

Ordinary Council Meeting

26 June 2024

Minutes

To: The President and Councillors.

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

Tabitha Bateman
ACTING CEO



Our Vision, Purpose and Values

The Shire of Toodyay's Plan for the Future (Council Plan 2023-2033) is the Community's Strategic Plan outlining the direction that the Shire is undertaking to meet the needs and aspirations of its community.

Our Vision

A caring and visionary rural community, working together to preserve and enrich Toodyay's environment, character and lifestyle.

Our Purpose

The Shire of Toodyay exists to meet the needs of current and future generations through an integration of environmental protection, social advancement and economic prosperity.

Our Values

We conduct ourselves in line with values the local community cares deeply about:

- **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; and
- **Commitment** – we translate our plans into actions and demonstrate the persistence that will provide results.

Community Aspirations

There are five core performance areas in this plan: People, Planet, Place, Prosperity, and Performance. These areas are interrelated, and each must be satisfied to deliver excellent quality of life in the Shire of Toodyay.

For each area, there is an overarching aspirational statement and desired outcomes, summarised in the Council Plan which is available on the Shire's website at: <https://www.toodyay.wa.gov.au/documents/432/council-plan-plan-for-the-future-2023-2033>

Disclaimer

Any discussion regarding a planning matter 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 a 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

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

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<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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Preface

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

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 Council Meeting are put together as a separate attachment to these Minutes with the exception of Confidential Items.

Confidential Items or attachments that are confidential are compiled as separate Confidential Minuted Agenda Items.

Unconfirmed Minutes

These minutes were approved for distribution on 1 July 2024.



Tabitha Bateman

ACTING CEO

Confirmed Minutes

These minutes were confirmed at a meeting held on 24 July 2024.

Signed: M. M. Bateman

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



1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

Cr M McKeown, Shire President, declared the meeting open at 1.00pm and read aloud an 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."

The Shire President read through other preliminaries.

2 RECORDS OF ATTENDANCEMembers

Cr M McKeown	Shire President
Cr S Dival	Deputy Shire President
Cr C Duri	Councillor
Cr R Madacs	Councillor (<i>via zoom</i>)
Cr S McCormick	Councillor
Cr J Prater	Councillor

Staff

Ms T Bateman	Acting Chief Executive Officer
Ms G French	Acting Executive Manager Corporate and Community Services
Mr C Sullivan	Executive Manager Infrastructure, Assets & Services
Mr M Werder	Project Manager
Mr H de Vos	Executive Manager Development and Regulation
Ms Z Azam	Environmental Sustainability Officer
Mr W Sutton	Community Development Officer
Mrs M Rebane	Executive Assistant

Visitors

S Hefferon

2.1 APOLOGIES

Cr D Wrench Councillor

2.2 APPROVED LEAVE OF ABSENCE

Nil

2.3 APPLICATIONS FOR LEAVE OF ABSENCE

Nil.

3 DISCLOSURE OF INTERESTS

The Chief Executive Officer advised that disclosures of interest in the form of a written notice had been received prior to the commencement of the meeting as follows:

Cr M McKeown declared an Impartiality Interest pursuant to Regulation 22 of the Local Government (Model Code of Conduct) Regulations 2021 in regard to Agenda Item 10.1 Notice of Motion – Cr Madacsi. The nature of his interest is that he is President of the Shire of Toodyay and the Notice of Motion in item 10.1 refers directly to the Shire President.

Cr McCormick declared an Impartiality Interest pursuant to Regulation 22 of the Local Government (Model Code of Conduct) Regulations 2021 in regard to Agenda Item 9.2.5 Community Funding Budget Consideration. The nature of his interest is that he is involved with the Cricket Club as a financial member and will be part of future Shire Community Grant Application Lodgements and he is the current President of Toodyay Cricket Club.

4 PUBLIC QUESTIONS

4.1 RESPONSES TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

4.2 PUBLIC QUESTION TIME

Nil.

5 CONFIRMATION OF MINUTES

5.1 Ordinary Meeting of Council held on 22 May 2024

OFFICER'S OCM172/06/24	RECOMMENDATION/COUNCIL	RESOLUTION	NO.
MOVED	Cr J Prater		
SECONDED	Cr S Dival		
That the Unconfirmed Minutes of the Ordinary Council Meeting held on 22 May 2024 be confirmed.			
<u>Voted For:</u> Crs R Madacsi, C Duri, S McCormick, M McKeown, S Dival and J Prater			
<u>Voted Against:</u> Nil			
MOTION CARRIED 6/0			

5.2 Special Meeting of Council held on 29 May 2024

OFFICER'S OCM173/06/24	RECOMMENDATION/COUNCIL	RESOLUTION	NO.
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MOVED Cr J Prater

SECONDED Cr C Duri

That the Unconfirmed Minutes of the Special Council Meeting held on 29 May 2024 be confirmed.

Voted For: Crs R Madacsi, C Duri, S McCormick, M McKeown, S Dival and J Prater

Voted Against: Nil

MOTION CARRIED 6/0

5.3 Special Meeting of Council held on 12 June 2024

OFFICER'S OCM174/06/24	RECOMMENDATION/COUNCIL	RESOLUTION	NO.
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MOVED Cr S Dival

SECONDED Cr C Duri

That the Unconfirmed Minutes of the Special Council Meeting held on 12 June 2024 be confirmed.

Voted For: Crs R Madacsi, C Duri, S McCormick, M McKeown, S Dival and J Prater

Voted Against: Nil

MOTION CARRIED 6/0

5.4 Agenda Briefing held on 19 June 2024

OFFICER'S OCM175/06/24	RECOMMENDATION/COUNCIL	RESOLUTION	NO.
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MOVED Cr J Prater

SECONDED Cr M McKeown

That the Notes of the Agenda Briefing held on 19 June 2024 be received.

Voted For: Crs R Madacsi, C Duri, S McCormick, M McKeown, S Dival and J Prater

Voted Against: Nil

MOTION CARRIED 6/0

Attachments

1 19 June 2024 Agenda Briefing Notes.

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

Nil.

6.2 DEPUTATIONS

Nil.

6.3 PRESENTATIONS

Nil.

6.4 SUBMISSIONS

Nil.

7 BUSINESS FROM PREVIOUS MEETING (IF ADJOURNED)

Nil.

8 ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)

The Shire President's announcement, in accordance with the *Shire of Toodyay Standing Orders Local Law 2008* (Section 4.3) is as follows:

- Together with the Acting CEO met with the editor of the Toodyay Herald on 26 April;
- Chaired a meeting of the Bush Fire Advisory Committee on 1 May;
- Attended a workshop re: the Recreation Centre Management Review on 9 May;
- Attended a meeting of the Avon Region Organisation of Councils Governance Group in Toodyay on 13 May;
- Attended a meeting of the CEO Selection and Recruitment Committee on 16 May;
- Together with the Acting CEO met with the editor of the Toodyay Herald on 29 May;
- Attended the Shire Auditor's exit meeting for 2022-2023 on 29 May;
- Attended a meeting of the CEO Selection and Recruitment Committee on 29 May;
- Attended an Audit and Risk Committee meeting on 5 June;
- Attended a workshop, facilitated by Ascentive Pty Ltd, regarding the evaluation of the Shire's Facilities and Buildings on 6 June;
- Attended a public meeting, facilitated by Ascentive Pty Ltd, regarding the future management of the Toodyay Recreation Centre on 6 June;
- Attended a workshop, facilitated by Ascentive Pty Ltd, regarding the future of the Toodyay Recreation Centre on 7 June;
- Attended the inaugural meeting of the Shire of Toodyay Works Committee on 12 June;
- Together with the Acting CEO, met with a representative from the Toodyay Police for a routine catch-up on 18 June;
- Together with Cr Prater and Shire Officers, visited the Morangup Road Schist quarry for a briefing on the quarry operations on 19 June;
- Together with the Acting CEO, attended a meeting of the WALGA Avon-Midland Country Zone at Dalwallinu on 21 June. This meeting was followed by a presentation by a representative from the Department of Planning, Lands and Heritage regarding the application of the *Aboriginal Heritage Act 1972* and associated Regulations to Local Government operations. The presentation will be made available to Councillors and Shire Officers once a copy has been received.

9 OFFICER REPORTS

9.1 DEVELOPMENT AND REGULATION

9.1.1 P2023-87 - Lot 1 Morangup Road, Morangup - Renewal of Extractive Industry Licence - Austral Bricks

Date of Report:	11 June 2024
Applicant or Proponent:	Land Insights on behalf of Austral Bricks Pty Ltd
File Reference:	P2023-87/A1331/1MORG/1EXT
Author:	H de Vos – Executive Manager Development and Regulation
Responsible Officer:	H de Vos – Executive Manager Development and Regulation
Previously Before Council:	Item 9.2.1 27 September 2016
Author's Disclosure of Interest:	Nil
Council's Role in the matter:	Quasi-Judicial
Attachments:	<ol style="list-style-type: none">Management Plan - Lot 1 Morangup Road - Austral Bricks Pty Ltd - August 2023; ↗Additional Bond Calculations and Maps. ↗

SUMMARY

Applicant: Austral Bricks Pty Ltd / Land Insights
Owner: Bristile Holdings Ltd
Proposal: Renewal of Extractive Industry - Clay
Location: Lot 1 (No. 1010) Morangup Road, Morangup

PURPOSE OF THE REPORT

To consider an application for renewal of an Extractive Industry Licence of a clay quarry at Lot 1 (No. 1010) Morangup Road, Morangup, submitted by Land Insights on behalf of Austral Bricks Pty Ltd. Under the Shire's adopted Delegations Register, applications for extractive industries may only be refused under delegated authority.

BACKGROUND

Land Insights act for Bristile Holdings Pty Ltd (Austral Bricks (WA) Pty Ltd) and lodge this application on their behalf. The application seeks to renew the Extractive Industry Licence for 21 years (as permitted by the Extractive Industry Local Law) for the "Schist Pit" located at Lot 1 Morangup Road, Morangup. The application seeks the continuation of the operation.

Status of Development Approval

The Schist Pit at Lot 1 Morangup Road in Morangup operates in accordance with a current, valid Development Approval, which does not have an expiry date. All of the conditions of approval for the Development Approval therefore remain in force.

An Extractive Industry Licence was issued by the Shire and by order of the WA State Administrative Tribunal (SAT) on 5 August 2014 which expired on 19 November 2023.

The Shire has had written confirmation from the applicant that no operations or cartage are occurring at this time.

For the sake of clarity, this application confirms the continuation of the approved extraction will be consistent with the proposal outlined below.

Subject	Description
Operating times	<ul style="list-style-type: none">(a) 06:00 – 17:00 hours from Monday to Saturday between the months of October and May;(b) 06:00 – 17:00 hours from Monday to Friday between the months of June and September;(c) 06:00 – 17:00 hours from Monday to Saturday between the months of June to September with no more than 5 days annually subject to the maximum number of truck movements on those days being no greater than 40. Should any of the days fall on a Shire event day the number will be no greater than 30;(d) During the Saturday of the Shire's Agricultural Show the number of trucks on the day will be limited to 30 (although it is unlikely that carting will occur on this day).
Volume extracted	Approximately 160,000 tonnes annually. This is consistent with the current approval and no increase in tonnage/operation is proposed as part of this application.
Site preparation	Limited site preparation is required as the site is already established for clay extraction. Access, signage, fencing, bunding and drainage management has already been established in accordance with the current approvals.
Pit area	The total “excavation operation area” is approximately 44.7 hectares. This includes the current excavation area, the next stage of extraction, water detention basins, stockpile areas and overburden bunds.
Staging	The existing pit area has not previously been given a stage number, however for this application it has been allocated as “Stage 1a” for the sake of completeness and consistency. The expansion area (previously labelled as “Stage 1”) has been labelled as “Stage 1b” to indicate the next phase of excavation. Stage 1b is consistent with the area previously labelled as “Stage 1”.
Depth	Depth of excavation is approximately 14-15 metres, depending on the depth of resource across the site.

Subject	Description
Excavation	Clay is excavated from the pit area and placed onto stockpile. Earthworks take place as and when required throughout the year but generally during the dry months. The timing of excavation depends on weather conditions, market demand and operational requirements. Excavation will most likely take place over approximately 16 weeks in total per annum, usually divided into 2 or 3 "campaigns".
Direction of excavation	The direction of excavation is generally in a southern direction.
Stockpiling	Clay is stockpiled within the pit area. This is to allow for efficient carting and transport of material from the site and utilises the existing pit area to avoid the need for clearing additional areas of vegetation.
Access	Existing site access is located at Morangup Road at the southern end of Lot 1. A crossover is already located at Morangup Road, and the sealed section is approximately 30 metres in length. The main haul road travels north through the site and provides access to the pit and clay stockpiles.
Carting	It is estimated that there will be approximately 4,250 truckloads per annum. Carting will take place as and when required throughout the year but generally during the dry months. The timing of carting depends on weather conditions, market demand and operational requirements. It is expected that carting will occur over two separate campaigns each year, lasting approximately 3-4 weeks for each campaign.
Environmental management	<ul style="list-style-type: none"> (a) The proposed excavation operation has been subject to a rigorous environmental assessment (this is presented in Chapter 3) which has considered ways to avoid, reduce and mitigate environmental impact as required by EPA Guidance Statement No. 33. (b) As such, the clay extraction operation will comply with a range of management procedures as presented in the following management plans included with this report: <ul style="list-style-type: none"> (i) Dust Management Plan (Land Insights, 2023); (ii) Noise Management Plan (Land Insights, 2023); (iii) Water Management Plan (Land Insights, 2023); (iv) Visual Amenity Management Plan (Land Insights, 2023); (v) Rehabilitation Management Plan (Land Insights, 2023); (vi) Refuelling Management Plan (Land Insights, 2023);

Subject	Description
	(vii) Waste Management Plan (Land Insights, 2023); (viii) Phytophthora Dieback Hygiene Management Plan (Glevan Consulting, 2020); (ix) Bushfire Management Plan (Bushfire Prone Planning, 2021).
Refuelling	The operation will use mobile refuelling. There will be no storage of fuel on site.
Structures	A temporary lunchroom and portaloo will be located on site. It will only be used during site operations.
Decommissioning	The pit will be recontoured and rehabilitated in accordance with the Rehabilitation Management Plan.

The progress of this application has been stalled on a number of occasions since the original submission in late 2023. This has been due to:

- Christmas shutdown period;
- Further assessment and processing agreed to between applicant and the Shire; and
- Additional rehabilitation details to be supplied by applicant.

However there has been a written undertaking that there has been no cartage or operation of the pit throughout this time.

For more details, please refer to **Attachment 1 – Management Plan - Lot 1 Morangup Road - Austral Bricks Pty Ltd - August 2023.**

COMMENTS AND DETAILS

The following modifications are proposed:

1. Operating and cartage times

The applicants in their management plan seek a continuation of the existing hours of operation as follows:

- 06:00 – 17:00 hours from Monday to Saturday between the months of October and May
- 06:00 – 17:00 hours from Monday to Friday between the months of June and September
- 06:00 – 17:00 hours from Monday to Saturday between the months of June to September with no more than 5 days annually subject to the maximum number of truck movements on those days being no greater than 40. Should any of the days fall on a Shire event day the number will be no greater than 30.
- During the Saturday of the Shire's Agricultural Show the number of trucks on the day will be limited to 30 (although it is unlikely that carting will occur on this day).

It should be noted that the above arrangement was derived as part of an appeals process through the State Administrative Tribunal in 2014.

Given these are the agreed conditions of approval on a valid Development Approval, it would not be prudent to make a set of different times for operation and cartage on the Extractive Industry Licence. Therefore, the recommendation would be to condition the licence with the above.

2. Duration of approval being sought

The Shire of Toodyay is considering granting Austral Bricks a 21-year extractive industry licence for a large-scale clay extractive industry, as opposed to a more conventional 10-year approval.

Whilst the Shire of Toodyay in recent approvals has had a consistent 10-year maximum, it is quite correct that the Shire's Extractive Industry Local Law does allow for a maximum of 21 years. Specifically, the clause states:

Where the local government approves an application for a licence, it must -

- a) determine the licence period, not exceeding 21 years from the date of issue; and*
- b) approve the issue of a licence in the form determined by the local government from time to time.*

From the applicant's perspective:

"the Local Law allows for a Licence up to 21 years and this has been provided for the site by the Council previously. The limiting factor to the previous 21 year approval was the extent of excavation. The same would also apply to this site (presumably) as a plan has been provided showing the proposed extent of excavation. If this is excavated in less than 21 years then a new Licence would need to be applied for (as was the case in 2014). In essence, regardless of the length of approval, the Licence has a few other conditions limiting operations. Conversely, having a longer timeframe also allows Austral Bricks to keep extracting within the approved area up to 21 years if market conditions slow and the rate of excavation is less than expected".

Issuing a 21-year extractive industry license over a 10-year one can have several pros and cons for both the local government and the extractive industry operator.

Pros and Cons for Local Government

Pros:

Long-term Planning Stability: A 21-year license can provide long-term stability and predictability for local government planning and infrastructure development.

Reduced Administrative Burden: Less frequent renewals mean fewer administrative processes and costs associated with reviewing and issuing new licenses.

Cons:

Flexibility Loss: A longer license duration reduces the local government's flexibility to adapt to changing circumstances, such as environmental regulations, economic shifts, or community needs.

Potential for Conflicts: Long-term licenses might lead to conflicts if new developments, environmental concerns, or public opposition arise during the license period.

Pros and Cons for Extractive Industry Operator

Pros:

Investment Security: A 21-year license provides a secure investment environment, encouraging long-term investments in technology, infrastructure, and workforce.

Operational Stability: Long-term licenses allow for better long-term planning and operational efficiency, leading to cost savings and optimised resource extraction.

Financial Planning: Predictable and stable license terms enable better financial planning and access to funding from investors who prefer long-term stability.

Cons:

Risk of Regulatory Changes: Operators might be locked into terms that could become less favourable if regulatory environments change over the long term.

In accordance with the *Extractive Industry Local Law Clause 3.1(2)(b)(ii)*, the Local Government may, in respect of an application for a licence – approve the application on such terms and conditions, if any, it sees fit. Therefore, Council can choose to impose a ten-year limit for consistency, or the longer twenty-one-year duration that the applicant is seeking.

It is the Officer's opinion that the duration should be kept at ten years as this is consistently applied.

3. Road Maintenance Contributions

Condition 1. (h)(i) of the active and valid Development Approval states:

h) The applicant shall be responsible for the cost of maintaining and repairing damage to the roads controlled by the Shire which are used by heavy haulage traffic associated with the clay extractive industry operations at 1010 (Lot 1) Morangup Road, Morangup, to the extent that such traffic contributes to the need for such maintenance and repair. Prior to the commencement of operation of the Facility, a Road Maintenance Plan based on this principle and including:

- i. A Road Maintenance Contribution of \$0.20 per tonne shall be made annually for the term of this planning approval, the conclusion of which will be marked by the completion of all extraction works;*
- ii. Payment shall be made within 30 days of the 30 June each year based on actual tonnages as supplied by the weighbridge dockets;*
- iii. Shall be lodged with the Shire for approval and the Road Maintenance Plan shall be implemented throughout the duration of the operation of the Facility.*

Given the above, any condition of approval in of the Extractive Industry Licence should be consistent with the active and valid Development Approval. However, it should be noted that the Road Maintenance Plan has been lodged already and satisfies the conditions of approval of the Development Approval.

One issue with this is that the Development Approval is in force until such time as the development ceases. The Development Approval does not have a prescribed time limit. This is considered an issue because the condition sets out a contribution of \$0.20 per tonne with no opportunity to review. Normally the Shire would see an application for renewal as an opportunity to review this figure, and in other instances a set figure would also have the CPI applied when calculated each year. This is done to ensure that the true cost of repair and maintenance is being reflected in amounts being collected to ensure there is no shortfall to be borne by ratepayers. Unfortunately, this is something that was not considered adequately at the time of the Development Approval.

However, the matter is being currently discussed between the Shire and the Applicant – who acknowledges the issue and sees the Shire's perspective and predicament.

The matter may be rectified through an agreed modification of the Development Approval. The Shire can request this; however, it must be agreed to by Austral Bricks.

It is recommended that an additional Officer Recommendation be considered by Council:

That Council, requests that the CEO write to Austral Bricks for consideration of a proposal to amend Condition 1(h)(i) of the Development Approval issued 7 October 2016, pursuant to Clause 77 of the Deemed Provisions of the Planning and Development (Local Planning Schemes) Regulations 2015.

IMPLICATIONS TO CONSIDER

Consultative:

This application has been advertised in accordance with the Shire of Toodyay's *Local Planning Policy – Advertising of Planning Proposals*. This has included:

- Notice in October 2023 edition of the *Toodyay Herald*;
- Notice on the Shire of Toodyay website;
- Mail out to properties within 1,500m of the subject site; and
- Mail out to government agencies (DBCA, DWER, DPIRD, DMIRS and MRWA).

The Shire received one submission from the Department of Water and Environmental Regulation (DWER) that states:

The Department has identified that the proposed extractive industry renewal has the potential to impact on environment values and management. Key issues and recommendations that should be addressed are provided below:

Native vegetation clearing

Under section 51C of the Environmental Protection Act 1986 (EP Act), clearing of native vegetation is an offence unless:

- *it is undertaken under the authority of a clearing permit;*
- *it is done after the person has received notice under Section 51DA(5) that a clearing permit is not required; and*
- *the clearing is subject to an exemption.*

Exemptions for clearing that are a requirement of written law, or authorised under certain statutory processes, are contained in Schedule 6 of the EP Act. Exemptions for low impact routine land management practices outside of environmentally sensitive areas (ESAs) are contained in the Environmental Protection (Clearing of Native Vegetation) Regulations 2004 (the Clearing Regulations).

Stages 1 and 1b of the pit expansion have been cleared in accordance with Clearing Permit CPS 5495/2. A copy of this permit is available here: [Index of /permit/5495 \(dwewa.wa.gov.au\)](https://dwewa.wa.gov.au)

Based on the information provided, clearing of native vegetation for future expansion stages will require a clearing permit.

The Shire recommends that this submission is noted by the Council and that this is dealt with under appropriate standard conditions of approval as follows:

The Operator is required to obtain approval from the Department of Water and Environment Regulation (DWER) prior to the removal of native vegetation on site.

It should be noted that no native vegetation clearing is proposed.

Strategic:***Plan for the Future: Shire of Toodyay Council Plan 2023-2033***

Outcome 5. High quality town planning complements our rural ambience and heritage.

O5.1. Provide responsible planning and development.

O5.3. Preserve and showcase local history and heritage.

Outcome 9. Responsible and effective leadership and governance.

O9.1 Provide strong, clear, and accountable leadership.

Policy related:**State Planning Policy 2.0 – Environment and Natural Resources Policy**

The principles from the Policy are below:

- the identification and protection of important and economic mineral resources to enable mineral exploration and mining in accordance with acceptable environmental standards
- the identification and protection of important basic raw material resources and provide for their extraction and use

State Planning Policy 2.4 – Planning for Basic Raw Materials

The Policy provides guidance to operators and decision makers regarding applications for basic raw materials extraction, as well as other types of planning applications that can potentially impact on extraction sites or significant geological supplies.

State Planning Policy 2.5 – Rural planning

The Western Australian Planning Commission seeks to protect and preserve rural land for rural purposes including primary production, basic raw materials, regional facilities, and protection of biodiversity and landscape.

Basic raw materials are essential for the construction of buildings, roads and other infrastructure, and also for the sustainability of agricultural production.

State Planning Policy 3.7 – Planning in Bushfire Prone Areas

Development applications for vulnerable or high-risk land uses in areas between BAL-12.5 to BAL-29 will not be supported unless they are accompanied by a Bushfire Management Plan jointly endorsed by the relevant local government and the State authority for emergency services. Development applications should include an emergency evacuation plan for proposed occupants and/or a risk management plan for any flammable on-site hazards.

The application is accompanied by a Bushfire Management Plan which meets the above requirements.

Local Planning Policy – Advertising of Planning Proposals

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.

Risk Management

This policy is intended to commit to organisation-wide risk management principles, systems and processes that ensure consistent, efficient, and effective assessment of risk in all planning, decision making and operational processes.

Financial:

Fees have been paid in accordance with the *Planning and Development Regulations 2009*.

All costs associated with the development will be borne by the proponent.

This includes applicable rehabilitation bonds, road maintenance contributions and annual licence fees.

Rehabilitation Bond

Rehabilitation of this land after a pit has been decommissioned is an essential consideration. The cost and responsibility to perform this vital process lies with the licensee. Examination of the Shire records and confirmed by the applicant is that there is no record of the bond on file. This is contrary to original reportage.

This realisation has come about when the Shire and Applicant began to investigate the rehabilitation bond situation. This was being done as there is currently no methodology about how to apply the area and depths for calculations using the Schedule of Fees and Charges.

After further consultation and review of the application, the bond has been calculated based on revised assessment of depth and operational areas as follows:

Extraction below 3m depth – 3.09ha x \$19,160 = \$59,204

Extraction above 3m depth – 8.02ha x \$8370 = \$67,127

Stockpile – 1.98ha x \$8370 = \$16,573 (using the rates for extraction below 3m)

Laydown – 1.82ha x \$8370 = \$15,233 (using the rates for extraction below 3m)

TOTAL = \$158,137.

It will therefore be a condition of licence approval to collect the bond of \$158,137.00.

This exercise has also demonstrated that there is a more accurate and fairer process available. It is recommended that this gets incorporated into future policy and procedures dealing with rehabilitation. For more details, please refer to **Attachment 2 – Additional Bond Calculations and Extraction Details Map**.

Legal and Statutory:

Shire of Toodyay Extractive Industry Local Law

The *Shire of Toodyay Extractive Industries Local Law* was endorsed by Council on 24 June 1999. It sets out the licencing requirements for an extractive industry, including the information which is required in an application and determination of the application. This application for a renewal of the extractive industry licence renewal is submitted in accordance with the Local Law.

Risk related:

In accordance with the Shire of Toodyay Risk Management Policy the following risks have been determined:

Risk Type	Risk	Likelihood	Consequence	Score
Financial Impact	The Applicant has the right of appeal through the State Administrative Tribunal of Council's decision on this matter. This would potentially expose the Shire to increased legal costs.	Possible (3)	Moderate (3)	Moderate (9)
Reputational	Extractive Industries are highly scrutinised by elements of the community – particularly landowners in close proximity. There is an expectation that the Shire will manage and regulate these processes effectively. When this does not occur, it can lead to reputational damage.	Possible (3)	Moderate (3)	Moderate (9)

Environmental related

The application has been referred to the Shire's Environmental Sustainability Officer for assessment who has provided the following comments:

After careful review of the information provided, I appreciate your efforts to address the concerns raised and provide clarification on several key points.

Regarding the perceived major impacts listed in the previous Agenda report, which was subsequently pulled, including impacts to native vegetation, threatened species, and the spread of dieback, I acknowledge your clarification that no clearing of native vegetation is proposed as part of the application. Furthermore, I take note of the preparation of the "Phytophthora Dieback Hygiene Management Plan" for the site, which indicates proactive measures taken to address potential environmental risks.

Given the comprehensive environmental approvals and management plans already in place, I do not have any additional comments to add at this time.

Workforce related:

The Extractive Industry regulation has been labour intensive for Shire Officers with workflows impacting a number of departments throughout the lifecycle of the project. The Shire is currently in the process of improving these processes so that there will be less burden in the future. By being implicit about cost recovery, many of these processes such as an audit inspection will be able to be outsourced.

Should Council choose to refuse this application, the applicant has the right of appeal through the State Administrative Tribunal. Were this to happen, the Shire would likely have to commit additional funds to undergo this process, and there is a potential financial implication for loss of productivity due to Officer time required in dealing with such matters.

VOTING REQUIREMENTS

Simple Majority

The Executive Manager Development and Regulation provided an overview of the report. Clarification was sought.

Cr Dival moved the Officer's Recommendation as follows:

That Council

1. Notes the submission received relating to the Extractive Industry application for Lot 1 (No. 1010) Morangup Road, Morangup.
2. That Council, pursuant to Clause 3.1(2)(b) of the *Shire of Toodyay Extractive Industry Local Law*; approves the application for an Extractive Industry Licence at Lot 1 (No. 1010) Morangup Road, Morangup, subject to the following conditions:

Licence

- (a) The licence is granted to Austral Bricks Pty Ltd.

Management Plan

- (b) Development is to be in accordance with the approved Extractive Industries Licence Application – “Management Plan - Lot 1 Morangup Road - Austral Bricks Pty Ltd - August 2023”, including any amendments placed thereon by Council and except as may be modified by the following conditions:

Term of approval

- (i) The term of the Extractive Industry Licence is for ten (10) years from the date of this approval.

Payment of Annual Licence Fee

- (ii) On or before 31 December in each year, a licensee must pay to the local government the annual licence fee determined by the local government from time to time.

Transfer, Cancellation and Renewal of Licence

- (iii) Must be carried out in accordance with Part 4 of the Shire of Toodyay Extractive Industry Local Law.

Site Specific

- (iv) The location and total area of the excavation is to be limited to 69.7 hectares as depicted in the approved management plan.
- (v) The extraction of material is limited to a depth of 15 metres (m) as depicted in the approved management plan.
- (vi) The maximum permitted extraction is limited to 160,000 tonnes (t) per annum as depicted in the approved management plan.

(vii) Extraction is to be undertaken entirely within the land defined as:

Lot 1 on D034893

Volume: 82 Folio: 1A

And must be set back a minimum of 50m from the lot boundary.

Pit operating hours

(viii) Hours of operation are limited to::

1. 06:00 – 17:00 hours from Monday to Saturday between the months of October and May;
2. 06:00 – 17:00 hours from Monday to Friday between the months of June and September;
3. 06:00 – 17:00 hours from Monday to Saturday between the months of June to September with no more than 5 days annually subject to the maximum number of truck movements on those days being no greater than 40. Should any of the days fall on a Shire event day the number will be no greater than 30;
4. During the Saturday of the Shire's Agricultural Show the number of trucks on the day will be limited to 30 (although it is unlikely that carting will occur on this day).

Transport management

(ix) In accordance with Condition 2(b)(viii) above.

(x) All trucks involved in the project shall comply with the Shire of Toodyay's Council Infrastructure Policy Restricted Access Vehicles and shall seek the approval of Main Roads Western Australia as appropriate.

(xi) All truck loads leaving the site with materials are to be covered.

(xii) The applicant shall be responsible for the cost of maintaining and repairing damage to the roads controlled by the Shire which are used by heavy haulage traffic associated with the clay extractive industry operations at 1010 (Lot 1) Morangup Road, Morangup, to the extent that such traffic contributes to the need for such maintenance and repair based on this principle and including:

1. A Road Maintenance Contribution of \$0.20 per tonne shall be made annually for the term of this planning approval, the conclusion of which will be marked by the completion of all extraction works;
2. Payment shall be made within 30 days of the 30 June each year based on actual tonnages as supplied by the weighbridge dockets.

Noise and vibration

(xiii) The noise generated by the development is not to exceed the levels as set out under the Environmental Protection Act 1986 (and the Environmental Protection (Noise) Regulations 1997).

Water

(xiv) The operations are managed in accordance with "Water Quality Protection Note 15 - Extractive Industries Near Sensitive Water Resources".

(xv) Any dewatering shall be in accordance with "Water Quality Protection Note 13 - Dewatering of Soils".

Dust

(xvi) Measures are to be taken to minimise the amount of dust pollution associated with the extraction site and are to comply with the Environmental Protection Act 1986 and Department of Environmental Regulation Guidelines.

Bushfire management

(xvii) The development shall be operated in accordance with the Bushfire Management Plan 200850 Lot 1 Morangup Road, Morangup BMP v1.0 which is contained in "Management Plan - Lot 1 Morangup Road - Austral Bricks Pty Ltd - August 2023 "

Reporting / Auditing

(xviii) The Applicant is required to provide the local government a Surveyors Certificate every two years, prior to the annual renewal fee for that year being payable, to certify the quantity of material extracted and that material has not been excavated below the final contour levels outlined within the approved Extractive Industry Report. At the same time the Applicant will provide an update and forecast on staging for the following two-year period.

(xix) The Applicant/Operator is to provide a written report to the Shire of Toodyay no later than 31 July each year outlining:

1. Progress of excavation
2. Progress of rehabilitation
3. Tonnage of material carted from the site
4. Road maintenance contributions
5. Community complaints and responses/actions
6. Self-audit on the conditions of the EIL.

Site Rehabilitation

(xx) The excavation site is to be rehabilitated in accordance with the Rehabilitation and Decommissioning Programme specified as part of the Extractive Industries Licence Application "Management Plan - Lot 1 Morangup Road -

Austral Bricks Pty Ltd - August 2023 ", and the Shire of Toodyay's Extractive Industry Local Law or any subsequent programme approved thereafter. The rehabilitation works must be completed within the first winter months following the re-establishment of the final contour ground levels and maintained for a period of three years thereafter.

- (xxi) Prior to the commencement of the development, the applicant is required to pay a bond of \$158,137.00 as a performance guarantee against the satisfactory completion of the rehabilitation of the site, as detailed in Condition (2)(b)(xxi). The performance guarantee will be refunded at a rate of 50% following completion of the final stage of rehabilitation works and 50% at the conclusion of the three-year monitoring period.
- (xxii) Prior to the commencement of the development the applicant is to enter into a legal agreement with the Shire of Toodyay outlining the terms of bonding and rehabilitation. This is to be accompanied by written authorisation from the owner of the land that the Shire may enter the site to complete or rectify any outstanding work. All costs including legal fees associated with the creation of this agreement are to be borne by the applicant.
- (xxiii) The bond may either be in the form of cash or an unconditional, irrevocable Bank Guarantee.
- (xxiv) Final sign-off and release of bonds will also require written agreement from the landowner that rehabilitation is satisfactory.

Insurance

- (xxv) The Applicant must maintain a current public liability insurance policy in which the interests of the Shire of Toodyay are formally noted by the insurer, indemnifying the Applicant and the Shire of Toodyay for a sum of not less than \$20,000,000 in respect of any one claim relating to any of the excavation and transport operations.

Costs

- (xxvi) Cost recovery shall apply to all costs and expenses associated with monitoring during the life of the project including audits and pit closures.

3. Requests that the CEO write to Austral Bricks for consideration of a proposal to amend Condition 1(h)(i) of the Development Approval issued 7 October 2016, pursuant to Clause 77 of the Deemed Provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

Cr Prater seconded the motion.

There were no objections.

Further clarification was provided.

Discussion ensued.

Cr Madacsi objected to the motion.

Debate commenced.

Further clarification was sought.

Cr Dival moved an amendment to the motion as follows:

That a point 4 be added to read as follows:

4. That the applicant note the Council is generally not in favour of Saturday trading.

Cr Duri seconded the amendment.

Debate commenced.

The amendment was put.

AMENDMENT/COUNCIL RESOLUTION NO. OCM176/06/24

MOVED Cr S Dival

SECONDED Cr C Duri

That a point 4 be added to read as follows:

4. That the applicant note the Council is generally not in favour of Saturday trading.

Voted For: Crs R Madacsi, C Duri, S McCormick, M McKeown, S Dival and J Prater

Voted Against: Nil

MOTION CARRIED 6/0

Debate recommenced on the substantive motion.

The substantive motion was put.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION NO. OCM177/06/24

MOVED Cr S Dival

SECONDED Cr J Prater

That Council

1. Notes the submission received relating to the Extractive Industry application for Lot 1 (No. 1010) Morangup Road, Morangup.

2. That Council, pursuant to Clause 3.1(2)(b) of the *Shire of Toodyay Extractive Industry Local Law*; approves the application for an **Extractive Industry Licence** at Lot 1 (No. 1010) Morangup Road, Morangup, subject to the following conditions:

Licence

(a) The licence is granted to Austral Bricks Pty Ltd.

Management Plan

(b) Development is to be in accordance with the approved Extractive Industries Licence Application – “Management Plan - Lot 1 Morangup Road - Austral

Bricks Pty Ltd - August 2023 ", including any amendments placed thereon by Council and except as may be modified by the following conditions:

Term of approval

(i) The term of the Extractive Industry Licence is for ten (10) years from the date of this approval.

Payment of Annual Licence Fee

(ii) On or before 31 December in each year, a licensee must pay to the local government the annual licence fee determined by the local government from time to time.

Transfer, Cancellation and Renewal of Licence

(iii) Must be carried out in accordance with Part 4 of the Shire of Toodyay Extractive Industry Local Law.

Site Specific

(iv) The location and total area of the excavation is to be limited to 69.7 hectares as depicted in the approved management plan.

(v) The extraction of material is limited to a depth of 15 metres (m) as depicted in the approved management plan.

(vi) The maximum permitted extraction is limited to 160,000 tonnes (t) per annum as depicted in the approved management plan.

(vii) Extraction is to be undertaken entirely within the land defined as:

Lot 1 on D034893

Volume: 82 Folio: 1A

And must be set back a minimum of 50m from the lot boundary.

Pit operating hours

(viii) Hours of operation are limited to:

1. 06:00 – 17:00 hours from Monday to Saturday between the months of October and May;
2. 06:00 – 17:00 hours from Monday to Friday between the months of June and September;
3. 06:00 – 17:00 hours from Monday to Saturday between the months of June to September with no more than 5 days annually subject to the maximum number of truck movements on those days being no greater than 40. Should any of the days fall on a Shire event day the number will be no greater than 30;
4. During the Saturday of the Shire's Agricultural Show the number of trucks on the day will be limited to 30 (although it is unlikely that carting will occur on this day).

Transport management

(ix) In accordance with Condition 2(b)(viii) above.

(x) All trucks involved in the project shall comply with the Shire of Toodyay's Council Infrastructure Policy Restricted Access Vehicles

and shall seek the approval of Main Roads Western Australia as appropriate.

- (xi) All truck loads leaving the site with materials are to be covered.
- (xii) The applicant shall be responsible for the cost of maintaining and repairing damage to the roads controlled by the Shire which are used by heavy haulage traffic associated with the clay extractive industry operations at 1010 (Lot 1) Morangup Road, Morangup, to the extent that such traffic contributes to the need for such maintenance and repair based on this principle and including:
 1. A Road Maintenance Contribution of \$0.20 per tonne shall be made annually for the term of this planning approval, the conclusion of which will be marked by the completion of all extraction works;
 2. Payment shall be made within 30 days of the 30 June each year based on actual tonnages as supplied by the weighbridge dockets.

Noise and vibration

- (xiii) The noise generated by the development is not to exceed the levels as set out under the Environmental Protection Act 1986 (and the Environmental Protection (Noise) Regulations 1997).

Water

- (xiv) The operations are managed in accordance with "Water Quality Protection Note 15 - Extractive Industries Near Sensitive Water Resources".
- (xv) Any dewatering shall be in accordance with "Water Quality Protection Note 13 - Dewatering of Soils".

Dust

- (xvi) Measures are to be taken to minimise the amount of dust pollution associated with the extraction site and are to comply with the Environmental Protection Act 1986 and Department of Environmental Regulation Guidelines.

Bushfire management

- (xvii) The development shall be operated in accordance with the Bushfire Management Plan 200850 Lot 1 Morangup Road, Morangup BMP v1.0 which is contained in "Management Plan - Lot 1 Morangup Road - Austral Bricks Pty Ltd - August 2023 "

Reporting / Auditing

- (xviii) The Applicant is required to provide the local government a Surveyors Certificate every two years, prior to the annual renewal fee for that year being payable, to certify the quantity of material extracted and that material has not been excavated below the final contour levels outlined within the approved Extractive Industry Report. At the same time the Applicant will provide an update and forecast on staging for the following two-year period.

(xix) The Applicant/Operator is to provide a written report to the Shire of Toodyay no later than 31 July each year outlining:

1. Progress of excavation
2. Progress of rehabilitation
3. Tonnage of material carted from the site
4. Road maintenance contributions
5. Community complaints and responses/actions
6. Self-audit on the conditions of the EIL.

Site Rehabilitation

(xx) The excavation site is to be rehabilitated in accordance with the Rehabilitation and Decommissioning Programme specified as part of the Extractive Industries Licence Application "Management Plan - Lot 1 Morangup Road - Austral Bricks Pty Ltd - August 2023 ", and the Shire of Toodyay's Extractive Industry Local Law or any subsequent programme approved thereafter. The rehabilitation works must be completed within the first winter months following the re-establishment of the final contour ground levels and maintained for a period of three years thereafter.

(xxi) Prior to the commencement of the development, the applicant is required to pay a bond of \$158,137.00 as a performance guarantee against the satisfactory completion of the rehabilitation of the site, as detailed in Condition (2)(b)(xxi). The performance guarantee will be refunded at a rate of 50% following completion of the final stage of rehabilitation works and 50% at the conclusion of the three-year monitoring period.

(xxii) Prior to the commencement of the development the applicant is to enter into a legal agreement with the Shire of Toodyay outlining the terms of bonding and rehabilitation. This is to be accompanied by written authorisation from the owner of the land that the Shire may enter the site to complete or rectify any outstanding work. All costs including legal fees associated with the creation of this agreement are to be borne by the applicant.

(xxiii) The bond may either be in the form of cash or an unconditional, irrevocable Bank Guarantee.

(xxiv) Final sign-off and release of bonds will also require written agreement from the landowner that rehabilitation is satisfactory.

Insurance

(xxv) The Applicant must maintain a current public liability insurance policy in which the interests of the Shire of Toodyay are formally noted by the insurer, indemnifying the Applicant and the Shire of Toodyay for a sum of not less than \$20,000,000 in respect of any one claim relating to any of the excavation and transport operations.

Costs

(xxvi) Cost recovery shall apply to all costs and expenses associated with monitoring during the life of the project including audits and pit closures.

3. Requests that the CEO write to Austral Bricks for consideration of a proposal to amend Condition 1(h)(i) of the Development Approval issued 7 October 2016, pursuant to Clause 77 of the Deemed Provisions of *the Planning and Development (Local Planning Schemes) Regulations 2015*.

4. That the applicant note the Council is generally not in favour of Saturday trading.

Voted For: Nil

Voted Against: Crs R Madacsi, C Duri, S McCormick, M McKeown, S Dival and J Prater

MOTION LOST 0/6

9.2 CORPORATE AND COMMUNITY SERVICES

9.2.1 List of Payments - May 2024

Date of Report:	10 June 2024
Applicant or Proponent:	Shire of Toodyay
File Reference:	FIN30
Author:	D Jones – Accounts Payable Officer
Responsible Officer:	N Mwale – Finance Coordinator
Previously Before Council:	N/A
Author's Disclosure of Interest:	Nil
Council's Role in the matter:	Legislative
Attachments:	1. List of Payments May 2024 ⇒

PURPOSE OF THE REPORT

That the accounts for 1 May 2024 to 31 May 2024, as submitted, be received.

BACKGROUND

This information is provided to Council on a monthly basis in accordance with provisions of the Local Government Act 1995 and Local Government (Financial Management) Regulations 1996.

A Local Government is to develop procedures for the authorisation of any payment of accounts to ensure that there is effective security for which money or other benefits may be obtained.

COMMENTS AND DETAILS

The schedule of payments has been compiled for the month of May 2024 and is attached.

These payments have already occurred, and Council are not making a decision as to whether payments are to be made.

IMPLICATIONS TO CONSIDER

Consultative:

There has been consultation with Executive Manager Corporate & Community Services.

Strategic:

The **Plan for the Future: Shire of Toodyay Council Plan 2023-2033**

Outcome 9. Responsible and effective leadership and governance.

O9.1: *Govern Shire finances, assets, and operations responsibly.*

Policy related:

Authorised Signatories Policy

Purchasing Policy

Delegation CS1

Financial:

All payments are made within the confines of Council adopted budget. All expenditure are in accordance with s6.8(1) (a) of the Local Government Act 1995.

Legal and Statutory:**Local Government Act 1995**

s.5.42 allows the local government to delegate its powers to the Chief Executive Officer.

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

Local Government (Financial Management) Regulations 1996

r.13 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

Clarification was sought.

Clarification in regard to the “endorsement” of the schedule of accounts as presented.

Cr McKeown moved the Officer’s Recommendation as follows:

That Council receives the schedule of accounts as presented, and listed below, for the month of May 2024:

Municipal Cheques	\$ 78,125.37
Electronic Funds Transfer Payments	\$ 631,505.27
Direct Debits	\$ 0.00
Payroll	\$ 236,347.11
Purchasing Cards	\$ 10,294.84
TOTAL	\$ 956,272.59

Cr Prater seconded the motion.

Cr Dival moved an amendment to the motion as follows:

That the word “endorses” is replaced by the word “receives”

Cr Prater seconded the amendment.

The amendment was put.

AMENDMENT/COUNCIL RESOLUTION NO. OCM178/06/24

MOVED Cr S Dival

SECONDED Cr J Prater

That the word “endorses” is replaced by the word “receives”

Voted For: Crs R Madacsi, C Duri, S McCormick, M McKeown, S Dival and J Prater

Voted Against: Nil

MOTION CARRIED 6/0

The substantive motion was put.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION NO. OCM179/06/24

MOVED Cr M McKeown

SECONDED Cr J Prater

That Council receives the schedule of accounts as presented, and listed below, for the month of May 2024:

Municipal Cheques	\$ 78,125.37
Electronic Funds Transfer Payments	\$ 631,505.27
Direct Debits	\$ 0.00
Payroll	\$ 236,347.11
Purchasing Cards	\$ 10,294.84
TOTAL	\$ 956,272.59

Voted For: Crs R Madacsi, C Duri, S McCormick, M McKeown, S Dival and J Prater

Voted Against: Nil

MOTION CARRIED 6/0

9.2.2 Monthly Financial Statements - May 2024

Date of Report:	5 June 2024
Applicant or Proponent:	Shire of Toodyay
File Reference:	FIN30
Author:	N Mwale – Finance Coordinator
Responsible Officer:	T Bateman – Acting CEO
Previously Before Council:	N/A
Author's Disclosure of Interest:	Nil.
Council's Role in the matter:	Legislative
Attachments:	<ol style="list-style-type: none">1. Monthly Financial Statements as at 31 May 2024; and ⇒2. Supplementary Information as at 31 May 2024. ⇒

PURPOSE OF THE REPORT

The purpose of this report is to present to Council the Monthly Financial Report (containing the Statement of Financial Activity by nature) for the month ended 31 May 2024.

BACKGROUND

Regulation 34(1) of the *Local Government (Financial Management) Regulations 1996* requires a local government to prepare each month a statement of financial activity including the sources and applications of funds, comparing actuals against annual budget and year-to-date budget.

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

From 1 July 2023 all local governments were required to present to Council the Statement of Financial Activity to comply with Australian Accounting Standards (AAS) and the amended *Local Government (Financial Management) Regulations 1996*.

The Statement of Financial Activity, contained within the monthly financial statements, summarises the Shire's operating and capital activities and provides an indication of the Shire's financial performance as the year progresses. Officers have also provided additional supplementary information.

The following information provides balances for key financial areas for the Shire of Toodyay's financial position for the month ending 31 May 2024.

Key Financial areasOutstanding Rates

The rate notices for charges levied for 2023/24 were raised in September 2023 after adoption of the annual budget at its Ordinary Council Meeting held 25 October 2023.

The *Local Government Act 1995* provides for ratepayers to pay rates in full or by instalments. The revised due dates for 2023/24 are as follows:

Instalment	Due Date
First Instalment	2 November 2023
Second Instalment	2 January 2024
Third Instalment	4 March 2024
Fourth Instalment	6 May 2024

As at 31 May 2024, the gross amount of rates, ESL and rubbish charges outstanding (including arrears and interest) is \$1,614,913.35. This total is made up of the following:

	Current	Arrears 1	Arrears 2	Arrears 3	Deferment	Total
	\$1,141,634.19	\$269,545.98	\$100,081.08	\$101,536.75	\$ 0.00	\$1,614,913.35
Deferment	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$282,785.74	\$ 282,785.74
Pre-payment	\$(401,153.38)	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$(401,153.38)
Total	\$ 742,596.16	\$269,545.98	\$100,081.08	\$101,536.75	\$282,785.74	\$1,496,070.71

Outstanding Sundry Debtors

The total outstanding sundry debtors balance at the end of 31 May 2024 is displayed by category as follows:

Category	30/04/2024	31/05/2024
> 90 days and over	\$ 21,325.68	\$ 23,833.92
> 60 days and over	\$ 320,541.31	\$ 5,585.82
> 30 days and over	\$ 35,033.62	\$ 8,818.91
Current	\$ 137,897.06	\$ 66,382.25
TOTAL	\$ 514,797.67	\$ 104,620.90

From previous reporting period we recovered a total \$410,176.77 from over 60 days overdue debtors. The composition of outstanding debtors is included in **Attachment 1**.

IMPLICATIONS TO CONSIDERConsultative:

Consultation with Datacom is ongoing in the preparation of the monthly financial statements. Moore Australia

Strategic:***Plan for the Future: Shire of Toodyay Council Plan 2023-2033***

Outcome 9. Responsible and effective leadership and governance.

9.2 Govern Shire finances, assets and operations responsibly.

Policy related:

Authorised Signatories

Purchasing

Corporate Credit Cards

Financial Governance

Delegation

CS1 Payments from the municipal or trust fund (referred to in Section 6.10 "Financial management regulations" of the *Local Government Act 1995*)

Financial:

The Shire's surplus funds are invested in bank term deposits and checked regularly to ensure maximum investment returns in accordance with the Shire's investment policy.

Revenue was higher than anticipated on rates received, increase in fees & charges and grants received in advance.

Expenditure was lower than anticipated due to staff vacancies and materials and contracts. Invoices for goods and services will be processed next reporting period.

Capital activities lower than anticipated for this reporting period due to timing issue with construction work.

Transfers to and from reserve will be processed for the next reporting period.

Workforce related:

Nil.

VOTING REQUIREMENTS

Simple Majority

Clarification was sought.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION NO. OCM180/06/24

MOVED Cr S Dival

SECONDED Cr C Duri

That Council receives, for the month ending 31 May 2024 the following:

- (a) Monthly Financial Statements; and
- (b) Supplementary information.

Voted For: Crs R Madacsi, C Duri, S McCormick, M McKeown, S Dival and J Prater

Voted Against: Nil

MOTION CARRIED 6/0

9.2.3 Disability Access and Inclusion Plan Progress Report 2023/2024

Date of Report:	29 May 2024
Applicant or Proponent:	Shire of Toodyay
File Reference:	DSB2
Author:	W Sutton – Community Development Officer
Responsible Officer:	G French – Acting Executive Manager Corporate and Community Services
Previously Before Council:	No
Author's Disclosure of Interest:	N/A
Council's Role in the matter:	Review
Attachments:	<ol style="list-style-type: none">1. 2023/24 DAIP Reporting Guide ↗2. 2023/24 DAIP Progress Report ↗

PURPOSE OF THE REPORT

A review of the Shire's Disability Access and Inclusion Plan (DAIP) has been conducted by officers and the draft 2023/24 Progress Report is presented for Council's consideration prior to submission to the Disability Services Commission.

BACKGROUND

In accordance with the *Disability Services Act 1993 (amended 2004)*, public authorities are required to develop and implement a DAIP that identifies barriers to access and propose solutions to ensure equitable access to services and facilities for people with disabilities. The Shire of Toodyay adopted its current DAIP 2020-2025 on 25 February 2020.

Local governments are required to report annually on their progress in implementing their Disability Access and Inclusion Plans (DAIPs). The Minister for Disability Services uses the information to produce a report detailing the progress made by public authorities across Western Australia. This report is provided to the Western Australian Parliament and made publicly available by the Department of Communities.

The Shire of Toodyay aims to improve accessibility and inclusiveness for people with disability and their carers/families through the strategies outlined in the Disability Access and Inclusion Plan (DAIP) 2020-2025.

COMMENTS AND DETAILS

Disability Access and Inclusion Plans are an important way of ensuring that public authorities continue to improve access and inclusion outcomes for people with disability.

The Progress Report (Attachment 1) provides information regarding the extent to which inclusion is effectively integrated into Shire operations and the influence of access and inclusion measures on the community.

The 2023/24 DAIP Progress Report must be submitted no later than 31 July 2023 addressing the Shire's progress in the following key areas;

- Outcome 1: People with disability have the same opportunities as other people to access the services of, and any events organised by, a public authority.
- Outcome 2: People with disability have the same opportunities as other people to access the buildings and other facilities of a public authority.
- Outcome 3: People with disability receive information from a public authority in a format that will enable them to access the information as readily as other people are able to access it.
- Outcome 4: People with disability receive the same level and quality of service from the staff of a public authority as other people receive from the staff of that public authority.
- Outcome 5: People with disability have the same opportunities as other people to make complaints to a public authority.
- Outcome 6: People with disability have the same opportunities as other people to participate in any public consultation by a public authority.
- Outcome 7: People with disability have the same opportunities as other people to obtain and maintain employment with a public authority.

Progress has been made in relation to footpaths, townsites and recreation areas accessibility. Officers acknowledge however, that there is further work to be done in the areas of training and awareness of those living with disability, with this work programmed for 2024/25 FY.

The progress report template has changed to a more streamlined "traffic light" format. LGAs report progress against each of the actions listed in their DAIP aligned against 1 of 15 State Disability Strategy Outcomes (Attachment 2, Appendix 1).

IMPLICATIONS TO CONSIDER

Consultative:

Disability Services Commission (DSC)

The DSC provides a reporting tool for completion by public authorities. The information is collated by the DSC and provided to the Minister and a summary report is provided to WA Parliament. The Community Development Officer has attended online training on the new reporting format.

Community members and visitors

The Shire considers feedback from the community, to improve awareness of those living with disability. Action on feedback, however, can be subject to budgetary limitations.

Strategic:

Disability Access and Inclusion Plan (DAIP) 2020-2025

Plan for the Future: Shire of Toodyay Council Plan 2023-2033

Outcome 2: An inclusive connected community

O2.3: Advance opportunities, community participation and quality of life for people with disability.

Financial:

The implementation of DAIP actions is considered as part of the annual budget process.

Legal and Statutory:***Disability Services Act 1993***

Section 29C of the *Disability Services Act 1993* requires the Disability Services Commission to provide the Minister with a report on the effectiveness of disability access and inclusion plans. Public authorities in Western Australia are requested to provide a progress report to the Commission annually with key information in order that it can meet its legislative requirements.

Risk related:

Whilst it isn't legislated that the Shire must submit a progress report, it is a requirement of the Disability Services Commission for an agency to meet its statutory obligations. Failure to submit a progress report could result in a reputational risk to the Shire.

Workforce related:

The development and administration of the Shire's DAIP is led by the Corporate and Community Services team as access and inclusion falls within this portfolio. However, responsibility for implementing the actions within the DAIP lies with relevant officers across the organisation.

VOTING REQUIREMENTS

Simple Majority

Clarification was sought.

Cr Duri moved the Officer's Recommendation.

Cr Madacsi seconded the motion.

Cr Dival objected to the motion.

Debate commenced.

The motion was put.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION NO. OCM181/06/24

MOVED Cr C Duri

SECONDED Cr R Madacsi

That Council:

1. Adopts the Disability Access and Inclusion Plan Progress Report 2023/24 as attached, noting the progress made to date.
2. Requests the Chief Executive Officer submit the 2023/24 DAIP Progress Report to the Department of Communities by 31 July 2024.

Voted For: Crs R Madacsi, C Duri, S McCormick, M McKeown, S Dival and J Prater

Voted Against: Nil

MOTION CARRIED 6/0

9.2.4 In-Principle Support - The Salvado Trail Foundation

Date of Report:	30 May 2024
Applicant or Proponent:	The Salvado Trail Foundation
File Reference:	COMG1
Author:	W Sutton – Community Development Officer
Responsible Officer:	G French – Acting Executive Manager Corporate and Community Services
Previously Before Council:	No
Author's Disclosure of Interest:	Nil
Council's Role in the matter:	Executive
Attachments:	1. Salvado Trail - small scale unverified map. ↗

PURPOSE OF THE REPORT

To consider providing in-principle support to the Salvado Trail Foundation.

BACKGROUND

The Salvado Trail (*previously known as the Camino Salvado or Pilgrim Trail*) runs between Subiaco and New Norcia. The Trail follows the historic journey of Dom Rosendo Salvado, a Spanish Benedictine Monk, who pilgrimaged from St Joseph's Church in Subiaco to establish the settlement of New Norcia in 1847.

The Trail is approximately 175kms in length and is considered moderately challenging amongst the hiking community. A diversity of terrain along its route includes urban, rural, open grasslands (with lots of wildflowers) and forest. Typically, traversing its entire length will take 7 to 8 days. Entry and exit points provide opportunities for the journey to be completed in stages. The Pilgrim Trail was officially launched on 1st March 2016, with support from the City of Subiaco.

The Salvado Trail Foundation (STF) is a not for profit organisation with a primary objective to develop and maintain the Trail.

Attachment 1 provides an (unverified) overview of the Trail. Further information on the STF and the Salvado Trail can be found at <https://salvadotrail.org.au>.

COMMENTS AND DETAILS

The STF has recently undergone a metamorphosis with the new committee looking to reinvigorate the foundation and its efforts to promote and restore the trail.

The STF vision is to bring the trail to a standard and status that is comparable with the Cape to Cape (Shire of Augusta Margaret River), so the value of the Salvado Trail can be fully realised. The proximity to Perth, the historical and spiritual backdrop, varied terrain and vistas and wildflower opportunities are all assets that will provide avid hikers and day trippers with an unforgettable experience.

Proposed changes under the vision, and falling within confines of the [WA Hiking Strategy](#), include making the trail more accessible (including wheelchair friendly sections), bike friendly sections, increased and improved signage, extra water points and day camp areas, clearly defined entry/exit points with improved vehicle access, upgraded mapping and where required changes to the track alignment and surface improvements.

Approximately one third of the track lies within the Shire of Toodyay. The majority of this is within Department of Biodiversity, Conservation and Attractions (DBCA) managed land. All sections of track on Shire managed land fall within road reserves. There is a small section of track that passes through private property.

The STF is seeking in-principal support from each of the LGAs the track passes through, to support future funding applications and in the interest of open communications and a cooperative relationship with key stakeholders.

The STF improvements to and marketing of the Salvado Trail has the potential to increase tourism for Toodyay, directly by attracting increased numbers of hikers and support teams to the region and indirectly through Salvado Trail marketing campaigns.

IMPLICATIONS TO CONSIDER

Consultative:

The STF Secretary met with the Shire's Community Development and Reserves Management Officers to discuss the concept.

The STF is keen to engage with all stakeholders, including local aboriginal groups to ensure cultural heritage is maintained and promoted.

Strategic:

Plan for the future – Shire of Toodyay Council Plan 2023-2033

Outcome 7. A strong, diverse, and sustainable economy

07.1. *Collaborate with government and industry to attract investment, grow, and diversify the local economy, create secure, quality jobs, and meet their corporate social responsibilities.*

Outcome 8. Toodyay is a popular tourism destination

08.1.2 *Advocate for new, improved, and diverse tourist accommodation developments and attractions.*

Policy related:

Nil.

Financial:

There are no financial impacts arising from the outcome of this report.

Legal and Statutory:

Nil.

Risk related:

In-principle support may be misconstrued for financial or in-kind support. This low rated risk is mitigated through clear and concise wording and open communications with the STF and other stakeholders.

Workforce related:

The Community Development Officer will maintain open communication channels with the STF and assist where necessary as part of their daily work commitment.

VOTING REQUIREMENTS

Simple Majority

Clarification was sought.

Cr Duri moved the Officer's Recommendation as follows:

That Council:

1. **provides in-principle support to the Salvado Trail Foundation (STF) noting the STF will work with all stakeholders regarding any proposed development and/or promotion of the Salvado Trail within the Shire of Toodyay and any such work will be subject to all applicable building and planning processes; and**
2. **requests the CEO to write to the STF outlining the Shire's in-principle support and requesting open communications and notification for any proposed work to take place within the Shire of Toodyay.**

Cr McCormick seconded the motion.

Cr McKeown and Cr Dival objected to the motion.

Debate commenced.

Cr Madacs moved an amendment to the motion was follows:

That the words “subject to satisfactory outcome for private landowners through which the trail passes;” be included at Point 1 after the words “Salvado Trail Foundation (STF)”

Cr Duri seconded the amendment.

Clarification was sought in regard to a timeline when it would be brought back to Council.

Further clarification was sought regarding:

- the private land;
- gates being in existence along the track; and
- the group.

The amendment was put.

AMENDMENT/COUNCIL RESOLUTION NO. OCM182/06/24

MOVED Cr R Madacsi

SECONDED Cr C Duri

That the words "subject to satisfactory outcome for private landowners through which the trail passes;" be included at Point 1 after the words "Salvado Trail Foundation (STF)"

Voted For: Crs R Madacsi, C Duri, S McCormick, M McKeown, S Dival and J Prater

Voted Against: Nil

MOTION CARRIED 6/0

The substantive motion was considered and put into point form as follows:

That Council:

1. **provides in-principle support to the Salvado Trail Foundation (STF), subject to satisfactory outcome for private landowners through which the trail passes;**
2. **Notes the STF will work with all stakeholders regarding any proposed development and/or promotion of the Salvado Trail within the Shire of Toodyay and any such work will be subject to all applicable building and planning processes; and**
3. **requests the CEO to write to the STF outlining the Shire's in-principle support and requesting open communications and notification for any proposed work to take place within the Shire of Toodyay.**

Clarification was sought.

The substantive motion was put.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION NO. OCM183/06/24

MOVED Cr C Duri

SECONDED Cr S McCormick

That Council:

1. **provides in-principle support to the Salvado Trail Foundation (STF), subject to satisfactory outcome for private landowners through which the trail passes;**
2. **Notes the STF will work with all stakeholders regarding any proposed development and/or promotion of the Salvado Trail within the Shire of Toodyay and any such work will be subject to all applicable building and planning processes; and**
3. **requests the CEO to write to the STF outlining the Shire's in-principle support and requesting open communications and notification for any proposed work to take place within the Shire of Toodyay.**

Voted For: Crs R Madacsi, C Duri, S McCormick, M McKeown, S Dival and J Prater

Voted Against: Nil

MOTION CARRIED 6/0

9.2.5 Community Funding Budget consideration

Date of Report:	21 June 2024
Applicant or Proponent:	Shire of Toodyay
File Reference:	LEG089
Author:	W Sutton – Community Development Officer
Responsible Officer:	G French – Acting Executive Manager Corporate and Community Services
Previously Before Council:	N/A
Author's Disclosure of Interest:	Nil
Council's Role in the matter:	Executive
Attachments:	Nil

PURPOSE OF THE REPORT

To consider funding applications received in the recent round of Community Funding, that will support community events and activities occurring in the 2024/25 financial year. Council is also requested to consider the financial obligations of the requests and determine the budget allocations required as part of the 2024/25 financial year budgeting process.

BACKGROUND

Council adopted the Community Funding Policy and the associated guidelines at its February 2022 Ordinary Council Meeting. This policy sought to formalise the annual sponsorship process, the timing of which supports responsible budget planning on an annual basis. The *Community Funding Policy* and *Community Funding Guidelines* were designed to set out the parameters for Council's support of one-off community activities and events in an equitable and accountable way.

The funding round for the 2024/25 financial year was open for a four week period, between 4 March and 3 April 2024. Groups and individuals were encouraged to apply and during this time the Community Development Officer met with interested groups and individuals to discuss their proposals and applications.

Eight applications totalling \$36,607 were received. In addition, there are three 3-year funding agreements entering their third (and last) year, worth \$45,000, combining for an overall total of \$81,607.00 for Council's consideration.

The table below is a summary of the applications received.

Applicant	Request	Funding
WA Bush Poets	Assistance to deliver annual festival (cash and in-kind)	\$ 1,540
Avon Valley Vintage Vehicle Association	Assistance to deliver community swap meet	\$ 3,000
Toodyay RSL	Canberra Scholarship	\$ 4,000

Applicant	Request	Funding
Butterly Cottages	Replacement of air-conditioners	\$10,000
NKAC	Noongar Trail signage and finalisation	\$ 5,600
MPA	Community Hall Security upgrade	\$ 8,447
Arts Toodyay	Baby Art Exhibition	\$ 3,000
Toodyay Women's Collective	"Getting to know you" pilot	\$ 1,020

COMMENTS AND DETAILS

The Shire of Toodyay supports the collective and economic benefit and growth of the community and businesses and provides financial assistance for community initiatives through the Community Funding Program.

The Shire's round of Community Funding was advertised during March 2024 utilising the following methods;

- community newspaper;
- Shire website;
- Shire social media sites;
- direct email (to community clubs and groups); and
- word of mouth.

A panel of Officers assessed each application in accordance with Council's *Community Funding Policy and Guidelines* and provided a recommendation based on their assessment. Key consideration was given to the following areas.

- encourages community participation, connectedness, and well-being;
- assists in building community capacity;
- attracts visitors and generates economic development;
- increases understanding, protection, and appreciation of the natural and built environment; and
- contributes to the vibrancy and quality of life in Toodyay.

The table below shows a summary of the panel's recommendations for Council's consideration.

Applicant	Request	Funding
WA Bush Poets	Assistance to deliver annual festival	\$ 1,540
Avon Valley Vintage Vehicle Association	Assistance to deliver community swap meet	\$ 3,000
Toodyay RSL	Canberra Scholarship	\$ 4,000
Butterly Cottages	Replacement of air-conditioners	*\$ 0

Applicant	Request	Funding
NKAC	Noongar Trail signage and finalisation.	\$ 5,600
MPA	Community Hall Security upgrade	<i>*\$</i> 7,760
Arts Toodyay	Baby Art Exhibition	\$ 3,000
Toodyay Women's Collective	“Getting to know you” pilot	\$ 1,020
Ad hoc	CEO delegation	\$ 5,000
Total		\$30,920

**figures in italic differ from requested amounts.*

In addition to the panel's recommendation, existing 3-year funding commitments approved by Council in 2022/23, are listed below.

Applicant	Status	Funding
Toodyay CRC	Third and final year	\$25,000
Toodyay Events Planning Inc	Third and final year	\$10,000
Toodyay Youth Care	Third and final year	\$10,000
Total		\$45,000

IMPLICATIONS TO CONSIDER

Consultative:

Further to the advertising methods used to announce the funding round opening, the CDO has engaged with applicants and potential applicants as required. Several potential applications were not submitted. One application was received late (after the initial assessment had taken place) and thus was not considered. It is proposed that further consultation with each applicant will take place following Council's resolution

Strategic:

Plan for the future, Shire of Toodyay Council Plan 2023-2033

- Outcome 1 A safe and healthy community
- Outcome 2 An inclusive, connected community
- Outcome 7 A strong, diverse, and sustainable economy
- Outcome 8 Toodyay is a popular tourist destination

Policy related:

Community Funding Policy

The Council will consider applications made under the following general headings;

- Ad hoc Community Funding;
- Community Funding – Small Grants;
- Community Funding – Large Grants; and
- Events, Tourism & Economic Development Funding.

Financial:

The eligible community funding requests recommended for this round total \$75,920. This value is made up of a cash component of \$75,380 and an in-kind component of \$540.00. The total cost expected for the 2024/25 financial year is similar to funds offered in previous years. Applications have been categorised as follows (figures include 3-year funding agreements).

Budget	2024/25	2023/24
Youth	\$19,000	\$15,000
Sporting	\$ 0	\$ 5,900
Area promotion	\$13,360	\$ 2,900
Festivals assistance	\$22,540	\$23,000
Education & Welfare	\$16,020	\$18,000
Ad hoc (CEO delegation)	\$ 5,000	\$ 5,000
Totals	\$75,920	\$69,800

Legal and Statutory:

All Council supported events will need to comply with and be assessed against any statutory policies and legislation.

Risk related:

Should Council resolve to support the proposed Officer recommendation, local organisations will have critical timely allocation of financial support, helping re-establish direction and confidence in their own futures. Through the Shire of Toodyay Annual Budget for community funding, community groups paired with large scale events have the opportunity of obtaining peace of mind and financial security through the community funding process as approved by Council.

Reputational risk is considered low given the process of determining funding adheres to the policy and guidelines and the significant support Council provides to a range of community activities and projects across the year.

Workforce related:

Infrastructure and Assets assistance may be required to support some of the requests received to prepare sites for event use, these are managed within annual budgeting and resource allocation or under Ad-hoc funding.

VOTING REQUIREMENTS

Absolute Majority

OFFICER'S RECOMMENDATION 1

That Council

1. Approves the following funding requests to be included in the draft 2024/25 annual budget:

a) WA Bush Poets and Yarnspinners Assoc.	\$1,540
b) Avon Valley Vintage Vehicle Assoc.	\$3,000
c) Toodyay RSL	\$4,000
d) NKAC	\$5,600
e) Morangup Progress Association	\$7,760
f) Arts Toodyay	\$3,000
g) Toodyay Women's Collective	\$1,020
h) Ad hoc (CEO delegation)	\$5,000
2. Notes all activities will be delivered during the 2024/25 financial year.
3. Notes the existing 3-year funding commitments worth \$45,000.

Cr McCormick had declared an Impartiality Interest pursuant to Regulation 22 of the Local Government (Model Code of Conduct) Regulations 2021 in regard to Agenda Item 9.2.5 Community Funding Budget Consideration. The nature of his interest is that he is involved with the Cricket Club as a financial member and will be part of future Shire Community Grant Application Lodgements and he is the current President of Toodyay Cricket Club. He stated that he intended to consider the matter on its merits and vote accordingly.

MOTION/COUNCIL RESOLUTION NO. OCM184/06/24**MOVED** Cr J Prater**SECONDED** Cr S Dival

That Council suspend standing orders at 2.18pm.

Voted For: Crs R Madacsi, C Duri, S McCormick, M McKeown, S Dival and J PraterVoted Against: Nil**MOTION CARRIED 6/0 BY ABSOLUTE MAJORITY**

Clarification was sought.

MOTION/COUNCIL RESOLUTION NO. OCM185/06/24**MOVED** Cr J Prater**SECONDED** Cr R Madacsi

That Council resume standing orders at 2.35pm.

Voted For: Crs R Madacsi, C Duri, S McCormick, M McKeown, S Dival and J PraterVoted Against: Nil**MOTION CARRIED 6/0****MOTION/COUNCIL RESOLUTION NO. OCM186/06/24****MOVED** Cr R Madacsi**SECONDED** Cr J Prater

That Council defer Agenda Item 9.2.5 Community Funding Budget consideration for further consideration at a Council Workshop to be held before 30 July 2024.

Voted For: Crs R Madacsi, C Duri, S McCormick, M McKeown, S Dival and J PraterVoted Against: Nil**MOTION CARRIED 6/0***The Community Development Officer and Environmental Sustainability Officer departed Council Chambers at 2.38pm.*

9.3 EXECUTIVE SERVICES

9.3.1 Delegation Register Review and Policy review

Date of Report:	5 February 2024
Applicant or Proponent:	Shire of Toodyay
File Reference:	MAN6
Author:	M Rebane – Executive Assistant
Responsible Officer:	T Bateman – Acting CEO
Previously Before Council:	OCM131/06/23 June 2023
Author's Disclosure of Interest:	Nil
Council's Role in the matter:	Executive
Attachments:	<ol style="list-style-type: none">1. Delegation Register. (under separate cover) ⇒2. CURRENT Application for Public Events Policy (to be revoked); ⇒3. CURRENT Authorised Signatories Policy (to be revoked); ⇒4. CURRENT Committee Recommendations Policy (to be revoked); ⇒5. CURRENT Christmas Closure Policy (to be revoked); ⇒6. CURRENT Corporate Credit Cards Policy; and ⇒7. REVISED Transaction Cards (Financial) Policy; ⇒8. CURRENT Corporate Documents (Admin) Policy; ⇒9. REVISED Corporate Documents (Admin) Policy; ⇒10. CURRENT Internal Control (Admin) Policy; ⇒11. REVISED Internal Control (Admin) Policy; ⇒12. Public Interest Disclosure (Governance) Policy; ⇒13. CURRENT Purchasing (Finance) Policy; and ⇒14. REVISED Purchasing (Finance) Policy. ⇒15. CURRENT Legislative Compliance Policy; ⇒16. REVISED Legislative Compliance (Admin) Policy; ⇒

PURPOSE OF THE REPORT

1. To consider the review of the Register of Delegations (the Register) for the 2024-2025 financial year; and
2. To revoke the following policies:
 - (a) Application for Public Events Policy (**Attachment 2**);
 - (b) Authorised Signatories Policy (**Attachment 3**);
 - (c) Committee Recommendations (**Attachment 4**); and
 - (d) Christmas closure (**Attachment 5**).
3. To adopt the following policies:
 - (a) Transaction Cards (Financial) Policy (**Attachment 7**);
 - (b) Corporate Documents (Admin) Policy (**Attachment 8**);
 - (c) Internal Control (Admin) Policy (**Attachment 11**);
 - (d) Public Interest Disclosure (Governance) Policy (**Attachment 12**).
 - (e) Purchasing (Finance) Policy (**Attachment 14**).
 - (f) REVISED Legislative Compliance Policy (**Attachment 16**).

BACKGROUND

Delegation Register review

Section 5.46 of the *Local Government Act 1995* requires the CEO of a local government to keep a Register of Delegations. This section also requires that the delegations contained within the Register are reviewed by the delegator (Council) at least once every financial year.

Section 5.45 of the *Local Government Act 1995* states that any decision to amend or revoke a delegation by a local government is to be by an absolute majority.

Legislation provides the Head of Power that enables local governments to firstly exist and then to act and serve their communities. Legislation contains two elements that create the ability for Local Government to act:

1. Express Powers and Duties; and
2. Power vested in a Decision-maker.

Although legislation includes an Express Power or Duty that is vested in a decision-maker, it may or may not be capable of being delegated.

Instruments of delegation are about discretion. An authorised person may make a decision about something within the framework of the delegation.

Express Power or Duty means a power or duty written specifically within legislation. It does not include actions or decisions that occur operationally, arising from policy, procedure, implementing council decisions, or any other matter not described by legislation.

Policy review

Council's role under s.2.7 of the *Local Government Act 1995* is to determine the local government's policies. It is sensible for a local government to ensure that the policies are reviewed regularly so that the Shire continually improves its practices.

Moore Australia conducted the Financial Management Review in Nov 2023 and provided the Shire with a report. Report Section 6.2 General Policy Actions stated in the FMR Report at Risk Number 6.2.11 that:

We noted the content of several council policies which may be operational in nature. Council policies are not necessarily intended to provide direction on how different operational functions are to be executed as these are the responsibility of the CEO.

Some policies where this may occur include:

- *ADM10 Christmas Closure;*
- *ADM25 Personal Information;*
- *COM06 Applications for Public Events;*
- *FIN05 Debt Collection;*
- *FIN12 Disposal of Property;*
- *FIN18 Long Term Financial Planning;*
- *FIN23 Asset Management;*
- *GOV06 Related Party Disclosures;*
- *GOV15 Appointment of Acting CEO;*
- *REG08 Use of Surveillance Devices;*
- *INF01 Road Upgrade Criteria;*
- *HR7 Vehicle Usage;*
- *HR11 Corporate Uniforms and Personal Protective Equipment*
- *A11 Applications for Public Events*

The report asked Officers to review and update policies to consider (a) the appropriate separation of the role of the Council and the CEO; and (b) review and update of policies to articulate the strategic direction of Council and set out a high level position to follow at an operational level, particularly where legislation does not provide such guidance.

