	
Infrastructure - Parks & Recreation	13	0	0	0	0		
Infrastructure - Footpaths	13	0	0	0	0		
Infrastructure - Bridges & Drainage	13	(356,000)	(19,597)	(19,597)	0	0.00%	
Infrastructure - Other	13	(251,785)	(24,291)	(24,291)	0	0.00%	
Heritage Assets	13	0	0	0	0		
Plant and Equipment	13	(890,800)	(24,801)	(24,801)	0	0.00%	
Infrastructure - Work in Progress	13	0	0	0	0		
net cash provided by (used in) investing activities		(2,011,380)	3,051,360	522,683	(2,528,677)		
CASH FROM FINANCING ACTIVITIES							
Proceeds from New Debentures		0	0	0	0		
Proceeds from Advances		0	0	0	0		
Self-Supporting Loan Principal		0	0	0	0		
Transfer from Reserves	7	655,131	327,566	0	(327,566)	(100.00%)	
Advances to Community Groups		0	0	0	0		
Repayment of Debentures	10	(471,167)	0	0	0		
Transfer to Reserves	7	(771,738)	(530,108)	0	530,108	(100.00%)	
net cash provided by (used in) financing activities		(587,774)	(202,542)	0	202,542		
Net Operations, Capital and Financing		(770,101)	6,204,374	4,864,011	(1,340,363)		
Opening Funding Surplus(Deficit)	3	780,101	780,101	780,101	0		
Closing Funding Surplus(Deficit)	3	10,000	6,984,475	5,644,112	(0)		

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**SHIRE OF TOODYAY
VARIANCE REPORT
FOR THE PERIOD ENDED 31 JANUARY 2022**

Local Government (Financial Management) Regulations 1996

Reg 34. Financial activity statement required each month (Local Government Act s6.4)

- (1) A local government is to prepare each month a statement of financial activity reporting on the revenue and expenditure, as set out in the annual budget
- (a) annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c); and
- (b) budget estimates to the end of the month to which the statement relates; and
- (c) actual amounts of expenditure, revenue and income to the end of the month to which the statement relates; and
- (d) material variances between the comparable amounts referred to in paragraphs (b) and (c); and
- (e) the net current assets at the end of the month to which the statement relates.

	YTD BUDGET	YTD ACTUALS	VAR TO YTD BUDGET \$	VAR TO YTD BUDGET %
OPERATING REVENUE				
Governance	136,952	237,238	100,286	73.23%
paid). Recoup for Governance Review \$24,000				
General Purpose Funding	7,329,710	7,329,710	0	0.00%
No material variance to report.				
Law, Order, Public Safety	853,314	683,387	(169,927)	-19.91%
received \$480,606. Timinig Variance relating to receivables of Julimar fire shed(\$161,850)				
Health	44,953	16,950	(28,003)	-62.29%
No material variance to report				
Education & Welfare	0	0	0	
No material variance to report				
Housing	8,852	5,236	(3,616)	-40.85%
No material variance to report				
Community Amenities	882,126	868,563	(13,563)	-1.54%
No material variance to report				
Recreation and Culture	149,284	129,772	(19,512)	-13.07%
Variance due to posting allocations - for Community Centre and Memorial Hall lease				
Transport and Infrastructure	531,507	509,190	(22,317)	-4.20%
No material variance to report				
Economic Services	192,089	124,727	(67,362)	-35.07%
Timing variance - Standpipe water charges not raised for January 2022 as a result software issues				
Other Property and Services	68,479	22,073	(46,406)	-67.77%
Variance due to mispostings of revenue				
OPERATING EXPENDITURE				
Governance	(892,551)	(1,260,133)	(367,582)	41.18%
Activity based costing allocations not yet processed in Datascape.				
General Purpose Funding	(190,771)	(50,312)	140,459	-73.63%
Timing Variance - activity based costing allocations to be processed - Does have no effect on net surplus, non-cash adjustment.				
Law, Order, Public Safety	(1,334,792)	(988,804)	345,988	-25.92%
No material variance to report				

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Health	(125,832)	(43,234)	82,598	-65.64%
Depreciation and activity based costings are yet to be processed. In both cases, these transactions are non-cash and do not affect the net surplus.				
Education & Welfare	(17,786)	(245)	17,541	-98.62%
No overheads processed to date				
Housing	(18,779)	0	18,779	-100.00%
No overheads processed to date				
Community Amenities	(1,165,822)	(886,089)	279,733	-23.99%
Depreciation and activity based costings are yet to be processed. In both cases, these transactions are non-cash and do not affect the net surplus.				
Recreation and Culture	(1,358,210)	(816,694)	541,516	-39.87%
Depreciation and activity based costings are yet to be processed. In both cases, these transactions are non-cash and do not affect the net surplus.				
Transport and Infrastructure	(2,322,836)	(816,694)	1,506,142	-64.84%
to investigate reporting anomalies compared to October balance due to the re-mapping of accounts in Datascope.				
Economic Services	(768,611)	(417,986)	350,625	-45.62%
Timing variance - year to date depreciation not yet processed				
Other Property and Services	(923,563)	(680,454)	243,109	-26.32%
Timing variance - year to date depreciation not yet processed				
CAPITAL ACTIVITIES				
YTD Budget is based on Capital Works during the Year, as no YTD Capital Budget was adopted.				
Non-operating grants				
To date, grant funds received total \$1,839,868. The remaining Building Better Regions grant funds of \$471,000 were received for the Toodyay Recreation				
Capital Works - Infrastructure				
Due to timing of budget adoption, limited expenditure is reported against capital projects. To date, \$668,024 has been spent predominantly on road				
Loan Repayments				
Principal and interest repayments processed for the period ending 31 January 2021 in accordance with WATC schedule.				

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SHIRE OF TOODYAY
STATEMENT OF FINANCIAL ACTIVITY BY PROGRAM
for the Period Ended 28 February 2022



	2021/2022 Budget	YTD Budget Feb 2022	YTD Actual Feb 2022	Var. \$	Var. %
	\$	\$	\$	\$	%
Revenues from operating activities					
Governance	128,950	135,352	237,889	102,537	75.76%
General Purpose Funding	7,706,009	7,510,807	7,476,084	(34,723)	(0.46%)
Law, Order, Public Safety	1,222,643	1,016,163	684,252	(331,911)	(32.66%)
Health	80,500	52,064	17,041	(35,023)	(67.27%)
Housing	13,780	9,838	5,236	(4,602)	(46.77%)
Community Amenities	945,011	894,702	871,907	(22,795)	(2.55%)
Recreation and Culture	254,570	170,342	130,693	(39,649)	(23.28%)
Transport and Infrastructure	579,832	541,171	509,190	(31,981)	(5.91%)
Economic Services	309,740	215,617	130,306	(85,311)	(39.57%)
Other Property and Services	129,041	80,591	22,073	(58,518)	(72.61%)
Total Operating Revenue	11,370,076	10,626,647	10,084,671	(541,976)	24.77%
Expenditure from operating activities					
Governance	(574,779)	(828,988)	(1,319,383)	(490,395)	59.16%
General Purpose Funding	(348,773)	(222,375)	(54,584)	167,791	(75.45%)
Law, Order, Public Safety	(2,178,243)	(1,503,479)	(1,110,855)	392,624	(26.11%)
Health	(241,016)	(148,872)	(49,310)	99,562	(66.88%)
Education & Welfare	(39,713)	(22,171)	(245)	21,926	(98.90%)
Housing	(34,503)	(21,925)	0	21,925	(100.00%)
Community Amenities	(1,665,311)	(1,265,715)	(926,726)	338,989	(26.78%)
Recreation and Culture	(1,980,471)	(1,482,671)	(835,445)	647,226	(43.65%)
Transport and Infrastructure	(3,873,047)	(2,632,875)	(752,076)	1,880,799	(71.44%)
Economic Services	(1,281,297)	(871,154)	(437,621)	433,533	(49.77%)
Other Property and Services	(1,231,790)	(985,207)	(716,928)	268,279	(27.23%)
Total Operating Expenditure	(13,448,943)	(9,985,432)	(6,203,172)	3,782,260	(52.10%)
Net cash provided by (used in) Operating activities	(2,078,867)	641,215	3,881,500	3,240,285	
Funding Balance Adjustments					
Add back Depreciation	3,907,920	2,605,276	125,442	(2,479,834)	(95.19%)
Adjust (Profit)/Loss on Asset Disposal	(4,000)	(2,220)	0	2,220	(100.00%)
Net Cash from Operations	1,825,053	3,244,271	4,006,941	762,670	5.52%
Capital Revenues					
Grants, Subsidies and Contributions	3,301,633	2,054,834	1,125,456	(929,378)	(45.23%)
Proceeds from Disposal of Assets	692,500	352,500	0	(352,500)	(100.00%)
Total Capital Revenues	3,994,133	2,407,334	1,125,456	(1,281,878)	58.86%

SHIRE OF TOODYAY

STATEMENT OF FINANCIAL ACTIVITY BY PROGRAM

for the Period Ended 28 February 2022



	2021/2022 Budget	YTD Budget Feb 2022	YTD Actual Feb 2022	Var. \$	Var. %
CASH FLOWS FROM INVESTING ACTIVITIES					
Land and Buildings	(757,099)	(140,082)	(140,082)	0	0.00%
Infrastructure - Roads	(3,749,829)	(394,002)	(394,002)	0	0.00%
Infrastructure - Parks & Recreation		0	0	0	
Infrastructure - Footpaths		0	0	0	
Infrastructure - Bridges & Drainage	(356,000)	(19,597)	(19,597)	0	0.00%
Infrastructure - Other	(251,785)	(24,291)	(24,291)	0	0.00%
Heritage Assets		0	0	0	
Plant and Equipment	(890,800)	(24,801)	(24,801)	0	0.00%
Infrastructure - Work in Progress	0	0	0	0	
Total Capital Expenditure	(6,005,513)	(602,773)	(602,773)	0	
Net cash provided by (used in) investing activities	(2,011,380)	1,804,561	522,683	(1,281,878)	(71.04%)
CASH FROM FINANCING ACTIVITIES					
Transfer from Reserves	655,131	400,359	0	(400,359)	(100.00%)
Repayment of Debentures	(471,167)	0	0	0	
Transfer to Reserves	(767,738)	(577,635)	0	577,635	(100.00%)
Net cash provided by (used in) Financing activities	(583,774)	(177,276)	0	177,276	
Net Operations, Capital and Financing	(770,101)	4,871,556	4,529,625	(341,931)	(25.44%)
Opening Funding Surplus/(Deficit)	780,101	780,101	780,101	0	0.00%
Closing Net Current Assets Surplus(Deficit)	10,000	5,651,657	5,309,726	(341,931)	(6.05%)

SHIRE OF TOODYAY
VARIANCE REPORT

FOR THE PERIOD ENDED 28 February 2021

Local Government (Financial Management) Regulations 1996

Reg 34. Financial activity statement required each month (Local Government Act s6.4)

(1) A local government is to prepare each month a statement of financial activity reporting on the revenue and expenditure, as set out in the annual budget under regulation 22(1)(d), for that month in the following detail —

(a) annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c); and

(b) budget estimates to the end of the month to which the statement relates; and

(c) actual amounts of expenditure, revenue and income to the end of the month to which the statement relates; and

(d) material variances between the comparable amounts referred to in paragraphs (b) and (c); and

(e) the net current assets at the end of the month to which the statement relates.

	YTD BUDGET	YTD ACTUALS	VAR TO YTD BUDGET	VAR TO YTD BUDGET
OPERATING REVENUE			\$	%
Governance	135,352	237,889	102,537	75.76%
Permanent variance relating to receipt of Good Driver rebate \$7,000 and Workers Comp reimbursements received to date of \$101,106 (offset by wages paid). Recoup for Governance Review \$24,000				
General Purpose Funding	7,510,807	7,476,084	(34,723)	-0.46%
No material variance to report.				
Law, Order, Public Safety	1,016,163	684,252	(331,911)	-32.66%
journalled to 30 June 2021. MAF Funding received \$480,606. Timinig Variance relating to receivables of Julimar fire shed(\$161,850)				
Health	52,064	17,041	(35,023)	-67.27%
Variance due to posting allocations - Alma Beard Medical Centre lease fees should be allocated to Health - currently in Community Amenities. Adjustments required.				
Education & Welfare	0	0	0	
No material variance to report				
Housing	9,838	5,236	(4,602)	-46.77%
No material variance to report				
Community Amenities	894,702	871,907	(22,795)	-2.55%
No material variance to report				
Recreation and Culture	170,342	130,693	(39,649)	-23.28%
Variance due to posting allocations - for Community Centre and Memorial Hall lease				
Transport and Infrastructure	541,171	509,190	(31,981)	-5.91%
No material variance to report				
Economic Services	215,617	130,306	(85,311)	-39.57%
Timing variance - Standpipe water charges not raised for January and February due to software issues				
Other Property and Services	80,591	22,073	(58,518)	-72.61%
Variance due to misallocations and timing variance - Lease payments to be raised				

	YTD BUDGET	YTD ACTUALS	VAR TO YTD BUDGET	VAR TO YTD BUDGET
OPERATING EXPENDITURE			\$	%
Governance	(828,988)	(1,319,383)	(490,395)	59.16%
Activity based costing allocations not yet processed in Datascope. This will reduce expenditure in Governance and increase expenditure in other programs.				
General Purpose Funding	(222,375)	(54,584)	167,791	-75.45%
Timing Variance - activity based costing allocations to be processed - non-cash adjustment.				
Law, Order, Public Safety	(1,503,479)	(1,110,855)	392,624	-26.11%
Depreciation and activity based costings are yet to be processed. In both cases, these transactions are non-cash and do not affect the net surplus.				
Health	(148,872)	(49,310)	99,562	-66.88%
Depreciation and activity based costings are yet to be processed. In both cases, these transactions are non-cash and do not affect the net surplus.				
Education & Welfare	(22,171)	(245)	21,926	-98.90%
No overheads processed to date				
Housing	(21,925)	0	21,925	-100.00%
No overheads processed to date				
Community Amenities	(1,265,715)	(926,726)	338,989	-26.78%
Depreciation and activity based costings are yet to be processed. In both cases, these transactions are non-cash and do not affect the net surplus.				
Recreation and Culture	(1,482,671)	(835,445)	647,226	-43.65%
Depreciation and activity based costings are yet to be processed. In both cases, these transactions are non-cash and do not affect the net surplus.				
Transport and Infrastructure	(2,632,875)	(752,076)	1,880,799	-71.44%
Depreciation and activity based costings are yet to be processed. In both cases, these transactions are non-cash and do not affect the net surplus.				
Economic Services	(871,154)	(437,621)	433,533	-49.77%
Timing variance - year to date depreciation not yet processed				
Other Property and Services	(985,207)	(716,928)	268,279	-27.23%
Timing variance - year to date depreciation not yet processed				

CAPITAL ACTIVITIES

YTD Budget is based on Capital Works during the Year, as no YTD Capital Budget was adopted.

Non-operating grants

To date, grant funds received total \$1,839,868. The remaining Building Better Regions grant funds of \$471,000 were received for the Toodyay Recreation Centre and will be reported within the 2020/2021 annual financials and form part of the carried forward surplus.

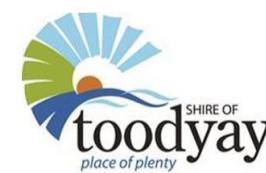
Capital Works - Infrastructure

Due to timing of budget adoption, limited expenditure is reported against capital projects. To date, \$668,024 has been spent predominantly on road projects but also the Julimar Fire Station, Morangup Hall and a replacement post hoist for the depot workshop. New projects are in the procurement and tender stages and are due to commence in the coming months.

Loan Repayments

Principal and interest repayments processed for the period ending 28 February 2022 in accordance with WATC schedule.

Bank Account Balances and Investments
For the Period Ended 28 February 2022



FUND	31/01/2022	28/02/2022
Bonds & Deposits	163,226	163,226
Municipal Account	4,485,668	4,526,139
Reserves	1,645,850	1,645,850
Total	\$ 6,294,744	\$ 6,335,215

Term deposits not included above - held for rehab bonds

Account Number	Balance
633 000 137 945 127 T100 - BGC	141,750
633 000 152 237 145 T214 - Toodyay Feature Stone	49,522
633 000 152 238 135 T4 - S Mangione	125,212
633 000 152 238 176 T114 - Vernice Pty Ltd	208,590
633 000 152 238 218 T458 - Boral Resources	452,453
633 000 152 240 834 T797 - Ironbridge Holdings	32,917
633 000 158 622 795 T805 - Vernice Pty Ltd - Storm	24,449
633 000 165 467 309 T809 - Opal Vale	123,857
633 000 173 945 890 T811 TAQWA Holdings	9,562
633 000 184 647 550 T820 - Avon Earthworks	10,005
Total	\$ 1,178,317

Outstanding Rates
For the Period Ended 28 February 2022



Rates Ledger		
Description	Balance 31/01/22	Balance 28/02/22
Emergency Services Levy	74,039.02	67,979.83
GRV Rates	1,450,436.23	1,294,077.79
UV Rates	711,371.43	623,490.23
Waste and Recycle Bin Services	100,014.07	81,086.92
Penalty Interest	53,879.98	53,127.76
Instalment Costs	12,804.71	12,067.66
Discretionary Charges	20,725.28	19,128.02
Total	2,423,270.72	2,150,958.21

General Ledger		
199.740.50 Rates Deferred Balance	292,388.25	292,388.25
199.735.10 Rates Instalments	858,109.92	461,104.99
199.710.10 Rates Debtors	1,272,772.55	1,397,464.97
Total Rates Account outstanding Balances	2,423,270.72	2,150,958.21
199.750.10 Rates PrePayments	- 96,631.62 -	125,673.89
Total General Ledger Balance	2,326,639.10	2,025,284.32

9.2.2 List of Payments - February 2022

Date of Report:	9 March 2022
Applicant or Proponent:	Shire of Toodyay
File Reference:	FIN24
Author:	N Mwale – Finance Coordinator
Responsible Officer:	T Bateman – Manager Corporate and Community Services
Previously Before Council:	NA
Author's Disclosure of Interest:	Nil
Council's Role in the matter:	Legislative
Attachments:	1. List of Payments - February 2022 ↓

PURPOSE OF THE REPORT

To present cheques and electronic payments raised during February 2022.

BACKGROUND

Payments made from the municipal and trust funds are required to be reported to Council for each month, under section 13 of the *Local Government (Financial Management) Regulations 1996*.

COMMENTS AND DETAILS

The list of all payments processed under delegated authority during February 2022 are attached.

Electronic Funds Transfers (EFT) are for payments transferred directly to creditor bank accounts.

Direct Debits are for direct debits against the bank account such as bank fees, leases, loans, and other charges etc.

Payroll Direct Debits are for payroll and superannuation expenditures which are paid through Council's online (internet) banking system.

IMPLICATIONS TO CONSIDER**Consultative:**

Nil

Strategic:***The way the Shire leads and operates***

Objective 1: Provide and accountable and transparent leadership for the community.

Objective 3: Ensure rigorous organisational systems.

Policy related:

Council has delegated authority to the Chief Executive Officer to make payments from the Municipal and Trust Accounts.

Creditor invoices and other charges paid have been duly incurred and authorised for payment in accordance with Shire policies F.2 Authorised Signatories Policy and F.3 Purchasing Policy.

Financial:

Payments of accounts made in February 2022 are in accordance with Council's 2021/2022 Budget.

Legal and Statutory:

Section 5.42 of the *Local Government Act 1995* allows the local government to delegate its powers to the Chief Executive Officer.

Section 6.8(1)(a) of the *Local Government Act 1995* states a local government must not incur expenditure for an additional purpose except where it is incurred before the adoption of the annual budget.

Regulation 13 of the *Local Government (Financial Management) Regulations 1996* states that if the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared for each month and presented to Council.

Risk related:

There is a legislative requirement to present the list of payments to Council. Failure to do so would pose a minor compliance risk. This report and its attachments help to mitigate this risk and gives Council the opportunity to review and question any payments made.