COMMENTS AND DETAILS

Delegation Register Review

The current Delegation Register is available on the Shire's website at <https://www.todyay.wa.gov.au/council/council-registers/delegation-register.aspx>

The revised Register of Delegations (**Attachment 1**) has had amendments made to it during the 2024 review mostly due to legislative changes, but also to do with comparison to the WALGA delegations register model.

Section one of the Register was revised in an attempt to make it easier to understand for the public. Extra sections such as public access and public feedback mechanisms were included, as well as contact information so that if a person wished to query the content of the register they would know who to contact.

As Record keeping is mentioned in Section 1, Clause 8, each instrument of delegation was amended to refer to that section rather than have paragraphs duplicated in respect to s.5.46(3) "Register of, and records relevant to, delegations to CEO and Employees of the Local Government Act 1995."

The FMR Review identified that Delegation CS1 – Payments from Municipal Fund and Trust Fund included sub delegations to Officers who may also carry out the processing of payments within the financial system. The FMR review also proposed that Council consider rescinding the Authorised Signatories policy and addressing the requirements through the delegation. This was rectified in the review of the delegations and that particular delegation has been amended to make the exercise of authority clear. The wording was taken from the WALGA model. It is recommended that Council revoke the Authorised Signatories Policy.

The FMR Review also proposed that the Purchasing Policy be amended as well as references to contract variations. Council has delegated authority to the CEO to make payments from the Shire's Municipal or Trust Funds in accordance with Regulation 12(1)(a) of the *Local Government (Financial Management) Regulations 1996*. Placing a limit on the amount the CEO can authorise for payment would impact operational and Council operations, creating strategic, operational and reputational risks which are rated High. Delegations have been updated to include what was missing with regard to contract variations and extensions of contracts not awarded by public tender. Refer to the Consultation Implications section of this report.

File references were removed from the register as with the change of the record management system, the file references will be different. The delegations review area was also removed from the document. The removal of this information saves space within the document.

New delegation instruments were introduced into the register because these delegations were contained in the WALGA Model as follows:

- ES16 – Delegation to the Shire President and Chief Bush Fire Control Officer under the *Bush Fires Act 1954*; and
- ES17 – Delegation to the CEO under the *Graffiti Vandalism Act 2016*

Now that Council has adopted its risk management framework, some delegations have included the words “and risk management” so that it is part of the delegation made to the CEO.

Amendments were made to the Rate Records Delegation (CS3) because the detail was included in the WALGA Model.

It is recommended that the Register of Delegations be adopted by Council as per the Officer's Recommendation.

Policy Review

Following the FMR Review, Officers considered the appropriate separation of the role of the Council and the CEO and reviewed and updated Council policies to articulate the strategic direction of Council and set out a high level position to follow at an operational level, particularly where legislation does not provide such guidance.

A total of 47 policies were reviewed, inclusive of three new policies to be brought to Council in the future. Officers identified what were clearly Shire policies and ensured that any documents that are not policies were placed into another area (e.g. directives, procedures, corporate documents, etc. Specific references to legislation in the legislation area of each Policy and version control information was also removed.

The version control information is not lost as Officers have created workbooks in excel format to maintain a record of Policies, HR Directives, CEO Directives, and Corporate Documents. These indexes serve as a record of version control for the Shire.

The Shire acknowledges that the amount of time it takes for Officers and Councillors to review policies is affected by other factors and this is why the consideration of only 10 policies are included in this report for consideration as per the information contained below.

1. General Policy Actions stated in the FMR Report at Risk Number 6.2.11

(a) Application for Public Events Policy (Attachment 2);

This policy was adopted by Council on 27 September 2023 and was reviewed following receipt of the FMR Review Report.

It is recommended the Council Policy be revoked in favour of turning it into a CEO Directive instead. The Directive can still be published on the website so that the community will be aware of the process.

The CS7 delegation has been amended to accommodate this change.

(b) Authorised Signatories Policy (Attachment 3);

This policy was adopted by Council on 21 December 2022 and was reviewed following receipt of the FMR Review Report.

It is recommended the Council Policy be revoked in favour of strengthening the CS1 delegation, which now makes the policy unnecessary.

(c) Committee Recommendations (Attachment 4); and

This policy was adopted by Council on 23 November 2022 and was reviewed following receipt of the FMR Review Report.

It is recommended the Council Policy be revoked as the information contained in the policy has already been included in the published Committee Book.

(d) Christmas closure (Attachment 5)

This policy was last adopted by Council on 26 October 2022 however given the recommendations from the FMR it is recommended that this policy be revoked in favour of the content of it being drafted into a new CEO directive instead.

2. Policies taken to the Audit and Risk Committee – 5 June 2024

(g) Transaction Cards Policy (AKA Credit Cards Policy);

The current policy was adopted by Council on 21 December 2022 and was reviewed following receipt of the FMR Review Report (**Attachment 8**).

It is recommended that this policy be renamed to be called Transaction Cards Policy and adopted by Council (**Attachment 9**).

(h) Corporate Documents Policy;

The current policy was adopted by Council on 23 November 2021 and was reviewed following receipt of the FMR Review Report (**Attachment 8**).

It has since been reviewed and it is recommended that it be adopted by Council (**Attachment 9**).

(i) Internal Control Policy;

The CURRENT Internal Control (Admin) policy was adopted by Council on 26 Oct 2022 (**Attachment 10**).

The policy was reviewed by Shire Officers and it is recommended that the REVISED Internal Control Policy be adopted by Council (**Attachment 11**).

(j) Public Interest Disclosure Policy;

This is a new policy created by Shire Officers, using templates from the Office of the Australian Information Commissioner as the Shire previously did not have a policy in place, and the FMR review required that the Shire have a policy and guidelines in place.

As per OAIC procedures, the PID Guidelines are to be signed off by the CEO, and the policy is to be a policy approved by Council. Forms have already been created for use as referenced in the guidelines which will, once the policy is approved, be published onto the Shire's website.

It is recommended that this NEW Public Interest Disclosure (Governance) Policy be adopted by Council, particularly as it is part of the Audit and Risk Committee recommendation made at their 5 June 2024 ARC Meeting (**Attachment 12**).

(k) Purchasing Policy;

The CURRENT policy was adopted by Council on 28 June 2023 (**Attachment 13**).

The policy was reviewed by Shire Officers and it is recommended that the REVISED Purchasing (Finance) Policy be adopted by Council (**Attachment 14**).

(l) Legislative Compliance

The CURRENT policy was adopted by Council on 28 Sept 2022 (**Attachment 15**). The policy was reviewed by Shire Officers and presented to the Audit and Risk Committee on 5 June 2024.

The Committee recommended that the policy be workshopped with Council. This was due to some of the detail that had been in the current policy not appearing in the revised policy. The members requested it be workshopped so that the wording would be in the revised policy. The policy was revised further, with this in mind and was presented to a Council Workshop on 19 June 2024. There were only four Councillors in attendance at this workshop where the policy was not gone through line by line, but the changes to Clause 6 of the revised policy were explained to those present.

It is recommended that the REVISED Legislative Compliance (Admin) Policy be adopted by Council (**Attachment 16**).

3. Council Forums Policy – in the draft agenda for this meeting

This was not part of the FMR Review and although it was placed into the DRAFT June 2024 Agenda, Shire Officers and the Executive Management Group have had further internal discussion regarding the content of the policy and have pulled this out for consideration at the June 2024 Council Meeting.

Further discussion with Council will occur prior to it being brought back to a Council Meeting for a decision to be made.

IMPLICATIONS TO CONSIDER

Consultative:

Shire Officers, including the Executive Management Group, assisted in the administrative review of the Delegation Register that commenced on **6 February 2024** when the register was provided via the Corporate Documents teams environment to a total of 23 Officers.

It is appropriate, during the review of the delegation register for Officers to consider operational requirements, the volume of decisions under each statutory power or duty and the risks and sensitivities of the decisions.

On **11 April 2024** in the same team environment, policies were placed into the team environment for these Officers to review.

[Item 19 – determining what should be delegated in the Department of Local Government, Sport and Cultural Industries Operational Guideline.](#)

The Delegation Register was provided to Councillors via their team environment on **8 May 2024**.

The policies reviewed by the Audit and Risk Committee (ARC) through their team environment on **9 May 2024** and recommended for adoption had also been put onto the team environment for Councillors on the **9 May 2024**.

The ARC recommendations are included with this report.

Strategic:

Shire of Toodyay Council Plan 2023-2033

Outcome 9. Responsible and effective leadership and governance.

9.1. Provide strong, clear, and accountable leadership.

Policy related:

Purchasing Policy

Corporate Documents Policy

Financial:

Nil.

Legal and Statutory:

s.2.7(2)(b); s.5.2; s.5.46; and s.9.10 of the *Local Government Act 1995*.

Reforms to decision making on development of single houses

Risk related:

The legislation states that the delegations must be reviewed by the Delegator (Council) at least once every financial year.

If Council choose not to review the delegations at all in June 2024, given that June 2024 is the last month of the financial year there is a moderate compliance risk that could escalate to a high (15) risk.

However, given the delays that occurred with regard to the review by EMG and other Officers within the Shire due to a variety of reasons, it is considered a relatively low risk (3) if Council were to make a decision to take more time with their review of the delegations contained in the register.

The current delegations already in place (Adopted in June 2023) would continue to be in place until Council makes a decision to adopt a set of delegations to replace the current delegations.

This report is presented to Council to mitigate risk.

Workforce related:

Once the Delegation Register is adopted by Council and signed off by the CEO and the Shire President, a Shire Officer updates the Returns Register, and issues Memorandums to all Shire Officers.

VOTING REQUIREMENTS

Absolute Majority

Clarification was sought.

Cr Madacs departed Council Chambers at 2.42pm.

Cr Duri moved the Officer's Recommendation as follows:

That Council:

1. **Adopts, by absolute majority, the instruments of delegation contained in the REVISED Register of Delegations (Attachment 1), as follows:**
 - (a) **Executive Services section;**
 - (b) **Corporate and Community Services Section;**
 - (c) **Development and Regulation Section;**
 - (d) **Infrastructure, Assets and Services; and the**
 - (e) **External Agencies – Assignment of Power to Statutory Officeholders section.**
2. **Requests the Acting Chief Executive Officer to make any necessary minor typographical changes prior to publication.**

Cr McKeown seconded the motion.

Clarification was sought in regard to the removal of ES16 and ES17.

Cr Dival moved an amendment to the motion as follows:

Add the words “subject to the removal of ES16 and ES17 at point 1(a) of the motion after the words “Executive Services section”

Cr McCormick seconded the amendment.

The amendment was put.

AMENDMENT/COUNCIL RESOLUTION NO. OCM187/06/24

MOVED Cr S Dival

SECONDED Cr S McCormick

Add the words “subject to the removal of ES16 and ES17 at point 1(a) of the motion after the words “Executive Services section”

Voted For: Crs C Duri, S McCormick, M McKeown, S Dival and J Prater

Voted Against: Nil

MOTION CARRIED BY ABSOLUTE MAJORITY 5/0

Further clarification was sought concerning Delegation DAR8.

Cr Madacsi returned to Council Chambers at 2.49pm.

Cr McKeown moved an amendment as follows:

Add the words “subject to an amendment to DAR8 as follows:

That a Point (v) be added under the Delegation Register under DAR8 Item 1 General Exclusions that reads:

(v) Located in the Central Toodyay Heritage area, seeking variation to the Central Toodyay Heritage Area Local Planning Policy, previously known as LPP20.”

after the words “Development and Regulation Section”

Cr McCormick seconded the amendment.

The amendment was put.

AMENDMENT/COUNCIL RESOLUTION NO. OCM188/06/24

MOVED Cr M McKeown

SECONDED Cr S McCormick

Add the words “subject to an amendment to DAR8 as follows:

That a Point (v) be added under the Delegation Register under DAR8 Item 1 General Exclusions that reads:

(v) Located in the Central Toodyay Heritage area, seeking variation to the Central Toodyay Heritage Area Local Planning Policy, previously known as LPP20.

after the words “Development and Regulation Section”

Voted For: Crs R Madacsi, C Duri, S McCormick, M McKeown, S Dival and J Prater

Voted Against: Nil

MOTION CARRIED BY ABSOLUTE MAJORITY 6/0

The substantive motion was considered.

Clarification was sought in regard to apparent conflict in ES11 and the community funding policy, scheduled for review.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION NO. OCM189/06/24

MOVED Cr R Madacsi

SECONDED Cr C Duri

That Council:

1. Adopts, by absolute majority, the instruments of delegation contained in the REVISED Register of Delegations (**Attachment 1**), as follows:
 - (a) Executive Services section subject to the removal of ES16 and ES17;
 - (b) Corporate and Community Services Section;
 - (c) Development and Regulation Section subject to an amendment to DAR8 as follows:

That a Point (v) be added in the Delegation Register under DAR8 Item 1 General Exclusions that reads:

- (v) Located in the Central Toodyay Heritage area, seeking variation to the Central Toodyay Heritage Area Local Planning Policy, previously known as LPP20.
- (d) Infrastructure, Assets and Services; and the
- (e) External Agencies – Assignment of Power to Statutory Officeholders section.

2. Requests the Acting Chief Executive Officer to make any necessary minor typographical changes prior to publication.

Voted For: Crs R Madacsi, C Duri, S McCormick, M McKeown, S Dival and J Prater

Voted Against: Nil

MOTION CARRIED BY ABSOLUTE MAJORITY 6/0

OFFICER'S RECOMMENDATION 2

That Council revokes the following policies:

- (a) Application for Public Events Policy;
- (b) Authorised Signatories Policy;
- (c) Committee Recommendations; and
- (d) Christmas closure.

MOTION/COUNCIL RESOLUTION NO. OCM190/06/24

MOVED Cr M McKeown

That at 3.02pm, the Officer's Recommendation be separated and handled in 4 parts as follows:

1. Application for Public Events Policy;
2. Authorised Signatories Policy;
3. Committee Recommendations; and
4. Christmas closure.

Voted For: Crs R Madacsi, C Duri, S McCormick, M McKeown, S Dival and J Prater

Voted Against: Nil

MOTION CARRIED 6/0

Clarification was sought.

**OFFICER'S RECOMMENDATION (PART 1)/COUNCIL RESOLUTION NO.
OCM191/06/24****MOVED** Cr J Prater**SECONDED** Cr S Dival

That Council revokes the Application for Public Events Policy.

Voted For: Crs R Madacsi, C Duri, S McCormick, M McKeown, S Dival and J PraterVoted Against: Nil**MOTION CARRIED BY ABSOLUTE MAJORITY 6/0**

Clarification was sought.

**OFFICER'S RECOMMENDATION (PART 2)/COUNCIL RESOLUTION NO.
OCM192/06/24****MOVED** Cr C Duri**SECONDED** Cr J Prater

That Council revokes the Authorised Signatories Policy.

Voted For: Crs R Madacsi, C Duri, S McCormick, M McKeown, S Dival and J PraterVoted Against: Nil**MOTION CARRIED BY ABSOLUTE MAJORITY 6/0**

Clarification was sought in regard to the Committee Recommendations Policy.

Cr McCormick moved a motion as follows:

That Council revokes the Committee Recommendations policy.

Further clarification was sought.

The motion was lost for want of a seconder.

Clarification was sought

**OFFICER'S RECOMMENDATION (PART 4)/COUNCIL RESOLUTION NO.
OCM193/06/24****MOVED** Cr C Duri**SECONDED** Cr S Dival

That Council revokes the Christmas closure policy.

Voted For: Crs R Madacsi, C Duri, S McCormick, M McKeown, S Dival and J PraterVoted Against: Nil**MOTION CARRIED BY ABSOLUTE MAJORITY 6/0**

Clarification was sought regarding the Audit and Risk Committee recommendation.
Cr McCormick moved the Audit and Risk Committee Recommendation.
Cr Prater seconded the motion.
The motion was put.

AUDIT AND RISK COMMITTEE RECOMMENDATION/COUNCIL RESOLUTION NO. OCM194/06/24

MOVED Cr S McCormick

SECONDED Cr J Prater

That Council adopts the following policies and requests the Acting CEO to make any minor typographical changes prior to their publication:

- (a) Transaction Cards Policy (**Attachment 3**);
- (b) Corporate Documents Policy (**Attachment 5**);
- (c) Internal Control Policy (**Attachment 7**);
- (d) Public Interest Disclosure Policy (**Attachment 10**);
- (e) Purchasing Policy (**Attachment 12**).

Voted For: Crs R Madacsi, C Duri, S McCormick, M McKeown, S Dival and J Prater

Voted Against: Nil

MOTION CARRIED BY ABSOLUTE MAJORITY 6/0

Clarification was sought regarding the Legislative Compliance Policy.

Cr Prater moved the Officer's Recommendation.

Cr Duri seconded the motion.

Cr Dival objected to the motion.

Debate commenced.

The motion was put.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION NO. OCM195/06/24

MOVED Cr J Prater

SECONDED Cr C Duri

That Council adopts the REVISED Legislative Compliance Policy (**Attachment 9**).

Voted For: Crs R Madacsi, C Duri, S McCormick, M McKeown, S Dival and J Prater

Voted Against: Nil

MOTION CARRIED BY ABSOLUTE MAJORITY 6/0

9.3.2 Proposed Division of Bullwinkel - Submission

Date of Report:	21 June 2024
Applicant or Proponent:	Mr A Henshaw
File Reference:	ICR96156
Author:	M Rebane – Executive Assistant
Responsible Officer:	T Bateman – Acting CEO
Previously Before Council:	N/A
Author's Disclosure of Interest:	Nil
Council's Role in the matter:	Advocacy
Attachments:	<ol style="list-style-type: none">1. Bulwinkel information; and ↗2. Beard information. ↗

PURPOSE OF THE REPORT

To consider making an official representation to the Australian Electoral Commission to support the name Beard, instead of the name Bulwinkel in the Proposed Federal electoral division.

BACKGROUND

On 31 May 2024 the Redistribution Committee for Western Australia published its report proposing names and boundaries for the state's federal electoral divisions.

The Chair of the Committee and Electoral Commissioner, Tom Rogers, said the Western Australian redistribution was required to enable an increase from 15 to 16 federal electoral divisions.

“Under the proposal, the boundaries of all of Western Australia’s existing electoral divisions would change and the additional Division of Bullwinkel would be created,” Mr Rogers said.

“Ongoing population growth in parts of Western Australia has led the Redistribution Committee to propose a number of substantial changes to the state’s electoral division boundaries.”

Written objections must be lodged no later than 6pm AWST on Friday 28 June 2024. The best way to submit feedback is online but it can also be submitted via:

Email – FedRedistribution-WA@aec.gov.au

Post – Australian Electoral Commission (Attn: WA Redistribution Secretariat), Locked Bag 4007, Canberra ACT 2601

Fax - 02 6125 9971

In person – Level 1, 15-17 William Street, Perth.

All input received by the deadline will be available for public inspection on the redistributions website and at Level 1, 15-17 William Street, Perth (business hours only) from Monday 1 July 2024. Further comments will then be accepted until 6pm AWST on Friday 12 July 2024.

COMMENTS AND DETAILS

The Shire received an email on 18 June 2024 from a member of the public requesting that the Shire of Toodyay Council make an official representation to the Australian Electoral Commission to support the name Beard, instead of the name Bulwinkel in the Proposed Federal election division.

The submission received reads as follows:

Whilst the exploits and life of Vivian Bullwinkel are, indeed, amazing given her serendipitous escape from the massacre at Banka Island in 1942 it should, nevertheless, be acknowledged that she was a born and bred Eastern States lady who, essentially, spent most of her life living and working in the Eastern States only coming to Perth, on marriage, at the age of 62 in 1977.

On the other hand, Sister Alma Beard, one those nurses killed at the Banka Island massacre, aged 29, was born and brought up in Toodyay - one of the proposed constituent entities of the proposed new Division - and spent her entire life, until posted overseas in World War 2, in Perth and the immediate surrounding area. <https://honouravenueskingspark.com.au/present/hap-database/1843-sr-alma-beard>

I sincerely believe that the name of the proposed new Division would be much more appropriately dedicated to Alma Beard who gave her life for this country.

I also believe that the people in the outer areas of the proposed Division; the Shires of Toodyay, Northam, York, and Beverley would welcome the change of the Division's name to Beard and would ask that Council support this change and make an official representation to the Australian Electoral Commission and also to encourage those Shires mentioned to do likewise.

Information from the AEC regarding their consultation on the proposed federal electoral division is attached relating to Bulwinkel. Information is also attached relating to Beard.

Any submissions can be lodged by any member of the public and must be lodged with the AEC no later with than **6pm AWST on Friday 28 June 2024**.

Council may choose to request the Acting CEO put forward a submission on the proposal and may decide to advocate for a change of name to Beard. However, it is recommended that Council consider how electoral divisions were created at the first election in 1901 and what they were named after (refer to this link: <https://peo.gov.au/understand-our-parliament/your-questions-on-notice/questions/how-were-electoral-divisions-created-at-the-first-election-in-1901-what-were-they-named-after#:~:text=Usually%20they%20are%20named%20after,Strait%20Islander%20words%20or%20names.>) stated as follows:

Australia's first federal election was held on 29 and 30 March 1901, after Australia's federation on 1 January. There were no federal laws about how elections were run, including how the states would be divided into electorates or what they would be called. Section 29 of Australia's Constitution gave the state parliaments the power to determine their electorates before the federal parliament could meet to decide otherwise. While New South Wales, Victoria, Queensland and Western Australia passed laws to create electorates, Tasmania and South Australia didn't pass such

legislation. Therefore, members of the House of Representatives from South Australia and Tasmania represented their entire state in the first Parliament. Some of the original electorates were named by the states after the geographical area they covered, e.g. Perth in Western Australia and North Sydney in New South Wales. Some were named after historical figures, like Flinders in Victoria and Kennedy in Queensland.

Today, the Australian Electoral Commission is responsible for determining electoral boundaries and naming electorates. There are guidelines around how electorates are named. Usually, they are named after notable deceased Australians, including Prime Ministers, or using Aboriginal and Torres Strait Islander words or names.

The guidelines for naming federal electoral divisions at this link: <https://www.aec.gov.au/electorates/redistributions/guidelines.htm> state that divisions should be named after deceased Australians who have rendered outstanding service to their country. They also state that when new divisions are created the names of former Prime Ministers should be considered and that every effort should be made to retain the names of original federation divisions..

It is recommended that Council requests the CEO to make a submission on behalf of Council against the naming of the division to Bulwinkel, whilst advocating for the division to be called Beard.

IMPLICATIONS TO CONSIDER

Consultative:

Councillors were apprised of the email request at a workshop held on 19 June 2024.

Strategic:

Nil

Policy related:

Nil

Financial:

Nil

Legal and Statutory:

Nil

Risk related:

The risk in whether Council decides to advocate for the division option to change from Bulwinkel to Beard is low however this report mitigates the risk.

Workforce related:

A Shire Officer will upload an extract of the Council Meeting Minutes containing the resolution made by Council as an objection to the federal election division proposal.

VOTING REQUIREMENTS

Simple Majority

Clarification was sought.

Cr Prater moved the Officer's Recommendation

Cr McCormick seconded the motion.

The motion was put.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION NO. OCM196/06/24

MOVED Cr J Prater

SECONDED Cr S McCormick

That Council requests the Acting CEO make a submission on behalf of Council to the Western Australian Electoral Commission by 28 June 2024, against the naming of the division to Bulwinkel, whilst advocating for the division to be called Beard.

Voted For: Crs R Madacsi, C Duri, S McCormick, M McKeown, S Dival and J Prater

Voted Against: Nil

MOTION CARRIED 6/0

9.4 INFRASTRUCTURE AND ASSETS

Nil.

9.5 COMMITTEE REPORTS**9.5.1 ARC recommendations from meeting held on 5 June 2024.**

Date of Report:	13 June 2024
Applicant or Proponent:	Shire of Toodyay
File Reference:	COC2
Author:	M Rebane – Executive Assistant
Responsible Officer:	T Bateman – Acting CEO
Previously Before Council:	Nil.
Author's Disclosure of Interest:	Nil
Council's Role in the matter:	Executive
Attachments:	<ol style="list-style-type: none">1. ARC Minutes 5 June 2024; ↗2. Correspondence from the Office of the Auditor General; ↗3. Management letter for the 2022/2023 financial year; ↗4. Annual Report 2022/2023 incorporating the Auditor's opinion and the Audited Annual Financial Statements. (under separate cover) ↗

PURPOSE OF THE REPORT

To receive the minutes of the Audit and Risk Committee (ARC) Meeting held on 5 June 2024 (Refer to **Attachment 1**) and to consider recommendations made by the committee.

BACKGROUND

The ARC meeting considered the following reports:

1. 2022/2023 Annual Report;
2. Update on the Datascape Migration Project;
3. Risk Management;
4. Records Management Project 2023/2024;
5. Policy Review; and
6. 10 year Assurance Cycles Plan.

COMMENTS AND DETAILS

During the Audit and Risk Committee Meeting, two of the reports were passed over due to there not having been enough time to review one of the attachments, whilst the other had not been ready to table at the meeting due to lack of resources.

The committee made recommendations in regard to the policy review, which are contained in a separate Officer's report); as well as for the Records Management Project and the 2022/2023 Annual Report.

The Committee requested amendments be made to the Annual Report when they made their recommendation to Council. Therefore, a revised Audit and Risk Committee recommendation has been made with regard to acceptance of the Annual Report.

It is recommended that Council resolve the recommendations made by the Committee.

IMPLICATIONS TO CONSIDER**Consultative:**

Nil.

Strategic:***Plan for the Future: Shire of Toodyay Council Plan 2023-2033*****Outcome 9 Responsible and effective leadership and governance.**

O9.1 Provide strong, clear and accountable leadership.

Policy related:

Nil.

Financial:

Nil.

Legal and Statutory:

Nil.

Risk related:

The Audit and Risk Committee plays a key role in overseeing the local government's responsibilities in relation to financial reporting, risk management and legislative compliance.

The risks are insignificant and low (1) in receiving the minutes of the ARC.

Workforce related:

Nil.

VOTING REQUIREMENTS

Absolute Majority

Cr McKeown moved the Officer's Recommendation.

Cr Prater seconded the motion.

Cr Madacsi objected to the motion.

Debate commenced.

Cr Madacsi withdrew her objection.

The motion was put.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION NO. OCM197/06/24

MOVED Cr M McKeown

SECONDED Cr J Prater

That Council receives the minutes of the meeting of the Audit and Risk Committee held on 5 June 2024 (**Attachment 1**).

Voted For: Crs R Madacsi, C Duri, S McCormick, M McKeown, S Dival and J Prater

Voted Against: Nil

MOTION CARRIED 6/0

Clarification was sought in regard to Point No. 5.

Cr Prater moved the Officer's Recommendation as follows:

That Council:

1. receives the correspondence from the Office of the Auditor General (**Attachment 2**);
2. receives the Management letter for the 2022/2023 financial year (**Attachment 3**);
3. receives the Audited Annual Financial Statements, and Independent Auditor's Opinion for the year ended 30 June 2023;
4. acknowledges the audit for the year ended 30 June 2023 was a clean audit with a qualification in respect to the comparative information for the year ended 30 June 2022 contained in a statement of comprehensive income. Further, it should be noted that the statement of financial position for the YE 30/06/2022 had been amended and audited with the 30 June 2023 accounts which resulted in the Auditors being satisfied that they appeared to be free of material misstatements.
5. receives and Accepts the Annual Report (**Attachment 4**) for the year ended 30 June 2023 that will incorporate the audited annual financial statements and the independent Auditor's opinion; and
6. requests the Chief Executive Officer to make any necessary minor typographical changes prior to publication of the Annual Report;
7. sets Wednesday 7 August 2024 at 6.00pm in the Shire of Toodyay Council Chambers, 15 Fiennes Street, Toodyay 6566 as the date, time and place for the next Elector's General Meeting; and
8. requests the Chief Executive Officer to give local public notice of the availability of the Annual Report and convene the Elector's General Meeting to be held on the abovementioned date and time at Point 7.

Cr Dival seconded the motion.

Cr Madacsi moved an amendment to the motion as follows:

That a new Point 6 be inserted to read as follows:

6. **requests the original Shire President and CEO report of the 2022/2023 Annual Report be included in the attachments to the minutes of the June 2024 Ordinary Council Meeting.**

Cr McCormick departed Council Chambers at 3.46pm.

Cr Duri seconded the amendment.

The amendment was put.

AMENDMENT/COUNCIL RESOLUTION NO. OCM198/06/24

MOVED Cr R Madacsi

SECONDED Cr C Duri

That a new Point 6 be inserted to read as follows:

6. **requests the original Shire President and CEO report of the 2022/2023 Annual Report be included in the attachments to the minutes of the June 2024 Ordinary Council Meeting.**

Voted For: Crs R Madacsi, C Duri, M McKeown, S Dival and J Prater

Voted Against: Nil

MOTION CARRIED 5/0

The substantive motion was put.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION NO. OCM199/06/24

MOVED Cr J Prater

SECONDED Cr S Dival

That Council:

1. receives the correspondence from the Office of the Auditor General (**Attachment 2**);
2. receives the Management letter for the 2022/2023 financial year (**Attachment 3**);
3. receives the Audited Annual Financial Statements, and Independent Auditor's Opinion for the year ended 30 June 2023;
4. acknowledges the audit for the year ended 30 June 2023 was a clean audit with a qualification in respect to the comparative information for the year ended 30 June 2022 contained in a statement of comprehensive income. Further, it should be noted that the statement of financial position for the YE 30/06/2022 had been amended and audited with the 30 June 2023 accounts which resulted in the Auditors being satisfied that they appeared to be free of material misstatements.
5. receives and Accepts the Annual Report (**Attachment 4**) for the year ended 30 June 2023 that will incorporate the audited annual financial statements and the independent Auditor's opinion; and

6. Requests the original Shire President and CEO report of the 2022/2023 Annual Report be included in the attachments to the minutes of the June 2024 Ordinary Council Meeting.
7. requests the Chief Executive Officer to make any necessary minor typographical changes prior to publication of the Annual Report;
8. sets Wednesday 7 August 2024 at 6.00pm in the Shire of Toodyay Council Chambers, 15 Fiennes Street, Toodyay 6566 as the date, time and place for the next Elector's General Meeting; and
9. requests the Chief Executive Officer to give local public notice of the availability of the Annual Report and convene the Elector's General Meeting to be held on the abovementioned date and time at Point 8.

Voted For: Crs R Madacsi, C Duri, M McKeown, S Dival and J Prater

Voted Against: Nil

MOTION CARRIED BY ABSOLUTE MAJORITY 5/0

Attachments

- 1 Shire President and CEO Report presented as part of the Annual Report to the Audit and Risk Committee Meeting held on 5 June 2024.

Cr McCormick returned to Council Chambers at 3.50pm.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION NO. OCM200/06/24

MOVED Cr S Dival

SECONDED Cr J Prater

That Council notes the completed projects and requests the CEO to provide an update on the outstanding GIS and Cemetery Records in Datascape to the Audit & Risk Committee in June 2025.

Voted For: Crs R Madacsi, C Duri, S McCormick, M McKeown, S Dival and J Prater

Voted Against: Nil

MOTION CARRIED 6/0

9.5.2 Receipt of the LEMC Minutes

Date of Report:	13 June 2024
Applicant or Proponent:	Shire of Toodyay
File Reference:	FIR27
Author:	M Rebane – Executive Assistant
Responsible Officer:	C Sullivan – Executive Manager Infrastructure, Assets & Services
Previously Before Council:	Nil.
Author's Disclosure of Interest:	Nil
Council's Role in the matter:	Executive
Attachments:	1. LEMC Minutes dated 12 June 2024. ⇒

PURPOSE OF THE REPORT

To receive the minutes of the Local Emergency Management Committee (LEMC) Meeting (Refer to **Attachment 1**).

BACKGROUND

The LEMC met on 12 June 2024.

COMMENTS AND DETAILS

As the Committee made no recommendations from Council it is recommended that Council receive the minutes, noting the content.

IMPLICATIONS TO CONSIDER**Consultative:**

Nil.

Strategic:

Plan for the Future: Shire of Toodyay Council Plan 2023-2033

Outcome 9 Responsible and effective leadership and governance.

O9.1 Provide strong, clear and accountable leadership.

Policy related:

Nil.

Financial:

Nil.

Legal and Statutory:

Nil.

Risk related:

The risks are insignificant and low (1) in receiving the minutes of the LEMC.

Workforce related:

Nil.

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION NO. OCM201/06/24

MOVED Cr M McKeown

SECONDED Cr C Duri

That Council receives the minutes of the meeting of the Local Emergency Management Committee held on 12 June 2024. (**Attachment 1**).

Voted For: Crs R Madacsi, C Duri, S McCormick, M McKeown, S Dival and J Prater

Voted Against: Nil

MOTION CARRIED 6/0

9.5.3 WAC recommendations from meeting held on 12 June 2024.

Date of Report:	13 June 2024
Applicant or Proponent:	Shire of Toodyay
File Reference:	COC6
Author:	M Rebane – Executive Assistant
Responsible Officer:	C Sullivan – Executive Manager Infrastructure, Assets & Services
Previously Before Council:	Nil.
Author's Disclosure of Interest:	Nil
Council's Role in the matter:	Executive
Attachments:	1. WAC Minutes from Meeting held on 12 June 2024. ↗

PURPOSE OF THE REPORT

To receive the minutes of the Works Advisory Committee (WAC) Meeting held on 12 June 2024 (Refer to **Attachment 1**) and to consider a recommendation made by the committee.

BACKGROUND

The WAC meeting considered the election of Presiding Member and the appointment of community members.

COMMENTS AND DETAILS

During the Works Advisory Committee Meeting, discussions around membership on the committee were held.

The committee made a recommendation and it is recommended that Council resolve that recommendation.

IMPLICATIONS TO CONSIDER**Consultative:**

Nil.

Strategic:

Plan for the Future: Shire of Toodyay Council Plan 2023-2033

Outcome 9 Responsible and effective leadership and governance.

O9.1 Provide strong, clear and accountable leadership.

Policy related:

Nil.

Financial:

Nil.

Legal and Statutory:

Nil.

Risk related:

The risks are insignificant and low (1) in receiving the minutes of the WAC.

Workforce related:

Nil.

VOTING REQUIREMENTS

Absolute Majority

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION NO. OCM202/06/24

MOVED Cr S McCormick

SECONDED Cr J Prater

That Council receives the minutes of the meeting of the Works Advisory Committee held on 12 June 2024. (**Attachment 1**).

Voted For: Crs R Madacsi, C Duri, S McCormick, M McKeown, S Dival and J Prater

Voted Against: Nil

MOTION CARRIED 6/0

Cr Madacsi departed the zoom link to Council Chambers at 3.53pm.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION NO. OCM203/06/24

MOVED Cr C Duri

SECONDED Cr S Dival

That Council appoints Aldo Lamas, and Dustin Bennett as community members on the Works Advisory Committee.

Voted For: Crs C Duri, S McCormick, M McKeown, S Dival and J Prater

Voted Against: Nil

MOTION CARRIED BY ABSOLUTE MAJORITY 5/0

10 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**10.1 Notice of Motion – Cr Madacs**

Date of Report:	14 June 2024
Applicant or Proponent:	Cr Madacs
File Reference:	MTG7
Author:	M Rebane – Executive Assistant
Responsible Officer:	T Bateman – Acting CEO
Previously Before Council:	N/A
Author's Disclosure of Interest:	Nil
Council's Role in the matter:	Executive
Attachments:	1. Notice of Motion. 🔗

PURPOSE OF THE REPORT

To consider a notice of motion provided by Councillor Madacs.

BACKGROUND

On 14 June 2024 Councillor Madacs provided the Acting Chief Executive Officer notification of a notice of motion for the June 2024 Ordinary Meeting of Council as follows:

NOTICE OF MOTION

That Council requests the Shire President.

1. To provide a written weekly brief to councillors no later than ten days after the meeting occurs and which includes the following information.
 - a. the discussion that occurs in the Shire President/CEO briefing meetings,
 - b. any operational matter or other matters that will or has the potential to impact the shire or presents a risk to the organisation or community.
2. To provide timely and complete responses to councillor queries to him.

Clause 4.4(4)(c) of the Shire of Toodyay Standing Orders Local Law states that the Chief Executive Officer *“may provide to the Council relevant and material facts and circumstances pertaining to the notice of motion on matters such as policy, budget and law”*. This report is provided in accordance with such.

COMMENTS AND DETAILS

It is recommended that the notice of motion be considered.

IMPLICATIONS TO CONSIDER**Consultative:**

Nil.

Strategic:***Shire of Toodyay Plan for the future - Council Plan 2023-2033*****Outcome 9: Responsible and effective leadership and governance.**

9.1. Provide strong, clear, and accountable leadership.

Policy related:

Nil.

Financial:

Nil

Legal and Statutory:

Local Government Act 1995

Risk related:

The risks are minor but as this matter has the potential to cause reputation damage to the Shire the risk is High (10). This report mitigates the risk.

Workforce related:

The outcomes of this report can be managed within existing resources.

VOTING REQUIREMENTS

Simple Majority

NOTICE OF MOTION – CR MADACSI

That Council requests the Shire President:

1. To provide a written weekly brief to councillors no later than ten days after the meeting occurs and which includes the following information;
 - (a) the discussion that occurs in the Shire President/CEO briefing meetings; and
 - (b) any operational matter or other matters that the Shire President is concerned with, or has the potential, to impact the Shire or presents a risk to the organisation or community.
2. To provide timely and complete responses to councillor queries directed to him.

The Shire President, in accordance with Standing Order 3.2 requested the Deputy Shire President to assume the chair for the remainder of the meeting.

Cr Dival assumed the chair at 3.54pm.

Cr McKeown remained in Chambers at 3.54pm.

Cr Madacsi returned to the Council Chambers via the live stream at 3.54pm.

Cr Prater moved the Notice of Motion.

Cr Duri seconded the motion.

Debate commenced.

The motion was put.

NOTICE OF MOTION- CR MADACSI /COUNCIL RESOLUTION NO. OCM204/06/24

MOVED Cr J Prater

SECONDED Cr C Duri

That Council requests the Shire President:

1. To provide a written weekly brief to councillors no later than ten days after the meeting occurs and which includes the following information;
 - (a) the discussion that occurs in the Shire President/CEO briefing meetings; and
 - (b) any operational matter or other matters that the Shire President is concerned with, or has the potential, to impact the Shire or presents a risk to the organisation or community.
2. To provide timely and complete responses to councillor queries directed to him.

Voted For: Cr R Madacsi

Voted Against: Crs C Duri, S McCormick, M McKeown, S Dival and J Prater

MOTION LOST 1/5

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

Nil.

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

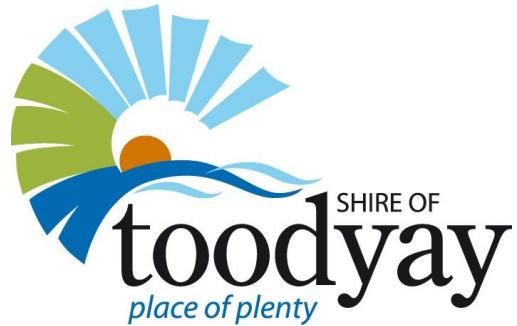
Nil.

15 NEXT MEETINGS

Ordinary Council Meeting	24 July 2024
Agenda Briefing	17 July 2024
Audit & Risk Committee Meeting	31 July 2024
Environment Advisory Committee Meeting	10 July 2024

16 CLOSURE OF MEETING

The Shire President declared the meeting closed at 4.14pm.



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Ordinary Council Meeting

Wednesday, 26 June 2024

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Agenda Briefing

19 June 2024

Notes

Unconfirmed Notes

These notes were approved for distribution on 21 June 2024.

Tabitha Bateman

ACTING CEO

When the Chief Executive Officer approves these Notes for distribution they are in essence "informal notes" that will be received at the next Ordinary Council Meeting, subject to any amendments being made by Council.

The "Received" Notes are then signed off by the Presiding Person.

Attachments that formed part of the Agenda, in addition to those tabled at the Agenda Briefing are included in the attachments to the Ordinary Council Meeting with the exception of confidential items or attachments that are confidential which will be included in Confidential Minutes of the Ordinary Council Meeting.

Received Notes

These notes were received at an Ordinary Council Meeting held on 26 June 2024.

Signed: M V m-Kaa

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

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19 JUNE 2024

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AGENDA BRIEFING NOTES**19 JUNE 2024****1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS**

Cr M McKeown, Shire President, declared the meeting open at 3.01pm.

2 RECORDS OF ATTENDANCEMembers

Cr M McKeown	Shire President
Cr C Duri	Councillor
Cr S McCormick	Councillor
Cr J Prater	Councillor

Staff

Ms T Bateman	Acting Chief Executive Officer
Ms G French	Acting Executive Manager Corporate and Community Services
Mr C Sullivan	Executive Manager Infrastructure, Assets & Services
Mr H de Vos	Executive Manager Development and Regulation
Mr M Werder	Project Manager
Mrs M Rebane	Executive Assistant

Visitors

Nil.

2.1 APOLOGIES

Cr S Dival	Deputy Shire President
Cr R Madacs	Councillor
Cr D Wrench	Councillor

2.2 APPROVED LEAVE OF ABSENCE

Nil

2.3 APPLICATIONS FOR LEAVE OF ABSENCE

Nil.

3 DISCLOSURE OF INTERESTS

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.

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

Nil.

AGENDA BRIEFING NOTES**19 JUNE 2024****4.2 PUBLIC QUESTION TIME**

Nil.

5 CONFIRMATION OF MINUTES

As per Council Meeting Agenda

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

Nil.

6.2 DEPUTATIONS

Nil.

6.3 PRESENTATIONS

Nil.

6.4 SUBMISSIONS

Nil.

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****9.1.1 P2023-87 - Lot 1 Morangup Road, Morangup - Renewal of Extractive Industry Licence - Austral Bricks**

Nil.

9.2 CORPORATE AND COMMUNITY SERVICES**9.2.1 List of Payments - May 2024**

9.2.1 - Questions and Points raised		
Councillor	Discussion	Response from the Finance Coordinator, unless otherwise specified
Duri	<ul style="list-style-type: none">Item 31 page 89 – 15.05.24 Cola Café Ben Falconer afternoon tea farewell \$150.00	<i>These payments are for separate Farewell afternoon teas for two depot staff members.</i>

AGENDA BRIEFING NOTES

19 JUNE 2024

9.2.1 - Questions and Points raised		
Councillor	Discussion	Response from the Finance Coordinator, unless otherwise specified
	<ul style="list-style-type: none"> Item 125 page 94 – 31.05.24 Cola Café afternoon tea farewell \$150.00 <p>Are the above two payments for 2 separate employees leaving or has this been entered twice?</p>	
Duri	<p>CEO Credit Card still under the name of Suzie Hazlehurst. Should this have been changed as Ms Hazlehurst has not been the CEO since April 2024?</p>	<p><u>Acting CEO response:</u> <i>The CEO's card has a higher limit than the Managers' cards and was used to top up the SMS service on 9 April 2024, when the CEO (S Haslehurst) was still employed on the day that the card was used.</i></p>
Duri	<p>Credit Card MAS C. Sullivan 171 Warwick Newsagency Farewell Cards \$49.95 – is this for multiple persons</p> <p>180–Farwell Refreshments \$62.00</p>	<p><u>Executive Manager Infrastructure, Assets and Services response:</u> <i>This expenditure was for farewell cards for two people (\$49.95); and For refreshments for two people leaving the Shire (\$62.00)</i></p>
Duri	<p>Credit Card CESM R Koch April 2024:</p> <p>195 Victoria Hotel \$742.00 Incident 664561</p> <p>196 Cola Café \$320.00 Incident 664561</p> <p>197 Victoria Hotel \$205.00 Incident 664561</p> <p>Was this incident over several days or are the above costs for one day for the same incident? What was the incident please?</p>	<p><u>As noted:</u> <i>Incident 664561 Dinner Catering 15/04/2024.</i></p> <p><i>Financial statement reflects incorrect Incident Number. Correct Number is 663665. Lunch Catering 08/04/2024.</i></p> <p><u>As noted Incident 664561 Lunch Catering 16/04/2024</u></p> <p><i>All the above refers to meals and refreshments for volunteers and it is recoverable by funding from DFES.</i></p>
Madacsi	p.88 Biomax Pty Ltd, CIO Biomax system service	<u>Executive Manager Infrastructure, Assets and Services response:</u>

AGENDA BRIEFING NOTES

19 JUNE 2024

9.2.1 - Questions and Points raised		
Councillor	Discussion	Response from the Finance Coordinator, unless otherwise specified
	(\$133.00). Where is the Biomax system located?	<i>The Biomax unit is located adjacent to the sewer pump station at the front of the Operations Centre along the fence near the main entrance and is part of the wastewater collection and treatment system.</i>
McKeown	What is a Biomax system?	<u>Executive Manager Infrastructure, Assets and Services response:</u> <i>It is a pump out system. It is serviced annually. It is used to pump sewerage out but it also treats raw sewerage on the way in.</i>
Madacsi	p.89 EFT 21 - McLeod's Barristers and Solicitors, DPLH v Shire of Toodyay (\$773.85). Is this the final account and if so, what is the total expended for this case?	<i>This payment was for advice upon receipt of the DPLH prosecution however the CEO had also approached LGIS after the initial notice. Advice received was paid for through this invoice and there will be no further expenditure for McLeod's related to the DPLH case. Officers will look into the total expenditure for this case and report to Council as soon as that information comes to hand.</i>
Madacsi	EFT 31 - The Cola Café, Afternoon tea for Ben Falconer's farewell (\$150.00). Who is Ben Falconer?	<i>This person was a Shire of Toodyay employee, at the Operations Centre employed as a General hand and plant operator.</i>
Madacsi	p.90 EFT 44 - Carter Roofing & Slating Pty Ltd, Roof repair at Newcastle Gaol Museum (\$2,486.00). What were the roof repairs for and which building?	<i>Carter Roofing carried out replacement of split and deformed timber shingles on the roof of the Museum building.</i>
Madacsi	p.91 EFT 54 – Philip John ROBERTS, Reimbursement of WALGA two day course (\$185.03). Who is Philip Roberts?	<i>Mr Roberts is a community member on the Heritage Advisory Committee and received training from WALGA</i>
Madacsi	p.93 94 - Frontline Fire & Rescue Equipment, BFS Coondle 3.4 Truck - Repair damage (\$6,999.12). What is the damage	<i>This relates to rear bumper replacement, front step replacement and electrical replacement items (all unrelated). Costs are LGGS eligible.</i>

AGENDA BRIEFING NOTES

19 JUNE 2024

9.2.1 - Questions and Points raised		
Councillor	Discussion	Response from the Finance Coordinator, unless otherwise specified
	in relation to? Is this account reimbursable through insurance?	
Madacsi	p.97 166 – Stratco, Morangup Hall (\$374.60). What was this expenditure for?	<i>This relates to roof repair at the Community Hall building .</i>
Madacsi	195 – 197 for Catering – Incident 664561. What was Incident 664561 that totalled \$1,271.00 from three payments to the Victoria Hotel and Cola Café?	<i>There were two incidents which have identification numbers assigned by DFES. Locations are not named, which were Dumbarton Road and Hatfield Place.</i>

9.2.2 Monthly Financial Statements - May 2024

Nil.

9.2.3 Community Funding Budget consideration

Nil.

9.2.4 Disability Access and Inclusion Plan Progress Report 2023/2024

Nil.

9.2.5 In-Principle Support - The Salvado Trail Foundation

Nil.

9.3 EXECUTIVE SERVICES

9.3.1 Delegation Register Review and Policy review

Item 9.3.1 - Questions and Points raised		
Councillor	Discussion	Response from Acting CEO unless otherwise specified
McKeown	CEO's spending limit. Background required.	<i>There was an issue with the delegation register referring to the policy and the policy referred to the register. Tidied up by putting an unlimited amount for approvals through the purchasing policy subject to budget inclusion (adhering to tender rules) and this</i>

AGENDA BRIEFING NOTES

19 JUNE 2024

Item 9.3.1 - Questions and Points raised		
Councillor	Discussion	Response from Acting CEO unless otherwise specified
		<i>was corrected following advice from the FMR Review.</i>
McKeown	Development approvals Delegation – What is the difference between taking due regard and consistent with?	<i>Executive Manager Development and Regulation response: If you have a policy and the policy says you can only have 1000 sq metre shed being consistent with policy being only to have that. Due regard requirements of policy and objectives against the application before you. It is a cogent reason for a departure from a developing standard. Back up to why the decision is taken.</i>
Madacsi	Regarding the Risk Assessment Report (incorporating FMR Actions Report) - 6.2 Policy Review What was the reason provided to recommend that operational document control should be removed from policies?	<i>Moore Australia asked the Shire to review and update policy Version Control and Document Control Information to provide evidence and an accurate record of when the policy was reviewed, amended and adopted. Simplify and include reference information required for publication. Operational information may be maintained on a policy index spreadsheet and used for operational purposes.</i>
Madacsi	Was this recommendation from Moore Australia, or the FMR Actions Report?	<i>Moore Australia produced the FMR Actions Report so technically it was from Moore Australia. Shire Officers have only put information into the Responsible Officer and the Comment/Issues columns.</i>

9.4 INFRASTRUCTURE AND ASSETS

Nil.

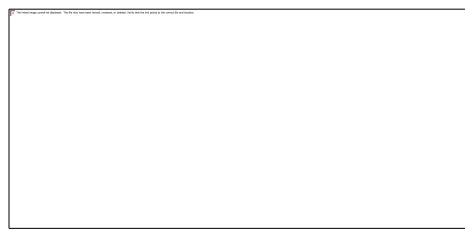
9.5 COMMITTEE REPORTS

9.5.1 ARC recommendations from meeting held on 5 June 2024.

Item 9.5.1 - Questions and Points raised		
Councillor	Discussion	Response from Acting CEO unless otherwise specified
Duri	May I please have clarification as to the reason why the Shire	<i>With the Local Government Act requiring reports from the CEO and</i>

AGENDA BRIEFING NOTES

19 JUNE 2024

Item 9.5.1 - Questions and Points raised		
Councillor	Discussion	Response from Acting CEO unless otherwise specified
	President and CEO reports in the Annual Report has been changed? I would have thought that this is in appropriate and not factual as neither persons writing these reports held the positions of CEO and Shire President for the year 2022 – 2023.	<i>Mayor or President, the present incumbents in the role will be published as the authors in the Annual Report. The Department has advised that it is understood the Act refers to the current president and CEO under section 5.53 and not the previous incumbents of those positions regarding the preparation and inclusion of reports in the local government's Annual Report.</i>
Madacsi	Under what authority in section 7 of the Local Government Act and what authority within the Audit and Risk Committee Charter, was the recommendation to council to replace the CEO and the Shire President reports in the 2022-23 Annual Report made?	<i>The Authority comes in the form of their Charter, recently adopted by Council, wherein the ARC review documents put before them.</i>
Madacsi	What was the purpose to replace the reports with those of the Acting CEO (Tabitha Bateman) and current Shire President (Michael McKeown), when they held the positions of Executive Manager of Corporate & Community Services and councillor respectively, after the October 2023 elections and end of the 2022-23 financial year?	<i>With the Local Government Act requiring reports from the CEO and Mayor or President, the present incumbents in the role will be published as the authors in the Annual Report.</i> <i>Naturally, some degree of cooperation and collaboration with previous incumbents in developing the reports would normally take place so that there is an appropriate level of accuracy and detail.</i> <i>A recent example is the City of Wanneroo 2022/23 Annual Report, where the A/CEO authored the report following the departure of a long-serving CEO:</i> 

AGENDA BRIEFING NOTES

19 JUNE 2024

Item 9.5.1 - Questions and Points raised		
Councillor	Discussion	Response from Acting CEO unless otherwise specified
Madacsi	Why were the key activities as reported for the 2022-23 financial year provided by the then CEO Suzie Haslehurst and Shire President Rosemary Madacsi removed?	<i>This was due to a recommendation made by the Audit and Risk Committee at their meeting held on 5 June 2024.</i>
Madacsi	What was the reason under R.11(da) of the Local government (Administration) Regulations 1996 for not accepting the Officers Recommendation?	<i>There was no reason given as the change to the Officer's recommendation was not a significant amendment to the intent of the Officer's Report.</i>

9.5.2 Receipt of the LEMC Minutes

Nil.

9.5.3 WAC recommendations from meeting held on 12 June 2024.

Nil.

10 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

10.1 Notice of Motion – Cr Madacsi

Item 10.1 - Questions and Points raised		
Councillor	Discussion	Response from Shire President unless otherwise specified
Prater	Is the President's role expected to be a full time job?	<i>No</i>
Prater	Would the report be done by the President or done by Administration or the CEO?	<i>Currently the CEO issues such a report. Acting CEO response: After any discussions or if there are information to be forwarded to councillors as a group or as an update then that is forwarded by myself.</i>
McCormick	What was the date of the summary of the Tuesday morning discussion recently?	<i>Acting CEO response: The last update sent to Councillors was Thursday 11/6/2024 at 11am. The most</i>

AGENDA BRIEFING NOTES**19 JUNE 2024**

		<i>recent discussion has not been forwarded as yet.</i>
--	--	---

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

Nil.

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**

Acting CEO advised Councillors that there had been a community submission regarding the name of a federal electorate division out for public comment at present – named Bullwinkle.

The submission sought a decision of Council regarding potential for lobbying for a change of name.

This matter may be brought to Council as a late report.

13.2 EMPLOYEES

Nil.

14 CONFIDENTIAL BUSINESS

Nil.

15 NEXT MEETINGS

As per Council Meeting Agenda.

16 CLOSURE OF MEETING

The Shire President declared the meeting closed at 3.21pm.

From the Shire President

While this year has been a difficult one, Council members and Shire officers have shown great resilience in addressing challenges and finding solutions.

Recognition is due for everything undertaken and achieved in our community by so many people—much of this overviewed below as I introduce the 2022-2023 Shire of Toodyay Annual Report.

The *Work Health and Safety Act 2020* was introduced, causing considerable uncertainty for our Bush Fire Brigades (BFB). Despite this, the Shire is proudly recognised as a leading example of successful BFB operation, courtesy of strong leadership and support from the current Community Emergency Services Manager (CESM), Chief Fire Control Officer (FCO), BFB captains, and BFB volunteers.

The uncertain future of Toodyay Community Resource Centre (TCRC) reached a resolution when Council determined, at a Special Council Meeting in August 2022, to ensure this valuable community asset would be retained under Shire management. The TCRC, now based at the Community Centre, reopened in November 2022.

Conversations took place with local government at State level regarding native vegetation management, highway heritage preservation, highway funding, and emergency relief; with roads, the Toodyay bypass, environment, mining,



*Cr Rosemary Madacs
President*

and local medical services keeping the Shire busy. Initiated by the departure of Wheatbelt Health Network from our town, Toodyay, supported by all ten councils in the Avon Midland Zone rural area, strongly encouraged a realistic and uniform level of local government contribution to general practice services. Wheatbelt Health Network's withdrawal highlighted the inequality of GP access in regional areas, and the need to ease the burden on regional communities to access such services. This has been communicated to Federal and State Ministers, and is now a platform for regional Shire advocacy—paving the way for Federal and State governments to fulfill their responsibilities of providing GP services, in turn relieving local governments of having to do so.

Negotiations for a new GP service in Toodyay were successful, with a contract signed for provision in March 2022.

Toodyay also hosted discussions regarding the prioritisation of local road traffic issues (including a bypass, speed reduction and road safety measures); road and disaster financing; adequate resources for all stakeholders in biosecurity management; and improved pest control on lands managed by the State Government.

From the Shire President continued...

Additionally, conversations with Chalice Mining around community safety took place.

Local government recognition was received for the Shire's Reconciliation Action Plan initiatives, the Julimar Road works in West Toodyay, and the installation of signage at St John the Baptist Cemetery. An upgrade at Newcastle Park saw the installation of a new inclusive and accessible playground, including a water fountain generously donated by Toodyay Op-Shop.

A strong voice where it matters has been the hallmark of our efforts this year. A concerted effort to make our community heard resulted in Toodyay being represented in all key road groups, biosecurity and environmental advisory groups, the Rural Water Council, and State government advocacy. The CEO was also appointed to the Local Government Professionals Board.

The cost and future environmental pressures of conserving our native vegetation led us to actively engage in road clearing, and Department of Water and Environmental Regulation offset conversations and environment workshops, to ensure changes to regulations and assessment procedures support road works while protecting remaining local vegetation.

The Julimar Volunteer BFB's new premises—the penultimate in a series of facility improvements—opened in September. We look forward to the upgrade planned for Bejoording.

It was satisfying to see the year end on a good note, with the maintenance of the Community Resource Centre, conclusion of GP service negotiations, and study of the deterioration of racecourse assets. Intensive lobbying, as aforementioned, led to greater support for the Toodyay bypass, increased funding for roads and disaster relief, and recognition that the burden on local governments to provide regional medical services is unsustainable.

Overdue audits are almost complete. Asset rationalisation has allowed the sale of some properties, and Syred's Cottage was returned to the Syred family for conservation purposes.

Local government Ministerial approval was received to reduce the representation of Shire Councillors from nine to seven in the Ordinary Local Government Election, set to be held in October 2023.

Parkrun—a community fitness initiative new to Toodyay—began during this period, setting off from Newcastle Park each Saturday. Thanks to the enthusiasm of our local Parkrun group, this event has enjoyed an excellent turnout from week to week.

The Gnulla Karnany Waangkiny (Our Truth Telling) project was the winner of the National Indigenous Project Award at the 2023 Australian Museum and Art Galleries Association Awards. Congratulations to all contributors on this outstanding achievement. Congratulations also to Frank Vinton from Morangup, who secured funding through the Stronger Communities Program as part of a school project for

From the Shire President continued...

the redevelopment of the Morangup Community Hall half basketball court.

There have been challenges with burn permits during the shoulder season. This issue was discussed with farmers and the Department of Fire and Emergency Services (DFES). Toodyay is part of the Swan Inland North Fire District due to the amount of native vegetation in the area, while surrounding Shires are part of the Avon Fire District. Fire districts determine Total Fire Bans. These bans do not stop harvesting movements—only burning. Total Fire Bans are non-negotiable, but burn notices may be issued depending on local conditions.

DFES also recognised that the new Australian Fire Danger Rating System (AFDRS) requires further work.

The National Local Government Assembly in Canberra was attended by 1,100 local government leaders, and provided excellent opportunities to meet Ministers. Toodyay's motion to set a cap on local government contributions to attracting and retaining GP services was passed without objection.

At the National Feral Pig Conference in Cairns, I presented on the challenges of communication between stakeholders to demand the cooperation and funding needed to tackle the problem on the frontline—a common challenge for local governments like ours. This was well received and supported. Due to emerging biosecurity concerns related to feral pig intrusions and the introduction of Japanese encephalitis and foot-and-mouth disease, Toodyay Rangers have proactively sampled trapped feral pigs as a frontline defence for the department.

I express my gratitude to our community for their patience, and for the significant contributions made by so many. Furthermore, I extend our thanks for the support of the Minister of Local Government, his department, and the Office of the Auditor General provided during the Datandscape transition. Last but not least, I commend the dedication and diligence of Shire Councillors and officers throughout all of the above.

From the CEO

This has indeed been another difficult year, but progress is being made and recognised. The Shire's policy review has been the focus of governance. This is an ongoing process involving an initial review by officers and an online review by Councillors, before a workshop is held. Revised policies are then presented to Council at a formal meeting for adoption and in some cases, public advertising. This is a sound process that ensures Council policies are more intuitive and reflect the needs of the community.

Although it is never easy to say goodbye to valued employees, we have been successful in attracting professional and dedicated staff across the organisation, and in offering internal promotions where possible. We have also restructured in some areas to place greater emphasis on governance and compliance. I am sincerely grateful for the support and dedication of our hard-working staff and thank them for their continued efforts.

We continue to work with the community to provide facilities and services that improve the quality of life in and appeal of Toodyay. This includes event sponsorship and partnerships. One of these partnerships is with the Noongar Kaardjin Aboriginal Corporation (NKAC) as part of the Shire's Reconciliation Action Plan.

Our enterprise software implementation continues to be a major challenge and concern, with Shire officers and the software vendor meeting regularly to resolve outstanding issues. This challenge contributed to a delay in the completion



Suzie Haslehurst
Chief Executive Officer

of our 2022-2023 financial year audit. The financial statements presented as part of this Annual Report were produced by Dry Kirkness auditors to the best of their ability, using the information held on our premises in the enterprise system. We anticipate that producing next year's annual financial statements will be a smoother process, resulting in a document we can rely on to be an accurate account of the Shire's financial position.

Officers continued to make progress in recovering long-standing unpaid rates during the year, with reminders sent and Council agreeing to the disposal of several properties under the provisions of the Local Government Act. Rates are the Shire's primary revenue source for funding local facilities, services, and capital works.

More than \$2 million in capital works was undertaken throughout the year, including road reconstructions; improvement and repair work; bridge, culvert and drainage work; and two Black Spot funded projects on Bindi Bindi-Toodyay Road. More than 950 metres of trails have been developed, and six accessible bays have been modernised. The Shire also received more than 650 customer requests across 2022-2023.

From the CEO continued...

The Shire has received funding for the installation of shared pathways at Settler's Ridge and on Toodyay Street, Jubilee Street and Connor Street; Toodyay Community Pavilion reticulation and emergency water tanks; fire mitigation works; emergency water upgrades; and the operation of the Shire's Bush Fire Services. Officers continue to advocate for funding for a new fire station in Bejoording. In recognition of the importance of emergency management in the Shire, Council allocated additional resources to this area in the 2022-2023 budget, and approved the report on bush fire and

disaster preparedness and resilience strategies in August.

We continue to be attentive to all advocacy priorities adopted by Council, including transport, mining in Toodyay, water management, energy sustainability, tourism, culture, and events. These priorities will inform our advocacy efforts on behalf of the Shire of Toodyay and our community. I look forward to continuing to work collaboratively with Council and the community to achieve positive and lasting results.



EXTRACTIVE INDUSTRY LICENCE RENEWAL

CLAY EXTRACTION MANAGEMENT PLAN and EIL RENEWAL

LOT 1 MORANGUP ROAD, MORANGUP

PREPARED FOR
AUSTRAL BRICKS (WA) PTY LTD

AUGUST 2023

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Executive summary

Land Insights act for Bristile Holdings Pty Ltd (Austral Bricks (WA) Pty Ltd) and lodge this application on their behalf. The application seeks to renew the Extractive Industry Licence for 21 years (as permitted by the Extractive Industry Local Law) for the “Schist Pit” located at Lot 1 Morangup Road, Morangup. The application seeks the continuation of the operation.

The Shire issued Development Approval on the 7th October 2016 for the extraction, cartage and associated activities for the Schist clay pit. An Extractive Industry Licence was issued by the Shire and by order of the WA State Administrative Tribunal (SAT) on the 5th August 2014 which expires on the 19th November 2023.

For the sake of clarity, this application confirms the continuation of the approved extraction will be consistent with the proposal outlined below.

SUBJECT	DESCRIPTION
Operating times	<ul style="list-style-type: none">• 06:00 – 17:00 hours from Monday to Saturday between the months of October and May• 06:00 – 17:00 hours from Monday to Friday between the months of June and September• 06:00 – 17:00 hours from Monday to Saturday between the months of June to September with no more than 5 days annually subject to the maximum number of truck movements on those days being no greater than 40. Should any of the days fall on a Shire event day the number will be no greater than 30.• During the Saturday of the Shire’s Agricultural Show the number of trucks on the day will be limited to 30 (although it is unlikely that carting will occur on this day).
Volume extracted	Approximately 160,000 tonnes annually. This is consistent with the current approval and no increase in tonnage/operation is proposed as part of this application.

SUBJECT	DESCRIPTION
Site preparation	Limited site preparation is required as the site is already established for clay extraction. Access, signage, fencing, bunding and drainage management has already been established in accordance with the current approvals.
Pit Area	The total “excavation operation area” is approximately 44.7 hectares. This includes the current excavation area, the next stage of extraction, water detention basins, stockpile areas and overburden bunds.
Staging	The existing pit area has not previously been given a stage number, however for this application it has been allocated as “Stage 1a” for the sake of completeness and consistency. The expansion area (previously labelled as “Stage 1”) has been labelled as “Stage 1b” to indicate the next phase of excavation. Stage 1b is consistent with the area previously labelled as “Stage 1”.
Depth	Depth of excavation is approximately 14-15 metres, depending on the depth of resource across the site.
Excavation	Clay is excavated from the pit area and placed onto stockpile. Earthworks take place as and when required throughout the year but generally during the dry months. The timing of excavation depends on weather conditions, market demand and operational requirements. Excavation will most likely take place over approximately 16 weeks in total per annum, usually divided into 2 or 3 “campaigns”.
Direction of excavation	The direction of excavation is generally in a southern direction.
Stockpiling	Clay is stockpiled within the pit area. This is to allow for efficient carting and transport of material from the site and utilises the existing pit area to avoid the need for clearing additional areas of vegetation.
Access	Existing site access is located at Morangup Road at the southern end of Lot 1. A crossover is already located at Morangup Road and the sealed section is approximately 30 metres in length. The main haul road travels north through the site and provides access to the pit and clay stockpiles.

SUBJECT	DESCRIPTION
Carting	<p>It is estimated that there will be approximately 4,250 truck loads per annum. Carting will take place as and when required throughout the year but generally during the dry months. The timing of carting depends on weather conditions, market demand and operational requirements. It is expected that carting will occur over two separate campaigns each year, lasting approximately 3-4 weeks for each campaign.</p>
Environmental management	<p>The proposed excavation operation has been subject to a rigorous environmental assessment (this is presented in Chapter 3) which has considered ways to avoid, reduce and mitigate environmental impact as required by EPA Guidance Statement No. 33.</p> <p>As such, the clay extraction operation will comply with a range of management procedures as presented in the following management plans included with this report:</p> <ul style="list-style-type: none"> • Dust Management Plan (Land Insights, 2023) • Noise Management Plan (Land Insights, 2023) • Water Management Plan (Land Insights, 2023) • Visual Amenity Management Plan (Land Insights, 2023) • Rehabilitation Management Plan (Land Insights, 2023) • Refuelling Management Plan (Land Insights, 2023) • Waste Management Plan (Land Insights, 2023) • Phytophthora Dieback Hygiene Management Plan (Glevan Consulting, 2020) • Bushfire Management Plan (Bushfire Prone Planning, 2021)
Refuelling	<p>The operation will use mobile refuelling.</p> <p>There will be no storage of fuel on site.</p>
Structures	<p>A temporary lunchroom and portaloo will be located on site. It will only be used during site operations.</p>
Decommissioning	<p>The pit will be recontoured and rehabilitated in accordance with the Rehabilitation Management Plan.</p>

1 *Introduction*

1.1 *Summary*

Land Insights act for Bristile Holdings Pty Ltd (Austral Bricks WA Pty Ltd) and lodge this application on their behalf. The application seeks to renew the Extractive Industry Licence for 21 years (as permitted by the Extractive Industry Local Law) for the “Schist Pit” located at Lot 1 Morangup Road, Morangup. The application seeks the continuation of the operation and there is no increase proposed.

The Shire issued Development Approval on the 7th October 2016 in June 2012 for the extraction, cartage and associated activities for the Schist clay pit. An Extractive Industry Licence was issued by the Shire and by order of the WA State Administrative Tribunal (SAT) on the 5th August 2014 which expires on the 19th November 2023.

Issuing a new EIL for this operation is essentially a low-risk decision for the Shire for the following reasons:

- This is an existing operation (i.e. a new site is not being developed)
- The area subject to the application has previously been approved by the Shire (both a DA and EIL)
- The operation is subject to a suite of existing management plans which have been updated to reflect current guidelines and best practice.
- There are no long-term plans for increasing sensitive land uses surrounding the site
- The site is identified as a significant State resource
- The operation has a history of compliance.

In addition, the excavation operation has been subject to a rigorous environmental assessment (presented in Chapter 5) which has considered ways to avoid, reduce and mitigate environmental impact.

One characteristic of extractive industries which is important to note is that the operator is not on the site every day. For large stretches of time and for a majority of the year there will be no activity on the site (i.e. it will be dormant), particularly during wetter months of the year. Excavation, carting and rehabilitation only take place over a certain period of time (commonly referred to as “campaigns”) during dry months or at scattered times throughout the year. As a result, the outcomes of this assessment conclude that the operation has a generally low environmental and amenity risk with operational controls in place.

1.2 Background and approvals history

Excavation commenced at the Schist Pit over 60 years ago. Development Approval was issued by the Shire on the 7th October 2016. An Extractive Industry Licence was issued by the Shire and by order of the WA State Administrative Tribunal (SAT) on the 5th August 2014 which expires on the 19th November 2023.

The existing pit area has not previously been given a stage number, however for this application it has been allocated as “Stage 1a” for the sake of completeness and consistency. The expansion area (previously labelled as “Stage 1”) has been labelled as “Stage 1b” to indicate the next phase of excavation.

Rate of excavation (tonnages) are variable depending on market demand. In general, the rate of excavation has been significantly lower at this site as was expected in 2014 when the EIL was issued and, as such, this has also meant that excavation of Stage 1b (previously “Stage 1”) has not progressed as expected. Previously extracted areas are currently used as water detention basins as the water catchment for the site is substantial. Experience in recent years with the increase in heavy rainfall events is that a relatively large areas is required for water management. These basins have been configured over recent years.

1.3 Purpose of report

The purpose of this report is to provide supporting information for an application to renew the Extractive Industry Licence for a 21 year period (as permitted by the Extractive Industry Local Law). The prescribed application form has been completed and is provided at Appendix A.

1.4 *Importance of the resource*

Clay is an essential basic raw material used in the manufacture of roof tiles, bricks and paving blocks. As such, the extraction of clay is an important process in the supply of bricks and other construction materials for the community. The importance of clay to the community is reflected in *State Planning Policy 2.4: Basic Raw Materials* (WAPC, 2021) which identifies this site as a “Significant Geological Supply”.

Proximity to the Perth Metropolitan Region and manufacturing plants helps to reduce transport costs associated with extraction of clay and, in turn, the costs associated with housing. The Shire of Toodyay is located close to the Perth Metropolitan Area which reduces transport costs from the transport of clay from quarries to the factory.

In addition to transportation reasons, clay deposits near the Perth Metropolitan Area are scattered and under continual pressure from other land uses which threatened to sterilise the resource. The clays found on this property are important to the brickmaking at Austral Bricks. The importance of the resource is reflected in the basic raw material mapping SPP 2.4.

Extraction of clay from this site will continue to provide basic raw materials for the construction industry.

The continued operation of the site is particularly pertinent in the current economic climate as it will support employment and the construction industry.

1.5 *Location*

Lot 1 (“the site”) is situated approximately 80km to the north-east of Perth and approximately 25km to the south-west of Toodyay. It is approximately 5km from the closest rural residential estate (located to the south-west and another to the north of the site). The quarry is located in the centre of Lot 1.

Plans associated with the operation are provided at Appendix A.

1.6 *Tenure*

The site is owned by Bristile Holdings Pty Ltd and managed by Austral Bricks (WA) Pty Ltd, both wholly owned subsidiaries of Brickworks Limited. Certificate of Title details are as follows (and a copy is at Appendix C).

Table 1.1 – Ownership details

LOT #	PLAN/DIAGRAM	VOLUME	FOLIO	OWNER
31	DP404710	2908	777	Bristile Holdings Pty Ltd

1.7 *Compliance history*

The compliance history of the operation has also been provided in the risk assessment below (Table 5.1). The purpose of this is to demonstrate the reality of the potential impact of the operation and that the management of the site is effective at reducing risk. As the site is already operational, the compliance history can also provide evidence of the accuracy of the risk assessment for the “residual” or “managed” risk.

2 *Works and excavation program*

2.1 *Excavation procedure*

Excavation of clay takes place in a sequence of steps which can be broadly broken down into the following:

- Earthworks Campaign (i.e., removal of topsoil and overburden, excavation of clay to stockpile)
- Carting Campaign (transport of clay from the pit or stockpiles to the factories)
- Rehabilitation.

Further information on the excavation process is below.

No processing, crushing, screening or blasting will occur on site.

The proposed excavation operation has been subject to a detailed environmental assessment (presented in Chapter 3) which has been done in accordance with DWER *Guidance Statement – Risk Assessments* which has considered ways to avoid, reduce and mitigate environmental impact.

It is important to note that the operator is not on the site every day undertaking the activities listed above. For large stretches of time and for a majority of the year there will be no activity on the site (i.e. it will be dormant). Austral Bricks operates clay quarries elsewhere in the wheatbelt and the outer Metropolitan area, each with different types of clays. As such, they excavate and cart from different quarries throughout the year depending on market demand for certain products/clay types. Excavation, carting and rehabilitation only take place over a certain period of time or at scattered times throughout the year (as described further below). This application does not propose an increase in tonnage or operation from what is already approved.

Earthworks campaign

The “Earthworks Campaign” refers to the excavation and stockpiling of material. During the earthworks campaign, topsoil and overburden is removed and clay is excavated and placed onto stockpiles located within the Operation Area.

Earthworks take place as and when required throughout the year but generally during the dry months. The exact timing of excavation depends on weather conditions, market demand and operational requirements. During these excavation “campaigns”, excavation will generally take place for six days a week during the approved operation times. Excavation will most likely take place over approximately 16 weeks in total per annum, usually divided into 2 or 3 campaigns. It should be noted that for large stretches of time there will be no excavation activities on site.

The operation is currently approved for the excavation and carting of 160,000 tonnes of clay annually which does not represent an increase in tonnage or operation from what is already approved.

The excavation process is undertaken as an “inside out” operation. For example, excavation of the first part of the pit becomes the water detention pond so that drainage management can commence straight away. This can be seen within the existing operation area where the previously excavated areas at the northern end of the pit are now being used for water management. For this operation, two water basins are required as the catchment area to retain water runoff. Vehicles work on the floor of the excavation and work towards the edges of the excavation. Excavation generally takes place in a south-easterly direction.

As vehicles usually operate from the pit floor, the walls of the pit also act as a noise and dust barrier for most of the excavation process. There will be a relatively short period where vehicles are located at the ground level (when clearing vegetation and stripping topsoil and overburden), however as the operation area is surrounded by a large amount of remnant vegetation and undulating landscape, this is not expected to have a high risk of dust or noise impact. In addition, dust and noise management will be in place for the operation.

No processing (crushing, screening etc) will occur on the site. No blasting will be required to facilitate excavation.

Cartage campaigns

The “Cartage Campaign” refers to the removal or transport of clay from the site where it is taken to the Austral Bricks brickmaking factories. Clay resource is carted to various Austral Bricks manufacturing and brickmaking facilities.

Loading and carting from the site will largely occur during September to May (i.e. during the drier months) although it can occur anytime throughout the year depending on the need for clay and weather.

The current approval is for 4,250 truck loads per annum. Cartage will take place over two separate carting campaigns each year. The campaigns will last between 3-4 weeks each time. It should be noted that for a majority most of the year there will be no carting or truck movements in and out of the site.

Carting from the site depends on the market demand for bricks, as well as the types of clay and colour of clay. Therefore, there may be some variation from the truck numbers and the number of days that carting will be required each month (i.e. some months will have more carting days than other months). Austral Bricks operates clay quarries elsewhere in the wheatbelt and the outer Metropolitan area, each with different types of clays. As such, they excavate and cart from different quarries throughout the year depending on market demand for certain products/clay types.