Workforce related:

Nil

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION 1

That Council notes as being paid, payments listed and presented for the month of February 2022 as attached to this report, summarised as follows:

Direct Debits	\$ 18,625.67
EFTs	\$ 505,451.70
Payroll	\$ 237,673.98
Municipal Cheques	\$ 33,969.60
TOTAL	\$ 795,720.95

Shire of Toodyay					
List of Payments Presented to Council for Period 1 February 2022 to 28 February 2022					
Pay Type	Date	Name	Description	Amount	
12913	15/02/2022	Department Of Transport	12 Months registration renewal - 1TDY961	24.40	
12913	15/02/2022	Department Of Transport	12 Months vehicle registration renewal - T0017	257.70	
12913	15/02/2022	Department Of Transport	12 Months vehicle registration renewal - 1TTD353	24.40	
12913	15/02/2022	Department Of Transport	12 months vehicle registration renewal - 1TQU555	24.40	
12914	15/02/2022	Telstra Corporation Ltd	Telstra Account 7852285500 - Jan 2022	130.09	
12914	15/02/2022	Telstra Corporation Ltd	Telstra Account 0293288400 - Jan 2022	6,816.04	
12914	15/02/2022	Telstra Corporation Ltd	Mobile & Data account 2608284176 - Jan 2022	1,627.00	
12915	28/02/2022	Old Gaol Museum	Old Gaol Honorariums - Mar 2022	400.00	
12916	28/02/2022	Water Corporation	Water account - Duidgee park 15/12/2021 to 18/02/2021	3,157.45	
12916	28/02/2022	Water Corporation	Water account Old P&G Depot 20/12/2021 to 18/02/2022	10.92	
12916	28/02/2022	Water Corporation	Water account Waste Transfer Station 15/12/2021 to 18/02/2022	147.37	
12916	28/02/2022	Water Corporation	Water account - Shire Depot 15/12/2021 to 18/02/2022	196.49	
12916	28/02/2022	Water Corporation	Water account - Newcastle Park 13/12/2021 to 17/02/2022	684.98	
12916	28/02/2022	Water Corporation	Water account Library 13/12/2021 to 17/02/2022	123.00	
12916	28/02/2022	Water Corporation	Water account for Mrs O'Reillys 13/12/2021 to 17/02/2022	384.95	
12916	28/02/2022	Water Corporation	Water account Bendigo Bank 13/12/2021 to 17/02/2022	473.76	
12916	28/02/2022	Water Corporation	Water account Cemetery 14/12/2021 to 17/02/2022	120.08	
12916	28/02/2022	Water Corporation	Water account Donegans Cottage 14/12/2021 to 17/02/2022	80.66	
12916	28/02/2022	Water Corporation	Water account Parkers Cottage 14/12/2021 to 17/02/2022	108.55	
12916	28/02/2022	Water Corporation	Water account Old Depot Harper Road 13/12/2021 to 17/02/2022	893.88	
12916	28/02/2022	Water Corporation	Water Account Connors Cottage 13/12/2021 to 17/02/2022	372.54	
12916	28/02/2022	Water Corporation	Water account Memorial Hall 13/12/2021 to 17/02/2022	366.02	
12916	28/02/2022	Water Corporation	Water account Duke St Toilets 13/12/2021 to 17/02/2022	349.70	
12916	28/02/2022	Water Corporation	Water account Community Center & Medical Center 13/12/2021 to 17/02/2022	584.66	
12916	28/02/2022	Water Corporation	Water account Information Bay 13/12/2021 to 17/02/2022	150.10	
12916	28/02/2022	Water Corporation	Water account Railway St Gardens 13/12/2021 to 17/02/2022	313.84	
12916	28/02/2022	Water Corporation	Water account Anzac Memorial Park 20/12/2021 to 21/02/2022	704.08	
12916	28/02/2022	Water Corporation	Water account Shire admin 20/12/2021 to 23/02/2022	21.83	
12916	28/02/2022	Water Corporation	Water account Shire Admin 20/12/2021 to 21/02/2022	1,157.10	
12916	28/02/2022	Water Corporation	Water account Old Gaol 20/12/2022 to 21/02/2022	518.51	
12916	28/02/2022	Water Corporation	Water account 19A Clinton St 20/12/2021 to 21/02/2022	287.20	
12916	28/02/2022	Water Corporation	Water account 19B Clinton St 20/12/2021 to 21/02/2022	341.11	
12916	28/02/2022	Water Corporation	Water account Pelham Reserve Toilets 20/12/2021 to 21/02/2022	19.10	
12916	28/02/2022	Water Corporation	Water account for Connors Mill & VC 13/12/2021 to 17/02/2022	460.07	
12916	28/02/2022	Water Corporation	Water account Stirling Tce Standpipe 13/12/2021 to 17/02/2022	324.56	
12916	28/02/2022	Water Corporation	Water account - Toodyay St sportsgrounds 10/12/2021 to 17/02/2022	12,313.06	
1	1/02/2022	Bendigo & Adelaide Bank Ltd	Transfer fee	10.00	
2	1/02/2022	Westnet	Email Anti-Spam System - Domains Recurring for the period 31/12/2021 to 31/12/2022	49.95	
3	1/02/2022	Bendigo & Adelaide Bank Ltd	Bpay biller fee	639.54	
4	1/02/2022	Bendigo & Adelaide Bank Ltd	Bank fee	2.87	
5	1/02/2022	Bendigo & Adelaide Bank Ltd	Overdraft fee	15.00	
6	2/02/2022	Bendigo & Adelaide Bank Ltd	Monthly service fee	15.00	
7	2/02/2022	Bendigo & Adelaide Bank Ltd	Bank fee	7.26	
8	3/02/2022	Commonwealth Bank Of Australia	Merchant fee	330.73	
9	3/02/2022	Commonwealth Bank Of Australia	Merchant fee	64.85	
10	3/02/2022	Commonwealth Bank Of Australia	Merchant fee	458.52	
11	3/02/2022	Commonwealth Bank Of Australia	Merchant fee	138.85	
12	9/02/2022	Paymate	Community standpipe controller - Usage fee	0.99	
13	10/02/2022	Paymate	Community standpipe controller - Usage fee	1.32	
14	14/02/2022	CNH Industrial Capital Aust Pty Ltd	Iveco Truck Lease	3,207.70	
15	14/02/2022	Credit Card MAS	Credit Card - MAS	2,164.20	
			Auto cad training - A Lamas - Design program		2150.00
			Spot device		9.90
			Spot device - International fee		0.30

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Shire of Toodyay					
List of Payments Presented to Council for Period 1 February 2022 to 28 February 2022					
Pay Type	Date	Name	Description	Amount	
			Monthly card fee		4.00
16	14/02/2022	Credit Card CEO	Credit card - CEO	628.27	
			Adobe subscription		31.44
			Adobe subscription		587.88
			2 coins for aust day 2022		4.95
			Monthly card fee		4
17	14/02/2022	Credit Card MCCC	Credit card - MCCC	1,859.20	
			BP The Lakes - Fuel		60.02
			Nexacu - 2 day SharePoint Training for J Lucas		990
			Officeworks - 18 Webcams for staff computers		707.95
			Coles express Northam - Fuel		97.23
			Monthly card fee		4
18	14/02/2022	Credit Card CESM	Credit card - CESM	4.00	
			Monthly card fee		4.00
19	15/02/2022	Aldomar Lamas	Reimbursement of pre-employment medical costs	142.00	
20	15/02/2022	Alison Downie	Consignment sales January 2022	17.61	
21	15/02/2022	Alison Cromb	Consignment sales January 2022	26.92	
22	15/02/2022	All4Cycling Pty Ltd	Purchase of Bicycle Repair station for Jarratt Pass Shared Path project under WABN funding.	7,745.10	
23	15/02/2022	Altus Planning & Appeals	Consultancy and representation for SAT Matter DR 192 or 2021 - Maxted v Shire of Toodyay	5,269.00	
24	15/02/2022	Altus Planning & Appeals	Preliminary assessment of 4 x DAs - P2021-66, P2021-72, P2021-73, P2021-74	2,200.00	
25	15/02/2022	Applied Industrial Technologies Pty Ltd	Supply concrete clutch for lifting head walls.	229.31	
26	15/02/2022	Aquarius Freight	1 Load of Water - New Julimar Fire Station	280.00	
27	15/02/2022	Australia Post	Postage charges - January 2022	408.18	
28	15/02/2022	Avon Earthworks	Machinery Costs Bush Fire Inc #559289 - Dozer and Float Operation and Standby	5,087.50	
29	15/02/2022	Avon Skip Bins	Skip Bin empty January 2022 - Depot	100.00	
30	15/02/2022	Avon Skip Bins	Skip Bin empty January 2022 - Memorial Hall	150.00	
31	15/02/2022	Avon Skip Bins	Skip Bin empty January 2022 - Sportsground	150.00	
32	15/02/2022	Avon Valley Shotokan Karate Club (Usku)	Avon Valley Shotokan Karate Club - Assisting With Event Set Up - 2022 Australia Day Event	500.00	
33	15/02/2022	Avon Valley Windscreens	Replacement windscreens for T0026 & T0023	880.00	
34	15/02/2022	Avon Waste - Stondon Pty Ltd	Fortnightly Rubbish Collection fortnight ending 14/01/2022	15,169.02	
35	15/02/2022	Avon Waste - Stondon Pty Ltd	Fortnightly Rubbish Collection fortnight ending 28/01/2022	12,817.90	
36	15/02/2022	Barry Keens	Consignment sales January 2022	18.85	
37	15/02/2022	Bitumen Surfacing	Reseal Katta Rise - SLK 0.00 to 0.29	11,723.07	
38	15/02/2022	Blackwell Plumbing	Emergency Call Out - Leaking Pipework at Racecourse	782.30	
39	15/02/2022	Broderick Waste Solutions	Disposal of waste to Northam for January 2022	4,831.20	
40	15/02/2022	Broderick Waste Solutions	Management of Waste Transfer Station fortnight ending 08/02/2022	5,500.00	
41	15/02/2022	C & F Building Approvals	NCC Compliance & Issue of CDC & BP x 1, Issue of BP x1	660.00	
42	15/02/2022	C & F Building Approvals	NCC Compliance & Issue of CDC x 7	2,860.00	
43	15/02/2022	C & F Building Approvals	NCC Compliance & Issue of CDC x 6	2,200.00	
44	15/02/2022	C & F Building Approvals	Issue of Building Permit	275.00	
45	15/02/2022	C & F Building Approvals	NCC Complinance, Issue of CDC & BP x 9	3,025.00	
46	15/02/2022	Cadds Fashions Sportfirst Northam	Argyle Steel Blue Work Boots - Size 9 - R Prater	179.99	
47	15/02/2022	Charles Service Company	Monthly Cleaning of Shire Buildings - January 2022	11,215.39	
48	15/02/2022	Charles Service Company	Street Party extra cleaning toilets and kept open for Street Party night 17/12/21	96.80	
49	15/02/2022	Charles Service Company	Additional Services, Admin Building- 18/12/21-15/01/22, Youth Hall- 18/12/21-15/01/22	1,306.80	
50	15/02/2022	Charles Service Company	Consumables 19/01/22	205.59	
51	15/02/2022	Cleanflow Environmental Solutions	CCTV Inspection of Drains at 7 Harcourt St	975.15	
52	15/02/2022	Deborah Termann	Consignment sales January 2022	17.00	
53	15/02/2022	Dept Of Fire & Emergency Services	Recoup of Expenses identified in external audit 2020-2021 BRMP LG Grant agreement	5,448.49	
54	15/02/2022	Dunning Investments Pty Ltd	Diesel - 22,000ltr & ULP 2,500ltr	39,705.75	
55	15/02/2022	Easifleet	Payroll Salary Sacrifice deductions PPE 01/02/2022	852.19	
56	15/02/2022	Equifax	Fit 2 Work Integrity checks - January 2022	24.09	
57	15/02/2022	Fiona Palmer	Author Talk - 14 February 2022	400.00	
58	15/02/2022	Fire & Safety Wa	BFB PPE & Equipment	6,881.04	

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Shire of Toodyay					
List of Payments Presented to Council for Period 1 February 2022 to 28 February 2022					
Pay Type	Date	Name	Description	Amount	
59	15/02/2022	Frames West	Supply metal for Duidgee Park swing	115.50	
60	15/02/2022	Frames West	2 metres of C Channel - T0012	121.00	
61	15/02/2022	Fujifilm Business Innovation Australia Pty Ltd	Photocopier readings - Admin January 2022	183.28	
62	15/02/2022	G & C Steytler	Consignment sales January 2022	42.00	
63	15/02/2022	Gary Horsfield	Window Cleaning at VC & Community Centre	550.00	
64	15/02/2022	Gary Horsfield	Window Cleaning - Memorial Hall, Medical Centre & Pavilion	480.00	
65	15/02/2022	Gary Horsfield	Window Cleaning Admin	550.00	
66	15/02/2022	Glenoran Leather	Consignment sales January 2022	32.31	
67	15/02/2022	Harris Electrical Servicing	Visitors Centre - Comms Points for DSO desk, Telstra Comms Fault & New Lights	2,810.50	
68	15/02/2022	Hills Fire Equipment Service	Level 2 Fire Equipment and Pressure Testing Service - Various Shire sites	1,736.90	
69	15/02/2022	Information Proficiency	IM & ICT Support contract	5,500.00	
70	15/02/2022	Interform Interiors	50% upfront payment - Glass display cabinet in two pieces for Newcastle Gaol Museum stables, Interform quote 1885 12/1/22	3,520.00	
71	15/02/2022	John Butler	Consignment sales January 2022	15.40	
72	15/02/2022	John Hansen	Reimbursement of BRPC costs 04/02/2022	85.99	
73	15/02/2022	Jomar (WA) Pty Ltd	Emergency Propping - Bridge 4081 - Telegraph Road	242.00	
74	15/02/2022	Kleen West Distributors	Pandemic cleaning supplies	162.03	
75	15/02/2022	Landgate	GRV Valuations Schedule G2021/1	115.94	
76	15/02/2022	Major Security Services	Security for Australia Day Event	1,859.00	
77	15/02/2022	Margaret Bradford Seeley	Consignment sales January 2022	13.86	
78	15/02/2022	Marketforce	SEEK advertising ETO, General Hand and Supervisor - Maintenance and Construction	915.90	
79	15/02/2022	Marketforce	Advertisement for Manager Development and Regulation	3,216.96	
80	15/02/2022	Michelle Duke	Reimburse costs of Uniform purchase	222.75	
81	15/02/2022	MM Mechanical Pty Ltd	Grease Hose for T0019	386.58	
82	15/02/2022	Northam Towing	Emergency pickup T6177 - Vehicle Breakdown - Transport to Depot Yard	330.00	
83	15/02/2022	Peter Byfield	Entertainment - Performing Singing Artists x 2 providing service of entertainment for Australia Day Event 2022	1,000.00	
84	15/02/2022	Phase 3 Landscape Construction Pty Ltd	Actuator Valve and Flow Meter replacement at TRC	11,814.00	
85	15/02/2022	Professional PC Support Pty Ltd	Managed ITC Agreement - Billable hours - Ticket 98569 - site visit to set up computer	550.00	
86	15/02/2022	Professional PC Support Pty Ltd	Managed ITC Agreement - Billable hours - Infocouncil setup	38.50	
87	15/02/2022	Public Transport Authority Of WA	TransWA ticket sales - January 2022	519.83	
88	15/02/2022	Quilts By Robyn	Consignment sales January 2022	50.00	
89	15/02/2022	Rapid Relief Team	BFS Catering - Inc# 556205	577.50	
90	15/02/2022	Road And Traffic Services	Provision to supply and install line marking as per SoT drawing, Drummond Street East	2,873.86	
91	15/02/2022	Rothwell Publishing	VC Stock	119.00	
92	15/02/2022	Sean Cope	Reimbursement of EHO costs - Travel & Accommodation	332.71	
93	15/02/2022	Shearers & Pastoral Workers Social Club Inc	Consignment sales January 2022	14.00	
94	15/02/2022	Shop For Shops	VC Stock equipment	197.75	
95	15/02/2022	Shred-X Pty Ltd	Shred X Paper shredding - January 2022	414.24	
96	15/02/2022	Spacetoco Pty Ltd	Host ParterPro Bundle - Online Facility Bookings for the month of January 2022	165.00	
97	15/02/2022	St John Ambulance - Toodyay & Districts	St John Ambulance Toodyay & Districts First Aid Post - Providing First Aid Medical Service for Australia Day Event 2022	192.00	
98	15/02/2022	Stewart & Heaton Clothing Co Pty Ltd	BFB - Socks	172.26	
99	15/02/2022	Swan Marquees & Party Hire (Swan Events)	Marquee & Equipment Hire for Australia Day	6,000.00	
100	15/02/2022	Synergy	Electricity account for Coondle Nunile Fire Station 26/11/2021 to 31/01/2022	664.19	
101	15/02/2022	Synergy	Electricity account - Streetlights 25/12/2021 to 24/01/2022	3,903.01	
102	15/02/2022	Synergy	Electricity account - Group account 802970900 24/12/2021 to 28/01/2022	12,789.52	
103	15/02/2022	Synergy	Electricity account - Railway Rd Depot 12/01/2022 to 08/02/2022	359.80	
104	15/02/2022	Tammar Publications	Consignment sales January 2022	18.00	
105	15/02/2022	Tanya Stuart	Consignment sales January 2022	34.61	
106	15/02/2022	Tegan Martin	Reimbursement of meal costs - Strike team to Incident #560030	153.48	
107	15/02/2022	Toll	Toll Freight Charges to 16/01/2022	11.07	
108	15/02/2022	Toll	Toll Freight Charges To 23/01/2021	18.19	
109	15/02/2022	Toll	Toll Freight Charges to 30/01/2021	13.05	

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Shire of Toodyay					
List of Payments Presented to Council for Period 1 February 2022 to 28 February 2022					
Pay Type	Date	Name	Description	Amount	
110	15/02/2022	Toodyay Bakery & Cafe	Bakery order - Bread rolls for 2022 Australia Day Breakfast Event	405.00	
111	15/02/2022	Toodyay Community Resource Centre	COVID Safety Marshals x2 for Shire of Toodyay Australia Day event	1,100.00	
112	15/02/2022	Toodyay Cricket Club	The Toodyay Cricket Club - Assisting With Pack Up - The 2022 Australia Day Event	500.00	
113	15/02/2022	Toodyay Garden & Outdoor Centre - Alan	Citizenship ceremony plants	30.00	
114	15/02/2022	Toodyay Hardware & Farm	25Kg bag Flaked Barley	17.85	
115	15/02/2022	Toodyay Hardware & Farm	2 x 25Kg Bag Clipped & dressed Oats	49.20	
116	15/02/2022	Toodyay Hardware & Farm	Reticulation parts	19.76	
117	15/02/2022	Toodyay Hardware & Farm	9kg Gas Bottle exchange	29.00	
118	15/02/2022	Toodyay Hardware & Farm	20kg Crushed maize	25.20	
119	15/02/2022	Toodyay Hardware & Farm	19mm Poly Tap	6.95	
120	15/02/2022	Toodyay Hardware & Farm	4 x Poly Dripper on stakes	7.80	
121	15/02/2022	Toodyay Hardware & Farm	25Kg Flaked Barley	17.85	
122	15/02/2022	Toodyay Hardware & Farm	Poster Strips - BFB	6.84	
123	15/02/2022	Toodyay Hardware & Farm	5Lt Buidlers Bucket	3.99	
124	15/02/2022	Toodyay Hardware & Farm	13mm Poly Trickle pipe 50m	26.65	
125	15/02/2022	Toodyay Hardware & Farm	Reticulation parts	23.87	
126	15/02/2022	Toodyay Hardware & Farm	25Kg Steamed Rolled oats	22.50	
127	15/02/2022	Toodyay Hardware & Farm	25kg Flaked Barley & 20kg Crushed Maize	43.05	
128	15/02/2022	Toodyay Hardware & Farm	Reticulation parts	1.88	
129	15/02/2022	Toodyay Hardware & Farm	25kg flaked barley, Nuts and washers	35.97	
130	15/02/2022	Toodyay Hardware & Farm	PVC Waste pipe, Key tags, poly plugs & O Rings - BFB	39.52	
131	15/02/2022	Toodyay Hardware & Farm	Thread Seal Tape & Anti vandal Hose cock	25.15	
132	15/02/2022	Toodyay Hardware & Farm	20Kg Crushed Maize	25.20	
133	15/02/2022	Toodyay Hardware & Farm	10 boxes of 50 Face masks for Australia Day 2022	189.50	
134	15/02/2022	Toodyay Hardware & Farm	N95 Masks - BFB	1,166.45	
135	15/02/2022	Toodyay Herald	Syreds Cottage Notice	132.52	
136	15/02/2022	Toodyay Herald	Bush Fires Act reg38A Notice - Feb Edition	125.12	
137	15/02/2022	Toodyay Herald	Advertising - 2022 Advisory Council Meeting & Committee schedule	294.62	
138	15/02/2022	Toodyay Men's Shed Inc	Toodyay Men's Club - Assisting With Event Pack Up - 2022 Australia Day Event	500.00	
139	15/02/2022	Toodyay Music Festival	Consignment sales January 2022	15.40	
140	15/02/2022	Toodyay Traders	3 x Solar Lights & Insect repellent	22.30	
141	15/02/2022	Toodyay Traders	Pig Pellets - 50kg	33.65	
142	15/02/2022	Toodyay Traders	4 Way Anti Vandal Tap - Rangers	15.50	
143	15/02/2022	Toodyay Tyre & Exhaust	fit 2 x new tyres to truck 9	1,386.00	
144	15/02/2022	Toodyay Tyre & Exhaust	Replacement Battery - T020	301.00	
145	15/02/2022	Toodyay Tyre & Exhaust	Truck & Trailer Tyres, fit & disposal - T0011 & T0012	1,844.00	
146	15/02/2022	Total Eden - Midland	Reticulation parts - Stock	1,445.56	
147	15/02/2022	URL Networks Pty Ltd	SIP Trunks - PAYG , Landlines & Mobiles for January 2022	196.88	
148	15/02/2022	Verlindens Electrical Service (WA)	Repair to Street Lights - Charcoal Lane	164.78	
149	15/02/2022	WA Naturally Publications	VC Stock	138.00	
150	15/02/2022	WOBM - Wheatbelt Office Of Business Machines - Northam	Photocopier reading - Library	226.28	
151	15/02/2022	WOBM - Wheatbelt Office Of Business Machines - Northam	Photocopier readings - Depot 13/12/2021 to 07/02/2022	413.78	
152	15/02/2022	WOBM - Wheatbelt Office Of Business Machines - Northam	Photocopier readings - VC 13/12/2021 to 07/02/2022	1,088.78	
153	15/02/2022	Wright Express Aust Pty Ltd	SES Fuel Card Fees - January 2022	20.64	
154	15/02/2022	Wurth Australia Pty Ltd	Supply Store items	116.51	
155	15/02/2022	Wurth Australia Pty Ltd	Supply Store items	7.00	
156	15/02/2022	Commonwealth Bank Of Australia	Bpoint fee	63.02	
157	15/02/2022	Fujifilm Business Innovation Australia Pty Ltd	Photocopier Lease - Admin	370.70	
158	15/02/2022	Toyota Finance	BRPC Vehicle Lease	1,381.45	
159	16/02/2022	Komatsu Australia Corporate Finance Pty Ltd	Front Wheel Loader Lease	4,901.37	
160	16/02/2022	Bendigo & Adelaide Bank Ltd	Bank fee	7.37	
161	18/02/2022	Gear Select	Drum Roller Lease	2,296.91	
162	28/02/2022	Abco Products Pty Ltd	RAT Tests (20)	1,712.05	
163	28/02/2022	Acot500 Pty Ltd	Safety Glasses & Gloves	901.12	