A Stockpile Area will be located within the Operation Area. This allows for ease of access for trucks and also helps with on-site management by keeping the stockpile within the operation area. This is a management technique used to help mitigate potential dust and noise impacts. The stockpile area may also be used to blend clays.

Further information on truck movements is provided below.

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Rehabilitation

Rehabilitation of the quarry will involve recontouring the slopes to a safe and stable condition and revegetating with native species. Dams will be created from the lowest parts of the landscape.

Rehabilitation is detailed further in the Rehabilitation Management Plan (Land Insights, 2023). In general, rehabilitation will take place when an area is no longer required for operations (i.e. for clay excavation, for water management and drainage, for stockpiling and for access). It should also be noted that recontoured areas are also utilised for drainage basins during operations so usually cannot be vegetated until decommissioning.

It is expected that rehabilitation will take a few years to complete following decommissioning (to allow for monitoring of revegetation and erosion control). It should also be noted that the rehabilitation and closure of the quarry will also be reviewed by the Department of Mines, Industry Regulation and Safety in accordance with the *Mines Safety and Inspection Act 1994* which will confirm the safety of the slopes.

2.2 Hours of operation

The hours of operation will continue to conform with the current approvals which are as follows.

- 06:00 – 17:00 hours from Monday to Saturday between the months of October and May
- 06:00 – 17:00 hours from Monday to Friday between the months of June and September
- 06:00 – 17:00 hours from Monday to Saturday between the months of June to September with no more than 5 days annually subject to the maximum number of truck movements on those days being no greater than 40. Should any of the days fall on a Shire event day the number will be no greater than 30.
- During the Saturday of the Shire's Agricultural Show the number of trucks on the day will be limited to 30 (although it is unlikely that carting will occur on this day).

No operation will occur on Sundays or Public Holidays. A six-day operation week is required to maintain efficiency. Noise emitting equipment will not start until 7am in accordance with the Noise Regulations.

2.3 Stages and extent of excavation

The operation comprises of different areas which serve a different purpose as follows:

- Active Pit Area
- Stockpiling Area
- Drainage Basins
- Haul Roads
- Overburden Bunds
- Topsoil Stockpiles
- Areas undergoing rehabilitation and recontouring (note that recontoured areas are also utilised as drainage basins).

These areas are marked on the plans at Appendix B (where applicable) and can be seen on the aerial photography of the site.

It should be noted that this application relates to the existing operation/quarry and the future expansion area (the area labelled in previous applications as "Stage 1"). The existing pit area has not previously been given a stage number, however for this application it has been allocated as "Stage 1a" for the sake of completeness and consistency. The expansion area (previously labelled as "Stage 1") has been labelled as "Stage 1b" to indicate the next phase of excavation. Stage 1b is consistent with the area previously labelled as "Stage 1".

2.4 Depths and extent of excavation

The extent of excavation is shown on the plans at Appendix B. The size of the existing Pit Area is approximately 44.7 hectares.

The size of the next stage of excavation (Stage 1b) is 11 hectares. It should be noted that prior to clearing the next stage of excavation a few years ago, this area was surveyed to ensure that the extent of clearing was accurate.

The current pit has been excavated to a depth of approximately 14-15 metres. The ultimate depth of the pit areas is expected to be approximately 15 metres, although this can vary depending on the topography, the depth of overburden and the depth of the resource. Depth of resource is determined during drilling campaigns. During drilling, depth to groundwater is also noted and taken into account during operation planning. Excavation remains higher than 2 meters above the aquifer. The latest survey plan by Scanlan Surveys showing the depth and extent of excavation is also attached.

It is important to note that despite the careful planning and onsite investigations which help determine the location of the resource, the depth can vary slightly from the areas depicted on the plans.

2.5 *Topsoil and Overburden*

Topsoil and overburden will be removed prior to excavation commencing in new areas. Topsoil is scraped from the top of the area to be excavated to a depth of approximately 0.5 metres. It is either transferred directly to an area being rehabilitated or pushed to form low stockpiles for later use in rehabilitation. The current Topsoil Stockpile is labelled on the plan at Appendix B.

Overburden is approximately 3 to 4 metres deep but can vary in depth across the site. Overburden is scraped from the surface and used to create bunds along the perimeter of the excavation/pit area. This practice will continue as the excavation progresses. Overburden bunds also assist with drainage management. It is generally placed around the perimeter of the excavation area, so it is ready to be pushed back into the excavation area for future recontouring.

As excavation progresses, existing topsoil and overburden bunds will be used for recontouring and rehabilitation and new bunds will be established around new pit areas.

2.6 Site preparation

As the site has been used for clay extraction for over 70 years, minimal site preparation is required to continue operation.

Preparation has already commenced for the next stage of excavation (the area previously labelled as “stage 1” and now referred to as “Stage 1b”), including clearing in accordance with an approved Clearing Permit. Should any additional clearing be required, a Clearing Permit will be obtained from DWER in accordance with the *Environmental Protection (Clearing of Native Vegetation) Regulations 2004*.

Fencing already exists around the perimeter of the site and a locked gate and signage is located at the site entrance. Drainage management is already established to control water runoff within the operation area. Dieback management procedures and weed control are in place in accordance with the environmental approval issued by the Commonwealth government under the *Environmental Protection and Biodiversity Conservation Act 1999*. Site access including a sealed site entrance and gravel haul road have long been established.

2.7 Access arrangements

Access to the quarry is from an existing entrance at Morangup Road, located at the southern boundary of Lot 1. The main access road/haul road extends north into the site and to the operation area.

The entrance/exit to the site is sealed/bituminised for 30 metres. This means that trucks drive over a sealed section of road before exiting onto Morangup Road, allowing for dust and mud to fall off the trucks and meaning that the unsealed track does not directly adjoin the road.

It should be noted that Morangup Road is a gravel road shortly to the east of the site which tracks dust onto Morangup Road. In addition to this, there is also a gravel driveway to the nature reserve located a short distance to the west along Morangup Road.

Once clay trucks reach the exit, they turn right onto Morangup Road and travel along Toodyay Road towards Perth and the Austral Bricks manufacturing facilities.

Unauthorised access to the site is restricted by locked gates at the entrances.

2.8 *Truck movements*

Trucks will access the site to cart clay as required throughout the year.

Approximately 160,000 tonnes of clay will be removed from the site annually (depending on demand) which equates to 4,250 truckloads each year. Cartage will take place over two separate carting campaigns each year. The campaigns will last between 3-4 weeks each time. This number can be broken down based on the estimated number of days that carting will take place. The breakdown is as follows:

- 2,125 truck loads per campaign
- 531 truck loads per week (during a carting campaign)

If undertaking carting during the months of October to May, this is further broken down to an average of 89 truck loads per day and nine truck loads per hour.

The carting regime and the specific number of truck movements will vary depending on the weather and demand for a particular type of clay, therefore there may be slight variations in the above figures. There will be some weeks when truck movements will be higher than others. There will also be many occasions where there will be no trucks visiting the site for a few weeks at a time.

Trucks used for carting clay are generally 27.5m prime movers with trailer and 8 wheel truck and dog combinations with gross weight of 64 tonnes and payload of 42 tonnes. The specific type of truck used depends on availability.

2.9 *Plant and on-site equipment*

No permanent structures associated with the clay pit will be situated on the site. A temporary structure to be used as an office and lunchroom will be located on the site. It will be moved around the site as required. A portable toilet will also be located with the office.

The equipment required for excavation will be brought in on an as-required basis and will include a dozer, excavator, water truck, haul trucks, and loader. This equipment is removed at the end of each “earthworks campaign” or “carting campaign”.

No bulk storage of fuel and oil is required on site and no chemicals are stored on site. A Refuelling Management Plan is attached.

All supplies will be delivered. Rubbish bins will be provided for site workers to use. A Waste Management Plan is attached.

2.10 *Controls*

Excavation activities on site will be conducted in accordance with the *Mines Safety and Inspection Act (1994) and Regulations (1995)*. Operations are managed by a licenced Quarry Manager and inspections occur on a daily basis during the excavation or carting campaigns. In addition, officers from DMIRS will also inspect the quarry at decommissioning to check the safety and stability of slopes.

Operations are managed by a licenced Quarry Manager and inspections occur on a daily basis during the excavation and cartage campaigns. Inspections are also undertaken by the Resources Safety division of the Department of Mines, Industry Regulation and Safety who check safety, operational procedures and workplace health such as dust and noise.

Austral Bricks have procedures in place to manage safety, health, environmental impact, site completion and rehabilitation. Full personal protection is required for all persons on site at all times. All workers are

required to wear full protective safety and high visibility gear when on site and all vehicles have two-way radio capability. There is a site entry “call up” procedure in place. The site is within mobile phone contact.

Fences and warning signs required by DMIRS and the Shire of Toodyay will be maintained as required.

2.11 Public Safety

Public access to the site is restricted and appropriate warning signs are placed at the entrance regarding quarrying and restricted entrance. The site has locked gates when it is not being worked.

Work on site (excavation and cartage) will be discontinuous and there will be periods of time throughout the year when no activity will take place on site. This reduces the risk to public safety from machinery and truck movements. When the site is not operational, the Quarry Manager periodically checks to ensure the site is secure and safe.

2.12 Workforce

Workers will be on site primarily during earthworks campaign or carting campaigns. At such times the workforce will vary from 1-6 workers in addition to the truck drivers who enter and leave the site. There are 1 to 2 staff on-site during excavation campaigns and 4 to 5 staff on-site during carting campaigns.

2.13 Bushfire management

A Bushfire Management Plan was prepared for the operation in 2021 by Bushfire Prone Planning and is attached.

It should be noted that the SPP 3.7 Guidelines includes a provision stating that the requirement for a Bushfire Management Plan for extractive industry is up to the discretion of the decision-maker. Clause 2.6 of the Guidelines states that:

Decision-makers can apply exemptions from the requirements of SPP 3.7 and these Guidelines where there is no intensification of land-use, and/or the proposal is not increasing the bushfire threat.

An example given in the Guidelines for the type of proposal/development which could be exempt includes extractive industries as follows:

A development application for an extractive industry where the extraction is undertaken in an open cleared area (for example, quarries and open cut mining) and no habitable buildings are proposed.

Therefore, although a Bushfire Management Plan has been prepared for the site to assist with site operations and compliance, the requirement for this plan is at the discretion of the Local Government.

3 Environmental Risk Assessment Summary

3.1 Introduction

Environmental management is achieved through implementation of a variety of management plans throughout the duration of the operation. Compliance with these environmental management commitments can also be monitored by the Shire through the Planning Approval and Licence.

The primary aim of the management plans is to ensure the operation has minimal environmental impacts and to help return the land to an appropriate end use. The following management plans are included in this report:

- Dust Management Plan (Land Insights, 2023)
- Water Management Plan (Land Insights, 2023)
- Visual Amenity Management Plan (Land Insights, 2023)
- Rehabilitation Management Plan (Land Insights, 2023)
- Refuelling Management Plan (Land Insights, 2023)
- Waste Management Plan (Land Insights, 2023)
- Phytophthora Dieback Hygiene Management Plan (Glevan Consulting, 2020)
- Bushfire Management Plan (Bushfire Prone Planning, 2021)

3.2 Risk Assessment

The risk assessment for the operation is summarised in the risk matrix below (Table 5.1). It lists the feature being considered, the risk if the operation is not managed and the residual risk once avoidance, mitigation and management is considered. The assessment is based on the criteria in the Department of Water and Environmental Regulation's *Guidance Statement: Risk Assessments* (2017). The environmental and amenity factors considered in the risk assessment below are based on the EPA environmental factors and objectives, where relevant, as listed in "Statement of Environmental Principles, Factors, Objectives and Aims of EIA" (EPA, 2021).

The risk rating is determined by considering the likelihood and consequence of environmental and amenity impact. The risk matrix criteria is set out in Table 5.2. The likelihood and consequence criteria are defined in Tables 5.3 and 5.4. It should be noted that Tables 5.2 – 5.4 are sourced from *Guidance Statement: Risk Assessments* (DWER, 2017).

The “inherent” risk rating is determined in the first part of Table 5.1. It considers the likelihood and consequence of impact if the operation was unmanaged. That is, if there was no avoidance, mitigation, complaints procedures and management. The “residual” risk rating in the second part of the table is determined by considering the likelihood and consequence of impact if the operation is managed in accordance with the various management plans which apply to the operation.

The purpose of the risk assessment is to demonstrate that inherent risk identified as “medium”, “high” or “extreme” can be effectively managed. Management of the operation has the potential to reduce the likelihood of an impact occurring (i.e., the frequency) as well as the consequence of what this impact will be.

It should be noted that none of the environmental and amenity factors listed in the table below are considered to have an unmanaged risk greater than “medium”. That is, the operation is not considered to have a “high” or “extreme” environmental or amenity risk. Also important to note is that the residual or managed risk for all environmental and amenity factors can be reduced to “low” risk with appropriate management as is shown in the assessment below.

3.3 *Compliance History*

The compliance history of the operation has also been provided in the risk assessment below (Table 5.1). The purpose of this is to demonstrate the reality of the potential impact of the operation and that the management of the site is effective at reducing risk. As the site is already operational, the compliance history can also provide evidence of the accuracy of the risk assessment for the “residual” or “managed” risk.

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Table 5.1 – Environmental Risk Matrix

POTENTIAL IMPACT WITHOUT MANAGEMENT	CONSIDERATION OF INHERENT RISK	INHERENT RISK			MANAGED RISK ASSESSMENT	COMPLIANCE HISTORY	MANAGED RISK		
		L	C	R			L	C	R
Native vegetation may be significantly impacted by the development. The “unmanaged risk” entails no avoidance or mitigation of impact to native vegetation (i.e. it is not clearly defined, mapped and assessed).	The likelihood of impact without management (avoidance and mitigation) is considered to be “possible” as the event could occur at some time and the consequence of impact without management is considered “minor” as there is considered to be low level on site impacts without management.	Possible	Minor	Med	Vegetation values have been determined through a “Flora and Vegetation Assessment” (Del Botanics, 2013). The next stage of excavation has already been cleared in accordance with a Clearing Permit under the EP Act. An additional approval has also been obtained for clearing from the Commonwealth under the EPBC Act. Avoidance, mitigation and reduction and alternatives were considered as part of the Clearing Permit and EPBC Referral process and have been implemented. Future excavation beyond the stage already cleared will require additional Clearing Permits issued by DWER. Options for avoidance, mitigation and reduction will be considered during this planning phase. There will be no further disturbance to vegetation as part of this Licence application for the next 10 years of excavation. The area cleared was surveyed to ensure it was not cleared beyond the approved area. The vegetation surrounding the pit area is managed in accordance with the “Environmental Management and Offset Strategy” (Land Insights, 2015) which requires management of edge effects and disturbance. The managed consequence is considered to be “slight” as the on-site impacts are low-level and offsite local impacts are minimal. The likelihood of further disturbance to native vegetation is “unlikely”.	Compliant – All clearing has been undertaken in accordance with approvals and various management plans are in place to further manage and protect remaining vegetation/habitat (refer to the “Environmental Management and Offset Strategy” and the “Phytophthora Dieback Hygiene Management Plan”).	Unlikely	Slight	Low

POTENTIAL IMPACT WITHOUT MANAGEMENT	CONSIDERATION OF INHERENT RISK	INHERENT RISK			MANAGED RISK ASSESSMENT	COMPLIANCE HISTORY	MANAGED RISK		
		L	C	R			L	C	R
Threatened Ecological Communities may be impacted if present on the site.	The likelihood of impact without management (avoidance and mitigation) is considered to be "rare" as the event will only occur in exceptional circumstances and the consequence of impact without management is considered "moderate" as there is considered to be mid-level on site impacts without management.	Rare	Moderate	Med	<p>The "Flora and Vegetation Assessment" (Del Botanics, 2013) did not identify any TECs on the site. Threatened communities will not be impacted as further clearing is not proposed as part of this application.</p> <p>The likelihood of native vegetation being impacted with management (avoidance and mitigation) is considered to be "rare" as the event will only occur in exceptional circumstances and the consequence of impact with management is considered "minor" as the on-site impact is considered to be low level.</p>	Compliant – A Flora Survey was undertaken to confirm the vegetation composition.	Rare	Minor	Low
Threatened and Priority flora species may be impacted if present on the site.	The likelihood of impact without management (avoidance and mitigation) is considered to be "rare" as the event will only occur in exceptional circumstances and the consequence of impact without management is considered "moderate" as there is considered to be mid-level on site impacts without management.	Rare	Moderate	Med	<p>"Flora and Vegetation Assessment" (Del Botanics, 2013) did not identify any threatened or priority flora species on the site. Threatened and Priority species will not be impacted as further clearing is not proposed as part of this application.</p> <p>The likelihood of native vegetation being impacted with management (avoidance and mitigation) is considered to be "rare" as the event will only occur in exceptional circumstances and the consequence of impact with management is considered "minor" as the on-site impact is considered to be low level.</p>	Compliant – A Flora Survey was undertaken to confirm the vegetation composition.	Rare	Minor	Low

POTENTIAL IMPACT WITHOUT MANAGEMENT	CONSIDERATION OF INHERENT RISK	INHERENT RISK			MANAGED RISK ASSESSMENT	COMPLIANCE HISTORY	MANAGED RISK		
		L	C	R			L	C	R
Weeds may be introduced to areas of native vegetation adjoining the pit area.	The likelihood of impact without management is considered to be "possible" as the event could occur at some time and the consequence of impact without management is considered "minor" as there is considered to be low level on site impacts without management.	Possible	Minor	Med	<p>The "Environmental Management and Offset Strategy" (Land Insights, 2015) as approved by the Commonwealth provides management actions to protect and manage the vegetation surrounding the pit area from edge effects and disturbance. In addition, a "Weed Management Plan" (Land Insights, 2022) has also been prepared for the operation.</p> <p>The likelihood of weeds being introduced with management is considered to be "unlikely" as the event will not occur in most circumstances and the consequence of impact with management is considered "slight" as the on-site impacts are low-level and offsite local impacts are minimal.</p>	Compliant – Remnant vegetation not approved for clearing is managed from edge effects and disturbance in accordance with the "Environmental Management and Offset Strategy".	Unlikely	Slight	Low
Dieback may be introduced and impact on native vegetation.	The likelihood of impact without management is considered to be "possible" as the event could occur at some time and the consequence of impact without management is considered "moderate" as there is considered to be mid-level on site impacts without management.	Possible	Moderate	Med	<p>Refer to the "Phytophthora Dieback Hygiene Management Plan" (Glevan Consulting, 2020) for specific actions relating to dieback management. Although there is evidence of dieback on the site, this is related to the watercourses beyond the excavation area and the access tracks. The presence and past spread of dieback is related to past operations, trespassers and natural water flow along the creeklines. There is no evidence of dieback within the operation area.</p> <p>The likelihood that the operation will contribute to further spread of dieback is considered to be "unlikely" as a number of management procedures are already in place. The consequence is considered to be "minor" as the on-site impacts are low-level and offsite local impacts are minimal.</p>	Compliant – The operation is managed in accordance with the "Phytophthora Dieback Hygiene Management Plan".	Unlikely	Minor	Med

POTENTIAL IMPACT WITHOUT MANAGEMENT	CONSIDERATION OF INHERENT RISK	INHERENT RISK			MANAGED RISK ASSESSMENT	COMPLIANCE HISTORY	MANAGED RISK		
		L	C	R			L	C	R
Fragmentation to vegetation and ecological linkages.	The likelihood of impact without management is considered to be “unlikely” as the event will not occur in most circumstances and the consequence of impact without management is considered “minor” as there is considered to be low level on site impacts without management.	Unlikely	Minor	Med	<p>There will be no further disturbance to vegetation as part of this Licence application for the next 10 years of excavation. The area cleared was surveyed to ensure it was not cleared beyond the approved area. The vegetation surrounding the pit area is managed in accordance with the “Environmental Management and Offset Strategy” (Land Insights, 2015) which requires management of edge effects and disturbance. There will therefore not be any further clearing or fragmentation of vegetation. In addition, the operation area is surrounded by a large amount of remnant vegetation, therefore any clearing is not considered to fragment the vegetation.</p> <p>The likelihood of causing fragmentation is “rare” as the event will only occur in exceptional circumstances. The managed consequence is considered to be “slight” as the on-site impacts are low-level and offsite local impacts are minimal.</p>	Compliant – Clearing associated with the operation has been undertaken in accordance with the relevant approvals.	Rare	Slight	Low

POTENTIAL IMPACT WITHOUT MANAGEMENT	CONSIDERATION OF INHERENT RISK	INHERENT RISK			MANAGED RISK ASSESSMENT	COMPLIANCE HISTORY	MANAGED RISK		
		L	C	R			L	C	R
Native fauna (individuals and communities) can potentially be significantly impacted through clearing of habitat, introduction of weeds and disease and activities on site.	The likelihood of impact without management is considered to be “unlikely” as the event will not occur in most circumstances and the consequence of impact without management is considered “minor” as there is considered to be low level on site impacts without management.	Unlikely	Minor	Med	<p>There will be no further disturbance to vegetation and habitat areas as part of this Licence application for the next 10 years of excavation. The area cleared was surveyed to ensure it was not cleared past the approved area. The vegetation surrounding the pit area is managed in accordance with the “Environmental Management and Offset Strategy” (Land Insights, 2015) which requires management of edge effects and disturbance.</p> <p>The likelihood of further disturbance to native vegetation and habitat areas for native fauna is “unlikely” as the event will not occur in most circumstances. The managed consequence is considered to be “slight” as the on-site impacts are minimal and offsite local impacts are minimal.</p>	Compliant – All clearing has been undertaken in accordance with approvals and various management plans are in place to further manage and protect remaining vegetation/habitat (refer to the “Environmental Management and Offset Strategy” (Land Insights, 2015) and the “Phytophthora Dieback Hygiene Management Plan” (Glevan Consulting, 2020).	Unlikely	Slight	Low

POTENTIAL IMPACT WITHOUT MANAGEMENT	CONSIDERATION OF INHERENT RISK	INHERENT RISK			MANAGED RISK ASSESSMENT	COMPLIANCE HISTORY	MANAGED RISK		
		L	C	R			L	C	R
Threatened and Priority Fauna disturbed and impacted by the operation (predominantly through clearing).	The likelihood of impact without management is considered to be "possible" as the event could occur at some time and the consequence of impact without management is considered "moderate" as there is considered to be mid-level on site impacts without management.	Possible	Moderate	Med	<p>There will be no further disturbance to vegetation and habitat areas as part of this Licence application for the next 10 years of excavation. The area cleared was surveyed to ensure it was not cleared past the approved area. The vegetation surrounding the pit area is managed in accordance with the "Environmental Management and Offset Strategy" (Land Insights, 2015) which requires management of edge effects and disturbance.</p> <p>The likelihood of further disturbance to native vegetation and habitat areas for threatened and priority fauna is "unlikely" as the event will not occur in most circumstances. The managed consequence is considered to be "slight" as the on-site impacts are minimal and offsite local impacts are minimal.</p>	Compliant – All clearing has been undertaken in accordance with approvals and various management plans are in place to further manage and protect remaining vegetation/habitat (refer to the "Environmental Management and Offset Strategy" (Land Insights, 2015)).	Unlikely	Slight	Low
Impact to hydrological regimes such as groundwater level changes, flooding, modification of watercourses etc.	The likelihood of impact to hydrological regimes without management (avoidance of watercourses and groundwater etc) is considered to be "possible" as the event could occur at some time and the consequence of impact without management is considered "moderate" as there is considered to be mid-level on site impacts without management.	Possible	Moderate	Med	<p>There will be no modifications to watercourses, no interception of groundwater and other hydrological regimes.</p> <p>The likelihood of significant impact is "rare" as the event will only occur in exceptional circumstances and the consequence of impact is considered to be "minor" as the on-site impacts are low-level and offsite local impacts are minimal. Refer to the Water Management Plan for more specific management actions (Land Insights, 2023).</p>	Compliant – A Water Management Plan (Land Insights, 2023) has been prepared for the operation and is implemented as required. The results of any water monitoring is provided to the Shire should any dewatering take place.	Rare	Minor	Low

POTENTIAL IMPACT WITHOUT MANAGEMENT	CONSIDERATION OF INHERENT RISK	INHERENT RISK			MANAGED RISK ASSESSMENT	COMPLIANCE HISTORY	MANAGED RISK		
		L	C	R			L	C	R
Intersection with the groundwater table (confined aquifer) which could potentially lead to dewatering requirements and contamination.	The likelihood of impact without management is considered to be “unlikely” as the event will not occur in most circumstances and the consequence of impact without management is considered “minor” as there is considered to be low level on site impacts without management.	Unlikely	Minor	Med	There will be no interception with the groundwater (confined aquifer). There are no expressions of groundwater within the operation area. The likelihood of significant impact is “rare” as the event will only occur in exceptional circumstances and the consequence of impact is considered to be “minor” as the on-site impacts are low-level and offsite local impacts are minimal. Refer to the Water Management Plan for more specific management actions (Land Insights, 2023).	Compliant – The underlying aquifer has not been intersected by operations. A Water Management Plan (Land Insights, 2023) has been prepared for the operation and is implemented as required.	Rare	Minor	Low
Impact to surface water quality due to erosion and transport of sediment to watercourses and wetlands. Sedimentation can result in higher turbidity levels and suspended solids.	The likelihood of impact to hydrological regimes without management (avoidance of watercourses and groundwater etc) is considered to be “possible” as the event could occur at some time and the consequence of impact without management is considered “moderate” as there is considered to be mid-level on site impacts without management.	Possible	Moderate	Med	Refer to the Water Management Plan (Land Insights, 2023). The likelihood of impact with management is “rare” and the consequence of impact is considered to be “minor” as the on-site impacts are low-level and offsite local impacts are minimal.	Compliant – Water management currently takes place in accordance with current approvals. A Water Management Plan (Land Insights, 2023) has been prepared for the operation and is implemented as required.	Rare	Minor	Low

POTENTIAL IMPACT WITHOUT MANAGEMENT	CONSIDERATION OF INHERENT RISK	INHERENT RISK			MANAGED RISK ASSESSMENT	COMPLIANCE HISTORY	MANAGED RISK		
		L	C	R			L	C	R
Impact to surface water and groundwater from hydrocarbons (fuel and oil) and chemicals as a result of spills and leaks from equipment and machinery used.	The likelihood of impact without management is considered to be “unlikely” as the event will not occur in most circumstances and the consequence of impact without management is considered “minor” as there is considered to be low level on site impacts without management.	Unlikely	Minor	Med	Austral Bricks operate in accordance with their Standard Operating Procedure for management and maintenance of machinery and training of staff. Refer to the Refuelling Management Plan (Land Insights, 2023) which addresses management of hydrocarbon spills and leaks. The likelihood of impact with management is “rare” and the consequence of impact is considered to be “minor” as the on-site impacts are low-level and offsite local impacts are minimal.	Compliant – Austral Bricks operates in accordance with a Refuelling Management Plan (Land Insights, 2023) and Standard Operating procedures. .	Rare	Minor	Low
Pathogens from staff amenities posing a risk to water quality and public health.	The likelihood of impact without management is considered to be “unlikely” as the event will not occur in most circumstances and the consequence of impact without management is considered “minor” as there is considered to be low level on site impacts without management.	Unlikely	Minor	Med	Staff amenities are managed in accordance with the manufacturer’s instructions. The likelihood of impact with management is “rare” and the consequence of impact is considered to be “minor” as the on-site impacts are low-level and offsite local impacts are minimal.	Compliant – the staff amenities are currently managed in accordance with the specifications and cleaned regularly.	Rare	Minor	Low
Soils subject to significant water and wind erosion.	The likelihood of impact without management is considered to be “possible” as the event could occur at some time and the consequence of impact without management is considered “minor” as there is considered to be low-level on site impacts without management.	Possible	Minor	Med	Wind erosion can be managed through the Dust Management Plan (Land Insights, 2023). The likelihood of impact is “rare” and the consequence of impact is considered to be “minor” as the on-site impacts are low-level and offsite local impacts are minimal.	Compliant – The operational area is maintained to control water erosion and to retain surface water on-site. Wind erosion is managed through the Dust Management Plan (Land Insights, 2023).	Rare	Minor	Low
Risk of acid sulphate soils forming.	N/A	N/A			There is low risk of acid sulphate soils on the site and does not require specific management.	N/A	N/A		

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POTENTIAL IMPACT WITHOUT MANAGEMENT	CONSIDERATION OF INHERENT RISK	INHERENT RISK			MANAGED RISK ASSESSMENT	COMPLIANCE HISTORY	MANAGED RISK		
		L	C	R			L	C	R
Local landform not being recontoured to be compatible with the surrounding landscape.	The likelihood of impact without management is considered to be “unlikely” as the event will not occur in most circumstances and the consequence of impact without management is considered “minor” as there is considered to be low level on site impacts without management.	Unlikely	Minor	Med	The site will be rehabilitated in accordance with the Rehabilitation Management Plan (Land Insights, 2023). The likelihood of impact from unsuccessful rehabilitation is “rare” and the consequence of impact is considered to be “minor” as the onsite impacts are low-level.	Compliant – the operation does not have significant visual impact from the surrounding roads or surrounding area.	Rare	Minor	Low
Impact to Aboriginal Heritage Sites. One Registered Heritage Site is located on the site. This site is the “Avon River” (ID 15979) and is mapped along the Morangup Brook (which is located across the north-western corner of Lot 1).	The likelihood of impact without management is considered to be “unlikely” as the event will not occur in most circumstances and the consequence of impact without management is considered “minor” as there is considered to be low level on site impacts without management.	Unlikely	Minor	Med	The heritage site is located at least 550 metres from the operation and will not be directly disturbed by the excavation. Water management on site will protect the watercourse and heritage site from indirect impact. There are no Other Heritage Sites located on or directly surrounding the operation. Austral Bricks has procedures to address Aboriginal heritage and all procedures will follow the <i>Aboriginal Heritage Act 1972</i> . The likelihood of significant impact with management is “rare” as the event will only occur in exceptional circumstances and the consequence of impact is considered to be “minor” as the on-site impacts are low-level and offsite local impacts are minimal. Refer to the Water Management Plan for more specific management actions (Land Insights, 2023).	Compliant – water management is in place to protect surrounding watercourses in accordance with the Water Management Plan (Land Insights, 2023).	Rare	Minor	Low
Impact to sites of European heritage.	N/A	N/A			No European heritage sites are located on site.	N/A	N/A		

POTENTIAL IMPACT WITHOUT MANAGEMENT	CONSIDERATION OF INHERENT RISK	INHERENT RISK			MANAGED RISK ASSESSMENT	COMPLIANCE HISTORY	MANAGED RISK		
		L	C	R			L	C	R
Noise levels exceed the assigned noise levels as prescribed by the Noise Regulations to noise sensitive premises.	The likelihood of impact without management is considered to be “unlikely” as the event will not occur in most circumstances and the consequence of impact without management is considered “minor” as there is considered to be low level on site impacts without management. This is largely owing to the adequate separation distances to the nearest sensitive residences.	Unlikely	Minor	Med	Refer to the management provided in the Noise Management Plan (Land Insights, 2023). The likelihood of significant impact with noise management is “rare” as the event will only occur in exceptional circumstances and the consequence of impact is considered to be “slight” as the on-site impacts are minimal and offsite local impacts are minimal.	Compliant –The site operates in accordance with a Noise Management Plan (Land Insights, 2023) and meets the recommended separation distances. No noise complaints have been received for the operation.	Rare	Slight	Low
Dust emissions leave the property boundary and have off-site impact on sensitive premises.	The likelihood of impact without management is considered to be “unlikely” as the event will not occur in most circumstances and the consequence of impact without management is considered “minor” as there is considered to be low level on site impacts without management. This is largely owing to the adequate separation distances to the nearest sensitive residences.	Unlikely	Minor	Med	Refer to the management provided in the Dust Management Plan (Land Insights, 2023). The likelihood of significant impact with dust management is “rare” as the event will only occur in exceptional circumstances and the consequence of impact is considered to be “slight” as the on-site impacts are minimal and offsite local impacts are minimal.	Compliant –The site operates in accordance with a Dust Management Plan (Land Insights, 2023) and meets the recommended separation distances. No noise complaints have been received for the operation	Rare	Slight	Low
Buffers and separation distances are not adequate enough to reduce impact on sensitive land uses.	N/A	N/A			Separation distances to sensitive land uses are greater than the recommended distance of 500-1000 metres as recommended by EPA Guidance Statement No. 3. The closest sensitive residence is 1,400 metres from the operation.	Compliant – Recommended separation distances have been met for the operation.	N/A		

POTENTIAL IMPACT WITHOUT MANAGEMENT	CONSIDERATION OF INHERENT RISK	INHERENT RISK			MANAGED RISK ASSESSMENT	COMPLIANCE HISTORY	MANAGED RISK		
		L	C	R			L	C	R
Impact of truck use on local and regional roads and traffic.	The likelihood of impact without management is considered to be "possible" as the event could occur at some time and the consequence of impact without management is considered "minor" as there is considered to be low-level on site impacts without management.	Possible	Minor	Med	Austral Bricks has already undertaken road improvement to Morangup Road in the past. Financial contributions will be made to the Shire in accordance with the <i>Shire of Toodyay Local Planning Policy (LPP 7) Extractive Industries – Road Contributions</i> . The only local road used by the operation is Morangup Road. After this all trucks travel to Perth along Toodyay Road. There is not expected to be any increase in tonnage or truck movements as a result of this application. The likelihood of impact to local roads is therefore considered to be "rare" as the road contributions will be made by the operator and the consequence of impact is "minor" as any impact is likely to be low-level.	Compliant – Austral Bricks will make financial contributions in accordance with the LPP.	Rare	Minor	Low
Impact of the operation on visual amenity and that the pit area can be seen from the public realm.	The likelihood of impact without management is considered to be "unlikely" as the event will not occur in most circumstances and the consequence of impact without management is considered "minor" as there is considered to be low level on site impacts without management.	Unlikely	Minor	Med	The site will be rehabilitated in accordance with the Visual and Amenity Management Plan (Land Insights, 2023). The likelihood of visual impact from unsuccessful rehabilitation is "rare" and the consequence of impact is considered to be "minor".	Compliant – the operation does not have significant visual impact from the surrounding roads or surrounding area.	Rare	Minor	Low

The risk matrix used to determine the overall risk is defined in Table 5.4 below. The criteria set out in Table 5.2 has been used to determine the likelihood of the risk occurring and the consequence criteria is set out in Table 5.3 below. Please note that the tables below are copied from DWER *Guidance Statement: Risk Assessments* (2017).

Table 5.2 – Likelihood Criteria

Likelihood				
Almost certain	Likely	Possible	Unlikely	Rare
The risk event is expected to occur in most circumstances.	The risk event will probably occur in most circumstances.	The risk event could occur at some time.	The risk event will probably not occur in most circumstances.	The risk event may only occur in exceptional circumstances.

Source: DWER 2017

Table 5.3 – Consequence Criteria

Criteria	Consequence				
	Slight	Minor	Moderate	Major	Severe
Environment	<ul style="list-style-type: none"> On-site impact: minimal (No discernible adverse impact). Off-site impacts local scale: minimal Off-site impacts wider scale: not detectable 	<ul style="list-style-type: none"> On-site impacts: low level (discernible effect on the environment but no adverse impact) Off-site impacts local scale: minimal Off-site impacts wider scale: not detectable Minor number of individuals of species may be affected locally. 	<ul style="list-style-type: none"> On-site impacts: mid level (Minor adverse affect to the environment) Off-site impacts local scale: low level Off-site impacts wider scale: minimal Moderate loss of individuals of species locally. 	<ul style="list-style-type: none"> On-site impacts: high level (moderate impact to the environment) Off-site impacts local scale: mid level Off-site impacts wider scale: low level Short term impact to an area of high conservation value or special significance[^] Moderate damage to ecosystem function and major loss of individuals of species locally. 	<ul style="list-style-type: none"> On-site impacts: catastrophic (significant impact to the environment) Off-site impacts local scale: high level or above Off-site impacts wider scale: mid level or above Mid to long term or permanent impact to an area of high conservation value or special significance[^] Significant long-term damage/loss of ecosystem function and loss of individuals of species locally.

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Criteria	Consequence				
	Slight	Minor	Moderate	Major	Severe
Public Health and Amenity	<ul style="list-style-type: none"> • Local scale: minimal to amenity. 	<ul style="list-style-type: none"> • Local scale impacts: low level impact to amenity. 	<ul style="list-style-type: none"> • Adverse health effects: low level or occasional medical treatment • Local scale impacts: mid level impact to amenity. 	<ul style="list-style-type: none"> • Adverse health effects: mid level or frequent medical treatment • Local scale impacts: high level impact to amenity. 	<ul style="list-style-type: none"> • Loss of life • Adverse health effects: high level or ongoing medical treatment • Local scale impacts: permanent loss of amenity.

Source: DWER 2017

^ Determination of areas of high conservation value or special significance should be informed by the Guidance Statement: Environmental Siting.

* 'onsite' means within the Lot boundary.

Table 5.4 – Risk Matrix Ratings

Likelihood	Consequence				
	Slight	Minor	Moderate	Major	Severe
Almost certain	Medium	High	High	Extreme	Extreme
Likely	Medium	Medium	High	High	Extreme
Possible	Low	Medium	Medium	High	Extreme
Unlikely	Low	Medium	Medium	Medium	High
Rare	Low	Low	Medium	Medium	High

Source: DWER 2017

4 *Site description*

4.1 *Climate*

The south-west of Western Australia experiences a Mediterranean climate which is characterised by warm, dry summers and cool, wet winters.

The rainfall and temperature data for the region has been obtained from the Bureau of Meteorology “Climate Data Online” services. The average rainfall from the closest station which is the Toodyay station is 520mm. A majority of rainfall is from May to August.

The mean temperature information is from the closest station which is the Northam station. It states that the hottest month is January with an average maximum of 34.2°C and the coldest month is July with an average minimum of 5.4°C.

The prevailing winds throughout the majority of the year are predominantly from the east in summer months and from the west in winter (Bureau of Meteorology, 2022).

4.2 *Topography and landform*

The topography of the site is variable and undulating with high points and valleys throughout. slightly undulating with a moderate to steep slope throughout. There is a high point at the north-eastern corner and another at the south-eastern corner at approximately 280 metres AHD (Australian Height Datum). These areas are divided by a watercourse which drains towards the northern end of the lot where it reaches a low point of 195m AHD.

The operation area is located in the centre of Lot 1. The natural topography surrounding the pit is at approximately 245m AHD at the north-eastern corner of the operation to approximately 270m AHD at the southern end. The land generally slopes up to the south, down to the west, east and north.

Existing contours within the operation area were surveyed by Scanlan Surveys in 2020. A copy of the plan is provided at Appendix A.

4.3 *Geology and soils*

Geology

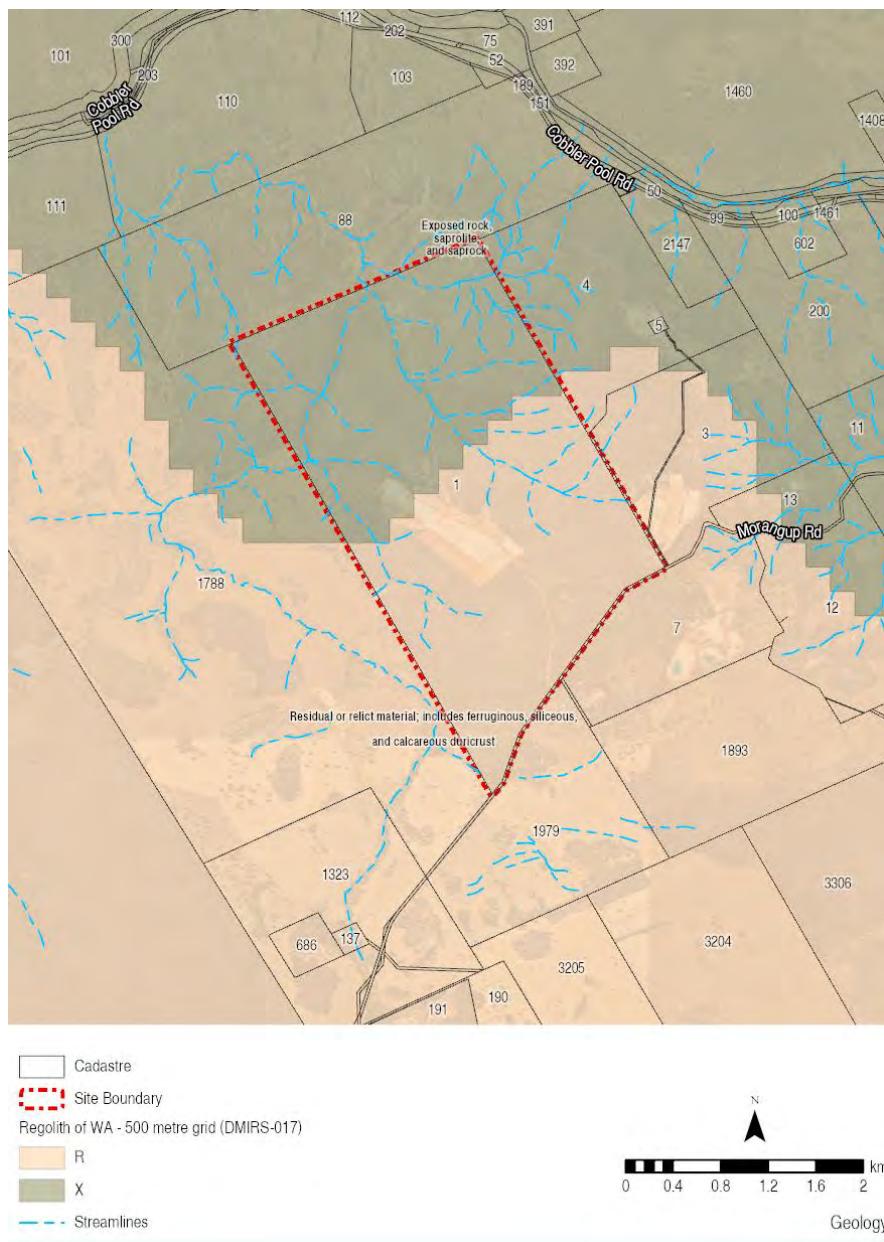
The site sits on the Darling Plateau which lies east of the Swan Coastal Plain and the Darling Scarp. It is characterised by an undulating hilly landscape and lateritic uplands with major valleys along the scarp.

The general area is part of the Pre-Cambrian meta sedimentary complex known as the Jimperding Metamorphic Belt. The belt extends 120 kilometers in a north-westerly direction from York to Clackline and onto Chittering where it becomes the Chittering Metamorphic Belt (Stass Environmental, 2015).

The 500 metres grid Regolith of WA as mapped by DPIRD identifies the geology as “residual or relict materials including ferruginous siliceous and calcareous duricrust” across the southern extent of Lot 1 and “exposed rock, saprolite and saprock” across the northern extent. The geological formation is described as “dissected lateritic terrain with valleys and plateau remnants” and the geology as “deeply weathered mantle over granitic rocks”. The Regolith of WA is shown in Figure 1 below.

The 1:500 000 State interpreted bedrock geology as mapped by DMIRS (2022) is “Yilgarn Craton Granites”. It is described as “granitic rock, metamorphosed”. The Yilgarn Craton Granites are located in a band through the centre of Lot 1 and is associated with the quarry operation.

Figure 1 – Regolith of WA



Soil-landscape

Lot 1 is divided by three different soil-landscape units. Generally speaking, the north-west corner is the “Clackline Steep Rocky Hills” subsystem and “Michibin” subsystem, the centre of the property (including a majority of the operation) is the “Leaver” subsystem, the creeklines are the “Pindalup” subsystem and the southern portion of Lot 1 is the “Yalanbee” subsystem.

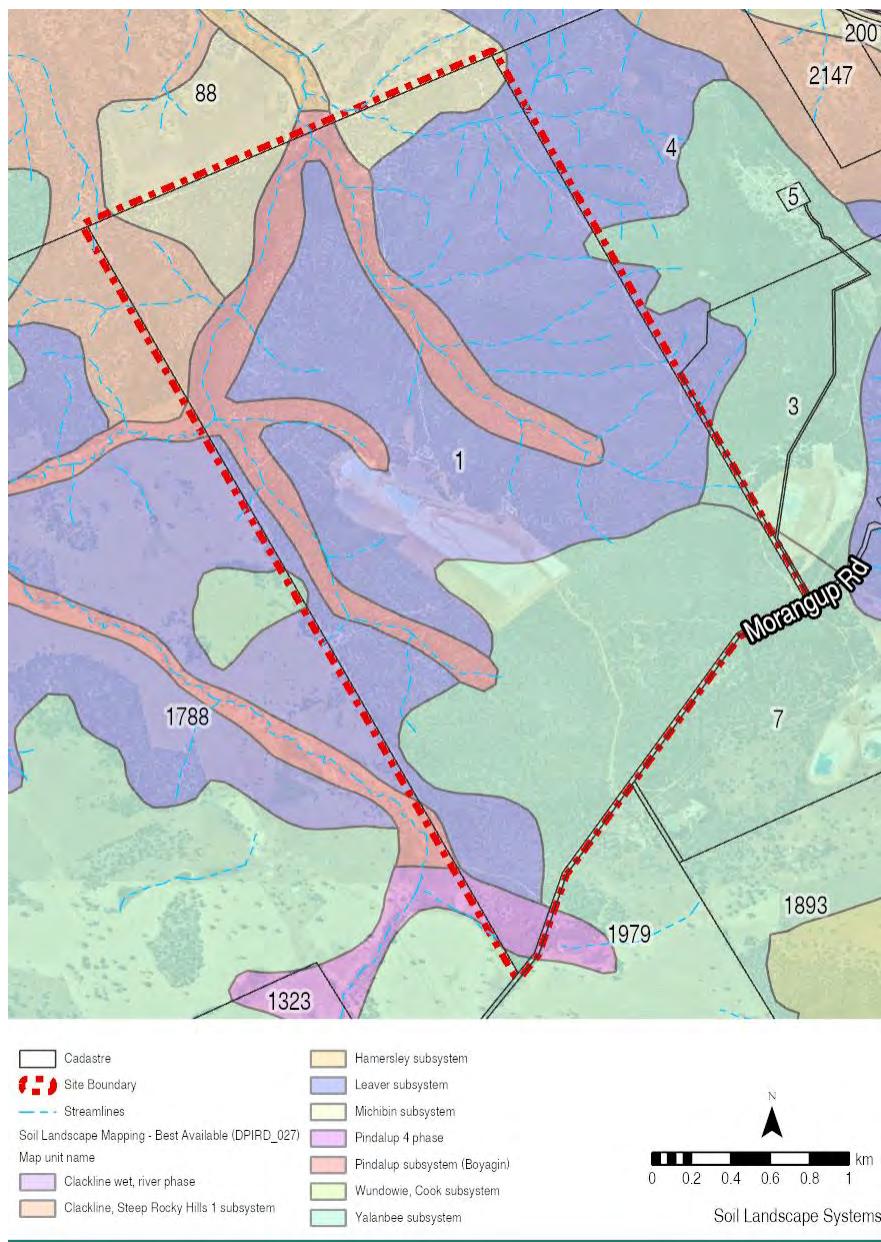
The soil-landscape units mapped across the site are described further in the table below and shown in Figure 2.

Table 4.2 – Soil-Landscape Units

NAME	CODE	DESCRIPTION	LOCATION
Clackline Steep Rocky Hills subsystem	253CcR1	Areas of rock outcrop and steep rocky hills.	Northern portion of Lot 1.
Michibin subsystem	253CcMN	Red and yellowish brown loams and clays, often gravelly with rocky areas and lateritic crests.	Northern portion of Lot 1.
Leaver subsystem	253ByLV	Gravelly yellow and red duplexes, gravelly deep clayey sands and sandy loams over laterite and clay.	Centre of Lot 1, including the operation.
Pindalup subsystem	253ByPN	Alluvial red and yellow duplex and uniform fine soils which are often gravelly.	Associated with the creeklines.
Yalanbee subsystem	253WnYA	Pisolitic gravelly, yellowish brown soils that vary in texture from loamy sands to clays, with pockets of pale sands and areas of outcropping laterite.	Southern end of Lot 1.

Source: DPIRD, 2022

Figure 2 – Soil-landscape Units



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Generalised soil qualities of each soil-landscape unit are described in the table below.

Table 4.3 – Soil Qualities

SOIL-LANDSCAPE UNIT	WATER EROSION	WIND EROSION	WATERLOGGING	FLOOD	SALINITY
Clackline Steep Rocky Hills subsystem	Low risk	Moderate risk	Low risk	Low risk	Low risk
Michibin subsystem	Moderate risk	Moderate risk	Low risk	Low risk	Low risk
Leaver subsystem	Low risk	High risk	Low risk	Low risk	Low risk
Pindalup subsystem	High risk	Low risk	High risk	High risk	High risk
Yalanbee subsystem	Low risk	High risk	Low risk	Low risk	Low risk

Source: DPIRD, 2022

Acid sulphate soils

It is not considered that acid sulphate soils are an issue at the site. The acid sulphate soil mapping by DWER does not show a risk across the site. There is no evidence of acid sulphate soils from the groundwater and surface water testing undertaken at the site.

4.4 Vegetation

Existing vegetation

Lot 1 is predominantly covered on remnant vegetation except for the cleared areas associated with the quarry operations, access roads and firebreaks.

A spring *Flora and Vegetation Assessment* was undertaken by Del Botanics in October 2012 of the proposed quarry expansion area. The survey identified three vegetation communities within the survey area:

- “Marri/Jarrah Woodland with a diverse understorey” – Open Forest of *Corymbia calophylla* and *Eucalyptus marginata*, over shrubland of *Banksia sessilis*, *Banksia armata* and *Allocasuarina humilis* over herbland of *Hibbertia hypericoides*, *Gompholobium marginatum* and *Banksia nivea*
- “Powderbark woodland with diverse understorey” – Woodland of *Eucalyptus accedens* over shrubland of *Xanthorrhoea acanthostachya*, *Melaleuca parviceps*, *Jacksonia restioides* over herbland of *Hibbertia hypericoides* and *Baeckea camphorosmae*
- “Wandoo woodland with diverse understorey” – Woodland of *Eucalyptus wandoo* over shrubland of *Banksia sessilis* and *Leptospermum erubescens*, over herbland of *Banksia nivea*, *Hibbertia hypericoides* over open grassland of *Neurachne alopecuroides*

The Flora and Vegetation Assessment (Del Botanics, 2013) rated the vegetation condition within the survey area as “Excellent”, “Very Good” and “Good”. Tracks located through the survey area were rated as “Completely Degraded”.

The Survey recorded four introduced flora species.

The next stage of the pit expansion has already been cleared in accordance with the Clearing Permit issued by DWER. Any further expansion of the pit area will require a new Clearing Permit to be applied for in accordance with the *Environmental Protection (Clearing of Native Vegetation) Regulations 2004*.

In addition to the above flora survey undertaken in 2012, an additional spring flora survey was conducted across two different areas identified for potential offsets in 2013. The results of this survey provide an indication of the types of vegetation found across the remainder of Lot 1. Four vegetation types were identified in the survey and no Threatened or Priority species were observed. The vegetation types included Dampland, Jarrah-Marri woodland, Powderbark woodland and Wandoo woodland.

Regional vegetation

The Biogeographic Regionalisation of Australia (IBRA) divides Australia into “bioregions” based on major biological and geographical/geological attributes. Western Australia has 26 biogeographic regions and 53

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subregions based on dominant landscape characteristics of climate, lithology, geology, landform and vegetation. The site is located within the Northern Jarrah Forest (NJF) subregion of the Jarrah Forest Bioregion.

The site is located in the Drummond Botanical Subdistrict within the southwest Botanical Province as described by Beard (1990). Flora composition has been described by Beard (1990) as predominantly consisting of Banksia Low Woodlands on leached sands with Melaleuca swamps where ill drained and Woodlands of Eucalyptus spp. on less leached soils.

Vegetation Mapping

The pre-European system association is mapped by the Department of Primary Industries and Regional Development (DPIRD) as “East Darling 3003” across the southern half of the site and “East Darling 4” across the northern half of the site. Mapping is shown at Figure 3.

They are described as follows:

- “East Darling 3003” – Mainly Jarrah and Marri.
- “East Darling 4” – Jarrah, Marri and Wandoo

Figure 3 – Pre-European Vegetation Mapping



The pre-European vegetation complex is mapped on the SLIP database by the Department of Biodiversity, Conservation and Attractions (DBCA) based on the mapping undertaken by Mattiske and Havel (1998).

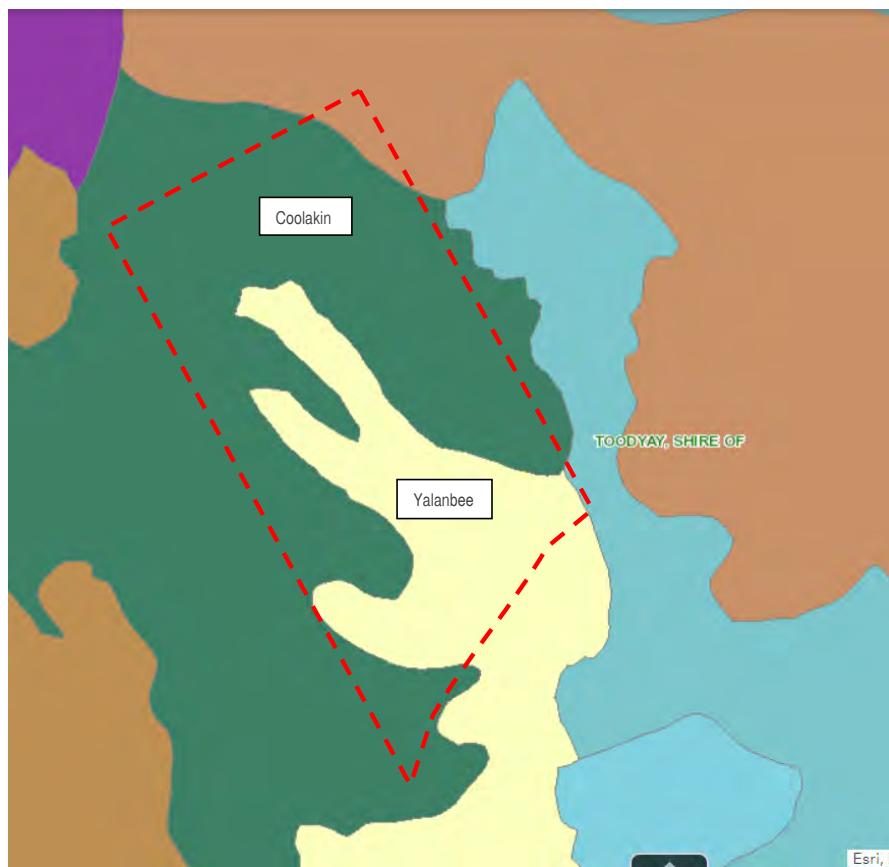
There are two vegetation complexes mapped across the site as follows and shown in Figure 4.

- “Yalanbee 5” – “Mixture of open forest of *Eucalyptus marginata* subsp. *thalassica*– *Corymbia calophylla* and woodland of *Eucalyptus wandoo* on lateritic uplands in semiarid and perarid zones.”
- “Coolakin” – “Woodland of *Eucalyptus wandoo* with mixtures of *Eucalyptus patens*, *Eucalyptus marginata* subsp. *thalassica* and *Corymbia calophylla* on the valley slopes in arid and perarid zones.”

Future extraction areas are mainly located within the “East Darling 3003” and “Yalanbee 5” vegetation mapping areas.

There are no Bush Forever Areas located on the site.

Figure 4 – Vegetation Complexes



Environmentally Sensitive Areas

There are no “Environmentally Sensitive Areas” (ESA) located within or directly surrounding the site.

Future excavation areas are not located within an ESA.

Threatened Species and Communities

No Threatened Flora, Priority Flora or Threatened Ecological Communities were recorded during the Flora and Vegetation Assessment of the proposed expansion area (Del Botanics, 2013) and the proposed offset areas (Del Botanics, 2014). A threatened Flora Assessment was undertaken by Del Botanics (2013) for

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Caladenia huegelii (Grand Spider Orchid), *Thelymitra stellata* (Star Sun Orchid) and *Thelymitra dedmaniarum* (Cinnamon Sun Orchid). The survey did not record any Threatened Flora species within the survey area.

Clearing Permits

There is currently one active Clearing Permit on the site issued by DWER in 2015. This permit is CPS 5495/2 which permitted clearing of native vegetation to facilitate expansion of the pit area.

EPBC Approval

In 2013, a referral was submitted to the Commonwealth government under the *Environmental Protection and Biodiversity Conservation Act 1999* (EPBC). The Department decided it was a “controlled action” and that it required further assessment. An approval was issued by the Department in September 2014. The area approved to clear includes not only the current stage but the future expansion for the next 40-50 years. The EPBC approval expires in December 2069.

As required by the conditions of approval, an offset was provided which comprised of a Conservation Covenant over an area of 130 hectares located on Lot 1. This will protect this area from clearing in perpetuity.

As is also required as a condition of approval, an Environmental Management and Offset Strategy was prepared which provides for the management of the offset area and the vegetation directly surrounding the pit.

4.5 Native fauna

The vegetation surrounding the excavation is likely to support a range of native fauna species. A *Level 1 Fauna Survey and Targeted Black-Cockatoo and Chuditch Survey* was undertaken by Western Wildlife in 2012. The purpose of the survey was to support a Clearing Permit application under the EP Act and referral under the Commonwealth EPBC Act. It was conducted over the proposed expansion areas to the south and the surrounding areas.

The survey identified three main habitats within the area surveyed:

- Wandoor woodland (located at the eastern and western sides of the existing pit area)
- Jarrah-Marri woodland (located to the south of the existing pit area)
- Revegetation areas

It is likely that these habitats also occur across the remainder of Lot 1 and surrounding the extraction area.

The report by Western Wildlife (2012) notes that these habitats are widely represented in the surrounding area and the woodland habitats are likely to support relatively intact faunal communities.

No further clearing is proposed as part of this application for the next 10 years of extraction.

Conservation significant fauna species

The fauna survey by Western Wildlife (2012) identified the following species of conservation significance 1 that may occur in the study area:

- Carpet Python
- Peregrine Falcon
- Forest Red-tailed Black-Cockatoo
- Baudin's Black-Cockatoo
- Carnaby's Black-Cockatoo
- Fork-tailed Swift
- Rainbow Bee-eater
- Chuditch.

The species of conservation significance 2 that may occur in the study area are:

- Dell's Skink
- Barking Owl
- Masked Owl

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- Crested Shrike-tit
- White-browed Babbler
- Quenda
- Western Brush Wallaby

The report also notes that there are eight birds and three small mammals of conservation significance 3 that may be present in the study area.

The survey by Western Wildlife (2012) included a targeted assessment of black cockatoo habitat and a targeted trapping survey for Chuditch. All four of these species are listed as conservation significance 1 species that may occur in the study area.

The following conclusions are made regarding the black-cockatoo and Chuditch survey:

- The study area is a potential roosting habitat for Forest Red-Tailed Black-Cockatoos
- The study area is within the known or predicted breeding range of both the Forest Red-tailed Black-Cockatoo and Carnaby's Black-Cockatoo, though it is on the very north-eastern edge of the Forest Red-tailed Black-Cockatoos breeding range. Baudin's Black-Cockatoo does not breed in the area.
- The majority of trees with potential large hollows were located within the Wandoo woodland located to the east of the existing pit (it should be noted that following the outcomes of this survey the future extraction areas were modified to avoid a majority of these trees).
- No evidence of breeding was found.
- The study area represents foraging habitat for the Forest Red-tailed Black-Cockatoo, Baudin's Black-Cockatoo and Carnaby's Black-Cockatoo.
- No Chuditch were trapped or recorded on camera traps during the field survey.

4.6 Hydrology

Hydrological mapping

The site sits on the Darling Plateau which lies east of the Swan Coastal Plain and the Darling Scarp. The hydrological zone is the “Eastern Darling Range” which is described as “moderately to strongly dissected lateritic plateau on granite with eastward-flowing streams in broad shallow valleys.” This description also accurately describes the landform of Lot 1 which is undulating and dissected by watercourses located in shallow valleys across the site.

The site is located within a “Proclaimed Surface Water Area” under the *Rights in Water and Irrigation (RIWI) Act 1914*. It is not located in a “Proclaimed Groundwater Area” under the RIWI Act 1914.

Hydrological mapping relating to the site (as provided by DWER) are listed below:

- Surface Water Area – “Avon River Catchment”
- Surface Water Subarea – “Avon River Catchment”
- Hydrographic Catchment Basin – “Swan Coastal”
- Hydrographic Catchment - “Swan Avon_Main Avon”
- Hydrographic Subcatchment - “Avon River Catchment”
- Surface Water Management Area – “Avon River Catchment”
- Surface Water Management Subarea - “Avon River catchment”
- Groundwater Area and Sub Area – “Karri”

There are no Public Drinking Water Source Areas (PDWSA's), wetlands, floodplain areas or Floodplain Development Control Areas located on or surrounding the property.

The site is located on the western edge of the “Avon River Management Area” which is identified under the *Waterways Conservation Act 1976*. The Department currently does not have an active management plan for this area at present.

Surface water features

As can be seen from the above, the operation is located within the surface water catchment for the Avon River. The River is considered to be a significant water resource in the local/surrounding area. A number of watercourses intersect the site which flow towards the Avon River. The watercourse on the eastern side of Lot 1 is a tributary of the Avon River and is known as Mortigup Brook (Level 5). It flows from the eastern boundary in a north-west direction and leaves the site to the north where it continues to the Avon River. Another tributary of the Avon River is located on the western side of the Lot which is known as the Morangup Brook (Level 4 watercourse). It flows across the north-west corner of Lot 1. Another minor watercourse extends along the western boundary of the Lot, to the west of the operation area. A small drainage line flows from the outside of the pit towards this watercourse. The watercourses across the site are shown on the plans at Appendix A.

The operation is considered to be adequately separated from the surrounding watercourses. It is approximately 180 metres from the minor watercourse to the west, approximately 550 metres from Morangup Brook and approximately 440 metres from Mortigup Brook. The operation is approximately 3 kilometres from the Avon River.

Further information on water management is provided in the attached Water Management Plan (Land Insights, 2022). The requirements of DWER's *Water Quality Protection Note (WQPN) No. 15 – Basic Raw Material Extraction* is addressed in Chapter 5.13 below which provides a risk assessment against the criteria of the WQPN. A risk assessment is also contained in Chapter 3.

There are no wetlands located on the site. There are no wetlands as mapped by the "Directory of Important Wetlands in Australia". The Avon River located over 1.3km to the north and north-east of the site is mapped by the "Directory of Important Wetlands in Australia".

Groundwater Description

The groundwater aquifers in the region are characterised by low permeability, fractured and deeply weathered rocks of metamorphic or granitoid origin with localised shallow aquifers where deeper sequences of sediments have been deposited by recent erosion. Groundwater in the region is inferred to flow to the north-west based on general topography and surface water bodies (DWER, 2019).

The site is located within the hydrological zone of the “Eastern Darling Range”. The groundwater characteristics for this hydrological zone are described as being mainly low-yielding saprolite aquifers with palaeochannels and sandy Eocene aquifers in some valleys. Groundwater discharge may occur in drainage lines and on valley floors in cleared areas and discharge associated with dolerite dykes may occur on mid to upper slopes landscapes.

The site is not located within a “Proclaimed Groundwater Area” under the RIWI Act 1914. The groundwater resources mapped in the area include fractured rock and paleochannel.

No evidence of seepages or water table have been observed in the pit and no groundwater has been encountered during excavations. The water in the drainage basins is captured from surface water runoff.

Salinity

There have been no observable or measurable impacts of the excavation on salinity of surface or groundwater. Water quality results from the drainage basins within the pit area have indicated that salinity levels are below 1,000mg/L which is considered “fresh” water. Salinity results from 2018 were between 200mg/L and 410mg/L and, similarly, total dissolved solids results ranged from 190mg/L to 380mg/L. pH results from 2018 ranged from between 5.5 and 5.7. As can be seen from the above water quality tests, there is no evidence of salinity buildup on the site during the past 60 years of operation.

In some landforms, salinity levels in water runoff can be a cause for concern if there are relatively high salinity levels in the clay being excavated. The resulting farm dam that is constructed from the

rehabilitation could then contain saline water and not be useful for agricultural use, or water filtration into the ground could contribute to groundwater salinity. In this case, the water quality results indicate that there is a very low risk that the excavations at the site will contribute to increased salinity in surface or groundwater.

4.7 *Surrounding land use*

Surrounding land uses comprise other extractive industry and rural land uses. Directly to the south and east are two other clay quarries. A hard rock quarry is located to the north.

The site is approximately 5km to the north-east of the closest rural residential area and approximately 13 to the west of the Toodyay townsite. It is approximately 1.4km from the closest rural dwelling.

4.8 *Heritage*

Aboriginal Heritage

A search of the Aboriginal Heritage Database indicated that there is one Registered Heritage Site located on the site. This site is the “Avon River” (ID 15979) and is mapped across the Morangup Brook (which is located across the north-western corner of Lot 1). The heritage site is located at least 550 metres from the operation and will not be directly disturbed by the excavation. Water management on site will protect the watercourse and heritage site from indirect impact. There are no Other Heritage Sites located on or directly surrounding the operation. The Registered Heritage Site is shown in Figure 5 below.

Figure 5 – Aboriginal Heritage Places



Heritage Sites

No heritage sites as identified by the Heritage Council (State Heritage Office) are located on or adjoining the property.

4.10 *Separation distances*

The following sensitive receptors have been identified surrounding the site. They are also shown on the Context Plan at Appendix A.

- Neighbouring rural property to the west – Approximately 1.4km from the operation (865 Morangup Road, Morangup)
- Neighbouring rural property to the south – Approximately 1.6km from the operation (1012 Morangup Road, Morangup)
- Rural properties to the east – Closest is approximately 3km from the operation (575 Lovers Lane, Morangup)
- Rural properties to the north – Closest is approximately 3.3km from the operation (535 Cobbler Pool Road, Morangup).

The EPA's *Guidance Statement No. 3 – Separation Distances between Industrial and Sensitive Land Uses* provides a guideline on the separation distances and buffers for a range of industrial land uses to sensitive land uses (such as residential dwellings). It should be noted that the distances in the policy assume the land use is not managed and, should best practice environmental management take place, these distances can be reduced.

The operations on site fit into the category "clay extraction or processing". The potential impacts are listed as "noise" and "dust". The separation distance is "500-1000 metres, depending on size and processing", however this can be less with appropriate environmental management.

As can be seen from the above list, the clay operations far exceed the recommended separation distance. All surrounding sensitive land uses are over 1000 metres from the operations.

It should also be noted that operational management, including dust and noise management and protection of visual amenity, are provided for this operation to support the continued operation of the site. These management plans are attached to this application.

5 *Statutory framework*

5.1 *State Planning Policy 1 – State Planning Framework*

The *State Planning Framework* was prepared by the WAPC in 2017. It sets out the key principles relating to environment, community, economy, infrastructure, regional development and governance to guide the way in which future planning decisions are made. More specifically, the Framework identifies relevant policies and strategies used by the Commission in making decisions.

State Planning Policy 2.4 – Planning for Basic Raw Materials is recognised under the Framework. This is discussed further below.

5.2 *State Planning Policy 2 – Environment and Natural Resources Policy*

State Planning Policy 2 was prepared by the WAPC in 2003. It aims to integrate environment and natural resource management with broader land use planning and to protect, conserve and enhance the natural environment.

Basic Raw Materials is included within Policy Measure 5.7 which states that “mineral resources, petroleum resources and basic raw materials are important natural resource assets and are a vital part of the economy”. The importance of basic raw materials located in close proximity to the metropolitan area is also recognised in the Policy. It states that “A ready supply of basic raw materials close to developing areas is required in order to keep down the cost of land development and the price of housing.”

The Policy sets out a list of principles which should be considered by decision-makers including the following relating to basic raw materials. The principles from the Policy are below:

- “the identification and protection of important and economic mineral resources to enable mineral exploration and mining in accordance with acceptable environmental standards
- the identification and protection of important basic raw material resources and provide for their extraction and use

- Support sequencing of uses where appropriate to maximise options and resultant benefits to community and the environment
- Support, where possible, improved efficiencies in the production and consumption of mineral and basic raw material resources to ensure their availability for future environmental and human uses.”

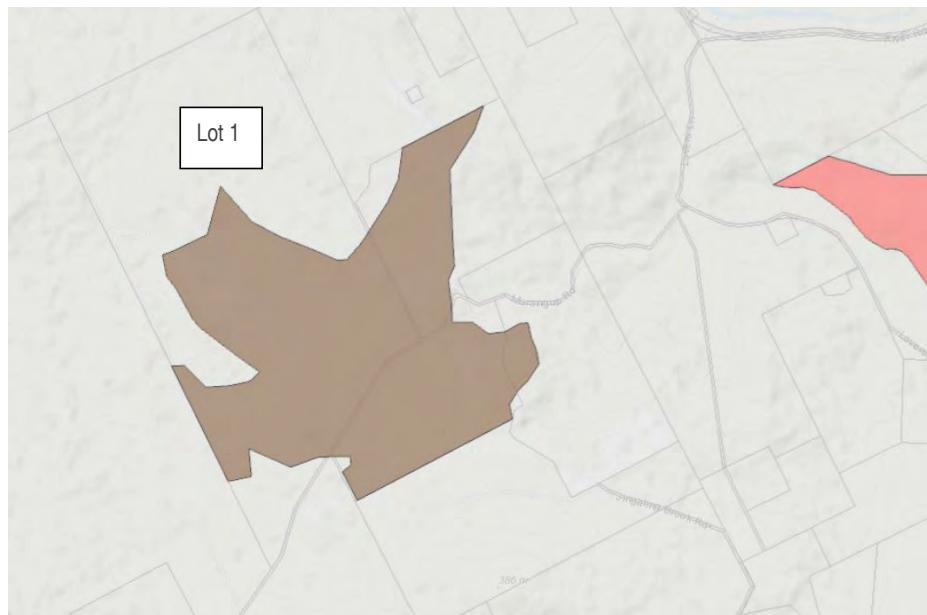
SPP 2 supports the identification, protection and extraction of basic raw materials. The identification of clay resources has already been undertaken, and the site is identified in *State Planning Policy 2.4 – Basic Raw Materials*. Protection of basic raw materials is also provided in SPP 2.4. The extraction of basic raw materials is the basis of this application.

5.3 *State Planning Policy 2.4 – Basic Raw Materials*

State Planning Policy 2.4 – Planning for Basic Raw Materials was finalised and gazetted in July 2021. It “enables the responsible extraction of BRM, while ensuring the protection of people and the environment”. The Policy provides guidance to operators and decision makers regarding applications for BRM extraction, as well as other types of planning applications that can potentially impact on extraction sites or significant geological supplies. The associated Planning for Basic Raw Materials Guidelines (WAPC, 2021) provide further information on the specific requirements that need to be met for extractive industry (including operational and environmental protection requirements).

The associated mapping identifies the majority of Lot 1 as having “Significant Geological Supplies” for clay resources. The figure below shows the location of “Significant Geological Supplies” on the property. The clay operation is located within this recognised area.

Figure 6 – State Planning Policy 2.4 Significant Geological Supplies



This application for extractive industry is consistent with the principles and objectives of the Policy as is demonstrated in Table 5.1 below.

Table 5.1 – Objectives of SPP 2.4

POLICY OBJECTIVES	COMMENT
<i>Ensure BRM and its regional importance is considered at the earliest stages of the planning process.</i>	The Shire of Toodyay Local Planning Scheme does not recognise the basic raw materials or extractive industries on the site (despite the site being recognised in SPP 2.4 and being used for extractive industry for the last 60 years). While the Shire's Local Planning Strategy identifies the site as "Rural" it also reflects the SPP 2.4 basic raw material mapping and identifies the importance of the site for extractive industry.
<i>Protect BRM in SGS areas and ES by avoiding encroachment from incompatible land uses.</i>	There is no intensification of land uses proposed in the Shire of Toodyay Scheme or Strategy. The Strategy identifies the site and surrounding area as "Rural" and includes the basic raw material map[ping from SPP 2.4.
<i>Ensure BRM resources are used efficiently in land use planning and development.</i>	This application is consistent with this objective by ensuring that basic raw materials are utilised.
<i>Identify BRM extraction opportunities through sequential land use without compromising the final intended land use.</i>	The final landform will be recontoured and rehabilitated and does not compromise the final intended land uses.
<i>Ensure the extraction of BRM avoids, minimises or mitigates any adverse impacts on the community, water resources and biodiversity values.</i>	This application complies with this objective by providing a number of detailed management plans, many of which have already been previously approved.

The SPP 2.4 *Planning for Basic Raw Materials Guidelines* (WAPC, 2021) provide support for decision-making authorities, proponents and referral agencies to implement SPP 2.4. Section 4 of the Guidelines provides advice on the assessment of proposals for extractive industries. Of particular note, they state that the "assessment of proposals should prioritise proposals within SGS areas" and "if the resource is identified as a SGS area".

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The Guidelines suggest the type and content of information to be submitted with an application for extractive industry including operational information, separation distances, environmental management, surface and groundwater, noise, dust, landscaping, access and rehabilitation. The information recommended by the Guidelines is included in this application. The site already operates in accordance with these various management plans and procedures.

5.4 State Planning Policy 2.9 – Water Resources

The objectives of the Policy are to:

- protect, conserve and enhance water resources that are identified as having significant economic, social, cultural and/or environmental values.
- assist in ensuring the availability of suitable water resources to maintain essential requirements for human and all other biological life with attention to maintaining or improving the quality and quantity of water resources.
- promote and assist in the management and sustainable use of water resources.

The Policy provides a range of policy measures to guide and assist decision-makers in the consideration of water resources in decision-making. Policy Measures are provided for surface water, groundwater, wetlands, waterways, estuaries and total water cycle management.

In general, SPP 2.9 provides for a response to the potential impact of development on water resources that is proportionate to the significance of the water resource concerned with a particular focus on those resources considered 'significant'. For example, Policy Measure (i) is to "protect significant environmental, recreational and cultural values of water resources". In addition, the language throughout the Policy is aspirational with a focus on aiming to prevent or ameliorate impact where appropriate.

The Policy makes specific reference to decision-making and advises that "where there is demonstratable adverse and unacceptable impact on the quality and quantity of significant water resources, planning

decisions-makers should ensure that planning proposals and applications either do not proceed or are modified so that significant water resources are protected, conserved and enhanced". In accordance with the general goals and aims of this Policy, it is important that significant water resources and potential threats of are identified.

Further information on the water resources on the site are provided in Chapter 2 of this report and a Water Management Plan is also available for the operation.

5.5 *Draft State Planning Policy 2.9 – Planning for Water*

The "draft State Planning Policy 2.9 – Planning for Water" was prepared by the WAPC in 2021. The intent of the Policy is "ensure that planning and development considers water resource management and includes appropriate water management measures to achieve optimal water resource outcomes". It provides guidance for the consideration of water resources for planning applications and decision-makers. The Policy Measures include consideration of environmental values, social and cultural values, riverine flooding, infrastructure and supply.

The associated SPP 2.9 Guidelines provide further detail as to how the Policy Measures can be considered and the information to be provided in an application. It should be noted that no "important environments" (including "Sensitive Water Resource Areas") are mapped on the site under the draft Policy. The closest feature is a "Sensitive Water Resource Area" for the Avon River located to the north-east of Lot 1. The operation is approximately 2km from this area.

5.6 *State Planning Policy 3.7 – Planning in Bushfire Prone Areas*

"State Planning Policy 3.7 – Planning in Bushfire Prone Areas" was prepared by the WAPC in 2015. It provides the foundation for land use planning to address bushfire risk management in Western Australia and to inform and guide decision-makers, referral agencies and landowners to help achieve acceptable bushfire protection outcomes. It applies to development in designated bushfire prone areas.

A Bushfire Management Plan was prepared for the operation by Bushfire Prone Planning in 2021.

The latest DPLH mapping (2021) identifies “Bushfire Prone Areas” across the entire site. It should be noted that Version 1.4 of the SPP 3.7 Guidelines includes a provision stating that the requirement for a Bushfire Management Plan for extractive industry is up to the discretion of the decision-maker. Clause 2.6 of the Guidelines states that:

Decision-makers can apply exemptions from the requirements of SPP 3.7 and these Guidelines where there is no intensification of land-use, and/or the proposal is not increasing the bushfire threat.

An example given in the Guidelines for the type of proposal/development which could be exempt includes extractive industries as follows:

A development application for an extractive industry where the extraction is undertaken in an open cleared area (for example, quarries and open cut mining) and no habitable buildings are proposed.

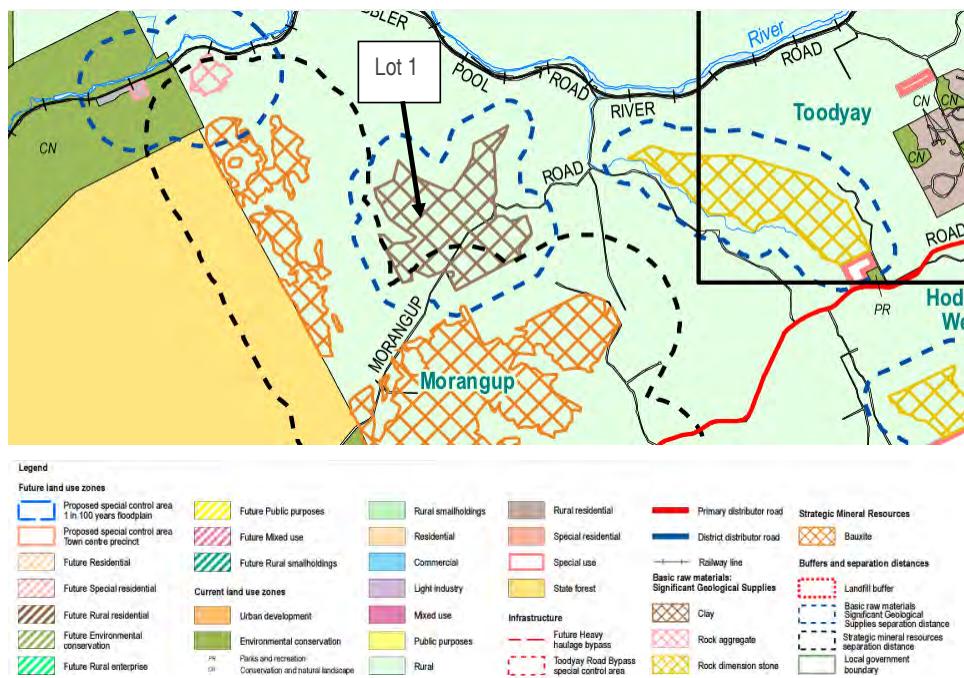
Therefore, although a Bushfire Management Plan has previously been prepared for the site to assist with site operations and compliance, the requirement for this plan is at the discretion of the Local Government and as no habitable building are located on the site, the requirement for a Bushfire Management Plan could be waived.

5.7 Shire of Toodyay Local Planning Strategy

The *Shire of Toodyay Local Planning Strategy* was prepared by the Shire in 2018. It “sets out the Shire’s long-term planning directions and objectives for future planning and development.”

The site is identified on the Strategy Map as “Rural”. The SPP 2.4 State Geological Supply mapping is also included in the Strategy maps (as shown below).

Figure 7 – Shire of Toodyay Local Planning Strategy



Source: Shire of Toodyay

Chapter 6.7 of the Strategy addresses extractive industry in the Shire. It states the following in relation of basic raw materials in Shire decision-making and planning:

Extractive industries are important to the growth and economy of Toodyay; however, appropriate strategic planning and management in regards to these activities is essential. This may include providing buffers to separate mining operations from sensitive land uses in order to minimise impacts on the community. Where basic raw materials are present, it is important to consider the zoning and land use of the area, and provisions for the protection, access and use of the resources.

As is demonstrated throughout this document, the requirements of the Strategy are met as there is no intensification of land uses proposed and appropriate separation distances are provided.

The strategies listed in the Strategy for basic raw materials are addressed in the table below.

Table 5.2 – Strategies for Basic Raw Materials

STRATEGIES	COMMENT
Facilitate the extraction of basic raw materials, subject to appropriate precautions to minimise any adverse impact on adjacent property, or on the natural environmental resources.	This strategy supports this application for continued excavation at the site. A variety of environmental management plans are also included with this application.
Encourage the definition of suitable buffers within LPS5 to limit the impact on adjacent property, and to avoid encroachment of sensitive development into areas subject to reduced air quality, noise or risk.	Not applicable to this application.
Identify and protect basic raw materials including gravel and sand resources from inappropriate developments that would prevent their future use.	Not applicable to this application.
Identify natural resource priority areas and significant geological supplies and buffers to avoid encroachment of sensitive development into areas subject to reduced air quality, noise or other risks.	The significant geological supplies on the site are identified in the Strategy.
Establish appropriate controls for extractive industries to minimise impacts on the environmental and local amenity, including roads	The operation is already subject to a variety of environmental management plans including dieback, dust, noise, bushfire etc.

5.9 *Shire of Toodyay Environmental Management Strategy*

The *Shire of Toodyay Environmental Management Strategy* was adopted by Council in 2015. It “provides a framework for the achievement of better environmental management outcomes, consistent with the overall vision and mission of the Shire”. It identifies five “themes”, each of which have objectives, strategies and actions prescribed to them in the Strategy. The five themes are governance and communication, land, biodiversity, water and energy and waste. Most relevant to this application for extractive industries are the themes of land, biodiversity and water.

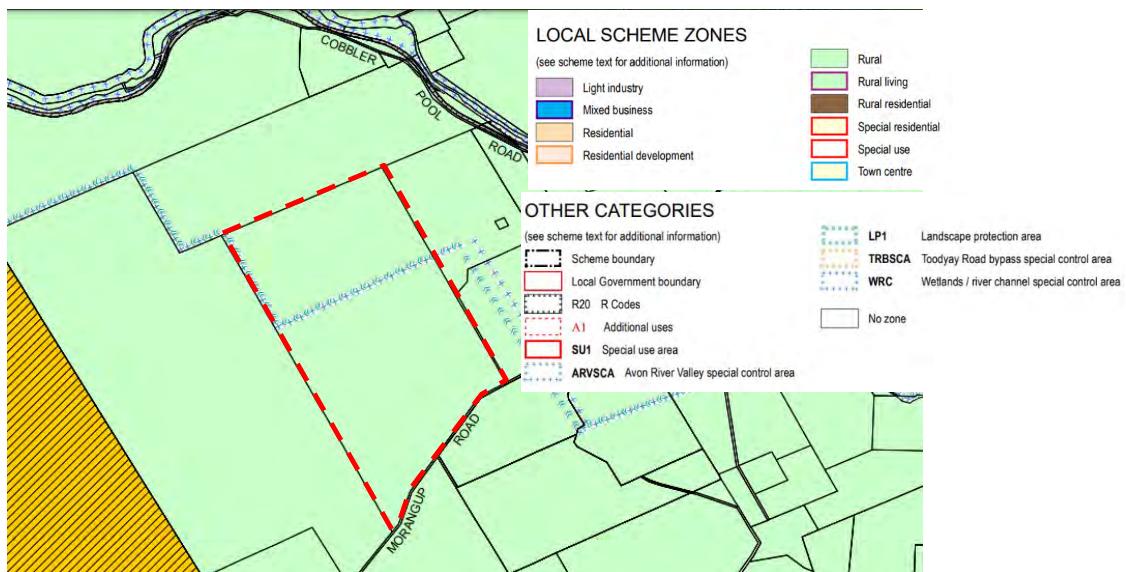
Extractive industries are not specifically mentioned in the Strategy and many of the actions are the responsibility of the Shire to implement. However, the general principles of environmental management can be applied to this application. An environmental assessment is included in Chapter 3 of this application and various management plans are attached.

5.10 *Shire of Toodyay Local Planning Scheme No. 4*

The *Shire of Toodyay Local Planning Scheme No. 4* was endorsed by the WAPC on the 10th February 2017.

The site is zoned “Rural”. The northern portion of the site is also located within the “Avon River Valley Special Control Area” as well as the “Landscape Protection Area”. The existing and proposed excavation areas are not located within either of these areas.

Figure 8– Shire of Toodyay Local Planning Scheme No. 4



Source: DPLH

“Industry – Extractive” is an “D” use in the Rural zone. This “means that the use is not permitted unless the local government has exercised its discretion by granting development approval”. As is mentioned previously, the operation already has Planning Approval.

The objectives of the Rural zone area addressed in the table below.

Table 5.3 – Objectives of the Rural Zone

OBJECTIVES	COMMENT
Protect broad-scale agriculture from un-planned breakdown of rural land.	The continued operation of the quarry does not result in the breakdown of rural land. The site is largely covered in native vegetation and is not used for rural land use.
Subject to (i) above: (a) provide for tourist related activities, including farm stay, bed and breakfast and holiday accommodation; (b) provide for a range of rural related uses such as intensive agriculture, aquaculture, rural pursuits.	N/A – tourist land uses are not proposed. N/A – intensive agriculture, aquaculture and rural pursuits are not proposed.
Ensure the protection of and conservation of native vegetation.	The operation is surrounded by native vegetation and offsets have been provided to support any clearing applications/approvals.

The continued excavation of clay on Lot 1 is consistent with the existing Planning Approval. Detailed information to support the continued use of the site for extractive industry to support renewal of the EIL is provided in this report.

5.11 Strategic Community Plan Toodyay 2028

The *Strategic Community Plan Toodyay 2028* was prepared by the Shire of Toodyay in 2018. It outlines community priority areas within the planning period from 2018 to 2028 which include social, economic, natural environment, built environment and governance.

Extractive industry is mentioned under the priority area “natural environment”. It states that extractive industries are “permitted and supported through State Planning Policies. Within the limitations of the State policy framework, the Shire seeks to regulate these activities through its Local Planning Scheme and an Extractive Industry Local Law. The Shire has the capacity to influence days and hours of operation,

transport routes and conditions (including contributions) and rehabilitation requirements. All Shire decision making is subject to review by the State Administrative Tribunal."

5.12 Shire of Toodyay Local Planning Policies (LPP7) Extractive Industries – Road Contributions

The *Shire of Toodyay Local Planning Policy (LPP 7) Extractive Industries – Road Contributions* was adopted by Council in 2014. It provides a framework for contributions by Extractive Industries to help the Shire to recover the additional costs incurred from road use that will result from that land use. The Policy states that monetary contributions are for both "construction and rehabilitation" and "repairs and maintenance" of local roads used by trucks.

Road contributions will be negotiated between the Shire and Austral Bricks through the determination of the EIL application.

5.13 Shire of Toodyay Extractive Industry Local Law

The *Shire of Toodyay Extractive Industries Local Law* was endorsed by Council on the 24th June 1999. It sets out the licencing requirements for an extractive industry, including the information which is required in an application and determination of the application. This application for a renewal of the extractive industry licence renewal is submitted in accordance with the Local Law.

The information required for a renewal of a licence is set out in Clause 4.3 of the Local Law. This clause specifies that a renewal document needs details of "*the works, excavation and rehabilitation stages reached and of any changes or proposed changes with respect to any of the things referred to in clauses 2.3(1) (b) and (c).*"

It should be noted that in addition to the information required by Clause 2.3 of the Local Law, information has also been provided in this application such as detailed information on the operation and planning context as well as additional management plans.

5.14 Water Quality Protection Note No. 15 – Basic Raw Materials Extraction

Water Quality Protection Note (WQPN) No. 15 was prepared by DWER in 2019. It provides recommendations to operators on how to limit the impacts of their operations to the environment and water resources. Recommendations relate to location, construction, operation, management, closure and rehabilitation.

The guidelines and recommendations from WQPN No. 15 are addressed in the Table below. A risk assessment for the clay extraction operation has been undertaken using the water management considerations from WQPN No. 15 (DWER, 2019) and based on the likelihood, consequence and risk criteria provided in *Guidance Statement: Risk Assessments* (DWER, 2017).

The purpose of the risk assessment is to provide a clear link between the WQPN Policy considerations and the management controls. It also demonstrates the effectiveness of the management controls by providing an assessment of risks using the DWER Guidance Statement. It should be noted that some considerations from the WQPN (such as dust, site rehabilitation, refuelling, waste management etc.) are addressed in their own separate management plans. The considerations that are identified as being relevant to the site (such as management of surface water, stormwater runoff etc.) are considered further in the management section.

A detailed description of water resources is contained in Chapter 4.

Table 5.4 – Water Management Plan Risk Assessment

WQPN 15 CONSIDERATIONS	WQPN 15 POLICY RECOMMENDATION	POTENTIAL IMPACT	PROPOSED CONTROL	RESIDUAL RISK		
				L	C	Risk
Public drinking water source areas.	The Policy makes recommendations if an operation is proposed within a public drinking water source area.	Not applicable – The site is not located within a public drinking water source area.	N/A	N/A		
Clearing control catchments (Country Areas Water Supply Act 1947).	BRM activities within clearing control catchments need to be assessed for potential salinity impacts.	Not applicable – the site is not located within a Clearing Control Catchment area.	N/A	N/A		
Near waterways.	The Policy states that extraction should be above the 1 in 100 flood level, outside of areas subject to waterlogging or flooding and to have adequate buffers to waterways.	The site is not located within areas subject to waterlogging or flooding. The site is approximately 180 metres from the watercourse to the west and approximately 440 metres from the watercourse to the east.	Refer to Water Management Plan (Land Insights, 2023)	Unlikely	Minor	Med
BRM extraction within waterways (in-stream mining).	The Policy provides recommendations for BRM operations which extract from riverbeds or from pits in floodplains.	Not applicable – in-stream mining or extraction in waterways is not proposed.	N/A	N/A		
Wetlands.	The Policy recommends contacting DBCA to discuss wetlands.	There are no wetlands located on the site.	N/A	N/A		
Groundwater.	Assessment of groundwater requires consideration of acid sulphate soils and the maintenance of a vertical separation to the groundwater table.	Extraction will be least 2m above the watertable at all times. No dewatering of groundwater will be required.	Refer to Water Management Plan (Land Insights, 2023)	Unlikely	Slight	Low

WQPN 15 CONSIDERATIONS	WQPN 15 POLICY RECOMMENDATION	POTENTIAL IMPACT	PROPOSED CONTROL	RESIDUAL RISK		
				L	C	Risk
Landscape.	The Policy recommends that land selected should be gently sloping (between 1 in 20 and 1 in 50) so runoff and wastes can be more easily managed, but erosion is avoided. It also recommends that rocky and steep slopes, and land prone to erosion should be avoided.	The existing pit is still being excavated and the expansion areas are located on sloping land. Water management ensures that all runoff is retained on site and not permitted to flow outside the excavation area. Wind erosion risk will be low for the pit area as the clay soils form a crust when dry and stick together when wet. The final landform will be recontoured to safe and stable slopes following decommissioning.	Refer to Water Management Plan (Land Insights, 2023)	Unlikely	Minor	Med
Other land uses.	This aspect relates to separation distances to sensitive land uses and the avoidance of infrastructure.	No permanent infrastructure is located on site. The closest sensitive land uses are well over 1000 metres from the operation area (the closest is 1,400 metres away).	N/A	N/A		
Construction.	The Policy recommends that existing tracks and roads should be used where possible, that any waterway crossings are constructed appropriately and that access should be designed to have the least impact on surface water features and vegetation.	No waterway crossings are proposed.	N/A	N/A		

WQPN 15 CONSIDERATIONS	WQPN 15 POLICY RECOMMENDATION	POTENTIAL IMPACT	PROPOSED CONTROL	RESIDUAL RISK		
				L	C	Risk
Solid waste.	The Policy makes reference to the requirements of the <i>Environmental Protection (Unauthorised Discharges) Regulations 2004</i> .	Austral Bricks stores and appropriately disposes of wastes from the site in accordance with the Waste Management Plan.	Refer to Waste Management Plan (Land Insights, 2023)	Rare	Slight	Low
Water supply.	The Policy refers to the need for a licence under the <i>Rights in Water and Irrigation Act 1914</i> to construct a bore, and abstract groundwater or surface water in a Proclaimed Surface or Groundwater Area. It also makes recommendations regarding water supply.	The site is not located within a Proclaimed Groundwater Area, however it is located within a Proclaimed Surface Water Area. There is no need for abstraction groundwater for the operation. Water to be used for the operation (dust suppression etc) is captured within the onsite dams.	N/A	N/A		
Wastewater.	The Policy makes recommendations relating to wastewater treatment and management.	Portable toilets will be managed in accordance with the manufacturer's specifications. There will be no discharge to the environment.	Refer to Waste Management Plan (Land Insights, 2023)	Rare	Slight	Low
Stormwater.	This aspect of the Policy aims to ensure that stormwater from the operational areas is retained on site. It also recommends that ponds are used to manage turbidity (i.e. settling ponds) and that they are designed to handle up to a 2 hour, 1 in 10 (10 per cent) annual exceedance probability event.	All stormwater is retained onsite and is diverted to the detention basins. The quarry operates in accordance with a Water Management Plan (Land Insights, 2023).	Refer to Water Management Plan (Land Insights, 2023)	Rare	Slight	Low

WQPN 15 CONSIDERATIONS	WQPN 15 POLICY RECOMMENDATION	POTENTIAL IMPACT	PROPOSED CONTROL	RESIDUAL RISK		
				L	C	Risk
Dust	The Policy refers to the obligations of a proponent under the EP Act 1984 and mentions the DWER A <i>guideline for managing the impacts of dust and associated contaminants from land development sites, contaminated sites remediation and other related activities</i> (2011).	Dust is managed on site in accordance with the Dust Management Plan (Land Insights, 2023).	Refer to Dust Management Plan (Land Insights, 2023).	Rare	Slight	Low
Toxic and hazardous substances.	The Policy makes recommendations for the storage and handling of chemicals, pesticides and fuel.	Refuelling is managed in accordance with the Refuelling Management Plan (Land Insights, 2023).	Refer to the Refuelling Management Plan (Land Insights, 2023).	Rare	Slight	Low
Vehicles.	This aspect relates to the cleaning and maintenance of vehicles.	Cleaning and maintenance of vehicles is in accordance with the Refuelling Management Plan (Land Insights, 2023).	Refer to Refuelling Management Plan (Land Insights, 2023).	Rare	Slight	Low
Accidents and emergency response.	The Policy makes recommendations about spills and the need for a contingency plan.	No chemicals are used in the clay extraction operation and Austral Bricks operates within a Refuelling Management Plan (Land Insights, 2023) for the site which includes procedures for spills.	Refer to Refuelling Management Plan (Land Insights, 2023).	Rare	Slight	Low
Monitoring.	The Policy recommends that monitoring occurs as appropriate for the site (i.e. monitoring of surface water if required etc.)	The Water Management Plan (Land Insights, 2023) includes actions relating to monitoring of water in the basins.	Refer to Water Management Plan (Land Insights, 2023)	N/A		

WQPN 15 CONSIDERATIONS	WQPN 15 POLICY RECOMMENDATION	POTENTIAL IMPACT	PROPOSED CONTROL	RESIDUAL RISK		
				L	C	Risk
Closure, rehabilitation and subsequent land uses.	This section of the Policy makes recommendations with regards to mine closure plans and the consideration of the end use of a site.	Closure, decommissioning and site rehabilitation is provided in the Rehabilitation Management Plan (Land Insights, 2023).	Refer to Rehabilitation Management Plan (Land Insights, 2023).	Rare	Slight	Low

6 References

Bureau of Meteorology (2022), Climate Data Online, Accessed from <http://www.bom.gov.au/climate/data/>

Del Botanics, (2013), *Flora and Vegetation Assessment Lot 1 Morangup Road, Morangup*, Del Botanics, WA.

Del Botanics, (2013), *Threatened Flora Assessment – Lot 1 Morangup Road, Morangup*, Del Botanics, WA.

Del Botanics, (2014), *Flora and Vegetation Assessment – Offset Areas 1 and 2, Lot 1 Morangup Road, Morangup*, Del Botanics, WA.

Department of Conservation and Land Management (DBCA), (2003), *Phytophthora cinnamon and disease caused by it – Volume 1 Management Guidelines*, Department of Biodiversity, Conservation and Attractions, Perth, WA.

Department of Conservation and Land Management (DBCA), (2004) *Draft Best Practice Guidelines for the Management of Phytophthora cinnamomic*, Department of Biodiversity, Conservation and Attractions, Perth, WA.

Department of Environment and Conservation (DWER), (2011), *Guidelines for Managing the Impacts of Dust and Associated Contaminants from Land Development Sites, Contaminated Sites, Remediation and Other Related Activities*, Department of Water and Environmental Regulation, Perth, WA.

Department for Planning and Infrastructure (DPLH), (2007), *Visual Landscape Planning in Western Australia: A Manual for Evaluation, Assessment, Siting and Design*, Department of Planning, Lands and Heritage, Perth, WA.

Department of Planning, Lands and Heritage, (2007), *Visual Landscape Planning in Western Australia: A Manual for Evaluation, Assessment, Siting and Design*, Western Australian Planning Commission, Perth, WA.

Department of Primary Industries and Regional Development, (2021), *Declared Plant Control Table*, Access from <https://www.agric.wa.gov.au/declared-plants/declared-plant-control-table>

Department of Water and Environmental Regulation, (2017), *Guidance Statement: Risk Assessments*, Department of Water and Environmental Regulation, Perth, WA.

Department of Water and Environmental Regulation, (2019). *Water Quality Protection Note (WQPN) No. 15 – Basic Raw Materials Extraction*, Department of Water and Environmental Regulation, Perth, WA.

Department of Water and Environmental Regulation, (2019), *Decision Report, DER 2017/001530 Salt Valley Road Class II Landfill*, Department of Water and Environmental Regulation, Perth, WA.

Department of Water and Environmental Regulation, (2021). *Draft Guideline – Dust Emissions*, Department of Water and Environmental Regulation, Perth, WA.

Department of Water and Environmental Regulation, (2021). *Draft Guideline – Assessment of Environmental Noise Emissions*, Department of Water and Environmental Regulation, Perth, WA.

Environmental Protection Authority, (2005), *Guidance Statement No. 3 – Separation Distances Between Industrial and Sensitive Land Uses*, Environmental Protection Authority, Perth, WA.

Environmental Protection Authority, (2008), *Guidance Statement No. 33 – Environmental Guidance for Planning and Development*, Environmental Protection Authority, Perth, WA.

Environmental Protection Authority, (2016), *Technical Guidance – Flora and Vegetation Surveys for Environmental Impact Assessment*, Environmental Protection Authority, Perth, WA.

Environmental Protection Authority, (2021), *Statement of Environmental Principles, Factors, Objectives and Aims of EIA*, Environmental Protection Authority, Perth, WA.

Glevan Consulting, (2020), *Phytophthora Dieback Hygiene Management Plan*, Glevan Consulting, Perth, WA.

Government of Western Australia, (2022), *SLIP Portal*, Accessed from
<https://maps.slip.wa.gov.au/landgate/locate/>

Invasive Plants and Animals Committee, (2016), *Australian Weeds Strategy 2017 to 2027*, Commonwealth of Australia, Canberra.

Land Insights, (2015), *Environmental Management and Offset Strategy*, Land Insights, Perth, WA.

Ramboll, (2019), *Clay Pit Wind Erosion Study*, Austral Bricks (WA) Pty Ltd, Perth, WA.

Shire of Toodyay, (2009), *Shire of Toodyay Extractive Industries Local Law*, Shire of Toodyay, WA.

Shire of Toodyay, (2014), *Shire of Toodyay Local Planning Policy (LPP 7) Extractive Industries – Road Contributions*, Shire of Toodyay, WA.

Shire of Toodyay, (2015), *Shire of Toodyay Environmental Management Strategy*, Shire of Toodyay, WA.

Shire of Toodyay, (2017), *Shire of Toodyay Local Planning Scheme No. 4*, Western Australian Planning Commission, WA.

Shire of Toodyay, (2018), *Strategic Community Plan Toodyay 2028*, Shire of Toodyay, WA.

Shire of Toodyay, (2018), *Shire of Toodyay Local Planning Strategy*, Western Australian Planning Commission, WA.

Stass Environmental, (2015), *Opal Vale Pty Ltd, Groundwater Assessment 11 Chitty Road, Toodyay WA*, Stass Environmental, WA.

Weeds Australia, (2021), *Weeds of National Significance (WONS)*, Accessed from
<https://weeds.org.au/weeds-profiles/>

Western Australian Planning Commission, (2003), *State Planning Policy 2.0 – Environment and Natural Resources Policy*, Western Australian Planning Commission, Perth, WA.

Western Australian Planning Commission, (2014), *Metropolitan Region Scheme*, Western Australian Planning Commission, Perth, WA.

Western Australian Planning Commission, (2015), *State Planning Policy 3.7 – Planning in Bush Fire Prone Areas*, Western Australian Planning Commission, Perth, WA.

Western Australian Planning Commission, (2016), *State Planning Policy 2.5 Rural Planning*, Western Australian Planning Commission, Perth, WA.

Western Australian Planning Commission, (2017), *State Planning Policy 1 – State Planning Framework*, Western Australian Planning Commission, Perth, WA.

Western Australian Planning Commission, (2021), *State Planning Policy 2.4: Basic Raw Materials*, Western Australian Planning Commission, Perth, WA.

Western Australian Planning Commission, (2021), *Draft State Planning Policy 2.9: Planning for Water Guidelines*, Western Australian Planning Commission, Perth, WA.

Western Wildlife, (2012), *Level 1 Fauna Survey and Targeted Black-Cockatoo and Chuditch Survey*, Western Wildlife, WA.

From: Sharee Rasmussen
To: Hugo de Vos
Cc: Trevor Tadman
Subject: [External]-RE: Follow up on Austral Bricks
Date: Thursday, 2 May 2024 9:33:39 AM
Attachments: [image004.png](#)
[image006.png](#)
[Extraction Plan Detail-Apr 2024.pdf](#)

Hi Hugo,

My apologies for the delay and thanks for following up. We have prepared the attached plan which sets out the different areas of the operation in terms of rehabilitation. We have outlined the area which is already recontoured, which includes a majority of the existing/old pit area. The recontoured slopes can be seen in the aerial photo and the drainage basins will remain. We have outlined the portion of the future extraction which will be below 3m in depth (3.09ha) and the remainder of the extraction area will be above 3m in depth (8.02ha). We have also outlined the stockpile area (1.98ha) and the laydown areas (1.82ha) on the attached plan.

We have prepared the below calculation using the Shire's current schedule of fees for the rehabilitation rate. We have used the 'extraction above 3m depth' (\$8370/ha) for the stockpile and laydown areas.

Extraction below 3m depth – 3.09ha x \$19,160 = \$59,204

Extraction above 3m depth – 8.02ha x \$8370 = \$67,127

Stockpile – 1.98ha x \$8370 = \$16,573 (using the rates for extraction below 3m)

Laydown – 1.82ha x \$8370 = \$15,233 (using the rates for extraction below 3m)

TOTAL = \$158,137

I hope the above and attached assists but if you have any questions or would like to discuss further please don't hesitate to contact me.

Thanks,

Sharee Rasmussen | Principal Environmental Planner

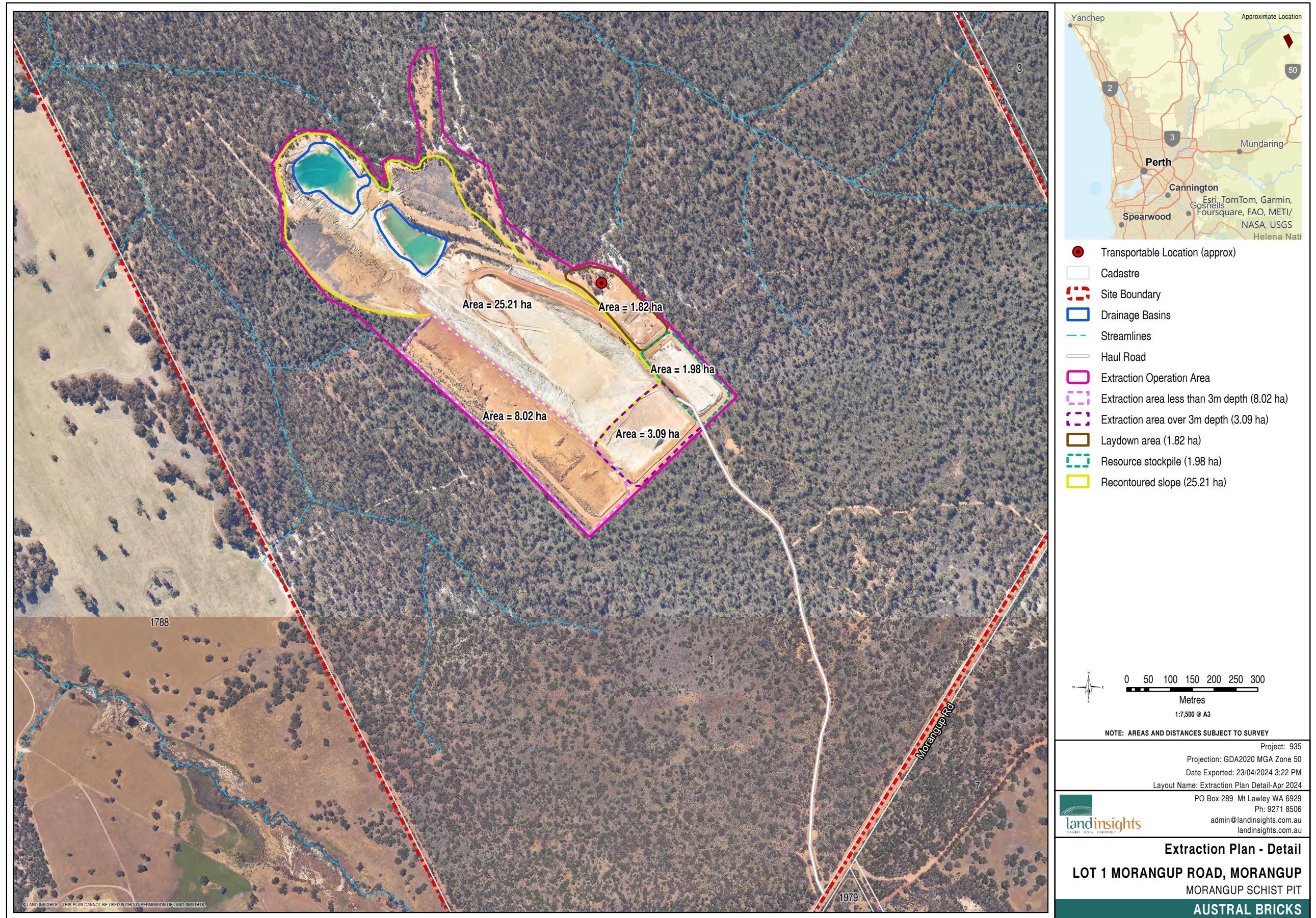
Ph: 0419 967 840

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List of Payments

01 May 2024 to 31 May 2024

Cheque Payments					
Ref #	Date	Cheque Number	Creditor Name	Invoice Description	Inclusive Amount
1	15-05-2024	13047	WATER CORPORATION	Water Charges - Standpipe - Northam-Toodyay Rd - March - May 2024	77,074.28
2	23-05-2024	13048	DEPARTMENT OF TRANSPORT	T0018 - Vehicle Licence - May 2024	84.25
3	23-05-2024	13048	DEPARTMENT OF TRANSPORT	1HEW473 - Vehicle Licence June 2024	84.25
4	23-05-2024	13049	OLD GAOL MUSEUM	Old Gaol Honorariums June 2024	500.00
5	31-05-2024	13050	WATER CORPORATION	Water Charges - Connors Cottage - February 2024 - April 2024	382.59
					Cheque Total 78,125.37
Electronic Funds Transfer Payments					
Ref #	Date	Cheque Number	Creditor Name	Invoice Description	Inclusive Amount
6	15-05-2024	EFT	ARTS TOODYAY INC	CFP support to Vino Art Exhibition	5,000.00
7	15-05-2024	EFT	AVON WASTE - STONDON PTY LTD	Fortnightly rubbish collection charges fro 8 April - 19 April 2024	16,935.67
8	15-05-2024	EFT	BIOMAX PTY LTD	Service to C10 Biomax system	133.00
9	15-05-2024	EFT	BRODERICK WASTE SOLUTIONS	Management of waste transfer station for fortnight ending 14 May 2024	5,610.00
10	15-05-2024	EFT	CARRINGTON'S (WA) PTY LTD	Traffic management - Julimar Rd - January - March 2024	816.75

Ref #	Date	Cheque Number	Creditor Name	Invoice Description	Inclusive Amount
11	15-05-2024	EFT	CARRINGTON'S (WA) PTY LTD	Traffic management - Toodyay Bindi Bindi Rd	1,560.90
12	15-05-2024	EFT	CARRINGTON'S (WA) PTY LTD	Traffic management - footpaths on Toodyay Street and Jubilee Street - April 2024	3,327.50
13	15-05-2024	EFT	COLAS WA	Reseal Works - Bindi Bind Toodyay Rd	209,556.88
14	15-05-2024	EFT	CORSIGN (WA) PTY LTD	Supply 4 x W4-3B 750 x 750 Aluminium signs	316.80
15	15-05-2024	EFT	DYMARK AUSTRALIA PTY LTD	Supply marking paint, white & blue - February 2024	2,325.32
16	15-05-2024	EFT	EARLY MIST CAFE	Catering for AROC Governance Group meeting on 13 May 2024	161.70
17	15-05-2024	EFT	EASIFLEET	Payroll salary deductions PPE: 7 May 2024	498.10
18	15-05-2024	EFT	KIMBA DESIGN	Consignment February 2024	26.60
19	15-05-2024	EFT	KIMBA DESIGN	Consignment March 2024	53.20
20	15-05-2024	EFT	MAKE TRACKS WA PTY LTD	SES equipment - Maxtrax recovery tracks	1,911.00
21	15-05-2024	EFT	MCLEODS BARRISTERS & SOLICITORS	Legal Assistance to defend prosecution - DPLH v Shire of Toodyay	773.85
22	15-05-2024	EFT	MM MECHANICAL PTY LTD	T7168 Repairs to vehicle r/h side door	1,320.00
23	15-05-2024	EFT	MM MECHANICAL PTY LTD	1HCF585 CESM UTE - diagnose and address fault	743.60
24	15-05-2024	EFT	OFFICEWORKS	Stationery - CRC, VC, P&D + freight	319.10
25	15-05-2024	EFT	OFFICEWORKS	Stationery - Depot + freight	458.95
26	15-05-2024	EFT	OFFROAD TRUCKS AUSTRALIA PTY LTD	T0021 Service Bejoording 4.4	5,713.76
27	15-05-2024	EFT	PROFESSIONAL PC SUPPORT PTY LTD (XL2)	Microsoft Surface Laptop – Corporate Services	3,059.10
28	15-05-2024	EFT	SHIRE OF CHITTERING -	Ranger service support - January & February 2024	4,661.32
29	15-05-2024	EFT	SPACETO CO PTY LTD	Host ParterPro bundle online booking facilities for March 2024	165.00
30	15-05-2024	EFT	SUNDOWNER SOUVENIRS & PROMOTIONS PTY LTD	Tourist Keys display Newcastle Gaol	775.50
31	15-05-2024	EFT	THE COLA CAFE	Afternoon tea for Ben Falconer's farewell	150.00

Ref #	Date	Cheque Number	Creditor Name	Invoice Description	Inclusive Amount
32	15-05-2024	EFT	TOODYAY HARDWARE & FARM	Materials - Herbicide Weed n Feed Granular, Lime Sulphur	46.90
33	15-05-2024	EFT	TOODYAY HARDWARE & FARM	Materials - Socket, Poly ratchet clamp & Poly Tee	16.51
33	15-05-2024	EFT	TOODYAY HARDWARE & FARM	Materials - Spray paint - Orange	26.90
34	15-05-2024	EFT	TOODYAY HARDWARE & FARM	Materials - Clamp ratchet	5.75
35	15-05-2024	EFT	TOODYAY HARDWARE & FARM	Materials - Clamp Ratchet 13mm & 19mm 20pkt	10.50
36	15-05-2024	EFT	TOODYAY HARDWARE & FARM	Materials - Thread seal, elbow, riser poly, nibble poly & socket poly	16.70
37	15-05-2024	EFT	TOODYAY HARDWARE & FARM	Materials - 2 x Feral Cat Traps	229.90
38	15-05-2024	EFT	URL NETWORKS PTY LTD	Calls - Shire of Toodyay business numbers - Linked to our Phone management system	235.43
39	15-05-2024	EFT	WEST WIDE AUTO ELECTRICS	T0012 - Iveco Stralis Repair wiring from truck to trailer short in plug unit	694.00
40	15-05-2024	EFT	WEST WIDE AUTO ELECTRICS	T0016 Isuzu DMaxElectrical fault with hyd pump on tipper	460.00
41	15-05-2024	EFT	WEST WIDE AUTO ELECTRICS	BFS - Morangup Generator - repair faulty stop switch	997.50
42	23-05-2024	EFT	ALLMARK & ASSOCIATES	Pre-Paid Name Badges (25)	385.00
43	23-05-2024	EFT	AUSTRALIAN TAXATION OFFICE - ALBURY	BAS - April 2024	11,702.00
44	23-05-2024	EFT	CARTER ROOFING & SLATING PTY LTD	Roof repair at Newcastle Gaol Museum	2,486.00
45	23-05-2024	EFT	CLACKLINE FENCING CONTRACTORS	Remove, replace and dispose of fencing at Newcastle Bridge	6,600.00
46	23-05-2024	EFT	COUNTRY COPIERS	CRC Printer - Photocopy charges - 02 April 2024 - 07 May 2024	268.02
47	23-05-2024	EFT	EASIFLEET	Payroll salary deductions PPE 23 April 2024	498.10
48	23-05-2024	EFT	FRONTLINE FIRE & RESCUE EQUIPMENT	Equipment - Toolok & Jumbo handlelok	423.13
49	23-05-2024	EFT	GWY PAINTING SERVICE	Paint ceiling in store room at Youth hall	451.00
50	23-05-2024	EFT	HAYS SPECIALIST RECRUITMENT (AUST) PTY LTD	Finance Officer-Payroll Temp for W/E 28 April 2024	1,637.06
51	23-05-2024	EFT	ITR WA	T0007 -10 x Shank Scarifier for John Deere	447.15
52	23-05-2024	EFT	Kelly-Anne MURRAY	Reimbursement - Docusign subscription for AROC	184.80

Ref #	Date	Cheque Number	Creditor Name	Invoice Description	Inclusive Amount
53	23-05-2024	EFT	KOMATSU AUSTRALIA PTY LTD	Komatsu grader (damaged by Trees) 2 x Mirrors	532.22
54	23-05-2024	EFT	Philip John ROBERTS	Reimbursement - WALGA Course 2 days	185.03
55	23-05-2024	EFT	ROAD RAIL & MINE PRODUCTS PTY LTD	Supply and installation of W-Beam barrier - variation to ensure compliance with MRWA specifications	32,036.40
56	23-05-2024	EFT	Robert Lachlan KOCH	Reimbursement - Catering incident 667541	104.00
57	23-05-2024	EFT	RYLAN CONCRETE	Kerbing for Julimar Rd 75 metres, 55 metres	7,205.00
58	23-05-2024	EFT	S F FITZGERALD PLUMBING & GAS	Services at - Clint St, Duke St, Backflow Northam Standpipe - April, Memorial Hall, Visitor Centre	907.50
59	23-05-2024	EFT	STEWART & HEATON CLOTHING CO PTY LTD	Two line Name Badges	16.81
60	23-05-2024	EFT	SYNERGY	Electricity Charges- Depot - 11 January - 14 February 2024	1,265.03
61	23-05-2024	EFT	TEAM GLOBAL EXPRESS PTY LTD	BFB & CES - Frontline deliveries 26 & 30 April 2024	69.87
62	23-05-2024	EFT	TOODYAY TRADERS	Material purchases April 2024- wrench pipe	47.25
63	23-05-2024	EFT	WEST WIDE AUTO ELECTRICS	Auto electrical works on Coondle BFB shed	702.50
64	31-05-2024	EFT	AFGRI EQUIPMENT AUSTRALIA PTY LTD	Supply new park brake locking device for 1570 John Deere mower.	289.29
65	31-05-2024	EFT	Alison Barbara DOWNIE	Consignment April 2024	41.50
66	31-05-2024	EFT	AUSTRALIA POST	Postage Charges for April 2024	303.02
67	31-05-2024	EFT	AVON VALLEY TOYOTA	1ICD710 - Supply & deliver - New Isuzu D-Max 4x4 Extra Cab utility	53,412.10
68	31-05-2024	EFT	AVON WASTE - STONDON PTY LTD	Moondyne Festival - Extra Bins and Collection	924.00
69	31-05-2024	EFT	AVON YARD & MAINTENANCE SERVICES	Maintenance & Upkeep - Outside Toodyay Bakery	530.00
70	31-05-2024	EFT	Barry Graham KEENS	Consignment April 2024	10.08
71	31-05-2024	EFT	BRODERICK WASTE SOLUTIONS	Management of waste transfer for fortnight ending 28 May 2024	5,610.00
72	31-05-2024	EFT	CARRINGTON'S (WA) PTY LTD	Traffic management for installation of safety rail barrier 19 - 22 April 2024	2,024.00

Ref #	Date	Cheque Number	Creditor Name	Invoice Description	Inclusive Amount
73	31-05-2024	EFT	CARRINGTON'S (WA) PTY LTD	Traffic management for installation of W-beam safety barrier on Julimar Rd	1,443.75
74	31-05-2024	EFT	Charmeine Gail DURI	Councillor allowance May 2024	1,206.29
75	31-05-2024	EFT	Chenae APPLETON	Reimbursement - Volunteer - HV licence	732.20
76	31-05-2024	EFT	CORSIGN (WA) PTY LTD	Phillips Rd - double sided street sign	317.90
77	31-05-2024	EFT	COUNTRY COPIERS	CRC Printer - Photocopy charges December 2023 & January 2024	80.06
78	31-05-2024	EFT	COUNTRY COPIERS	CRC Printer - Photocopy charges November & December 2023	210.63
79	31-05-2024	EFT	D CLEMENTS SMASH REPAIRS	T0014 LGIS Insurance Claim number MO0072187 excess	300.00
80	31-05-2024	EFT	Danielle Kim WRENCH	Councillor allowance May 2024	1,206.29
81	31-05-2024	EFT	DATACOM SOLUTIONS (AU) PTY LTD	Datapay direct access monthly fee for - April 2024	343.10
82	31-05-2024	EFT	DATACOM SOLUTIONS (AU) PTY LTD	Datacom-Finance EOF workshop on Thursday 16 May 2024	1,320.00
83	31-05-2024	EFT	DEPARTMENT OF MINES INDUSTRY REGULATION & SAFETY	BSL Levies February 2024 - 7 x permits	1,044.60
84	31-05-2024	EFT	DEPARTMENT OF MINES INDUSTRY REGULATION & SAFETY	BSL Levies March 2024	3,229.17
85	31-05-2024	EFT	DEPARTMENT OF MINES INDUSTRY REGULATION & SAFETY	BSL Levies April 2024	989.06
86	31-05-2024	EFT	DEPARTMENT OF MINES INDUSTRY REGULATION & SAFETY	BSL Levies October 2023	1,725.89
87	31-05-2024	EFT	DEPARTMENT OF MINES INDUSTRY REGULATION & SAFETY	BSL Levies January 2024	339.90
88	31-05-2024	EFT	DOWNER EDI WORKS LIMITED	Newcastle Pedestrian Footbridge - Pile Replacement	2,591.97
89	31-05-2024	EFT	E W C S UNIT TRUST	Street Sweeping - Toodyay Townsite - January 2024	6,361.76

Ref #	Date	Cheque Number	Creditor Name	Invoice Description	Inclusive Amount
90	31-05-2024	EFT	EAG ELECTRICAL AIR-CONDITIONING & GAS	Relaying of Supply Power Cable to Bejoording Fire Shed	7,713.59
91	31-05-2024	EFT	EAG ELECTRICAL AIR-CONDITIONING & GAS	Repair and replace Light at Oval	1,896.51
92	31-05-2024	EFT	EAG ELECTRICAL AIR-CONDITIONING & GAS	Repair lights at Community Centre Conference room#1	407.00
93	31-05-2024	EFT	ESSLEMONT ESTATE	Consignment April 2024	20.69
94	31-05-2024	EFT	FRONTLINE FIRE & RESCUE EQUIPMENT	BFS Coondle 3.4 Truck - Repair damage	6,999.12
95	31-05-2024	EFT	FRONTLINE FIRE & RESCUE EQUIPMENT	Material Purchases - Jerry Cans, Torches, Flares	1,066.54
96	31-05-2024	EFT	G & C STEYTLER	Consignment April 2024	42.00
97	31-05-2024	EFT	Gary HORSFIELD	Library - Window cleaning - May 2024	560.00
98	31-05-2024	EFT	GLEN FLOOD GROUP PTY LTD	Coordinator of Projects Temp. 13 May - 26 May 2024	9,193.80
99	31-05-2024	EFT	GLEN FLOOD GROUP PTY LTD	Coordinator of Projects Temp 29 April - 12 May 2024	8,865.45
100	31-05-2024	EFT	GLEN FLOOD GROUP PTY LTD	Coordinator of Projects Temp. Delivery, 15 April - 28 April 2024	8,318.20
101	31-05-2024	EFT	GRAHAM T FOSTER	ACEO - Mentoring and Travel expenses	5,756.00
102	31-05-2024	EFT	HAYS SPECIALIST RECRUITMENT (AUST) PTY LTD	Contract- Finance Officer-Payroll Temp for W/E 26 May 2024	1,685.68
103	31-05-2024	EFT	HAYS SPECIALIST RECRUITMENT (AUST) PTY LTD	Contract- Finance Officer-Payroll Temp for W/E 12 May 2024	2,107.11
104	31-05-2024	EFT	HERSEY SAFETY PTY LTD	Workshop consumables	1,122.68
105	31-05-2024	EFT	John Anthony PRATER	Councillor allowance May 2024	1,206.29
106	31-05-2024	EFT	KELYN TRAINING SERVICES	Traffic Management & Traffic Control Course - 4 Staff	1,400.00
107	31-05-2024	EFT	LINEMARKING WA PTY LTD	Line marking -Julimar Rd - SLK 19.81	15,840.00
108	31-05-2024	EFT	LINEMARKING WA PTY LTD	Line pavement marking and RRPM's on Julimar Road SLK 14.11 - 15.96	13,750.00

Ref #	Date	Cheque Number	Creditor Name	Invoice Description	Inclusive Amount
109	31-05-2024	EFT	LINEMARKING WA PTY LTD	Centre line and edge line pavement marking on Julimar Road SLK 14.11 - 15.96	21,780.00
110	31-05-2024	EFT	Michael Vincent MCKEOWN	Councillor allowance May 2024	4,591.42
111	31-05-2024	EFT	Michelle Louise DIVAL	Councillor allowance May 2024	1,887.18
112	31-05-2024	EFT	MM MECHANICAL PTY LTD	T7853 - Diagnose and repair overheating issues and rear Bumper.	1,032.90
113	31-05-2024	EFT	NIFTY PTY LTD	Supply new Nifty Lift 120T	53,972.34
114	31-05-2024	EFT	QUILTS BY ROBYN	Consignment April 2024	35.00
115	31-05-2024	EFT	RAECO	Spine labels for library book processing	293.70
116	31-05-2024	EFT	Rosemary June MADACSI	Councillor allowance May 2024	1,206.29
117	31-05-2024	EFT	Simon RUTTER	Reimbursement - WALGA travel	418.00
118	31-05-2024	EFT	Steven John MCCORMICK	Councillor allowance May 2024	1,206.29
119	31-05-2024	EFT	Suellen LUCKETT	Reimbursement - Stationery & funeral flowers	56.46
120	31-05-2024	EFT	Suellen LUCKETT	Reimbursement - Volunteers morning tea	32.65
121	31-05-2024	EFT	Suellen LUCKETT	Reimbursement - Catering - National Volunteer Week	26.40
122	31-05-2024	EFT	TAMMAR PUBLICATIONS	Consignment April 2024	22.00
123	31-05-2024	EFT	Tanya Michelle STUART	Consignment April 2024	57.70
124	31-05-2024	EFT	TEAM GLOBAL EXPRESS PTY LTD	Deliveries dated 01 May & 05 May 2024	52.15
125	31-05-2024	EFT	THE COLA CAFE	Staff Farewell afternoon tea	150.00

Ref #	Date	Cheque Number	Creditor Name	Invoice Description	Inclusive Amount
126	31-05-2024	EFT	THE TOODYAY HISTORICAL SOCIETY INC	Consignment April 2024	15.00
127	31-05-2024	EFT	TOODYAY HARDWARE & FARM	Cleaner S/Steel, oven cleaner	18.70
128	31-05-2024	EFT	TOODYAY HARDWARE & FARM	Material purchases May 2024 - Wall plugs	7.90
129	31-05-2024	EFT	TOODYAY HARDWARE & FARM	Material purchases May 2024 - risers,clamps	17.45
130	31-05-2024	EFT	TOODYAY HARDWARE & FARM	Material purchases May 2024 - Screw battens	28.90
131	31-05-2024	EFT	TOODYAY HARDWARE & FARM	Material purchases May 2024 - Risers, sprinklers & connectors	54.59
132	31-05-2024	EFT	TOODYAY HARDWARE & FARM	Material purchases May 2024 - Drill bit 75mmx4.0mm	4.25
133	31-05-2024	EFT	TOODYAY HARDWARE & FARM	Material purchases May 2024 - Drill bit 3.0mm	4.25
134	31-05-2024	EFT	TOODYAY HARDWARE & FARM	Material purchases May 2024 - Elbows	6.50
135	31-05-2024	EFT	TOODYAY IGA	Staff Amenities March 2024	843.62
136	31-05-2024	EFT	TOODYAY TRADERS	Material purchases April 2024 - Latch	12.75
137	31-05-2024	EFT	TOODYAY TRADERS	Material purchases April 2024 - Scoops	16.40
138	31-05-2024	EFT	TOODYAY TRADERS	Material purchases April 2024 - Tape & epoxy	40.95
139	31-05-2024	EFT	TOODYAY TRADERS	Material purchases April 2024 - Tape, Poly sockets	39.70
140	31-05-2024	EFT	TOODYAY TRADERS	Material purchases April 2024 - Line	32.00
141	31-05-2024	EFT	TOODYAY TRADERS	Material purchases April 2024 - Tape cloth	9.60
142	31-05-2024	EFT	TOODYAY TRADERS	Supply 3 x New Stihl MS251 chainsaws	2,697.00
143	31-05-2024	EFT	TOODYAY TRADERS	Makita Portable charger, battery & tower light	3,443.95
144	31-05-2024	EFT	TOURISM COUNCIL OF WA	Early-Bird ticket for Tourism Council of WA tourism conference in June 2024	495.00
145	31-05-2024	EFT	WATFS PTY LTD	Safety Fencing for Showgrounds 4 May - 4 June 2024	177.10

Ref #	Date	Cheque Number	Creditor Name	Invoice Description	Inclusive Amount
146	31-05-2024	EFT	WEST COAST STABILISERS	Mobilisation & demobilisation of equipment, cement for Toodyay Bindi Bindi Rd	24,408.56
147	31-05-2024	EFT	WOBM - WHEATBELT OFFICE OF BUSINESS MACHINES - NORTHAM	Lease of Library Photocopier for February 2024	117.59
148	31-05-2024	EFT	WOBM - WHEATBELT OFFICE OF BUSINESS MACHINES - NORTHAM	Lease of Library Photocopier for April 2024	117.59
149	31-05-2024	EFT	WOBM - WHEATBELT OFFICE OF BUSINESS MACHINES - NORTHAM	Lease of Library Photocopier for May 2024	117.59
150	31-05-2024	EFT	WRIGHT EXPRESS AUST PTY LTD	SES Fuel usage April 2024	23.07
151	31-05-2024	EFT	Zenab AZAM	Reimbursement - Pre-employment Medical	130.00
					EFT Total 631,505.27

Other Payments				
Payroll Payments				
Ref #	Date	ID		Inclusive Amount
152	7/05/2024	161047	Payroll PPE 070524	96,626.31
153	21/05/2024	161362	Payroll PPE 220524	2,821.02
154	21/05/2024	161734	Payroll PPE 220524	97,860.82
155	8/05/2024		Superannuation	19,520.78
156	22/05/2024		Superannuation	19,518.18
				Other Total 236,347.11

Credit Card Payments -FM Regulations 13A			
Ref #	Creditor Names		Inclusive Amount
CREDIT CARD - CEO			
157	Ampol	Fuel	107.02
158	Bruce Rock Fuel	Fuel	99.00
159	Adobe	Adobe - subscription	802.81
160	Ampol	Fuel	70.00
161		Card Fee	4.00
		Other Total	1,082.83
Credit Card - CEO - S Haslehurst - April 2024			
162	Burst SMS	Credit top up for Harvest Ban	5,095.00
163		Card Fee	4.00
		Other Total	5,099.00
CREDIT CARD - MAS			
		Credit Card - MAS - C Sullivan - February 2024	
164	Decking Perth	Newcastle Bridge	77.61
165	Northam Glass	Heartlands Vet	125.00
166	Stratco	Morangup Hall	374.60
167	Midland Cement	Stormwater pipes	469.15
168	Stratco	Morangup Hall	469.50
169	Bob Jane T Marts	T000 - roation of tyres	25.00
170	Bunnings	Vouchers for farewell	150.00
171	Warricks Newsagency	Farewell cards	49.95

Credit Card Payments -FM Regulations 13A			
172	Davis Hardware & Farm	Butterly Cottage fence	35.65
173	DWER	Clearing application	400.00
174		Card Fee	4.00
			Other Total 2,180.46

CREDIT CARD - MAS		Credit Card - MAS - C Sullivan - March 2024	
175	Dept Transport	Registration change	31.10
176	Dept Transport	Remake of plates	46.50
177	Dept Transport	Registration change	31.10
178	Dept Transport	Change of registration	18.90
179		Card Fee	4.00
			Other Total 131.60

Credit Card -MAS - C Sullivan - April 2024			
180	Victoria Hotel	Farewell refreshments	62.00
181	Cadds Surf	Uniform PPE	44.99
182	Cadds Surf	Uniform PPE	25.00
183	Dept Transport	Remake of plates	46.50
184		Card Fee	4.00
			Other Total 182.49

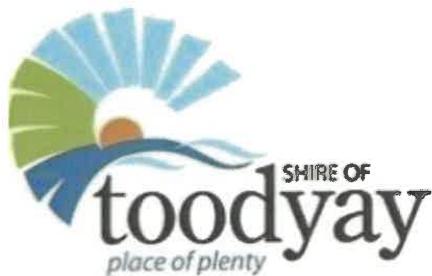
CREDIT CARD - MCCS		Credit Card - MCCS - T Batemen - March 2024	
185	Puma	Fuel	30.02
186	Canapro	Subscription	164.99

Credit Card Payments -FM Regulations 13A			
187	Adobe	Subscription	18.69
188	Puma	Fuel	30.03
189		Card Fee	4.00
			Other Total 247.73

CREDIT CARD - MDR		Credit Card - MDR - H de Vos - March 2024	
190	Toodyay Pharmacy	Items for syringe disposal	20.96
191	ChatGPT subscription	Subscription	33.58
192		International transaction fee	1.01
193	Aldi Notham	Kettle	40.18
194		Card Fee	4.00
			Other Total 99.73

CREDIT CARD - CESM		Credit Card - CESM - R Koch - April 2024	
195	Victoria Hotel	Catering - Incident 664561	742.00
196	The Cola Café	Catering - Incident 664561	320.00
197	Victoria Hotel	Catering - Incident 664561	205.00
198		Card Fee	4.00
			Other Total 1,271.00

	Grand Total	956,272.59
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SHIRE OF TOODYAY

MONTHLY FINANCIAL REPORT

(Containing the required statement of financial activity and statement of financial position)
FOR THE PERIOD ENDED 31 MAY 2024

LOCAL GOVERNMENT ACT 1995

LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996

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Statements required by regulation

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SHIRE OF TOODYAY

A caring and visionary rural community, working together to preserve and enrich Toodyay's environment, character and lifestyle.

SHIRE OF TOODYAY

STATEMENT OF COMPREHENSIVE INCOME

BY NATURE OR TYPE

FOR THE PERIOD ENDED 31 MAY 2024

	2023/24 Actual(a)	2023/24 Revised Adopted Budget	2023/24 YTD Budget(b)	2022/23 Actual	Var.\$ (b)-(a)	Var.% (b)-(a)/(a)
Rates	7,604,711	7,604,776	7,580,930	7,068,483	23,781	0%
Operating Grants, subsidies and contributions	1,226,389	932,598	854,882	3,155,559	371,507	(30%)
Fees and charges	1,584,292	1,459,737	1,449,030	1,427,209	135,262	9%
Interest revenue	220,268	220,000	201,667	178,229	18,601	9%
Other revenue	325,272	358,458	328,587	605,951	(3,315)	1%
	10,960,931	10,575,568	10,415,095	12,435,431	545,837	5%
Expenses						
Employee costs	(3,581,948)	(4,175,838)	(3,856,947)	(4,191,693)	274,999	(7%)
Materials and contracts	(4,365,554)	(4,577,336)	(4,195,892)	(4,291,801)	(169,662)	4%
Utility charges	(536,780)	(437,903)	(401,411)	(447,625)	(135,369)	34%
Depreciation	2,643	(4,436,148)	(4,066,469)	(3,546,688)	4,069,112	(100%)
Finance costs	(86,664)	(144,447)	(132,410)	(160,487)	45,746	(35%)
Insurance	(450,166)	(448,380)	(448,380)	(381,835)	(1,786)	0%
Other expenditure	(229,868)	(264,593)	(242,543)	(266,734)	12,676	(5%)
	(9,248,337)	(14,484,645)	(13,344,052)	(13,286,863)	4,095,715	(31%)
	1,712,595	(3,909,077)	(2,928,957)	(851,432)	4,641,552	(158%)
Non Operating Grants, subsidies and contributions	1,905,484	3,268,721	2,996,328	1,962,747	(1,090,844)	(36%)
Profit on asset disposals	0	0	0	84000	0	0%
Loss on asset disposals	0	0	0	(182,240)	0	0%
Fair value adjustments to financial assets at fair value through profit or loss	0	0	0	2764	0	0%
	1,905,484	3,268,721	2,996,328	1,867,271	(1,090,844)	(36%)
Net result for the period	3,618,078	(640,356)	67,370	1,015,839	3,550,708	(98%)
Other comprehensive income						
Changes in asset revaluation surplus	0	0	0	(862,513)	0	0%
Total other comprehensive income for the period	0	0	0	(862,513)	0	0%
Total comprehensive income for the period	3,618,078	(640,356)	67,370	153,326	3,550,708	(98%)

This statement is to be read in conjunction with the accompanying notes.

SHIRE OF TOODYAY

STATEMENT OF FINANCIAL ACTIVITY

	2023/24	2023/24	2023/24	Var.\$	Var.%	2022/2023
	Actual(a)	Revised Adopted Budget	YTD Budget(b)	(a)-(c)	(a)-(b)/(b)	Actual
OPERATING ACTIVITIES						
Revenue from Operating Activities						
Rates	7,604,711	7,604,776	7,580,930	23,781	(0%)	7,068,483
Operating Grants, subsidies and contributions	1,226,389	932,598	854,882	371,507	(30%)	3,155,559
Fees and charges	1,584,292	1,459,737	1,449,030	135,262	(9%)	1,427,209
Interest revenue	220,268	220,000	201,667	18,601	(8%)	178,229
Other revenue	325,272	358,458	328,587	(3,315)	1%	605,951
Profit on asset disposals	0	0	0	0	0%	84,000
Fair value adjustments to financial assets at fair value through profit or loss	0	0	0	0	0%	2,764
	10,960,931	10,575,568	10,415,095	545,837	(5%)	12,522,195
Expenditure from Operating Activities						
Employee costs	(3,581,948)	(4,175,838)	(3,856,947)	274,999	8%	(4,191,693)
Materials and contracts	(4,365,554)	(4,577,336)	(4,195,892)	(169,662)	(4%)	(4,291,801)
Utility charges	(536,780)	(437,903)	(401,411)	(135,369)	34%	(447,625)
Depreciation	2,643	(4,436,148)	(4,066,469)	4,069,112	(100%)	(3,546,688)
Finance costs	(86,664)	(144,447)	(132,410)	45,746	(35%)	(160,487)
Insurance	(450,186)	(448,380)	(448,380)	(1,786)	(0%)	(381,835)
Other expenditure	(229,868)	(264,593)	(242,543)	12,676	6%	(266,734)
Loss on asset disposals	0	0	0	0	0%	(182,240)
	(9,248,337)	(14,484,645)	(13,344,052)	4,095,715	(31%)	(13,469,103)
Non-cash amounts excluded from operating activities	0	4,436,148	4,066,469	(4,066,469)	0%	3,646,887
Amount attributable to operating activities	1,712,595	527,071	1,137,512	575,083	51%	2,699,979
Cash Flows from Investing Activities						
Non Operating Grants, subsidies and contributions	1,905,484	3,268,721	2,996,328	(1,090,844)	(36%)	1,962,747
Proceeds from disposal of Assets	60,094	165,000	240,000	(179,906)	(75%)	394,293
	1,965,577	3,433,721	3,236,328	(1,270,750)	65%	2,357,040
Outflows from investing activities						
Payments for Property, Plant and equipment	(320,196)	(231,950)	(212,621)	(107,575)	(34%)	(356,766)
Payments for Land and Buildings	(24,576)	(291,000)	(266,750)	242,174	(91%)	0
Payment for construction/purchase of Infrastructure	(4,149,970)	(5,566,722)	(5,102,829)	952,859	23%	(3,609,711)
	(4,494,741)	(6,089,672)	(5,582,199)	1,087,458	24%	(3,966,477)
Amount attributable to investing activities	(2,529,164)	(2,655,951)	(2,345,872)	(183,292)	(7%)	(1,609,437)
FINANCING ACTIVITIES						
Inflows from financing activities						
Transfer from Reserves	0	91,440	83,820	(83,820)	0%	20,000
	0	91,440	83,820	(83,820)	0%	20,000
Outflows from financing activities						
Principal elements of finance lease payments - separate from Capex	(226,575)	(237,528)	(217,734)	(8,841)	(4%)	(147,801)
Repayment of Borrowings	(188,099)	(329,051)	(301,630)	113,532	60%	(317,686)
Transfer to Reserves	(82,525)	(345,000)	(316,250)	233,725	0%	(699,665)
	(497,199)	(911,579)	(835,614)	338,416	68%	(1,165,152)
Amount attributable to financing activities	(497,199)	(820,139)	(751,794)	254,596	51%	(1,145,152)
MOVEMENT IN SURPLUS OR DEFICIT						
Surplus or deficit at the start of the financial year	2,757,390	3,716,583	3,406,868	(649,478)	24%	2,812,000
Amount attributable to operating activities	1,712,595	527,071	1,042,719	669,875	(39%)	2,699,979
Amount attributable to investing activities	(2,529,164)	(2,655,951)	(2,150,382)	(378,781)	(15%)	(1,609,437)
Amount attributable to financing activities	(497,199)	(820,139)	(689,145)	191,946	0%	(1,145,152)
Net current assets at end of financial year - surplus/(deficit)	1,443,622	767,564	1,610,060	(166,437)	12%	2,757,390

This statement is to be read in conjunction with the accompanying notes.

SHIRE OF TOODYAY

STATEMENT OF FINANCIAL POSITION

AS AT 31 MAY 2024

	2024	2023
	\$	\$
CURRENT ASSETS		
Cash and cash equivalents	3,935,688	5,617,913
Trade and other receivables	1,983,356	1,663,193
Inventories	141,652	75,250
Other assets	47,142	47,142
TOTAL CURRENT ASSETS	6,107,838	7,403,498
NON-CURRENT ASSETS		
Trade and other receivables	284,426	342,861
Other financial assets	61,117	61,117
Property, plant and equipment	41,971,538	41,971,538
Infrastructure	150,407,483	150,407,483
Right-of-use assets	149,424	149,424
TOTAL NON-CURRENT ASSETS	192,873,988	192,932,423
TOTAL ASSETS	198,981,826	200,335,921
CURRENT LIABILITIES		
Trade and other payables	770,124	1,138,961
Other liabilities	612,411	612,441
Lease liabilities	79,748	79,748
Borrowings	329,051	329,051
Employee related provisions	332,843	687,283
TOTAL CURRENT LIABILITIES	2,124,177	2,847,484
NON-CURRENT LIABILITIES		
Lease liabilities	73,695	73,695
Borrowings	4,755,834	4,943,933
Employee related provisions	87,740	87,740
TOTAL NON-CURRENT LIABILITIES	4,917,269	5,105,368
TOTAL LIABILITIES	7,041,446	7,952,852
NET ASSETS	191,940,380	192,383,069

EQUITY

Retained surplus	(70,383,098)	(70,908,312)
Reserve accounts	(2,546,066)	(2,463,541)
Revaluation surplus	(119,011,216)	(119,011,216)
TOTAL EQUITY	(191,940,380)	(192,383,069)

This statement is to be read in conjunction with the accompanying notes.

SHIRE OF TOOODYAY
MONTHLY FINANCIAL REPORT
FOR THE PERIOD ENDED 31 MAY 2024
PREPARATION TIMING AND REVIEW

Prepared by: Finance Coordinator

BASIS OF PREPARATION

This prescribed financial report has been prepared in accordance with the Local Government Act 1995 and accompanying regulations Local Government Act 1995 requirements Section 6.4(2) of the Local Government Act 1995 read with the Local Government (Financial Management) Regulations 1996 prescribe that the financial report be prepared in accordance with the Local Government Act 1995 and, to the extent that they are not inconsistent with the Act, the Australian Accounting Standards. The Australian Accounting Standards (as they apply to local governments and not-for-profit entities) and interpretations of the Australian Accounting Standards Board were applied where no inconsistencies exist.

The Local Government (Financial Management) Regulations 1996 specify that vested land is a right-of-use asset to be measured at cost, and is considered a zero cost concessionary lease. All right-of-use assets under zero cost concessionary leases are measured at zero cost rather than at fair value, except for vested improvements on concessionary land leases such as roads, buildings or other infrastructure which continue to be reported at fair value, as opposed to the vested land which is measured at zero cost. The measurement of vested improvements at fair value is a departure from AASB 16 which would have required the Shire to measure any vested improvements at zero cost.

Local Government (Financial Management) Regulations 1996 regulation 34 prescribes contents of the financial report. Supporting information does not form part of the financial report.

Accounting policies which have been adopted in the preparation of this financial report have been consistently applied unless stated otherwise. Except for cash flow and rate setting information, the financial report has been prepared on the accrual basis and is based on historical costs, modified, where applicable, by the measurement at fair value of selected non-current assets, financial assets and liabilities.

Composition of estimated net current assets
THE LOCAL GOVERNMENT REPORTING ENTITY

functions have been included in the financial statements forming part of this financial report.
All monies held in the Trust Fund are excluded from the financial statements. A separate statement of those monies appears at Note 15 to these financial statements

Judgements and estimates

The preparation of a financial report in conformity with Australian Accounting Standards requires management to make judgements estimates and assumptions that effect the application of policies and reported amounts of assets and liabilities, income and expenses exist. The estimates and associated assumptions are based on historical experience and various other factors believed to be reasonable under the circumstances; the results of which form the basis of making the judgements about carrying values of assets and liabilities that are not readily apparent from other sources. Actual results may differ from these estimates

The balances, transactions and disclosures impacted by accounting estimates are as follows

- estimated fair value of certain financial assets
- impairment of financial assets
- estimation of fair values of land and buildings, infrastructure and investment property
- estimation uncertainties made in relation to lease accounting
- estimated useful life of intangible assets

SIGNIFICANT ACCOUNTING POLICIES

Significant accounting policies utilised in the preparation of these statements are as described within the 2023-24 Annual Budget. Please refer to the adopted budget document for details of these policies.

SHIRE OF TOODYAY

NET CURRENT ASSET REPORT

FOR THE PERIOD ENDED 31 MAY 2024

Composition of estimated net current assets	Last Years	This Time last	Year to Date
	Closing	Year	Actual
	30/06/2023	31/05/2023	301/05/2024
	\$	\$	\$
Current assets			
Cash and Cash Equivalent-Unrestricted	3,154,372	2,895,460	1,389,622
Cash and cash Equivalent-Restricted(Reserves)	2,463,541	1,781,984	2,546,066
Cash Restricted -Term Deposits	1,212,356	1,173,459	1,212,356
Cash Restricted - Trust	163,226	163,226	163,226
Trade and other receivables	1,663,193	1,467,319	1,983,356
Other assets	47,142	201,033	47,142
Inventories	75,250	61,475	141,652
	8,779,081	7,743,955	7,483,420
Less: current liabilities			
Trade and other payables	(1,138,961)	(365,368)	(770,124)
Lease liabilities	(79,748)	(147,801)	(79,748)
Long term borrowings	(329,051)	(317,686)	(329,051)
Employee provisions	(687,283)	(552,881)	(332,843)
	(2,235,043)	(1,383,736)	(1,511,766)
Net current assets	6,544,038	6,360,219	5,971,654
Less: Total adjustments to net current assets	(1,798,624)	(1,068,805)	(1,839,837)
	(4,033,667)	(2,452,541)	(3,351,603)
Net current assets used in the Statement of Financial Activity			
Non-cash amounts excluded from operating activities			
The following non-cash revenue or expenditure has been excluded from amounts attributable to operating activities within the Statement of Financial Activity in accordance with <i>Financial Management Regulation 32.</i>	Last Years	This Time last	Year to Date
	Closing	Year	Actual
	30/06/2023	31/05/2023	301/05/2024
	\$	\$	\$
Adjustments to operating activities			
Add: Loss on asset disposals	182,240	149,491	0
Add: Depreciation	3,546,688	3,790,494	2,643
Movement in current employee provisions associated with restricted cash	(31,004)	(25,263)	(31,004)
Non-cash movements in non-current assets and liabilities:			
- Pensioner deferred rates	54,633	284,871	284,426
	3,752,557	4,199,593	256,066

Adjustments to net current assets			
	(2,463,541)	(1,781,984)	(2,546,066)
Add: Current liabilities not expected to be cleared at end of year			
- Current portion of borrowings	329,051	317,686	329,051
- Current portion of lease liabilities	79,748	147,801	79,748
- Current portion of employee benefit provisions held in reserve	256,118	247,692	297,430
Total adjustments to net current assets	(1,798,624)	(1,068,805)	(1,839,837)

SHIRE OF TOODYAY
VARIANCE REPORT
FOR THE PERIOD ENDED 31 MAY 2024

Section 6.4 of the Local Government Act 1995, requires a Local Government to prepare financial reports. Council adopts (in conjunction with the annual budget) a material variance threshold of 10% with a minimum value of \$5,000

Reporting Nature and Type		YTD BUDGET	YTD ACTUALS	VAR TO YTD BUDGET	VAR TO YTD BUDGET
Explanation of Variance				\$	%
Revenue					
Rates	Higher than anticipated due to instalment interest Received.	7,580,930	7,604,711	23,781	0%
Fees and charges	Higher than anticipated due to additional income from rates activities.	1,449,030	1,584,292	135,262	9%
Operating grants, subsidies and contributions	Higher than anticipated due to additional income of grants received in advance	854,882	1,226,389	371,507	-30%
Interest	Higher than anticipated due to increase on interest earnings received from investments.	201,667	220,268	18,601	9%
Expenditure		YTD BUDGET	YTD ACTUALS	VAR TO YTD BUDGET	VAR TO YTD BUDGET
Employee costs	Lower than anticipated due to staff vacancies.	(3,856,947)	(3,581,948)	274,999	-7%
Materials and contracts	Lower than anticipated. Invoices to be paid next reporting period	(4,195,892)	(4,365,554)	(169,662)	4%
Utility charges	Higher than anticipated due to additional standpipe water charges at Northam-Toodyay Road	(401,411)	(536,780)	(135,369)	34%
Depreciation on non-current assets	Depreciation variance will be adjusted for the next reporting period.	(4,066,469)	2,643	4,069,112	-100%
Interest	Lower than anticipated, Final loan interest to be paid in June 2024.	(132,410)	(86,664)	45,746	-35%
Other expenditure	Lower than anticipated due to timing issues. Invoices yet to be processed.	(242,543)	(229,868)	12,676	-5%
Non-operating grants	Lower than anticipated due to Road project delays and pending acquittal of LRCI and Roads Recovery awaiting sign off.	2,996,328	1,905,484	(1,090,844)	-36%

	YTD BUDGET	YTD ACTUALS	VAR TO YTD BUDGET	VAR TO YTD BUDGET
Capital Activities				
Land and Buildings	(266,750)	(24,576)	242,174	-91%
Building expenditure is lower than anticipated due to timing of construction work.				
Infrastructure - Roads	(3,927,992)	(3,318,408)	609,584	-16%
Roads expenditure lower than anticipated mainly due to timing issue with Construction work.				
Infrastructure - Footpaths	(307,083)	(279,921)	27,163	-9%
Lower than anticipated due to timing issue with Capital works.				
Infrastructure - Bridges & Drainage	(531,672)	(334,684)	196,989	-37%
Drainage and Bridges - lower than anticipated for this reporting period due to timing issue with Construction work.				
Infrastructure - Other	(336,081)	(216,958)	119,124	-35%
Lower than anticipated due to timing issue with Construction work.				
Plant and Equipment	(231,950)	(320,196)	(88,246)	38%
Higher than anticipated for this reporting period due to purchase of vehicle.				
Loans				
Loan Repayments	(132,410)	(86,664)	45,746	-35%
Lower than anticipated, Final loan interest to be paid in June 2024.				
Reserves				
Transfer from Reserves	83,820	0	(83,820)	-100%
Lower than budgeted due to capital works not yet completed.				
Transfer to Reserves	(316,250)	(82,525)	233,725	-74%
Lower than anticipated-only Interest earned on reserves has been transferred. Other transfers to be processed next reporting period after Year end workings completed.				