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Shire of Toodyay					
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Pay Type	Date	Name	Description	Amount	
164	28/02/2022	Australian Taxation Office - Albury	BAS - January 2021	33,635.00	
165	28/02/2022	Avon Skip Bins	10m3 Skip Bin - Julimar Fire Station Site Drop off AM 25 Feb, Pick Up 28 Feb	550.00	
166	28/02/2022	Avon Waste - Stondon Pty Ltd	Event Rubbish Bins Order for Australia Day Event 2022	290.00	
167	28/02/2022	Avon Yard & Maintenance Services	Hazard Reduction Slashing Shire Reserve, Jubilee Street.	350.00	
168	28/02/2022	Beth Ruthven	Members Monthly Attendance Allowance - Feb 2022	1,484.92	
169	28/02/2022	Broderick Waste Solutions	Management of Waste Transfer Station fortnight ending 22/02/2022	5,500.00	
170	28/02/2022	Charmeine Duri	Members Monthly Attendance Allowance - Feb 2022	1,022.92	
171	28/02/2022	Danielle Wrench	Members Monthly Attendance Allowance - Feb 2022	1,022.92	
172	28/02/2022	Datacom Solutions (Au) Pty Ltd	Datapay & Direct Access for the month of January 2022	270.60	
173	28/02/2022	Datacom Solutions (Au) Pty Ltd	Datascape Monthly SaaS Fee - January 2022	3,300.00	
174	28/02/2022	Dept Of Fire & Emergency Services	2021/2022 ESL Qtr 3 in accordance with Dept of Fire & Emergency Services of WA Act 1998 Part 6a	86,024.70	
175	28/02/2022	Dept Of Regional NSW - Primary Industries	RHDV biological rabbit control plus freight.	319.00	
176	28/02/2022	Destination Perth	Avon Valley Cooperative Marketing 21/22	5,000.00	
177	28/02/2022	Dunning Investments Pty Ltd	9 x Ice Bags for Australia Day 2022 celebrations	34.50	
178	28/02/2022	Dymark Australia Pty Ltd	Supply line marking paint	1,290.30	
179	28/02/2022	Easifleet	Payroll Salary Sacrifice deductions PPE 15/02/2022	852.19	
180	28/02/2022	Esri Australia	ESRI COURSE - Feb 22/23 - Virtual Classroom Introduction to GIS using ArcGIS (TR-53214) - Ebony Francis	1,760.00	
181	28/02/2022	Ezi-Fix Welding & Handyman Services	Repairs to Gaurds T0012	1,600.00	
182	28/02/2022	Ezi-Fix Welding & Handyman Services	Supply labour to repair damaged tarp on truck 12	320.00	
183	28/02/2022	Farmarama Pty Ltd	Fertilizers	10,830.38	
184	28/02/2022	Finishing WA - Formerly Pritchard Book Binders	Minute Binding	1,086.80	
185	28/02/2022	Fire Mitigation Services Pty Ltd	MAF 21/22 - As per TEN02/2021 Treatments 8093, 8342	34,982.81	
186	28/02/2022	Frontline Fire & Rescue Equipment	Eflare packs	594.29	
187	28/02/2022	Frontline Fire & Rescue Equipment	BFB PPE	1,666.28	
188	28/02/2022	Gemma Ringa Civil	Supply and deliver 24T of yellow sand for new water tank pad @ Morangup Community Centre, Wallaby Way, Morangup	660.00	
189	28/02/2022	GJW's Installations	To repair the ongoing phone issues at Visitor Centre \$1265 including travel	384.20	
190	28/02/2022	Hills Fire Equipment Service	2 x Extinguisher Refills (9ltr Foam), 4 x Extinguisher Supply (9ltr Air/Water)	737.00	
191	28/02/2022	Infocouncil Pty Ltd	Implementation of Infocouncil & Annual Fees	11,219.55	
192	28/02/2022	ITR WA	Cutting edge parts for Komatsu Front End Loader	898.57	
193	28/02/2022	ITR WA	6Y5230-HD Scarifier tips for John Deere grader rippers	445.50	
194	28/02/2022	Jason Signmakers	50 x TDI UNI Clamps for Signage Installation	279.40	
195	28/02/2022	Kleen West Distributors	Cleaning Products/COVID-19 for CESM Rob & Admin consumables	1,657.15	
196	28/02/2022	Kleen West Distributors	Pandemic Cleaning Products & Depot Stores	618.20	
197	28/02/2022	Landgate	RUV Valuations Schedule's R2021/14 & R2022/01	86.94	
198	28/02/2022	Landgate	GRV Valuations G2022/02	70.40	
199	28/02/2022	Landgate	RUV Valuations Schedule R2022/2 & R2022/3	478.17	
200	28/02/2022	Landworx	Lloyd Reserve fire break maintenance and upgrade.	770.00	
201	28/02/2022	Mane Espresso	Hiring of mobile coffee van service for Australia Day Event 2022 - Invoice adjusted due to breakdown of machine	399.50	
202	28/02/2022	Marketforce	TEN04 - Panel Contract - Supply and delivery of screened gravel road base	340.16	
203	28/02/2022	Marketforce	Syreds Cottage Notice - The West Australian 15/01/2022 - 154667	684.55	
204	28/02/2022	Mayday Rental	Water Cart Hire - January 2022	6,792.50	
205	28/02/2022	Michael Mckeown	Members Monthly Attendance Allowance - Feb 2022	1,022.92	
206	28/02/2022	Moddex Group Pty Ltd	Supply and fit hand rails to charcoal lane toilet block.	8,519.42	
207	28/02/2022	Multicon Commercial Constructions (Stallion Homes)	Julimar Fire Station Variation 1: Lengthen Building and Verandahs 480mm (2 bricks)	8,040.36	
208	28/02/2022	Multicon Commercial Constructions (Stallion Homes)	Julimar Fire Station (CWSP Funded Portion): Variation 2 - Put Bore Pump on Backup Power Circuit	825.00	
209	28/02/2022	Multicon Commercial Constructions (Stallion Homes)	Vertical Blinds - Coondle Fire Station & Cage for Bore Pump - Julimar Fire Station	4,096.02	
210	28/02/2022	Multicon Commercial Constructions (Stallion Homes)	Julimar Fire Station Variation 4 - Extra Security Cameras	814.00	
211	28/02/2022	Nalukui Mwale	Reimbursement of Pre Employment medical check	220.00	

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Shire of Toodyay					
List of Payments Presented to Council for Period 1 February 2022 to 28 February 2022					
Pay Type	Date	Name	Description	Amount	
212	28/02/2022	Officeworks	Sit Stand desk for EHO (plus Freight)	248.95	
213	28/02/2022	Officeworks	Ink cartridge for CEO	323.95	
214	28/02/2022	Philip Hart	Members Monthly Attendance Allowance - Feb 2022	1,022.92	
215	28/02/2022	Prime Trophies	Merchandise (Engraving of Medals) - Community Citizen of the Year Awards - 2022 Australia Day Event	60.00	
216	28/02/2022	Professional PC Support Pty Ltd	Managed ITC Agreement - Billable hours Ticket 99045 onsite visit	550.00	
217	28/02/2022	Professional PC Support Pty Ltd	Managed ITC Agreement - Monthly Billing for March 2022	9,400.23	
218	28/02/2022	Professional PC Support Pty Ltd	Managed Phone Services monthly billing for March 2022	1,121.14	
219	28/02/2022	Professional PC Support Pty Ltd	Managed Phone Services - Billable hours ticket #99355	38.50	
220	28/02/2022	Professional PC Support Pty Ltd	Managed ITC Agreement - Billable Hours Ticket' 99628, 99690 & 99640	687.50	
221	28/02/2022	Professional PC Support Pty Ltd	New Routers & Switch for New Julimar Fire Station	815.10	
222	28/02/2022	Rebecca Hunt	Refund due to Reduction in Bin Service	116.87	
223	28/02/2022	Ronald Stevenson	Refund of rates due to overpayment - A1627	650.00	
224	28/02/2022	Rosemary Madacsi	Members Monthly Attendance Allowance - Feb 2022	3,114.92	
225	28/02/2022	S F Fitzgerald Plumbing & Gas	Excavator hire	242.00	
226	28/02/2022	S F Fitzgerald Plumbing & Gas	Annual Backflow Testing on Northam Toodyay Road Standpipe	148.50	
227	28/02/2022	Sanitair Perth East	Sanitisation of Air Conditioner Units - Shire Depot	665.00	
228	28/02/2022	Steven McCormick	Members Monthly Attendance Allowance - Feb 2022	1,022.92	
229	28/02/2022	Stewart & Heaton Clothing Co Pty Ltd	H461-NVY-WABFB1 Floppy Hat Sizes: 3xM, 6 xL	122.66	
230	28/02/2022	Susan Pearce	Members Monthly Attendance Allowance - Feb 2022	1,022.92	
231	28/02/2022	Swan Towing Service	Towing Coondle-Nunile 1.4 25/12/2022 Inc# 556205	594.00	
232	28/02/2022	The Cola Cafe	Catering at Incidents 557840 & 559289	1,726.52	
233	28/02/2022	Toodyay Express	Boxes of books delivered from Toodyay Library to State Library WA	165.00	
234	28/02/2022	Toodyay IGA	Staff amenities - January 2022	1,651.11	
			Australia Day Celebrations - Refreshments, Condiments, Cleaning Products & utensils		1,251.37
			Admin - Milk, Coffee, Sugar, bin bags, hand sanitiser		97.33
			Council - Coffee		36.03
			VC - Milk, Water, ant killer		61.33
			Library - Newspapers, Milk, Cleaning Products, Coffee		95.89
			COVID - Face masks		26.00
			Rangers - Batteries, Dog Food		14.78
			Depot - Milk		8.38
235	28/02/2022	Toodyay Tyre & Exhaust	Replacement Tyre FSV1	266.75	
236	28/02/2022	Uniforms @ Work	2 x work shirts - Tobie Prater	133.10	
237	28/02/2022	Uniforms @ Work	Uniform Order - Kelly Stevens	411.84	
238	28/02/2022	Uniforms @ Work	Uniform - J Augustin	66.00	
239	28/02/2022	Uniforms @ Work	Uniform - H De Vos	279.40	
240	28/02/2022	Uniforms @ Work	Uniform - T Bateman	70.40	
241	28/02/2022	Uniforms @ Work	Uniforms - A Lamas	213.40	
242	28/02/2022	Verlindens Electrical Service (WA)	Replace broken light in workshop	764.50	
243	28/02/2022	Verlindens Electrical Service (WA)	Wire new hoist in depot workshop.	1,401.40	
244	28/02/2022	WA Police Department	Volunteer National Police Clearance - Museum - P Roberts	16.70	
245	28/02/2022	WALGA	Training of Rates at WALGA - West Leederville 10 & 11 March 2022	990.00	
246	28/02/2022	Bendigo & Adelaide Bank Ltd	Bank fee	6.60	
	2/02/2022	Payroll PPE 01/02/2022	Payroll PPE 01/02/2022	96,935.10	
	3/02/2022	Aware Super	Superannuation PPE 01/02/2022	22,393.02	
	16/02/2022	Payroll PPE 15/02/2022	Payroll PPE 15/02/2022	96,130.00	
	16/02/2022	Aware Super	Superannuation PPE 15/02/2022	22,215.86	
				795,720.95	

9.2.3 Update on the disposal process of Syred's Cottage

Date of Report:	11 March 2022
Applicant or Proponent:	Shire of Toodyay
File Reference:	A4580
Author:	M Eberle – Museum Curator and Cultural Heritage Officer
Responsible Officer:	T Bateman – Manager Corporate and Community Services
Previously Before Council:	OCM 24 November 2015 Item 9.2.4 OCM 27 March 2018 Item 9.2.1 OCM 21 December 2021 Item 9.2.4
Author's Disclosure of Interest:	Nil
Council's Role in the matter:	Executive
Attachments:	1. Expression of Interest 1 (confidential) 2. Expression of Interest 2 (confidential)

PURPOSE OF THE REPORT

To update Council on the submissions received following advertising the Shire's intention to transfer ownership of Syred's Cottage, Bejoording by deed of gift to a direct descendant of William Edward and Frances Syred.

BACKGROUND

A notice calling for Expressions of Interest (EOI) was placed on the Shire of Toodyay's website on 11 January 2022, in the West Australian newspaper on 15 January 2022, Shire of Toodyay's Toodyay Museums group page on 19 January 2022 and in the Toodyay Herald, February edition.

A drop-in information session at the Shire of Toodyay's Council Chambers was conducted on 9 February 2022 about the proposed deed of gift process. This was advertised in the Toodyay Herald February edition. The closing date for submissions was 15 February 2022.

COMMENTS AND DETAILS

There were four responses to the EOI - one was a request for information by email which did not proceed to a submission, one descendant attended the drop-in information session but did not provide a submission, one response was via a letter sent in the mail with that party also attending the drop-in session and one was via an email followed up with a Teams meeting with shire officers.

The written submissions are provided as confidential attachments. There are two parties that have indicated an interest in taking on the property.

The *Local Government Act 1995* provides three options to dispose of property, these are via public auction, public tender and private treaty. Officers provided an update to Councillors at a workshop held 9 March 2022 and discussed the closed tender process.

There are a number of options for proceeding.

1. Council could decide not to proceed with the transfer of the property by deed of gift, retain ownership and continue to expend minimal resources for its upkeep. Council is under no obligation to proceed with the disposal of the property at this time.
2. Council could decide not to proceed with the transfer of the property by deed of gift, retain ownership and devote adequate resources for its conservation. In this instance it is imperative a function or use for the property for the community be found to justify this expenditure.
3. Commence a tender process with the intention of disposing the property to the most suitable tender. A closed tender document will be compiled providing guidance on the criteria being used to judge the most suitable applicant. This will be provided to the two parties that have provided written submissions of expressions of interest.

Officers are recommending Option 3.

IMPLICATIONS TO CONSIDER

Consultative:

Officers consulted with WALGA for advice on the disposal process.

It is anticipated that heritage advice will be sought to assist with the development of criteria used in the closed tender document, and to provide independent feedback on the responses.

Strategic:

Governance: The way the Shire leads and operates

Objective 1 Provide accountable and transparent leadership for the community

A key point of the Shire's Strategic Community Plan and the Shire's Corporate Business Plan is to carry out asset rationalisation and consolidation. The sale or transfer of ownership of Syred's cottage has been identified as part of this process.

Policy related:

F.12 Disposal of Property Policy

Financial:

The cost of seeking independent heritage advice can be covered within the existing budget.

Legal and Statutory:

Local Government Act 1995, Section 3.58 Disposing of Property, sub-section 3

Risk related:

There may be adverse feedback from the community about the Shire gifting a heritage asset. There may also be reputational risk if the property deteriorates after ownership is

transferred. Engaging an heritage advisor to assist in the development of tender criteria and weighting may assist in mitigating this risk.

Workforce related:

The tender process can be managed within available resources.

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION 1

That Council commence a tender process to dispose of Syred's Cottage, Bejoording.

9.3 EXECUTIVE SERVICES

9.3.1 Designation of Senior Employees

Date of Report:	8 March 2022
Applicant or Proponent:	Shire of Toodyay
File Reference:	PCY2
Author:	S Haslehurst – Chief Executive Officer
Responsible Officer:	S Haslehurst – Chief Executive Officer
Previously Before Council:	N/A
Author's Disclosure of Interest:	Nil
Council's Role in the matter:	Executive
Attachments:	1. Directorate Overview ↓

PURPOSE OF THE REPORT

To request Council to review and confirm its designation of senior employees of the Shire of Toodyay in accordance with Section 5.37 of the *Local Government Act 1995* (the Act).

BACKGROUND

In January 2019, it was resolved:

That Council designate positions as follows:

- *Manager Corporate Services;*
- *Manager Community Development;*
- *Manager Planning and Development; and*
- *Manager Works and Services;*

As Senior Employees in accordance with section 5.37 of the Local Government Act 1995.

In May 2020, the Manager Community Development position was made redundant and responsibility for community services was allocated to the Manager Corporate Services.

In November 2020, a resignation resulted in a review of the Manager Works and Services role with the title Manager Assets and Services used for the ensuing recruitment process to better reflect responsibility for the Shire's assets.

Following the resignation of the Manager Planning and Development in May 2021, officers reviewed the structure of the Planning and Development department which resulted in a change of name to Development and Regulation to better reflect the roles and responsibilities of the directorate. The structure review also prompted a renaming of the Assets and Services directorate to Infrastructure and Assets. An overview of the Directorate structure is provided at **Attachment 1**.

Council is now requested to review and consider its designation of senior employees under the Act.

COMMENTS AND DETAILS

The effect of designating a senior employee is that any vacancy must be advertised in a prescribed manner and the CEO must inform Council of any proposal to appoint or dismiss a senior employee. Council may reject a proposal but must provide reasons for doing so.

Council could choose not to designate any senior employee. Alternatively, Council could choose to designate officers other than managers as senior employees. It is most common that senior management/executive positions are designated senior employees as these roles work closely with elected members.

Officers are therefore proposing that Council designates the following positions as senior employees:

- Manager Corporate and Community Services
- Manager Infrastructure and Assets
- Manager Development and Regulation

IMPLICATIONS TO CONSIDER

Consultative:

The Senior Management Group has reviewed directorate responsibilities and positions to ensure that role titles accurately reflect principal focus areas.

Strategic:

Governance: The way the Shire leads and operates

Objective 1 Provide accountable and transparent leadership for the community.

Policy related:

Nil

Financial:

There are costs associated with advertising for recruitment of senior employees in accordance with the Act.

Legal and Statutory:

Local Government Act 1995

5.37. Senior employees

- (1) *A local government may designate employees or persons belonging to a class of employee to be senior employees.*
- (2) *The CEO is to inform the council of each proposal to employ or dismiss a senior employee, other than a senior employee referred to in section 5.39(1a), and the council may accept or reject the CEO's recommendation but if the council rejects a recommendation, it is to inform the CEO of the reasons for its doing so.*

- (3) *Unless subsection (4A) applies, if the position of a senior employee of a local government becomes vacant, it is to be advertised by the local government in the manner prescribed, and the advertisement is to contain such information with respect to the position as is prescribed.*
- (4A) *Subsection (3) does not require a position to be advertised if it is proposed that the position be filled by a person in a prescribed class.*
- (4) *For the avoidance of doubt, subsection (3) does not impose a requirement to advertise a position where a contract referred to in section 5.39 is renewed.*

Risk related:

Should Council choose not to designate senior employees, there is a reputational risk if senior management positions are filled or dismissed without Council being informed. This is considered high. Should Council choose to designate employees in addition to managers as senior employees, there is a potential service interruption risk relating to perceptions of inequity within the workforce and the time required to provide a rationale for designation. This is considered moderate.

Workforce related:

The extra time required for recruitment of the proposed designated senior employees can be managed within current resources.

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION 1

That Council designates the following positions as senior employees in accordance with section 5.37 of the *Local Government Act 1995*:

- Manager Corporate and Community Services
- Manager Infrastructure and Assets
- Manager Development and Regulation



9.3.2 Process to Review Councillor Representation

Date of Report:	9 March 2022
Applicant or Proponent:	Shire of Toodyay
File Reference:	ICR82556/ELT2/MEM1
Author:	S Haslehurst – Chief Executive Officer
Responsible Officer:	S Haslehurst – Chief Executive Officer
Previously Before Council:	SCM 2 February 2022 Item 5.1.1
Author's Disclosure of Interest:	Nil
Council's Role in the matter:	Executive
Attachments:	1. Correspondence from Western Australian Electoral Commission ↓

PURPOSE OF THE REPORT

To present Council with a proposed process for review of Councillor representation.

BACKGROUND

At the Special Council Meeting held on 2 February 2022, Council considered the vacancy resulting from Councillor Benjamin Bell's resignation as an elected member of the Shire of Toodyay and resolved:

That Council:

- Requests the Chief Executive Officer seek the approval of the Electoral Commissioner to allow the elected member vacancy created by Cr Bell's resignation to remain unfilled until the ordinary elections to be held in October 2023 or the implementation of the Minister's relevant proposed local government reforms, whichever is the sooner.*
- Notes that in accordance with section 4.17(4) of the Local Government Act 1995, the term of the member who held the office is to be regarded in section 4.6 as ending on the day on which it would have ended if the vacancy had not occurred.*

Attachment 1 provides advice from the Electoral Commissioner that the request to defer filling the vacancy until the October 2023 ordinary elections, has been approved. Following informal discussion at a Council Concept Forum, Council is now requested to consider a process to review Councillor representation in accordance with Schedule 2.2 of the *Local Government Act 1995* (the Act).

COMMENTS AND DETAILS

The Department of Local Government Sport and Cultural Industries (DLGSC) has developed a Guide for Local Governments wishing to undertake a review of wards and/or representation. The Guide is provided at **Attachment 2** and includes instructions for those with and without a wards system. The Shire of Toodyay does not currently have a wards

system in place. Council could choose to obtain feedback from the community about whether to reinstate the wards system as part of the proposed review. However, the decision to recommend abolishing wards in the Shire of Toodyay was made in 2018 following a review process undertaken in accordance with relevant legislative requirements. This recommendation was approved by the Minister and Governor for implementation as part of the 2019 ordinary elections. The Act requires that local governments review their wards system every eight years. The Shire's next review is therefore due in 2026.

The proposal to review representation has stemmed from Councillor discussions during the annual budget process and at Council concept forums and workshops. In addition, the Minister for Local Government has included in his recommendations for reform a proposal to reduce the minimum number of elected members based on population size. While the outcome of this recommendation is yet to be determined, it has stimulated discussion regarding representation within the industry.

If any changes to representation in the Shire of Toodyay are proposed in time for the 2023 ordinary elections, the following process and timeline are recommended.

Date	Action
March 2022	Council resolves to undertake a review of representation
July 2022	Discussion paper workshopped with and then presented to Council for approval
August 2022	Local Public Notice and distribution of Discussion Paper Community engagement
30 September 2022	Closing date for submissions (9.5 weeks)
November 2022	Council workshop to consider submissions
November 2022	Council decision
30 January 2023	Deadline for submission of a report to the Local Government Advisory Board to allow any changes to be implemented as part of the 2023 ordinary elections.

The Local Government Advisory Board will consider the recommendations of Council and make recommendations to the Minister for Local Government. If approved, the changes will be subject to a Governor's Order and publication in the Government Gazette before they can be implemented.

IMPLICATIONS TO CONSIDER

Consultative:

The minimum requirement for a review of this nature is to provide local public notice and an opportunity for electors to make a submission. However, it is proposed that the following community engagement mechanisms are also used to promote and raise awareness of the review:

- Conversations at the Let's Talk sessions being conducted over the next few months
- Social media and website promotion
- "Around the Towns" monthly session on Triple M
- Promotion via the Shire News page in the Toodyay Herald

Strategic:

Governance: the way the Shire leads and operates

Objective 2: Consistently improve our governance practices

Policy related:

Nil

Financial:

Costs for advertising and promotion of the review will need to be considered as part of the 2022/23 budget process.

Legal and Statutory:

Local Government Act 1995

Schedule 2.2 Provisions about names, wards and representation

Risk related:

There is a potential reputational risk associated with a reduction in elected members, should that be the final recommendation of Council. The proposed review process aims to mitigate this risk by seeking community feedback to inform any decision.

Workforce related:

Officers continue to work to meet the challenges of the transition of the Shire's ERP system. However, the added workload resulting from the proposed review is anticipated to be met within existing resources.

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION 1

That Council:

1. Notes the approval received from the Electoral Commissioner to defer filling the current elected member vacancy until the 2023 ordinary elections.
2. Determines to undertake a review of Councillor representation in accordance with Schedule 2.2 of the *Local Government Act 1995* and the process outlined in this report.

LGE 282

WESTERN AUSTRALIAN
Electoral Commission

Ms Suzie Haslehurst
Chief Executive Officer
Shire of Toodyay
PO Box 96
TOODYAY WA 6566


Dear Ms Haslehurst

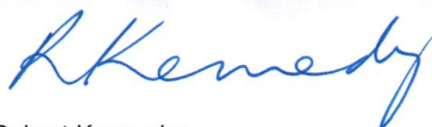
Request to Leave Vacancy Unfilled

I refer to your letter, that was emailed to the Commission on 3 February 2022 in which you advised of the resignation of Councillor Benjamin Bell effective from 15 January 2022 and your subsequent request to seek my agreement that the vacancy remain unfilled until the October 2023 ordinary elections.

I have considered the information provided in your correspondence and advise that approval is given under section 4.17(3) of the *Local Government Act 1995* to defer filling the vacancy until the October 2023 ordinary elections.

Should you require any further information please contact Kay Heron, Manager Election Events on 9214 0430.

Yours sincerely



Robert Kennedy
ELECTORAL COMMISSIONER

7 February 2022

SHIRE OF TOODYAY
Record Number: 1082556
11 FEB 2022
Officer / Dept: CEO
File Number: ELT2

174471

Level 2, 111 St Georges Terrace PERTH WA 6000
GPO Box F316 PERTH WA 6841

T | (08) 9214 0400
F | (08) 9226 0577

E | waec@waec.wa.gov.au
W | www.elections.wa.gov.au



9.3.3 Appointment of Senior Employee - Manager Development and Regulation

Date of Report:	9 March 2022
Applicant or Proponent:	Chief Executive Officer
File Reference:	STR58
Author:	S Haslehurst – Chief Executive Officer
Responsible Officer:	S Haslehurst – Chief Executive Officer
Previously Before Council:	N/A
Author's Disclosure of Interest:	Nil
Council's Role in the matter:	Review
Attachments:	1. Recruitment Report - Manager Development & Regulation (confidential)

PURPOSE OF THE REPORT

To present Council with a report on the recruitment process for the role of Manager Development and Regulation at the Shire of Toodyay.

BACKGROUND

Following the resignation of Mr Kobus Nieuwoudt from the position of Manager Planning and Development at the Shire in May 2021, Mr Hugo De Vos was appointed in an acting capacity until a recruitment process was undertaken.

Officers took the opportunity to review the structure of the Planning and Development department which resulted in a change of name to Development and Regulation to better reflect the roles and responsibilities of the directorate, and an increased focus on compliance. The process to recruit a senior manager for the department was subsequently commenced in January 2022.

After seeking quotes from suitably qualified recruitment professionals, Lydia Highfield Consultancy (LHC) was appointed to facilitate the process to fill the vacancy.

Pursuant to Section 5.37 of the *Local Government Act 1995*, the CEO is to inform Council of each proposal to appoint or dismiss a Senior Employee. This is one of the nominated positions.

COMMENTS AND DETAILS

A confidential Recruitment Report has been prepared by LHC and is attached for Council's information at **Confidential Attachment 1**. The process for recruitment has involved the following:

- Review and update of the position description to ensure relevance and accuracy.
- Advertising of the role in print and online forums including The West Australian, Facebook, the Shire's website and on SEEK.

- Twelve applications were received and reviewed. LHC prepared a shortlist of two applicants for interview which was discussed with the CEO.
- The CEO and Lydia Highfield interviewed the shortlisted applicants with the Manager Corporate & Community Services and Manager Infrastructure and Assets attending as observers.
- A Recommendation Report was provided to the Chief Executive Officer by the Consultant.
- A follow-up meeting with the preferred candidate undertaken by the Chief Executive Officer.

Based on the process outlined above, the CEO is recommending that the preferred candidate as indicated in the attached confidential Recruitment Report is appointed to the position of Manager Development and Regulation.

Council could choose to accept or reject recommendation but if it rejects the CEO's recommendation, reasons must be provided in accordance with Section 5.37(2) of the Act.

IMPLICATIONS TO CONSIDER

Consultative:

Nil

Strategic:

Governance: The way the Shire leads and operates

Objective 1 Provide accountable and transparent leadership for the community.

Objective 2 Consistently improve our governance practices.

Objective 3 Ensure rigorous organisational systems.

At all times, the Shire is committed to engaging the best applicant for the role advertised.

Policy related:

Nil

Financial:

The salary package negotiated with the preferred applicant by the Chief Executive Officer will be within budget allocations and aligns with the package advertised as part of the recruitment process.

The cost of the recruitment was as follows:

- Professional services \$5,000
- Advertising \$3,300

The 2021/22 adopted budget includes an allocation for advertising and promotion. Advertising costs for this role will be met within that budget allocation. The cost of the professional services will be allocated to and covered by savings in wages and salaries due to leave and other resignations.

Legal and Statutory:**Local Government Act 1995****5.37. Senior employees**

- (1) *A local government may designate employees or persons belonging to a class of employee to be senior employees.*
- (2) *The CEO is to inform the council of each proposal to employ or dismiss a senior employee, other than a senior employee referred to in section 5.39(1a), and the council may accept or reject the CEO's recommendation but if the council rejects a recommendation, it is to inform the CEO of the reasons for it doing so.*
- (3) *Unless subsection (4A) applies, if the position of a senior employee of a local government becomes vacant, it is to be advertised by the local government in the manner prescribed, and the advertisement is to contain such information with respect to the position as is prescribed.*
- (4A) *Subsection (3) does not require a position to be advertised if it is proposed that the position be filled by a person in a prescribed class.*
- (4) *For the avoidance of doubt, subsection (3) does not impose a requirement to advertise a position where a contract referred to in section 5.39 is renewed.*

Risk related:

The risks associated with recruitment relate to the ability to recruit appropriately skilled, experienced and qualified staff. The decision to engage a recognised and respected Recruitment Consultant was designed to mitigate this risk.

There is an operational risk and a financial risk should Council choose to reject the CEO's recommendation. These are both rated high.

Workforce related:

The engagement of a suitable candidate for this role is vital to enable the senior management group to effectively work together to lead and support the organisation.

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION 1

That Council, in accordance with Section 5.37(2) of the *Local Government Act 1995*:

1. Accepts the recommendation from the Chief Executive Officer contained in the Recruitment Report attached as confidential Attachment 1 regarding the employment of the Manager Development and Regulation as a designated Senior Employee.
2. Notes that the Chief Executive Officer will negotiate the terms of the contract with the preferred candidate which are aligned to the conditions advertised and within budget allocations for this role. A contract term of three years will be offered.

9.3.4 Draft Local Planning Policy - Advertising for Planning Proposals

Date of Report:	10 March 2022
Applicant or Proponent:	Shire of Toodyay
File Reference:	PLA1
Author:	H de Vos – Acting Manager Development and Regulation
Responsible Officer:	S Haslehurst – Chief Executive Officer
Previously Before Council:	Nil
Author's Disclosure of Interest:	Nil
Council's Role in the matter:	Executive
Attachments:	1. Draft Local Planning Policy - Advertising of planning proposals ↓

PURPOSE OF THE REPORT

To review the new draft Local Planning Policy – Advertising for Planning Proposals with a view to adopt for formal advertising.

BACKGROUND

This draft Local Planning Policy ('LPP') has been developed as part of the current review of the Shire's policy framework.

This LPP will be a stand-alone policy outlining advertising requirements for planning purposes only. This is not limited to development applications – rather, it covers all statutory advertising relating to planning instruments under the *Planning and Development Act 2005* and the *Planning and Development (Local Planning Schemes) Regulations 2015*.

It does not cover statutory advertising requirements associated with other acts such as the *Local Government Act 1995* or the *Dog Act 1976*.

COMMENTS AND DETAILS

The existing policy being applied by the Shire of Toodyay is the *M.2 Public Consultation – Formal Matters*, which was adopted by the Council in 2005 and last amended in 2010. This policy is designed to clearly define the various levels of consultation required to meet the statutory and 'standard' consultation requirements for the range of Council functions.

Importantly, this is an opportunity to create a new policy which effectively brings the planning consultation policy requirements outlined by the Shire into line with the deemed provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

The Western Australian Local Government Association ('WALGA') notes:

When researching the top issues for WALGA's Planning Improvement Program, our survey found that 20% of Local Government members considered the topic of 'Public Consultation' as a high priority, while more than 50% identified it as a priority.

While the Association acknowledges that many Local Governments are highly skilled in conducting community consultation and advertising planning proposals, some Local Governments have sought assistance in this space, as they may lack sufficient staff or capacity to develop their own policies.

To assist in this area, the Association has reviewed a number of existing Local Planning Policies and used the information to create a Draft Model Local Planning Policy - Advertising planning proposals, with the aim that Local Governments can use it as a guide when creating their own policies.

Therefore, it is from this Draft Local Model Planning Policy – Advertising Planning Proposals that the draft policy before Council has been developed.

IMPLICATIONS TO CONSIDER

Consultative:

Local Planning Policies

Clause 4(1)-(3) of Schedule 2, Part 2, Division 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* outlines the statutory requirement and process for the advertising of Local Planning Policies.

If the local government resolves to create or amend a local planning policy, in accordance with the Regulations, the local government must, unless the WAPC otherwise agrees, advertise the proposed policy. Advertising of Local Planning Policies must be for a period of not less than twenty-one (21) days.

Strategic:

Shire of Toodyay Community Strategic Plan – Toodyay 2028

Our Strategic Outcome: A Council that engages with the community and provides good governance on behalf of the community.

Objective 1: Provide accountable and transparent leadership for the community

S 1.1 Use the Strategic Community Plan as the blueprint for Council policy development and decisions.

S 1.2 Complete the development of a new Local Planning Scheme and related Local Planning Policies;

Objective 2: Consistently improve our governance practices

S 2.1 Build a positive culture of engagement between the Shire and the community.

S 2.2 Improve internal and external communication to maximise transparency.

Policy related:

The existing policy M.2. Public Consultation – Formal matters will need to be amended to remove any references to planning functions. This will need a Council resolution and this is contained in the officer recommendations.

Financial:

It is a requirement that Local Planning Policies undergo a formal advertising process which includes publication in a locally circulating newspaper. This cost to the Shire is approximately \$500 for the two advertisements and this has been allocated for in the Shire's adopted budget.

Legal and Statutory:

Planning and Development Act 2005

Planning and Development (Local Planning Schemes) Regulations 2015

Local Planning Policies

Planning and Development (Local Planning Schemes) Regulations 2015

Division 2 of Schedule 2 ('the deemed provisions') provides the statutory basis for local planning policies and outlines the procedure for making, amending, and revoking local planning policies.

Local planning policies are guidelines used to assist the local government in making decisions under the local planning scheme. Although local planning policies are not part of the local planning scheme, they must be consistent with, and cannot vary, the intent of the scheme provisions, including the R-Codes, unless otherwise permitted by the R-Codes and/or approved by the WAPC.

A local planning policy is not part of the local planning scheme and does not bind the local government in respect of any application for development approval, however, the local government is to have due regard to the provisions of the policy and the objectives which the policy is designed to achieve before making its determination.

Risk related:**Reputational**

The *Governance Review* (2021) identified that there was a desire by the elected members to become more involved in the development and review of policies.

Review of a policy framework is essential to good governance as it demonstrates the Shire's ability to adapt to changing circumstances to ensure that its policies remain contemporary and relevant.

If the Shire ignores this requirement and does not engage in routine review of this framework it risks reputational damage.

Workforce related:

Reviews of this nature place additional yet necessary additional demands on workforce time and resources. However, a benefit of successful and regular reviews of policies will ensure the Shire is operating as efficiently as possible by aligning these documents with the prevailing community expectations and state government frameworks of the day. This ultimately will reduce the burden on the workforce moving forward.

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION 1

That Council:

1. Adopts the following draft Local Planning Policy - Advertising for Planning Proposals as per Attachment 1 for the purpose of public advertising in accordance with the procedures set out in clause 4 of the Deemed Provisions in Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

- | |
|--|
| <p>2. That Council requests that the current M.2. Public Consultation – Formal Matters is amended and modified to remove any references and provisions pertaining to planning proposals.</p> |
|--|



Local Planning Policy No. XX – Advertising of Planning Proposals

1.0 Citation

This is a Local Planning Policy prepared under Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*. This Policy may be cited as Local Planning Policy ### - ****Advertising of Planning Proposals****an LPP.

2.0 Introduction

This policy provides guidance on the exercise of discretion under the Shire of Toodyay Local Planning Scheme No. 4 in terms of when public notice is given, and the means and duration of public notice periods, where these periods are not prescribed by the Local Planning Scheme. The opinions of affected owners, occupiers and the general public can inform but cannot substitute for the exercise of professional advice by Shire officers. This policy does not replace or alter the Council's obligations under the *Freedom of Information Act 1992*.

It is not intended that this policy be applied rigidly, but each application be examined on its merits, with the objectives and intent of the policy the key for assessment. It should not be assumed that the Shire, in exercising its planning discretion, be limited to the policy provisions and that mere compliance will result in an approval.

Applicants are strongly encouraged to discuss proposals with adjoining owners and occupiers prior to the submission of any development application.

It is important to note that this Local Planning Policy does not constitute part of the Local Planning Scheme and therefore does not bind the Shire in respect of any application for planning approval but requires the Shire to have due regard to the provisions of the Policy, including its objectives. Should there be any conflict between this Policy and the Local Planning Scheme, then the provisions of the Scheme prevail.

2.0 Statutory background

Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* ('the deemed provisions') which form part of the Shire of Toodyay Local Planning Scheme No. 4, includes a number of clauses relating to public notice for development applications, Structure Plans and Local Planning Policies. Many requirements relating to public notification of development applications are mandatory, while others provide the Shire with discretion as to whether a proposal is to be advertised and the method of advertising. Specific planning strategies and projects will be the subject of their own, targeted consultation strategies.

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Part 4 of the *State Planning Policy 7.3 - Residential Design Codes (R-Codes)* requires that the Shire notify potentially affected neighbours in certain circumstances.

The *Planning and Development (Local Planning Schemes) Regulations 2015* prescribe the means of public notice of a Local Planning Scheme amendment, Local Planning Strategy, Local Planning Policy, Structure Plan, Activity Centre Plan and Local Development Plan and provides the Minister with Discretion to determine additional means of notice. In certain cases, the Council may initiate advertising of a Scheme Amendment, or provide advice to the Minister and Western Australia Planning Commission on the appropriate means of giving public notice and the duration of the notice.

Under the *Planning and Development (Development Assessment Panels) Regulations 2011*, development applications which are to be determined by a Development Assessment Panel (DAP) are subject to local government requirements for notification, advertising and consultation.

2.0 Council's Planning and Policy Framework

Council acknowledges that the key to an effective system of consultation is that it is based on a clear set of Council policies operating within a strategic land use planning framework. Policies developed by Council reflect its intention to guide the future growth of the Shire in the context of the objectives contained in the local planning strategy and the Local Planning Scheme.

3.0 Objectives

- To provide for a consistent approach to the circumstances when public notice is undertaken, and the means and duration of public notice periods, of planning proposals.
- To recognise the balance between the need for the community to be informed of, and have reasonable opportunity for input into, planning proposals, and the administrative need to process planning proposals in an efficient manner, and within prescribed statutory timeframes.
- To outline the process the Council will use when undertaking advertising and considering submissions.
- To ensure that, before making final decisions on planning proposals of any kind, persons likely to be affected are given an opportunity to comment.
- Within the operative statutory framework, to achieve an appropriate balance between the community's reasonable expectations and applicants' development entitlements.

4.0 Application of this Policy

This policy applies to the entire municipal area of the Shire of Toodyay and will be applied by the Shire when making discretionary decisions relating to advertising of planning proposals. In the context of this policy, planning proposals include development applications; Local Planning Scheme amendments, Local Planning

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Strategies, Local Planning Policies, Structure Plans, Activity Centre Plans and Local Development Plans. In circumstances where advertising is undertaken, it will include both owners and occupiers of properties that, in the opinion of the Shire, may be affected by the proposal and/or other stakeholders where these are identified. This policy also applies to Planning Applications for which the Shire is not the final decision-making authority.

6.0 Policy Statement

6.1 Requirement to give notice of certain planning applications under Clause 64 under Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* ('the deemed provisions') which form part of the Shire of Toodyay Local Planning Scheme No. 4

In addition to where notice is prescribed by the Scheme, public notice will also be given of the following planning applications prior to consideration for approval where the application:

- Involves the complete demolition of a building; or
- Involves development on a site listed on the Register of Heritage Places under the *Heritage of Western Australia Act 1990*, listed on the Scheme Register of Heritage Places or included in a Heritage/Conservation Area declared under the Scheme, where that application involves the permanent or semi-permanent alteration to the built fabric of any structure on the land; or
- Involves a subdivision or survey strata creating more than two (amend number as required) lots and the proposal has not previously been advertised as part of a Scheme Amendment or Structure Plan; or
- Involves a significant exercise of discretion in terms of the Scheme, Residential Design Codes or Policy provisions; or
- Involves potentially significant urban design or streetscape impacts; or
- Represents a significant variation to the bulk, scale or design of the existing surrounding buildings, or
- Has potentially significant amenity impacts on nearby residential areas or neighbours in terms of visual impact, streetscape, privacy, noise, intensity of use, traffic generation and adequacy of parking; or
- Has significant strategic planning impacts in terms of the implementation of a strategic planning objective, the scale of the development, or are significantly different from the predominant and expected pattern of land use with the locality.

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Notwithstanding the above, planning proposals that do not meet the above criteria are able to be advertised, at the discretion of the Shire of Toodyay if it is considered in the public interest to do so.

6.2 Significant planning applications

Where a planning application that meets any two of the criteria in Section 6.1 of this policy, that application shall be considered to be a significant application under this policy.

6.3 Availability of documents (refer to Council policy)

All plans and documents forming part of the proposal shall be made available for public viewing and access during the public consultation period of that proposal. The documentation may be viewed at the Shire's Visitor Centre without an appointment and on the Shire's website.

The completion of the development approval application form will be taken as agreement for plans and/or documents to be included on the Shire's website during the public consultation phase, unless advised otherwise by the applicant.

6.4 Duration of public advertising

The duration of public advertising will be in accordance with Table 1 of this policy and shall expire in accordance with Clause 64 of the *Planning and Development (Local Planning Schemes) Regulations 2015* deemed provisions.

The commencement date for the serving of notice of the proposed development is deemed to be one day after the date shown on the letters that are sent to owners and occupiers by the Shire. Submissions will close at 5pm on the date shown on the advertising material relating to the application. Any submissions received after this date may not be included in the assessment or any report prepared for Council, however staff will make every reasonable effort to make Council aware of submissions received after closure of notice periods.

In the event no response to an invitation to make a submission is received, the Shire will assume that the recipient of the invitation does not wish to comment on the proposal. A lack of response will not be construed to be either an agreement with or an objection to the proposal.

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6.5 Table 1: Means and extent of notice of applications per Planning and Development (Local Planning Schemes) Regulations 2015 (amend if required by Scheme)

	Time period (no less than)	Local newspaper notice (i)	Sign on site	Letter to owners and occupiers	LGA Website notice	Notice Board	Government Gazette
Development Applications (ii)	14 days	Yes	Yes	Yes – those likely to be affected.	Yes	No	No
Significant Development Application (ii) (if applicable, amend as required)	21 days	Yes	Yes	Yes – those likely to be affected.	Yes	No	No
New/Amended Local Planning Strategy:	21 days (iii)	Yes	No	NA	Yes	Yes	No
Local Planning Scheme	90 days (iv)/ (iii)	Yes	NA	NA	Yes	Yes	Yes
Basic Scheme Amendment (v)	(v)	(v)	(v)	(v)	(v)	(v)	Yes
Complex Scheme Amendment	60 days (iii)	Yes	NA	NA	Yes	Yes	Yes
Standard Scheme Amendment	42 days (iii)	Yes	NA	NA	Yes	Yes	Yes
New/Amended Local Planning Policy (vi) (vii)	21 days (iii)	Yes	NA	NA	No	No	No
New/Amended Structure Plan	Not less than 14 days, not more than 28 days	Yes	Yes	Yes – those likely to be affected.	Yes	No	No
New/Amended Activity Centre Plan	Not less than 14, not more than 28	Yes	Yes	Yes – those likely to be affected.	Yes	No	No
New/ Amended Local Development Plan (viii)	14 days	Yes	Yes	Yes – those likely to be affected.	Optional	No	No

(i) The notice in a local newspaper circulating within the Scheme area.

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- (ii) The local government may advertise, or require the applicant to advertise, an application for development approval in one or more of the following.
- (iii) Commencing on the day on which the notice is published in a newspaper circulating in the scheme area.
- (iv) If the draft local planning scheme does not involve the zoning or classification of land – a shorter period approved by the Commission.
- (v) Minister may direct local government to advertise including details of the process to be followed in respect to advertising including timeframes.
- (vi) Local government may amend LPP without advertising if, in the opinion of local government, the amendment is minor.
- (vii) Revocation of LPP may be revoked by notice of revocation published in a newspaper circulating in the Scheme area.
- (viii) Local government may decide not to advertise a local development plan if the local government is satisfied that the plan is not likely to adversely affect any owners or occupiers within the area covered by the plan or adjoining area.

6.6 Applications where the council is not the decision maker

Public notice will be given of planning proposals where the Council is not the decision maker in the same way as those where the final decision is made by the Council. A full copy of any submission received will be forwarded to the decision maker. Council is not responsible for informing any submitter of the decision maker's final decision.

6.7 Additional public notice of proposal previously advertised

- a) Where a planning proposal is subsequently significantly modified prior to its final determination and additional variations arise from the modifications; or
- b) Where the application to amend an existing planning approval is received under Clause 77 of the *Planning and Development (Local Planning Schemes) Regulations 2015* deemed provisions.

Additional public notice shall be given in the same manner under the provisions of this policy as if the modified/amended proposal was received as a new development application.

6.8 Evidence of non-objection

Notwithstanding the above, the Shire will waive the notification requirements in respect of residential planning applications involving the exercise of discretion under the Residential Design Codes or Shire Policy in cases where:

- a) (insert Council specific criteria)

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And/or

- b) The applicant provides a copy of the application plan/s including a certification by the owners and occupiers of the adjoining property stating that they have no objections to the proposal. Signatures should include all persons shown as the owners on the Certificate of Title and ownership details will be confirmed. The certification must include:

- The full name of the owner/s and occupier/s certifying non objection clearly printed in capital letters and a signature;
- A statement printed in block letters indicating no objection to the proposal; and
- A current contact address and contact phone number printed in block letters.

6.9 Refusal of applications without giving public notice

Any planning proposals may be refused by the council without the giving of public notice.

6.10 Community information sessions

A community information session on a significant development application or a scheme amendment may be held where, in the opinion of the Shire of Toodyay, such a session will assist the community's understanding of the proposal to be considered and/or provide the opportunity to view additional information including visual presentations, computer modelling and the like.

The information session will be held during the public consultation period, normally at least one week prior to completion to enable participants to make a formal written submission to the Shire after the session. Invitations would be extended to elected members, interested community members and the applicant/s.

6.11 Holiday periods

- a) Public notification relating to planning policies, scheme amendments and planning proposals (where initiated by the Shire) will not commence between 1 December and 15 January;
- b) Public notification will not commence for any applications received between 18 December and 8 January until after 9 January; OR

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c) An additional 14 days will be added to any notice period prescribed under this policy where part of the notification period falls between:

- i. 18 December and 8 January; and
- ii. One week before or one week after Easter Sunday.

6.12 Requests for changes to public notice periods

Requests for extensions or reductions of public notice periods prescribed by this policy will not be approved by staff. While any submissions received after this date may not be included in the assessment or any report prepared for Council, staff will make every reasonable effort to make Council aware of submissions received after closure of notice periods.

6.13 Notification of interested parties of consideration of a matter by Council or Committee

Council meetings are generally open to the public unless otherwise notified. Open meetings will make allowance for public statements, questions, submission of petitions and deputations. The applicant, the landowner, and all parties who have made a submission on a planning proposal will be notified in writing of the date at which an item will be listed on a meeting agenda. Should the item subsequently be referred to an ordinary or special meeting of Council for determination, the same parties will also be notified of the date of the council meeting.