SHIRE OF TOODYAY

SUPPLEMENTARY INFORMATION

FOR THE PERIOD ENDED 31 MAY 2024

OPERATING ACTIVITIES

CASH AND FINANCIAL ASSETS

Description	Interest Rate	Unrestricted	Restricted	Trust	Total	Maturity Date
					Cash	
Cash Deposits						
Municipal-Operating account		341,238.11			341,238.11	Bendigo Bank
Municipal at Call & savers account		1,048,383.49			1,048,383.49	Bendigo Bank
Trust-633 000 110 482 783				163,226.12	163,226.12	Bendigo Bank
Reserve Account	0.32%		2,546,065.92		2,546,065.92	Bendigo Bank Monthly
633 000 137 945 127	0.35%			145,931.34	145,931.34	Bendigo Bank 27/06/2024
633 000 152 237 145	0.35%			50,983.04	50,983.04	Bendigo Bank 26/06/2024
633 000 152 238 135	0.35%			128,905.24	128,905.24	Bendigo Bank 26/06/2024
633 000 152 238 176	0.35%			214,743.09	214,743.09	Bendigo Bank 26/06/2024
633 000 152 238 218	0.35%			465,568.04	465,568.04	Bendigo Bank 26/06/2024
633 000 152 240 834	0.35%			33,888.38	33,888.38	Bendigo Bank 26/06/2024
633 000 158 622 795	0.35%			25,104.38	25,104.38	Bendigo Bank 14/08/2024
633 000 165 467 309	0.35%			127,174.91	127,174.91	Bendigo Bank 18/08/2024
633 000 173 945 890	0.35%			9,748.67	9,748.67	Bendigo Bank 16/08/2024
633 000 184 647 550	0.35%			10,309.29	10,309.29	Bendigo Bank 21/06/2024
SHIRE OF TOODYAY						
Total		1,389,621.60	2,546,065.92	1,375,582.50	5,311,270.02	
Comprising						
Cash and cash equivalents		1,389,621.60	2,546,065.92	1,375,582.50	5,311,270.02	
		1,389,621.60	2,546,065.92	1,375,582.50	5,311,270.02	

KEY INFORMATION

Cash and cash equivalents include cash on hand, cash at bank, deposits available on demand with banks and other short term highly liquid investments with original maturities of three months or less that are readily convertible to known amounts of cash and which are subject to an insignificant risk of changes in value and bank overdrafts. Bank overdrafts are reported as short term borrowings in current liabilities in the statement of net current assets.

The local government classifies financial assets at amortised cost if both of the following criteria are met:

- the asset is held within a business model whose objective is to collect the contractual cashflows, and
- the contractual terms give rise to cash flows that are solely payments of principal and interest.

Financial assets at amortised cost held with registered financial institutions are listed in this note other financial assets at amortised cost are provided in Note 4 - Other assets.

SHIRE OF TOODYAY
SUPPLEMENTARY INFORMATION

DEBTORS ACCOUNT RECONCILIATION AS AT 31 MAY 2024					
Description	Current	31-59 Days	60-89 Days	Over 90 Days	Balance
Debtor Control-Miscellaneous Debtors	63,855.25	8,203.09	4,496.60	19,937.99	96,492.93
Debtor Control-Infringements	0.00	0.00	0.00	182.25	182.25
Debtor Control-Community Services	851.50	29.50	991.50	1,237.30	3,109.80
Debtor Control-Waste Management	0.00	586.32	97.72	580.88	1,264.92
Cemetery Fees	1,675.50	0.00	0.00	1675.50	3,351.00
Dog Registration	0.00	0.00	0.00	220.00	220.00
Total	66,382.25	8,818.91	5,585.82	23,833.92	104,620.90

Account Reconciliation	
Debtors Accounts Total	104,620.90
Debtors Control Accounts Total	104,620.90
Variance	0.00

Comments/Notes-Receiveable General

This aged debtors reflects Sundry debtors only. It does not include other debtors such as GST due from ATO and Pensioner Rebates due from the State

SHIRE OF TODDYAY

SUPPLEMENTARY INFORMATION

RATES ACCOUNT RECONCILIATION AS AT 31 MAY 2024

	Current Overdue	Arrears-Year 1	Arrears- Year 2	Arrears- Year 3 and over	Deferments	Total Balance	Variance
Rates Control	1,143,749.54	269,545.98	100,081.08	101,536.75	0.00	1,614,913.35	0.00
Rates Deferment	0.00	0.00	0.00	0.00	282,785.74	282,785.74	0.00
Rates PrePayment	-401,153.38	0.00	0.00	0.00	0.00	-401,153.38	0.00
Total	742,596.16	269,545.98	100,081.08	101,536.75	282,785.74	1,496,545.71	0.00

Account Reconciliation

Rates Accounts Total	1,496,545.71
Rates Control Accounts	1,496,545.71
Total	0.00

NOTE

Rates Control account is a summary account presenting the balances of all rates payers transactions for the period. Deferment of the payment of Shire rates means that the pensioner does not have to pay their Council rates each year (Deferment only applies to Rates, Water Rates and Emergency Service Levy only, all other charges must be paid in full). Rates Prepayment is when rates payers makes excess payment for their rates, resulting in the Shire owing the rates payers.

SHIRE OF TODDAY
SUPPLEMENTARY INFORMATION
FOR THE MONTH ENDED 31 MAY 2024

RESERVE ACCOUNTS

Reserve Accounts - Movement

	2023/24				2023/24				2023/24				2023/24				2022/23				2022/23				
	Actual	2023/24	Actual	Transfer	2023/24	Actual	Closing	Balance	Budget	2023/24	Budget	Transfer	(from)	2023/24	Budget	Actual	2022/23	Opening	Balance	2022/23	Actual	Transfer	2022/23		
	Opening			(from)					Opening									Opening							
Restricted by council																									
(a) Employee Entitlement Reserve	256,119	9,283	0	265,401	256,118	0	0	256,118	225,114	31,005	0	256,119													
(b) Asset Development Reserve	612,919	20,532	0	633,451	612,918	0	(210,000)	402,918	328,417	284,502	0	612,919													
(c) CCTV Reserve	27,803	931	0	28,734	27,803	0	0	27,803	27,145	658	0	27,803													
(d) Emergency Management Reserve Newcastle Footbridge & Pedestrian Overpass	77,259	2,588	0	79,847	77,259	0	0	77,259	75,430	1,829	0	77,259													
(e) Reserve	44,469	1,490	0	45,959	44,469	0	0	44,469	38,535	5,934	0	44,469													
(f) Heritage Reserve	11,448	384	0	11,832	11,448	0	0	11,448	11,177	271	0	11,448													
(g) Information technology reserve	22,578	53		22,631	22,578		(10,000)	12,578	22,578			22,578													
(h) Plant Reserve	155,855	5,221	0	161,076	155,855	0	0	155,855	152,166	3,689	0	155,855													
(i) Recreation Development Reserve	261,629	8,764	0	270,393	261,629	10,000	0	271,629	245,673	15,956	0	261,629													
(j) Refuse Reserve	118,301	3,963	0	122,264	118,301	0	0	118,301	115,501	2,800	0	118,301													
(k) Road Contribution Reserve	382,080	12,776	0	394,857	382,081	150,000	(50,000)	482,081	198,410	203,670	(20,000)	382,080													
(l) Strategic Access & Egress Reserve	339,521	11,396	0	350,917	339,521	50,000		389,521	233,834	105,687	0	339,521													
(m) Drainage and Sewerage Reserve	132,561	4,440	0	137,001	132,561	20,000	0	152,561	109,897	22,664	0	132,561													
(n) Biosecurity Reserve	1,000	34	0	1,034	1,000	5,000	0	6,000	0	1,000	0	1,000													
(o) Roads Reserve	20,000	671	0	20,671	20,000	25,000	0	45,000	0	20,000	0	20,000													
(p) Buildings Reserve	0	0	0	0	0	5,000	0	5,000	0	0	0	0													
q Plus interest to be allocated	0	0	0	0	0	80,000	0	80,000	0	0	0	0													
	2,463,541	82,524.55	0	2,546,065.92	2,463,541	345,000	(270,000)	2,538,541	1,783,877	699,664	(20,000)	2,463,541													

(b) Reserve Accounts - Purposes

In accordance with Council resolutions in relation to each reserve account, the purpose for which the reserves are set aside are as follows:

Reserve name	Anticipated date of use	Purpose of the reserve
(a) Employee Entitlement Reserve	Ongoing	Funds set aside to provide payments for Employee Entitlement liabilities
(b) Asset Development Reserve	Ongoing	Funds set aside for the future purchase and/or development of assets
(c) CCTV Reserve	Ongoing	Funds set aside for the replacement, expansion and maintenance of CCTV
(d) Emergency Management Reserve	Ongoing	Funds set aside to assist in emergency management and recovery
(e) Newcastle Footbridge & Pedestrian Overpass Reserve	Ongoing	Funds set aside for the maintenance and upkeep of the Newcastle Footbridge and the Duke Street Pedestrian Overpass
(f) Heritage Reserve	Ongoing	Funds set aside for the preservation and/or purchase of Built Heritage assets of significance within the Shire of Toodyay
(g) Information technology reserve	Ongoing	To be used to fund the replacement and maintenance of computer hardware
(h) Plant Reserve	Ongoing	Funds set aside for the ongoing upgrade and replacement of Council owned fleet
(i) Recreation Development Reserve	Ongoing	Funds set aside for the development of recreational facilities
(j) Refuse Reserve	Ongoing	Funds set aside for the development and maintenance of the Shire of Toodyay Waste Transfer Station
(k) Road Contribution Reserve	Ongoing	Funds set aside from contributions given towards particular roads to assist in the ongoing maintenance and preservation of these roads. These funds cannot be used on roads other than those identified in the contribution.
(l) Strategic Access & Egress Reserve	Ongoing	Funds set aside for the implementation and maintenance of strategic access and egress tracks
(m) Drainage and Sewerage Reserve	Ongoing	Funds set aside for drainage improvements

(n) Biosecurity Reserve	Ongoing	Funds set aside for the management of invasive plants and pests
(o) Roads Reserve	Ongoing	Funds set aside for future road maintenance, renewals and upgrades
(p) Buildings Reserve	Ongoing	Funds set aside for future building maintenance, renewals and upgrades

SHIRE OF TOODYAY

SUPPLEMENTARY INFORMATION

FOR THE MONTH ENDED 31 MAY 2024

BORROWINGS

Purpose	Number	Institution	Rate	2023/2024				2023/2024				2023/2024				2023/2024				2022/2023					
				Actual		Budget		Actual		Budget		Actual		Budget		Actual		Budget		Actual		Principal		Actual	
				Principal	New	Principal	outstanding	Interest	Principal	New	Principal	New	Principal	outstanding	Interest	Principal	New	Principal	New	Principal	outstanding	Interest	Principal	outstanding	Interest
				1 July 2023	Loans	Repayments	2023/2024	Repayments	2023/2024	Loans	Repayments	2023/2024	Repayments	1 July 2022	Loans	Repayments	2022/2023	Repayments							
Loan 67 - Library Upgrade	67	WATC	6.6%	50,503	\$ 0	\$ (24,842)	\$ 25,661	\$ (1,667)	\$ 97,833	\$ 0	\$ (50,504)	\$ 47,329	\$ (2,513)	\$ 97,833	\$ 0	\$ (47,330)	\$ 50,503	\$ 5,689							
Loan 72 - Land - Rec Precinct	72	WATC	4.5%	608,288	0	(49,503)	558,785	(26,524)	655,659	0	(49,503)	606,156	(26,524)	655,659	0	(47,371)	608,288	28,656							
Loan 75B - Recreation Precinct	75B	WATC	2.31%	4,137,043	0	(93,369)	4,043,674	(47,690)	4,320,601	0	(187,815)	4,132,787	(94,303)	4,320,601	0	(183,558)	4,137,043	98,560							
Loan 71 - Depot - Stage 2	71	WATC	4.52%	477,150	0	(20,384)	456,765	(10,784)	516,577	0	(41,230)	475,347	(21,106)	516,577	0	(39,427)	477,150	22,909							
				5,272,984	0	(188,099)	5,084,885	(86,664)	5,590,671	0	(329,052)	5,261,619	(144,446)	5,590,670	0	(317,686)	5,272,984	155,813							

SHIRE OF TODDAY
SUPPLEMENTARY INFORMATION
FOR THE MONTH ENDED 31 MAY 2024

Purpose	LEASE LIABILITIES			2023/24				Actual		2023/24				2023/24				Budget		2022/23				Actual		2022/23	
	Lease		Lease	Actual Principal 1 July 2023	2023/24		Actual		Lease		2023/24		Budget		Lease		2022/23		Actual		Lease		2022/23				
	Interest	Lease			Actual Principal 1 July 2023	Lease Principal outstanding	Interest	Lease Principal outstanding	Interest	Lease Principal outstanding	Interest	Actual Principal 1 July 2023	Lease Principal outstanding	Interest	Lease Principal outstanding	Interest	Actual Principal 1 July 2023	Lease Principal outstanding	Interest	Lease Principal outstanding	Interest	Actual Principal 1 July 2023	Lease Principal outstanding	Interest			
ESRI Mapping Software	Commonwealth Bank	1.70%	36 months	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 8,673	\$ (8,673)	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ (895)		
Drum Roller	Gear Select	1.50%	60 months	42,208	(22,969)	19,239	0	42,208	(25,056)	17,152	67,060	(24,852)	42,208	(2,311)													
IVECO Truck	CNH Capital	4.30%	60 months	0	(32,077)	(32,077)	0	0	(50,000)	(50,000)	23,747	(23,747)	0	0	(1,628)												
Front Wheel Loader	Komatsu	1.50%	60 months	87,758	(49,014)	38,744	0	87,758	(53,472)	34,286	137,162	(49,404)	87,758	(1,581)													
Grader	Komatsu	2.10%	60 months	0	(45,610)	(45,610)	0	0	(59,000)	(59,000)	28,037	(28,037)	0	0	(2,965)												
Photocopier	WOBM	2.10%	60 months	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	(119)		
Solar Proposal Library/Depot	All Leasing	2.20%	84 months	5,462	(5,118)	344	0	5,462	0	5,462	10,411	(4,949)	5,462	(405)													
Hino 700 Series Tip Truck T0010				0	(71,788)	(71,788)	0	0	(50,000)	(50,000)	0	0	0	0	0	0	0	0	0	0	0	0	0	0			
				135,428	(226,575)	(91,147)	0	135,428	(237,528)	(102,100)	275,090	(139,662)	135,428	(9,904)													

MATERIAL ACCOUNTING POLICIES
LEASES

At the inception of a contract, the Shire assesses whether the contract is, or contains, a lease. A contract is, or contains, a lease if the contract conveys the right to control the use of an identified asset for a period of time in exchange for consideration. At the commencement date, a right-of-use asset is recognised at cost and a lease liability at the present value of the lease payments that are not paid at that date. The lease payments are discounted using the interest rate implicit in the lease, if that rate can be readily determined. If that rate cannot be readily determined, the Shire uses its incremental borrowing rate.

LEASE LIABILITIES

The present value of future lease payments not paid at the reporting date discounted using the incremental borrowing rate where the implicit interest rate in the lease is not readily determined.

SHIRE OF TOODYAY**SUPPLEMENTARY INFORMATION**

FOR THE PERIOD ENDED 31 MAY 2024

CAPITAL ACQUISITIONS	CAPITAL ACQUISITION			(Under)/Over (F)-(E)
	Adopted Revised	YTD Budget	YTD Actual Total	
	\$	\$	\$	\$
Land and Buildings	(291,000)	(266,750)	(24,576)	(242,174)
Plant and Equipment	(231,950)	(231,950)	(320,196)	88,246
Infrastructure Assets - Roads	(4,285,082)	(3,927,992)	(3,318,408)	(609,584)
Infrastructure Assets - Footpaths	(335,000)	(307,083)	(279,921)	(27,163)
Infrastructure Assets - Drainage & Bridges	(580,006)	(531,672)	(334,684)	(196,989)
Infrastructure Assets - Other	(366,634)	(336,081)	(216,958)	(119,124)
	(6,089,672)	(5,601,529)	(4,494,741)	(1,106,787)

SIGNIFICANT ACCOUNTING POLICIES

Each class of fixed assets within either plant and equipment or infrastructure, is carried at cost or fair value as indicated less, where applicable, any accumulated depreciation and impairment losses. Assets for which the fair value as at the date of acquisition is under \$5,000 are not recognised as an asset in accordance with Financial Management Regulation 17A (5) . These assets are expensed immediately. Where multiple individual low value assets are purchased together as part of a larger asset or collectively forming a larger asset exceeding the threshold, the individual assets are recognised as one asset and capitalised. Initial recognition and measurement for assets held at cost Plant and equipment including furniture and equipment is recognised at cost on acquisition in accordance with Financial Management Regulation 17A. Where acquired at no cost the asset is initially recognise at fair value. Assets held at cost are depreciated and assessed for impairment annually. Initial recognition and measurement between mandatory revaluation dates for assets held at fair value In relation to this initial measurement, cost is determined as the fair value of the assets given as consideration plus costs incidental to the acquisition. For assets acquired at zero cost or otherwise significantly less than fair value, cost is determined as fair value at the date of acquisition. The cost of non-current assets constructed by the Shire includes the cost of all materials used in construction,

SHIRE OF TOODYAY

SUPPLEMENTARY INFORMATION

FOR THE PERIOD ENDED 31 MAY 2024

CAPITAL ACQUISITIONS

	2023/24 Adopted Budget	Mid Year Review	BUDGET	CARRY FORWARDS
			2024/2025	YTD Actual Total
LAND AND BUILDINGS				\$
Non-Crown Land Mitigation	501,539	291,000	410,539	24,576
Bejoording Fire Station	275,539	0	275,539	0
Butterly House - Veranda Repairs	135,000	0	135,000	0
Butterly House - Replacement of Front Fence	10,000	10,000	0	0
Morangup Hall - Commercial Kitchen and Floor Sealing	0	0	0	9,044
Donegans Cottage - Structural Repair	5,000	5,000	0	0
Library Drainage & Brickwork Repair and Painting	30,000	30,000	0	0
Parkers Cottage - Structural Repair	25,000	25,000	0	0
Clinton Street Duplex - Seal Roof	6,000	6,000	0	0
Visitors Centre - Security/Duress Alarms	10,000	10,000	0	8,182
Toodyay- Racecourse Buildings	5,000	5,000	0	0
Toodyay- Racecourse Buildings	0	200,000	0	7,350
PLANT AND EQUIPMENT	766,034	231,950	654,769	320,196
HEAVY VEHICLE/PLANT REPLACEMENT SCHEDULE	716,769	132,000	654,769	66,002
John Deere 670GP	400,000	70,000	400,000	0
Side Tip Trailer - 1	100,000	0	100,000	16,936
Cherry Picker-Nify 120TPE(T) Bi-Energy(Petrol/Battery) Trailer Mounted Elevated Work Platform	55,000	55,000	0	49,066
Skid Steer Broom	7,000	7,000	0	0
Evac Centre Generator	154,769	0	154,769	0
LIGHT VEHICLE REPLACEMENT SCHEDULE	49,265	99,950	0	254,194
Isuzu MUX - T0000	49,265	49,265	0	49,755
Isuzu D-Max Space Cab Chassis-T0001	0	50,685	0	50,685
Isuzu D-Max 4x4 Dual Cab utility-T0023	0	0	0	54,647
Isuzu D-Max 4x4 Space Cab Chassis SX Automatic(TOR3008)Extra Cab utility-1ICD710	0	0	0	48,597
Isuzu D-Max Space Cab Chassis SX Automatic-1ICD696	0	0	0	50,510
INFRASTRUCTURE	5,486,923	5,566,722	312,879	4,149,970
ROADS	4,403,977	4,285,082	312,879	3,318,408
Bejoording Road - Widening - SLK 9.34 - 12.30	50,000	50,000	0	0
Telegraph Rd - Bindi Bindi Toodyay Road(From Connor St)SLK 0.00-3.00 - 30000189(Federal Black Sport Funding)	0	0	0	4,199
Bindi Bindi Toodyay Road - SLK 2.86 - 6.56 - Wheel Path Pavement Repairs	180,000	230,000	0	33,477
Bindi Bindi Toodyay Road - Reseal & Linemarking - SLK 11.08 - 13.45	229,976	229,976	0	196,143
Julimar Road Rehabilitation - RRG - SLK 17.56 - 19.81(Regional Roads group)	649,746	649,746	0	624,707
Julimar Road Rehabilitation -RRG Black Spot - SLK 14.11 - 15.96(Regional Roads group)	1,031,716	1,031,716	0	680,835
Chitty Road Upgrade - R2R SLK 4.34 - 6.75(Roads to Recovery)	180,000	180,000	0	237,157
Julimar Road Edge Break Repairs-Council Funded	0	143,984	0	159,365
Julimar Road - RRG-SLK 19.81 - 22.52 (Regional Roads Groups)	819,759	819,759	0	876,377

Clackline Toodyay Road - Reseal & Linemarking -SLK 5.55- SLK 10.55-LRCI Funded	473,500	473,500	0	436,148
Asphalt Repairs - Hamersley, Clinton, Fiennes & Anzac	73,650	73,650	0	0
Maintenance of Roadside Vegetation - Contract Works	70,000	70,000	0	70,000
WSFN Project Development - Bindoon Dewars Pool Road	180,000	180,000	0	0
Nottingham Road - Section 2 - SLK 0.29 - 0.50	166,976	0	166,976	0
Budget for significant edgebreaks - profiling	152,751	152,751	0	0
North Street - Road Upgrade - SLK 0.44 - 0.60	145,903	0	145,903	0
BRIDGES	580,006	580,006	0	334,684
Bridge No. 0698 - Bindi Bindi Toodyay Road - Picnic Hill - Bridge Repair	20,000	20,000	0	0
Bridge No. 0697 - Bindi Bindi Toodyay Road - Waters Brook - Bridge Repairs	20,000	20,000	0	0
Bridge No. 4080 - Julimar Road - West Toodyay	181,836	181,836	0	176,771
Bridge No. 4085 - Slaughterhouse Bridge	79,123	79,123	0	0
Bridge No. 0702 - Bindi Bindi Toodyay Road - Connor Road	17,000	17,000	0	0
Bridge No. 0708 - Bindoon Dewars Pool Road	20,000	20,000	0	10,750
Bridge No. 4085 - Slaughterhouse Bridge - MRWA Design	90,000	90,000	0	71,930
Bridge No. 9025 - Newcastle Pedestrian Footbridge - Pile Replacement	93,445	93,445	0	14,356
Bridge No. 4084 - Dumbarton Bridge	58,602	58,602	0	58,440
Bridge No. 4089- Wattening Road Bridge	0	0	0	2,436
FOOTPATHS	335,000	335,000	0	279,921
Stirling Terrace & Goomalling Toodyay Road Kerb & Pram Ramp replacement	15,000	15,000	0	18,810
Townsite - Heavy Haulage - Footpath Corrective Action	40,000	40,000	0	4,651
Toodyay Street - Shared Pathway	98,000	98,000	0	60,933
Jubilee Street - Shared Pathway	182,000	182,000	0	195,527
OTHER INFRASTRUCTURE	167,940	366,634	0	216,958
Fire Water tanks various (DFES funded 21/22 c/fwd)	24,340	24,340	0	14,443
Installation of Water Tanks - Recreation Centre	105,600	105,600	0	0
Charcoal Lane Lighting	20,000	20,000	0	17,923
Depot Material Bunkers	8,000	8,000	0	0
Newcastle Park - Upgrade	0	179,694	0	179,694
Community Standpipe Shade structure	10,000	10,000	0	1,453
Community Standpipe Controller	0	0	0	2,317
Timber Deck required for the Pool	0	19,000	0	1,128
TOTAL CAPITAL EXPENDITURE	6,754,496	6,089,672	1,378,187	4,494,741

SIGNIFICANT ACCOUNTING POLICIES

All assets are initially recognised at cost. Cost is determined as the fair value of the assets given as consideration plus costs incidental to the acquisition. For assets acquired at no cost or for nominal consideration, cost is determined as fair value at the date of acquisition. The cost of non-current assets constructed by the local government includes the cost of all materials used in the construction, direct labour on the project and an appropriate proportion of variable and fixed overhead. Certain asset classes may be revalued on a regular basis such that the carrying values are not materially different from fair value. Assets carried at fair value are to be revalued with sufficient regularity to ensure the carrying amount does not differ materially from that determined using fair value at reporting date.

SHIRE OF TODDYAY
 SUPPLEMENTARY
 INFORMATION
 FOR THE MONTH ENDED 31
 MAY 2024

FIXED ASSETS

The following assets are budgeted to be acquired and/or disposed of during the year.

	2023/24			2023/24			2023/24			2022/23			2022/23		
	2023/24 Actual Additions	Disposals - Net Book Value	2023/24 Actual Disposals - Sale Proceeds	2023/24 Actual Disposals - Profit or Loss	2023/24 Budget Additions	Disposals - Net Book	2023/24 Budget Disposals - Sale	2022/23 Actual Additions	Disposals - Net Book Value	2022/23 Actual Disposals - Sale	2022/23 Actual Disposals - Profit or Loss	2022/23 Actual Disposals - Profit or Loss			
	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
(a) Property, Plant and Equipment															
Land - freehold land	0	0	0	0	275,539	0	0	0	368,080	276,540	(91,540)				
Buildings - non-specialised	0	0	0	0	226,000	0	0	0	0	0	0				
Buildings - specialised	24,576	0	0	0	0	0	0	0	0	0	0				
Furniture and equipment	0	0	0	0	0	0	0	24,894	0	0	0				
Plant and equipment	0	0	0	0	766,034	240,000	240,000		277,393	117,752	(159,641)				
Total	24,576	0	0	0	1,267,573	240,000	240,000	24,894	645,473	394,292	(251,181)				
(b) Infrastructure															
Infrastructure - roads	3,318,408	0	0	0	4,403,977	0	0	3,603,407	0	0	0				
Other infrastructure Bridges	334,684	0	0	0	580,006	0	0	0	0	0	0				
Other infrastructure Drainage	0	0	0	0	0	0	0	0	0	0	0				
Other infrastructure Footpaths	279,921	0	0	0	335,000	0	0	0	0	0	0				
Other infrastructure	216,958	0	0	0	167,940	0	0	0	0	0	0				
Total	4,149,970	0	0	0	5,486,923	0	0	3,603,407	0	0	0				
(c) Right of Use Assets															
Right of use - plant and equipment	320,196	0	0	0	237,528	0	0	0	0	0	0				
Total	0	0	0	0	237,528	0	0	0	0	0	0				
Total	320,196	0	0	0	475,056	0	0	0	0	0	0				

MATERIAL ACCOUNTING POLICIES**RECOGNITION OF ASSETS**

Assets for which the fair value as at the date of acquisition is under \$5,000 are not recognised as an asset in accordance with Financial Management Regulation 17A (5). These assets are expensed immediately.

Where multiple individual low value assets are purchased together as part of a larger asset or collectively forming a larger asset exceeding the threshold, the individual assets are recognised as one asset and capitalised.

GAINS AND LOSSES ON DISPOSAL

Gains and losses on disposals are determined by comparing proceeds with the carrying amount. These gains and losses are included in profit or loss in the period which they arise.



MID YEAR BUDGET REVIEW 2023/24

SUMMARY OF PROPOSED BUDGET AMENDMENTS

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 28 August 2023 Net current assets at end of Financial Year 2023	Opening surplus - Net current assets at end of financial year - surplus	4,710		\$	\$	\$ 4,710
031.010.10	Rates - Gross Rental Value	Higher interim rates on gross rental values than projected	(4,500,690)	(4,510,331)	9,641	0	613,934
031.015.10	Rates - Unimproved Value	Higher interim rates on unimproved values than projected	(3,092,170)	(3,094,452)	2,282	0	616,216
031.100.10	Rates Search / Certificate Fee	Increased property search and rates information requests than projected.	(20,000)	(28,456)	8,456	0	624,672
031.151.10	Rates- Interest Penalty	Interest raised on outstanding rates higher than projected.	(70,000)	(76,000)	6,000	0	630,672
032.157.10	Interest on investments	Interest earned on investments higher than expected.	(95,000)	(144,000)	49,000	0	679,672
041.447.10	Members of Council - Other Materials and Contracts	Contribution to AROC initiated shared project- Regional housing strategy.	1,500	10,000	0	(8,500)	671,172
043.300.10	Office of the CEO - Salaries & Wages	Additional funds required for engagement of temporary CEO	380,830	410,830	0	(30,000)	641,172
043.339.10	Professional Services - Consultants, Survey, Design and Audits	Additional funds required for recruitment of new CEO	72,090	92,090	0	(20,000)	621,172
044.393.10	Corporate Services - Computer Software and Licences	Funds required for purchase and implementation of records management system.	221,762	317,920	0	(96,158)	525,014
044.414.10	Corporate Services - Public Liability Insurance	Insurance premiums increased higher than budget projections.	47,065	54,835	0	(7,770)	517,244
053.300.10	Salaries & Wages	Additional funds required for recruitment due to recent staff resignations and payout of leave.	152,109	190,000	0	(37,891)	479,353
054.420.10	Emergency Management - Motor Vehicle Insurance	Increased insurance premiums than projected	25,554	30,554	0	(5,000)	474,353
054.595.51	Emergency Services - Transfer from Asset Development Reserve	Bejoording Fire Station Construction has not been approved. Transfer from Reserve not required this Financial Year.	(135,000)	0	0	(135,000)	339,353
054.733.50	Emergency Management - Fixed Assets – Buildings - Specialised	Bejoording Fire Station Construction has not been approved. Application to be lodged for 2024/2025.	135,000	0	135,000	0	474,353

056.131.10	Fire and Land Management - Other Grants	Final instalment payment received (\$14,993) of MAF 2022/2023 Round 2 and First 50% instalment (\$107,500) of MAF 2023/2024	(74,380)	(122,493)	48,113	0	522,466
087.131.10	Other Welfare - Other Grants	Additional unbudgeted funds received for the CRC Regional Traineeship Program Grant 2023-2024 (\$38000) and Get online grant 2023 (\$1000).	(108,640)	(149,422)	40,782	0	563,248
087.178.10	Other Welfare - Other Income	Toodyay Christmas Street Party 2023 Sponsorship (\$5605) and various donations received.	(100)	(10,460)	10,360	0	573,608
106.336.10	Town Planning/Regional Development - Contractors	Funds allocated for Gazette Project will not be spent prior to 30 June 2024.	39,950	35,000	4,950	0	578,558
107.131.10	Other Community Amenities - Other Grants	Funds for Community Centre Upgrade received; carry over from FY 2022/2023 (\$9,000).	0	(9,000)	9,000	0	587,558
113.133.50	Recreation & Sport - Evac Centre Generator	Request carry over-delay in grant agreement approval. Not expected prior to June 2024.	(77,381)	0	0	(77,381)	510,177
113.739.50	Recreation & Sport - Evac Centre Generator	Request carry over-delay in grant agreement approval. Not expected prior to June 2024.	154,769	0	154,769	0	664,946
113.595.51	Specialised Buildings - Transfer From Reserve	Additional funds allocated from reserve for Toodyay Racecourse. Renewals of roof sheeting and gutter of the building , the Tote area and Horseshoe Bar.	0	(200,000)	200,000	0	864,946
113.756.50	Racecourse Buildings	Works to be carried at Toodyay Racecourse, renewals of roof sheeting, gutter of the building, the Tote area and Horseshoe Bar.	0	200,000	0	(200,000)	664,946
113.756.50	Timber deck repairs-unbudgeted.	Unbudgeted Item: Funding for decking repairs to the pool.	105,600	124,600	0	(19,000)	645,946
116.130.10	Heritage- State Grants	Heritage Grant approved. Any unspent grant to be carried over to 2024/25 FY	(420)	(20,000)	19,580	0	665,526
116.336.10	Heritage - Contractors	Heritage Survey project -Any unspent component to be carried over to 2024/25 FY	71,320	101,320	0	(30,000)	635,526
117.438.10	Community Sponsorship - Donations Paid	Toodyay Fibre Festival (2024) cancelled this year: allocation from funding pool not required- \$8 000.00	0	(8,000)	8,000	0	643,526
121.133.50	Bejoording Road - Widening - SLK 9.34 - 12.30	Bejoording Road widening-Design was undertaken in 2022/23. Funds to be allocated to Chitty Road upgrade-R2R SLK 4.34-6.75	(50,000)	0	0	(50,000)	593,526
121.133.50	Chitty Road Upgrade - R2R SLK 4.34 - 6.75 (Roads to Recovery)	Funds to be transferred from Bejoording Road widening SLK 9.34-12.30.	(180,000)	(230,000)	50,000	0	643,526
121.741.50	Bejoording Road - Widening - SLK 9.34 - 12.30	Bejoording Road widening-Design was undertaken in 2022/23. Funds to be allocated to Chitty Road upgrade-R2R SLK 4.34-6.75	50,000	0	50,000	0	693,526
121.741.50	Chitty Road Upgrade - R2R SLK 4.34 - 6.75(Roads to Recovery)	Funds to be transferred from Bejoording Road widening SLK 9.34-12.30.	180,000	230,000	0	(50,000)	643,526
121.133.50	Bridge No. 9025 - Footbridge-Pile Replacement-Solar lighting	Funds to be transferred from bridge No.0697 and bridge No. 0968, subject to approval from LRCI	(93,445)	(113,445)	20,000	0	663,526

121.133.50	Bridge No. 0698 - Bindi Bindi Toodyay Road - Picnic Hill - Bridge Repair	Funds to be transferred to Solar lighting project, ending approval from LRCI	(20,000)	(10,000)	0	(10,000)	653,526
121.133.50	Bridge No. 0697 - Bindi Bindi Toodyay Road - Waters Brook - Bridge Repairs	Funds to be transferred to Solar lighting project, subject to approval from LRCI	(20,000)	(10,000)	0	(10,000)	643,526
121.133.50	Nottingham Road - Section 2 - SLK 0.29 - 0.51	Unsuccessful grant application. Officers to reapply in 2024/25	(83,488)	0	0	(83,488)	560,038
121.133.50	North Street - Road Upgrade - SLK 0.44 - 0.61	Unsuccessful grant application. Officers to reapply in 2024/25	(72,952)	0	0	(72,952)	487,086
121.595.51	Nottingham Road - Section 2 - SLK 0.29 - 0.50	Unsuccessful grant application this Year. Transfers from Reserves to be deferred	(83,488)	0	0	(83,488)	403,598
121.595.51	North Street - Road Upgrade - SLK 0.44 - 0.60	Unsuccessful grant application this Year. Transfers from Reserves to be deferred	(72,952)	0	0	(72,952)	330,646
121.741.50	Nottingham Road - Section 2 - SLK 0.29 - 0.51	Carry-over to FY2024/2025 due to unsuccessful grant application.	166,976	0	166,976	0	497,622
121.741.50	North Street - Road Upgrade - SLK 0.44 - 0.61	Carry-over to FY2024/2025 due to unsuccessful grant application.	145,903	0	145,903	0	643,525
121.746.10	Bridge No. 9025 - Footbridge-Pile Replacement- Solar lighting	Additional funds to be transferred from bridge No.0697 and bridge No. 0968 subject to approval by LRCI	93,445	113,445	0	(20,000)	623,525
121.746.10	Bridge No. 0698 - Bindi Bindi Toodyay Road - Picnic Hill - Bridge Repair	Funds to be transferred to Solar lighting project subject to approval from LRCI	20,000	10,000	10,000	0	633,525
121.746.10	Bridge No. 0697 - Bindi Bindi Toodyay Road - Waters Brook - Bridge Repairs	Funds to be transferred to Solar lighting project subject to approval from LRCI	20,000	10,000	10,000	0	643,525
144.420.10	Plant Operations - Motor Vehicle Insurance	Increase in Insurance premiums than projected Additional funds required to cover cost of grader acquisition due to price increase post budget approval.	34,848	51,348	0	(16,500)	627,025
144.739.50	John Deere 670GP-Grader		400,000	470,000	0	(70,000)	557,025
144.739.50	Purchase of Side Tip Trailer - 1	Carry-over - No spend in FY2023/2024 - vehicle purchase has deferred to FY2024/2025	100,000	0	100,000	0	657,025
144.758.50	Proceeds on Sale of Assets - Plant and Equipment	Carry-over \$165,000 in proceeds from sale of plant and equipment deferred to FY2024/2025.	(240,000)	(75,000)	0	(165,000)	492,025
147.133.50	Shire Owned Land Mitigation	Due to delay in grant agreement approval. Project delivery is not expected prior to 30 June 2024.	(137,770)	(137,770)	0	0	492,025
147.731.50	Shire Owned Land Mitigation	Due to delay in grant agreement approval. Project delivery is not expected prior to 30 June 2024.	275,539	0	275,539	0	767,564
					1,534,351	(1,371,080)	767,564



Disability Access and Inclusion Plan

Reporting Guide 2023 - 2024

Introduction

The [Disability Services Act 1993](#) (DS Act) requires Public Authorities to report annually on the implementation of its Disability Access and Inclusion Plan (DAIP). These reports are used to generate the DAIP Minister's Progress Report each year which is tabled in the West Australian Parliament.

This guide is designed to support you complete the DAIP Progress Report template.

Public Authority Details

Please complete your organisations details providing:

- Name of organisation (This is the name of your organisation e.g. City of Stirling)
- Name of contact person (this is the person who can be contacted about your DAIP Progress Report if required)
- Phone number (please ensure you include a mobile number and/or a landline phone number)
- Work email address of the contact person (this is the email address of the contact person listed above)
- The date the DAIP was lodged with the Department of Communities (Communities) (In line with the requirements of the DS Act please confirm the date your DAIP was lodged with Communities)
- The date the DAIP was published on your organisation's website (Under the DS Act you are required to publish your DAIP online – please confirm the date you published your DAIP online)
- A URL link to the published website (e.g. include a link such as this example from Department of Transport: [Disability Action and Inclusion Plan 2022-2027 transport.wa.gov.au](#))

Disability Access and Inclusion Plan -Reporting Guide 2024

Question 1 - 7

Refers to progress on actions in your DAIP and the [State Disability Strategy](#) Outcome each DAIP action relates to.

DAIP Outcome 1: Services and events		State Disability Strategy Outcome	Status
People with disability have the same opportunities as other people to access the services of, and any events organised by, the department.		(please select Completed, In Progress or Not Progressed)	
No.#	Your DAIP Action	Status	

1. In column 1 put the number of your DAIP Action (e.g. '1' or '2' etc.)
2. In column 2 list your DAIP action that directly relates to the DAIP Outcome.
3. In column 3 list the State Disability Strategy Outcome the Action directly relates to.

You will need to refer to the **15 State Disability Strategy Outcomes** which you will find in **Appendix 1**.

A completed example of a DAIP outcome can be found in **Appendix 2**.

Question 8

Please list and describe up to 3 key DAIP achievements and their outcomes for people with disability. There is a 100-word limit for each achievement. Provide a clear description of the achievement/outcome/result as it relates to people with disability. **See Appendix 3 for an example.**

Question 9

Please confirm whether your organisation is due to renew its DAIP or develop a new DAIP in the 2024-2025 reporting period.

Question 10

This question relates to Local Government Authorities only.

Disability Access and Inclusion Plan -Reporting Guide 2024

Photographs of achievements

Photographs highlighting your achievements can be included with your report:

- Please include high resolution photos. A high resolution (High Res) image is an image that has been scanned at a large size or with a high DPI (dots per inch). This results in an image that can be enlarged to a large size without losing quality.
- Permission from individuals featured in photos must be sought and made available upon request as photos may be used in preparing the Minister's DAIP Progress Report.

Submitting your Progress Report

Please send your report as a Word document to:

StateDisabilityStrategy@communities.wa.gov.au by no later than 31 July 2024.

Please direct any queries to StateDisabilityStrategy@communities.wa.gov.au.

Disability Access and Inclusion Plan -Reporting Guide 2024

Appendix 1

State Disability Strategy 15 Outcomes

Outcome Number	Outcome Description
1	People with disability get the education and skills development they need to thrive
2	People with disability have opportunities for meaningful and inclusive employment and economic independence
3	People with disability hold positions of leadership and influence across the public, private and community sectors
4	People with high and complex needs have opportunities and networks that support the person to participate in the way they choose
5	Communities infrastructure is accessible to all
6	People with disability can travel where they want to go with ease
7	People with disability are welcomed and accepted by members of the community
8	People with disability are included in a range of recreational, social, arts and cultural opportunities
9	People with disability have access to suitable housing
10	People with disability have access to quality disability services and supports
11	People with disability have access to health and mental health services and attain the highest possible health and wellbeing outcomes throughout their live
12	Legislation and policies protect the rights and interests of people with disability
13	People with disability and their advocates have their voices heard
14	People with disability are safe from violence, abuse, neglect and exploitation
15	People with disability have access to the right information in the right ways so they can make informed choices and decision

Disability Access and Inclusion Plan -Reporting Guide 2024

Appendix 2

Example for question 1-7: Completed DAIP Outcome

DAIP Outcome 2: Buildings and facilities People with disability have the same opportunities as other people to access the buildings and other facilities of the department.		State Disability Strategy Outcome	Status (please select Completed, In Progress or Not Progressed)
1	<i>Incorporate universal design principles into all new buildings and facilities. We will exceed the minimum standards to lead by example.</i>	5	Not Progressed
2	<i>Increase the percentage of people with disability in our workforce, ensuring that our workforce diversity data is maintained to inform recruitment and workforce planning</i>	2	In Progress
3	<i>Signs will be Braille and large print, buildings and ablutions will be accessible, and accessible parking bays will exceed the minimum standard.</i>	15	In Progress
4	<i>Promote career progression and ensure that employees with a disability are provided with appropriate development opportunities.</i>	3	Not Progressed

These examples are from the Department of Communities DAIP 2023-2028 and may not show an accurate reflection of actual status.

Disability Access and Inclusion Plan -Reporting Guide 2024

Appendix 3

Example for question 8: Key DAIP Achievement for the Department of Communities and outcome for People with Disability

Achievement 1

Department of Communities (Communities) delivered over 40 state-wide information and education sessions to people with disability and key community stakeholders to promote and inform the broader community of the WA State Disability Strategy (the Strategy) and the first Action Plan.

Accessible formats of the Strategy were developed in alternative languages.

Over 150 people with disability attended the information sessions across the state with 90% of those attending confirming they had an increased understanding of the Strategy and its Pillars.

80% of People with disability from Culturally and Linguistically Diverse backgrounds found the accessible information in other languages valuable and informative.

Example only



Government of **Western Australia**
Department of **Communities**



DISABILITY ACCESS AND INCLUSION PLAN PROGRESS REPORT

Reporting Period: 1 July 2023 – 30 June 2024

Report Due Date: 31 July 2024

Public Authority's Details

Name: Shire of Toodyay

Contact Person: Grace French – Manager Corporate and Community Services

Phone: 0895 749 300

Email: records@toodyay.wa.gov.au

Date DAIP Lodged with the
Department of Communities: 9/03/2020

Date DAIP published on your
organisation's website: 16/03/2020

URL Link to published DAIP:
[disability-access-inclusion-plan-daip-2020-2025
\(toodyay.wa.gov.au\)](http://disability-access-inclusion-plan-daip-2020-2025(toodyay.wa.gov.au))

Q2

DAIP Outcome 1: Services and events People with disability have the same opportunities as other people to access the services of, and any events organised by, the department.		State Disability Strategy Outcome	Status (please select Completed, In Progress or Not Progressed)
1	Provide clear and engaged leadership on behalf of the community.	7	Completed
2	Increase communication on advocacy undertaken for services and initiatives that benefit Toodyay.	13	Not progressed
3	Continue to support community focused facilities and services.	8	In Progress
4	Support and encourage growth in events that utilise the talents of the community.	7	In Progress
5	Use the "accessible events checklist" for Shire events so that they may consider the principles and objectives within the DAIP Plan.	8	Completed
6	Promote use of embedded technology to increase accessibility particularly within the Toodyay and Morangup Libraries.	15	In Progress
7	Consult annually with library users to identify gaps in resources that may then be addressed	10	In Progress
8	Ensure that funding applications for programs are written to reflect a need for access and inclusion (including an accessible venue)	7	Completed

2

DAIP Progress Report 1 July 2023 – 30 June 2024

DAIP Outcome 2: Buildings and facilities		State Disability Strategy Outcome	Status (please select Completed, In Progress or Not Progressed)
1	Upgrade local infrastructure to cater for seniors.	5	In Progress
2	Ensure appropriate facilities to engage and retain young people.	5	In Progress
3	Consider accessibility needs when maintaining or renewing Shire assets.	13	In Progress
4	Conduct audit of signage on Council owned buildings, reserves and other facilities that are the responsibility of the local government.	15	Not Progressed
5	Recognise the importance of the Long-Term Financial Plan that aims to achieve a set of objectives that ensure the Shire remains financially sustainable in the long-term while maintaining its range of services.	7	In Progress
6	Improve footpaths and streetscapes.	6	In Progress
7	Advocate for improved public transport options for residents.	6	In Progress
8	Continue to advocate for a Pedestrian Street Crossing along Stirling Terrace.	6	In Progress

DAIP Outcome 2: Buildings and facilities		State Disability Strategy Outcome	Status (please select Completed, In Progress or Not Progressed)
People with disability have the same opportunities as other people to access the buildings and other facilities of the department.			
9	Provide more accessible and compliant footpaths to all facilities and built infrastructure as part of maintenance and renewal strategies.	6	In Progress
10	Improve public wheelchair and disabled access signage in and around public buildings and facilities.	5	In Progress
11	Improve the signage from the Memorial Hall to the Charcoal Lane Toilets.	5	Not progressed
12	Investigate the development of a Gopher Safety Course.	6	Not progressed
13	Improve information on access to the "Changing Place."	5	In Progress
14	Encourage private businesses to improve access and signage especially on older buildings.	6	Not progressed
15	Apply Dementia Friendly design principles to new sporting facilities.	7	Completed
16	Investigate better audio system for Council Chambers.	15	Not progressed
17	Utilise the river space more effectively as a natural recreational facility.	5	In Progress

DAIP Outcome 2: Buildings and facilities People with disability have the same opportunities as other people to access the buildings and other facilities of the department.		State Disability Strategy Outcome	Status (please select Completed, In Progress or Not Progressed)
18	Improve footpath connections to link key community assets	6	In Progress
19	Consider installation of a simpler sound system in the Memorial Hall for use with smaller events and / or the development of a simple guide for users of the facility.	15	Completed
20	Provide more accessible parking at Duidgee Park.	6	Not progressed
21	Maintain ACROD Parking Bays on the main street and close to shops and businesses.	6	Completed
22	Review signage in the main street and on the entry points to town.	15	In Progress
23	Lobby for better access and signage at the Railway Station.	15	Not progressed

Q3.

DAIP Outcome 3: Accessible information People with disability receive information from the department in a format that enables them to access the information as readily as other people.		State Disability Strategy Outcome	Status (please select Completed, In Progress or Not Progressed)
1	Operate to best practice management in all areas.	15	In Progress
2	Embrace innovation in information and communication technologies.	15	Completed
3	Provide access to information in a variety of formats.	15	Completed
4	Improve the Information Statement so that it is easier to locate information on the Shire website.	15	Not Progressed
5	Promote other options for disseminating information to people who are not computer literate and have no access to computers.	15	Completed
6	Write to people more often so those who have no access to technology are covered.	15	Not progressed
7	Continue with the stall at the Toodyay Farmers market for promotion of the Shire.	15	Not progressed
8	Continue to promote the memory cafe sessions	11	Completed

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DAIP Progress Report 1 July 2023 – 30 June 2024

DAIP Outcome 3: Accessible information People with disability receive information from the department in a format that enables them to access the information as readily as other people.		State Disability Strategy Outcome	Status (please select Completed, In Progress or Not Progressed)
9	Ensure surveys are worded well and provide more options rather than a true or false response	13	Completed
10	Promote the Shire through the Toodyay Community Newsletter.	15	In Progress
11	Ensure face to face consultation with the community is undertaken where possible	15	Completed

Q4.

DAIP Outcome 4: Service People with disability receive the same level and quality of services from the staff of the department as other people receive.		State Disability Strategy Outcome	Status (please select Completed, In Progress or Not Progressed)
1	Ensure staff are familiar with all policies and procedures in order for them to provide best practice service to their customers.	3	In Progress
2	Promote the DAIP to staff, agents and contractors in order to provide awareness of disability and access and inclusion issues in the community; thereby improving skills to provide a good service to the community.	4	In Progress

Q5.

DAIP Outcome 5: Complaints People with disability have the same opportunities as other people to make complaints to the department.		State Disability Strategy Outcome	Status (please select Completed, In Progress or Not Progressed)
1	Keep the website up-to-date and improve the accessibility of on-line forms.	15	In Progress
2	Utilise the community newsletter to disseminate information out into the community.	15	Completed
3	Liaise with mental health organisations to work together to increase access or participation of disabled people in the community.	2	In Progress
4	Promote the communication framework that provides information in relation to opportunities for feedback or input.	13	In Progress
5	Keep our community informed through disseminating information to the community via the community newsletter.	15	In Progress
6	Engage positively with the community, staff, visitors and other stakeholders.	7	In Progress

DAIP Outcome 5: Complaints People with disability have the same opportunities as other people to make complaints to the department.		State Disability Strategy Outcome	Status (please select Completed, In Progress or Not Progressed)
7	Develop and maintain strong and successful partnerships. Promote our activities and achievements	13	In Progress
8	Review the Customer Service Charter	15	In Progress
9	Develop a Communication Policy	15	In Progress
10	Develop a Complaints Policy and Procedure	13	Completed
11	Promote our values of Integrity, Accountability, Inclusiveness and Commitment	7	In Progress

Q6.

DAIP Outcome 6: Consultation People with disability have the same opportunities as other people to participate in any public consultation by the department.		State Disability Strategy Outcome	Status (please select Completed, In Progress or Not Progressed)
1	Review Council policies that contain references to community consultation.	15	In Progress

Q7.

DAIP Outcome 7: Employment People with disability have the same opportunities as other people to obtain and maintain employment with a public authority.		State Disability Strategy Outcome	Status (please select Completed, In Progress or Not Progressed)
1	Provide opportunities and traineeships for local students with disability where possible.	1	In Progress
2	Develop service agreements and advertise positions with local disability service providers where possible.	2	In Progress
3	When advertising a vacant position at the Shire of Toodyay ensure the advertisement includes an access and inclusion statement.	2	Completed

Q8. List and describe up to 3 key DAIP achievements and their outcomes for people with disability

Achievement 1 – DAIP Action

Construction of dual use footpaths along Jubilee Street and Toodyay Street is expanding and connecting the existing network of dual use paths in the precinct. The expanded network will provide greater transport options for mobility impaired persons.

Achievement 2 – DAIP Action

An inclusive and accessible play area in Newcastle Park was opened in the last quarter of 2023. This area, in close proximity to a school thoroughfare will allow children of all abilities to play together, bond and form friendships. The play area will assist with breaking down barriers and encourage all children to enjoy the benefits of being outdoors. The play area will foster community spirit and create play and learning opportunities that would otherwise be missed.

Achievement 3 – DAIP Action

The accessible toilets and changing place at Charcoal Ln are undergoing refurbishment and were closed for a period of time during the 2023/2024 year. Once completed, the toilets and changing place will provide improved sanitation, greater comfort and easier access. This will provide a better experience and health benefits for all users.

Q9. Is your Public Authority due to review its DAIP and amend or develop a new DAIP in the 2024-2025 reporting period?

Yes

No

For Local Government Authorities Only

Q10. Q How many elected members does your Council have?

7

Q11. How many elected members identify as having a disability?

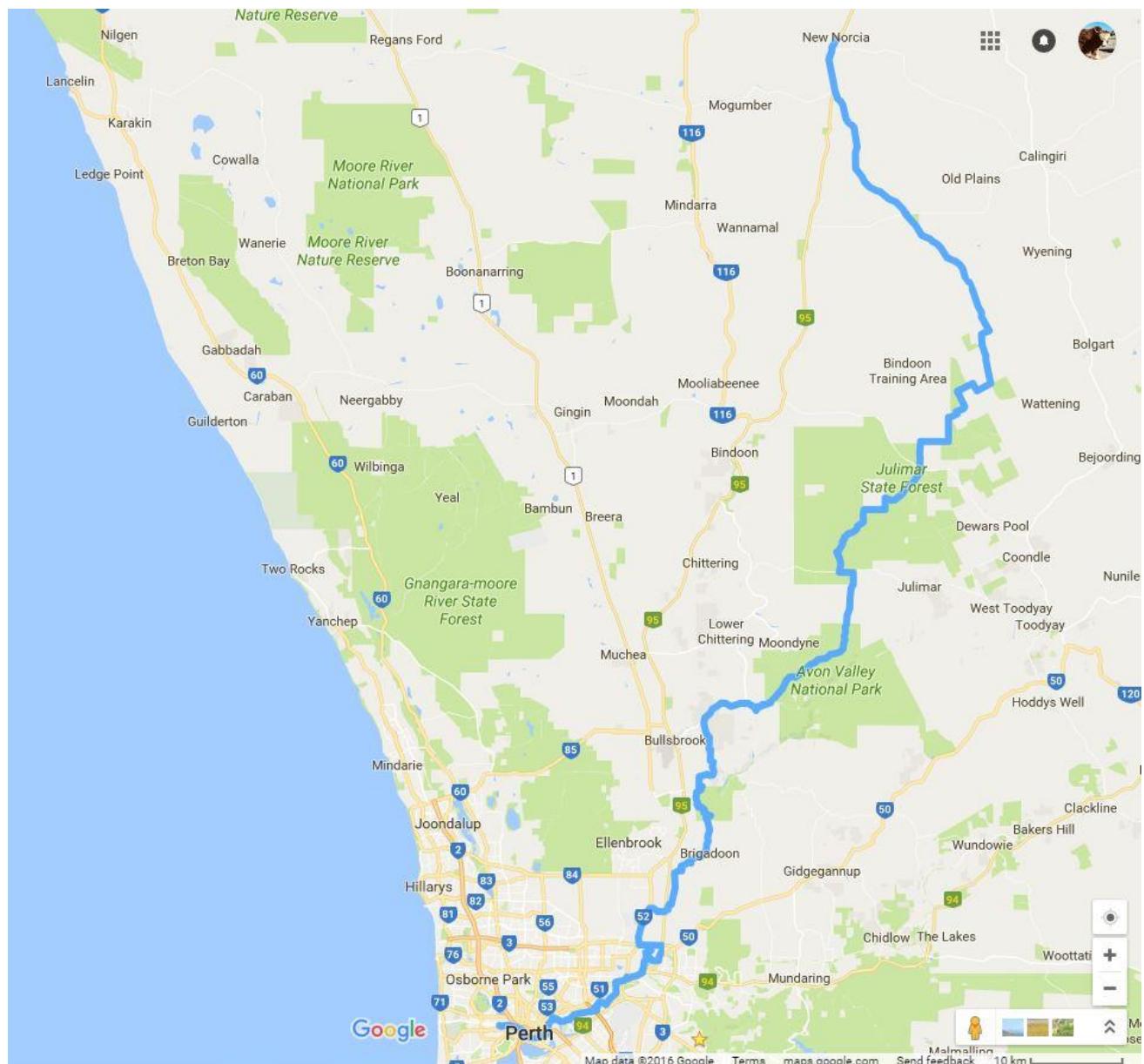
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Please send the completed report to:

StateDisabilityStrategy@communities.wa.gov.au by no later than Wednesday 31 July 2024.

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DAIP Progress Report 1 July 2023 – 30 June 2024





Applications for Public Events

Introduction

This policy provides guidance on the requirements for conducting public events in the Shire of Toodyay.

This policy applies to any proposed public gathering for the purposes of entertainment, particularly where there is no existing approval for that purpose and/or venue.

Objective

- To promote and encourage public events in the Shire of Toodyay.
- To enable the efficient administration of public events in the Shire of Toodyay.
- To protect the community from hazards associated with public events.
- To ensure that public events that are held in the Shire of Toodyay are conducted in accordance with statutory requirements and risk management guidelines.
- To ensure that "public event organisers" and "Council" exposure to risk is managed and appropriately minimised.
- To ensure that all events are covered by appropriate insurances.

Scope

This policy is for use by Shire Officers who are coordinating events and assisting other people outside of the organisation to coordinate events.

This policy applies to any proposed public gathering for the purposes of entertainment if there is no existing approval for that purpose and/or venue....

Definitions

Term	Definition
Act	<i>Local Government Act 1995.</i>
AS1851:2012	is a comprehensive Australian Standard that outlines the requirements for the inspection and testing of fire protection systems. It is essential for anyone responsible for fire safety to be aware of its contents and ensure that their fire protection systems comply with the Standard
AS3745:2002	This standard outlines the minimum requirements for the establishment, validation, and implementation of an emergency plan for a facility to provide for the safety of occupants of that facility and its visitors leading up to, and during an evacuation. This standard may be amended from time to time.
Authorised Person	A person or classes of persons appointed under the <i>Local Government Act 1995</i> section 9.10(2) to be an Authorised person

27/09/2023

Page 1

Applications for Public Events

*** This Document is not controlled once it has been printed ***

Term	Definition
	for 1 or more specified laws or specified provisions of 1 or more specified laws.
Billposters	Bill posting refers to advertising material displayed on buildings, street furniture, roadside and railway infrastructure without the permission of the owner. It's mentioned in the Litter Act (1979) and keep Australia beautiful WA has a good flyer showing them
CEO	Chief Executive Officer of the Shire of Toodyay or any person acting under delegated authority from the Chief Executive Officer.
Council	The local government, responsible for making decisions in formal meetings held under the auspices of Part 5 of the Local Government Act 1995 and under the Shire's Standing Orders Local Law 2008.
ECO	An emergency control organization is a structured organisation of persons to organise and supervise the safe movement of occupants of a facility or facilities group in an emergency.
Emergency Evacuation Plan	An emergency evacuation plan is a set of procedures developed by organisers to help facilitate safe evacuations in case of event emergencies. Emergency evacuation plans usually contain exit routes, locations of designated safe areas, and the specific steps to follow for each type of emergency
EPC	Emergency Planning Committee is a committee whose purpose is identifying events that could produce emergency situations and developing an emergency plan. The Committee would ensure resources are provided to enable the development and implementation of the emergency plan.
Event Organiser	the person, group, organisation or its representative who is responsible for the organisation and running of an event.
Events Working Group	A group consisting of relevant Officers within the Shire to assist in the management of the events.
Organising body	the society, group of individuals, or organisation responsible for booking events
PCBU	Employer is now defined as PCBU (Person conducting a Business or Undertaking) as per the new WHS Act.
Public Building	Is any place of assembly, including outdoor venues and has the meaning given to it by the <u>Health (Miscellaneous) Provisions Act 1911</u> which states:

Term	Definition
	<p>public building means —</p> <p>(a) a building or place or part of a building or place where persons may assemble for —</p> <p>(i) civic, theatrical, social, political or religious purposes; and</p> <p>(ii) educational purposes; and</p> <p>(iii) entertainment, recreational or sporting purposes; and</p> <p>(iv) business purposes; and</p> <p>(b) any building, structure, tent, gallery, enclosure, platform or other place or any part of a building, structure, tent, gallery, enclosure, platform or other place in or on which numbers of persons are usually or occasionally assembled, but does not include a hospital.</p>
Public Event	any organized gathering of people for sporting, entertainment, or other common purposes (for example, outdoor concerts, shows, fairs, festivals, exhibitions et cetera) that is open to the public, but does not cover private functions such as weddings or parties
Public Liability Insurance Certificate of Currency	<p>covers the proposed event with a minimum sum of ten million dollars (\$20M).</p> <p>Note: The Shire requires Event organisers to have \$20 million insurance cover in the past and Stalls and vendors to have at least \$10 million if not covered under the events insurance. The \$10 million is the same as the public trading requirement.</p>
Register of aid incidents	A register detailing Incidents requiring first aid to be administered.
Regulation 18 Noise exemption application	Form is to be used for the purposes of obtaining a noise exemption for an approved sporting, cultural or entertainment event whereby noise emissions are likely to exceed assigned levels. All fields must be completed. If a particular field is not relevant please mark as 'not applicable'.
Regulations	<i>Local Government (Administration) Regulations 1996.</i>
Residual Current Device (RCD)	A Residual Current Device is a sensitive safety device that switches off the electricity within 10 to 50 milliseconds if there is an electrical fault.
Risk Management Plan	A plan that documents potential risks to the organising body responsible for managing an event, and the steps that the body will

Term	Definition
	take to keep those risks at acceptable levels. The plan should address different risks, for each individual event.
Shire	the Shire of Toodyay.
Shire Officer	Employee of the Local Government. May also be referred to as Worker in accordance with Work Health and Safety (WHS) legislation.
Site Plan	A graphic representation of all existing and proposed structures or improvements to a site. Sometimes referred to as a plot plan, the site plan functions as a map for an event, incorporating all aspects of landscaping, exits, facility location, parking location, stage location, stall location, etc
Stakeholders	An individual, group or organisation that is impacted by the outcome of a project or a business venture.
Traffic Management Plan	A plan that outlines the traffic control and traffic management procedures to be implemented by the Organising body to manage potential hazards associated with the traffic environment during the event.
WHS	Work Health and Safety
WHS Legislation	<i>Work Health and Safety Act 2020.</i> <i>Work (Health and Safety) General Regulations 2022.</i>

Policy Statement

This policy is intended to ensure that Shire Officers and the community are provided clear guidance in the requirements for conducting public events in the Shire of Toodyay.

Organisations wishing to host a public event in the Shire are encouraged to discuss their proposal and application with the Events Working Group.

1. Discretion of the CEO to vary requirements of this policy

Council delegates authority to the Chief Executive Officer to vary the requirements of this policy where it is considered that full compliance with the policy is impractical or a variation is warranted in the circumstances of the proposed event.

2. Applicant requirements

The organiser is to make an application for public event approval at least two months prior to the event, at a minimum timeframe before the event begins, based on its impact level (refer to Attachment G) and provide to the Shire copies of:

- (a) Public Event Application form;



- (b) A public liability insurance Certificate of Currency which covers the proposed event with a minimum sum of twenty million dollars (\$20M);
- (c) A suitable risk management plan that meets the requirements of Australian Standards (Refer to [AS/NZS ISO 31000-2018](#) - see Attachment F) to the satisfaction of the Shire where:
 - (i) The event caters for 2,000 or more patrons; or
 - (ii) The event involves road closures; or
 - (iii) It is requested by the Chief Executive Officer
- (d) All planning approvals and Public Buildings approvals where applicable (See Attachment A);
- (e) Site plan showing site layout, including exits, food stalls, parking, first aid, temporary structures etc;
- (f) Parking and transport management plan (*if applicable*);
- (g) Traffic Management Plan (*if applicable*);
- (h) Road closure approvals (*if applicable*)
- (i) Details of the security and crowd control plan (*if applicable*);
- (j) Emergency evacuation plan (Refer to 7.4 and Attachment D);
- (k) A copy of the liquor licence (*if applicable*); and a
- (l) Noise exemption application under Regulation 18 (*if applicable*) – Refer to 5 and Attachment F, as well as associated documents;

3. Event Organiser (Applicant) responsibilities

The event organiser shall ensure:

- 3.1 compliance with all relevant Council policies;
- 3.2 that all appropriate insurance is in place. See Attachment B for explanations of categories of insurance that may apply;
- 3.3 that all machinery, structures and amusement rides comply with the *Work Health and Safety Act 2020*, as administered by WorkSafe Western Australia;
- 3.4 Any structure erected (e.g. an enclosure for a band) that is required to be structurally certified must be inspected by an appropriate person and certification made available to the Shire prior to its use;
- 3.5 If the event is held on premises owned or managed by the Shire, then only a licensed electrical contractor may be appointed in compliance with Australian Standards [AS/NZS 3000:2018](#) and [AS/NZS 3001:2008](#).
- 3.6 All electrical outlets are protected by a Residual Current Device (RCD) and that all electrical equipment has been tested and tagged as required under the [Health \(Public Buildings\) Regulations 1992](#). Double adaptors are not permitted – only power boards with overload protectors are to be used. **Note:** An event organiser is not responsible for electrical outlets if they are owned/supplied by the Shire.

4. Stallholder licences and compliance with the Food Act 2008

- 4.1 Stallholder licences must be obtained for all stalls with payment of the appropriate fees as required under the Shire's *Thoroughfares and Trading in Thoroughfares and Public Places Local Law*.
- 4.2 All stallholders are required to provide copies of current liability insurance certificates and approval must be sought no later than ten (10) working days prior to the event.
- 4.3 All food premises, food vans and food stalls must comply with the *Food Act 2008* and the *Food Regulations 2009*. Guidelines are available from the Shire.

5. Noise exemption application and compliance with Regulation 18

- 5.1 Where noise levels from activities such as live music, amplifiers or similar, in the opinion of the Shire, have potential to cause disturbance to residents, or if complaints have been previously received from a similar event, then an Approved Non Complying Event application (Regulation 18) under the *Environmental Protection (Noise) Regulations 1997* will be required from the Shire.
- 5.2 The Shire may require community consultation if deemed appropriate by the CEO.

6. Licences and beverage consumption

The event organiser shall:

- 6.1 obtain the appropriate [licences](#) from the Department of Racing, Gaming and Liquor for any event that involves the sale or supply of alcohol or gaming as required by that Department.
- 6.2 promote the consumption of non-alcoholic beverages. coffee, tea, water (see 6.4 below), soft drinks, low-alcohol beverages etc.
- 6.3 provide food for the duration of the event if alcohol is available. If supply of non-alcoholic drinks and food runs out, then the sale of alcoholic beverages shall cease immediately.
- 6.4 ensure that potable drinking water is available. If water is being sold to patrons, it must be at a reasonable cost and less than the cost of the cheapest alcoholic drink available.
- 6.5 note that competitions that include consumption of alcohol will not be permitted.

7. Site Planning**7.1 Site Management**

- (a) The event organiser shall ensure that there is adequate provision of shade for patrons and performers, particularly for events of a longer duration or those held during summer.
- (b) The event organiser shall ensure there is adequate provision of First Aid services at the event, with levels dependent on the size and level of risk of the event (refer to Attachment C).



- (c) For high risks events, the CEO may request that a register of aid incidents is to be supplied to the Shire.

7.2 Fire Management

- (a) The event organiser shall liaise with the Shire in regard to any firefighting equipment that is needed for the event in accordance with the Building Code of Australia or as recommended by DFES. All equipment must be maintained in accordance with [AS1851 Maintenance Standards for routine service of fire protection systems and equipment](#).
- (b) An application for fireworks event permit can be obtained from the Department of Mines, Industry Regulation and Safety. Refer to this link: <https://www.dmp.wa.gov.au/Dangerous-Goods/Applying-for-a-fireworks-event-5447.aspx>
- (c) The event organiser must ensure that the fireworks contractor lodges a fireworks event notice with WA Police, DFES and the Shire, as well as the Shire's Chief Bush Fire Control Officer and the Shire's Community Emergency Services Manager.

7.3 Crowd control

- (a) Any crowd controllers employed by the event organiser shall be licensed and be provided by a licensed crowd control agent as required under the provisions of the [Security and Related Activities \(Control\) Act 1996](#).
- (b) If safety barriers are to be installed, then it shall be in accordance with the requirements of the Department of Health's [Guidelines for Concerts, Events and Organised Gatherings 2022](#).

7.4 Emergency Evacuation Plan

- (a) Emergency vehicles must be able to access the whole site at all times.
- (b) The event organiser, where applicable, shall develop an emergency evacuation plan that is to be lodged with the Shire for approval. Plans must comply with Australian Standard [AS3745 Planning for Emergencies in Facilities](#) and [AS3745 Emergency Control Organisation and Procedures for Buildings, Structures and Workplaces](#) (refer to Attachment D).
- (c) The event organiser is to ensure that the evacuation plan is distributed and explained to key personnel and stall holders. All crowd control staff are to be briefed on the location of emergency exits and the evacuation plan.

7.5 Toilet facilities

- (a) Event organisers shall ensure that toilet facilities are provided in accordance with the [Building Code of Australia – Western Australia](#) and the Department of Health [Guidelines on the Application of Health \(Public Buildings\) Regulations 1992](#) (refer to Attachment B).
- (b) Where portable or chemical toilets are used for events, they must be monitored during the event for pump out requirements and must be located to facilitate easy pump out. The provider must be available during the event to pump out the toilets as required.



- (c) Shire public toilets may be counted towards the event toilets if they are within 90m of the event and a prior arrangement regarding their use and maintenance has been arranged.

- (d) Toilets are to be checked regularly during the event to ensure they are clean and that all consumables are readily available to patrons. Toilets are to be cleaned as required.

- (e) Adequate lighting is to be provided for toilets for events during hours of darkness.

- (f) Directional signage to toilets must be visible.

7.6 Parking and transport management plan

The Shire may request that a parking and transport management plan be submitted to the Shire no less than 30 days prior to the event.

7.7 Litter

- (a) The event organiser shall be responsible for the collection, removal and disposal of litter from the venue, public areas and surrounding streets. Adequate bins are to be provided for patrons.

- (b) All litter is to be removed within 24 hours of the event and for large events clean-up operations may be required during the event.

7.8 Communication

- (a) For events held on Shire parks and reserves, the event organiser must liaise with Shire Officers to reduce risk that there will be damage to vegetation, turf, reticulation, underground services etc.

- (b) The event organiser must notify the Toodyay Police Station and the Toodyay St John's Ambulance of details of the event no less than 28 days prior to the event.

- (c) If appropriate, the Shire may require the event organiser to contact the Shire's Reserves Management Officer and Emergency Management Officer to discuss appropriate fire safety plans and needs.

7.9 Promotion

The event organiser is not to advertise the event by using billposters or any other means that is contrary to the *Litter Act (1979)* and is not to erect signage without prior approval from the Shire.

7.10 Disability Access and Inclusion Planning

- (a) The CEO shall determine the nomination of and number of Shire Officers that are needed for the event.

- (b) The event organiser will ensure adequate venue access and toilet facilities for people with disabilities.

- (c) Shire Officers that are monitoring or inspecting any public event shall be provided with an unrestricted pass, free of charge, to all areas of events for the purpose of ascertaining compliance with statutory requirements.

Reference Information

- Risk Management Standard - [ISO 31000:2018](#)
- Risk Management Standard - [AS/NZS 3001:2008](#)
- Risk Management Standard – [AS/NZS 3002:2008](#)
- Risk Management Standard – [AS/NZS 3000:2018](#)
- [AS1851 Maintenance Standards for routine service of fire protection systems and equipment.](#)
- [AS3745:2002 Emergency control organisation and procedures for buildings, structures and workplaces](#)
- [Building Code of Australia – Western Australia](#)
- Department of Health [Guidelines on the Application of Health \(Public Buildings\) Regulations 1992](#)
- [Events and Road Closures](#)
- [Temporary Road Closure for Public Events \(REG01\).](#)
- Applicants are advised to refer to the Government of Western Australia Department of Health “Guidelines for Concerts, Events and Organised Gatherings on the Department of Health website here: [https://www.health.wa.gov.au/Articles/F_I/Guideline-for-concerts-events-and-organised-gatherings \(2022\)](https://www.health.wa.gov.au/Articles/F_I/Guideline-for-concerts-events-and-organised-gatherings_(2022))
- [Planning an Event](#) – Information on the Shire's website.
- [COVID requirements for events.](#)

Legislation

- [Health \(Public Buildings\) Regulations 1992.](#)
- [Environmental Protection \(Noise\) Regulations 1997](#)
- [Liquor Control Act 1988](#)
- [Liquor Licensing](#) – on the Department of Local Government website
- [Security and Related Activities \(Control\) Act 1996.](#)
- [Health \(Miscellaneous\) Provisions Act 1911](#)
- [Health \(Public Buildings\) Regulations 1992,](#)
- [Public Health Act 2016](#)
- [Litter Act \(1979\).](#)

Associated documents

[Application for Public Event Approval](#)

[Application for Public Event](#)

[Public Building Form 1.](#)

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Applications for Public Events

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[Blanket stallholder application](#)[Application for fireworks event permit](#)[Guidelines for concerts, events and organised gatherings](#)**Version control information**

Version No.	Date Issued	Review position	Developed by	Approved by
V1	13/12/2007	Adopted	Deputy CEO	Council
V2	19/06/2012	Reviewed	Events Coordinator	Council
V3	27/09/2023	Reviewed 21/04/2023 05/09/2023	Executive Services, in liaison with the Economic Development Coordinator, Community Development Officer and the Environmental Health Officer.	Council

Document control information

Document Theme	Governance
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Document Title	Applications for Public Events
Document ID	COM06
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Date of approval	27 September 2023 (CRN: OCM213/09/23)
Approving authority	Council
Access restrictions	Nil
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Date of next review Five years from the date of adoption	2 June 2027
Archived antecedent documents and previous versions	Reviewed Council Meeting 21 May 2009 Amended Council Meeting 13 May 2010

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Applications for Public Events

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**Document control information**

	Amended Council Meeting 19 June 2012
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Applications for Public Events

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**Council Policy: Application for Public Events****Attachment A**

Planning and Public Building Approval

Planning Approval

If an event is to be conducted on a site that does not comply with the relevant Town Planning requirements, the Shire will require a separate planning approval. The requirement for a planning approval should be determined when the initial application is lodged. For a one-off event, a planning application is generally not required.

Public Building Approval

The *Public Health Act 2016* defines a premises as land (whether vacant or not); and the whole or any part of a building or other structure, of whatever type and whether of a permanent or temporary nature.

The *Health (Miscellaneous Provisions) Act 1911* defines a place of assembly as a public building and specifies the approval authority as the local government and also requires local government to issue a Certificate of Approval. The Act enables the local government to ensure that all health and safety related issues in and about the event are addressed.

All venues, including outdoor venues, must be suitable for the number of people that will attend and for the type of use it will be put.

Applicants should consider [COVID requirements for events](#).

An approved public building is one that has been issued with a Certificate of Approval by the Shire and the certificate will detail how the venue can be used and the capacity.

The event or venue capacity will be limited by a number of factors including:

- Floor area;
- Toilet facilities;
- Exits;
- Ventilation; and
- Type of use

The Shire will only approve a public building application once all health and safety issues have been addressed to the satisfaction of the CEO or Authorised Person.

It is an offence to operate an event without a valid Certificate of Approval and both the local government and the police can close a public building that is considered unsafe or unsuitable for the use.

Public Building applications, if required, must be lodged with the Shire at least two (2) months prior to the event.

If a venue does not have a Certificate of Approval or it is not approved for the proposed event, the event organiser should discuss the requirements for approval with the CEO or relevant Authorised Persons.

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Attachment A – Planning and Building Approval

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**Council Policy: Application for Public Events****Attachment B**

Insurance Categories

Public Liability Insurance

The event organisers must have in place a public liability insurance policy with an approved insurer. The policy must have a minimum sum insured of \$20million.

Evidence of public liability insurance should be obtained from all stakeholders in the form of Certificates of Currency, checking that the name of the insured matches the name of the stakeholder that the type of activity and situation is detailed, and that policy period covers the date of the event.

Building & Contents Insurance

Where applicable there should be evidence that the building or venue has been insured under a Buildings Policy.

Workers Compensation

Events may include persons who are working, such as security guards, promoters and sponsors. The PCBU of these individuals be required to have in place Workers Compensation cover, and a certificate of currency should be obtained by way of evidence.

Personal Accident Cover

Consideration needs to be given to the requirement of covering volunteers by a personal accident policy in case they suffer a personal accident (similar to Workers Compensation).

Motor Vehicle Insurance

If motor vehicles are used during events, organisers must ensure that they are covered by a fully comprehensive Motor Vehicle Policy in case of damage caused by the vehicle on site. All drivers must be suitably licensed.