In all cases, the Shire will endeavour to ensure that the written notification is mailed at least one week prior to the scheduled meeting date.

6.14 Opportunity for applicant to respond to submissions

Copies of written submissions will be given to the applicant to provide the applicant the opportunity to respond to issues raised in any submissions. Personal details such as names, telephone numbers and addresses will not be given to the applicant.

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6.15 Submissions reported to Council

Officer reports to Council will include a summary of the issues raised in any of the submissions received as part of the consultation process. If the text of a submission is to be included in the report, the author's personal details will not be identified. Full copies of submissions will be made available to Elected Members upon request but will not be available to members of the public unless required by law.

6.16 Notification of the Council's decision

The applicant, the owner and all authors of submissions will be advised of the decision of the Council in the form of a written notification of the decision (and any associated conditions advisory notes, or refusal reasons, if deemed relevant by the Council).

6.17 Variations to policy

The Council may, in an exceptional case where it is of the opinion that reasonable opportunity has not been provided to the community to comment on a proposal, determine that the provisions of this policy be varied and may substitute such other provisions as it considers necessary for that proposal.

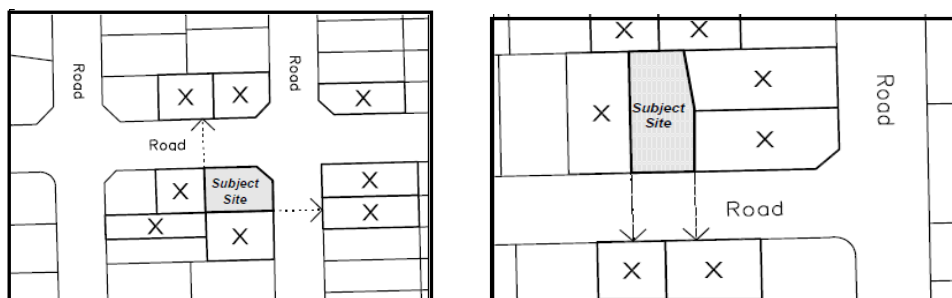
7.0 Definitions

Apart from the terms noted below, words and expressions used in this policy have the same meaning as they have in the Scheme, R-Codes or other relevant legislation.

Adjoining Properties

Adjoining means any land (or owner of land) which abuts an application site or is separated from the site only by a pathway, driveway, right-of-way or similar thoroughfare.

Examples



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Note: Some Local Government's include example maps illustrating the how adjoining properties are identified for the purposes of the notification.

Affected Person

Affected person means a person who owns (or occupies) land:

- i. that adjoins an application site; or
- ii. the enjoyment of which may be detrimentally affected by the use of, or development on an application site.

Notify

Notify means written communication by the Shire or the proponent of a development proposal containing relevant information about the development proposal for the purpose of advice or seeking comment.

Submitters

Submitters means those affected persons who have provided written comment on the proposal within the formal comment period, or shortly thereafter at the discretion of the Shire.

8.0 Submission categorisation

Any response received will be categorised into one of the following types:

A. *Original unique submissions signed by the author*

Includes any uniquely worded and original letters and emails, even if only marginally different from each other which:

- Are addressed to the Shire (Council, Shire President, Officers);
- Are signed by the author (unless email); and
- Include the name and address of the author(s).

B. *Signed Pro-forma submissions*

Includes copied pre-printed pro-forma letters or cards. Those which include individual and unique comment which;

- Are addressed to the Shire (Council, President, Officers);
- Are signed by the author (unless email); and
- Include the name and address of the author(s).

C. *Petitions*

Any response signed by occupants of more than one household.

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D. All other written or printed material

Includes any other form of material, including that which has not got the author's signature or property address or does not fit into the categories above. Submissions that are not accompanied by a name and/or address will not be subject to any analysis by the Town/City/Shire.

All category A and B responses, and the author or first signatory of category C responses will be:

- Acknowledged in writing by the Shire and the author advised of the decision-making process (e.g. which committee and Council meeting that the matter will be reported to).
- Advised of the outcome of the matter (i.e. Council's, and if relevant, the Minister's decision).

No individual responses will be made to category D submissions, even where names and addresses are included.

Reference Information**Legislation**

[Planning and Development Act 2005](#)

[Planning and Development \(Local Planning Schemes\) Regulations 2015](#)

[Shire of Toodyay Local Planning Scheme No. 4](#)

Associated documents**Document control information**

Version No.	Date Issued	Review position	Developed by	Approved by

Document Control Information

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Document Theme	Governance
Document Category	
Document Title	
Document ID	
Document Owner (position title)	
Author (position title)	
Date of approval	
Approving authority	
Access restrictions	
Date Published	
Date of last review	
Date of next review	
Archived antecedent documents and previous versions	

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9.4 INFRASTRUCTURE AND ASSETS

Nil.

9.5 COMMITTEE REPORTS**9.5.1 Museum Advisory Committee Recommendation - Museum update report on current activities**

Date of Report:	10 March 2022
Applicant or Proponent:	Museum Advisory Committee
File Reference:	COC4
Author:	M Rebane – Executive Assistant
Responsible Officer:	S Haslehurst – Chief Executive Officer
Previously Before Council:	N/A
Author's Disclosure of Interest:	Nil
Council's Role in the matter:	Executive
Attachments:	1. Extract from MAC Minutes ↓

PURPOSE OF THE REPORT

To consider a recommendation made by the Museum Advisory Committee.

BACKGROUND

At the Museum Advisory Committee held on 2 March 2022 the Committee made a recommendation to Council.

COMMENTS AND DETAILS

In accordance with Council Policy A.17 – Council Consideration of Committee Recommendations “Recommendation from Council Committees will be considered by Council at the earliest opportunity.”

IMPLICATIONS TO CONSIDER**Consultative:**

Nil.

Strategic:

A key point of the Shire's Strategic Community Plan 2018 is to ensure: O.3: Support the development of places and spaces for recreation, learning, art and culture

Policy related:

The Mission Statement of Council Policy No. 0.4 Museum Collection and Conservation Management is: The Museum conserves, interprets and promotes Toodyay's unique cultural and environmental heritage by using a range of technologies and active public programs to attract and engage visitors of all ages.

Financial:

Nil.

Legal and Statutory:

The Museum Advisory Committee is established under Section 5.8 of the Local Government Act 1995 and does not have any delegated authority

Risk related:

Nil.

Workforce related:

Nil.

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION

That Council receives the Museum update report on current activities - Shire Museum and its Collections, as contained in the Officer's Report.

MUSEUM ADVISORY COMMITTEE MEETING MINUTES

2 MARCH 2022

4 OFFICER REPORTS

3.1 Museum Advisory Committee update

Date of Report:	21 February 2022
File Reference:	COC4
Author:	M Eberle – Museum Curator and Cultural Heritage Officer
Responsible Officer:	T Bateman – Manager Corporate and Community Services
Attachments:	1. Drawings & Maps related to proposed SGR by B. Keens ↓

PURPOSE

To provide information on current activities involving the Shire museums and its collections.

BACKGROUND

This update follows on from a verbal report presented at the Museum Advisory Committee meeting in November 2021.

COMMENTS AND DETAILS

This report is on current activities – no further actions are recommended.

Collections

- Transcriptions
 - New Norcia Police Occurrence Book 1878 – checking of first draft (120 pages) has been completed by volunteer at home. A copy has been forwarded to the New Norcia Archives where the original ledger originated and is currently being held. A digital copy remains in our possession for future research enquiries.
 - Toodyay Police Station Occurrence book 1860-1861 – initial draft of transcription is continuing; completed up to June 1860 which is about one quarter of the way through.
- High resolution photography of museum artefacts is continuing with one volunteer.
- High resolution photography of large maps & plans, and framed photographs & portraits has also been undertaken by a contractor with specialised equipment over 4 visits. Some of the plans were encapsulated for preservation in clear plastic sheets called Mylar which was highly reflective and difficult to photograph. The plans include the museum's comprehensive collection of railway maps pertaining to the building of the standard gauge railway (SGR) through the Avon Valley.
- Museum volunteer Barry Keens has updated and added information about the railway maps to the museum database as a consequence of having them photographed. His report about the SGR map collection, comparing two groups of maps from different eras, is presented as an attachment to the February 2022 MAC report as an example of the research potential these digitised maps now hold.

MUSEUM ADVISORY COMMITTEE MEETING MINUTES

2 MARCH 2022

- Museum volunteer Beth Frayne continues to work on the 150th anniversary of local government “Digital Portrait Gallery” project at the museum workshop. The gallery is proposed to be launched on the Shire’s website during 2022.
- Data about the museum collection continues to be uploaded to the online platform Collections WA.
 - 1,329 records now shared
 - 22 sub-collections in total have now been created in an effort to make the records more easily searchable. In addition to the 8 sub-collections mentioned in the November 21 MAC report, the following categories have also been added – Community events & Celebrations, Books – Personal use, Retail / Wholesale, Industry, Military medals & badges, Community Organisations, Buildings, Domestic equipment, Maps & Plans, Sport, Archaeology, Tools, Jewelry, Agriculture, and Toys.
 - A new feature on the platform called Slide Show is being tested. It allows organisations to present records in a manner suited for signage in exhibition galleries. We have created two separate slide shows from our uploaded records. These are titled “Costume, costume accessories & textiles” and “Historic photograph collection: Toodyay Families”. The latter comprises 74 photographs showing Toodyay community members engaged in various activities over the years. The “Toodyay Families” slide show can be viewed in the temporary exhibition room at the Newcastle Gaol.

On site Newcastle Gaol precinct

- Over the last few months three long term volunteers have moved on, and we have welcomed two new front of house volunteers.
- A budget proposal has been developed for the construction of an additional museum storage facility.
- Two benches that had been in the gaol courtyard for many years were rendered unsafe due to wear and tear and were re-purposed as display supports in the Machinery Shed.
- Two stands were custom made to support the weight of the thresher on display in the Machinery Shed.
- An interesting donation to the collection in December was an Australian coin bracelet, dating from the 1940s and found in the Morangup area during the preceding winter.

Connor’s Mill

- A school holiday treasure hunt is being developed for the April school holidays based on the agricultural displays in place at this venue. Titled “Fun Facts for You to Find in Connor’s Mill”, it will be a multiple-choice quiz.

Promotion

- The Toodyay Herald continues to publish photographs from the Shire Collection on page 4.
- The Toodyay Museums Facebook group continues to promote the activities of the museum to those who have joined.

Public programs / public engagement

MUSEUM ADVISORY COMMITTEE MEETING MINUTES**2 MARCH 2022**

- The Newcastle Gaol Museum was pleased to support the RSL's Alma Beard memorial launch by providing a metal information panel about Alma Beard to be scanned and replicated for the memorial. The metal panel was being displayed as part of the Toodyay Families exhibition but prior to that had been stored in the workshop for a number of years. It was discovered there was a mistake on the panel (Alma Beard's birth date) which the RSL had rectified before returning the panel to the museum.
- The Shire of Toodyay and the Noongar Kaartdijin Aboriginal Corporation are collaborating on a new project, identified from one of the actions in our Reconciliation Action Plan launched in 2021. This was to increase the amount of information about the Aboriginal experience before and after European settlement in the Toodyay area. Much of this information will be presented at the Newcastle Gaol precinct, both in the gaol and in the shearing shed. The Lotterywest grant for funding was presented at the Wicklow Shearing Shed on the 17 December 2021, and it is proposed the project will be completed by Reconciliation Week in May / June 2022.

OFFICER'S RECOMMENDATION/MAC RESOLUTION NO. MAC002/03/22**MOVED** E Frayne

That the Museum Advisory Committee recommends to Council the following:

That Council receives the Museum update report on Current Activities – Shire Museum and its Collections.

MOTION CARRIED 4/0

MUSEUM ADVISORY COMMITTEE MEETING MINUTES2 MARCH 2022

Drawings and Maps related to the Proposed Standard Gauge Railway within the boundaries of the Shire of Toodyay.

Stage 1.

In January 2016 a collection of copies of Drawings prepared by West Australian Government Railways (WAGR) was donated to the Museum by Tom Hogarth who had rescued these from being disposed of at Rail Heritage.

These drawings were prepared in 1946 after a full survey of the proposed route through the Avon Valley for a standard gauge railway was undertaken and then possible track alignments were marked.

There was not enough funding or revenue in 1946 and the project was shelved until iron ore was found at Koolyanobbing and there was also the need to have a continuous Standard Gauge Railway across Australia.

However when funding was made available through Federal and State Governments work started in November 1962 with a dual gauge line through the Avon Valley to Avon Yard at Northam and trains on this section ran from 1966. Extensions continued to 1969 through to Kalgoorlie to meet up with the existing Standard Gauge Intercontinental line.

The line follows very much the design from 1946 which we have been able to ascertain by travel on and around the line.

There is considerable detail in these drawings including such things as the Avon River with flood levels and crossings, land contours and detail of geographical formations.



Stage 2

No action had been taken with these drawings at the Museum due to lack of resources until a volunteer was able to study and document these drawings so that they could be added to the Museum Collection.

The 30 drawings we have kept are all related to the Toodyay Shire with parts of both Swan and Northam Shires.

Considerable research continues to be carried out to locate properties near the railway and where streams cross through culverts on their way to the Avon River.

MUSEUM ADVISORY COMMITTEE MEETING MINUTES

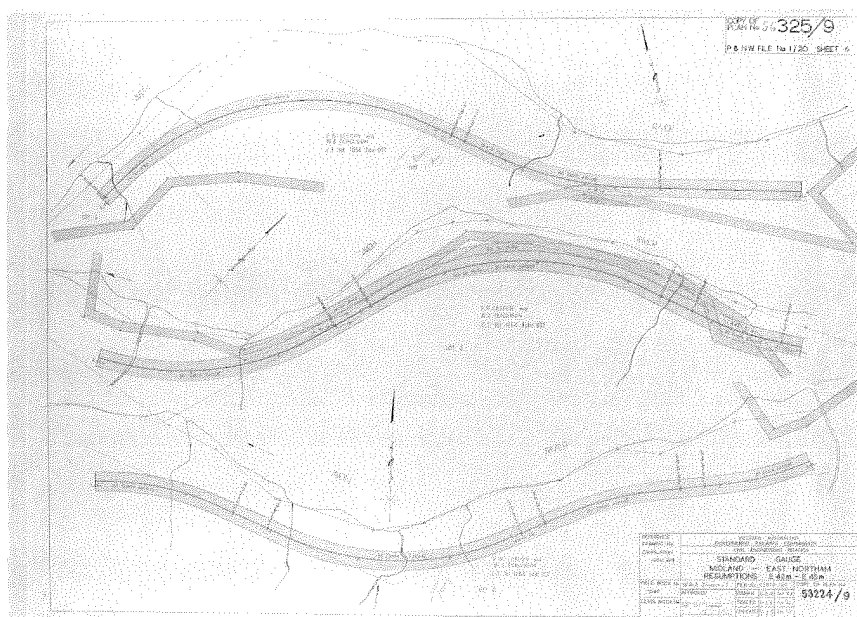
2 MARCH 2022

Each drawing has been photographed in individual sections and then “stitched” to make a composite drawing. Museum database number is 2018-10 with 30 individual records.

Whilst sorting through storage at the Museum Workshop 18 drawings dated 1962 were located showing the actual track alignment and land that was to be resumed. These plans have details of various property owners, proposed road realignments and land to be resumed.

Much detail has been shown of streams entering the Avon River and some research has been carried out to locate these streams and culverts. There is further research to be done on these drawings.

Each drawing has been photographed and can be found in the Museum Database under 2021-120 with 18 individual photographs.



Two additional drawings were found, which had been copied from 2 of these drawings, and were used in the field and are covered with notes and details relating specifically to Toodyay Town sites areas from West Toodyay Yards to Northam Road under Museum Reference 2021-117a, b.

9.5.2 Recommendations from the Audit and Risk Committee Meeting held 2 March 2022

Date of Report:	11 March 2022
Applicant or Proponent:	Audit and Risk Committee
File Reference:	COC2
Author:	S Haslehurst – Chief Executive Officer
Responsible Officer:	S Haslehurst – Chief Executive Officer
Previously Before Council:	No
Author's Disclosure of Interest:	Nil
Council's Role in the matter:	Executive
Attachments:	1. Unconfirmed Minutes ARC Meeting 020322 ↓ 2. Compliance Audit Return 2021 ↓

PURPOSE OF THE REPORT

To present the recommendations from the Audit and Risk Committee meeting held 2 March 2022 for Council's consideration.

BACKGROUND

As the Audit and Risk Committee has no delegated authority, any recommendations are required to be considered and adopted by Council to be implemented. This report provides a summary of the matters discussed at the recent meeting of the Audit and Risk Committee and seeks Council's adoption of the recommendations made. The unconfirmed minutes and attachments of the meeting are provided at **Attachment 1** to this report.

COMMENTS AND DETAILS

At the meeting held 2 March 2022, the Audit and Risk Committee (ARC) was presented with information regarding the following:

1. Compliance Audit Return
2. Mid-year Budget Review

In addition, the ARC received correspondence from Committee member, Julie Robertson submitting her resignation from the Committee.

Compliance Audit Return

The Compliance Audit Return (CAR) for 2021 was presented to the ARC with commentary provided regarding areas of exception. The major issue raised was the delay in the provision of audited financial statements for 2020/21 due to the transition to Datascope. In addition, the ARC requested two amendments to the CAR:

Tenders: Q9: response to read 'yes'

Disposal of Property: Q1 & Q2 – two leases were entered into during the reporting period which are considered disposals under the Act which should be reflected.

These amendments have been made and the final CAR is attached at **Attachment 2** to this report. Council is requested to adopt the amended CAR.

Mid-Year Budget Review

The mid-year budget for 2021/22 review was considered and discussed by the Audit and Risk Committee. The attached minutes provide a detailed overview of the process and outcomes of the review and include a summary of the budget amendment requests with accompanying commentary. A conservative budget approach was maintained but at the same time, budgets are proposed to be increased or decreased to a more realistic estimate where necessary. In summary, the proposed budget amendments from this review totalling \$1,031,698 incorporate the following adjustments:

- An estimated overall surplus in the operating budget of \$135,495 represented largely by the timing allocation of DFES funds for the Julimar Fire Station.
- An estimated surplus in the capital budget of \$896,203 comprising the following;
 - Projects anticipated to be deferred or carried forward - \$865,999
 - Net decrease in actual costs compared to budget - \$30,204.

Council is requested to adopt the mid-year budget review as presented to the Audit and Risk Committee.

Committee Vacancy

The ARC received the correspondence from Ms Julie Robertson and determined to recommend that expressions of interest for community Committee membership are advertised.

IMPLICATIONS TO CONSIDER

Consultative:

The mid-year budget review was presented at a Council workshop held on 9 March 2022 which was attended in-person by six Councillors and by one Councillor via Zoom.

Strategic:

Governance: The way the Shire leads and operates

O1: Provide accountable and transparent leadership for the community

Policy related:

A.17 Consideration of Committee Recommendations

Financial:

The financial implications of each recommendation have been provided in the Officer reports included in the minutes at Attachment 1.

Advertising the community vacancy on the ARC can be managed within current budget allocations.

Legal and Statutory:

Local Government Act 1995 - Division 1A — Audit committee

Risk related:

It is a legislative requirement to undertake a review of the Shire's compliance and to submit the Compliance Audit Return to the Department of Local Government, Sport and Cultural Industries by 31 March each year. Should Council choose not to adopt the Return there is a compliance risk which is considered moderate.

It is also a legislative requirement to undertake a review of the budget and to lodge it with the Department of Local Government, Sport and Cultural Industries by 31 March each year. Failure to monitor and financially manage budgeted projects exposes the Shire to significant risk. Should Council choose not to adopt the Review there is a compliance risk which is considered high.

Workforce related:

The Officer responsible for the administration of the Audit and Risk Committee is the Manager Corporate and Community Services with input from the Chief Executive Officer and other officers.

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION 1

That Council notes the unconfirmed Minutes of the Audit and Risk Committee meeting held on 2 March 2022.

OFFICER'S RECOMMENDATION 2

That Council adopts the attached Compliance Audit Return for the period 1 January 2021 to 31 December 2021 AS AT Attachment 2 to this report pursuant to Regulation 14(3) of the *Local Government (Audit) Regulations 1996*.

OFFICER'S RECOMMENDATION 3

That Council requests the Chief Executive Officer to advertise for expressions of interest for Community membership of the Audit and Risk Committee.

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION 4

That Council

1. Adopts the mid-year budget review and supporting information as contained in the presented to the Audit and Risk Committee and contained in Attachment 1 to this report.

- | |
|---|
| <p>2. Requests the Chief Executive Officer to forward the adopted 2021/22 mid-year budget review to the Department of Local Government, Sport and Cultural Industries within 30 days of Council's adoption.</p> |
|---|



Audit & Risk Committee Meeting

2 March 2022

Minutes

To: Audit & Risk Committee Meeting Members and Councillors.

Here within are the Meeting Minutes of the Audit & Risk Committee Meeting, held on the above-mentioned date in the Shire of Toodyay Council Chambers, 15 Fiennes Street, Toodyay WA 6566.

Suzie Haslehurst

CHIEF EXECUTIVE OFFICER



AUDIT & RISK COMMITTEE MEETING MINUTES

2 MARCH 2022

Preface

When the Chief Executive Officer approves these Minutes for distribution they are in essence "Unconfirmed" until the next Committee Meeting, where the Minutes will be confirmed subject to any amendments made by the Committee.

The "Confirmed" Minutes are then signed off by the Presiding Person.

Attachments that formed part of the Agenda, in addition to those tabled at the Meeting are incorporated into separate attachments to these Minutes.

Unconfirmed Minutes

These minutes were approved for distribution on 4 March 2022.



Suzie Haslehurst

CHIEF EXECUTIVE OFFICER

Confirmed Minutes

These minutes were confirmed at a meeting held on 1 June 2022.

Signed:

Note: The Presiding Member at the meeting at which the minutes were confirmed is the person who signs above.

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AUDIT & RISK COMMITTEE MEETING MINUTES**2 MARCH 2022****1 DECLARATION OF OPENING**

Cr B Ruthven, Chairperson, declared the meeting open at 2.00pm.

1.1 ANNOUNCEMENT OF VISITORS

Nil.

1.2 RECORD OF ATTENDANCE AND APOLOGIESMembers

Cr P Hart	Councillor
Cr R Madaci	Shire President
Cr B Ruthven (Chair)	Deputy Shire President
Cr D Wrench	Councillor

Staff

Ms S Haslehurst	Chief Executive Officer
Ms T Bateman	Manager Corporate and Community Services
Mrs M Rebane	Executive Assistant

Visitors

Nil

Apologies

H McDonald-Appleby	Community Member
J Robertson	Community Member

1.3 DISCLOSURE OF INTEREST

The Chairperson advised that no disclosures of interest in the form of a written notice had been received prior to the commencement of the meeting.

2 MINUTES AND ADDITIONAL INFORMATION**2.1 CONFIRMATION OF MINUTES****Minutes of Meeting held on 9 December 2021**

OFFICER'S	RECOMMENDATION/ARC	RESOLUTION	NO.
ARC001/03/22			
MOVED	Cr P Hart		
That the Unconfirmed Minutes of the Audit & Risk Committee Meeting held on 9 December 2021 be confirmed.			
MOTION CARRIED 4/0			

AUDIT & RISK COMMITTEE MEETING MINUTES**2 MARCH 2022****2.2 REVIEW OF STATUS REPORT****2.2.1 Audit Committee Status Report**

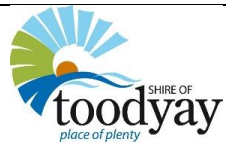
Attachments:

1. Audit Committee Status Report

The Status Report was reviewed.

AUDIT & RISK COMMITTEE MEETING MINUTES

2 MARCH 2022

ARC STATUS REPORT Audit & Risk Committee			<i>Supporting Officer</i> <i>Manager Corporate & Community Services</i>			
Meeting Date	Purpose	Resolution	Target date for completion	Actioned by	Completion Date	Meeting Commentary / Comments made
9/12/2021	4.1 Risk Management Update	That Council notes the risk management update as provided in this report to the Audit & Risk Committee.	ASAP	MCCS	21/12/2021	Council Resolution No. 270/12/21
9/12/2021	4.2 Annual Financial Audit Process Update	That Council notes the annual financial audit process update as provided in this report to the Audit & Risk Committee.	ASAP	MCCS	21/12/2021	Council Resolution No. 271/12/21
02/03/2022	Review of Audit Report	Datascape to be included in the Status Report as a matter reported on.	Ongoing	MCCS	Ongoing	

AUDIT & RISK COMMITTEE MEETING MINUTES**2 MARCH 2022****2.3 INWARD/OUTWARD CORRESPONDENCE**

Nil.

2.3.1 CORRESPONDENCE FROM J ROBERTSON

Correspondence was received from J Robertson:

"I am resigning from my position as a Community Member of the Audit & Risk Committee.

I have been on the Committee for 4 years and have enjoyed my time and have met some lovely people. My experience on the Committee has given insight to the hard work that Council and Staff do.

I have enjoyed my meetings and have left with a greater understanding about the Toodyay Council. Thank you for that opportunity."

3 BUSINESS LEFT OVER FROM PREVIOUS MEETING (IF ADJOURNED)

Nil.

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4 OFFICER REPORTS

4.1 Compliance Audit Return 2021

Date of Report:	14 February 2022
Applicant or Proponent:	Shire of Toodyay
File Reference:	NAM21825
Author:	M Morrell – Communication and Compliance Officer
Responsible Officer:	S Haslehurst – Chief Executive Officer
Previously Before Council:	N/A
Author's Disclosure of Interest:	Nil
Council's Role in the matter:	Review
Attachments:	1. 2021 Compliance Audit Return

PURPOSE OF THE REPORT

To consider the attached annual Compliance Audit Return for 2021.

BACKGROUND

Local governments are required by legislation to complete an annual Compliance Audit Return.

The Compliance Audit Return is a checklist of the Shire's statutory compliance with the Act and its Regulations that focuses on high risk areas of statutory reporting as prescribed in Regulation 14 of the *Local Government (Audit) Regulations 1996*.

Once completed, the Compliance Audit Return is required to be:

- a) presented at a meeting of the Audit Committee;
- b) presented for consideration and adoption by Council; and
- c) returned to the Department of Local Government, Sport and Cultural Industries (DLGSC) with a copy of the relevant Council minutes by 31 March each year.

COMMENTS AND DETAILS

The Compliance Audit Return 2021 has been completed and is attached for the Audit and Risk Committee to receive and review.

Once the Committee refers the Compliance Audit Return 2021 to Council for adoption, it will be recorded in the minutes and a copy will be lodged via the Smart Hub by 31 March 2022.

The following table identifies those areas where compliance issues have been identified.

Question No.	Comment to non-compliance
Disclosure of Interest: Q25	Employee Code of Conduct was updated (compliant) but was not published on the website (non-compliant). This document has been

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Question No.	Comment to non-compliance
	separated from the Councillor Code of Conduct and now sits under the banner of Human Resources.
Finance: Q3	The Auditor's Report was not received by 31 December 2021 for the financial year ending 30 June 2021. Due to issues experienced with the implementation of Datascape, an extension to complete the annual financial report was requested until 31 October 2021 however this target was not achieved. Officers are liaising with the Shire's auditors and the Office of the Auditor-General about this situation. Further, due to the auditor's report not being finalised by 31 December 2021, officers were unable to respond to a number of Finance questions which have been marked as N/A.
Integrated Planning and Reporting: Q1	The Strategic Community Plan was presented to Council in May 2021, however it was withdrawn for further work to be done on the document and a more comprehensive and complete document will be presented to Council once this work has been completed.
Optional Questions: Q1 (Financial Management Review) & Q2 (Audit Regulation 17 Review)	While the process has been commenced, transition to the new enterprise software system, Datascape, and issues with under-resourcing continue to challenge the Shire and its review processes in this area.

IMPLICATIONS TO CONSIDER**Consultative:**

Shire Managers and officers were asked to provide input into relevant sections.

Strategic:

Governance: The way the Shire Leads and Operates

O3: Ensure rigorous organisational systems

Policy related:

Legislative Compliance Policy

Financial:

There are no financial implications related to this report.

Legal and Statutory:

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

14 Compliance audits by local governments

- (1) *A local government is to carry out a compliance audit for the period 1 January to 31 December in each year.*
- (2) *After carrying out a compliance audit the local government is to prepare a compliance audit return in a form approved by the Minister.*

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- (3A) *The local government's audit committee is to review the compliance audit return and is to report to the council the results of that review.*
- (3) *After the audit committee has reported to the council under subregulation (3A), the compliance audit return is to be —*
- (a) *presented to the council at a meeting of the council; and*
 - (b) *adopted by the council; and*
 - (c) *in the minutes of the meeting at which it is adopted*

Risk related:

The requirement to lodge an adopted Compliance Audit Return with the DLGSC is a legislative obligation. Failure to do so exposes the Shire to significant risk. This report and its appendices mitigate this risk.

Workforce related:

The Compliance Audit Return has been completed in-house within existing resources.

VOTING REQUIREMENTS

Simple Majority

Clarification sought in relation to the following:

- Delegation to Committees.
- Publication of Committee Minutes that do not have delegated authority on the website.
- Intent is confidential information vs. risk of non-compliance with the Act.
- Code of Conduct.
- Tenders: at Point 9 the response N/A should read "Yes" with the question beforehand confusing the matter.
- Disposal of Property (Questions 1 & 2) We entered into 2 lease agreements last year and this should say Yes.
- Finance Q3 response: Dates worded round. Accounts provided by OAG by September and extension was to October but we did not meet that and there was no way the Auditor could get the Annual Financial Statements finished before 31 Dec 2021.

OFFICER'S RECOMMENDATION/ARC RESOLUTION NO. ARC002/03/22

MOVED Cr R Madacsi

That the Audit & Risk Committee recommends that Council adopts the attached Compliance Audit Return for the period 1 January 2021 to 31 December 2021 pursuant to Regulation 14(3) of the *Local Government (Audit) Regulations 1996 subject to amendments being made to Questions 1 & 2 Disposal of Property and Question 9 Tenders.*

MOTION CARRIED 4/0

Department of Local Government, Sport and Cultural Industries - Compliance Audit Return



Department of
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Toodyay - Compliance Audit Return 2021

Certified Copy of Return

Please submit a signed copy to the Director General of the Department of Local Government, Sport and Cultural Industries together with a copy of the relevant minutes.

Commercial Enterprises by Local Governments					
No	Reference	Question	Response	Comments	Respondent
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 2021?	N/A	No major trading undertaking in 2021	Merridith Morrell
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 2021?	N/A		Merridith Morrell
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 2021?	N/A		Merridith Morrell
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 2021?	N/A		Merridith Morrell
5	s3.59(5)	During 2021, did the council resolve to proceed with each major land transaction or trading undertaking by absolute majority?	N/A		Merridith Morrell

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Delegation of Power/Duty					
No	Reference	Question	Response	Comments	Respondent
1	s5.16	Were all delegations to committees resolved by absolute majority?	N/A	No delegations to Committees	Merridith Morrell
2	s5.16	Were all delegations to committees in writing?	N/A		Merridith Morrell
3	s5.17	Were all delegations to committees within the limits specified in section 5.17?	N/A		Merridith Morrell
4	s5.18	Were all delegations to committees recorded in a register of delegations?	N/A		Merridith Morrell
5	s5.18	Has council reviewed delegations to its committees in the 2020/2021 financial year?	N/A		Merridith Morrell
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 Act?	Yes		Merridith Morrell
7	s5.42(1)	Were all delegations to the CEO resolved by an absolute majority?	Yes		Merridith Morrell
8	s5.42(2)	Were all delegations to the CEO in writing?	Yes		Merridith Morrell
9	s5.44(2)	Were all delegations by the CEO to any employee in writing?	Yes		Merridith Morrell
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?	Yes		Merridith Morrell
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		Merridith Morrell
12	s5.46(2)	Were all delegations made under Division 4 of the Act reviewed by the delegator at least once during the 2020/2021 financial year?	Yes		Merridith Morrell
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 Admin Reg 19?	Yes		Merridith Morrell
Disclosure of Interest					
No	Reference	Question	Response	Comments	Respondent
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, did the council member ensure that they did not remain present to participate in discussion or decision making relating to the matter?	Yes		Merridith Morrell

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No	Reference	Question	Response	Comments	Respondent
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 Admin Reg 21A, recorded in the minutes of the relevant council or committee meeting?	Yes		Merridith Morrell
3	s5.73	Were disclosures under section sections 5.65, 5.70 or 5.71A(3) recorded in the minutes of the meeting at which the disclosures were made?	Yes		Merridith Morrell
4	s5.75 Admin Reg 22, Form 2	Was a primary return in the prescribed form lodged by all relevant persons within three months of their start day?	Yes		Merridith Morrell
5	s5.76 Admin Reg 23, Form 3	Was an annual return in the prescribed form lodged by all relevant persons by 31 August 2021?	Yes		Merridith Morrell
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		Merridith Morrell
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?	Yes		Merridith Morrell
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, in the form prescribed in Admin Reg 28?	Yes		Merridith Morrell
9	s5.88(3)	When a person ceased to be a person required to lodge a return under sections 5.75 and 5.76, did the CEO remove from the register all returns relating to that person?	Yes		Merridith Morrell
10	s5.88(4)	Have all returns removed from the register in accordance with section 5.88(3) 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		Merridith Morrell
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, in the form prescribed in Admin Reg 28A?	Yes		Merridith Morrell
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		Merridith Morrell
13	s5.89A(6)	When a person ceases to be a person who is required to make a disclosure under section 5.87A or 5.87B, did the CEO remove from the register all records relating to that person?	Yes		Merridith Morrell

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No	Reference	Question	Response	Comments	Respondent
14	s5.89A(7)	Have copies of all records removed from the register under section 5.89A (6) been kept for a period of at least five years after the person ceases to be a person required to make a disclosure?	Yes		Merridith Morrell
15	Rules of Conduct Reg 11(1), (2) & (4)	Where a council member had an interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person, did they disclose the interest in accordance with Rules of Conduct Reg 11(2)?* *Question not applicable after 2 Feb 2021	Yes		Merridith Morrell
16	Rules of Conduct Reg 11(6)	Where a council member disclosed an interest under Rules of Conduct Reg 11(2) was the nature of the interest recorded in the minutes?*	Yes		Merridith Morrell
		*Question not applicable after 2 Feb 2021			
17	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		Merridith Morrell
18	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 s5.71A(1) 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		Merridith Morrell
19	s5.71B(6) & s5.71B(7)	Was any decision made by the Minister under subsection 5.71B(6) recorded in the minutes of the council meeting at which the decision was considered?	N/A		Merridith Morrell
20	s5.103 Admin Regs 34B & 34C	Has the local government adopted a code of conduct in accordance with Admin Regs 34B and 34C to be observed by council members, committee members and employees?*	Yes		Merridith Morrell
		*Question not applicable after 2 Feb 2021			
21	Admin Reg 34B(5)	Has the CEO kept a register of notifiable gifts in accordance with Admin Reg 34B(5)?*	Yes		Merridith Morrell
		*Question not applicable after 2 Feb 2021			

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No	Reference	Question	Response	Comments	Respondent
22	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 within 3 months of the prescribed model code of conduct coming into operation (3 February 2021)?	Yes	Adopted 27/04/21 Resolution 87/04/21	Merridith Morrell
23	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)?	N/A		Merridith Morrell
24	s5.104(7)	Did the CEO publish an up-to-date version of the adopted code of conduct on the local government's website?	Yes		Merridith Morrell
25	s5.51A(1) & (3)	Did the CEO prepare, and implement and publish an up-to-date version on the local government's website, a code of conduct to be observed by employees of the local government?	Yes	Code of Conduct for Employees has been updated but not published.	Merridith Morrell

Disposal of Property

No	Reference	Question	Response	Comments	Respondent
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) (unless section 3.58(5) applies)?	N/A	No disposal took place other than by public auction in 2021	Merridith Morrell
2	s3.58(4)	Where the local government disposed of property under section 3.58(3), did it provide details, as prescribed by section 3.58(4), in the required local public notice for each disposal of property?	N/A		Merridith Morrell

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Elections					
No	Reference	Question	Response	Comments	Respondent
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?	Yes		Merridith Morrell
2	Elect Regs 30G(3) & (4)	Did the CEO remove any disclosure of gifts forms relating to an unsuccessful candidate, or a successful candidate that completed their term of office, from the electoral gift register, and retain those forms separately for a period of at least two years?	Yes		Merridith Morrell
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 Elect Reg 30G(6)?	Yes		Merridith Morrell

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Finance					
No	Reference	Question	Response	Comments	Respondent
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 Act?	Yes		Merridith Morrell
2	s7.1B	Where the council delegated to its audit committee any powers or duties under Part 7 of the Act, did it do so by absolute majority?	N/A	The Audit Committee has no delegated powers or duties	Merridith Morrell
3	s7.9(1)	Was the auditor's report for the financial year ended 30 June 2021 received by the local government by 31 December 2021?	No	An extension was sought from DLGSC until 31 October 2021. This target was not met due to complications with the Shire's ERP transition. This has been communicated to the OAG and the Department.	Merridith Morrell
4	s7.12A(3)	Where the local government determined that matters raised in the auditor's report prepared under s7.9 (1) of the Act required action to be taken, did the local government ensure that appropriate action was undertaken in respect of those matters?	N/A		Merridith Morrell
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		Merridith Morrell
6	s7.12A(5)	Within 14 days after the local government gave a report to the Minister under s7.12A(4)(b), did the CEO publish a copy of the report on the local government's official website?	N/A		Merridith Morrell
7	Audit Reg 10(1)	Was the auditor's report for the financial year ending 30 June received by the local government within 30 days of completion of the audit?	N/A		Merridith Morrell

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Integrated Planning and Reporting					
No	Reference	Question	Response	Comments	Respondent
1	Admin Reg 19C	Has the local government adopted by absolute majority a strategic community plan? If Yes, please provide the adoption date or the date of the most recent review in the Comments section?	Yes	Adopted by Council October 2018 Resolution No. 261/10/18 Presented to Council 25/05/21. Withdrawn for further work.	Merridith Morrell
2	Admin Reg 19DA (1) & (4)	Has the local government adopted by absolute majority a corporate business plan? If Yes, please provide the adoption date or the date of the most recent review in the Comments section?	Yes	Adopted 26/05/20 Resolution: 173/05/20	Merridith Morrell
3	Admin Reg 19DA (2) & (3)	Does the corporate business plan comply with the requirements of Admin Reg 19DA(2) & (3)?	Yes		Merridith Morrell
Local Government Employees					
No	Reference	Question	Response	Comments	Respondent
1	Admin Reg 18C	Did the local government approve a process to be used for the selection and appointment of the CEO before the position of CEO was advertised?	N/A	No CEO recruitment in 2021	Merridith Morrell
2	s5.36(4) & s5.37 (3) Admin Reg 18A	Were all CEO and/or senior employee vacancies advertised in accordance with Admin Reg 18A?	Yes		Merridith Morrell
3	Admin Reg 18E	Was all information provided in applications for the position of CEO true and accurate?	N/A		Merridith Morrell
4	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)?	N/A		Merridith Morrell
5	s5.37(2)	Did the CEO inform council of each proposal to employ or dismiss senior employee?	Yes		Merridith Morrell
6	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		Merridith Morrell

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Official Conduct					
No	Reference	Question	Response	Comments	Respondent
1	s5.120	Has the local government designated a senior employee as defined by section 5.37 to be its complaints officer?	Yes		Merridith Morrell
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)? Does the complaints register include all information required by section 5.121(2)?	Yes		Merridith Morrell
3	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		Merridith Morrell
Optional Questions					
No	Reference	Question	Response	Comments	Respondent
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 Financial Management Reg 5(2)(c) within the three years prior to 31 December 2021? If yes, please provide the date of council's resolution to accept the report.	No	Previous review carried out in 2018. Process was commenced however due to implementation issues with a new system and under-resourcing, the process has not been completed.	Merridith Morrell
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 Audit Reg 17 within the three years prior to 31 December 2021? If yes, please provide date of council's resolution to accept the report.	No	Previous review carried out in 2018. Process was commenced however due to complications with the Shire's ERP transition and under-resourcing, the process has not been completed.	Merridith Morrell
3	s5.87C	Where a disclosure was made under sections 5.87A or 5.87B, was the disclosure made within 10 days after receipt of the gift? Did the disclosure include the information required by section 5.87C?	Yes		Merridith Morrell
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	Adopted 25/02/2020 Resolution: 61/02/20	Merridith Morrell

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No	Reference	Question	Response	Comments	Respondent
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)?	Yes		Merridith Morrell
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	Adopted 2020 Resolution 62/02/20	Merridith Morrell
7	s5.127	Did the local government prepare a report on the training completed by council members in the 2020/2021 financial year and publish it on the local government's official website by 31 July 2021?	Yes		Merridith Morrell
8	s6.4(3)	By 30 September 2021, did the local government submit to its auditor the balanced accounts and annual financial report for the year ending 30 June 2021?	No	Extension was sought from the DCGSC until 31 October 2021. This target was not met due to complications with the Shire's ERP transition. This has been communicated to the OAG and the Department.	Merridith Morrell
9	s.6.2(3)	When adopting the annual budget, did the local government take into account all its expenditure, revenue and income?	Yes		Merridith Morrell

Tenders for Providing Goods and Services

No	Reference	Question	Response	Comments	Respondent
1	F&G Reg 11A(1) & (3)	Did the local government comply with its current purchasing policy [adopted under F&G Reg 11A(1) & (3)] in relation to the supply of goods or services where the consideration under the contract was, or was expected to be, \$250,000 or less or worth \$250,000 or less?	Yes		Merridith Morrell
2	s3.57 F&G Reg 11	Subject to F&G Reg 11(2), did the local government invite tenders for all contracts for the supply of goods or services where the consideration under the contract was, or was expected to be, worth more than the consideration stated in F&G Reg 11(1)?	Yes		Merridith Morrell
3	F&G Regs 11(1), 12(2), 13, & 14(1), (3), and (4)	When regulations 11(1), 12(2) or 13 required tenders to be publicly invited, did the local government invite tenders via Statewide public notice in accordance with F&G Reg 14(3) and (4)?	Yes		Merridith Morrell
4	F&G Reg 12	Did the local government comply with F&G Reg 12 when deciding to enter into multiple contracts rather than a single contract?	N/A		Merridith Morrell

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No	Reference	Question	Response	Comments	Respondent
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		Merridith Morrell
6	F&G Regs 15 & 16	Did the local government's procedure for receiving and opening tenders comply with the requirements of F&G Regs 15 and 16?	Yes		Merridith Morrell
7	F&G Reg 17	Did the information recorded in the local government's tender register comply with the requirements of F&G Reg 17 and did the CEO make the tenders register available for public inspection and publish it on the local government's official website?	No	The Tender Register was not published on the Shire's website in 2021 at this time. It has since been loaded to the website.	Merridith Morrell
8	F&G Reg 18(1)	Did the local government reject any tenders that were not submitted at the place, and within the time, specified in the invitation to tender?	No		Merridith Morrell
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?	N/A		Merridith Morrell
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		Merridith Morrell
11	F&G Regs 21 & 22	Did the local government's advertising and expression of interest processes comply with the requirements of F&G Regs 21 and 22?	N/A		Merridith Morrell
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		Merridith Morrell
13	F&G Reg 23(3) & (4)	Were all expressions of interest that were not rejected under F&G Reg 23 (1) & (2) assessed by the local government? Did the CEO list each person as an acceptable tenderer?	N/A		Merridith Morrell
14	F&G Reg 24	Did the CEO give each person who submitted an expression of interest a notice in writing of the outcome in accordance with F&G Reg 24?	N/A		Merridith Morrell
15	F&G Regs 24AD(2) & (4) and 24AE	Did the local government invite applicants for a panel of pre-qualified suppliers via Statewide public notice in accordance with F&G Reg 24AD(4) and 24AE?	No	No Panels established in 2021	Merridith Morrell

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Department of Local Government, Sport and Cultural Industries - Compliance Audit Return



Department of
Local Government, Sport
and Cultural Industries

No	Reference	Question	Response	Comments	Respondent
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		Merridith Morrell
17	F&G Reg 24AF	Did the local government's procedure for receiving and opening applications to join a panel of pre-qualified suppliers comply with the requirements of F&G Reg 16, as if the reference in that regulation to a tender were a reference to a pre-qualified supplier panel application?	N/A		Merridith Morrell
18	F&G Reg 24AG	Did the information recorded in the local government's tender register about panels of pre-qualified suppliers comply with the requirements of F&G Reg 24AG?	N/A		Merridith Morrell
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		Merridith Morrell
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		Merridith Morrell
21	F&G Reg 24AI	Did the CEO send each applicant written notice advising them of the outcome of their application?	N/A		Merridith Morrell
22	F&G Regs 24E & 24F	Where the local government gave regional price preference, did the local government comply with the requirements of F&G Regs 24E and 24F?	Yes		Merridith Morrell

I certify this Compliance Audit Return has been adopted by council at its meeting on

Signed Mayor/President, Toodyay

Signed CEO, Toodyay

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AUDIT & RISK COMMITTEE MEETING MINUTES

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4.2 Mid-Year Budget Review 2021/22

Date of Report:	24 February 2022
Applicant or Proponent:	N/A
File Reference:	FIN28
Author:	T Bateman – Manager Corporate and Community Services
Responsible Officer:	S Haslehurst – Chief Executive Officer
Previously Before Council:	N/A
Author's Disclosure of Interest:	Nil
Council's Role in the matter:	Review
Attachments:	1. Summary and Results of the Mid-Year Budget Review 2021/22

PURPOSE OF THE REPORT

This report presents the Mid-Year Budget Review for the period ending 31 January 2022 for the Audit and Risk Committee's consideration and recommendation to Council.