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Attachment B – Insurance Categories

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**Council Policy: Application for Public Events****Attachment C**

First Aid Services

The number of first aiders and first aid posts will vary with the type of event. The figures below are a guide as suggested by St John Ambulance Australia.

Patrons	First Aiders	First Aid Posts
500	2	1
1,000	4	1
2,000	6	1
5,000	8	2
10,000	12	2
20,000	22+	4

Every event should have at least one room/area where there is power and running water for use as a first aid room if required.

First Aid Services are generally not required for events with less than 500 patrons that are held in close proximity to an ambulance/emergency service unless it is a high risk event. However the event organiser must ensure that there is at least one person at the event who has an accredited first aid certificate.

The requirements for First Aid Services should be discussed with a qualified first aid provider.

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Attachment C – First Aid Services

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**Council Policy: Application for Public Events****Attachment D**

Emergency Evacuation Plans

Emergency Evacuation Plans should be developed to ensure that everyone knows what to do in an emergency and that preparation is in place for potential and unexpected incidents.

The [Health \(Public Buildings\) Regulations 1992](#), Regulation 26 states the following:

“The occupier of a cinema, licensed premises or any other public building specified for the purposes of this regulation by the local government, shall within the time specified in writing by the local government formulate written arrangements (an **emergency plan**) for the emergency evacuation of the public building.”

And furthermore this plan shall “*satisfy the relevant requirements of Australian Standard AS3745:2002 Emergency Control Organization and Procedures for Buildings, structures and workplaces*”.

The standard establishes guidelines for:

- (a) the appointment of the emergency planning committee (EPC);
- (b) the setting up of an emergency control organization (ECO);
- (c) the preparation of emergency plans and procedures;
- (d) the role and authority of ECO personnel while executing their duties; and (e) the requirements of an education and training program.
- (e) The types of emergencies that should be planned for include fire, injuries, and rescues, incidents with hazardous substances, bomb threats, armed confrontations and natural disasters.

The Plan should be prepared by a competent person and must identify installed emergency facilities e.g. communications and hazard management systems.

Planning must take into consideration people with disabilities, people who may be affected by alcohol or drugs and people who are unfamiliar with the public building and escape procedures.

The plan should identify muster points and alternative muster points and detail communications procedures e.g. liaising with response organisations such as the Volunteer Fire and Rescue Service, the St John Ambulance, the Toodyay Police, the local government, and any other Stakeholders.

The Emergency Evacuation Drawings should identify zones of responsibility for wardens, exit routes, fire extinguishers/equipment, first aid posts and mustering/assembly areas.



Council Policy: Application for Public Events

Attachment E

Toilets

The provision and cleanliness of toilet facilities are crucial to a successful event. The number of toilets required will be dependent on a number of factors such as the type and duration of the event, availability of alcohol and weather.

The Table below provides a basic guide for likely requirements. However for events that last less than four (4) hours these numbers may be reduced to 70% of the numbers shown.

To determine the servicing needs for toilets, the waste can be calculated at 1.75litres/person/hour. It is also important to ensure that there is adequate water pressure for the filling of cisterns.

Total Attendance	Male Facilities				Female Facilities	
	WCs	Urinal metres	Urinals	Hand Basins	WCs	Hand Basins
1,000	2	1.5	3	1	5	1
1,000 – 2,000	3	3	6	2	10	2
2,000 – 3,000	4	4.5	9	3	15	3
3,000 – 4,000	5	6	12	4	20	4
4,000 – 5,000	6	7.5	15	5	25	5
5,000 – 6,000	7	9	18	5	30	6
6,000 – 7,000	8	10.5	21	6	35	7
7,000 – 8,000	9	12	24	7	40	8
8,000 – 9,000	10	13.5	27	8	45	9
9,000 – 10,000	11	15	30	9	50	10

- Female toilets increase at a rate of 1 WC per 100 female patrons.
- Male toilets increase at a rate of 1 WC per 500 males plus 1.5 metres of urinals or 3 urinals per 500 males.
- Hand basins are calculated at 1 per 5 WCs or urinals.



To calculate the toilet requirements:

- for events of 8 hours or more use 100% of table values;
- for events of between 6 and 8 hours use 80% of table values;
- for events of between 4 and 6 hours use 75% of table values; or
- for events of less than 4 hours use 70% of table values;

but be flexible and where possible use experience to guide the judgement of requirements.

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Attachment E – Toilets

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Council Policy: Application for Public Events

Attachment F

Risk Management Planning

It is advisable that event organisers prepare a risk management plan for all events. It is a statutory requirement under the *Health (Public Buildings) Regulations 1992* that a Risk Management Plan is prepared for events with more than 5,000 patrons.

The following information has been sourced from Local Government Insurance Services.

Risk Management Plans are prepared for the following reasons:

- To ensure a successful event;
- To prevent harm to people and property;
- To protect the environment;
- To prevent social disorder e.g. violence or drunkenness;
- To comply with legislation;
- To protect the event's reputation; and
- To protect financial viability.

The event organiser is accountable for the event in total and the preparation of the Risk Management Plan. It is the responsibility of the Shire of Toodyay to approve the Plan.

In order to develop a Plan the Event Organiser will need to determine the objectives and scope of the event, including the activities, food and beverages sold or provided, who is the target audience, how many people will attend etc.

Determinations of stakeholders, who is accountable / responsible, what licenses and permits are required will also be required.

When preparing the plan the following information taken from [AS/NZS 31000:2018](#) should be used.

ASSESS THE LIKELIHOOD AND CONSEQUENCES			
LEVEL	DESCRIPTION	EXAMPLES	FREQUENCY
A	Almost Certain	Expected to occur in most circumstances	More than once per year
B	Likely	Will occur in most circumstances	At least once per year
C	Possible	Should occur at some time	At least once in three years.
D	Unlikely	Could occur at some time	At least once in ten years
E	Rare	May occur, only in exceptional circumstances	Less than once in fifteen years.

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Attachment F – Risk Management Planning

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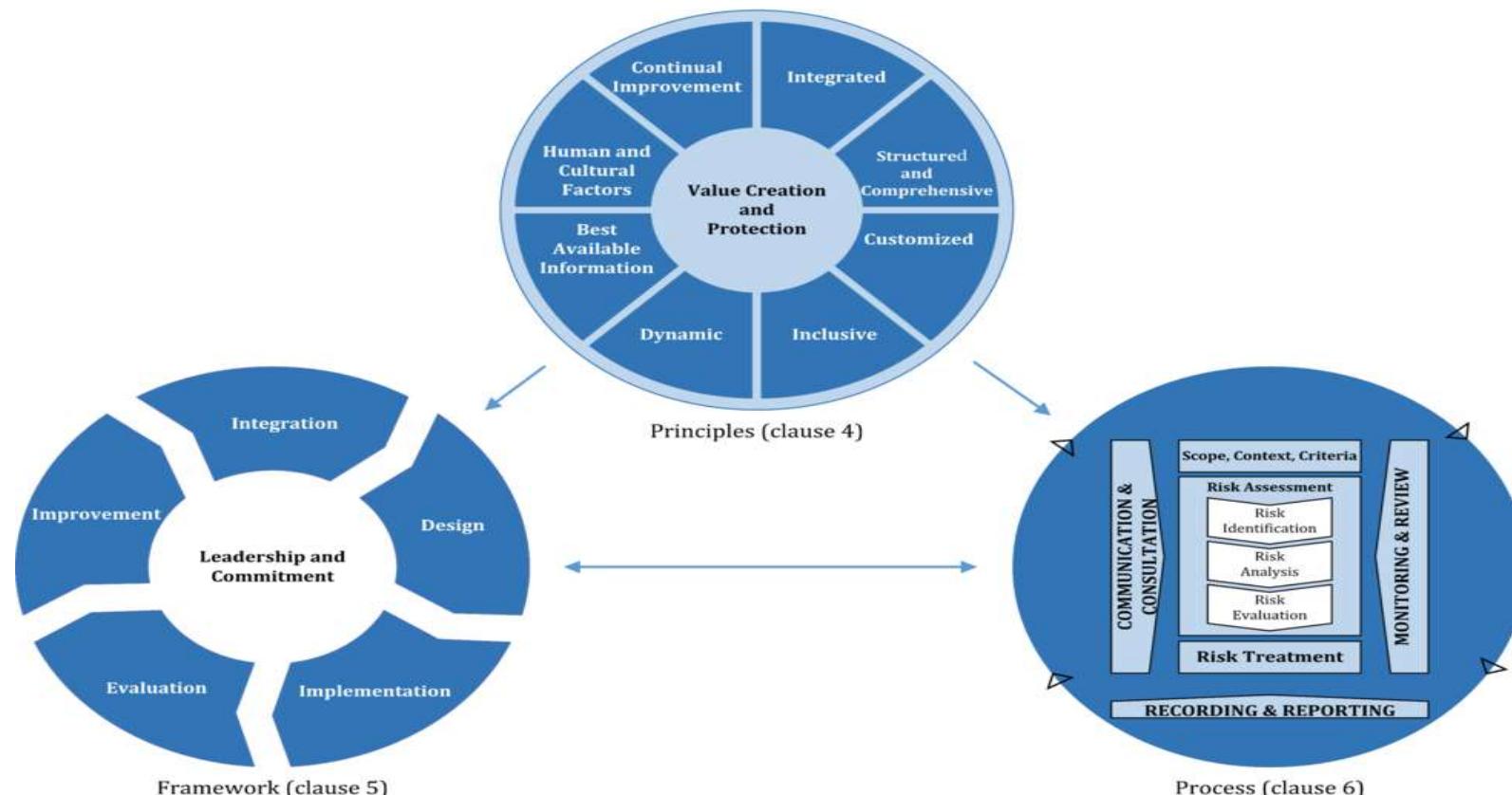
CONSEQUENCE					
LEVEL	DESCRIPTION	FINANCIAL IMPACT	HEALTH	REPUTATION	OPERATION
1	Insignificant	Less than \$1,000	No injuries	Unsubstantiated, low impact, low profile, or no news item	Little impact
2	Minor	\$1,000 to \$10,000	First aid treatment	Substantiated, low impact, low news profile	Inconvenient delays
3	Moderate	\$10,000 to \$50,000	Medical treatment	Substantiated, public embarrassment, moderate impact, moderate news profile	Significant delays to major deliverables
4	Major	\$50,000 to \$150,000	Death or extensive injuries	Substantiated, public embarrassment, high impact news profile, third party actions	Non achievement of major deliverables.
5	Catastrophic	More than \$150,000	Multiple deaths or severe permanent disablements	Substantiated, public embarrassment, exceedingly high multiple impacts, high widespread multiple news profile, third party action.	Non achievement of key objectives.

LEVEL OF RISK					
LEVEL	INSIGNIFICANT 1	MINOR 2	MODERATE 3	MAJOR 4	CATASTROPHIC 5
A	High	High	Extreme	Extreme	Extreme
B	Moderate	High	High	Extreme	Extreme
C	Low	Moderate	High	Extreme	Extreme
D	Low	Low	Moderate	High	Extreme
E	Low	Low	Moderate	High	High

The Plan should include the following:

- Details of event;
- Permits/licenses required;
- Insurances;
- Consultation with stakeholders;
- Evidence of duty of care;
- Hazards identification;
- Hazards assessed for likelihood and consequences;
- Treatments and controls proposed;
- Emergency/contingency plans;
- Evaluation processes.

The following diagram demonstrates the risk management process based on the [AS/NZS 31000:2018 Risk Management Guidelines](#) from ISO (International Organization for Standardization) is an independent, non-governmental international organization with a membership of 168 national standards bodies.



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Attachment F – Risk Management Planning

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RISK MANAGEMENT PLAN FORMAT

The following is a suggested format for the preparation of a Risk Management Plan:

- Confidentiality Statement;
- Introduction / Executive Summary of Event, including proposed program and site plan;
- Aims, objectives and scope of plan;
- Strategic context – organising stakeholder's (accountable body) overview;
- Organisational context – direct organiser's (responsible body) overview;
- Risk Management Context - event purpose, goals, stakeholders and their roles and responsibilities, general risk sources;
- Scope of Plan – what the plan covers;
- Risk Management Process – flowchart of your methodology ([AS/NZS 31000:2018 Risk Management Guidelines](#));
- Risk Identification Planning – summary of areas of risk initially identified, and record of stakeholders and how they were consulted;
- Major sources of risk identified – prioritised list (i.e. high to extreme risks);
- Assessment Criteria – process used to evaluate risks (likelihood and consequence);
- Treatment options - compile an action plan for each risk and include an implementation plan – i.e. how you will apply treatments;
- Management plans for the treatment of key issues e.g., crowd control, security, alcohol, noise, access);
- Communication Plan –roles and responsibilities of key personnel and contact details for both prior to and on the day contact;
- Emergency response plan – what you will do if things go wrong or need last minute changes;
- Public Relations – including a cancellation or change management strategy;
- Review Plan – how you will evaluate the outcomes of the plan.

Council Policy: Application for Public Events**Attachment G****Impact Level Assessment**

Event Impact Level	Minimum Criteria	Minimum Lodgement
Social Event	Up to 75 attendees No temporary structures No amplified sound	5 Business Days prior
Very Low Impact	Over 75 attendees 1-2 food vendors No effect on street parking or public throughfares No nearby affected properties	15 Business Days prior Event application
Low Impact	Over 500 attendees Held between 9am – 9pm Additional Power or Lighting beyond RCD protected boards and cables. More than 8 traders or vendors Limited Amplified Noise Existing parking space available No temporary structures over 3x3m No effect on the use of a path or thoroughfare No exclusion from the normal public use of a park	1 Month prior Electricians sign off on electrical work Emergency Evacuation Plan
Medium Impact	Over 1000 attendees Held between 6am – 12am Amplified Noise Less than 10 food vendors Less than 75 stalls or public trader Shire Utilities required	2 Months prior Noise Exemption Engineer or manufacturers sign off on structures
High Impact	Over to 5000 attendees Involves a paid temporary campsite. Road closures Effects on the normal flow of traffic Event goes for more than 2 days	3 Months prior Traffic Management Plan Campground Application Development Application



Authorised Signatories

Introduction

This policy is intended to ensure that the signing of cheques and authorisation of electronic payments is compliant with legislative provisions contained in Part 6 – Financial Management of the *Local Government Act 1995* (the Act).

Objective

To ensure there are appropriate systems in place for the effective security and properly authorised use of cheques/EFT payments from the Shire's bank accounts to safeguard financial resources.

Scope

This Policy applies to the authorisation of all payments made from the Municipal, Trust, and Reserve funds held by the Shire.

Definitions

Term	Definition
Act	<i>Local Government Act 1995</i> .
CEO	Chief Executive Officer
Council	The local government, responsible for making decisions in formal meetings held under the auspices of Part 5 of the <i>Local Government Act 1995</i> and under the <i>Shire's Standing Orders Local Law 2008</i> .
Executive Managers	the Managers defined as Senior Workers that Council resolved (Res. No. OCM026/03/22) to designate in accordance with section 5.37 of the <i>Local Government Act 1995</i> : <ul style="list-style-type: none"> • Manager Corporate and Community Services; • Manager Infrastructure and Assets; and • Manager Development and Regulation.
Member	In relation to a council or committee, a Council Member in the Act; Elected Member; or Councillor; or a member of the committee.
Regulations	Local Government (Financial Management) Regulations 1996.
Shire	the Shire of Toodyay.

21/12/2022 (28.8)

Authorised Signatories

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Policy Statement

For the purposes of *Regulation 11* and in accordance with Delegation CS1 *Payments from Municipal Fund and Trust Fund*, the following positions will be Authorised Signatories, registered with the Shire's banking institution:

- (a) Chief Executive Officer;
- (b) Manager Corporate and Community Services;
- (c) Manager Infrastructure and Assets,
- (d) Manager Development and Regulation; and
- (e) Finance Coordinator

For internal control purposes, all payments made, regardless of size and method of payment, are to be authorised by two signatories.

Members are not eligible for nomination as signatories.

Council delegates the CEO to authorise and make payments from the municipal, trust, and reserve fund (referred to in Section 6.10 "Financial management regulations" of the Act) in accordance with *Regulation 12 "Payments from municipal fund or trust fund, restrictions on making"*.

In accordance with *Regulation 13*, each payment from the Municipal Fund, Trust Fund or Reserve Fund is to be noted on a list compiled for Council each month showing:

- (a) The payee's name;
- (b) The amount of the payment;
- (c) The date of the payment; and
- (d) Sufficient information to identify the transaction.

Authorised persons are required to be identified by the Shire's banking institution to ensure that signatories are both authorised and identified prior to making payments on behalf of the Shire.

Cash floats may be established with the authority of the CEO contingent upon the need for such cash float being validated and approved.

Reference Information

- [Register of Delegations](#) – CS1 Payments from Municipal Fund or Trust Fund;
- [Purchasing Policy \(FIN3\)](#).

Legislation

- *Local Government Act 1995*;
- *Local Government (Financial Management) Regulations 1996*;
- *Records Management Act 2000*.

Associated documents

Nil.

21/12/2022 (28.8)

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Authorised Signatories

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Version control information

Version No.	Date Issued	Review position	Developed by	Approved by
V1	24/11/2005	Reviewed	MCCS	Council
V2	16/11/2006	Amended	MCCS	Council
V3	15/11/2007	Amended	MCCS	Council
V4	21/5/2009	Amended	MCCS	Council
V5	13/5/2010	Amended	MCCS	Council
V6	21/10/2010	Amended	MCCS	Council
V7	18/9/2012	Amended	MCCS	Council
V8	22/7/2014	Amended	MCCS	Council
V9	22/1/2019	Amended	MCCS	Council
V10	27/10/2020	Reviewed	MCCS	Council
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Document control information

Document Theme	Finance
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Document Title	Authorised Signatories Policy
Document ID	FIN02
Document Owner (position title)	Manager Corporate & Community Services
Author (position title)	Manager Corporate & Community Services
Date of approval	21 December 2022 (CRN: OCM269/12/22)
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Access restrictions	Nil

21/12//2022 (28.8)

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Authorised Signatories

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Document control information	
Date Published	22 December 2022
Date of last review	21 December 2022
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Archived antecedent documents and previous versions	Reviewed OCM 24 Nov 2005 Amended OCM 16 November 2006 Amended OCM 15 November 2007 Amended OCM 21 May 2009 Amended OCM 13 May 2010 Amended OCM 21 October 2010 Amended OCM 18 September 2012 Amended OCM 22 July 2014 Amended OCM 22 January 2019 Reviewed OCM 27 October 2020 Reviewed OCM 21 Dec 2022

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Authorised Signatories

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Committee Recommendations

Introduction

This policy ensures that recommendations made from Council or Mandated Committees will be considered by Council at the earliest opportunity.

Objective

1. To ensure recommendations made by a Council or Mandated Committee are presented to Council for consideration.
2. To ensure that Council or Mandated Committee recommendations are tracked and that agreed action is completed.

Scope

The onus of this policy rests with the CEO who is responsible for ensuring Council or Mandatory Committee recommendations are considered by Council and implemented as appropriate.

Definitions

Term	Definition
Act	<i>Local Government Act 1995.</i>
CEO	Chief Executive Officer
Committees	Council Committees or Mandated Committees that Council nominates representatives for as detailed in the Committee Book endorsed by Council Resolution 241/11/21 at an Ordinary Council Meeting held on 23 Nov 2021.
Council	The local government, responsible for making decisions in formal meetings held under the auspices of Part 5 of the <i>Local Government Act 1995</i> and under the <i>Shire's Standing Orders Local Law 2008</i> .
Executive Managers Or Executive Management	The Managers defined as Senior Workers that Council resolved (Res. No. OCM026/03/22) to designate in accordance with section 5.37 of the <i>Local Government Act 1995</i> : <ul style="list-style-type: none"> • Manager Corporate and Community Services; • Manager Infrastructure and Assets; and • Manager Development and Regulation.
Member	In relation to a council or committee, a Council Member in the Act; Elected Member; or Councillor; non-elected member;

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Committee Recommendations

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Term	Definition
	community member; or a member of the committee.
Next appropriate meeting	The next scheduled Ordinary Council Meeting or the meeting after that, depending on when the Committee has met, and the amount of time and research required to prepare an Officer's report.
Regulations	Local Government (Administration) Regulations 1996.
Shire	The Shire of Toodyay.

Policy Statement

The management process when recommendations come from Committees is as follows:

1. Recommendations of a Committee Meeting

An extract of the Committee's unconfirmed minutes will be provided to all Members.

Committee recommendations will be considered, accompanied by an Officer Report, at the next appropriate meeting.

2. Committee Meeting Status Report

The Status Report will be updated by the Minute Taker upon finalisation of the minutes of a Committee Meeting.

The Report may be forwarded to Executive Managers to consider and/or discuss at their regular Executive Management meetings.

The Status Report will include in summary form such information as is reasonably necessary to track progress of recommendations. Once recommendations have been completed, they may be removed from the status report.

Reference Information

- Governance Framework

Legislation

Local Government Act 1995

Associated documents

Status Reports

Version control information

Version No.	Date Issued	Review position	Developed by	Approved by
V1	19/03/2013	Adopted	CEO	Council

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Committee Recommendations

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Version No.	Date Issued	Review position	Developed by	Approved by
V2	23/11/2022 OCM244/11/22	Revised	Executive Services	Council

Document control information	
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Document Title	Committee Recommendations
Document ID	GOV.16
Document Owner (position title)	Chief Executive Officer
Author (position title)	Chief Executive Officer
Date of approval	23 November 2022 (CRN: OCM244/11/22)
Approving authority	Council
Access restrictions	Nil.
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Archived antecedent documents and previous versions	19 March 2013 OCM

23/11/2022 (29.5)

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Committee Recommendations

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Christmas Closure

Introduction

This policy is designed to provide guidelines for the closure of the Shire's Administration Centre, Library, Museum, Community Resource Centre, Depot and Visitor Centre each year for the non-public holidays and weekends over the Christmas and New Year period.

Objective

- To assist with the proper and efficient management of the Shire's Administration Centre, Library, Museum, Community Resource Centre, Depot and Visitor Centre over the Christmas holiday period.
- To ensure that members of the public are aware of the closures.

Scope

This policy applies to the operations of the Administration Centre, Library, Museum, Community Resource Centre, Depot, and Visitor Centre. The closure days will be the working days and weekends between Christmas Day and New Year's Day each year. Closure on public holidays will be observed.

Definitions

Term	Definition
Act	<i>Local Government Act 1995.</i>
Administration Centre	Shire Administration Centre, 15 Fiennes Street, Toodyay
CEO	Chief Executive Officer
CRC	Shire's Community Resource Centre service, operating from the Toodyay Community Centre.
Depot	Shire Operations Depot at Railway Parade, Toodyay
Essential operations	Operations that are in need of being maintained during the closure period as determined by the Chief Executive Officer.
Library	Toodyay Public Library.
Museum	Newcastle Gaol Museum, Newcastle Police Stables and Connor's Mill.
Regulations	<i>Local Government (Administration) Regulations 1996.</i>
Shire	Shire of Toodyay.

Term	Definition
Visitor Centre	Toodyay Visitor Centre at 7 Piesse St, Toodyay
WHS Legislation	Work Health and Safety Act 2020. Work (Health and Safety) General Regulations 2022.
Workers	Employees, contractors, and volunteers of the Shire as per the Work Health and Safety (WHS) legislation and regulations.

Policy Statement

The closure days will be the working days and weekends between Christmas Day and New Year's Day each year. Closure on public holidays will be observed.

The Museum and the Visitor Centre will close on Christmas Day, Boxing Day and New Year's Day only.

The Administration Centre, Library, CRC and Depot will be closed for business from the cessation of the last working day before Christmas and the re-open on the second working day following New Year's Day.

The CEO will have discretion to vary the times of closure so that the period may include up to one day prior to Christmas Day and up to two days after New Year's Day, but not exceeding a total of eight consecutive working days, excluding weekends although inclusive of public holidays.

1. Maintaining Essential Services during the Closure Period

The CEO will determine what essential operations are to be provided during the closure period each year and ensure that appropriate staff are available to resource the provision of these operations.

2. Advertising the Closure

Within three weeks of the first date of the closure period, the CEO will give public notice through an advertisement in the Toodyay Herald or other locally distributed newspaper, on the Shire website and through social media pages and with publicly displayed signs on the public notice boards at the Administration Centre, Library, CRC, Museum and Depot.

These advertisements are to include details of the emergency contact number(s) for customers to access essential operations during the closure period.

3. Leave Arrangements for Shire Officers during the closure period:

Workers shall use their accrued rostered days off, annual leave, time in lieu or leave without pay for the closure days to account for those days not designated as public holidays.

Reference Information

- The National Employment Standards.



Legislation

- s.5.41 of the *Local Government Act 1995*.

Associated documents

Nil.

Version control information

Version No.	Date Issued	Review position	Developed by	Approved by
V1	15/11/2007	Reviewed	CEO	Council
V2	21/05/2009	Reviewed	CEO	Council
V3	13/05/2010	Reviewed	CEO	Council
V4	14/09/2022	Revised	Executive Services	N/A
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Document control information

Document Theme	Administration
Document Category	Administration
Document Title	Christmas Closure
Document ID	ADM10
Document Owner (position title)	Chief Executive Officer
Author (position title)	Chief Executive Officer
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Approving authority	Council
Access restrictions	Nil
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Archived antecedent documents and previous versions	OCM 19 April 2007 (CRN: 50/04/07) OCM Reviewed 21 May 2009 OCM Reviewed 13 May 2010



Corporate Credit Cards

Introduction

This policy is intended to ensure that appropriate internal controls are in place regarding usage of credit cards in accordance with the legislative provisions contained in Part 6 – Financial Management of the *Local Government Act 1995* (the Act).

Objective

To provide guidance in the issue and use of corporate credit cards in order to ensure good governance and to reduce the risk of fraud and misuse of corporate credit cards.

Scope

The requirements of this policy apply to all Shire Officers that are issued with and/or use corporate credit cards.

Definitions

Term	Definition
Act	<i>Local Government Act 1995</i> .
CEO	Chief Executive Officer
Corporate Services	The Corporate Services Business Unit, comprising of the Manager Corporate Services, the Finance Coordinator, and the Finance Officer – Accounts Payable and Payroll.
Council	The local government, responsible for making decisions in formal meetings held under the auspices of Part 5 of the <i>Local Government Act 1995</i> and under the <i>Shire's Standing Orders Local Law 2008</i> .
Credit card(s)	The Shire of Toodyay Corporate Credit Card(s)
Form	The Shire's Credit Card Request Form
Member	In relation to a council or committee, a Council Member in the Act; Elected Member; or Councillor; or a member of the committee.
Regulations	<i>Local Government (Financial Management) Regulations 1996</i>
Shire	The Shire of Toodyay.
Standard purchasing options	The preferred option of purchasing for the Shire by way of requisitions; purchase orders; and invoicing.

Term	Definition
Statement	The monthly credit card account statement

Policy Statement

Credit cards serve as an effective means for the Shire to make payment for goods and services. The risks associated with credit card use are minimised through the implementation of effective internal controls and administration processes.

This policy ensures accountability in regard to the use of credit cards and does not negate standard purchasing options.

Council is responsible for approving credit card limits; additional credit cards; and the Corporate Credit Card(s) Policy.

1. Corporate Services' Responsibilities

Corporate Services is responsible for the issue, management and cancellation of a credit card, including credit card validation and acquittal of expenditure.

This is achieved by:

- (a) Arranging the issue/cancellation of credit cards;
- (b) Processing payment of credit card expenditure on receipt of a statement from the Bank;
- (c) Keeping card holders informed of any changes to policy and procedures on the use of the credit cards; and
- (d) Reporting all credit card expenditure to Council with the monthly financial report.

2. Credit Card Issue

Officers issued with a credit card must take all reasonable measures to ensure that card details are kept in a safe and confidential manner. Credit card holders are as follows:

Position	Limit \$
Chief Executive Officer	10,000.00
Manager Development and Regulation	5,000.00
Manager Corporate & Community Services	5,000.00
Manager Infrastructure and Assets	5,000.00
Community Emergency Services Manager (emergencies only)	2,000.00

3. Purposes for which a card may, or may not be used

Credit cards shall only be used for purchasing goods and services on behalf of the Shire for Shire purposes only, in circumstances where standard purchasing options are not available. Personal expenditure is strictly prohibited.

3.1 Credit Cards are not to be used;

- For personal transactions or private purposes, under any circumstance.
- For the withdrawal of cash through a bank branch or any automatic teller machine.
- To pay employee utility accounts. Such accounts are to be paid for by the employee and as part of their contract and/or salary package be reimbursed.
- For expenditure which is deemed to be for personal or private purposes must be declared by the card holder and will need to be refunded to the Shire.

4. Process for purchases, including online purchases

A Credit Card Request form must be completed for all credit card purchases, whether those purchases are made over the phone, or online.

The form may be completed by either the card holder, or a Shire Officer on behalf of the card holder. All relevant documentation that will support the credit card purchase request must be attached to the form and provided to Corporate Services within 7 days of expenditure to ensure appropriate and accurate recordkeeping occurs.

Where purchases are made by telephone or online, an invoice should be requested or printed to support the purchase. If no invoice or receipt is available, as much detail about the transaction should be recorded and used to support the payment when required (e.g. the Date; Company; Address; ABN; amount and any GST included; and the reason for the transaction).

5. Card holder obligations

Officers issued with credit cards must:

- (a) Ensure the care and safe keeping of the card.
- (b) Adhere to the policy and procedures in relation to credit card use and financial limits.
- (c) Ensure receipts and tax invoices are received when the credit card is used and to produce them as evidence for settlement with the Bank.
- (d) Ensure relevant and correct expenditure account details and work order numbers are provided against each item of expenditure on the account statement to assist with the allocation of expenses and claims for GST.
- (e) Ensure the monthly account statement is certified correct and approved for payment when received from Corporate Services; and returned to Corporate Services together with the receipts and tax invoices within 7 days of receipt.

5.1 Statements

- (a) Once the statement is reconciled and expenditure verified by Corporate Services, the CEO must sign the statement(s).
- (b) Corporate Services will review the CEO's statement.
- (c) All invoices/receipts must include the supplier's ABN; the amount spent (including whether GST is applicable); and a brief description of goods and services purchased.

5.2 Lost or Stolen Credit Cards

- (a) The card holder must report immediately where a credit card has been lost or stolen by notifying the issuing Bank and Corporate Services in writing and by telephone.
- (b) Corporate Services and the Bank will confirm cancellation of the card; and perform a reconciliation of the account statement from the date the card was lost or stolen.

5.3 Return of Cards

When a card holder ceases to occupy a position that is authorised to be issued with a credit card, they must return the credit card to Corporate Services at least one week prior to vacating the position so that the card may be cancelled, and the account settled.

6. Misuse of Corporate Credit Cards

Credit Card showing unreasonable, excessive or unauthorised expenditure will be subject to audit and may result in the withdrawal of the card from the card holder.

Any misuse of a credit card will result in repayment of any incurred debt and disciplinary action.

Reference Information

- [Register of Delegations](#) – CS1 Payments from Municipal Fund or Trust Fund.
- [Purchasing Policy \(FIN3\)](#).
- [Controls over Corporate Credit Cards](#) from the Office of the Auditor General
- [Use of Corporate Credit Cards \(dlgsc.wa.gov.au\)](#) Local Government Operational Guidelines

Legislation

- *Local Government Act 1995*.
- *Local Government (Financial Management) Regulations 1996*.

Associated documents

Credit Card Request Form.

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Corporate Credit Cards

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*** This Document is not controlled once it has been printed ***

Version control information

Version No.	Date Issued	Review position	Developed by	Approved by
V1	18/9/2012	Amended	MCCS	Council
V2	15/10/2013	Amended	MCCS	Council
V3	22/1/2019	Amended	MCCS	Council
V4	15/12/2020	Amended	MCCS	Council
V5	21/12/2022	Reviewed	MCCS	Council

Document control information

Document Theme	Finance
Document Category	Finance
Document Title	Corporate Credit Cards
Document ID	FIN11
Document Owner (position title)	Manager Corporate & Community Services
Author (position title)	Manager Corporate & Community Services
Date of approval	21 December 2022 (CRN: OCM001/12/22)
Approving authority	Council
Access restrictions	Nil
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Transaction Cards

Introduction

This policy is intended to ensure that appropriate internal controls are in place regarding usage of transaction cards in accordance with *Local Government Act 1995* – Financial Management – Part 6 the legislative provisions contained in Part 6 – Financial Management of the *Local Government Act 1995* (the Act).

Objective

To provide the Chief Executive Officer with a framework of principles guiding the procurement and management of Transaction Card facilities; ensuring efficient operations, minimising misuse risk defining allowable uses, delineating management responsibilities and outlining Cardholder obligations.

Scope

This policy outlines principles for the Chief Executive Officer (CEO) in establishing and managing Transaction Card systems and procedures specific to Shire of Toodyay business activities.

It applies to all workers and authorised cardholders who utilise transaction cards issued by the Shire for business purposes.

Definitions

Definitions related to this policy are in the table below.

Term	Definition
Cardholder	A Worker who has been authorised by the CEO to incur expenditure by means of a Transaction Card. A Volunteer of the Shire of Toodyay or external organisation for which the Shire of Toodyay issues such facility.
Corporate Services	The Corporate Services Business Unit, comprising of the Executive Manager Corporate Services, the Finance Coordinator, and the Finance Officer – Accounts Payable and Payroll.
Standard purchasing options	The preferred option of purchasing for the Shire by way of requisitions; purchase orders; and invoicing.
Transaction Card	A card facility includes the Shire's Corporate Credit Cards, a Credit, store, parking, cab-charge, and fuel cards approved for use in lieu of cash transactions, to incur expenditure for goods and services for the purposes of the Shire business activities only in accordance with relevant Shire policies.

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PROPOSED Transaction Cards Policy

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Term	Definition
<i>Please refer to the Shire of Toodyay Glossary (Definitions) document located on the Shire of Toodyay (Shire) website for other definitions not listed: link to website will be created.</i>	

Policy Statement

This policy aims to govern the appropriate use of transaction cards for payment of goods and services within the Shire, ensuring adherence to risk management principles outlined in ISO31000.

1. Management Oversight and Reporting

The CEO is to:

- (1) ensure that proper accounts and records of the transactions and affairs of the Shire is kept pursuant to section 6.5(a) of the *Local Government Act 1995* and regulations 5 and 11(1)(a) and (2) of the *Local Government (Financial Management) Regulations 1996*.
- (2) determine appropriate use of transaction cards, ensuring benefits to the Shire and compliance with financial standards and secure operations.
- (3) determine and implement systems and procedures for facility selection, cardholder eligibility, documentation of responsibilities and monitoring to ensure:
 - (a) assessment and selection of Transaction Card facilities suitable to the efficient and effective operations of the Shire;
 - (b) authorisation and appointment of suitably eligible Cardholders;
 - (c) cardholder duties and responsibilities are documented and Cardholders provided with training; and
 - (d) monitoring and auditing of Transactional Card activities is planned and reported.
- (4) ensure that acquitted transaction card account statements are provided monthly to Council.
- (5) investigate and address alleged misuse and report suspected misconduct to regulatory agencies pursuant to the requirements of the *Public Sector Management Act 1994* and the *Corruption, Crime and Misconduct Act 2003*.

2. Principles for usage

(1) Allowable Transactions:

Authorised Officers are permitted to make purchases in-person, via telephone, mail order, or internet using transaction cards in the following circumstances:

- (a) the expenditure directly supports a Shire operational business activity with a provision in the Annual Budget.
- (b) expenditure aligns with legislation, the Shire Purchasing Policy, Code of Conduct, and any applicable conditions or limitations for the individual Cardholder.

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PROPOSED Transaction Cards Policy

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- (c) procurement of goods or services is impractical or inefficient via a purchase order, or not obtainable by other means than a Transaction Card.
- (d) supplier surcharges on transactions are minimized and permissible only when alternative procurement methods are more burdensome, cost-ineffective, or there is no alternative mode of supply.
- (e) expenditure must have express written permission from the CEO.
- (f) official travel, accommodation, and related expenses must adhere to Shire policies and procedures.
- (g) accounts payable payments are authorised by the Finance Coordinator.
- (h) a detailed record of each transaction is obtained and retained in the local government record.

(2) Prohibited Transactions:

Authorised Officers are not to use transaction cards for the following:

(a) Personal Transactions:

Cards shall not be used for any personal or private purposes, regardless of circumstances.

(b) Cash Withdrawals:

Cards shall not be used to withdraw cash from bank branches or automatic teller machines.

(c) Employee Utility Accounts:

Cards shall not be used to pay for employee utility accounts. Employees are responsible for paying these accounts and may be reimbursed as per their contract or salary package terms.

(d) Expenditure Deemed Personal:

Any expenditure deemed personal or private that was accidentally or unintentionally processed on the transaction card must be declared by the cardholder and reported as soon as practically possible to their Manager and then refunded to the Shire.

(e) Prohibited Transactions:

- (i) cash advances;
- (ii) expenses for personal or private purposes not approved by the Local Government;
- (iii) deposits onto the transaction card, whether for offsetting misuse or other purposes.
- (iv) capital expenditure;
- (v) expenditure for goods or services already under contract with a supplier;
- (vi) expenses not compliant with legislation, Shire Purchasing Policy, Annual Budget, or conditions relevant to the cardholder;



- (vii) expenses for which another transaction card is the approved facility (e.g., using a Corporate Credit Card for fuel purchases when a Fuel Card is designated);
- (viii) splitting expenditure to circumvent Purchasing Policy compliance or negate cardholder limits; and
- (ix) expenses incurred primarily for personal advantage (e.g., membership or loyalty rewards).

(f) **Elected Members:**

Elected Members are prohibited from using transaction Cards, as per the limitations outlined in the *Local Government Act 1995*. These members are restricted to receiving allowances and reimbursement for expenses, rather than incurring liabilities on behalf of the Local Government.

(3) Cardholder Responsibilities:

- (a) Authorised Officers issued with a transaction card are responsible for:
 - (i) the safekeeping of the transaction card, ensuring the care and proper usage for allowable purposes, and refraining from using the transaction card for prohibited purposes;
 - (ii) adherence to the policy and procedures concerning purchasing, transaction card use and financial limits;
 - (iii) obtaining, creating and maintaining records that provide evidence of transactions made against the transaction card such as receipts and tax invoices;
 - (iv) providing relevant and correct expenditure account details and work order numbers against each item of expenditure on the account and evidence of transaction records that will facilitate the reconciliation of transaction card usage including expense allocation and GST claims, within stipulated timeframes by the Shire's Accounts Officer;
 - (v) returning the transaction card to the Executive Manager Corporate and Community Services before vacating their employment with the Shire, together with any relevant transaction evidence; and
 - (vi) reimbursing the Shire for the full value of any unauthorised, prohibited, or insufficiently reconciled expenditure.
- (b) Benefits obtained through Transaction Card usage, such as membership or loyalty rewards, are property of the Shire. Such benefits must be surrendered to the Shire and strictly used for Shire business purposes, prohibiting personal benefit retention.

(4) Transaction Record requirements:

- (a) An invoice and/or receipt must contain the following:
 - (i) Authorised Officers must complete the Shire's Credit Card Request Form for all transaction card purchases, irrespective of whether they are made in person, over the phone, or online;



- (ii) Date of transaction;
- (iii) Company name and address;
- (iv) Australian Business Number (ABN);
- (v) Amount of transaction; and
- (vi) Any applicable Goods and Services Tax (GST) amount.

- (b) In the absence of an invoice or receipt, a Statutory Declaration must be provided, detailing the nature of the expense and sufficient information to satisfy the requirements of clause (a) above;
- (c) Where a purchase has occurred for the purposes of providing entertainment or refreshments (Hospitality), Authorised Officers must write on the back of the receipt the following:
 - (i) number of persons entertained;
 - (ii) names of any employees present; and
 - (iii) purpose of providing the entertainment or hospitality, for Fringe Benefits Tax calculations and probity purposes.

(5) Transaction Evidence Guideline for Authorised Officers:

- (a) Authorised Officers must complete the Shire's Credit Card Request Form for all transaction card purchases, irrespective of whether they are made in person, over the phone, or online;
- (b) The form may be filled out by either the cardholder, or another Shire Officer acting on behalf of the cardholder;
- (c) All relevant documentation supporting the purchase must be attached to the form;
- (d) Documentation must be provided to the Executive Manager Corporate and Community Services within 5 days of the expenditure to ensure appropriate and accurate recordkeeping;
- (e) The Officer making the purchase must request an invoice to support the transaction;
- (f) In cases where an invoice or receipt is unavailable, an explanation in writing detailing information about the transaction and the reasons why the invoice or receipt is unavailable must be recorded, including the date, company name, address, ABN, amount, any GST included, and the reason for the transaction.

3. Determining when transaction card facilities are appropriate

- (1) Transaction Card facilities may be implemented and maintained where the card facility provides benefit to the Shire operations by ensuring:
 - (a) goods and services can be obtained in a timely and efficient manner to meet the business needs of the Shire;
 - (b) financial management and accounting standards are met; and



(c) purchasing and payment functions are secure, efficient and effective.

(2) Transaction Card facility providers will only be acceptable where, in the opinion of the CEO, they:

- (a) provide appropriate and sufficient account statements, administration and acquittal controls that enable the Shire to sufficiently administer the facility; and
- (b) provide the Shire with protection and indemnification from fraudulent unauthorised transactions.

4. Corporate Services' Responsibilities

Corporate Services is responsible for the issue, management and cancellation of a transaction cards including validation and acquittal of expenditure.

This is achieved by:

- (a) Arranging the issue/cancellation of cards;
- (b) Processing payment of card expenditure on receipt of a monthly account statement from the Bank;
- (c) Keeping cardholders informed of any changes to policy and procedures on the use of transaction cards; and
- (d) Reporting all expenditure to Council within the monthly financial report.

4.1 Lost or Stolen Credit Cards

- (a) The cardholder must report immediately where a transaction card has been lost or stolen by notifying the issuing Bank and Corporate Services in writing and by telephone.
- (b) Corporate Services and the Bank will confirm cancellation of the card; and perform a reconciliation of the monthly card account statement from the date the card was lost or stolen.

4.2 Return of Cards

When a cardholder ceases to occupy a position that is authorised to be issued with a transaction (credit) card, they must return the card to Corporate Services at least one week prior to vacating the position so that the card may be cancelled, and the account settled.

5. Misuse of Transaction Cards

Any monthly transaction card statement showing unreasonable, excessive or unauthorised expenditure will be subject to audit and may result in the withdrawal of the card from the Authorised cardholder.

Any misuse of a transaction card will result in repayment of any incurred debt and disciplinary action.

Reference Information

- [Register of Delegations](#) – CS1 Payments from Municipal Fund or Trust Fund.
- [Purchasing Policy \(FIN3\).](#)
- [Controls over Corporate Credit Cards](#) from the Office of the Auditor General
- [Use of Corporate Credit Cards \(dlgsc.wa.gov.au\)](#) Local Government Operational Guidelines

Legislation

- *Local Government Act 1995.*
- *Local Government (Financial Management) Regulations 1996.*
- *Corruption, Crime and Misconduct Act 2003*
- *Oaths, Affidavits and Statutory Declarations Act 2005.*

Associated documents

Credit Card Request Form.

Document control information	
Document Category	Finance
Document Title	Corporate Credit Cards to be renamed Transaction Cards
Document ID	FIN11
Document Owner (position title)	Executive Manager Corporate & Community Services
Author (position title)	Executive Manager Corporate & Community Services
Date of approval	t.b.a.
Approving authority	Council
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Date of last review	27 May 2024
Date of next review	26 November 2025

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PROPOSED Transaction Cards Policy

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A.1 Corporate Documents

Introduction

Corporate documents guide the Shire of Toodyay's practice and support the achievement of the Shire's strategic goals and objectives. Corporate documents provide guidance to achieve quality outcomes and reduce organisational risk. It is important that Shire documents are developed in a consistent and concise format.

Objective

This policy provides guidance on the development and review of the Shire of Toodyay's strategies, policies and action plans (**shire documents**) to achieve transparent and consistent decision making which aligns with the Shire's objectives, strategic priorities and legislative requirements.

Scope

This policy applies to the development and review of all Council strategies, business plans and policies. This policy does not extend to statutory documents that are governed by particular legislative requirements and statutory processes such as local laws and local planning schemes etc.

Definitions

- a) Business Plan**
A plan that forecasts the critical aspects, basic assumptions and financial projections for an existing or proposed Shire trading enterprise or community service facility
- b) Corporate Documents**
Strategies, policies, procedures, business plans, and associated documents, including guidelines and forms.
- c) Directive**
An internal rule or process prescribed by the CEO or executive management to guide operational procedures and delegated functions.
- d) Policy**
A governing principle, set of principles or rules that guides the Shire's practices and constrains procedures or delegated functions.
- e) Procedure**
A prescription of specific action-oriented processes, necessary to achieve strategic or policy objectives – for internal use.
- f) Statutory Documents**
Corporate documents whose format and layout are guided by legislative requirement ie budgets, town planning schemes, annual reports.
- g) Strategy**
A plan made in advance of actions that identifies, serves and complements the Shire's major strategic goals and objectives.

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Policy Statement

1. All Shire documents are to be developed and reviewed in accordance with the following requirements – they will:

- be presented in a format consistent with the Shire's style guide;
- be written concisely and in plain, understandable language;
- identify the date and executive team member responsible for the review;
- be reviewed every three years or earlier if appropriate; and
- be endorsed by either the Council or Chief Executive Officer as appropriate.

2. Shire documents must contain the following elements:

Business Plan: Executive summary, historical context, services provided, market analysis, competition analysis, marketing plan, operations including staffing details, financial projections for at least 5 years, impact.

Directive: Purpose and objectives, scope, roles and responsibilities, procedure or policy statement (if applicable), associated documents, definitions, document control information including review position and date.

Policy: Introduction, objective, scope, definitions, policy statement, reference information and legislation, associated documents, and document control information including review position and date.

Procedure: Objective, enabling policy or strategy, scope, definitions, actions, flowcharts, associated documents, and document control information including review position and date.

Strategy: Executive summary, strategic context, key focus areas, performance measurement, and implementation matrix with revenue identification, associated documents, and document control information including review position and date.

3. The process required for the development and review of Shire documents is outlined in the table below.

Document	Process
Single policy	<ul style="list-style-type: none">• Council workshop to discuss direction and review existing policy (if applicable)• Draft policy provided to Council via email for feedback• Draft policy submitted to OCM for consideration, amendment and/or approval for public advertising if required• Final approval by Council.
Policy Review (several policies)	<ul style="list-style-type: none">• Plan and process approved by Council that includes:<ul style="list-style-type: none">◦ Policies to be reviewed◦ Process for input of elected members and staff◦ Community engagement◦ Expert advice to be sought◦ Timeline• Final approval by Council.

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Strategies, Business Plans, Budget	<ul style="list-style-type: none"> Plan and process approved by Council that includes: <ul style="list-style-type: none"> Purpose and scope Process for input of elected members and staff Community engagement (if applicable) Expert advice to be sought (if applicable) Timeline Final approval by Council.
Directive, Procedure	<ul style="list-style-type: none"> Procedure drafted by Manager (directive), responsible officer (procedure) Reviewed by Senior Management Group Final approval by the CEO Distributed to relevant users Training provided to relevant staff.

Reference Information

Related Documents Shire of Toodyay Style Guide and templates

Related Legislation Nil

Associated Forms and Attachments Shire of Toodyay templates

Document Control Information

Document Category	Administration
Document Title	Corporate Documents
Document ID	A.1
Version No.	1.0
Archived and Previous Version	N/A
Access Restrictions	
Author (position title)	Chief Executive Officer
Approved By	Council
Date of Approval (OCM)	23 November 2021
Date of Last Review	23 November 2021
Date of Next Review	6 November 2024

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Shire of Toodyay A.1 Corporate Documents

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**Attachment A**

Plan and Policy Review Process

Please refer to the Shire of Toodyay Corporate Documents Policy which explains the process required for the development and review of documents including Shire Policies.

Introduction

Council has obligations in relation to functions and activities under numerous Acts and other legislation, many of which permit Council to delegate responsibilities and authority to the CEO and other Shire Officers; and to stipulate conditions, standards or methods of control and management.

Compliance

s.2.7(2)(b) of the *Local Government Act 1995* defines that the role of Council is to determine the local government's policies.

Expert advice to be sought

When creating policies; Shire Officers shall give consideration to the following as being best practice:

- Operational Guidelines from the Department of Local Government, Sport and Cultural Industries;
- Integrity Strategy Guidelines for WA Public Authorities 2020-2023 from the Public Sector Commission;
- Guidelines from the Department of Planning, Lands and Heritage;
- The Shire's Governance Framework; and
- WALGA Councillors Manual, Practice Notes etc.

Purpose of Policies

Policies enable the effective and efficient management of Council resources.

Written policies also enable the community to be aware of the reasoning behind Council and administrative decisions, and to be familiar with the philosophy behind individual decisions.

Policy Register

The CEO is to ensure that an electronic Policy Register is maintained; and updated as soon as possible after each authorised resolution of Council. The Register is to contain a timeline for when policies are intended to be brought to Council at a workshop and at a Council Meeting. A copy of the register is to be provided to Council.

The Teams Environment

A team called "Elected Members" exists in the Microsoft Office Teams Environment.

The team consists of 6 channels: General; Budget Info; Contracts and Agreements; Council Briefings; Council Meetings; and Council Workshops.

Refer to Council Policy: Corporate Documents



The Council Workshops Channel

This channel contains *Posts* and *Files*.

- The *Post* area is used primarily to post information relating to Council Workshops such as: Agendas; Reminders; Updates; and
- The *File* area contains folders for Ordinary Council Meetings and sub-folders for Council Workshops.

Process for input of elected members and staff

The Teams environment allows Members to make comments, ask questions, propose changes, modifications, or ideas for improvement of the documents or policies.

Shire Officers shall:

- Place any documents or policies to be reviewed by Council on the Council Workshops Channel at least **28 days** prior to an Agenda Briefing;
- Immediately notify Members and other relevant Shire Officers of their above action, to provide context in regard to any documents or policies posted;
- Respond within **3 days** to any feedback from Members; and
- Be permitted to extend the deadline by which Members must make comment.

Members shall:

- Review any documents or policies placed on the Council Workshops Channel;
- Provide feedback to Shire Officers within **10-days** of being notified.

Following Review

The Shire Officer will consider the feedback and take the document or policy straight to Council unless Member's feedback indicates a requirement for workshopping.

Workshopping Documents including Policies

The process below enables clarification of points; further feedback; and informal consensus to be attained.

Shire Officers shall:

- Place any revised documents or policies in the Council Workshops Channel;
- Notify Members and other relevant Shire Officers of their above action; and
- Respond within **3 days** to any feedback from Members;
- Present items that are coming to Council at a Council Workshop; and
- Update documents or policies once they are reviewed at a Council Workshop.

Members shall:

- Review any documents or policies placed on the Council Workshops Channel;
- Provide feedback to Shire Officers within **3-days** of being notified.
- Be able to defer documents or policies to another Council Meeting at the Council Workshop.

Shire of Toodyay (29.3)
[Attachment A – Plan and Policy Review Process](#)



Corporate Documents

Introduction

This policy emphasises the critical role of corporate documents in shaping the operational landscape of the Shire of Toodyay, serving as navigational tools to guide the organisation towards achieving its strategic objectives. By adhering to a consistent and concise format, these documents not only provide clear guidance but also mitigate organisational risks, ensuring quality results.

Objective

To ensure compliance with Council's role as outlined in s.2.7(2)(b) of the *Local Government Act 1995* to determine the local government's policies, prioritising adherence to:

1. Federal and State legislation and regulations;
2. The Local Planning Scheme;
3. Specific Council Resolutions;
4. Delegations Register: specific authorisations established by Council, with statutory context under the *Local Government Act 1995*;
5. Local Planning Policy – formulated under the authority of the Local Planning Scheme, by Council resolution;
6. Council Policy – instructions resolved by Council on procedural matters; and
7. CEO Directives - standing instructions or procedures issued by the CEO.

Scope

This policy applies to all Shire Officers.

Definitions

Definitions related to this policy are in the table below.

Term	Definition
Best practice	Commercial or professional procedures or guidelines that are accepted or prescribed as being correct or most effective.
Business Plan	A plan that forecasts the critical aspects, basic assumptions and financial projections for an existing or proposed Shire trading enterprise or community service facility.
Corporate Documents	Strategies, policies, directives, procedures, business plans, and associated documents, including guidelines and forms.

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Term	Definition
Directive	An internal rule or process prescribed by the CEO or Executive Management to guide operational procedures and delegated functions.
Policy	A governing principle, set of principles or rules that guides the Shire's practices and constrains procedures or delegated functions.
Procedure	A prescription of specific action-oriented processes, necessary to achieve strategic or policy objectives – for internal use.
Shire Officers	Employees of the Shire, including Report Writers.
Statutory Documents	Corporate documents whose format and layout are guided by legislative requirement i.e. budgets, town planning schemes, annual reports.
Strategy	A plan made in advance of actions that identifies, serves and complements the Shire's major strategic goals and objectives.

Please refer to the Shire of Toodyay Glossary (Definitions) document located on the Shire of Toodyay (Shire) website for other definitions not listed: link to website will be created.

Policy Statement

This policy underlines the Shire's commitment to complying with legal obligations, delineating the responsibilities of key personnel, particularly the CEO and other Shire executives, and establishing robust conditions and standards for sound management and effective controls related to the development and review of Corporate Documents

1. Development of Corporate Documents

- (a) All Shire documents are to be developed and reviewed in accordance with the following requirements – they will:
 - (i) be presented in a format consistent with the Shire's style guide;
 - (ii) be written concisely and in plain, understandable language;
 - (iii) identify the date and executive team member responsible for the review;
 - (iv) be reviewed every three years or earlier when required; and
 - (v) be endorsed by either the Council or Chief Executive Officer as appropriate.
- (b) Shire documents must contain the following elements:

Type	Elements to be contained
Business Plan:	Executive summary, historical context, services provided, market analysis, competition analysis, marketing plan,

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Type	Elements to be contained
	operations including staffing details, financial projections for at least 5 years, impact.
Directives:	Purpose and objectives, scope, roles and responsibilities, procedure or policy statement (if applicable), reference information, legislation, associated documents, reference to where to find definitions, document control information including review position and date.
Policy:	Introduction, objectives, scope, reference to where to find definitions, policy statement, policy detail, reference information and legislation, associated documents, and document control information including review position and date.
Procedure:	Objective, enabling policy or strategy, scope, reference to where to find definitions, actions, flowcharts, associated documents, and document control information including review position and date.
Strategy:	Executive summary, strategic context, key focus areas, performance measurement, and implementation matrix with revenue identification, associated documents, and document control information including review position and date.

2. Review of Corporate Documents

The process required for the development and review of Corporate Shire documents (including policies, frameworks, Strategies, Business Plans, and Budget) is as follows:

- (a) A Shire Officer revises the document(s) by referring to:
 - (i) Identifying relevant legislation and regulations;
 - (ii) Assessing effectiveness of the document in achieving the objectives;
 - (iii) considering changes in external factors affecting relevance of the document;
 - (iv) operational guidelines from the Department of Local Government, Sport and Cultural Industries;
 - (v) Integrity Strategy Guidelines for WA Public Authorities from the Public Sector Commission.
 - (vi) guidelines from the Department of Planning, Lands and Heritage;
 - (vii) Tools and Templates from the Western Australian Local Government Association (WALGA).
 - (viii) tools and Guidelines from the Office of the Auditor General.
 - (ix) referring to similar Tier 3 local governments for comparison;

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- (x) implementing Community engagement (where applicable in accordance with Council Policy) and evaluating feedback from stakeholders;
- (xi) expert advice (if sought).

(b) The Shire Officer who conducts the review will:

- (i) provide first draft to other Shire Officers through Corporate Documents Microsoft Office Team for feedback;
- (ii) discuss at Council workshop the intention and direction and review of existing policy or policies (time permitting);
- (iii) provide 2nd Draft to Council via Microsoft Office Teams for feedback;
- (iv) provide 2nd Draft to Committees via Microsoft Office Teams (where applicable) for feedback;
- (v) provide 3rd Draft to OCM for consideration, amendment, advertising and/or approval.
- (vi) once approved the website is updated.

3. Development and review of Directives and Procedures

The process is as follows:

Document	Process
Directives	<ul style="list-style-type: none"> • Drafted by Managers and/or Executive Support Officers; • Reviewed by Executive Management Group; • Final approval by the CEO; • Distributed to relevant users; • Training provided to relevant staff.
Procedure	<ul style="list-style-type: none"> • Drafted by all Managers and Shire Officers; • Posted onto a central location for access; • Reviewed by Executive Managers; • Tested regularly by the authors of the procedure; and • Training provided to relevant staff (as needed).

4. Registers

The CEO is responsible for maintaining an electronic Register; updated promptly after each authorised resolution of Council, including but not limited to the following:

- (a) Resolutions Register;
- (b) Policy Register;
- (c) Corporate Documents Register; and

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(d) Compliance Register.

A copy of the above registers is to be provided to Council whenever updated.

Registers are also to be maintained for HR Directives and CEO Directives, authorised by the CEO.

5. The Microsoft Office Teams Environment

The Teams environment facilitates comments to be made, questions, proposed changes, or improvement ideas for corporate documents posted for review. Teams include:

(a) Corporate Documents

This team is for Officers at the Shire. It has one general channel containing Posts and Files.

- The *Post* area is used primarily to post Council related information when documentation has been placed for review; and
- The *File* area contains Elected Member Contact Information and superseded folders relating to LPP policy review.

(b) Elected Members.

The team consists of 2 channels described below:

The General Channel

This channel contains *Posts* and *Files*.

- The *Post* area is used primarily to post Council related information when documentation has been placed for review; and
- The *File* area contains Elected Member Contact Information and superseded folders relating to LPP policy review.

Council Workshops Channel

This channel contains *Posts* and *Files*.

- The *Post* area is used primarily to post information relating to Council Workshops such as: Agendas; Reminders; Updates; and
- The *File* area contains folders for Ordinary Council Meetings and sub-folders for Council Workshops.

(c) Committees

The following Committees have one general channel on their team environment:

- (i) Audit and Risk Committee;
- (ii) Heritage Advisory Committee;
- (iii) Works Advisory Committee;
- (iv) Local Emergency Management Committee; and the
- (v) Environmental Advisory Committee.

The general channel contains *Posts* and *Files*.

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- The *Post* area is used primarily to post information relating to meetings, Reminders, requests, and Updates; and
- The *File* area contains agenda folders and/or review folders.

6. Stakeholder input

Shire Officers will seek input from sources as follows:

6.1 Corporate Documents Team

(a) Shire Officers shall:

- place any documents or policies to be reviewed on Teams;
- immediately notify Members of the team through outlook, to provide context in regard to any documents or policies posted;
- respond within **1 day** to any feedback; and
- be permitted to extend the deadline by which Officers must make comment.

(b) Team Members shall:

- Review any documents or policies placed on the team Channel;
- Provide feedback to Shire Officers within **10-days** of being notified, or by the deadline stipulated by the Shire Officer who made the original post.

(c) Following Review

The Shire Officer will consider the feedback and:

- put the document or policy on the team environment for Elected Members.
- provide the same information via the relevant committee team environment, where the purpose of the committee allows for it.

6.2. Elected Members Team & Committee Team Environment

(a) Shire Officers shall:

- Place any documents or policies to be reviewed on Teams at least **14 days** prior to sending out an Agenda;
- Immediately notify team members of their above action, to provide context in regard to any documents or policies posted;
- Respond within **1 day** to any feedback; and
- Be permitted to extend the deadline by which Team Members must make comment.

(b) Team Members shall:

- Review any documents or policies placed on the team in the relevant folder;
- Provide feedback to Shire Officers within **10-days** of being notified.

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(c) Following Review

The Shire Officer will consider the feedback and use their discretion to take the document or policy to:

- (i) a Committee for a recommendation to Council (where applicable); or
- (ii) to a Council Workshop (where the document is complex); or
- (iii) directly to Council for adoption.

7. Roles and Responsibilities

- (a) Councillors and Shire Officers initiate policy reviews and provide input;
- (b) Executive Managers oversee the review process to ensure alignment with organisational objectives and risk management principles;
- (c) Shire Officers contribute insights and data relevant to policy currency and effectiveness; and
- (d) Committee Members and Councillors contribute to the review process by providing comments, questions, and improvement ideas.

8. Development of Key documents through forums and workshops

The development of key corporate documents involves a structured and collaborative process, as explained above however, these documents may also be presented to Council Members and Shire Officers through forums and workshops after the above process has been carried out.

This will allow for discussions around initiating, amending, and reviewing important documents, ensuring they are well-informed and effectively developed.

Financial Planning: Budget-related information is presented during workshops or forums. These sessions cover Budget Review matters and Annual Budget deliberations, allowing Members to consider significant revenue-raising requirements or expenditure needs. Project briefs are often presented to provide detailed context for developing the Annual Budget and reviewing the Annual Report. These discussions help Members understand financial planning processes and contribute to refining financial documents.

Strategic Planning: Integrated Strategic Planning and Reporting (ISP) provides a framework for local governments to establish and link local priorities to operational functions. The CEO and Administration lead the preparation of strategic plans, taking into account various key inputs and influences. Workshops are essential for reviewing ISP documents, such as the Council Plan, in line with regulatory requirements. Additionally, informing strategies like long-term financial plans, asset management plans, and workforce plans are also reviewed during these sessions, ensuring comprehensive strategic planning.

Delegation and Policy Development: The Register of Delegations and any policies undergoing review, amendment, or development are presented to Members and Shire Officers in accordance with this policy. These presentations ensure that all stakeholders are informed about proposed changes and can provide input to improve the clarity and effectiveness of these documents.

Throughout these processes, no formal decisions are made during the forums or workshops. However, the information provided and the ideas developed are meticulously documented. This documentation serves as consultation material for formal reports to the Council, ensuring that all discussions and contributions are considered in the final decision-making process. This collaborative and transparent approach enhances the quality and relevance of key corporate documents within the Shire of Toodyay.

9. Compliance, Implementation and Review

Corporate Shire Documents are reviewed regularly to ensure alignment with legislative requirements, industry standards, and best practices.

Any variation will be communicated by email to relevant employees, elected officials, contractors, volunteers, and stakeholders of the Shire.

Reference Information

- Nil

Legislation

Local Government Act 1995

Associated documents

Shire of Toodyay Style Guide and templates

Shire Registers

Document control information	
Document Category	Administration
Document Title	Corporate Documents
Document ID	ADM1
Document Owner (position title)	Chief Executive Officer
Author (position title)	Chief Executive Officer
Date of approval	t.b.a.
Approving authority	Council
Access restrictions	Nil.
Date Published	t.b.a.
Date of last review	t.b.a.
Date of next review	Annually with the review of the Delegation Register

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Internal Control

Introduction

This policy is intended to ensure that the Shire is effectively and efficiently managed and that its resources are not misused or misappropriated.

Internal control is not limited to financial matters. An effective internal control environment will provide the means by which the Shire can successfully address and mitigate many risks.

Objective

To ensure that appropriate internal controls are implemented in order to:

1. Fulfil the Shire's statutory obligations under the:
 - *Local Government Act 1995*;
 - *Financial Management Act 2006*;
 - *Local Government (Audit) Regulations 1996*;
 - *Local Government (Miscellaneous Provisions) Act 1960*;
 - *Local Government (Financial Management) Regulations 1996*; and
 - *Planning and Development Act 2005*, sections 214(2), (3) and (5).
2. Ensure that the Shire's activities are conducted in an efficient, compliant, transparent, and an effective risk management manner that is compliant with its policies and procedures; and
3. Ensure that the Shire's assets are safe from loss due to fraud and/or mismanagement.

Scope

This policy is intended to provide clear direction to all Members, Executive Managers, and Workers to ensure that the Shire is effectively managed and that its resources are not misused or misappropriated.

Definitions

Term	Definition
Act	<i>Local Government Act 1995</i> .
CEO	Chief Executive Officer
Council	The local government, responsible for making decisions in formal meetings held under the auspices of Part 5 of the <i>Local Government Act 1995</i> and under the <i>Shire's Standing Orders Local Law 2008</i> .
Detective Controls	An accounting term that refers to a type of internal control intended to find problems within the Shire's processes.

Term	Definition
Executive Managers	<p>Managers defined as Senior Workers that Council resolved (Res. No. OCM026/03/22) to designate in accordance with section 5.37 of the <i>Local Government Act 1995</i>:</p> <ul style="list-style-type: none"> • Manager Corporate and Community Services; • Manager Infrastructure and Assets; and • Manager Development and Regulation.
Internal Control	<p>Broadly defined as a process supported by the Shire's policies, procedures and practices which collectively provide a reasonable assurance regarding the achievement of objectives in the following categories:</p> <ul style="list-style-type: none"> • Effectiveness and efficiency of operations; • Reliability and accuracy of financial data; • Compliance with policies, procedures, legislation and regulations. <p>It recognises that a 'system' of internal control extends far beyond those matters which relate solely to the financial matters of the Shire.</p>
ISP documents	<p>Integrated Strategic Planning documents are a combination of the Shire's:</p> <ol style="list-style-type: none"> Asset Management Plans; Community Strategic Plan; Corporate Business Plan; and the Workforce Plan.
LGIS	Local Government Insurance Scheme
Member	In relation to a council or committee, a Council Member in the Act; Elected Member; or Councillor; or a member of the committee.
Preventative Action	A system to eliminate any cause(s) that would create a potential hazard or undesirable situation. Changes can be made or implemented to address an issue, hazard, or weakness in a system. Preventive action can also include ways to improve an organization's workflow or situation.

Term	Definition
Preventative Controls	Attempt to prevent or deter undesirable acts from occurring. They are proactive controls, designed to prevent a loss, error, or omission.
Regulations	<i>Local Government (Administration) Regulations 1996</i> <i>Local Government (Financial Management) Regulations 1996</i>
Shire	The Shire of Toodyay.
Shire President	A mayor or president elected by the Council from amongst the councillors.
Workers	Employees, contractors, and volunteers of the Shire as per the Work Health and Safety legislation (WHS) and regulations.

Policy Statement

The purpose of internal control is to provide assurance that the internal risks faced by the Shire are minimised or contained to acceptable levels in accordance with the Risk Tables contained within the Shire's Risk Management Policy.

Council ensures that the CEO is delegated responsibility for the day-to-day operation and financial management of the Shire.

The CEO ensures that appropriate and efficient internal controls are in place covering:

- (a) Staffing and segregation of duties;
- (b) Information technology;
- (c) Documented procedures and processes covering the recording, reporting and authorisation of transactions;
- (d) Monitoring performance and adherence; and
- (e) Legislative activities.

1. Key Focus Areas

A comprehensive and appropriate system of internal control will include policies and procedures that provide a framework that ensures:

- Strategic Plan objectives are monitored and reported in an efficient and orderly manner;
- Reporting information is accurate and reliable to facilitate sound decision making;
- Policies and procedures are followed;
- Compliance with the relevant legislation and regulations applicable to Local Government;
- Assets are secured and protected from unauthorised use;
- Records are complete, accurate, secure and reliable; and
- Risks are identified, assessed and mitigated where possible.

2. Internal Control

Effective Internal Control is achieved through the following steps:

2.1 Establishing an Appropriate Control Environment

It is the responsibility of all Members and Workers to comply with the Internal Control Policy, practices and procedures.

Members and Workers will value and be aware of the importance of internal control practices and organisational structure through:

- The existence and compliance with the Codes of Conduct;
- Adherence to the Values documented in the Strategic Community Plan;
- Members and Workers being appropriately trained to effectively perform their role; and
- Defined use of information technology as detailed in contracts, induction manuals, and/or the Code of Conduct.

2.2 Assessment of Risks

The Shire shall follow a pro-active risk management approach that includes regular review and identification of the risks that exist within the Shire's activities in accordance with the Shire's Risk Management policy.

2.3 Implementation of Control activities

Control activities may include:

- (a) preventative control measures such as training programs, improvement of and thorough review of contract conditions; regular review of policies and procedures, and security to avoid undesirable events from occurring.
- (b) Detective control measures such as audits, review, and reconciliation processes to detect and subsequently correct undesirable events that have already occurred.
- (c) Directive processes such as Business Continuity Plans, Disaster Recovery Plans, insurance, education, and disciplinary procedures to encourage continuity and mitigation of risk.

2.4 Monitoring and Review Activities

Management systems and internal activities need to be monitored to assess the quality of their performance over time. This may include:

- An internal audit program that reviews and monitors the Shire's activities;
- A Risk Register that is monitored with risks having a rating of catastrophic or major being reviewed on a regular basis to ensure that relevant treatment plans are implemented and work effectively;
- Regular monitoring of the objectives and activities contained within the Shire's ISP documents, to ensure desired outcomes are being achieved;
- Risk Management reviews undertaken annually by LGIS; and
- Completion of an annual Compliance Audit Return;

3. Outcomes

The following measures can be used as indicators to determine if the operating internal control environment is functioning successfully:

- Equitable, efficient and effective use of resources (people, equipment and funds);
- Minimise discrepancies, anomalies and irregularities, or prompt detection and correction if they occur;
- Assets are used only for authorised purposes and are not subject to improper removal or sale;
- All financial and non-financial data, records, databases and other material are complete and accurate, protected from loss or damage and capable of being readily accessed to continue the smooth operation of the Shire's business; and
- The nature and impact of inherent and residual risks have been identified, assessed and contained to an acceptable level.

4. Roles and Responsibilities

4.1 Council

Council is responsible for the Internal Control Policy.

4.2 Chief Executive Officer (CEO)

The CEO is accountable to Council for the development and implementation of appropriate systems to achieve accountability and integrity, to provide support for the development and implementation of appropriate systems and to report to the Council on internal control effectiveness.

The CEO is expected to promote a best practice approach in support of effective business practices and properly functioning controls.

4.3 Workers

Workers are responsible for conducting their duties in accordance with internal control policies, procedures and practices of the Shire. They are also responsible for reporting to Management instances where they consider that internal control procedures are inadequate or are not being met.

Reference Information

- [Introduction to Local Government Accounting](#) – 4.4 Internal Control and Risk Management
- Local Government Operational Guideline No. 9 – [Audit in Local Government](#)
- [Register of Delegations](#) – Delegation CS2 Investment of Surplus Funds;
- [Purchasing Policy \(FIN3\)](#).
- [Long-Term Financial Plan Guidelines](#) – Integrated Planning and Reporting – Department of Local Government, Sport and Cultural Industries.
- [Risk Management \(ADM18\)](#).

Legislation

- *Local Government Act 1995*
- *Local Government (Financial Management) Regulations 1996.*
- *Local Government (Audit) Regulations 1996*
- *Financial Management Act 2006*
- *Records Management Act 2000.*

Associated documents

Codes of Conduct

Risk Management policy

Version control information

Version No.	Date Issued	Review position	Developed by	Approved by
V1	25/11/2014	Adopted	Manager Corporate and Community Services	Council
V2	15/09/2022	Review	Executive Services / MCCS	N/A
V3	29/09/2022	Review	Chief Executive Officer	Council
V3	15/05/2023	Amended reference information	Executive Services	N/A

Document control information

Document Theme	Governance
Document Category	Administration
Document Title	Internal Control
Document ID	ADM19
Document Owner (position title)	Manager Corporate and Community Services
Author (position title)	Manager Corporate and Community Services
Date of approval	26 October 2022 (CRN: OCM228/10/22)
Approving authority	Council
Access restrictions	Nil
Date Published	28 October 2022
Date of last review	26 October 2022
Date of next review	22 October 2025

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Internal control

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Document control information

Archived antecedent documents and previous versions	25 November 2014 OCM (CRN. 344/11/14) WA Local Government Accounting Manual edition 3, section 7 superseded by Introduction to Local Government Accounting which can be found at: - https://www.dlgsc.wa.gov.au/local-government/local-governments/support-and-advice/financial-policy-and-accounting
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Internal control

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Internal Control

Introduction

This policy serves as a framework for the Shire's commitment to effective internal controls, encompassing financial and non-financial matters, to ensure efficient management and safeguarding of resources.

The implementation and maintenance of systems and processes are crucial for ongoing assessment and improvement of internal controls in alignment with ISO31000 and the Shire's Risk Management Framework.

Internal control is not limited to financial matters. An effective internal control environment provides the means by which the Shire can successfully address and mitigate any risks.

Objective

To ensure the implementation and maintenance of robust internal controls that:

1. fulfil statutory obligations under relevant legislation;
2. ensure efficient, compliant, transparent, and risk-aware operations; and
3. safeguard the Shire's assets from fraud and mismanagement.

Scope

This policy applies to all Members, Executive Managers, and Workers, providing guidance for effective management and resource utilisation.

Definitions

Definitions related to this policy are in the table below.

Term	Definition
Detective Controls	An accounting term that refers to a type of internal control intended to find problems within the Shire's processes.
Internal Control	A comprehensive process supported by policies, procedures, and practices, ensuring objectives related to operations, financial data, and compliance are achieved.
ISP documents	Integrated Strategic Planning documents comprising of the Council Plan and other plans that guide the Shire's operations.
Preventative Action	A system to eliminate any cause(s) that would create a potential hazard or undesirable situation. Changes can be made or implemented to address an issue, hazard, or weakness in a system. Preventive action can also include ways to improve an organisation's workflow or situation.

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PROPOSED Internal Control Policy

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Term	Definition
Preventative Controls	Attempt to prevent or deter undesirable acts from occurring. They are proactive controls, designed to prevent a loss, error, or omission.
<i>Please refer to the Shire of Toodyay Glossary (Definitions) document located on the Shire of Toodyay (Shire) website for other definitions not listed: link to website will be created.</i>	

Policy Statement

The internal control policy aims to minimise or contain internal risks within acceptable levels, as outlined in the Shire's Risk Management Policy. The CEO is delegated responsibility for operational and financial management, ensuring the establishment and maintenance of effective internal controls.

The CEO ensures that appropriate and efficient internal controls are in place covering:

- (a) staffing and segregation of duties;
- (b) Information Technology;
- (c) documented procedures and processes covering the recording, reporting and authorisation of transactions;
- (d) monitoring performance and adherence; and
- (e) legislative activities.

1. Key Focus Areas

- (a) Plan for the future: ensure efficient monitoring and reporting of Council Plan objectives;
- (b) Accuracy and Reliability: maintain accurate reporting to facilitate informed decision-making;
- (c) Compliance: ensure adherence to relevant legislation and regulations;
- (d) Asset Protection: secure assets from unauthorised use;
- (e) Record Integrity: maintain complete, secure, and reliable records;
- (f) Risk Mitigation: identify, assess, and mitigate risks; and
- (g) Accountability and Transparency: establish strong internal controls fostering community trust and confidence.

2. Internal Control

Effective Internal Control involves:

2.1 Establishing an Appropriate Control Environment

Emphasise compliance with policies, codes of conduct, directives, procedures and values, supported by adequate training and technology usage.

2.2 Assessment of Risks

Adopt a proactive risk management approach, regularly reviewing and identifying risks in accordance with the Shire's Risk Management Framework and Risk Management Policy.

2.3 Implementation of Control activities

Implement preventative, detective, and directive control measures below.

- (a) **Preventative control measures** such as training programs, improvement of and thorough review of contract conditions; regular review of policies and procedures, and security to avoid undesirable events from occurring.
- (b) **Detective control measures** such as audits, review, and reconciliation processes to detect and subsequently correct undesirable events that have already occurred.
- (c) **Directive processes** such as Business Continuity Plans, Disaster Recovery Plans, insurance, education, and disciplinary procedures to encourage continuity and mitigation of risk.