BACKGROUND

In accordance with the *Local Government Act 1995* and the *Local Government (Financial Management) Regulations 1996*, Council is required to review the adopted budget and assess actual values against budgeted values for the period at least once a year, after the December quarter. The results of the mid-year budget review assist with not only forecasting the year end position but also the following year's budget planning process by highlighting variations to estimated income and expenditure.

The 2021/22 annual budget was adopted by Council on 29 September 2021. At the time of adopting the budget, the following was also resolved:

"That Council, in accordance with Regulation 34 of the Local Government (Financial Management) Regulations 1996 and AASB 1031 Materiality, resolves that the level to be used in statements of financial activity in 2021/2022 for reporting material variances shall be 10% for variances with a dollar value greater than \$5,000."

Officers use the above resolution as a guide for highlighting any variations and as a basis for any budget amendment requests.

A review of the 2021/22 Adopted Budget and year to date actuals to 31 January 2022 has been undertaken. Officers have reported on major variances in accordance with the above resolution and provided comments where applicable.

COMMENTS AND DETAILS

As part of the annual budget preparation, officers across the organisation are assigned projects and accounts within the budget for which they are responsible to monitor and

AUDIT & RISK COMMITTEE MEETING MINUTES**2 MARCH 2022**

manage. This task has been extremely challenging for the 2021/22 financial year as the move to Datascape meant there was limited comparison between the new budget and previous years. The inability to align last year's budgets and actuals to the new reporting format in Datascape, coupled with considerable staff turnover, inadequate change management and premature transition meant that officers were relying on the operational activities of prior years and not that of the 2021/22 budget.

In addition to significant challenges in relation to the ERP transition, the following constraints have further affected day to day operations;

- Construction and freight delays – this includes the challenge in securing contractors for projects due to wide-spread labour shortages.
- Supply issues and shortage of materials – covering a range of industries from vehicles and IT to the building industry due to the influx of activity across the state.
- Being heavily under-resourced from an internal labour perspective. The difficulty in recruiting and retaining staff has been exacerbated by the Shire's inability to compete with the mining and private industries as well as Toodyay's close proximity to Perth.
- The delayed budget adoption affecting cash flow as a result of rates being due later in the financial year.
- The cautious approach to budget spending due to limited reporting functions in Datascape making budget monitoring for staff difficult.

Results of the review generally revealed that staff were less likely to spend due to lack of confidence and/or knowledge in the use of Datascape. This highlighted the acute need for additional training which, in itself, is a challenge due to time constraints and availability of resources. In addition, due to ongoing changes and development within Datascape, many of the training manuals prepared at the beginning of the project are now outdated.

During February, responsible officers met with the Senior Management Group to analyse budgets and consider any variations to the adopted budget. The review takes into account a number of factors including what has occurred during the first half of the financial year, the likely operating environment over the remaining months and the estimated impact on the Shire's financial position at year end.

That being said, the budget review maintained a conservative budget approach but at the same time, budgets were proposed to be increased or decreased to a more realistic estimate where necessary. The budget amendments from this review totalling \$1,031,698 incorporate the following adjustments as per Attachment 1:

- An estimated overall surplus in the operating budget of \$135,495 represented largely by the timing allocation of DFES funds for the Julimar Fire Station
- An estimated surplus in the capital budget of \$896,203 comprising the following;
 - Projects anticipated to be deferred or carried forward - \$865,999
 - Net decrease in actual costs compared to budget - \$30,204

It should be noted that adjustments to the budgeted carried forward surplus are usually managed at the mid-year budget review or earlier. However, due to the timing of the review and the fact that the annual financial report for 2020/21 is yet to be finalised, the carried forward surplus will be adjusted subject to receiving final audited figures. This information will be communicated to Council during development of the 2022/23 budget and where required, presented for Council's consideration and adoption.

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Moving forward it is anticipated that subject to available resources, budget reviews will be performed quarterly. In addition, close monitoring of budgets continues to be an essential process for the finance staff with variations to be communicated to responsible officers as required until an extensive training regime for the use of Datascape can be developed and implemented.

IMPLICATIONS TO CONSIDER**Consultative:**

Office of the Auditor-General

Department of Local Government, Sport & Cultural Industries

Strategic:

The way the Shire leads and operates:

○ 2: Consistently improve our governance practices.

○ 3: Ensure rigorous organisational systems.

Policy related:

F6 Significant Accounting Policy

F16 Financial Governance Policy

Financial:

The financial impact of the mid-year budget review for the period ending 31 January 2022 is outlined within Attachment 1. A year end surplus of \$1,041,698 is anticipated following the review.

Legal and Statutory:

Local Government Act 1995

Section 6.2 Local government to prepare annual budget

Section 6.10 Financial management regulations

Local Government (Financial Management) Regulations 1996

Part 2. Reg 5(g) CEO's duties as to financial management

Part 3. Reg 33A Review of budget

Regulation 33A of the *Local Government (Financial Management) Regulations 1996* requires a Local Government to conduct a mandatory review between 1 January and 31 March each year and a copy to be forwarded to the Department of Local Government within 30 days.

Risk related:

It is a legislative requirement to undertake a review of the budget and to lodge it with the Department of Local Government, Sport and Cultural Industries. Failure to monitor and financially manage budgeted projects exposes the Shire to significant risk. This report helps to mitigate this risk.

The review does not, however, seek to make amendments below the materiality threshold unless strictly necessary. The materiality threshold is set at \$5,000 as adopted by Council.

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Should a number of accounts exceed their budget within these thresholds, it poses a risk that the forecasted year end position may be understated.

Workforce related:

The budget review process has been managed within current resources.

VOTING REQUIREMENTS

Simple Majority

Clarification was sought.

CEO advised that Council will be workshopping this recommendation at their next workshop.

Points raised as follows:

- Net purchase price of vehicles vs. expected prices after trade-in;
- Management of Development and Regulation;
- Room in budget to employ temporary persons to assist with bringing financial position up-to-date and what is the highest priority that could be addressed with additional staff – mid-year review identified allocations for professional services and a financial consultant has been engaged to assist with the Annuals. Working out Datascape issues prior to bringing them on board.
- Limited staff capacity and now addressing need for casual staff to fill in.
- We are not looking at reducing the allocation in the budget for staff or professional services.
- Repaying ineligible expenses to DFES: as a result of an ongoing dispute with DFES. Mitigation planning activity and MOU in place and first time we have ever had a dispute over the expenses claimed. The major one is over training undertaken for the use of drones. All the BF Risk Coordinators around the state decided drones were an effective way to investigate and plan for mitigation. Used during fire emergencies as well. DFES disagreed and refused to pay for the cost of the training.
- Datascape and support for the Shire. Project Manager engaged to focus on the Datascape area. We now need someone to assist with financial side.

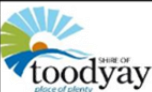
OFFICER'S RECOMMENDATION/ARC RESOLUTION NO. ARC003/03/22

MOVED Cr D Wrench

That the Audit & Risk Committee recommends that Council:

1. Adopts the mid-year budget review and supporting information as attached at Attachment 1 to this report.
2. Requests the Chief Executive Officer to forward the adopted 2021/22 mid-year budget review to the Department of Local Government, Sport and Cultural Industries within 30 days of Council's adoption.

MOTION CARRIED 4/0

 MID YEAR BUDGET REVIEW 2021/22 SUMMARY OF BUDGET AMENDMENT REQUESTS							
Amendments to original budget since budget adoption. Surplus/(Deficit)							
GL Account Code	Description	Comments	Adopted Budget	Proposed Budget	Increase in Available Cash	Decrease in Available Cash	Amended Budget Running Balance
					\$	\$	\$
	Budget Adoption 29 September 2021	Opening surplus	10,000				10,000
199.759.10	Bejoording Fire Station Seed Funding	This budget was originally allocated as seed funding to support Bejoording Fire Station improvements in anticipation that funding would become available during the year.	46,000	0	46,000	0	56,000
199.759.10	Julimar Fire Station	This project has carried over two years with the majority of funding coming from DFES LGGs Capital Grants. It is unlikely that this project will be completed within original budget due to increased construction costs.	528,892	542,892	0	(14,000)	42,000
199.759.10	Slide-in Water Tank	Budget allocation approved to purchase a water tank in place of hiring to reduce costs over time and ensure availability of service. The additional expense relates to freight and supply issues.	35,000	46,000	0	(11,000)	31,000
199.759.10	2014 Hino FS2844 Tipper Replacement (Lease)	Budgeted to replace Tipper Truck however due to timing of budget adoption and supply issues, it is unlikely these vehicles will be received prior to 30 June 2022. Procurement process has begun.	43,000	0	43,000	0	74,000
199.759.10	2012 Hino FS2844 Diesel Truck Replacement (Lease)	Budgeted to replace Truck however due to timing of budget adoption and supply issues, it is unlikely these vehicles will be received prior to 30 June 2022. Procurement process has begun.	36,000	0	36,000	0	110,000
199.759.10	2014 Hino FS2844 Tipper (Trade in)	Dependent on timing of replacement. Budgeted to replace Tipper Truck however due to timing of budget adoption and supply issues, it is unlikely these vehicles will be received prior to 30 June 2022. Proceeds will be received following purchase of replacement vehicles.	(85,000)	0	0	(85,000)	25,000
199.759.10	2012 Hino FS2844 Diesel Truck	Dependent on timing of replacement. Budgeted to replace Tipper Truck however due to timing of budget adoption and supply issues, it is unlikely these vehicles will be received prior to 30 June 2022. Proceeds will be received following purchase of replacement vehicles.	(70,000)	0	0	(70,000)	(45,000)
199.759.10	Kubota Tractor	Carry forward - No replacement required at this stage.	31,500	0	31,500	0	(13,500)
199.759.10	Box Trailer	Carry forward - No replacement required at this stage.	5,000	0	5,000	0	(8,500)

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GL Account Code	Description	Comments	Adopted Budget	Proposed Budget	Increase in Available Cash	Decrease in Available Cash	Amended Budget Running Balance
199.759.10	T000 - M CCS	Net purchase price - Timing of budget adoption and supply constraints will require a carry forward of these funds. Vehicle has been ordered but is unavailable for delivery prior to 30 June 2022.	25,000	0	25,000	0	16,500
199.759.10	T0013 - Parks and Garden's Utility	Net purchase price - Timing of budget adoption and supply constraints will require a carry forward of these funds. Vehicle has been ordered but is unavailable for delivery prior to 30 June 2022.	40,000	0	40,000	0	56,500
199.759.10	T0014 - Works Utility	Net purchase price - Timing of budget adoption and supply constraints will require a carry forward of these funds. Vehicle has been ordered but is unavailable for delivery prior to 30 June 2022.	25,000	0	25,000	0	81,500
199.759.10	T0015 - Works Utility	Net purchase price - Timing of budget adoption and supply constraints will require a carry forward of these funds. Vehicle has been ordered but is unavailable for delivery prior to 30 June 2022.	39,000	0	39,000	0	120,500
199.759.10	T0016 - Parks and Garden's Utility	Net purchase price - Timing of budget adoption and supply constraints will require a carry forward of these funds. Vehicle has been ordered but is unavailable for delivery prior to 30 June 2022.	35,000	0	35,000	0	155,500
199.759.10	T0024 - Works Grader Utility	Net purchase price - Timing of budget adoption and supply constraints will require a carry forward of these funds. Vehicle has been ordered but is unavailable for delivery prior to 30 June 2022.	40,000	0	40,000	0	195,500
199.759.10	T6177 - Toyota Camry Replacement	Carry forward replacement cost for 2022/23. Unlikely to replace this vehicle this year however, due to high kilometers, likely to sell via auction. Pajero Sport to be made available due to lower odometer reading.	30,000	0	30,000	0	225,500
199.759.10	T0000 - MAS (Pajero Sport)	This vehicle was originally budgeted to be traded and not replaced. Now to be allocated to Manager Development and Regulation for the remainder of FY due to lower odometer reading compared to T6177.	(37,000)	0	0	(37,000)	188,500
199.759.10	T6480 - Mitsubishi Triton GL Utility	Net purchase price - Timing of budget adoption and supply constraints will require a carry forward of these funds. Vehicle has been ordered but is unavailable for delivery prior to 30 June 2022.	36,000	0	36,000	0	224,500
199.759.10	1EWM806 - Mitsubishi Triton Utility (RMO)	Net purchase price - Timing of budget adoption and supply constraints will require a carry forward of these funds. Vehicle has been ordered but is unavailable for delivery prior to 30 June 2022.	35,000	0	35,000	0	259,500
199.759.10	T7030 - Toyota Hilux 4x2 Cab Chassis (BMO)	Net purchase price - Timing of budget adoption and supply constraints will require a carry forward of these funds. Vehicle has been ordered but is unavailable for delivery prior to 30 June 2022.	35,000	0	35,000	0	294,500

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GL Account Code	Description	Comments	Adopted Budget	Proposed Budget	Increase in Available Cash	Decrease in Available Cash	Amended Budget Running Balance
199.759.10	Hall Road	Muni funded road project. Focus for construction programme based on level of risk and grant funded opportunities. Hall Road deemed to be less of a priority from a risk perspective.	242,000	0	242,000	0	536,500
199.759.10	Leeming Road	Muni funded road project. Focus for construction programme based on level of risk and grant funded opportunities. Leeming Road deemed to be less of a priority from a risk perspective.	181,300	0	181,300	0	717,800
199.759.10	Dewars Pool-Bindoon Road	Net muni funds - Clearing permit appealed - Shire of Toodyay required to complete Flora survey which can not be carried out prior to Sept 2022. Officers to request RRG to carry over funding. Subject to MRWA approval.	96,199	0	96,199	0	813,999
199.759.10	Bejoording Road	Reseal project underestimated by \$80,000. Options are to reduce scope for 21/22 and complete in 2 sections over 2 years. Alternatively, use remaining funds from Boyagerring Road drainage project to complete.	260,000	340,000	0	(80,000)	733,999
199.759.10	Bindi Bindi Toodyay Road (From Connor St)	The clearing permit for this project was appealed however it is 100% funded so changes to budget allocation or project timing should have nil effect on year end position. Carryover to be confirmed.	1,056,000	1,056,000	0	0	733,999
199.759.10	Floodway repair - Boyagerring Road	This project was completed well under budget following a review of the original scope and repairs required. Savings to be allocated to Bejoording Road reseal \$80,000 and a further \$60,000 to be allocated to the floodway repair on Telegraph Rd.	250,000	17,796	232,204	0	966,203
199.759.10	Floodway repair - Telegraph Road	Budget required to address collapsed culvert on Telegraph Road which has been filled in to make safe. Estimate for project around \$60,000.	0	60,000	0	(60,000)	906,203
136.336.10	Economic Development - Professional Services	Budget allocation for consultancy fees required for the development of a Community Fund agreement between the Shire of Toodyay and Chalice Mining.	0	20,000	0	(20,000)	886,203
031.025.10	Rates - Instalment Administration Fees	Lower take up of instalment option than budgeted. Minor adjustment required. Offset by increase in rates penalty interest.	(20,000)	(14,805)	0	(5,195)	881,008
031.099.10	Rates Concessions	The budget did not include an allocation for rates concessions previously approved by Council.	0	19,003	0	(19,003)	862,005
031.100.10	Rates Search / Certificate Fee	Reallocation of budget to GL 031.178.10. All rates enquiries and search fees are posted to 031.178.10 Other income.	(20,000)	0	0	(20,000)	842,005
031.151.10	Rates Interest Penalty	Interest to be received for non-payment of rates is higher than budgeted. Adjustment required.	(25,000)	(35,000)	10,000	0	852,005
031.166.10	Rates - Legal Charges Recouped	Budget allocation based on recouping of legal fees on the collection of rates. Budget to be adjusted to reflect expenditure.	(25,000)	(20,000)	0	(5,000)	847,005
031.178.10	Rates - Other Income	Reallocation of budget from GL 031.100.10. All rates enquiries and search fees are posted here. Additional income expected to be received based on increased volume of rates enquiries arising from property sales.	(15,000)	(42,000)	27,000	0	874,005

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GL Account Code	Description	Comments	Adopted Budget	Proposed Budget	Increase in Available Cash	Decrease in Available Cash	Amended Budget Running Balance
032.157.10	Interest Received on Investments	Interest rates extremely low - unlikely to receive this level of interest from investments.	(11,000)	(5,000)	0	(6,000)	868,005
043.178.10	Other Income - Office of the CEO	Budget based on higher LGIS rebates coming back to the Shire which were based on the 2019/20 FY data. Due to recent events around the state, LGIS reported a reduced surplus compared to previous years, resulting in lower rebates to Councils.	(55,250)	0	0	(55,250)	812,755
044.178.10	Other Income - Corporate Services	Income for Governance Review cost reimbursement was not factored into budget - \$24,000 has been invoiced.	(8,500)	(33,026)	24,526	0	837,281
044.339.10	Professional Services - Corporate Services	Reduction to estimated budget of \$8,000 due to no external representation being received for EBA. Process managed in-house.	20,000	12,000	8,000	0	845,281
051.148.10	Other Contributions Received - Fire Prevention	Capital Grant for Julimar fire station to be brought in. Two instalments each of \$136,775 were received in 2020/21 one of which was transferred to Contract Liabilities. A further 2 instalments will be due as the project progresses. See comments further above - expenditure expected to increase \$14,000	(161,850)	(410,325)	248,475	0	1,093,756
052.109.10	Registration Fees	Dog registrations paid to date are less than anticipated - raised in October each year with new registrations as required throughout the year. Unlikely to meet budget target.	(30,200)	(25,000)	0	(5,200)	1,088,556
055.447.10	Bushfire Risk Management - Other materials and Contracts	Final acquittal audit found ineligible expenses of \$5,400 to be repaid to DFES.	1,240	6,000	0	(4,760)	1,083,796
074.112.10	Health Application Fees	Duplicate Budget entry - health fees posted to Licences and Permits 074.118.10 and Other income 174.178.10. Reduce budget to zero.	(15,000)	0	0	(15,000)	1,068,796
101.040.10	Rates - Waste Collection Service	Rubbish Charges raised with rates in October and services are added as and when required. Unlikely to receive budgeted income offset by reduction in expenditure also.	(518,381)	(465,000)	0	(53,381)	1,015,415
101.336.10	Waste Contractors	As per comments above, reduction to expenditure partially offset by reduced income. Rubbish Charges raised with rates in October and services are added as and when required. Actual collection and management costs less than budgeted.	739,512	690,000	49,512	0	1,064,927
104.447.10	Other Materials and Contracts -Community Sponsorship	Reduction in expenditure expected from cancelled events - Toodyay Music Festival and Fibre Festival	70,000	57,000	13,000	0	1,077,927
113.428.10	Community Amenities - Water Expenses	The budget was adopted with an allocation of \$70,000 for water usage at the Toodyay Recreation Centre. In accordance with the management contract, Clublinks are responsible for water usage charges.	70,000	1,799	68,201	0	1,146,128
113.336.10	Contractors - Recreation	The adopted budget of \$400,000 did not reflect the proposed management costs as submitted by Clublinks falling short by \$11,000. Cost to date is \$310,000 with an expected \$110,000 for the final quarter. Other costs posted here are the replacement actuator valve and flow meter \$10,740 and stair rectification costs of \$30,251.	400,000	461,000	0	(61,000)	1,085,128

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GL Account Code	Description	Comments	Adopted Budget	Proposed Budget	Increase in Available Cash	Decrease in Available Cash	Amended Budget Running Balance
115.336.10	Contractors - Library	Project to repair outer brickwork commenced 2020/21 however did not progress due to approvals needing to be sought from DPLH. Approval received after budget adoption.	0	5,000	0	(5,000)	1,080,128
133.112.10	Application Fees - Building Services	Increased income expected due to volume of building applications received to date.	(33,570)	(45,000)	11,430	0	1,091,558
136.175.10	Commissions and Agency Sales	Duplication of budget - reduce to zero as consignment sales are included at 134.172.10.	(25,100)	0	0	(25,100)	1,066,458
138.366.10	Advertising and Promotion - Community Development	Budget allocation not required here - year to date expenses have been posted to budget allocations in other programmes. Overall, the advertising budget is on track.	6,940	0	6,940	0	1,073,398
143.339.10	Professional Services - Works and Services	Budget allocation proposed to address ongoing drainage issues at 28 Britt Close. This cost relates to flood investigation and design of crossover.	0	20,700	0	(20,700)	1,052,698
146.336.10	Materials and Contracts - Depot	Repairs including cabling and bird protection required for mast on the depot roof required for effective communications.	0	11,000	0	(11,000)	1,041,698
					1,720,287	(688,589)	1,041,698

SHIRE OF TOODYAY
STATEMENT OF FINANCIAL ACTIVITY
(Statutory Reporting Program)
For the Period Ended 31 January 2022

	2021/2022 Adopted Budget (a)	Proposed Adjustment	2021/2022 Amended Budget	YTD Actual 31/01/2022
OPERATING ACTIVITIES	\$			\$
Net current assets at start of financial year - surplus/(deficit)	780,101	0	780,101	780,101
Revenues from operating activities(excluding rates)				
Governance	128,950	(30,724)	98,226	237,238
General Purpose Funding - Other	7,707,282	(18,198)	7,689,084	7,475,814
Law, Order, Public Safety	1,222,643	243,275	1,465,918	683,387
Health	80,500	(15,000)	65,500	16,950
Education & Welfare	0		0	0
Housing	13,780		13,780	5,236
Community Amenities	945,011	(53,381)	891,630	868,563
Recreation and Culture	254,570	(13,670)	240,900	129,772
Transport and Infrastructure	579,832		579,832	509,190
Economic Services	309,740	(25,000)	284,740	124,727
Other Property and Services	133,041		133,041	22,073
	11,375,349	87,302	11,462,651	10,072,951
Expenditure from operating activities				
Governance	(574,779)	33,000	(541,779)	(1,260,133)
General Purpose Funding	(350,046)		(350,046)	(50,312)
Law, Order, Public Safety	(2,178,243)	(4,760)	(2,183,003)	(968,804)
Health	(241,016)		(241,016)	(43,234)
Education & Welfare	(39,713)		(39,713)	(245)
Housing	(34,503)		(34,503)	0
Community Amenities	(1,665,311)	130,713	(1,534,598)	(886,089)
Recreation and Culture	(1,980,471)	(59,060)	(2,039,531)	(816,694)
Transport and Infrastructure	(3,873,047)		(3,873,047)	(713,117)
Economic Services	(1,281,297)	(20,000)	(1,301,297)	(417,986)
Other Property and Services	(1,231,790)	(31,700)	(1,263,490)	(680,454)
Total Operating Expenditure	(13,450,216)	48,193	(13,402,023)	(5,857,067)
Net cash provided by (used in) Operating activities	(2,074,867)	135,495	(1,939,372)	4,215,885
Operating activities excluded from budget				
Add back Depreciation	3,907,920		3,907,920	125,442
Adjust (Profit)/Loss on Asset Disposal	(4,000)		(4,000)	0
Adjust Deferred Pensioner Provision	0		0	0
Adjust Provisions and Accruals	0		0	0
Amount attributable to operating activities	1,829,053	135,495	1,964,548	4,341,327
CASH FLOWS FROM INVESTING ACTIVITIES				
Grants, Subsidies and Contributions	3,301,633		3,301,633	1,125,456
Proceeds from Disposal of Assets	692,500		692,500	0
Land Held for Resale				0
Land and Buildings	(757,099)	32,000	(725,099)	(140,082)
Infrastructure - Roads	(3,749,829)	611,703	(3,138,126)	(394,002)
Infrastructure - Parks & Recreation	0		0	0
Infrastructure - Footpaths	0		0	0
Infrastructure - Bridges & Drainage	(356,000)		(356,000)	(19,597)
Infrastructure - Other	(251,785)		(251,785)	(24,291)
Heritage Assets	0		0	0
Plant and Equipment	(890,800)	252,500	(638,300)	(24,801)
Infrastructure - Work in Progress	0		0	0
Net cash provided by (used in) investing activities	(2,011,380)	896,203	(1,115,177)	522,683
CASH FROM FINANCING ACTIVITIES				
Proceeds from New Debentures	0		0	0
Proceeds from Advances	0		0	0
Self-Supporting Loan Principal	0		0	0
Transfer from Reserves	655,131		655,131	0
Advances to Community Groups	0		0	0
Repayment of Debentures	(471,167)		(471,167)	0
Transfer to Reserves	(771,738)		(771,738)	0
Net cash provided by (used in) Financing activities	(587,774)	0	(587,774)	0
Net Operations, Capital and Financing	(770,101)	1,031,698	261,597	4,864,010
Opening Funding Surplus/(Deficit)	780,101		780,101	780,101
Closing Funding Surplus/(Deficit)	10,000	1,031,698	1,041,698	5,644,111

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SHIRE OF TOODYAY
STATEMENT OF FINANCIAL ACTIVITY
(By Nature or Type)
For the Period Ended 31 January 2022

	2021/2022 Adopted Budget	Proposed Adjustment	2021/2022 Amended Budget	YTD Actual 31/01/2022
	\$			\$
Net current assets at start of financial year - surplus/(deficit)	780,101	0	780,101	780,101
Revenues from operating activities(excluding rates)				
Rates	6,870,033	(12,198)	6,857,835	6,872,338
Operating Grants, Subsidies and Contributions	2,475,731	248,475	2,724,206	1,669,733
Fees and Charges	1,568,041	(87,251)	1,480,790	1,011,015
Interest Earnings	40,000	(6,000)	34,000	30,971
Other Revenue	416,271	(30,724)	385,547	489,582
Total Operating Revenue	11,370,076	112,302	11,482,378	10,073,639
Expenditure from operating activities				
Employee Costs	(3,960,004)		(3,960,004)	(2,455,632)
Materials and Contracts	(4,253,010)	(45,009)	(4,298,019)	(2,457,195)
Utility Charges	(473,360)	68,202	(405,158)	(161,253)
Depreciation on Non-Current Assets	(3,907,920)		(3,907,920)	(125,442)
Interest Expenses	(291,090)		(291,090)	(189,920)
Insurance Expenses	(307,650)		(307,650)	(364,847)
Other Expenditure	(255,910)		(255,910)	(103,464)
Total Operating Expenditure	(13,448,944)	23,193	(13,425,751)	(5,857,754)
Net cash provided by (used in) Operation activities	(2,078,868)	135,495	(1,943,373)	4,215,885
Operating activities excluded from budget				
Add back Depreciation	3,907,920		3,907,920	125,442
Adjust (Profit)/Loss on Asset Disposal	(4,000)		(4,000)	0
Adjust Deferred Pensioner Provision	0		0	0
Adjust Provisions and Accruals	0		0	0
Amount attributable to operating activities	1,825,052	135,495	1,960,547	4,341,327
CASH FLOWS FROM INVESTING ACTIVITIES				
Grants, Subsidies and Contributions	3,301,633		3,301,633	1,125,456
Proceeds from Disposal of Assets	692,500		692,500	0
Land Held for Resale	0		0	0
Land and Buildings	(757,099)	32,000	(725,099)	(140,082)
Infrastructure - Roads	(3,749,829)	611,703	(3,138,126)	(394,002)
Infrastructure - Parks & Recreation	0		0	0
Infrastructure - Footpaths	0		0	0
Infrastructure - Bridges & Drainage	(356,000)		(356,000)	(19,597)
Infrastructure - Other	(251,785)		(251,785)	(24,291)
Heritage Assets	0		0	0
Plant and Equipment	(890,800)	252,500	(638,300)	(24,801)
Infrastructure - Work in Progress	0		0	0
Net cash provided by (used in) investing activities	(2,011,380)	896,203	(1,115,177)	522,683
CASH FROM FINANCING ACTIVITIES				
Proceeds from New Debentures	0		0	0
Proceeds from Advances	0		0	0
Self-Supporting Loan Principal	0		0	0
Transfer from Reserves	655,131		655,131	0
Advances to Community Groups	0		0	0
Repayment of Debentures	(471,167)		(471,167)	0
Transfer to Reserves	(767,738)		(767,738)	0
Net cash provided by (used in) Financing activities	(583,774)	0	(583,774)	0
Net Operations, Capital and Financing	(770,101)	1,031,698	261,597	4,864,011
Opening Funding Surplus(Deficit)	780,101	10,000	780,101	780,101
Closing Funding Surplus(Deficit)	10,000	1,041,698	1,041,698	5,644,112

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AUDIT & RISK COMMITTEE MEETING MINUTES**2 MARCH 2022****5 OTHER BUSINESS / NEW BUSINESS OF AN URGENT NATURE****5.1 FILLING COMMUNITY MEMBER POSITION**

Clarification was sought in regard to the Council's obligation to fill the Community Member position.

OFFICER'S RECOMMENDATION/ARC RESOLUTION NO. ARC004/03/22

MOVED Cr R Madacsi

That Council requests the CEO to advertise for expressions of interest for Community membership of the Audit & Risk Committee.

MOTION CARRIED 4/0

6 CONFIRMATION OF NEXT MEETING

The next meeting of the Audit & Risk Committee is scheduled to be held on 1 June 2022 commencing at 2.00pm.

7 CLOSURE OF MEETING

The Chairperson closed the meeting at 2.41pm.

Department of Local Government, Sport and Cultural Industries - Compliance Audit Return



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

Toodyay - Compliance Audit Return 2021

Certified Copy of Return

Please submit a signed copy to the Director General of the Department of Local Government, Sport and Cultural Industries together with a copy of the relevant minutes.

Commercial Enterprises by Local Governments					
No	Reference	Question	Response	Comments	Respondent
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 2021?	N/A	No major trading undertaking in 2021	Merridith Morrell
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 2021?	N/A		Merridith Morrell
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 2021?	N/A		Merridith Morrell
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 2021?	N/A		Merridith Morrell
5	s3.59(5)	During 2021, did the council resolve to proceed with each major land transaction or trading undertaking by absolute majority?	N/A		Merridith Morrell

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Delegation of Power/Duty					
No	Reference	Question	Response	Comments	Respondent
1	s5.16	Were all delegations to committees resolved by absolute majority?	N/A	No delegations to Committees	Merridith Morrell
2	s5.16	Were all delegations to committees in writing?	N/A		Merridith Morrell
3	s5.17	Were all delegations to committees within the limits specified in section 5.17?	N/A		Merridith Morrell
4	s5.18	Were all delegations to committees recorded in a register of delegations?	N/A		Merridith Morrell
5	s5.18	Has council reviewed delegations to its committees in the 2020/2021 financial year?	N/A		Merridith Morrell
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 Act?	Yes		Merridith Morrell
7	s5.42(1)	Were all delegations to the CEO resolved by an absolute majority?	Yes		Merridith Morrell
8	s5.42(2)	Were all delegations to the CEO in writing?	Yes		Merridith Morrell
9	s5.44(2)	Were all delegations by the CEO to any employee in writing?	Yes		Merridith Morrell
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?	Yes		Merridith Morrell
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		Merridith Morrell
12	s5.46(2)	Were all delegations made under Division 4 of the Act reviewed by the delegator at least once during the 2020/2021 financial year?	Yes		Merridith Morrell
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 Admin Reg 19?	Yes		Merridith Morrell

Disclosure of Interest					
No	Reference	Question	Response	Comments	Respondent
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, did the council member ensure that they did not remain present to participate in discussion or decision making relating to the matter?	Yes		Merridith Morrell

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No	Reference	Question	Response	Comments	Respondent
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 Admin Reg 21A, recorded in the minutes of the relevant council or committee meeting?	Yes		Merridith Morrell
3	s5.73	Were disclosures under section sections 5.65, 5.70 or 5.71A(3) recorded in the minutes of the meeting at which the disclosures were made?	Yes		Merridith Morrell
4	s5.75 Admin Reg 22, Form 2	Was a primary return in the prescribed form lodged by all relevant persons within three months of their start day?	Yes		Merridith Morrell
5	s5.76 Admin Reg 23, Form 3	Was an annual return in the prescribed form lodged by all relevant persons by 31 August 2021?	Yes		Merridith Morrell
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		Merridith Morrell
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?	Yes		Merridith Morrell
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, in the form prescribed in Admin Reg 28?	Yes		Merridith Morrell
9	s5.88(3)	When a person ceased to be a person required to lodge a return under sections 5.75 and 5.76, did the CEO remove from the register all returns relating to that person?	Yes		Merridith Morrell
10	s5.88(4)	Have all returns removed from the register in accordance with section 5.88(3) 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		Merridith Morrell
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, in the form prescribed in Admin Reg 28A?	Yes		Merridith Morrell
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		Merridith Morrell
13	s5.89A(6)	When a person ceases to be a person who is required to make a disclosure under section 5.87A or 5.87B, did the CEO remove from the register all records relating to that person?	Yes		Merridith Morrell

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No	Reference	Question	Response	Comments	Respondent
14	s5.89A(7)	Have copies of all records removed from the register under section 5.89A (6) been kept for a period of at least five years after the person ceases to be a person required to make a disclosure?	Yes		Merridith Morrell
15	Rules of Conduct Reg 11(1), (2) & (4)	Where a council member had an interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person, did they disclose the interest in accordance with Rules of Conduct Reg 11(2)?* *Question not applicable after 2 Feb 2021	Yes		Merridith Morrell
16	Rules of Conduct Reg 11(6)	Where a council member disclosed an interest under Rules of Conduct Reg 11(2) was the nature of the interest recorded in the minutes?*	Yes		Merridith Morrell
		*Question not applicable after 2 Feb 2021			
17	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		Merridith Morrell
18	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 s5.71A(1) 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		Merridith Morrell
19	s5.71B(6) & s5.71B(7)	Was any decision made by the Minister under subsection 5.71B(6) recorded in the minutes of the council meeting at which the decision was considered?	N/A		Merridith Morrell
20	s5.103 Admin Regs 34B & 34C	Has the local government adopted a code of conduct in accordance with Admin Regs 34B and 34C to be observed by council members, committee members and employees?*	Yes		Merridith Morrell
		*Question not applicable after 2 Feb 2021			
21	Admin Reg 34B(5)	Has the CEO kept a register of notifiable gifts in accordance with Admin Reg 34B(5)?*	Yes		Merridith Morrell
		*Question not applicable after 2 Feb 2021			

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No	Reference	Question	Response	Comments	Respondent
22	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 within 3 months of the prescribed model code of conduct coming into operation (3 February 2021)?	Yes	Adopted 27/04/21 Resolution 87/04/21	Merridith Morrell
23	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)?	N/A		Merridith Morrell
24	s5.104(7)	Did the CEO publish an up-to-date version of the adopted code of conduct on the local government's website?	Yes		Merridith Morrell
25	s5.51A(1) & (3)	Did the CEO prepare, and implement and publish an up-to-date version on the local government's website, a code of conduct to be observed by employees of the local government?	Yes	Code of Conduct for Employees has been updated but not published.	Merridith Morrell

Disposal of Property

No	Reference	Question	Response	Comments	Respondent
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) (unless section 3.58(5) applies)?	Yes	2 venue leases were drawn up. However, only one commenced. All property was leased/disposed of in accordance with the Act.	Merridith Morrell
2	s3.58(4)	Where the local government disposed of property under section 3.58(3), did it provide details, as prescribed by section 3.58(4), in the required local public notice for each disposal of property?	Yes	2 venue leases were drawn up. However, only one commenced. All property was leased/disposed of correctly as prescribed in the Act.	Merridith Morrell

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Elections					
No	Reference	Question	Response	Comments	Respondent
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?	Yes		Merridith Morrell
2	Elect Regs 30G(3) & (4)	Did the CEO remove any disclosure of gifts forms relating to an unsuccessful candidate, or a successful candidate that completed their term of office, from the electoral gift register, and retain those forms separately for a period of at least two years?	Yes		Merridith Morrell
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 Elect Reg 30G(6)?	Yes		Merridith Morrell

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Finance					
No	Reference	Question	Response	Comments	Respondent
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 Act?	Yes		Merridith Morrell
2	s7.1B	Where the council delegated to its audit committee any powers or duties under Part 7 of the Act, did it do so by absolute majority?	N/A	The Audit Committee has no delegated powers or duties	Merridith Morrell
3	s7.9(1)	Was the auditor's report for the financial year ended 30 June 2021 received by the local government by 31 December 2021?	No	An extension was sought from DLGSC until 31 October 2021. This target was not met due to complications with the Shire's ERP transition. This has been communicated to the OAG and the Department.	Merridith Morrell
4	s7.12A(3)	Where the local government determined that matters raised in the auditor's report prepared under s7.9 (1) of the Act required action to be taken, did the local government ensure that appropriate action was undertaken in respect of those matters?	N/A		Merridith Morrell
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		Merridith Morrell
6	s7.12A(5)	Within 14 days after the local government gave a report to the Minister under s7.12A(4)(b), did the CEO publish a copy of the report on the local government's official website?	N/A		Merridith Morrell
7	Audit Reg 10(1)	Was the auditor's report for the financial year ending 30 June received by the local government within 30 days of completion of the audit?	N/A		Merridith Morrell

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Integrated Planning and Reporting					
No	Reference	Question	Response	Comments	Respondent
1	Admin Reg 19C	Has the local government adopted by absolute majority a strategic community plan? If Yes, please provide the adoption date or the date of the most recent review in the Comments section?	Yes	Adopted by Council October 2018 Resolution No. 261/10/18 Presented to Council 25/05/21. Withdrawn for further work.	Merridith Morrell
2	Admin Reg 19DA (1) & (4)	Has the local government adopted by absolute majority a corporate business plan? If Yes, please provide the adoption date or the date of the most recent review in the Comments section?	Yes	Adopted 26/05/20 Resolution: 173/05/20	Merridith Morrell
3	Admin Reg 19DA (2) & (3)	Does the corporate business plan comply with the requirements of Admin Reg 19DA(2) & (3)?	Yes		Merridith Morrell

Local Government Employees					
No	Reference	Question	Response	Comments	Respondent
1	Admin Reg 18C	Did the local government approve a process to be used for the selection and appointment of the CEO before the position of CEO was advertised?	N/A	No CEO recruitment in 2021	Merridith Morrell
2	s5.36(4) & s5.37 (3) Admin Reg 18A	Were all CEO and/or senior employee vacancies advertised in accordance with Admin Reg 18A?	Yes		Merridith Morrell
3	Admin Reg 18E	Was all information provided in applications for the position of CEO true and accurate?	N/A		Merridith Morrell
4	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)?	N/A		Merridith Morrell
5	s5.37(2)	Did the CEO inform council of each proposal to employ or dismiss senior employee?	Yes		Merridith Morrell
6	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		Merridith Morrell

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Official Conduct					
No	Reference	Question	Response	Comments	Respondent
1	s5.120	Has the local government designated a senior employee as defined by section 5.37 to be its complaints officer?	Yes		Merridith Morrell
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)? Does the complaints register include all information required by section 5.121 (2)?	Yes		Merridith Morrell
3	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		Merridith Morrell

Optional Questions					
No	Reference	Question	Response	Comments	Respondent
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 Financial Management Reg 5(2)(c) within the three years prior to 31 December 2021? If yes, please provide the date of council's resolution to accept the report.	No	Previous review carried out in 2018. Process was commenced however due to implementation issues with a new system and under-resourcing, the process has not been completed.	Merridith Morrell
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 Audit Reg 17 within the three years prior to 31 December 2021? If yes, please provide date of council's resolution to accept the report.	No	Previous review carried out in 2018. Process was commenced however due to complications with the Shire's ERP transition and under-resourcing, the process has not been completed.	Merridith Morrell
3	s5.87C	Where a disclosure was made under sections 5.87A or 5.87B, was the disclosure made within 10 days after receipt of the gift? Did the disclosure include the information required by section 5.87C?	Yes		Merridith Morrell
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	Adopted 25/02/2020 Resolution: 61/02/20	Merridith Morrell

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No	Reference	Question	Response	Comments	Respondent
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)?	Yes		Merridith Morrell
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	Adopted 2020 Resolution 62/02/20	Merridith Morrell
7	s5.127	Did the local government prepare a report on the training completed by council members in the 2020/2021 financial year and publish it on the local government's official website by 31 July 2021?	Yes		Merridith Morrell
8	s6.4(3)	By 30 September 2021, did the local government submit to its auditor the balanced accounts and annual financial report for the year ending 30 June 2021?	No	Extension was sought from the DCGSC until 31 October 2021. This target was not met due to complications with the Shire's ERP transition. This has been communicated to the OAG and the Department.	Merridith Morrell
9	s.6.2(3)	When adopting the annual budget, did the local government take into account all its expenditure, revenue and income?	Yes		Merridith Morrell

Tenders for Providing Goods and Services

No	Reference	Question	Response	Comments	Respondent
1	F&G Reg 11A(1) & (3)	Did the local government comply with its current purchasing policy [adopted under F&G Reg 11A(1) & (3)] in relation to the supply of goods or services where the consideration under the contract was, or was expected to be, \$250,000 or less or worth \$250,000 or less?	Yes		Merridith Morrell
2	s3.57 F&G Reg 11	Subject to F&G Reg 11(2), did the local government invite tenders for all contracts for the supply of goods or services where the consideration under the contract was, or was expected to be, worth more than the consideration stated in F&G Reg 11(1)?	Yes		Merridith Morrell
3	F&G Regs 11(1), 12(2), 13, & 14(1), (3), and (4)	When regulations 11(1), 12(2) or 13 required tenders to be publicly invited, did the local government invite tenders via Statewide public notice in accordance with F&G Reg 14(3) and (4)?	Yes		Merridith Morrell
4	F&G Reg 12	Did the local government comply with F&G Reg 12 when deciding to enter into multiple contracts rather than a single contract?	N/A		Merridith Morrell

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No	Reference	Question	Response	Comments	Respondent
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		Merridith Morrell
6	F&G Regs 15 & 16	Did the local government's procedure for receiving and opening tenders comply with the requirements of F&G Regs 15 and 16?	Yes		Merridith Morrell
7	F&G Reg 17	Did the information recorded in the local government's tender register comply with the requirements of F&G Reg 17 and did the CEO make the tenders register available for public inspection and publish it on the local government's official website?	No	The Tender Register was not published on the Shire's website in 2021 at this time. It has since been loaded to the website.	Merridith Morrell
8	F&G Reg 18(1)	Did the local government reject any tenders that were not submitted at the place, and within the time, specified in the invitation to tender?	No		Merridith Morrell
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		Merridith Morrell
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		Merridith Morrell
11	F&G Regs 21 & 22	Did the local government's advertising and expression of interest processes comply with the requirements of F&G Regs 21 and 22?	N/A		Merridith Morrell
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		Merridith Morrell
13	F&G Reg 23(3) & (4)	Were all expressions of interest that were not rejected under F&G Reg 23 (1) & (2) assessed by the local government? Did the CEO list each person as an acceptable tenderer?	N/A		Merridith Morrell
14	F&G Reg 24	Did the CEO give each person who submitted an expression of interest a notice in writing of the outcome in accordance with F&G Reg 24?	N/A		Merridith Morrell
15	F&G Regs 24AD(2) & (4) and 24AE	Did the local government invite applicants for a panel of pre-qualified suppliers via Statewide public notice in accordance with F&G Reg 24AD(4) and 24AE?	No	No Panels established in 2021	Merridith Morrell

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Department of Local Government, Sport and Cultural Industries - Compliance Audit Return



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

No	Reference	Question	Response	Comments	Respondent
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		Merridith Morrell
17	F&G Reg 24AF	Did the local government's procedure for receiving and opening applications to join a panel of pre-qualified suppliers comply with the requirements of F&G Reg 16, as if the reference in that regulation to a tender were a reference to a pre-qualified supplier panel application?	N/A		Merridith Morrell
18	F&G Reg 24AG	Did the information recorded in the local government's tender register about panels of pre-qualified suppliers comply with the requirements of F&G Reg 24AG?	N/A		Merridith Morrell
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		Merridith Morrell
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		Merridith Morrell
21	F&G Reg 24AI	Did the CEO send each applicant written notice advising them of the outcome of their application?	N/A		Merridith Morrell
22	F&G Regs 24E & 24F	Where the local government gave regional price preference, did the local government comply with the requirements of F&G Regs 24E and 24F?	Yes		Merridith Morrell

I certify this Compliance Audit Return has been adopted by council at its meeting on _____

Signed Mayor/President, Toodyay

Signed CEO, Toodyay

10 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil.

11 NOTICES OF MOTION GIVEN AT THE MEETING FOR CONSIDERATION AT NEXT MEETING

12 QUESTIONS OF MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

Nil.

13 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING

13.1 MEMBERS

Nil.

13.2 EMPLOYEES

Nil.

14 CONFIDENTIAL BUSINESS**RECOMMENDATION**

That Council considers the confidential report listed below in a meeting closed to the public in accordance with Section 5.23(2) of the *Local Government Act 1995*:

14.1 TEN04/2021 Gravel Supply

This matter is considered to be confidential under Section 5.23(2) - (c) and (e) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting and a matter that if disclosed, would reveal –

- (i) a trade secret; or
- (ii) information that has a commercial value; or
- (iii) information about the business, professional, commercial or financial affairs of a person.

15 NEXT MEETINGS

Ordinary Council Meeting	27 April 2022
Agenda Briefing	20 April 2022

16 CLOSURE OF MEETING