2.4 Information and Communication

Ensuring clear communication about internal controls throughout the Shire which includes documenting procedures, staff training and keeping everyone informed about updates.

2.5 Monitoring and Review Activities

Conduct internal audits, monitor Risk Register, ISP documents, and undertake Risk Management reviews in accordance with the principles of the Shire's Risk Management Framework and Risk Management Policy.

Management systems and internal activities may also include:

- (a) Risk Management reviews undertaken annually by the Local Government Insurance Scheme (LGIS); and
- (b) Completion of the Compliance Calendar on a quarterly basis;
- (c) Completion of the annual Compliance Audit Return.

3. Outcomes

Successful internal control implementation is indicated by:

- (a) Efficient resource utilisation;
- (b) Timely detection and correction of anomalies;
- (c) Asset protection and authorised use;
- (d) Integrity and accessibility of records; and
- (e) Effective risk containment.

4. Roles and Responsibilities

4.1 Council

Council is responsible for overseeing the Internal Control Policy.

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PROPOSED Internal Control Policy

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4.2 Chief Executive Officer (CEO)

The CEO is accountable to Council for developing and implementing effective systems, promoting best practices, and reporting to Council on internal control effectiveness.

4.3 Workers

Workers are responsible for adhering to internal control policies and procedures, reporting inadequacies to management.

Reference Information

- [Introduction to Local Government Accounting](#) – 4.4 Internal Control and Risk Management
- Local Government Operational Guideline No. 9 – [Audit in Local Government](#)
- [Register of Delegations](#) – Delegation CS2 Investment of Surplus Funds;
- [Purchasing Policy \(FIN3\)](#).
- [Long-Term Financial Plan Guidelines](#) – Integrated Planning and Reporting – Department of Local Government, Sport and Cultural Industries.
- [Risk Management \(ADM18\)](#).

Legislation

- *Local Government Act 1995*
- *Local Government (Financial Management) Regulations 1996*.
- *Local Government (Audit) Regulations 1996*
- *Financial Management Act 2006*
- *Records Management Act 2000*.
- *Local Government (Miscellaneous Provisions) Act 1960*;
- *Planning and Development Act 2005, sections 214(2), (3) and (5)*.

Associated documents

Codes of Conduct

Risk Management policy

Document control information	
Document Category	Administration
Document Title	Internal Control
Document ID	ADM19
Document Owner (position title)	Executive Manager Corporate and Community Services

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Author (position title)	Executive Manager Corporate and Community Services
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PROPOSED Internal Control Policy***** This Document is not controlled once it has been printed *****



Public Interest Disclosure

Introduction

This policy ensures that the Shire of Toodyay remains committed to the aims and objectives of the *Public Interest Disclosure Act 2003* (PID Act).

Objective

To receive disclosures of public interest information in accordance with the provisions of the *Public Interest Disclosure Act 2003*.

To take all reasonable steps to provide protection to Workers who make such disclosures from any detrimental action in reprisal for the making of a public interest disclosure.

Scope

This policy applies to all Workers and Elected Members who may need to lodge a Public Interest Disclosure (PID).

Definitions

Definitions related to this policy are in the table below.

Term	Definition
Public Disclosure interest	A report about certain types of wrongdoing covered by the PID Act.
PID Officer	An Officer designated to be a PID Officer by the Shire (also known as 'proper authorities').
<p><i>Please refer to the Shire of Toodyay Glossary (Definitions) document located on the Shire of Toodyay (Shire) website for other definitions not listed: link to website will be created.</i></p>	

Policy Statement

The Shire recognises the value and importance of contributions of employees to enhance administrative and management practices and strongly supports disclosures being made by employees as to corrupt or other improper conduct.

As a proper authority, the Shire of Toodyay is responsible for:

- receiving disclosures;
- investigating disclosures;
- taking appropriate action; and reporting.

1. Responsibility

1.1 Principal Executive Officer (in the Shire of Toodyay, the CEO)

The CEO has responsibilities under the PID Act as follows:

- Designation of the PID Officer to receive public interest disclosures;



- (b) Providing protection from detrimental action or threat of such action for any employee of the Shire of Toodyay who makes a public interest disclosure;
- (c) Ensures the Shire complies with the PID Act and the Code of Conduct and Integrity established by the Public Sector Commission;
- (d) Endorses the internal procedures, consistent with those prepared by the Public Sector Commission, detailing how Shire of Toodyay will meet its obligations under the PID Act; and
- (e) Provides information to the Public Sector Commissioner on the:
 - (i) number of disclosures received by Shire of Toodyay
 - (ii) results of any investigations conducted as a result of the disclosures
 - (iii) action, if any taken, as a result of each disclosure
 - (iv) any matters as prescribed.
 - (v) May have a role in enabling an investigation to be undertaken or taking disciplinary action against individuals under functions and powers separately from the PID Act.

2. Awareness raising

- (a) Workers will be informed through staff information sessions and directives where applicable;
- (b) Induction processes will include awareness training to inform new Workers and relevant contractors, and members about public interest disclosure processes and these guidelines will be published onto the Shire's website to inform the community;
- (c) Public Interest disclosures have been integrated into the Code of Conduct for Workers and HR directives; and
- (d) Workers are informed of processes and provided with a copy of these guidelines on the Shire's enterprise management system.

3. PID Register

- (a) To assist with annual reporting to the Public Sector Commissioner the Shire will maintain a public interest disclosure register;
- (b) A unique register number will be assigned to each disclosure and record key information about a person's disclosure, any investigation and the outcome in the public interest disclosure register; and
- (c) This register (paper and/or electronic) is kept strictly confidential and maintained in a secure location.

4. Compliance and Review

This policy will undergo regular review to ensure alignment with legislative requirements, industry standards, and best practices. Members and Workers will be informed of any updates through standard communication channels.

5. Implementation

This policy will be disseminated to all relevant employees, elected officials, contractors, volunteers, and stakeholders of the Shire to ensure widespread understanding.

Reference Information

- **PID Code of Conduct and Integrity** (Refer Link: <https://www.wa.gov.au/system/files/2020-05/PID%20Officers%20code%20of%20conduct%20and%20integrity.pdf>)
- When someone speaks up: A Guide for Managers (Refer to link: <https://www.wa.gov.au/system/files/2020-02/when%20someone%20speaks%20up%20managers%20guide.pdf>)
- Don't be afraid to speak up - a Guide for Disclosers (Refer to link: <https://www.wa.gov.au/system/files/2020-02/public%20sector%20commission%20public%20interest%20disclosure%20guide%20for%20disclosers%20dont%20be%20afraid%20to%20speak%20up.pdf>)
- Resolving Workplace Grievances Directive; and
- Worker's Code of Conduct
- Code of Conduct for Council Members, Committee Members and Candidates
- CEO Directive: Communication and Compliance.
- A Manager's Guide to difficult conversations in the workplace (Refer: <https://www.fairwork.gov.au/sites/default/files/migration/712/managers-guide-to-difficult-conversations-in-the-workplace.pdf>)

Legislation

- *Public Interest Disclosure Act 2003*
- *Local Government Act 1995*
- *Corruption, Crime and Misconduct Act 2003*

Associated documents

Public Interest disclosure procedures for the Shire of Toodyay

Consent to disclosure of identifying information form.

Notification of disclosure of identifying information form

Public interest disclosure lodgement form

Document control information	
Document Category	Governance
Document Title	Public Interest Disclosures
Document ID	t.b.a.

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Related Party Disclosures Policy

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Related Party Disclosures Policy**is not controlled once it has been printed *****



Purchasing

Introduction

The Shire is required to adopt a purchasing policy in accordance with r.11A of the *Local Government (Functions and General) Regulations 1996*.

This policy is intended to ensure that any purchasing undertaken by Shire Officers on behalf of the Shire is in accordance with legislative provisions contained in Part 6 – Financial Management of the Local Government Act 1995 (the Act) and Part 4 – Provisions of Goods and Services of the Local Government (Functions and General) Regulations 1996.

Objective

To ensure that all purchasing activities:

- (a) are compliant with relevant legislation and the Statement of Business Ethics to maximise effective and proper expenditure of public moneys;
- (b) are conducted in a consistent and efficient manner and that ethical decision making is demonstrated;
- (c) are transparent, free from bias, and recorded in compliance with the State Records Act 2000 and other Shire policies;
- (d) consider engagement with local businesses capable of doing business with the Shire;
- (e) consider sustainable benefits of procurement such as environmental, social and local economic factors, across the life cycle of goods, in the overall value for money assessment;
- (f) demonstrate a consistent best practice approach; and
- (g) mitigate probity risk by establishing consistent and demonstrated processes that promote openness, transparency, fairness and equity to all potential suppliers.

Scope

This policy is intended to provide clear direction to Shire Officers undertaking purchasing activities on behalf of the Shire.

It is a requirement that all Shire Officers adhere to this policy. Any breach of this policy may result in disciplinary action.

Definitions

Term	Definition
Act	<i>Local Government Act 1995</i> .
Category of supply	Groupings of similar goods or services with common: supply and demand drivers; market characteristics; or suppliers.
CEO	Chief Executive Officer

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Purchasing Policy

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Term	Definition
Complaints Officer	The person who is the complaints officer under section 5.120 of the Act;
Council	The local government, responsible for making decisions in formal meetings held under the auspices of Part 5 of the <i>Local Government Act 1995</i> and under the <i>Shire's Standing Orders Local Law 2008</i> .
District	Areas located within the district of the Shire of Toodyay.
Executive Managers	<p>The Managers defined as Senior Workers that Council resolved (Res. No. OCM026/03/22) to designate in accordance with section 5.37 of the <i>Local Government Act 1995</i>:</p> <ul style="list-style-type: none"> • Manager Corporate and Community Services; • Manager Infrastructure and Assets; and • Manager Development and Regulation.
Financial viability	The assessment of a range of measures designed to reduce risk.
Market tested	A method used to gauge the viability of a product or service in the mass market prior to a wide scale roll-out; thus aiming to explore consumer response to a product or marketing campaign by making it available on a limited basis to test markets before a wider release.
Member	<p>In relation to the council of a local government, means —</p> <p>(a) an elector mayor or president of the local government; or</p> <p>(b) a councillor on the council (including a councillor who holds another office under section 2.17(2)(a) or (b) as well as the office of councillor).</p> <p>For the purpose of this policy, it also means Member of a Council Committee or a Mandatory Committee.</p>
Regional	applies to local government areas neighbouring the Shire
Regulations	<i>Local Government (Functions and General) Regulations 1996</i>
Shire	The Shire of Toodyay
Shire President	A mayor or president elected by the Council from amongst the councillors.

Term	Definition
Sustainable procurement	A process demonstrated as being internally focussed (i.e. operational environmental efficiencies or employment opportunities and benefits relating to special needs), or externally focussed (i.e. initiatives such as corporate philanthropy); that meets the Shire's needs for goods, services, works and utilities in a way that achieves value for money on a life-cycle basis while addressing equity principles for sustainable development.
Whole of life costs	The methodology used to estimate the total costs of goods or services (the supply) over the whole of their life.
Whole-of-life cycle costs	The economic procedure used by asset managers to compare competing investment options over a certain analysis period and to identify the option that results in the minimum total life-cycle cost (i.e. the optimal option).

Policy Statement

The Shire is committed to applying the objectives, principles and practices outlined in this Policy, to all purchasing activity and to ensuring alignment with the Shire's strategic and operational objectives.

1. Ethics and Integrity

The Shire adopted a Statement of Business Ethics outlining what the Shire expects from suppliers and what suppliers can expect from the Shire.

The Shire's Employee Code of Conduct applies when undertaking purchasing activities and decision making, requiring Shire Officers to always observe the highest standards of ethics and integrity and act in an honest and professional manner that supports the Shire's reputation.

Shire Officers undertaking purchasing activities must:

- (a) Apply accountable and ethical decision-making principles within the work environment;
- (b) Behave in accordance with legislation, Shire Policies, Statement of Business Ethics and the Code of Conduct;
- (c) Identify and disclose any actual or perceived conflicts of interest.
- (d) Report any information about actual or potentially fraudulent, corrupt or illegal activities including breaches of the Code of Conduct to the Complaints Officer.
- (e) Treat any information provided to the Shire by a supplier as commercial-in-confidence, unless authorised by the supplier, or relevant legislation, to release the information.

2. Value for Money

The Shire will apply value for money principles in critically assessing purchasing decisions and acknowledges that the lowest price may not always be the most advantageous.

2.1 Assessing Value for Money

Value for money assessment will consider:

- (a) All relevant Total Costs of Ownership (TCO) and benefits including; transaction costs associated with acquisition, delivery, distribution, and other costs such as, but not limited to; holding costs, consumables, deployment, training, maintenance and disposal;
- (b) whole-of-life costs and benefits; whole of life cycle costs (for goods); whole of contract life costs (for services).
- (c) The technical merits of the goods or services being offered in terms of compliance with specifications, contractual terms and conditions and any relevant methods of assuring quality. This includes but is not limited to:
 - an assessment of compliances;
 - the supplier's resource availability;
 - capacity and capability;
 - value-adds offered;
 - warranties;
 - guarantees;
 - repair and replacement policies;
 - response times;
 - ease of inspection and maintenance;
 - ease of after sales service; and
 - ease of communications, etc.
- (d) The supplier's financial viability and capacity to supply without risk of default including the competency of the prospective suppliers in terms of managerial and technical capabilities and compliance history;
- (e) A strong element of competition in the allocation of order(s) or the awarding of contract(s). This is achieved by obtaining adequate competitive quotations in accordance with 5.3.2 wherever practicable.
- (f) The safety requirements and standards associated with both the product design and the specification offered by suppliers and the evaluation of risk arising from the supply, operation and maintenance.
- (g) Analysis and management of risks and opportunities that may be associated with the purchasing activity, potential supplier(s) and the goods or services required.

Where a higher priced conforming offer is recommended, there should be clear and demonstrable benefits over and above the lowest total priced, conforming offer.

3. WALGA Preferred Suppliers

Officers may utilise the WALGA Preferred Supplier list to ensure that all purchasing is carried out in a cost effective and time efficient manner that provides maximum benefit to the Shire and in turn benefit the Council and the community.

4. Ordering Thresholds

The following Officers are authorised to approve purchase orders, contract extensions after a contract is finalised and variations on behalf of the Council, within the limits stated, provided that the proposed purchases are contained within the Annual Budget, within the Officer's area of activity, adhere to the purchasing threshold provisions in section 3 of this policy, subject to delegation ES2.

Position Title	Maximum
Chief Executive Officer	As delegated by Council
Executive Manager Development and Regulation	\$75,000
Executive Manager Corporate & Community Services	\$75,000
Executive Manager Infrastructure, Assets and Services	\$75,000
Coordinator – Depot, Fleet, Parks and Waste	\$25,000
Coordinator – Civil Works and Construction	\$25,000
Community Emergency Services Manager (emergency purposes only)	\$5,000

4.1 Raising Requisitions and/or Purchase Orders

Requisitions are to be raised prior to purchase order creation that includes:

- (a) Creditor Account;
- (b) Transaction Date and Expected Delivery Date;
- (c) Reference Number and Description (quote number and line-item information);
- (d) Custom Inputs such as: Have you considered local suppliers?; Have you selected a WALGA Preferred Supplier; Is this decision compliant with Purchasing Policy?;
- (e) Quotes and Supplier Justification such as: Justification of supplier – e.g. variation to contract, sole supplier, genuine parts, best value for money, shortest lead time and best service; and details of the quotes received: Date, Supplier Name, Quote Ref, Price Details;



- (f) The Product Code, Job Activity Code, and GL account number being utilised for the expenditure; and
- (g) Documentation is to accompany all requisitions.

Any written requests for expenditure are to include:

- (a) The name of the provider of goods or services;
- (b) The details of the goods or services being provided;
- (c) The total value of the order being raised;
- (d) The Product Code, Job Activity Code, and GL account number being utilised for the expenditure;
- (e) The name of the person requesting the order; and
- (f) The name and signature of the person authorising the order.

5. Purchasing Thresholds and Practices

The Shire will apply reasonable and consistent methodologies to assess and determine Purchasing Values, which ensure:

- (a) The appropriate purchasing threshold and practice is applied in all purchasing activities; and
- (b) Wherever possible, purchasing activity for the same category of supply is aggregated into single contract arrangements to achieve best value and efficiency in future purchasing activities where the requirements can be provided by a single supplier.

5.1 Strategic Purchasing Value Assessments

The Shire will periodically review recent past purchasing activity across its operations to identify categories of supply for which the Shire will have continuing need and which can be aggregated into single contract arrangements in order to achieve best value for money and efficiency in future purchasing activity.

The assessment of aggregated expenditure for the same category of supply capable of being supplied by a single supplier will determine the Purchasing Value threshold applicable to future purchasing activity.

5.2 Individual Purchasing Value Assessments

In any case, where there is no relevant current contract, each purchasing activity is to assess the Purchasing Value based upon the following considerations:

- (a) Exclusive of Goods and Services Tax (GST); and
- (b) The estimated total expenditure for the proposed supply including the value of all contract extension options and where applicable, the total cost of ownership considerations.

- (c) The appropriate length of a contract is to be determined based on market volatility, ongoing nature of supply, historical purchasing evidence and estimated future purchasing requirements.
- (d) Requirements must not be split to avoid purchasing or tendering thresholds [F&G Reg. 12].
- (e) The calculated estimated Purchasing Value will determine the applicable threshold and purchasing practice to be undertaken.

5.3 Table of Purchasing Thresholds and Practices

5.3.1 Supplier Order of Priority

The Shire will consider and apply, where applicable, the following Supplier Order of Priority:

Priority	Detail
Priority 1: Existing Prequalified Supplier Panel or other Contract	<p>Current contracts, including a Panel of Prequalified Suppliers (reviewed on a 3 yearly basis) or contracted supplier, must be used where the Shire's supply requirements can be met through the existing contract.</p> <p>If the Shire does not have a current contract relevant to the required supply, then a relevant WALGA PSA is to be used.</p>
Priority 2: Local Suppliers	<p>Where the Purchasing Value does not exceed the tender threshold and a relevant local supplier is known to be capable of providing the required supply, the Shire will ensure that wherever possible quotations are obtained from local suppliers permanently located within the district as a first priority, and those permanently located within surrounding districts as the second priority.</p> <p>If no relevant local supplier is available, then a relevant WALGA PSA may be used.</p>
Priority 3: Tender Exempt - WALGA Preferred Supplier Arrangement (PSA)	<p>Use a relevant WALGA PSA regardless of whether or not the Purchasing Value will exceed the tender threshold.</p> <p>However, if a relevant PSA exists but an alternative supplier is considered to provide best value, then the CEO, or an officer authorised by the CEO, must approve the alternative supplier. Reasons for not using a PSA may include:</p> <ul style="list-style-type: none"> i. Local supplier availability (that are not within the PSA); or, ii. Social procurement – preference to use Aboriginal business or Disability Enterprise.

Priority	Detail
	If no relevant WALGA PSA is available, then a relevant State Government CUA may be used.
Priority 4: Tender Exempt - WA State Government Common Use Arrangement (CUA)	Use a relevant CUA regardless of whether or not the Purchasing Value will exceed the tender threshold. However, if a relevant CUA exists, but an alternative supplier is considered to provide best value for money, then the proposed alternative supplier must be approved by the CEO, or an officer authorised by the CEO. If no relevant CUA is available, then a Tender Exempt [F&G Reg. 11(2)] arrangement may be used.
Priority 5: Other Tender Exempt arrangement [F&G Reg. 11(2)]	Regardless of whether or not the Purchasing Value will exceed the tender threshold, the Shire will investigate and seek quotations from tender exempt suppliers and will specifically ensure that wherever possible quotations are obtained from a WA Disability Enterprise and / or an Aboriginal Owned Business that is capable of providing the required supply.
Priority 6: Other Suppliers	Where there is no relevant existing contract or tender exempt arrangement available, purchasing activity from any other supplier is to be in accordance with relevant Purchasing Value Threshold and Purchasing Practice specified in the table below.

5.3.2 Purchasing Practice Purchasing Value Thresholds

The Purchasing Value, assessed in accordance with clause 3, determines the Purchasing Practice to be applied to the Shire's purchasing activities.

Where the value of procurement (excluding GST) for the value of the contract over the full contract period (including options to extend) is, or is expected to be:

Purchase value Threshold (ex GST)	Purchasing Practice
Up to \$5,000 (ex GST)	Direct purchase from suppliers. Obtain at least one (1) verbal or written quotation from a suitable supplier in accordance with the Supplier Order of Priority detailed in clause 5.3.1(1).

Purchase value Threshold (ex GST)	Purchasing Practice
	<p>This instance applies to a single, simple purchase where the cost of seeking competitive quotes would be unreasonable in terms of a cost to benefit analysis basis (e.g.: purchasing library books or minor catering or stationery supplies).</p>
From \$5,001 and up to \$20,000 (ex GST)	<p>Seek at least two (2) verbal or written quotations from suitable suppliers in accordance with the Supplier Order of Priority detailed in clause 5.3.1(1).</p> <p>If purchasing from a WALGA PSA, CUA or other tender exempt arrangement, a minimum of one (1) written quotation is to be obtained.</p> <p>The purchasing decision is to be based upon assessment of the supplier's response to:</p> <ul style="list-style-type: none"> • a brief outline of the specified requirement for the goods; services or works required; and • Value for Money criteria, not necessarily the lowest price.
From \$20,001 and up to \$50,000 (ex GST)	<p>Seek at least three (3) written quotations from suitable suppliers in accordance with the Supplier Order of Priority detailed in clause 5.3.1(1) except if purchasing from a WALGA PSA, CUA or other tender exempt arrangement, where a minimum of one (1) written quotation is to be obtained.</p> <p>The purchasing decision is to be based upon assessment of the suppliers' responses to:</p> <ul style="list-style-type: none"> • a brief outline of the specified requirement for the goods; services or works required; and • Value for Money criteria, not necessarily the lowest quote.
\$50,000 - \$249,999	<p>Seek at least three (3) written responses from suppliers by invitation under a formal Request for Quotation (RFQ) in accordance with the Supplier Order of Priority detailed in clause 5.3.1(1)</p> <p>The purchasing decision is to be based upon assessment of the supplier's response to:</p> <ul style="list-style-type: none"> • a detailed written specification for the goods, services or works required; and • pre-determined selection criteria that assess all best and sustainable value considerations. <p>For procurement of goods and services in this range, the selection should not be based on price alone. The assessment of the quotes should consider qualitative factors such as: quality, stock availability,</p>

Purchase value Threshold (ex GST)	Purchasing Practice
	accreditation, time for completion or delivery, warranty conditions, technology, maintenance requirements, the organisation's capability, previous experience and any other relevant factors.
\$250,000 and above (ex GST)	<p>Tender Exempt arrangements (i.e. WALGA PSA, CUA or other tender exemption under <i>F&G Reg.11(2)</i>) require at least three (3) written responses from suppliers by invitation under a formal Request for Quotation in accordance with the Supplier Order of Priority detailed in clause 5.3.1(1)</p> <p>OR</p> <p>Public Tender undertaken in accordance with the <i>Local Government Act 1995</i> and relevant Shire Policy and procedures.</p> <p>The Tender Exempt or Public Tender purchasing decision is to be based on the supplier's response to:</p> <ul style="list-style-type: none"> • A detailed specification; and • Pre-determined selection criteria that assesses all best and sustainable value considerations.
Emergency Purchases within Budget Refer to Clause 5.5	<p>Where goods or services are required for an emergency response and are within scope of an established Panel of Pre-qualified Supplier or existing contract, the emergency supply must be obtained from the Panel or existing contract using relevant unallocated budgeted funds.</p> <p>If there is no existing Panel or contract, then clause 5.3.1 (1) Supplier Order of Priority will apply wherever practicable.</p> <p>However, where due to the urgency of the situation; a contracted or tender exempt supplier is unable to provide the emergency supply OR compliance with this Purchasing Policy would cause unreasonable delay, the supply may be obtained from any supplier capable of providing the emergency supply. However, an emergency supply is only to be obtained to the extent necessary to facilitate the urgent emergency response and must be subject to due consideration of best value and sustainable practice.</p> <p>The rationale for policy non-compliance and the purchasing decision must be evidenced in accordance with the Shire's Record Keeping Plan.</p>
Emergency Purchases (No budget	Where no relevant budget allocation is available for an emergency purchasing activity then, in accordance with s.6.8 of the <i>Local Government Act 1995</i> , the Shire President must authorise, in writing, the necessary budget adjustment prior to the expense being incurred.

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Purchase value Threshold (ex GST)	Purchasing Practice
<i>allocation available)</i> Refer for Clause 5.5	<p>The CEO is responsible for ensuring that an authorised emergency expenditure under s.6.8 is reported to the next ordinary Council Meeting.</p> <p>The Purchasing Practices prescribed for Emergency Purchases (within budget) above, then apply.</p>
LGIS Services Section 9.58(6)(b) Local Government Act	<p>The suite of LGIS insurances, established in accordance with s.9.58(6)(b) of the <i>Local Government Act 1995</i>, provided as part of a mutual, where WALGA Member Local Governments are the owners of LGIS. Therefore, obtaining LGIS insurance services is available as a member-base service and not defined as a purchasing activity subject to this Policy.</p> <p>If the Shire seek quotations from alternative insurance suppliers, compliance with this Policy is required.</p>

5.4 Principles relating to written quotations

General principles relating to written quotations are:

- (a) An appropriately detailed specification should communicate requirement(s) in a clear, concise and logical fashion.
- (b) The request for written quotation may include:
 - (i) Written Specification;
 - (ii) Selection Criteria to be applied;
 - (iii) Price Schedule;
 - (iv) Conditions of responding;
 - (v) Validity period of offer.
- (c) Invitations to quote should be issued simultaneously to ensure that all parties receive an equal opportunity to respond.
- (d) Offer to all prospective suppliers at the same time any new information that is likely to change the requirements.
- (e) Responses should be assessed to compliance, then against the section criteria, and then value for money and all evaluations documented.
- (f) Respondents should be advised in writing as soon as possible after the final determination is made and approved.

5.5 Emergency Purchases

Emergency purchases are defined as the supply of goods or services associated with:

- (a) A local emergency and the expenditure is required (within existing budget allocations) to respond to an imminent risk to public safety, or to protect or make safe property or infrastructure assets; OR
- (b) A local emergency and the expenditure is required (with no relevant available budget allocation) to respond to an imminent risk to public safety, or to protect or make safe property or infrastructure assets in accordance with s.6.8 of the *Local Government Act 1995* and Functions and General Regulation 11(2)(a); OR
- (c) A State of Emergency declared under the *Emergency Management Act 2005* and therefore, Functions and General Regulations 11(2)(aa), (ja) and (3) apply to vary the application of this policy.

5.6 Inviting Tenders Though not Required to do so

The Shire may determine to invite Public Tenders, despite the estimated Purchase Value being less than the \$250,000 prescribed tender threshold, but only where an assessment determines that the purchasing requirement cannot be met through a tender exempt arrangement and the use of a public tender process will enhance; value for money, efficiency, risk mitigation and sustainable procurement benefits.

In such cases, the tender process must comply with the legislative requirements and the Shire's tendering delegation and procedures [F&G Reg.13].

5.7 Expressions of Interest

Expressions of Interest (EOI) will be considered as a prerequisite to a tender process [F&G Reg.21] where the required supply meets one or more of the following criteria:

- (a) Unable to sufficiently scope or specify the requirement;
- (b) There is significant variability for how the requirement may be met;
- (c) There is potential for suppliers to offer unique solutions and / or multiple options for how the purchasing requirement may be obtained, specified, created or delivered;
- (d) Subject to a creative element; or
- (e) Provides a procurement methodology that allows for the assessment of a significant number of potential tenderers leading to a shortlisting process based on non-price assessment.

All EOI processes will be based upon qualitative and other non-price information only.

5.8 Unique Nature of Supply (Sole Supplier)

An arrangement with a supplier based on the unique nature of the goods or services required or for any other reason, where it is unlikely that there is more than one potential supplier may only be approved where the:

- (a) purchasing value is estimated to be over \$5,000; and
- (b) purchasing requirement has been documented in a detailed specification; and
- (c) specification has been extensively market tested and only one potential supplier has been identified as being capable of meeting the specified purchase requirement; and
- (d) market testing process and outcomes of supplier assessments have been evidenced in records, inclusive of a rationale for why the supply is determined as unique and why quotations / tenders cannot be sourced through more than one potential supplier.

An arrangement of this nature will only be approved for a period not exceeding one (1) year. For any continuing purchasing requirement, the approval must be re-assessed before expiry, to evidence that only one potential supplier still genuinely exists.

5.9 Tender Exemption

In the following instances, public tender procedures are not required (regardless of the value of expenditure):

- (a) An emergency situation as referred to in Section 11(2)(a) of the Local Government (Functions and General) Regulations 1996;
- (b) The purchase is under a contract of WALGA (Preferred Supplier Arrangements), Department of Treasury and Finance (permitted Common Use Arrangements), Regional Council, or another Local Government;
- (c) The purchase is under auction which has been authorised by Council;
- (d) The contract is for petrol, oil, or other liquid or gas used for internal combustion engines;
- (e) Any of the other exclusions under Regulation 11(2) of the Local Government (Functions and General) Regulations 1996 that apply.

5.10 Issue of Sole Source of Supply (Monopoly Suppliers)

The procurement of goods and/or services available from only one private sector source of supply (i.e.: manufacturer, supplier or agency) is permitted without the need to call competitive quotations provided that there must genuinely be only one source of supply. Every endeavour to find alternative sources must be made. Written confirmation of this must be kept on file for later audit.

Note: The application of the provision "sole source of supply" should only occur in limited cases and procurement experience indicates that generally no more than one supplier is able to provide the requirements.

5.11 Tender Criteria

The Shire shall, before tenders are publicly invited, determine the criteria for deciding which tender should be accepted.

The CEO shall establish an evaluation panel prior to the advertising of a tender and include a mix of skills and experience relevant to the nature of the purchase.

5.12 Advertising Tenders

Tenders are to:

- (a) Be advertised in a state-wide publication as a minimum and in local media where possible.
- (b) Remain open for at least fourteen days after the date the tender is advertised.

The Notice must include:

- (a) A brief description of the goods or services required;
- (b) Information as to where and how tenders may be submitted;
- (c) The date and time after which tenders cannot be submitted;
- (d) Particulars identifying a person from whom more detailed information as to tendering may be obtained;
- (e) Detailed information shall include:
 - (i) Such Information as the Shire decides should be disclosed to those interested in submitting a tender;
 - (ii) Detailed specifications of the goods or services required;
 - (iii) The criteria for deciding which tender should be accepted; and
 - (v) Whether or not tenders can be submitted by facsimile or other electronic means, and if so, how tender may be submitted.

5.13 Issuing Tender Documentation

Tenders will not be made available (counter, mail, internet, via Tenderlink, referral or other means) without a robust process to ensure the recording of details of all parties who acquire the documentation.

This is essential in instances where clarifications, addendums or further communication is required prior to the close of tenders. All potential tenderers must have equal access to this information in order for the Shire not to compromise its duty to be fair.

5.14 Tender Deadline

A tender that is not received in full in the required format by the advertised Tender Deadline shall be rejected.

5.15 Opening of Tenders

Tenders are to be opened in accordance with the advertised time and place. No tenders are to be:

- Downloaded from Tenderlink; or
- Removed from the tender box or opened (read or evaluated)

prior to the Tender Deadline.

Tenders are to be downloaded, opened and recorded in the presence of either the CEO, an Executive Manager, or at least one other Shire Officer. Details of all tenders received and opened shall be recorded in the Tenders Register.

There is no obligation to disclose or record tendered prices at the tender opening and price information may be regarded as commercial-in-confidence to the Shire. Members of the public are entitled to be present.

The Tenderer's Offer form, Price Schedule and other appropriate pages from each tender shall be printed, date stamped and initialled by at least two Shire Officers present at the opening of tenders.

5.16 No Tender Received

Where the Shire has invited tenders and no compliant submissions have been received, direct purchases can be arranged on the basis of the following:

- (a) A sufficient number of quotations are obtained;
- (b) The process follows the guidelines for seeking quotations between \$50,000 and \$249,999 (listed above);
- (c) The specification for goods and/or services remains unchanged;
- (d) Purchasing is arranged within six months of the closing date of the lapsed tender; and
- (e) Council Approval.

5.17 Tender Evaluation

Tenders that have not been rejected by the evaluation panel shall be assessed by means of a written evaluation against the pre-determined criteria to determine which tender is most advantageous.

5.18 Addendum Tender

If, after the tender has been publicly advertised, any changes, variations or adjustments to the tender document and/or the conditions of tender are required, the Shire may vary the initial information by taking reasonable steps to give each person who has sought copies of the tender documents notice of the variation.

5.19 Minor Variation

If after the tender has been publicly advertised and a successful tenderer has been chosen but before the Shire and tenderer have entered into a Contract, a minor variation may be made by the Shire.

A minor variation will not alter the nature of the goods and/or services procured, nor will it materially alter the specification or structure provided for by the initial tender.

5.20 Notification of Outcome

The CEO, or a relevant Authorised Officer will notify all tenderers within 21 days of the outcome of the tender. The notification is to include the details of the Council resolution.

Notification shall include:

- (a) The name of the successful tenderer.
- (b) The total value of consideration of the winning offer.

The CEO, or a relevant Authorised Officer will record the details and total value of consideration for the winning offer into the Tenders Register at the conclusion of the tender process.

If no tender was accepted, the Shire must publish a notice, through Tenderlink, or through local public notice stating that "no tenders were accepted."

5.21 Anti-Avoidance

The Shire will not conduct multiple purchasing activities with the intent (inadvertent or otherwise) of "splitting" the purchase value or the contract value, so that the effect is to avoid a particular purchasing threshold or the need to call a Public Tender. This includes the creation of two or more contracts or creating multiple purchase order transactions of a similar nature.

5.22 Contract Renewals, Extensions and Variations

Council delegated power to the CEO and other employees to administer contracts or a contract matter including where the contract is of an operational nature on behalf of the local government in accordance with Section 9.49 B "Contract Formalities" of the *Local Government Act 1995*.

Where a contract has been entered into as the result of a publicly invited tender process, then Functions and General Regulation 21A applies.

For any other contract, the contract must not be varied unless:

- (a) The variation is necessary in order for the goods or services to be supplied and does not change the scope of the contract; or
- (b) The variation is a renewal or extension of the term of the contract where the extension or renewal options were included in the original contract.



Upon expiry of the original contract, and after any options for renewal or extension included in the original contract have been exercised, the Shire is required to review the purchasing requirements and commence a new competitive purchasing process in accordance with this Policy.

Contract variations are amendments to a contract that change the original terms or conditions. Variations are usually used to alter the scope of the supply or services provided or to change pricing.

The CEO may make minor contract variations before entering into a contract in accordance with Delegation ES10 Expression of Interest and Tenders.

The CEO will use their discretion as to whether the contract variation to provide goods and services is inconsistent with the scope of the original contract; or significantly alters the scope of the original contract. If the variation is not minor, then the CEO is to commence a separate procurement process.

Contracts could be extended only if the terms of the original contract included extension options and should be subject to a documented performance assessment.

The Shire will:

- (a) include comprehensive guidance to staff on recording of contract information and management of contract extensions and variations, so that better practices are consistently applied across the organisation;
- (b) maintain a register of contracts to help effectively manage contract extensions and variations. The register should be reviewed annually, to identify contracts that are due to expire, so that appropriate action starts well before the contract expiry date;
- (c) ensure the register of contracts includes all key information relating to contracts. The level of information should be based on an assessment of the significance, number and complexity of contractual arrangements;
- (d) ensure that records of key decisions are retained in accordance with recordkeeping plans and are readily available;
- (e) continuously improve review processes relating to contract extensions, including timely and documented reviews of contractor performance before exercising contract extension options;
- (f) ensure that contract variations are supported by adequate documentation describing the nature and reasons for the variations, including the associated cost, time and scope implications. The cumulative impact of variations on a contract should also be reviewed and an assessment made of whether a separate procurement process should be undertaken;
- (g) ensure that all contract extensions and variations are approved in accordance with approved delegations, to ensure that all contracting decisions are subject to appropriate levels of scrutiny.

6. Sustainable Procurement

The Shire is committed to implementing sustainable procurement by providing a preference to suppliers that demonstrate sustainable business practices (social advancement, environmental protection and local economic benefits).

The Shire will apply Sustainable Procurement criteria as part of the value for money assessment to ensure that wherever possible our suppliers demonstrate outcomes which contribute to improved environmental, social and local economic outcomes.

Requests for Quotation and Tenders will include a request for Suppliers to provide information regarding their sustainable practices and/or demonstrate that their product or service offers enhanced sustainable benefits.

6.1 Local Economic Benefit

The Shire promotes economic development through the encouragement of competitive participation in the delivery of goods and services by local suppliers permanently located within the Shire's district first, and secondly, those regional suppliers permanently located within its broader region. As much as practicable, the Shire will:

- (a) consider buying practices, procedures and specifications that encourage the inclusion of local businesses and the employment of local residents;
- (b) consider indirect benefits that have flow on benefits for local suppliers (i.e. servicing and support);
- (c) ensure that procurement plans, and analysis is undertaken prior to develop Requests to understand local business capability and local content availability where components of goods or services may be sourced from within the District for inclusion in selection criteria;
- (d) explore the capability of local businesses to meet requirements and ensure that Requests for Quotation and Tenders are designed to accommodate the capabilities of local businesses;
- (e) avoid bias in the design and specifications for Requests for Quotation and Tenders – all Requests must be structured to encourage local businesses to bid;
- (f) consider the adoption of Key Performance Indicators (KPIs) within contractual documentation that require successful Contractors to increase the number of employees from the District first; and
- (g) provide adequate and consistent information to local suppliers.

To this extent, a weighted qualitative criterion will be included in the selection criteria for Requests for Quotation and Tenders where suppliers are located within the boundaries of the Shire, or substantially demonstrate a benefit or contribution to the local economy.

6.2 Environmentally Sustainable Procurement

The Shire will support the purchasing of recycled and environmentally sustainable products whenever a value for money assessment demonstrates benefit toward achieving the Shire's strategic and operational objectives.

Qualitative weighted selection criteria will be used in the evaluation of Requests for Quote and Tenders to provide advantages to suppliers which:

- (a) demonstrate policies and practices that have been implemented by the business as part of its operations;
- (b) generate less waste material by reviewing how supplies, materials and equipment are manufactured, purchased, packaged, delivered, used, and disposed; and
- (c) encourage waste prevention, recycling, market development and use of recycled/recyclable materials.

Preference will be given to:

- (a) the purchase of products that are recycled and/or contain recycled material with a recyclable content of more than 20% (recycled materials being defined as post-consumer material, domestic material and post-consumer industrial material as defined by Australian Standard AS 1986) from Australian waste provided:
 - (i) The product is suitable for the purpose intended;
 - (ii) The quality of the product is equivalent to its new material counterpart; and
 - (iii) The cost is comparable to its new material counterpart or not more than 5% greater including any other printing costs.
- (b) goods or services that aim to minimise impacts on the environment.
- (c) electrical equipment that is Energy Star compliant. The highest star rating should be sought within the designated price range with a minimum rating of four required. Higher star ratings may be afforded a 5% allowance when comparing pricing with lesser rated products.
- (d) water using appliances that are AAA rated. Higher rated appliances may be afforded a 5% allowance when comparing pricing with lesser rated products.

Where the Shire intends to procure goods and services, the following considerations should be given:

- (a) The selection of vehicles featuring the highest fuel efficiency available based on the required vehicle type and within the designated price range;
- (b) The use of renewable energy and technologies for new buildings and refurbishments whenever possible;
- (c) Demonstrated environmental best practice in energy efficiency and/or consumption which can be demonstrated through suitable rating systems and eco-labelling;



- (d) Demonstrated environmental best practice in water efficiency;
- (e) Products that can be refurbished, reused, recycled or reclaimed shall be given priority, and those that are designed for ease of recycling, re-manufacture or otherwise to minimise waste;
- (f) Products that are environmentally sound in manufacture, use and disposal;
- (g) Products that are made using minimal amounts of raw materials from an unsustainable resource; and
- (h) Products that are free of toxic or polluting materials and that consume minimal energy during the production stage.

7. Records Management

All Local Government purchasing activity, communications and transactions must be evidenced and retained as local government records in accordance with the State Records Act 2000 and the Shire's Record Keeping Plan.

In addition, the Shire must consider and will include in each contract for the provision of works or services, the contractor's obligations for creating, maintaining and where necessary the transferral of records to the Shire relevant to the performance of the contract.

7.1 Tender Process includes:

- (a) Tender documentation;
- (b) Internal documentation;
- (c) Evaluation documentation;
- (d) Enquiry and response documentation; and
- (e) Notification and award documentation.

7.2 Direct purchasing process includes:

- (a) Quotation documentation;
- (b) Internal documentation; and
- (c) Order forms and requisitions.

8. Purchasing Policy Non-Compliance

The Purchasing Policy is mandated under the *Local Government Act 1995* and Regulation 11A of the *Local Government (Functions and General) Regulations 1996* and therefore the policy forms part of the legislative framework in which the Local Government is required to conduct business.

Where legislative or policy compliance is not reasonably able to be achieved, records must evidence the rationale and decision-making processes that substantiate the non-compliance.

Purchasing activities are subject to internal and external financial and performance audits, which examine compliance with legislative requirements and the Shire's policies and procedures.



If non-compliance with legislation, this Purchasing Policy or the Code of Conduct, is identified it must be reported to the Complaints Officer.

A failure to comply with legislation or policy requirements, including compliance with the Code of Conduct when undertaking purchasing activities, may be subject to investigation, with findings to be considered in context of the responsible person's training, experience, seniority and reasonable expectations for performance of their role.

Where a breach is substantiated, it may be treated as:

- (a) an opportunity for additional training to be provided;
- (b) a disciplinary matter, which may or may not be subject to reporting requirements under the *Public Sector Management Act 1994*; or
- (c) where the breach is also identified as potentially serious misconduct, the matter will be reported in accordance with the *Corruption, Crime and Misconduct Act 2003*.

9. Regional Price Preference Effect on Purchasing Thresholds Tenders

A supplier of goods or services who submits a tender/quotation is regarded as being a local tenderer if:

- (a) The supplier has a physical business premises (in the form of an office, depot, shop, outlet, headquarters or other premises where goods or services are being supplied from), located within the Shire. This does not exclude suppliers whose registered business is located outside the Shire but undertake the business from premises located in the Shire;
- (b) A business having permanent staff that are based at the business premises located within the Shire;
- (c) Management or delivery of the majority of the outcomes will be carried out from the business premises located in the shire; and
- (d) In order for the policy to apply, the supplier is required to provide to the Shire sufficient evidence which demonstrates compliance with the above criteria.

Regional Preference will be provided to tenderers by assessing the tender from that Shire tenderer as if the price bids were reduced by:

9.1 Part 1

- (a) 10% - where the contract is for goods or services, up to a maximum price reduction of \$50,000.
- (b) 5% - where the contract is for construction (building) services, up to a maximum price reduction of \$25,000.

9.2 Part 2

Although goods or services that form a part of a tender submitted by a Shire tenderer (who is a regional tenderer by virtue of the Local Government (Functions & General) Regulations 1996, regulation 24B(2)(b)) may be:

- (a) Wholly supplied from regional sources; or
- (b) Partly supplied from regional sources, and partly supplied from, non-regional sources.

Only those goods or services identified in the tender as being from regional sources may be included in the discounted calculations that form part of the assessments of a tender when a regional price preference policy is in operation.

10. Panels of Pre-Qualified Suppliers

In accordance with Regulation 24AC of the Local Government (Functions and General) Regulations 1996, a Panel of Pre-qualified Suppliers ("Panel") may be created where most of the following factors apply:

- (a) The Shire determines that a range of similar goods and services are required to be purchased on a continuing and regular basis;
- (b) There are numerous potential suppliers in the local and regional procurement-related market sector(s) that satisfy the test of 'value for money';
- (c) The purchasing activity under the intended Panel is assessed as being of a low to medium risk;
- (d) The Panel will streamline and continuously improve procurement processes; and
- (e) The Shire has the capability to establish, manage the risks and achieve the benefits expected of the proposed Panel. The Shire will endeavour to ensure that Panels will not be created unless most of the above factors are firmly and quantifiably established.

10.1 Establishing a Panel

Should the Shire determine that a Panel is beneficial to be created, it must do so in accordance with Part 4, Division 3 the Local Government (Functions and General) Regulations 1996. Panels may be established for one supply requirement, or a number of similar supply requirements under defined categories within the Panel.

Panels may be established for a minimum of two years and for a maximum length of four years.

Evaluation criteria must be determined and communicated in the application process by which applications will be assessed and accepted.

Where a Panel is to be established, the Shire will endeavour to appoint at least three suppliers to each category, on the basis that best value for money is demonstrated. Where less than three suppliers are appointed to each category within the Panel, the category is not to be established.



In each invitation to apply to become a pre-qualified supplier (through a procurement process advertised through a state-wide notice), the Shire must state the expected number of suppliers it intends to put on the panel.

Should a Panel member leave the Panel, they may be replaced by the next ranked Panel member determined in the value for money assessment should the supplier agree to do so, with this intention to be disclosed in the detailed information set out under Regulation 24AD(5)(d) and (e) when establishing the Panel.

10.2 Distributing Work amongst Panel Members

To satisfy Regulation 24AD(5) of the Regulations, when establishing a Panel of pre-qualified suppliers, the detailed information associated with each invitation to apply to join the Panel must either prescribe whether the Shire intends to:

- (a) Obtain quotations from each pre-qualified supplier on the Panel with respect to all purchases; or
- (b) Purchase goods and services exclusively from any pre-qualified supplier appointed to that Panel, and under what circumstances; or
- (c) Develop a ranking system for selection to the Panel, with work awarded.

In considering the distribution of work among Panel members, the detailed information must also prescribe whether:

- (a) Each Panel member will have the opportunity to bid for each item of work under the Panel, with pre-determined evaluation criteria forming part of the invitation to quote to assess the suitability of the supplier for particular items of work. Contracts under the pre-qualified panel will be awarded on the basis of value for money in every instance; or
- (b) Work will be awarded on a ranked basis, which is to be stipulated in the detailed information set out under Regulation 24AD(5)(f) when establishing the Panel. The Shire is to invite the highest ranked Panel member, who is to give written notice as to whether to accept the offer for the work to be undertaken. Should the offer be declined, an invitation to the next ranked Panel member is to be made and so forth until a Panel member accepts a Contract. Should the list of Panel members invited be exhausted with no Panel member accepting the offer to provide goods/services under the Panel, the Shire may then invite suppliers that are not pre-qualified under the Panel, in accordance with the Purchasing Thresholds of this Policy. When a ranking system is established, the Panel must not operate for a period exceeding twelve months.

In every instance, a contract must not be formed with a pre-qualified supplier for an item of work beyond twelve months, which includes options to extend the contract.

10.3 Purchasing from the Panel

The invitation to apply to be considered to join a panel of pre-qualified suppliers must state whether quotations are either to be invited to every member (within

each category, if applicable) of the Panel for each purchasing requirement, whether a ranking system is to be established, or otherwise.

Each quotation process, including the invitation to quote, communications with panel members, quotations received, evaluation of quotes and notification of award communications must all be made through eQuotes, or any other electronic quotation facility.

Each quotation process, including the invitation to quote, communications with panel members, quotations received, evaluation of quotes and notification of award communications must all be captured on the Shire's electronic records system. A separate file is to be maintained for each quotation process made under each Panel that captures all communications between the Shire and Panel members.

For the creation of a Panel, this includes:

- (a) The Procurement initiation document such as a procurement business case which justifies the need for a Panel to be created;
- (b) Procurement Planning and approval documentation which describes how the procurement is to be undertaken to create and manage the Panel;
- (c) Request for Applications documentation;
- (d) Copy of public advertisement inviting applications;
- (e) Copies of applications received;
- (f) Evaluation documentation, including clarifications sought;
- (g) Negotiation documents such as negotiation plans and negotiation logs;
- (h) Approval of award documentation;
- (i) All correspondence to applicants notifying of the establishment and composition of the Panel such as award letters;
- (j) Contract Management Plans which describe how the contract will be managed; and
- (k) Copies of framework agreements entered into with pre-qualified suppliers.

The Shire will retain itemised records of all requests for quotation, including quotations received from pre-qualified suppliers and contracts awarded to Panel members. A unique reference number shall be applied to all records relating to each quotation process, which is to also be quoted on each purchase order issued under the Contract.

Information with regards to the Panel offerings, including details of suppliers appointed to the Panel, must be kept up to date, consistent and made available for access by all officers and employees of the Shire .

11. Risk

Purchase and procurement is to take into consideration a risk assessment of the product or service to ensure potential hazards are identified and mitigation strategies determined before the product or service is introduced into the workplace.

The Shire must utilise the following industry experts for advice on procurement matters:

- (a) Office of the Auditor General;
- (b) Department of Local Government, Sport and Cultural Industries;
- (c) Professional services such as legal experts and auditors; and
- (d) WALGA.

Reference Information

- [Statement of Business Ethics](#) adopted by Council in March 2021.
- [Register of Delegations](#) – CS1 Payments from Municipal Fund or Trust Fund; E10 Expression of Interest and Tenders; and ES14 Contract Formalities;
- [Record Keeping Policy](#).

Legislation

- [Financial Management Act 2006](#);
- [State Records Act 2000](#).
- [State Records, Principles and Standards](#)
- [Local Government Act 1995](#);
- [Local Government \(Functions and General\) Regulations 1996](#)
- [Local Government \(Financial Management\) Regulations 1996](#);

Associated documents

- [Online requisitioning through Datascape](#).
- [Online Purchase Order through Datascape](#).
- [Tender Registration Form](#).
- [Request for Quotation \(EOI\)](#).
- [Expression of Interest \(Non-Tender\)](#).

Version control information

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V1	15/11/2007	Amended	Manager Corporate Services	Council
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Purchasing

Introduction

The Shire is required to adopt a purchasing policy in accordance with r.11A of the *Local Government (Functions and General) Regulations 1996*.

This policy is intended to ensure that any purchasing undertaken by Shire Officers on behalf of the Shire is in accordance with legislative provisions contained in Part 6 – Financial Management of the *Local Government Act 1995* (the Act) and Part 4 – Provisions of Goods and Services of the *Local Government (Functions and General) Regulations 1996*.

Objective

To ensure that all purchasing activities:

- (a) Achieve best value for money that considers sustainable benefits, such as; environmental, social and local economic factors;
- (b) Foster economic development by maximising participation of local businesses in the delivery of goods and services;
- (c) Use consistent, efficient and accountable purchasing processes and decision-making, including; competitive quotation processes, assessment of best value for money and sustainable procurement outcomes for all purchasing activity, including tender exempt arrangements;
- (d) Apply fair and equitable competitive purchasing processes that engage potential suppliers impartially, honestly and consistently;
- (e) Commit to probity and integrity, including the avoidance of bias and of perceived and actual conflicts of interest;
- (f) Comply with the *Local Government Act 1995*, *Local Government (Functions and General) Regulations 1996*, other relevant legislation, Codes of Practice, Standards and the Shire of Toodyay's policies and procedures;
- (g) Ensure purchasing outcomes contribute to efficiencies (time and resources) for the Shire of Toodyay;
- (h) Identify and manage risks arising from purchasing processes and purchasing outcomes in accordance with the Shire of Toodyay's Risk Management framework;
- (i) Ensure records evidence purchasing activities in accordance with the *State Records Act 2000* and the Shire's Record Keeping Plan; and
- (j) Ensure confidentiality that protects commercial-in-confidence information and only releases information where appropriately approved.

Scope

This policy is intended to provide clear direction to Shire Officers undertaking purchasing activities on behalf of the Shire.

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It is a requirement that all Shire Officers adhere to this policy. Any breach of this policy may result in disciplinary action.

Definitions

Definitions related to this policy are in the table below.

Term	Definition
Category of supply	Groupings of similar goods or services with common: supply and demand drivers; market characteristics; or suppliers.
Complaints Officer	The person who is the complaints officer under section 5.120 of the Act;
Financial viability	The assessment of a range of measures designed to reduce risk.
Market tested	A method used to gauge the viability of a product or service in the mass market prior to a wide scale roll-out; thus, aiming to explore consumer response to a product or marketing campaign by making it available on a limited basis to test markets before a broad release.
Regional	Applies to local government areas neighbouring the Shire
Sustainable procurement	A process demonstrated as being internally focussed (i.e. operational environmental efficiencies or employment opportunities and benefits relating to special needs), or externally focussed (i.e. initiatives such as corporate philanthropy); that meets the Shire's needs for goods, services, works and utilities in a way that achieves value for money on a life-cycle basis while addressing equity principles for sustainable development.
Whole of life costs	The methodology used to estimate the total costs of goods or services (the supply) over the whole of their life.
Whole-of-life cycle costs	The economic procedure used by asset managers to compare competing investment options over a certain analysis period and to identify the option that results in the minimum total life-cycle cost (i.e. the optimal option).

Please refer to the Shire of Toodyay Glossary (Definitions) document located on the Shire of Toodyay (Shire) website for other definitions not listed: link to website will be created.

Policy Statement

The Shire is committed to applying the objectives, principles and practices outlined in this Policy, to all purchasing activity and to ensuring alignment with the Shire's strategic and

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operational objectives. All purchasing and procurement decisions are to be evidenced in accordance with the Shire's Record Keeping Plan.

1. Delegated Authority

The CEO is responsible for mitigation of risks in respect to this policy and has delegated authority to make **unlimited** payments from the Shire's Municipal or Trust Funds in accordance with Regulation 12(1)(a) of the *Local Government (Financial Management) Regulations 1996* in order to operationally manage the Shire.

2. Ethics and Integrity

The Shire adopted a [Statement of Business Ethics](#) outlining what the Shire expects from suppliers and what suppliers can expect from the Shire.

The Shire's Employee Code of Conduct applies when undertaking purchasing activities and decision making, requiring Shire Officers to always observe the highest standards of ethics and integrity and act in an honest and professional manner that supports the Shire's reputation.

Shire Officers undertaking purchasing activities must:

- (a) conduct purchasing activities impartially, without favouritism or bias towards any suppliers. Decisions should be based on objective criteria such as price, quality and suitability for purpose;
- (b) ensure that records evidence purchasing activities in accordance with the *State Records Act 2000* and the Shire's Record Keeping Plan to facilitate transparency and accountability. This includes maintaining accurate records of vendor communications, bid evaluations, contract negotiations and justification for decisions made;
- (c) identify and manage risks arising from purchasing processes and outcomes in accordance with the Shire's Risk Management Framework;
- (d) adhere to organisational policies, procedures and relevant laws and regulations governing purchasing activities. This includes compliance with procurement policies, anti-corruption laws, the Shire's Statement of Business Ethics and the Code of Conduct;
- (e) handle sensitive information with discretion and maintain confidentiality where required, particularly regarding vendor negotiations, pricing and contract terms. Confidential information should only be shared with authorised individuals on a need-to-know basis;
- (f) protect commercial-in-confidence information and release information only where appropriately approved to maintain confidentiality and uphold commercial sensitivity standards;
- (g) identify and disclose any actual or perceived personal or financial conflicts of interest that could influence their purchasing decisions and refrain from engaging in activities where a conflict of interest exists. They should prioritise the organisations' interest above personal gain;
- (h) foster ethical relationships with suppliers based on trust, honesty and mutual respect;

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- (i) avoid engaging in activities that could compromise the integrity of the procurement process, such as accepting bribes, kickbacks, or other forms of unethical behaviour;
- (j) Report any information about actual or potentially fraudulent, corrupt or illegal activities including breaches of the Code of Conduct to the Complaints Officer;
- (k) Take responsibility for their actions and decisions in purchasing activities. This includes being accountable for ensuring compliance with ethical standards, mitigating risks and achieving value for money in procurement outcomes; and
- (l) Actively seek opportunities to enhance their ethical and integrity practices in purchasing activities. This may involve participating in training programs, staying informed about emerging ethical issues, and seeking feedback from stakeholders on ways to improve procurement processes.

3. Value for Money

The Shire will apply value for money principles in critically assessing purchasing decisions and acknowledges that the lowest price may not always be the most advantageous.

3.1 Assessing Value for Money

Value for money assessment will consider:

- (a) all relevant Total Costs of Ownership (TCO) and benefits including; transaction costs associated with acquisition, delivery, distribution, and other costs such as, but not limited to; holding costs, consumables, deployment, training, maintenance and disposal;
- (b) whole-of-life costs and benefits; whole of life cycle costs (for goods); whole of contract life costs (for services);
- (c) the technical merits of the goods or services being offered in terms of compliance with specifications, contractual terms and conditions and any relevant methods of assuring quality. This includes but is not limited to:
 - an assessment of compliances;
 - the supplier's resource availability;
 - capacity and capability;
 - value-adds offered;
 - warranties;
 - guarantees;
 - repair and replacement policies;
 - response times;
 - ease of inspection and maintenance;
 - ease of after sales service; and
 - ease of communications, etc.

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- (d) The supplier's financial viability and capacity to supply without risk of default including the competency of the prospective suppliers in terms of managerial and technical capabilities and compliance history;
- (e) A strong element of competition in the allocation of order(s) or the awarding of contract(s). This is achieved by obtaining adequate competitive quotations in accordance with 6.3.2 wherever practicable;
- (f) The safety requirements and standards associated with both the product design and the specification offered by suppliers and the evaluation of risk arising from the supply, operation and maintenance;
- (g) The environmental, economic and social benefits arising from the goods, services or works required, including consideration of these benefits in regard to the supplier's operations, in accordance with this Policy and any other relevant Shire Policy including Local Economic Benefit; and
- (h) Analysis and management of risks and opportunities that may be associated with the purchasing activity, potential supplier(s) and the goods or services required.

Where a higher priced conforming offer is recommended, there should be clear and demonstrable benefits over and above the lowest total priced, conforming offer.

4. WALGA Preferred Suppliers

Officers may utilise the WALGA Preferred Supplier list to ensure that all purchasing is carried out in a cost effective and time efficient manner that provides maximum benefit to the Shire and in turn benefit the Council and the community pursuant to Division 2 Tenders for providing goods or services in the *Local Government (Functions and General) Regulations 1996*. When Officers choose this option they must record their reasons for utilising the preferred supplier list within the record management system, enabling it to be a record for auditing purposes.

5. Purchasing Thresholds

The following Officers are authorised to approve purchase orders, contract extensions after a contract is finalised and variations on behalf of the Council, within the limits stated, provided that the proposed purchases are contained within the Annual Budget, within the Officer's area of activity, adhere to the purchasing threshold provisions in section 3 of this policy, subject to delegation ES2.

Position Title	Maximum
Chief Executive Officer	\$unlimited, provided the expenditure is contained within the adopted budget of Council Refer to delegations
Executive Manager Development and Regulation	\$75,000
Executive Manager Corporate & Community Services	\$75,000

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Position Title	Maximum
Executive Manager Infrastructure, Assets and Services	\$75,000
Coordinator – Depot, Fleet, Parks and Waste	\$25,000
Coordinator – Civil Works and Construction	\$25,000
Project Manager	\$10,000
Community Emergency Services Manager (emergency purposes only)	\$8,000

5.1 Raising Requisitions and/or Purchase Orders

5.1.1 Requisitions are to be raised prior to purchase order creation that includes:

- (a) Creditor Account;
- (b) Transaction Date and Expected Delivery Date;
- (c) Reference Number and Description (quote number and line-item information);
- (d) Custom Inputs such as: Have you considered local suppliers?; Have you selected a WALGA Preferred Supplier; Is this decision compliant with Purchasing Policy?;
- (e) Quotes and Supplier Justification such as: Justification of supplier – e.g. variation to contract, sole supplier, genuine parts, best value for money, shortest lead time and best service; and details of the quotes received: Date, Supplier Name, Quote Ref, Price Details;
- (f) The Product Code, Job Activity Code, and GL account number being utilised for the expenditure; and
- (g) Documentation that explains the purchase: such as an email, a quotation and/or proforma invoice is to accompany all requisitions.

5.1.2 Any written requests for expenditure are to include:

- (a) The name of the provider of goods or services;
- (b) The details of the goods or services being provided;
- (c) The total value of the order being raised;
- (d) The Product Code, Job Activity Code, and GL account number being utilised for the expenditure;
- (e) The name of the person requesting the order; and
- (f) The name and signature of the person authorising the order.

6. Defining the Purchasing Value

The Shire will apply reasonable and consistent methodologies to assess and determine Purchasing Values, which ensure:

- (a) The appropriate purchasing threshold and practice is applied in all purchasing activities; and
- (b) Wherever possible, purchasing activity for the same category of supply is aggregated into single contract arrangements to achieve best value and efficiency in future purchasing activities where the requirements can be provided by a single supplier.

6.1 Strategic Purchasing Value Assessments

- (a) The Shire will periodically review recent past purchasing activity across its operations to identify categories of supply for which the Shire will have continuing need, and which can be aggregated into single contract arrangements to achieve best value for money and efficiency in future purchasing activity; and
- (b) The assessment of aggregated expenditure for the same category of supply capable of being supplied by a single supplier will determine the Purchasing Value threshold applicable to future purchasing activity.

6.2 Individual Purchasing Value Assessments

In any case, where there is no relevant current contract, each purchasing activity is to assess the Purchasing Value based upon the following considerations:

- (a) exclusive of Goods and Services Tax (GST); and
- (b) the estimated total expenditure for the proposed supply including the value of all contract extension options and where applicable, the total cost of ownership considerations;
- (c) the appropriate length of a contract is to be determined based on market volatility, ongoing nature of supply, historical purchasing evidence and estimated future purchasing requirements;
- (d) requirements must not be split to avoid purchasing or tendering thresholds pursuant to r.12 of the *Local Government (Functions and General) Regulations 1996*; and
- (e) the calculated estimated Purchasing Value will determine the applicable threshold and purchasing practice to be undertaken.

6.3 Table of Purchasing Thresholds and Practices

6.3.1 Supplier Order of Priority

The Shire will consider and apply, where applicable, the following Supplier Order of Priority in the table below:

Priority	Detail
Priority 1: Existing Prequalified Supplier Panel or other Contract	<p>Current contracts, including a Panel of Prequalified Suppliers (reviewed on a 3 yearly basis) or contracted supplier, must be used where the Shire's supply requirements can be met through the existing contract.</p> <p>If the Shire does not have a current contract relevant to the required supply, then a relevant WALGA PSA is to be used.</p>
Priority 2: Local Suppliers	<p>Where the Purchasing Value does not exceed the tender threshold and a relevant local supplier is known to be capable of providing the required supply, the Shire will ensure that wherever possible quotations are obtained from local suppliers permanently located within the district as a first priority, and those permanently located within surrounding districts as the second priority.</p> <p>If no relevant local supplier is available, then a relevant WALGA PSA may be used.</p>
Priority 3: Tender Exempt - WALGA Preferred Supplier Arrangement (PSA)	<p>Use a relevant WALGA PSA regardless of whether or not the Purchasing Value will exceed the tender threshold.</p> <p>However, if a relevant PSA exists but an alternative supplier is considered to provide best value, then the CEO, or an officer authorised by the CEO, must approve the alternative supplier. Reasons for not using a PSA may include:</p> <ul style="list-style-type: none"> i. Local supplier availability (that are not within the PSA); or, ii. Social procurement – preference to use Aboriginal business or Disability Enterprise. <p>If no relevant WALGA PSA is available, then a relevant State Government CUA may be used.</p>
Priority 4: Tender Exempt - WA State Government Common Use Arrangement (CUA)	<p>Use a relevant CUA regardless of whether or not the Purchasing Value will exceed the tender threshold.</p> <p>However, if a relevant CUA exists, but an alternative supplier is considered to provide best value for money, then the proposed alternative supplier must be approved by the CEO, or an officer authorised by the CEO.</p> <p>If no relevant CUA is available, then a Tender Exempt arrangement may be used pursuant to r.11(2) of the <i>Local Government (Functions and General) Regulations 1996</i>.</p>
Priority 5:	Regardless of whether or not the Purchasing Value will exceed the tender threshold, the Shire will investigate and seek quotations from tender exempt suppliers and will

Priority	Detail
Other Tender Exempt arrangement Refer to r.11(2) of the <i>Local Government (Functions and General) Regulations 1996</i> .	specifically ensure that wherever possible quotations are obtained from a WA Disability Enterprise and / or an Aboriginal Owned Business that is capable of providing the required supply.
Priority 6: Other Suppliers	Where there is no relevant existing contract or tender exempt arrangement available, purchasing activity from any other supplier is to be in accordance with relevant Purchasing Value Threshold and Purchasing Practice specified in the table below.

6.3.2 Purchasing Practice Purchasing Value Thresholds

The Purchasing Value, assessed in accordance with clause 3, determines the Purchasing Practice to be applied to the Shire's purchasing activities.

Where the value of procurement (excluding GST) for the value of the contract over the full contract period (including options to extend) is, or is expected to be:

Purchase value Threshold (ex GST)	Purchasing Practice
Up to \$5,000 (ex GST)	<p>Direct purchase from suppliers.</p> <p>Obtain at least one (1) verbal or written quotation from a suitable supplier in accordance with the Supplier Order of Priority detailed in clause 6.3.1(1).</p> <p>This instance applies to a single, simple purchase where the cost of seeking competitive quotes would be unreasonable in terms of a cost to benefit analysis basis (e.g.: purchasing library books or minor catering or stationery supplies).</p>
From \$5,001 and up to \$20,000 (ex GST)	<p>Seek at least two (2) verbal or written quotations from suitable suppliers in accordance with the Supplier Order of Priority detailed in clause 6.3.1(1).</p> <p>If purchasing from a WALGA PSA, CUA or other tender exempt arrangement, a minimum of one (1) written quotation is to be obtained.</p> <p>The purchasing decision is to be based upon assessment of the supplier's response to:</p>

Purchase value Threshold (ex GST)	Purchasing Practice
	<ul style="list-style-type: none"> • a brief outline of the specified requirement for the goods; services or works required; and • Value for Money criteria, not necessarily the lowest price.
From \$20,001 and up to \$50,000 (ex GST)	<p>Seek at least three (3) written quotations from suitable suppliers in accordance with the Supplier Order of Priority detailed in clause 6.3.1(1) except if purchasing from a WALGA PSA, CUA or other tender exempt arrangement, where a minimum of one (1) written quotation is to be obtained.</p> <p>The purchasing decision is to be based upon assessment of the suppliers' responses to:</p> <ul style="list-style-type: none"> • a brief outline of the specified requirement for the goods; services or works required; and • Value for Money criteria, not necessarily the lowest quote.
\$50,000 \$249,999	<p>Seek at least three (3) written responses from suppliers by invitation under a formal Request for Quotation (RFQ) in accordance with the Supplier Order of Priority detailed in clause 6.3.1(1)</p> <p>The purchasing decision is to be based upon assessment of the supplier's response to:</p> <ul style="list-style-type: none"> • a detailed written specification for the goods, services or works required; and • pre-determined selection criteria that assess all best and sustainable value considerations. <p>For procurement of goods and services in this range, the selection should not be based on price alone. The assessment of the quotes should consider qualitative factors such as: quality, stock availability, accreditation, time for completion or delivery, warranty conditions, technology, maintenance requirements, the organisation's capability, previous experience and any other relevant factors.</p>
\$250,000 and above (ex GST)	<p>Tender Exempt arrangements (i.e. WALGA PSA, CUA or other tender exemption under r.11(2) of the <i>Local Government (Functions and General) Regulations 1996</i> which requires at least three (3) written responses from suppliers by invitation under a formal Request for Quotation in accordance with the Supplier Order of Priority detailed in clause 6.3.1(1)</p> <p><u>OR</u></p>

Purchase value Threshold (ex GST)	Purchasing Practice
	<p>Public Tender undertaken in accordance with the <i>Local Government Act 1995</i> and relevant Shire Policy and procedures.</p> <p>The Tender Exempt or Public Tender purchasing decision is to be based on the supplier's response to:</p> <ul style="list-style-type: none"> • A detailed specification; and • Pre-determined selection criteria that assesses (evaluates) all best and sustainable value considerations.
<p>Emergency Purchases within Budget</p> <p>Refer to Clause </p>	<p>Where goods or services are required for an emergency response and are within scope of an established Panel of Pre-qualified Supplier or existing contract, the emergency supply must be obtained from the Panel or existing contract using relevant unallocated budgeted funds.</p> <p>If there is no existing Panel or contract, then clause 6.3.1 (1) Supplier Order of Priority will apply wherever practicable.</p> <p>However, where due to the urgency of the situation; a contracted or tender exempt supplier is unable to provide the emergency supply <u>OR</u> compliance with this Purchasing Policy would cause unreasonable delay, the supply may be obtained from any supplier capable of providing the emergency supply. However, an emergency supply is only to be obtained to the extent necessary to facilitate the urgent emergency response and must be subject to due consideration of best value and sustainable practice.</p> <p>The rationale for policy non-compliance and the purchasing decision must be evidenced in accordance with the Shire's Record Keeping Plan.</p>
<p>Emergency Purchases (No budget allocation available)</p> <p>Refer for Clause 5.5</p>	<p>Where no relevant budget allocation is available for an emergency purchasing activity then, in accordance with s.6.8 of the <i>Local Government Act 1995</i>, the Shire President must authorise, in writing, the necessary budget adjustment prior to the expense being incurred.</p> <p>The CEO is responsible for ensuring that an authorised emergency expenditure under s.6.8 is reported to the next ordinary Council Meeting.</p> <p>The Purchasing Practices prescribed for Emergency Purchases (within budget) above, then apply.</p>
LGIS Services	The suite of LGIS insurances, established in accordance with s.9.58(6)(b) of the <i>Local Government Act 1995</i> , provided as part of a mutual, where WALGA Member Local Governments are the owners of LGIS. Therefore, obtaining LGIS insurance services is available as a

Purchase value Threshold (ex GST)	Purchasing Practice
Section 9.58(6)(b) <i>Local Government Act 1995</i>	<p>member-base service and not defined as a purchasing activity subject to this Policy.</p> <p>If the Shire seek quotations from alternative insurance suppliers, compliance with this Policy is required.</p>

6.4 Principles relating to written quotations

General principles relating to written quotations are:

- (a) an appropriately detailed specification should communicate requirement(s) in a clear, concise and logical fashion.
- (b) the request for written quotation may include:
 - (i) written Specification;
 - (ii) selection criteria to be applied;
 - (iii) Price Schedule;
 - (iv) Conditions of responding;
 - (v) Validity period of offer.
- (c) invitations to quote should be issued simultaneously to ensure that all parties receive an equal opportunity to respond.
- (d) offer to all prospective suppliers at the same time any new information that is likely to change the requirements.
- (e) responses should be assessed to compliance, then against the section criteria, and then value for money and all evaluations documented.
- (f) respondents should be advised in writing as soon as possible after the final determination is made and approved.

6.5 Emergency Purchases

Emergency purchases are defined as the supply of goods or services associated with:

- (a) a local emergency and the expenditure is required (within existing budget allocations) to respond to an imminent risk to public safety, or to protect or make safe property or infrastructure assets; OR
- (b) a local emergency and the expenditure is required (with no relevant available budget allocation) to respond to an imminent risk to public safety, or to protect or make safe property or infrastructure assets in accordance with s.6.8 of the *Local Government Act 1995* and r.11(2)(a) of the *Local Government (Functions and General) Regulations 1996*; OR



- (c) a State of Emergency declared under the *Emergency Management Act 2005* and therefore, regulations 11(2)(aa), (ja) and (3) of the *Local Government (Functions and General) Regulations 1996* apply to vary the application of this policy.

Time constraints, administrative omissions and errors do not qualify for definition as an emergency purchase. Instead, every effort must be made to research and anticipate purchasing requirements in advance and to allow sufficient time for planning and scoping proposed purchases and to then obtain quotes.

6.6 Inviting Tenders Though not Required to do so

The Shire may determine to invite Public Tenders, despite the estimated Purchase Value being less than the \$250,000 prescribed tender threshold, but only where an assessment determines that the purchasing requirement cannot be met through a tender exempt arrangement and the use of a public tender process will enhance; value for money, efficiency, risk mitigation and sustainable procurement benefits.

In such cases, the tender process must comply with the legislative requirements and the Shire's tendering delegation and procedures pursuant to r.13 of the *Local Government (Functions and General) Regulations 1996*.

6.7 Expressions of Interest

Expressions of Interest (EOI) will be considered as a prerequisite to a tender process pursuant to r.21 of the *Local Government (Functions and General) Regulations 1996* where the required supply meets one or more of the following criteria:

- (a) unable to sufficiently scope or specify the requirement;
- (b) there is significant variability for how the requirement may be met;
- (c) there is potential for suppliers to offer unique solutions and/or multiple options for how the purchasing requirement may be obtained, specified, created or delivered;
- (d) subject to a creative element; or
- (e) provides a procurement methodology that allows for the assessment of a significant number of potential tenderers leading to a shortlisting process based on non-price assessment.

All EOI processes will be based upon qualitative and other non-price information only.

6.8 Unique Nature of Supply (Sole Supplier)

An arrangement with a supplier based on the unique nature of the goods or services required or for any other reason, where it is unlikely that there is more than one potential supplier may only be approved where the:

- (a) purchasing value is estimated to be over \$5,000; and



- (b) purchasing requirement has been documented in a detailed specification; and
- (c) specification has been extensively market tested and only one potential supplier has been identified as being capable of meeting the specified purchase requirement; and
- (d) market testing process and outcomes of supplier assessments have been evidenced in records, inclusive of a rationale for why the supply is determined as unique and why quotations / tenders cannot be sourced through more than one potential supplier.

An arrangement of this nature will only be approved for a period not exceeding one (1) year. For any continuing purchasing requirement, the approval must be re-assessed before expiry, to evidence that only one potential supplier still genuinely exists.

6.9 Tender Exemption

In the following instances, public tender procedures are not required (regardless of the value of expenditure):

- (a) an emergency situation pursuant to s.11(2)(a) of the *Local Government (Functions and General) Regulations 1996*;
- (b) the purchase is under a contract of WALGA (Preferred Supplier Arrangements), Department of Treasury and Finance (permitted Common Use Arrangements), Regional Council, or another Local Government;
- (c) the purchase is under auction which has been authorised by Council;
- (d) the contract is for petrol, oil, or other liquid or gas used for internal combustion engines;
- (e) any of the other exclusions under r.11(2) of the *Local Government (Functions and General) Regulations 1996* that apply.

6.10 Issue of Sole Source of Supply (Monopoly Suppliers)

The procurement of goods and/or services available from only one private sector source of supply (i.e.: manufacturer, supplier or agency) is permitted without the need to call competitive quotations provided that there must genuinely be only one source of supply. Every endeavour to find alternative sources must be made. Written confirmation of this must be kept on file for audit purposes.

Note: The application of the provision "sole source of supply" should only occur in limited cases and procurement experience indicates that generally no more than one supplier is able to provide the requirements.

6.11 Tender Criteria

The Shire shall, before tenders are publicly invited, determine the criteria for deciding which tender should be accepted.



The CEO shall establish an evaluation panel prior to the advertising of a tender and include a mix of skills and experience relevant to the nature of the purchase.

6.12 Advertising Tenders

Tenders are to:

- (a) be advertised in a state-wide publication as a minimum and in local media where possible.
- (b) remain open for at least fourteen days after the date the tender is advertised.

The Notice must include:

- (a) a brief description of the goods or services required;
- (b) information as to where and how tenders may be submitted;
- (c) the date and time after which tenders cannot be submitted;
- (d) particulars identifying a person from whom more detailed information as to tendering may be obtained;
- (e) detailed information shall include:
 - (i) such information as the Shire decides should be disclosed to those interested in submitting a tender;
 - (ii) detailed specifications of the goods or services required;
 - (iii) the criteria for deciding which tender should be accepted; and
 - (v) whether or not tenders can be submitted by facsimile or other electronic means, and if so, how tender may be submitted.

6.13 Issuing Tender Documentation

Tenders will not be made available (counter, mail, internet, via Tenderlink, referral or other means) without a robust process to ensure the recording of details of all parties who acquire the documentation.

This is essential in instances where clarifications, addendums or further communication is required prior to the close of tenders. All potential tenderers must have equal access to this information in order for the Shire not to compromise its duty to be fair.

6.14 Tender Deadline

A tender that is not received in full in the required format by the advertised Tender Deadline shall be rejected.

6.15 Opening of Tenders

- (a) The opening of tenders is to comply with regulation 16(3) of the *Local Government (Functions and General) Regulations 1996*.
- (b) Tenders are to be opened in accordance with the advertised time and place.



- (c) After the Tender Deadline tenders are to be:
 - (i) Downloaded from Tenderlink; or
 - (ii) Removed from the tender box or opened (read or evaluated)
- (d) Details of all tenders received and opened shall be recorded in the Shire's Record Keeping System and the details of acceptable Tenderers recorded in the Shire's Tenders Register.
- (e) Members of the public are entitled to be present at the tender opening by contacting the Shire via email at records@toodyay.wa.gov.au to notify their intention to be present.
- (f) If members of the public are present at the tender opening there is no obligation to disclose or record tendered prices at the tender opening as price information is regarded as commercial-in-confidence to the Shire.

6.16 No Tender Received

Where the Shire has invited tenders and no compliant submissions have been received, direct purchases can be arranged on the basis of the following:

- (a) A sufficient number of quotations are obtained;
- (b) The process follows the guidelines for seeking quotations between \$50,000 and \$249,999 (listed above);
- (c) The specification for goods and/or services remains unchanged;
- (d) Purchasing is arranged within six months of the closing date of the lapsed tender; and
- (e) Council Approval.

6.17 Tender Evaluation

Tenders that have not been rejected by the evaluation panel shall be assessed by means of a written evaluation against the pre-determined criteria to determine which tender is most advantageous.

6.18 Addendum Tender

If, after the tender has been publicly advertised, any changes, variations or adjustments to the tender document and/or the conditions of tender are required, the Shire may vary the initial information by taking reasonable steps to give each person who has sought copies of the tender documents notice of the variation.

6.19 Minor Variation

If after the tender has been publicly advertised and a successful tenderer has been chosen but before the Shire and tenderer have entered into a Contract, a minor variation may be made by the Shire.



A minor variation will not alter the nature of the goods and/or services procured, nor will it materially alter the specification or structure provided for by the initial tender.

6.20 Notification of Outcome

The CEO, or a relevant Authorised Officer will notify all tenderers within 21 days of the outcome of the tender. The notification is to include the details of the Council resolution.

Notification shall include:

- (a) The name of the successful tenderer; and
- (b) The total value of consideration of the winning offer.

The CEO, or a relevant Authorised Officer will record the details and total value of consideration for the winning offer into the Tenders Register at the conclusion of the tender process.

If no tender was accepted, the Shire must publish a notice, through Tenderlink, or through local public notice stating that "no tenders were accepted."

6.21 Anti-Avoidance

The Shire will not conduct multiple purchasing activities with the intent (inadvertent or otherwise) of "splitting" the purchase value or the contract value, so that the effect is to avoid a particular purchasing threshold or the need to call a Public Tender. This includes the creation of two or more contracts or creating multiple purchase order transactions of a similar nature.

6.22 Contract Renewals, Extensions and Variations

- (a) Council delegated power to the CEO and other employees to administer contracts or a contract matter including where the contract is of an operational nature on behalf of the local government in accordance with Section 9.49 B "Contract Formalities" of the *Local Government Act 1995*.
- (b) Where a contract has been entered into as the result of a publicly invited tender process, then r.21A of the *Local Government (Functions and General) Regulations 1996* applies.
- (c) For any other contract, not awarded by public tender, the contract must not be varied unless:
 - (i) The variation is necessary in order for the goods or services to be supplied and does not change the scope of the contract;
 - (ii) the CEO has considered circumstances where the contract value increase is over a policy threshold level, due to the variation or extension; or
 - (iii) The variation is a renewal or extension of the term of the contract where the extension or renewal options were included in the original contract.



- (d) Upon expiry of the original contract, and after any options for renewal or extension included in the original contract have been exercised, the Shire is required to review the purchasing requirements and commence a new competitive purchasing process in accordance with this Policy.
- (e) Contract variations are amendments to a contract that change the original terms or conditions. Variations are usually used to alter the scope of the supply or services provided or to change pricing.
- (f) The CEO may make minor contract variations before entering into a contract in accordance with Delegation ES10 Expression of Interest and Tenders.
- (g) The CEO will use their discretion as to whether the contract variation to provide goods and services is inconsistent with the scope of the original contract; or significantly alters the scope of the original contract. If the variation is not minor, then the CEO is to commence a separate procurement process.
- (h) Contracts could be extended only if the terms of the original contract included extension options and should be subject to a documented performance assessment.
- (i) The Shire will:
 - (i) include comprehensive guidance to staff on recording of contract information and management of contract extensions and variations, so that better practices are consistently applied across the organisation;
 - (ii) maintain a register of contracts to help effectively manage contract extensions and variations. The register should be reviewed annually, to identify contracts that are due to expire, so that appropriate action starts well before the contract expiry date;
 - (iii) ensure the register of contracts includes all key information relating to contracts. The level of information should be based on an assessment of the significance, number and complexity of contractual arrangements;
 - (iv) ensure that records of key decisions are retained in accordance with recordkeeping plans and are readily available;
 - (v) continuously improve review processes relating to contract extensions, including timely and documented reviews of contractor performance before exercising contract extension options;
 - (vi) ensure that contract variations are supported by adequate documentation describing the nature and reasons for the variations, including the associated cost, time and scope implications. The cumulative impact of variations on a contract should also be reviewed and an assessment made of whether a separate procurement process should be undertaken; and



- (vii) ensure that all contract extensions and variations are approved in accordance with approved delegations, to ensure that all contracting decisions are subject to appropriate levels of scrutiny.

7. Sustainable Procurement

- (a) The Shire is committed to implementing sustainable procurement by providing a preference to suppliers that demonstrate sustainable business practices (social advancement, environmental protection and local economic benefits);
- (b) The Shire will apply Sustainable Procurement criteria as part of the value for money assessment to ensure that wherever possible our suppliers demonstrate outcomes which contribute to improved environmental, social and local economic outcomes; and
- (c) Requests for Quotation and Tenders will include a request for Suppliers to provide information regarding their sustainable practices and/or demonstrate that their product or service offers enhanced sustainable benefits.

7.1 Local Economic Benefit

The Shire promotes economic development through the encouragement of competitive participation in the delivery of goods and services by local suppliers permanently located within the Shire's district first, and secondly, those regional suppliers permanently located within its broader region. As much as practicable, the Shire will:

- (a) consider buying practices, procedures and specifications that encourage the inclusion of local businesses and the employment of local residents;
- (b) consider indirect benefits that have flow on benefits for local suppliers (i.e. servicing and support);
- (c) ensure that procurement plans, and analysis is undertaken prior to develop Requests to understand local business capability and local content availability where components of goods or services may be sourced from within the District for inclusion in selection criteria;
- (d) explore the capability of local businesses to meet requirements and ensure that Requests for Quotation and Tenders are designed to accommodate the capabilities of local businesses;
- (e) avoid bias in the design and specifications for Requests for Quotation and Tenders – all Requests must be structured to encourage local businesses to bid;
- (f) consider the adoption of Key Performance Indicators (KPIs) within contractual documentation that require successful Contractors to increase the number of employees from the District first; and
- (g) provide adequate and consistent information to local suppliers.

To this extent, a weighted qualitative criterion will be included in the selection criteria for Requests for Quotation and Tenders where suppliers are located within



the boundaries of the Shire, or substantially demonstrate a benefit or contribution to the local economy.

7.2 Environmentally Sustainable Procurement

- (1) The Shire will support the purchasing of recycled and environmentally sustainable products whenever a value for money assessment demonstrates benefit toward achieving the Shire's strategic and operational objectives.
- (2) Qualitative weighted selection criteria will be used in the evaluation of Requests for Quote and Tenders to provide advantages to suppliers which:
 - (a) demonstrate policies and practices that have been implemented by the business as part of its operations;
 - (b) generate less waste material by reviewing how supplies, materials and equipment are manufactured, purchased, packaged, delivered, used, and disposed; and
 - (c) encourage waste prevention, recycling, market development and use of recycled/recyclable materials.
- (3) Preference will be given to:
 - (a) the purchase of products that are recycled and/or contain recycled material with a recyclable content of more than 20% (recycled materials being defined as post-consumer material, domestic material and post-consumer industrial material as defined by Australian Standard AS 1986) from Australian waste provided:
 - (i) The product is suitable for the purpose intended;
 - (ii) The quality of the product is equivalent to its new material counterpart; and
 - (iii) The cost is comparable to its new material counterpart or not more than 5% greater including any other printing costs.
 - (b) goods or services that aim to minimise impacts on the environment;
 - (c) electrical equipment that is Energy Star compliant. The highest star rating should be sought within the designated price range with a minimum rating of four required. Higher star ratings may be afforded a 5% allowance when comparing pricing with lesser rated products;
 - (d) water using appliances that are AAA rated. Higher rated appliances may be afforded a 5% allowance when comparing pricing with lesser rated products.
- (4) Where the Shire intends to procure goods and services, the following considerations should be given:
 - (a) the selection of vehicles featuring the highest fuel efficiency available based on the required vehicle type and within the designated price range;



- (b) the use of renewable energy and technologies for new buildings and refurbishments whenever possible;
- (c) demonstrated environmental best practice in energy efficiency and/or consumption which can be demonstrated through suitable rating systems and eco-labelling;
- (d) demonstrated environmental best practice in water efficiency;
- (e) products that can be refurbished, reused, recycled or reclaimed shall be given priority, and those that are designed for ease of recycling, remanufacture or otherwise to minimise waste;
- (f) products that are environmentally sound in manufacture, use and disposal;
- (g) products that are made using minimal amounts of raw materials from an unsustainable resource; and
- (h) products that are free of toxic or polluting materials and that consume minimal energy during the production stage.

8. Records Management

All Local Government purchasing activity, communications and transactions must be evidenced and retained as local government records in accordance with the *State Records Act 2000* and the Shire's Record Keeping Plan.

In addition, the Shire must consider and will include in each contract for the provision of works or services, the contractor's obligations for creating, maintaining and where necessary the transferral of records to the Shire relevant to the performance of the contract.

8.1 Tender Process includes:

- (a) Approvals and Sign-off for the Request for Tender documentation;
- (b) Registration form and other Internal documentation;
- (c) Advertisement;
- (d) Site inspection records;
- (e) Enquiry and response documentation including addendums;
- (f) Evaluation documentation; and
- (g) Notification and award documentation.

8.2 Direct purchasing process includes:

- (a) Quotation documentation;
- (b) Internal documentation; and
- (c) Order forms and requisitions.

9. Purchasing Policy Non-Compliance

- (1) The Purchasing Policy is mandated under the *Local Government Act 1995* and Regulation 11A of the *Local Government (Functions and General) Regulations*

1996 and therefore the policy forms part of the legislative framework in which the Local Government is required to conduct business.

- (2) Where legislative or policy compliance is not reasonably able to be achieved, records must evidence the rationale and decision-making processes that substantiate the non-compliance.
- (3) Purchasing activities are subject to internal and external financial and performance audits, which examine compliance with legislative requirements and the Shire's policies and procedures.
- (4) If non-compliance with legislation, this Purchasing Policy or the Code of Conduct, is identified it must be reported to the Complaints Officer.
- (5) A failure to comply with legislation or policy requirements, including compliance with the Code of Conduct when undertaking purchasing activities, may be subject to investigation, with findings to be considered in context of the responsible person's training, experience, seniority and reasonable expectations for performance of their role.
- (6) Where a breach is substantiated, it may be treated as:
 - (a) an opportunity for additional training to be provided;
 - (b) a disciplinary matter, which may or may not be subject to reporting requirements under the *Public Sector Management Act 1994*; or
 - (c) where the breach is also identified as potentially serious misconduct, the matter will be reported in accordance with the *Corruption, Crime and Misconduct Act 2003*.

10. Regional Price Preference Effect on Purchasing Thresholds Tenders

A supplier of goods or services who submits a tender/quotation is regarded as being a local tenderer if:

- (a) The supplier has a physical business premises (in the form of an office, depot, shop, outlet, headquarters or other premises where goods or services are being supplied from), located within the Shire. This does not exclude suppliers whose registered business is located outside the Shire but undertake the business from premises located in the Shire;
- (b) A business having permanent staff that are based at the business premises located within the Shire;
- (c) Management or delivery of the majority of the outcomes will be carried out from the business premises located in the shire; and
- (d) A business located permanently within the Shire's nearby region where the business contributes to the local economy by employment of Shire of Toodyay residents or use of suppliers/contractors which meet point (a), (b) or (c);
- (e) In order for the policy to apply, the supplier is required to provide to the Shire sufficient evidence which demonstrates compliance with the above criteria.

Regional Preference will be provided to tenderers by assessing the tender from that Shire tenderer as if the price bids were reduced by:

10.1 Part 1

- (a) 10% - where the contract is for goods or services, up to a maximum price reduction of \$50,000.
- (b) 5% - where the contract is for construction (building) services, up to a maximum price reduction of \$25,000.

10.2 Part 2

Although goods or services that form a part of a tender submitted by a Shire tenderer (who is a regional tenderer by virtue of r.24B(2)(b) of the *Local Government (Functions & General) Regulations 1996*, may be:

- (a) Wholly supplied from regional sources; or
- (b) Partly supplied from regional sources, and partly supplied from, non-regional sources.

Only those goods or services identified in the tender as being from regional sources may be included in the discounted calculations that form part of the assessments of a tender when a regional price preference policy is in operation.

11. Panels of Pre-Qualified Suppliers

In accordance with Regulation 24AC of the *Local Government (Functions and General) Regulations 1996*, a Panel of Pre-qualified Suppliers ("Panel") may be created where most of the following factors apply:

- (a) the Shire determines that a range of similar goods and services are required to be purchased on a continuing and regular basis;
- (b) there are numerous potential suppliers in the local and regional procurement-related market sector(s) that satisfy the test of 'value for money';
- (c) the purchasing activity under the intended Panel is assessed as being of a low to medium risk;
- (d) the Panel will streamline and continuously improve procurement processes; and
- (e) the Shire has the capability to establish, manage the risks and achieve the benefits expected of the proposed Panel. The Shire will endeavour to ensure that Panels will not be created unless most of the above factors are firmly and quantifiably established.

11.1 Objectives

The Shire will consider creating a Panel of Pre-qualified Suppliers ("Panel") when a range of similar goods and services are required to be purchased on a continuing and regular basis.

Part of the consideration of establishing a panel includes:

- (a) there are numerous potential suppliers in the local and regional procurement related market sector(s) that satisfy the test of 'value for money';



- (b) the Panel will streamline and will improve procurement processes; and
- (c) the Shire has the capability to establish a Panel and manage the risks and achieve the benefits expected of the proposed Panel through a Contract Management Plan.

11.2 Establishing and Managing a Panel

- (1) If the Shire decides that a Panel is to be created, it will establish the panel in accordance with the *Local Government (Functions and General) Regulations 1996*. Panels will be established for one supply requirement, or a number of similar supply requirements under defined categories. This will be undertaken through an invitation procurement process advertised via a state-wide notice.
- (2) Panels may be established for a maximum of three (3) years. The length of time of a Local Panel is decided with the approval of the CEO.
- (3) In each invitation to apply to become a pre-qualified supplier, the Shire will state the expected number of suppliers it intends to put on the panel.
- (4) Evaluation criteria must be determined and communicated in the application process by which applications will be assessed and accepted.
- (5) If a Panel member leaves the Panel, the Shire will consider replacing that organisation with the next ranked supplier that meets/exceeds the requirements in the value for money assessment – subject to that supplier agreeing. The Shire will disclose this approach in the detailed information when establishing the Panel.
- (6) A Panel contract arrangement needs to be managed to ensure that the performance of the Panel Contract and the Panel members under the contract are monitored and managed. This will ensure that risks are managed and expected benefits are achieved. A Contract Management Plan should be established that outlines the requirements for the Panel Contract and how it will be managed.

11.3 Distributing Work amongst Panel Members

To satisfy Regulation 24AD(5) of the *Local Government (Functions and General) Regulations 1996*, when establishing a Panel of pre-qualified suppliers, the detailed information associated with each invitation to apply to join the Panel must either prescribe whether the Shire intends to:

- (a) Obtain quotations from each pre-qualified supplier on the Panel with respect to all purchases; or
- (b) Purchase goods and services exclusively from any pre-qualified supplier appointed to that Panel, and under what circumstances; or
- (c) Develop a ranking system for selection to the Panel, with work awarded.

In considering the distribution of work among Panel members, the detailed information must also prescribe whether:

- (a) Each Panel member will have the opportunity to bid for each item of work under the Panel, with pre-determined evaluation criteria forming part of the invitation to quote to assess the suitability of the supplier for particular items of work. Contracts under the pre-qualified panel will be awarded on the basis of value for money in every instance; or
- (b) Work will be awarded on a ranked basis, which is to be stipulated in the detailed information set out under r.24AD(5)(f) when establishing the Panel.
 - (i) The Shire will invite the highest ranked Panel member, who is to give written notice as to whether to accept the offer for the work to be undertaken.
 - (ii) Should the offer be declined, an invitation to the next ranked Panel member is to be made and so forth until a Panel member accepts a Contract.
 - (iii) Should the list of Panel members invited be exhausted with no Panel member accepting the offer to provide goods/services under the Panel, the Shire may then invite suppliers that are not pre-qualified under the Panel, in accordance with the Purchasing Thresholds of this Policy.
 - (iv) When a ranking system is established, the Panel must not operate for a period exceeding twelve months.

In every instance, a contract must not be formed with a pre-qualified supplier for an item of work beyond twelve months, which includes options to extend the contract.

11.4 Purchasing from the Panel

The invitation to apply to be considered to join a panel of pre-qualified suppliers must state whether quotations are either to be invited to every Panel member (within each category, if applicable) of the Panel for each purchasing requirement, whether a ranking system is to be established, or otherwise.

11.5 Communications with Panel Members

- (1) The Shire will ensure clear, consistent and regular communication with Panel Members.
- (2) Each quotation process, including the invitation to quote, communications with panel members, quotations received, evaluation of quotes and notification of award communications must all be captured on the Shire's electronic records system. A separate file is to be maintained for each quotation process made under each Panel that captures all communications between the Shire and Panel members.
- (3) For the creation of a Panel, this includes:
 - (a) the Procurement initiation document such as a procurement business case which justifies the need for a Panel to be created;



- (b) procurement Planning and approval documentation which describes how the procurement is to be undertaken to create and manage the Panel;
- (c) request for Applications documentation;
- (d) copy of public advertisement inviting applications;
- (e) copies of applications received;
- (f) evaluation documentation, including clarifications sought;
- (g) negotiation documents such as negotiation plans and negotiation logs;
- (h) approval of award documentation;
- (i) all correspondence to applicants notifying of the establishment and composition of the Panel such as award letters;
- (j) Contract Management Plans which describe how the contract will be managed; and
- (k) copies of framework agreements entered into with pre-qualified suppliers.

11.6 Record Keeping

All Local Government purchasing activity, communications and transactions must be evidenced and retained as local government records in accordance with the *State Records Act 2000* and the Shire's Record Keeping Plan.

In addition, the Shire must consider and will include in each contract for the provision of works or services, the contractor's obligations for creating, maintaining and where necessary the transferral of records to the Shire/Town/City relevant to the performance of the contract.

12. Risk

Purchase and procurement is to take into consideration a risk assessment of the product or service to ensure potential hazards are identified and mitigation strategies determined before the product or service is introduced into the workplace.

The Shire must utilise the following industry experts for advice on procurement matters:

- (a) Office of the Auditor General;
- (b) Department of Local Government, Sport and Cultural Industries;
- (c) Professional services such as legal experts and auditors; and
- (d) WALGA.

Reference Information

- [Statement of Business Ethics](#).
- [Register of Delegations](#) – CS1 Payments from Municipal Fund or Trust Fund; E10 Expression of Interest and Tenders; and ES14 Contract Formalities;
- [Record Keeping Policy](#).

Legislation

- [Financial Management Act 2006](#);
- [State Records Act 2000](#);
- [State Records, Principles and Standards](#)
- [Local Government Act 1995](#);
- [Local Government \(Functions and General\) Regulations 1996](#)
- [Local Government \(Financial Management\) Regulations 1996](#);

Associated documents

- *Online requisitioning through Datascape.*
- *Online Purchase Order through Datascape.*
- *Tender Registration Form.*
- *Request for Quotation (RFQ).*
- *Expression of Interest (EOI - Non-Tender).*

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PROPOSED Purchasing Policy

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Legislative Compliance

Introduction

The Shire has an obligation to ensure that legislative requirements are complied with. The community and those working at the Shire have an expectation that the Shire will comply with applicable legislation and that the Shire will take all appropriate measures to ensure that expectation is met.

Objective

To ensure that Members and Shire Workers fulfilling their obligations to the Shire through their roles comply with all legislation applicable to local government.

Scope

This policy applies to all Members and Workers.

Definitions

Term	Definition
CEO	Chief Executive Officer
Council	The local government, responsible for making decisions in formal meetings held under the auspices of Part 5 of the <i>Local Government Act 1995</i> and under the <i>Shire's Standing Orders Local Law 2008</i> .
DPLH	Department of Planning, Lands and Heritage
Executive Managers	means the Managers defined as Senior Employees that Council resolved (Res. No. OCM026/03/22) to designate in accordance with section 5.37 of the <i>Local Government Act 1995</i> : <ul style="list-style-type: none"> • Manager Corporate and Community Services; • Manager Infrastructure and Assets; and • Manager Development and Regulation.
Member	means, in relation to a council or committee, a Council Member in the Act; Elected Member; or Councillor; or a member of the committee.
OAG	Office of the Auditor General
PSC	Public Sector Commission
Prescribed Act	means an Act that is prescribed by the regulations made under the <i>Criminal Procedure Act 2004</i> .

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Legislative Compliance

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Term	Definition
	<p>Schedule 1A of the <i>Criminal Procedure Regulations 2005</i> (Infringement Notices) provides a list of Prescribed Acts as follows:</p> <ul style="list-style-type: none"> • <i>Associations Incorporation Act 2015</i>; • <i>Biodiversity Conservation Act 2016</i>; • <i>Building Act 2011</i>; • <i>Building and Construction Industry (Security of Payment) Act 2021</i>; • <i>Building Services (Complaint Resolution and Administration) Act 2011</i>; • <i>Building Services (Registration) Act 2011</i>; • <i>Business Names Act 1962</i>; • <i>Charitable Collections Act 1946</i>; • <i>Chattel Securities Act 1987</i>; • <i>Child Care Services Act 2007</i>; • <i>Companies (Co-operative) Act 1943</i> 3; • <i>Co-operative and Provident Societies Act 1903</i> 3; • <i>Credit Act 1984</i>; • <i>Credit (Administration) Act 1984</i>; • <i>Debt Collectors Licensing Act 1964</i>; • <i>Electricity Act 1945</i>; • <i>Emergency Management Act 2005</i>; • <i>Employment Agents Act 1976</i>; • <i>Energy Coordination Act 1994</i>; • <i>Energy Safety Act 2006</i>; • <i>Fair Trading Act 2010</i>; • <i>Gas Standards Act 1972</i>; • <i>Health (Miscellaneous Provisions) Act 1911</i>; • <i>Health Services Act 2016</i>; • <i>Hire-Purchase Act 1959</i>; • <i>Juries Act 1957</i>; • <i>Land Administration Act 1997</i>;

Term	Definition
	<ul style="list-style-type: none"> • <i>Land Valuers Licensing Act 1978;</i> • <i>Limited Partnerships Act 2016;</i> • <i>Mining Rehabilitation Fund Act 2012;</i> • <i>Public Health Act 2016;</i> • <i>Real Estate and Business Agents Act 1978;</i> • <i>Residential Parks (Long-stay Tenants) Act 2006;</i> • <i>Residential Tenancies Act 1987;</i> • <i>Retail Trading Hours Act 1987;</i> • <i>Settlement Agents Act 1981;</i> • <i>Shipping and Pilotage Act 1967;</i> • <i>Street Collections (Regulation) Act 1940;</i> • <i>Ticket Scalping Act 2021;</i> • <i>Tobacco Products Control Act 2006;</i> • <i>Transport (Road Passenger Services) Act 2018;</i> • <i>Water Services Act 2012;</i> • <i>Western Australian Meat Industry Authority Act 1976.</i>
Shire	the Shire of Toodyay.
Shire Officer	employee of the Local Government. May also be referred to as Worker in accordance with WHS legislation.
Shire President	means a mayor or president elected by the Council from amongst the councillors.
WALGA	Western Australian Local Government Association
WHS legislation	<p><i>Work Health and Safety Act 2020.</i> <i>Work (Health and Safety) General Regulations 2022.</i></p>
Workers	means employees, contractors and volunteers as per the WHS legislation.

Policy Statement

The Shire will have appropriate processes and structures in place to ensure that legislative requirements are achievable and are integrated into the operations of the Shire. These processes and structures will aim to:

1. Develop and maintain a system for identifying the legislation that applies to the Shire's activities;
2. Assign responsibilities for ensuring that legislation and regulatory obligations are fully implemented;
3. Provide training and resources for Members and Workers whose roles are affected by the impact of relevant legislative provisions to identify and remain up to date with new legislation;
4. Review accidents, incidents and other situations where there may have been non-compliance; and
5. Review audit reports, incident reports, complaints and other information to assess how the systems of compliance can be improved.

1. Responsibilities

- a) Members and workers have a responsibility to be aware of and abide by legislation applicable to their role.
- b) The Shire shall have systems in place to ensure that Members and Workers are given the opportunity to be kept fully informed, briefed and/or trained about key legal requirements relative to their role, within its financial capacity to do so.

2. Legislative Compliance Procedures

- a) The Shire accesses electronic up to date versions of legislation through the Western Australian State Law Publisher website at www.slp.wa.gov.au.
- b) The Shire receives regular circulars from the DLGC on any new or amended legislation. Such advice is received and processed through the Shire's Records Department and is distributed to the CEO and other relevant Officers for implementation.
- c) The Shire receives regular circulars from WALGA and these Circulars highlight changes in legislation applicable to local government. Such advice is received and processed through the Shire's Records Department and is distributed to the CEO and other relevant Officers for implementation.
- d) The Shire will obtain advice on matters of legislation and compliance where necessary. Contact can be made with the DLGSC; the DPLH; the OAG; the PSC; or any other relevant government department for advice. Governance advice can also be sought from WALGA.
- e) If appropriate, the CEO will, on receipt of advice of legislative amendments, advise the Council of new or amended legislation.
- f) The Shire's format for all its reports to Council meetings provides that all reports have a section headed 'Statutory Implications' which shall detail Shire of Toodyay Policy Manual Administration Policy No A.20 – Legislative Compliance Policy



relevant Sections of any Act, Regulation or other relevant and/or applicable legislation.

3. Non-compliance

- a) All instances of non-compliance shall be reported immediately to the relevant Manager. The Manager shall then determine the appropriate response and report the matter to the CEO.
- b) If a Member becomes aware of non-compliance, they shall report the matter to the Shire President, who will determine the appropriate response and liaise with the CEO regarding the matter.
- c) The CEO will investigate any reports of significant non-compliance and if necessary, report the non-compliance to the Council and/or the relevant government authority if required.
- d) Corrective action will be taken through the implementation and improvement of operational procedures and processes, including training.

Reference Information

- Local Government Compliance Framework (DLGSC) -
<https://www.dlgsc.wa.gov.au/local-government/local-governments/compliance-and-governance/local-government-compliance-framework>

Legislation

Local Government Act 1995

- Division 2 – Legislative Functions;
- Division 3 – Executive Functions of local governments;
- Division 4 – Local Government Employees.

Local Government (Audit) Regulations 1996

- 9A. CEO to provide documents to Auditor General carrying out financial audit;
- 13. Prescribed statutory requirements for which compliance audit needed (Act s. 7.13(1)(i));
- 14. Compliance audits by local governments;
- 17. CEO to review certain systems and procedures;
- 15. Certified copy of compliance audit return and other documents to be given to Departmental CEO.

Associated documents

[Register of Delegations](#)

Risk Management policy

Version control information

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V1	25/11/2014	Policy Adopted	Executive Services	Council
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Legislative Compliance

Introduction

The Shire of Toodyay (Shire) is committed to upholding its legal and regulatory obligations in alignment with its values, objectives, and community expectations. Through proactive measures, continual improvement, and collaboration, we ensure compliance with legislative requirements while fostering a culture of integrity and accountability.

Objective

- (a) To ensure a commitment to compliance is communicated widely to all Workers and relevant interested parties in clear and convincing statements supported by action.
- (b) To meet the requirements of regulatory and legislative requirements including a commitment to continual improvement of the Shire's compliance management system.
- (c) To align with the Shire's compliance obligations, governance and risk management framework, integrating legislative requirements into the Shire's operations while considering compliance management practicalities and risk management practices.
- (d) To align with the Shire's values, objectives and strategy contained in the Council Plan.

Scope

This policy applies to all Members and Workers of the Shire of Toodyay.

Definitions

Definitions related to this policy are in the table below.

Term	Definition
Compliance culture	Values, ethics, beliefs and conduct that exist through the Codes of Conduct of the Shire and interact with the Shire's structures and control systems to produce behavioural norms that are conducive to compliance.
Compliance risks	Likelihood of occurrence and the consequences of noncompliance with the Shire's compliance obligations.
Conduct	Behaviours and practices that impact outcomes for customers, workers, suppliers, markets and communities.
Interested parties	Person or organisation that can affect, be affected by, or perceive itself to be affected by a decision or activity.
Noncompliance	Non-fulfilment of compliance obligations.

Term	Definition
<p><i>Please refer to the Shire of Toodyay Glossary (Definitions) document located on the Shire of Toodyay (Shire) website for other definitions not listed: https://www.toodyay.wa.gov.au/documents/470/corporate-documents-glossary-(definitions)</i></p>	

1. Policy Statement

The Shire recognises the importance of compliance with legislative requirements to maintain trust and meet community expectations. This policy establishes processes and structures to integrate legislative obligations into our operations effectively. We aim to cultivate a compliance culture that empowers all Members and Workers to fulfill their obligations while aligning with our strategic objectives and capabilities.

2. Responsibilities

- a) Members and workers have a responsibility to be aware of and abide by legislation applicable to their role.
- b) The Shire shall have systems in place to ensure that Members and Workers are given the opportunity to be kept fully informed, briefed and/or trained about key legal requirements relative to their role, within its financial capacity to do so.

3. Management strategies and allocation of responsibilities and resources

- (a) The Shire will maintain a compliance calendar to set objectives, identify obligations, and assess compliance risks. Regular reviews will ensure the currency of the calendar, incorporating relevant legislation and updates from authoritative sources.
- (b) The Office of the CEO will oversee the implementation of legislative obligations, ensuring clear lines of responsibility.
- (c) Executive Managers will support the CEO in executing compliance strategies within their respective domains.
- (d) Members and Workers will receive ongoing training and resources to stay updated on relevant legislation.
- (e) The Executive Management Group will review accidents, incidents, complaints, and audit reports to identify compliance gaps and facilitate improvements.

4. Compliance Obligations

The most obvious compliance obligations affecting the Shire arise from legal and regulatory contexts that the Shire operates in however, obligations or risks can also arise from other factors such as the Council Plan that outlines the objectives of the community. The Shire shall maintain awareness of regulatory and legislative requirements through various channels including:

- (a) utilisation of government websites for up-to-date legislation;
- (b) membership in professional groups and attendance at industry forums;
- (c) meeting with the DLGSC and other regulators;

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PROPOSED Legislative Compliance Policy

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- (d) arrangements with legal advisors; and
- (e) subscription to relevant information services and consultation with external and internal stakeholders.

5. Other compliance matters

In addition to regulatory and legislative obligations, the Shire will adhere to:

- (a) agreements with community groups or non-governmental organisations;
- (b) agreements with public authorities and ratepayers;
- (c) organisational requirements through local laws, policies, procedures, and directives;
- (d) principles or codes of practice;
- (e) obligations arising from contractual arrangements with the Shire; and
- (f) relevant organisational and industry standards.

A risk-based approach through the Shire's risk management framework will ensure the effective management of compliance obligations.

6. Non-compliance

In the event of nonconformity or noncompliance, the Shire will take immediate action to control and correct the issue to:

- a) ensure that Workers report all instances of non-compliance to the relevant Manager. The Manager shall then evaluate the root causes and determine what corrective actions are to be implemented to prevent recurrence the appropriate response and report the matter to the CEO.
- b) ensure that in cases where a Member becomes aware of non-compliance, they report the matter to the Shire President, who will then determine the appropriate response and liaise with the CEO regarding the matter.
- c) investigate any reports of significant non-compliance through the Office of the CEO, and if necessary, report the non-compliance to the Council and/or the relevant government authority if required.
- d) take corrective action through the documentation of all non-conformities and the corrective actions for review and process improvement to be implemented through operational procedures and processes, including training.

7. Compliance and Review

This policy will undergo regular review to ensure alignment with legislative requirements, industry standards, and best practices. Members and Workers will be informed of any updates through standard communication channels.

8. Implementation

This policy will be disseminated to all employees, elected officials, contractors, volunteers, and stakeholders of the Shire to ensure widespread understanding and adherence.

Reference Information

- Local Government Regulatory Compliance Framework (DLGSC)
(<https://www.dlgsc.wa.gov.au/local-government/local-governments/compliance-and-governance/local-government-compliance-framework>)

Legislation

Local Government Act 1995;
Local Government (Audit) Regulations 1996;
Work Health and Safety Act 2020;
Work (Health and Safety) General Regulations 2022.

Associated documents

Register of Delegations.

Governance Framework;
Risk Management Framework and policy;
CEO Directive: Communication and Compliance.

Document control information	
Document Category	Administration
Document Title	Legislative Compliance
Document ID	ADM20
Document Owner (position title)	Chief Executive Officer
Author (position title)	Chief Executive Officer
Date of approval	t.b.a.
Approving authority	Council
Access restrictions	Nil
Date Published	t.b.a.
Date of last review	15 April 2024
Date of next review	Annually with the review of the Delegation Register

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PROPOSED Legislative Compliance Policy

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Vivian Bullwinkel

The proposed new Division of Bullwinkel is named in honour of Lieutenant Colonel Vivian Bullwinkel AO MBE ARRC ED FNM FRCNA (1915–2000).

After surviving the sinking of the SS Vyner Brooke following the evacuation of Singapore, Bullwinkel was the sole survivor of the 1942 Bangka Island massacre and a prisoner of war for three and a half years. Bullwinkel retired from the Army in 1947 and became Director of Nursing at Melbourne's Fairfield Hospital, devoting much of her life to:

- moving Australian nursing education from hospitals to universities,
- working for the recognition of military personnel, especially nurses, and the victims of war crimes,
- honouring those killed on Bangka Island, returning to the Island in 1992 to unveil a shrine to the nurses who had not survived the war, and
- highlighting the treatment of prisoners of war by Japanese soldiers during World War II.

Naming an electoral division after Vivian Bullwinkel recognises her dedication to honouring victims of war crimes and her service to nursing and the community, in both her civilian and military service. This electoral division name also honours the contribution of military medical personnel and recognises those who were prisoners of war.

Alma May Beard

Alma May Beard's name is located at panel 96 in the Commemorative Area at the Australian War Memorial.

Sister Alma Beard of 2/13 Australian General Hospital is the daughter of Edward and Katherine Beard of Toodyay. She was born at 'Tellmell', the family farm, on 14 January 1913.

She attended the local primary school, then boarded at Mercedes College in Perth for a year.

Alma returned home at the age of 17 before commencing her nursing training at Perth Hospital. She loved to ride horses and entered dressage events at the local show.

Alma was 28 when she enlisted in Perth on 19 June 1941.

Sister Alma May Beard, service number WFX11175 of 2/13 Australian General Hospital, was shot as a prisoner of war at Bangka Island on 16 February 1942. She was 29.



Audit & Risk Committee Meeting

5 June 2024

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.



Tabitha Bateman
ACTING CEO



AUDIT & RISK COMMITTEE MEETING MINUTES

5 JUNE 2024

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 11 June 2024.



Tabitha Bateman

ACTING CEO

Confirmed Minutes

These minutes were confirmed at a meeting held on 4 September 2024.

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

5 JUNE 2024

1 DECLARATION OF OPENING

Cr N Mills, Chairperson, declared the meeting open at 12.09pm.

1.1 ANNOUNCEMENT OF VISITORS

Nil.

1.2 RECORD OF ATTENDANCE AND APOLOGIESMembers

Mr S Rutter	Community Member
Cr S Dival	Deputy Shire President
Cr S McCormick	Councillor
Cr M McKeown	Shire President
Cr J Prater	Councillor
Mrs N Mills	Community Member (Chair)

Staff

Mrs M Rebane	Executive Assistant
Ms T Bateman	Acting Chief Executive Officer
Ms J Lucas	Administration Coordinator
Mrs N Mwale	Finance Coordinator
Ms G French	Acting Executive Manager Corporate and Community Services

Visitors

Nil

Apologies

Ms K Barrack	Community Member
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1.3 DISCLOSURE OF INTEREST

Nil.

2 MINUTES AND ADDITIONAL INFORMATION**2.1 CONFIRMATION OF MINUTES**

Minutes of Meeting held on 6 March 2024

OFFICER'S RECOMMENDATION

That the Unconfirmed Minutes of the Audit & Risk Committee Meeting held on 6 March 2024 be confirmed

AUDIT & RISK COMMITTEE MEETING MINUTES

5 JUNE 2024

OFFICER'S RECOMMENDATION/ARC RESOLUTION NO.ARC027/06/24**MOVED** Cr S Dival**SECONDED** Cr M McKeown

That the Unconfirmed Minutes of the Audit & Risk Committee Meeting held on 6 March 2024 be confirmed subject to changing the Cr in front of the Chairpersons name to Mrs.

Voted For: Mr S Rutter, Cr S Dival, Cr S McCormick, Cr M McKeown, Cr J Prater and Mrs N Mills

Voted Against: Nil

MOTION CARRIED 6/0**2.2 REVIEW OF STATUS REPORT**

Nil.

2.3 INWARD/OUTWARD CORRESPONDENCE

Nil.

3 BUSINESS LEFT OVER FROM PREVIOUS MEETING (IF ADJOURNED)

Nil.

4 OFFICER REPORTS**4.1 2022/2023 Annual Report**

Date of Report:	30 May 2024
Applicant or Proponent:	Shire of Toodyay
File Reference:	COC2
Author:	M Rebane – Executive Assistant
Responsible Officer:	T Bateman – Acting CEO
Previously Before Council:	No
Author's Disclosure of Interest:	Nil
Council's Role in the matter:	Executive
Attachments:	<ol style="list-style-type: none"> 1. Transmittal Letter - Correspondence from the Office of the Auditor General; 🔗 2. Opinion - Shire of Toodyay - 30 June 2023; 🔗 3. Management Letter 30 June 2023; 🔗 4. Financial Report 30 June 2023; and 🔗

AUDIT & RISK COMMITTEE MEETING MINUTES**5 JUNE 2024**

	5. Advert for Elector's Meeting; and ✉
	6. 2023 Annual Report. ✉

PURPOSE OF THE REPORT

To consider the 2022/2023 Annual Report and recommend that Council:

1. receives the correspondence from the Auditor General;
2. receives the Opinion and Management Letter for the 2022/2023 audit process;
3. accepts the Annual Report 2022/2023; and
4. sets the date for the next Elector's General Meeting.

BACKGROUND

The Shire is required, under Section 5.53 of the *Local Government Act 1995* (the Act), to prepare an annual report for each financial year ending 30 June. The content of the annual report is prescribed by the Act and includes a summary of the Council's annual activities, including the audited annual financial statements and the auditor's report for the financial year. Section 5.27 of the Act requires that the Shire holds an annual electors' meeting not more than 56 days after the acceptance of the annual report for the previous year.

COMMENTS AND DETAILS

An Audit exit meeting was held on Wednesday, 29 May 2024 at which time the management letter and financial statements were provided. Members from the Audit and Risk Committee were present as well as the Shire President and Deputy Shire President, Cr Madacsi, Cr Duri and Cr Prater.

IMPLICATIONS TO CONSIDER**Consultative:**

Office of the Auditor-General

Dry Kirkness

Updates regarding Datascape challenges and preparation of the annual financials have been provided to the Audit and Risk Committee and Councillors on a regular basis.

Strategic:***Plan for the Future: Shire of Toodyay Council Plan 2023-2033******Outcome 9. Responsible and effective leadership and governance***

O9.1 Provide, strong, clear and accountable leadership.

O9.2 Govern Shire finances, assets and operations responsibly.

Policy related:

Financial Governance

Significant Accounting Policies

Financial:

The cost of the 2022/2023 financial audit was approximately \$57,000.

AUDIT & RISK COMMITTEE MEETING MINUTES**5 JUNE 2024**

There are costs associated with design of the annual report and advertising for the Annual Electors Meeting.

There will also be in-house costs involved with the printing of the annual reports.

Legal and Statutory:***Local Government (Administration) Regulations 1996******Part 5 Annual Reports and Planning***

Regulation 16 (a)(ii) of the *Local Government (Audit) Regulations 1996* states that the Audit Committee has functions to guide and assist the local government in carrying out its functions relating to other audits and other matters related to financial management.

r.16 (f) - Local Government (Audit) Regulations 1996

r.51 of the Local Government (Financial Management) Regulations 1996

s.5.27, s.5.29, s.5.41, s.5.53, s.5.54, s.7.9 and s.7.12A of the Local Government Act 1995

Risk related:

The requirement to accept the Shire's annual report and to hold an annual electors' meeting is a legislative obligation. Failure to do so exposes Shire officers and Councillors to significant compliance risk. This report helps to mitigate this risk.

Workforce related:

Shire Officers will arrange the advertising of the Elector's General Meeting as well as the printing of annual reports for the various office locations. Shire Officers will also collate the questions that come in from the community and respond to those questions prior to the date when the General Meeting is held.

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION 1

That the Audit & Risk Committee recommends to Council the following:

That Council:

1. Receives the correspondence from the Office of the Auditor General;
2. Receives the Management letter for the 2022/2023 financial year;
3. Receives the Audited Annual Financial Statements, and Independent Auditor's Opinion for the year ended 30 June 2023;
4. Receives and Accepts the Annual Report for the year ended 30 June 2023 that will incorporate the audited annual financial statements and the independent Auditor's opinion; and
5. Requests the Chief Executive Officer to make any necessary minor typographical changes prior to publication of the Annual Report;
6. Sets Wednesday 7 August 2024 at 6.00pm in the Shire of Toodyay Council Chambers, 15 Fiennes Street, Toodyay 6566 as the date, time and place for the next Elector's General Meeting; and

AUDIT & RISK COMMITTEE MEETING MINUTES

5 JUNE 2024

7. Requests the Chief Executive Officer to give local public notice of the availability of the Annual Report and convene the Elector's General Meeting to be held on the abovementioned date and time at Point 6

Clarification was sought. Update the CEO's Report and the President's Report

Cr Dival moved the Officer's Recommendation with amendments as follows:

That Council:

1. receives the correspondence from the Office of the Auditor General;
2. receives the Management letter for the 2022/2023 financial year;
3. receives the Audited Annual Financial Statements, and Independent Auditor's Opinion for the year ended 30 June 2023;
4. acknowledges the audit for the year ended 30 June 2023 was a clean audit with a qualification in respect to the comparative information for the year ended 30 June 2022 contained in a statement of comprehensive income. Further, it should be noted that the statement of financial position for the YE 30/06/2022 had been amended and audited with the 30 June 2023 accounts which resulted in the Auditors being satisfied that they appeared to be free of material misstatements.
5. receives and Accepts the Annual Report for the year ended 30 June 2023 that will incorporate the audited annual financial statements and the independent Auditor's opinion subject to the replacement of the CEO's Report and the President's Report; and
6. requests the Chief Executive Officer to make any necessary minor typographical changes prior to publication of the Annual Report;
7. sets Wednesday 7 August 2024 at 6.00pm in the Shire of Toodyay Council Chambers, 15 Fiennes Street, Toodyay 6566 as the date, time and place for the next Elector's General Meeting; and
8. requests the Chief Executive Officer to give local public notice of the availability of the Annual Report and convene the Elector's General Meeting to be held on the abovementioned date and time at Point 7.

Cr McCormick seconded the motion.

Clarification was sought.

The motion was put.

OFFICER'S RECOMMENDATION/ARC RESOLUTION NO.ARC028/06/24

MOVED Cr S Dival

SECONDED Cr S McCormick

That the Audit & Risk Committee recommends to Council the following:

That Council:

1. Receives the correspondence from the Office of the Auditor General;
2. Receives the Management letter for the 2022/2023 financial year;

AUDIT & RISK COMMITTEE MEETING MINUTES

5 JUNE 2024

3. Receives the Audited Annual Financial Statements, and Independent Auditor's Opinion for the year ended 30 June 2023;
4. acknowledges the audit for the year ended 30 June 2023 was a clean audit with a qualification in respect to the comparative information for the year ended 30 June 2022 contained in a statement of comprehensive income. Further, it should be noted that the statement of financial position for the YE 30/06/2022 had been amended and audited with the 30 June 2023 accounts which resulted in the Auditors being satisfied that they appeared to be free of material misstatements.
5. Receives and Accepts the Annual Report for the year ended 30 June 2023 that will incorporate the audited annual financial statements and the independent Auditor's opinion subject to the replacement of the CEO's Report and the President's Report; and
6. Requests the Chief Executive Officer to make any necessary minor typographical changes prior to publication of the Annual Report;
7. Sets Wednesday 7 August 2024 at 6.00pm in the Shire of Toodyay Council Chambers, 15 Fiennes Street, Toodyay 6566 as the date, time and place for the next Elector's General Meeting; and
8. Requests the Chief Executive Officer to give local public notice of the availability of the Annual Report and convene the Elector's General Meeting to be held on the abovementioned date and time at Point 7.

Voted For: Mr S Rutter, Cr S Dival, Cr S McCormick, Cr M McKeown, Cr J Prater and Mrs N Mills

Voted Against: Nil

MOTION CARRIED 6/0

AUDIT & RISK COMMITTEE MEETING MINUTES

5 JUNE 2024

4.2 Update on the Datascape Migration project

Date of Report:	30 May 2024
Applicant or Proponent:	Audit and Risk Committee
File Reference:	LEG269
Author:	T Bateman – Acting CEO
Responsible Officer:	T Bateman – Acting CEO
Previously Before Council:	No
Author's Disclosure of Interest:	Nil
Council's Role in the matter:	Review
Attachments:	1. Datascape Migration Action Plan - Status Report as at 31 May 2024 ↗

PURPOSE OF THE REPORT

To update the Audit and Risk Committee on progress made to date on the Datascape migration project.

BACKGROUND

The Audit and Risk Committee charter was adopted in May 2024. It contained information about how the Committee assists Council in fulfilling its responsibilities in relation to Risk Management, Fraud and Internal Controls.

At the March 2024 Committee meeting a recommendation was made and further ratified by Council as follows:

That the CEO provide quarterly updates including provision of completion dates and budgetary implications until the tasks identified on the Datascape Migration Action Plan have been finalised.

COMMENTS AND DETAILS

The Datascape Migration Action Plan was provided to the ARC in December 2023 which included a comprehensive list to address outstanding tasks developed in consultation between the Shire and Datacom. The tasks were prioritised giving key consideration to audit-related tasks, and the action plan was developed to address these items with input from both parties.

The Shire and Datacom have dedicated significant resources to work through the actions identified in the plan (**Attachment 1**) which highlights the desired outcomes and steps required moving forward.

As reported to the ARC in December 2023 there were a number of areas that required significant attention to improve functionality and reliability of Datascape. A number of these areas seriously impacted the preparation of the annual financials and were prioritised by

AUDIT & RISK COMMITTEE MEETING MINUTES**5 JUNE 2024**

Datacom and the Shire of Toodyay. These areas were Assets; Bank Reconciliations; Customer Relationship Manager; and Training resources.

Assets

This project is complete. The asset register now holds all asset data as captured in the asset revaluation process performed in 2023. Reports are available to support the financials.

CRM and Records Management

The Shire went live with the CRM module on 2 May 2024.

This project has had a positive impact on workflow across the organisation. Additionally, the promotion and use of the Antenno app has streamlined community interaction with the Shire through service requests and other correspondence. The number of registered users of Antenno has grown to 70 in the last month.

Further, the CRM module has significantly improved the management of creditor invoices and the mobile capture option allows for photos and locations to be added to records thereby improving the accuracy and detail held in the records management system. Training has been provided to all users and will be followed up internally with regular refreshers.

Training and Manuals

In consultation with other local governments using the Datascape platform, the Shire of Toodyay requested that existing training manuals be updated by Datacom to provide detailed and accurate information to support users. It was acknowledged that continuous development and improvements to the system resulted in manuals quickly becoming outdated.

Datacom responded to the requests and launched its e-learning portal in May 2024. Officers can refer to the training resources on the portal as and when required. Furthermore, focussed, in-person training workshops have been developed with the first session being attended by five Shire staff in May 2024.

The progress made thus far is a testament to the collaborative efforts and dedication of both the Shire and Datacom teams. Officers will continue to work closely with Datacom to ensure the completion of the remaining tasks to improve the user experience and ensure the system is utilised to its highest and best use.

Outstanding tasks**GIS Integration**

Further progress is required in the area of GIS and mapping capabilities which continues to be a focus for Datacom developers.

With regards to timeframes, it is unclear when the GIS solution will be finalised as other areas such as finance and CRM have taken priority. Currently, the Shire has adequate workarounds to meet GIS needs for the time being. Currently, a SLIP subscription through Landgate is used extensively to provide GIS solutions including web map searching and data downloads.

In addition to this the Shire continues to use QGIS which is a free open-source GIS program akin to ArcGIS for the creation of specialised maps, such as Firebreak Variations.

The Shire also utilises free online web mapping solutions such as PlanWA and MapViewer Plus. These solutions are also available to the general public for zoning checks and to create basic maps to support development applications.

AUDIT & RISK COMMITTEE MEETING MINUTES**5 JUNE 2024****Cemetery Data upload**

Currently, historical cemetery data is held in a system called Paradox. Since the inception of Datascape, new burials and reserves are being captured in Datascape. Completion of this project will be dependent upon allocation of appropriate resources to populate an import template. This project is considered a lower priority than the GIS integration.

Officers expect further system improvements and growing capabilities from Datacom as evidenced not only by recent developments but also as they address their 'Roadmap'. Future enhancements include the development of a Grants Module, Dashboard reporting and Power BI integration.

The progress made to date is a testament to the recent collaborative efforts and dedication of both the Shire and Datacom teams. Officers will continue to work closely with Datacom to ensure the completion of the remaining tasks to improve financial management practices.

IMPLICATIONS TO CONSIDER**Consultative:**

Datacom

Strategic:

Shire of Toodyay Plan for the Future: Council Plan 2023-2033

Outcome 9. Responsible and effective leadership and governance

9.2. Govern Shire finances, assets, and operations responsibly.

Policy related:

Nil.

Financial:

There are no material financial impacts as a result of this report. Should Council choose to implement further Datascape modules in the future, a project plan will be developed detailing any need for additional funding.

Legal and Statutory:

Local Government Act 1995

Risk related:

Section 7.1A of the Act requires that all local governments establish an audit committee. The audit committee plays a key role in assisting a local government to fulfil its governance and oversight responsibilities in relation to financial reporting, risk management systems, legislative compliance and the external audit functions. Failure to have an audit committee in place exposes Shire officers and Councillors to significant risk. This report assists in mitigating these risks.

Workforce related:

The transition to Datascape and associated challenges have had a significant impact on the Shire staff. Additionally, the introduction of new processes can be challenging when also managing business as usual tasks. It's important that the impacts are considered prior to the implementation process and that staff are supported with the appropriate resources.

AUDIT & RISK COMMITTEE MEETING MINUTES**5 JUNE 2024****VOTING REQUIREMENTS**

Simple Majority

OFFICER'S RECOMMENDATION 1

That the Audit & Risk Committee recommends to Council the following:

That Council notes the progress made to date on the Datascape transition and requests the CEO to provide an update to the Audit & Risk Committee in June 2025.

Clarification was sought.

Cr Dival moved a motion as follows:

That Council notes the completed projects and requests the CEO to provide an update on the outstanding GIS and Cemetery Records in Datascape to the Audit & Risk Committee in June 2025.

Mr S Rutter seconded the motion.

Further clarification was sought.

The motion was put.

MOTION/ARC RESOLUTION NO.ARC029/06/24**MOVED** Cr S Dival**SECONDED** Mr S Rutter

That the Audit & Risk Committee recommends to Council the following:

That Council notes the completed projects and requests the CEO to provide an update on the outstanding GIS and Cemetery Records in Datascape to the Audit & Risk Committee in June 2025.

Voted For: Mr S Rutter, Cr S Dival, Cr S McCormick, Cr M McKeown, Cr J Prater and Mrs N Mills

Voted Against: Nil

MOTION CARRIED 6/0

In accordance with regulation 11. Minutes, content of (Act s. 5.25(1)(f)) of the Local Government (Administration) Regulations 1996 regulation 11(da) requires that the minutes record a written reason for each decision made at the meeting that is significantly different from the relevant written recommendation of an employee as defined in section 5.70.

The reason for the changed motion is to provide more clarity on the progress of the Datascape migration.

Further clarification was sought after the motion was carried regarding bank reconciliations.

AUDIT & RISK COMMITTEE MEETING MINUTES

5 JUNE 2024

4.3 Risk Management

Date of Report:	30 May 2024
Applicant or Proponent:	Audit and Risk Committee/Shire of Toodyay
File Reference:	LEG269
Author:	M Rebane – Executive Assistant
Responsible Officer:	T Bateman – Acting CEO
Previously Before Council:	No.
Author's Disclosure of Interest:	Nil
Council's Role in the matter:	Review
Attachments:	<p>1. FMR Actions Report - Outstanding Actions; and (confidential) Section 5.23(2) <i>(f)(i)a matter that if disclosed, could be reasonably expected to impair the effectiveness of any lawful method or procedure for preventing, detecting, investigating or dealing with any contravention or possible contravention of the law. (under separate cover)</i></p>

PURPOSE OF THE REPORT

To receive a progress update about the Risk Register and the Risk Assessment (Audit Regulation 17) Report from Moore containing Actions.

BACKGROUND**OFFICER'S RECOMMENDATION**

MOVED Cr S Dival

SECONDED

The Audit and Risk Committee Charter was adopted in May 2024. It contained information about how the committee assists Council in fulfilling its responsibilities in relation to risk management, fraud and internal control.

At the March 2024 Committee meeting a recommendation was made that was further ratified by Council as follows:

That the CEO report regularly to the Audit and Risk Committee on the actions undertaken toward the completion of the risks identified in the Report.

COMMENTS AND DETAILS

One of the functions of the Audit and Risk Committee is to review the results of the Financial Management Review (FMR) and the Audit Regulation 17 Review (AR17), in addition to monitoring and assessing risk and improvements.

AUDIT & RISK COMMITTEE MEETING MINUTES

5 JUNE 2024

The Risk Assessment Report (RAR) developed by Moore Australia incorporating the results of the AR17 Review and actions to be undertaken has been updated by Shire Officers (**Attachment 1**).

The FMR Actions Report (**Attachment 1**) has been updated to reflect completion of the following tasks:

Report Section	Component	Comment / Issues	Due Date
6.2	GOV15 Appointment of Acting CEO	The policy required updates to align with current legislation. It has been revised and was adopted by Council on 28 Feb 2024.	Mar-24
6.2	Payments to Employees above Contract or Award	Review of this policy was overdue. Accordingly, it was reviewed by Audit and Risk Committee then adopted on 27/09/2023 with a next review date of 07/05/2025.	Sep-23
6.2	GOV15 Appointment of Acting CEO	Whilst adopted by absolute majority, these reports were presented to Council with incorrect voting requirements noted.	
6.2	GOV14 Attendance at Events	Training has been provided to report writers using WALGA's list of 'absolute majority' decisions. A project brief has been prepared that will see improvements to Infocouncil to manage voting requirements for each report.	Ongoing
6.2	GOV8 Local Government Payments and Gifts to Members	The policy required further clarity regarding reference to determinations made by the Salaries and Allowances Tribunal. The policy was amended and adopted on 27 March 2024	Mar-24
6.2	Policy Review	It was noted that operational document control should be removed from policies and be maintained. Officers now maintain a detailed policy list as part of the Shire's Compliance Register which manages version and document control information. (Updated 30 May 2024).	On-going
6.2	Policy Publication	Inconsistencies were noted in the presentation of some policies. Further it was recommended that HR	May-24

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Report Section	Component	Comment / Issues	Due Date
		<p>policies be managed at an operational level and not published on the Shire website.</p> <p>HR Directives have been removed from the Shire's website and form part of the Worker Handbook.</p>	
7.2	Information Required to be Published on Official Local Government Website	<p>Shire Officers reconfigured the website in April 2024 to ensure that the Council Registers were in one place for the community to reference as well as the schedule of Fees and Charges.</p> <p>A page called https://www.todyay.wa.gov.au/council/information-published-on-official-website.aspx has been placed onto the website to ensure everything in the legislation is in that area, or can be a link to where it exists elsewhere on the website.</p>	Dec-23
7.2	Annual Report	A procedural template was developed to capture all information required by legislation for inclusion in Annual Report. Officers are required to check the procedure every time they follow it.	On-going
7.2	Overhead and Administration Allocations	Activity based costings are reviewed annually as part of the Annual Budget process. Outstanding balances in progress - to be cleared by Mar-24.	On-going
7.2	Bank Reconciliation	Bank reconciliations completed back to July 2020 with assistance from Datacom (Dec 2023). Develop and document controls to ensure:- review and confirmation of reconciliations- preparation of journals with supporting documentation- independent review and sign-off of all reconciliations and journals.	Apr-24
7.2	Procurement	Controls exist within the configuration of the ERP (Datascape) to ensure segregation of duties. E.g. A requisitioning officer cannot approve a purchase order or payment of an invoice. Delegation CS1 to be reviewed as part of annual review process.	May-24
7.2	Procurement	Delegation CS1 was reviewed as part of annual review process. It is intended to be part of the adoption of the Delegation Register by Council in June.	May-24

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Report Section	Component	Comment / Issues	Due Date
7.2	Procurement Assessment	Tender and RFQ documentation is downloaded each and every time needed. Templates have been created (April 2024) and a declaration form has been created for assessment panel members regarding conflict. Procedures to be formally documented. (30/05/2024: this is still ongoing. Starting to create templates using the WALGA Model documents however there is still risk in doing this without checking to see whether templates are amended by WALGA.	Jul-24
7.2	Corporate Transaction Cards	On-going process. All current credit card holders have signed an agreement.	Dec-23
7.2	Corporate Transaction Cards	Purchasing policy reviewed and adopted by Council 28/06/2023. Refresher training provided to all staff.	Feb-24
7.2	Contract Management	Contracts contain 'holding over clauses' to ensure continuance of contract conditions until renewal or termination. A review of contracts has been undertaken and renewal details have now been incorporated in the Contracts and Agreements Register. Council is provided with updates in May and November of each year.	Dec-23
7.2	Honorariums / Token Payments	Officers have assessed honorariums and token payment arrangements currently in place and do not consider a superannuation liability currently exists. Further monitoring of these arrangements will be applied.	Dec-23
8.1	Council and Audit Risk Committee	The Governance framework will be further updated and procedures put in place to address risks. Staff have been advised at staff information sessions (April 2024). This is intended to be addressed further with Risk Management Training to be provided in Sept 2024. Seen as ongoing.	May-24

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Report Section	Component	Comment / Issues	Due Date
8.1	Council and Committee Minutes Council and Committee Minutes (continued)	<p>OCM agenda process includes:</p> <ul style="list-style-type: none"> Officer reports submitted to Manager for review 19 days prior; Agenda review by Executive Management Group 15 days prior; Amendments made and reports finalised and authorised 13 days prior; Compilation of Agenda and attachments, review by CEO, amendments made before sign-off by CEO, Upload to Council Hub and Shire website 12 days prior; Response to elected member queries before Agenda Briefing held 7 days prior; Questions on notice responses and Agenda Briefing Noted reviewed, finalised and distributed 5 days prior. 	On-going

The Risk Management Framework (RMF) and Risk Management Policy were adopted by Council in March 2024. Officers presented a project brief for Council's consideration as part of the adoption of the 2024/2025 Annual Budget in terms of addressing the requirements for a risk register and dashboard. It is intended that once training is undertaken, the risk register can be developed and finalised by the end of the year, or earlier, dependent upon resources.

Regular reviews of the Risk Register and Dashboard will be presented to the Audit and Risk Committee.

IMPLICATIONS TO CONSIDER

Consultative:

Moore Australia

LGIS

Strategic:

Shire of Toodyay Plan for the Future: Council Plan 2023-2033

Outcome 9. Responsible and effective leadership and governance

9.1.4. Undertake regular reviews of organisation and Council culture and implement initiatives to improve.

9.1.5. Establish a Risk Working Group.

9.2. Govern Shire finances, assets, and operations responsibly.

AUDIT & RISK COMMITTEE MEETING MINUTES**5 JUNE 2024****Policy related:**

Risk Management Policy (ADM18)
Internal Control Policy (ADM19).
Legislative Compliance Policy (ADM20).

Financial:

Nil.

Legal and Statutory:

Local Government Act 1995

Risk related:

Elevating risk management, internal controls, financial management, and legislative compliance practices is imperative to uphold the Shire's commitment to continuous improvement.

The actions identified in the RAR will continue to be addressed by Officers, conscious of the timelines imposed as part of the action plan.

Workforce related:

Collaboration across the organisation is required to focus on the actions contained in the Audit Reg 17 report as well as developing the Shire's risk register, in line with the principles and procedures contained in the RMF. Additional Officer time will be required in order that risks are clearly communicated throughout the organisation.

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION 1

That the Audit & Risk Committee

1. receives the *FMR Actions Report - Outstanding Actions* as attached to this report at **Attachment 1**; and
2. notes the actions finalised to date as detailed in the table above.

Clarification was sought.

Cr Dival moved a Procedural Motion as follows:

That the Audit and Risk Committee meeting proceed to the next item of business (Agenda Item 4.4 Records Management Project 2023/2024) at 1.02pm in accordance with Standing Order 10.1(a).

N Mills seconded the motion.

The motion was put.

AUDIT & RISK COMMITTEE MEETING MINUTES

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PROCEDURAL MOTION /ARC RESOLUTION NO.ARC030/06/24**MOVED** Cr S Dival**SECONDED** Cr N Mills

That the Audit and Risk Committee meeting proceed to the next item of business (Agenda Item 4.4 Records Management Project 2023/2024) at 1.02pm in accordance with Standing Order 10.1(a).

Voted For: Mr S Rutter, Cr S Dival, Cr S McCormick, Cr M McKeown, Cr J Prater and Mrs N Mills

Voted Against: Nil

MOTION CARRIED 6/0

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4.4 Records Management Project 2023/2024

Date of Report:	30 May 2024
Applicant or Proponent:	Shire of Toodyay
File Reference:	RCM1
Author:	J Lucas – Records Officer
Responsible Officer:	T Bateman – Acting CEO
Previously Before Council:	No
Author's Disclosure of Interest:	Nil
Council's Role in the matter:	Executive
Attachments:	Nil

PURPOSE OF THE REPORT

To update the Audit and Risk Committee on the progress of the Records Management Project for the implementation of a new records management system.

BACKGROUND

Officers have commenced the implementation of OpenText Content Manager (CM), specifically designed for records management, managing the lifecycle of records from creation to disposal.

The project scope included implementation of the software including system configuration, training of staff in the use of the Content Manager software and ongoing software support and integration with Datascape.

At the March 2024 Ordinary Council Meeting Council resolved:

That Council:

- Supports the implementation of a new, fit-for-purpose records management system, and the allocation of additional funds as part of the mid-year budget review of \$96,158.*
- Requests the CEO to monitor the expenditure and inform the Audit and Risk Committee on a regular basis, of the progress of the project implementation with regard to schedule and budget.*

COMMENTS AND DETAILS

Significant work has commenced in reference to the management of data, security, access to records and policies for retention and disposal. Preliminary training has been provided to staff in relation to the transition and moving forward, records training will form part of the organisation's annual training schedule.

The implementation of Content Manager is progressing smoothly and on target with expected timeframes and budget. To date, the following tasks have been completed:

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- Project initiation
 - (a) parties are meeting fortnightly to ensure the project remains on track;
 - (b) Information Proficiency was provided access to complete system configuration in consultation with the Shire's IT Provider;
 - (c) licencing requirements have been identified;
 - (d) server infrastructure and technical specifications have been confirmed; and
 - (e) UAT Environment has been installed.

The initial system set up has taken place and workshops to refine and finalise the records management and system configuration will take place over 3 days beginning 12 June 2024. Testing is scheduled to take place 27-29 June 2024 with the 'go-live' date expected 8 July 2024. End user training is booked in for all staff between 8-10 July 2024.

Management recognises that the progress to date is a direct result of significant time from committed staff.

Consultative:

Nil

Strategic:**Plan for the Future: Shire of Toodyay Council Plan 2023-2033****Outcome 10. Happy community members who feel heard, valued and respected.**

O10.2. Deliver excellent customer service.

O10.2.1. Implement and promote a new customer relationship management module on the Shire's website to deliver a broader range of online services, such as completing and submitting application forms, submitting planning, and building approvals, and accessing a supplier portal.

Policy related:

Record Keeping

Financial:

An allocation to funds this project was approved during the mid-year budget review. Considering progress to date, officers are not expecting further costs will be incurred above the approved allocation.

Legal and Statutory:

State Records Act 2000

State Records Principles and Standards 2002 - Principle 6

Record Management Plan

Local Government Act 1995 - s.5.41(h)

Risk related:

There is a significant compliance risk of not meeting the record keeping requirements as stipulated in the *State Records Act 2000*. Reputational and financial risks also exist in the event the Shire is forced into migrating to a new system prematurely without allocating

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resources to the project, therefore leading to reputational risk in the event records are not managed appropriately. This report mitigates these risks.

Workforce related:

Significant Officers time will be required for the implementation testing and training of the new system.

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION/ARC RESOLUTION NO.ARC031/06/24

MOVED Mr S Rutter

SECONDED Cr S McCormick

That the Audit & Risk Committee notes the update in regard to the Records Management Project as per the Officer's Report.

Voted For: Mr S Rutter, Cr S Dival, Cr S McCormick, Cr M McKeown, Cr J Prater and Mrs N Mills

Voted Against: Nil

MOTION CARRIED 6/0

J Lucas departed the Council Chambers at 1.04pm.

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4.5 Policy review

Date of Report:	29 May 2024
Applicant or Proponent:	Shire of Toodyay
File Reference:	MAN6
Author:	M Rebane – Executive Assistant
Responsible Officer:	T Bateman – Acting CEO
Previously Before Council:	OCM131/06/23 June 2023
Author's Disclosure of Interest:	Nil
Council's Role in the matter:	Executive
Attachments:	<ol style="list-style-type: none"> 1. CURRENT Corporate Credit Cards Policy; and ↳ 2. REVISED Transaction Cards (Financial) Policy; ↳ 3. CURRENT Corporate Documents (Admin) Policy; ↳ 4. REVISED Corporate Documents (Admin) Policy; ↳ 5. CURRENT Internal Control (Admin) Policy; ↳ 6. REVISED Internal Control (Admin) Policy; ↳ 7. CURRENT Legislative Compliance (Admin) Policy; ↳ 8. REVISED Legislative Compliance (Admin) Policy; ↳ 9. NEW Public Interest Disclosure (Governance) Policy; ↳ 10. CURRENT Purchasing (Finance) Policy; and ↳ 11. REVISED Purchasing (Finance) Policy. ↳

PURPOSE OF THE REPORT

To receive an update on the policy review undertaken following the FMR Audit.

BACKGROUND

The Financial Management Review conducted in November 2023 requested that in the review of policies Officers consider:

- removing specific references to legislation in the legislation area of each policy.
- removing version control information in favour of creating and maintaining a Policy Review Index.
- identifying what are clearly Shire policies and ensuring that any documents that are not policies are placed into another area (e.g. directives, procedures, corporate

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documents, etc. (Note: Officers have created a Corporate Document Review Index for this purpose).

- making the Christmas Closure Policy into a CEO Directive as it is an operational matter.
- the appropriate separation of the role of the Council and the CEO.
- reviewing and updating policies to articulate the strategic direction of Council and set out a high level position to follow at an operational level, particularly where legislation does not provide such guidance.

When the Audit and Risk Committee charter was adopted in May 2024 part of the charter stated:

The Committee assists Council in fulfilling its responsibilities in relation to:

Review of financial policies, governance policies, complaints management, conflict of interest, or public interest disclosure policies and make a recommendation to Council.

COMMENTS AND DETAILS

Following the FMR Review, the following policies were revised based on recommendations from that review.

1. Corporate Credits Card Policy – to be renamed to the Transaction Cards Policy

The current policy was adopted by Council on 21 December 2022 and was reviewed following receipt of the FMR Review Report (**Attachment 1**).

It is recommended that this policy be renamed to be called Transaction Cards Policy and adopted by Council (**Attachment 2**).

2. Corporate Documents – updated for clarity

The current policy was adopted by Council on 23 November 2021 and was reviewed following receipt of the FMR Review Report (**Attachment 3**).

It has since been reviewed and it is recommended that it be adopted by Council (**Attachment 4**).

3. Internal Control – operational version control removed

The CURRENT Internal Control (Admin) policy was adopted by Council on 26 Oct 2022 (**Attachment 5**).

The policy was reviewed by Shire Officers and it is recommended that the REVISED Internal Control Policy be adopted by Council (**Attachment 6**).

4. Legislative Compliance – removed specific references to legislation

The CURRENT policy was adopted by Council on 28 Sept 2022 (**Attachment 7**).

The policy was reviewed by Shire Officers to include reference to Compliance Management Standard ASO37301:2023. It is recommended that the REVISED Legislative Compliance (Admin) Policy be adopted by Council (**Attachment 8**).

5. Public Interest Disclosure Policy

This is a new policy created by Shire Officers, using templates from the Office of the Australian Information Commissioner as the Shire previously did not have a policy in place. Recommended as part of the FMR review.

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As per OAIC procedures, the PID Guidelines are to be signed off by the CEO, and the policy is to be a policy approved by Council. Forms have already been created for use as referenced in the guidelines which will, once the policy is approved, be published onto the Shire's website.

It is recommended that this NEW Public Interest Disclosure (Governance) Policy be adopted by Council (**Attachment 9**).

6. Purchasing Policy

The CURRENT policy was adopted by Council on 28 June 2023 (**Attachment 10**).

The policy was reviewed by Shire Officers in tandem with the Delegation Register to address conflicting information. It is recommended that the REVISED Purchasing (Finance) Policy be adopted by Council (**Attachment 11**).

IMPLICATIONS TO CONSIDER**Consultative:**

These policies were placed into the teams environment for Officers to review.

Policies were put onto the teams environment for feedback from the Audit and Risk Committee (ARC) and for Councillors on 9 May 2024.

Strategic:**Shire of Toodyay Council Plan 2023-2033****Outcome 9. Responsible and effective leadership and governance.**

9.1. *Provide strong, clear, and accountable leadership.*

Policy related:

As detailed within the attachments.

Financial:

Nil.

Legal and Statutory:

s.2.7(2)(b); s.5.2; s.5.46; and s.9.10 of the *Local Government Act 1995*.

Risk related:

The Register must be reviewed by the CEO and adopted by Council by absolute majority each financial year. To not do so would be a moderate compliance risk. If the Delegations are not adopted by Council at this meeting the risk would escalate to a high (15) risk. This report mitigates that risk.

Workforce related:

Once the Delegation Register is adopted by Council and signed off by the CEO and the Shire President, a Shire Officer updates the Returns Register, and issues Memorandums to all Shire Officers.

VOTING REQUIREMENTS

Simple Majority

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OFFICER'S RECOMMENDATION 1

That the Audit & Risk Committee recommends to Council the following:

That Council:

1. Adopts the following policies and requests the Acting CEO to make any minor typographical changes prior to their publication:
 - (a) Transaction Cards Policy as amended (**Attachment 2**);
 - (b) Corporate Documents Policy (**Attachment 4**);
 - (c) Internal Control Policy (**Attachment 6**);
 - (d) Legislative Compliance Policy (**Attachment 8**);
 - (e) Public Interest Disclosure Policy (**Attachment 9**);
 - (f) Purchasing Policy (**Attachment 11**).

Clarification was sought in regard to the removal of the Legislative Compliance Policy from the Officer's Recommendation.

Cr Dival moved the Officer's Recommendation 1 as amended.

Cr McKeown seconded the motion.

The motion was put.

AMENDED OFFICER'S RECOMMENDATION/ARC RESOLUTION NO.ARC032/06/24

MOVED Cr S Dival

SECONDED Cr M McKeown

That the Audit & Risk Committee recommends to Council the following:

That Council:

1. Adopts the following policies and requests the Acting CEO to make any minor typographical changes prior to their publication:
 - a) Transaction Cards Policy as amended (**Attachment 2**);
 - b) Corporate Documents Policy (**Attachment 4**);
 - c) Internal Control Policy (**Attachment 6**);
 - d) Public Interest Disclosure Policy (**Attachment 9**);
 - e) Purchasing Policy (**Attachment 11**).
2. Defer the Legislative Compliance Policy to a Council Workshop (**Attachment 8**);

Voted For: Mr S Rutter, Cr S Dival, Cr S McCormick, Cr M McKeown, Cr J Prater and Mrs N Mills

Voted Against: Nil

MOTION CARRIED 6/0

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4.6 10 year Assurance Cycles Plan (assessed annually)

Date of Report:	29 February 2024
Applicant or Proponent:	Shire of Toodyay
File Reference:	COC2
Author:	M Rebane – Executive Assistant
Responsible Officer:	T Bateman – Executive Manager Corporate and Community Services
Previously Before Council:	April 2021 OCM – first adoption of plan
Author's Disclosure of Interest:	Nil
Council's Role in the matter:	Executive
Attachments:	1. CURRENT 10-year Assurance Cycles Plan; and (under separate cover) 2. REVISED 10 Year Assurance Cycles. (under separate cover)

PURPOSE OF THE REPORT

To review the *10-year Assurance Cycles Plan* (the Plan) and make a recommendation to Council.

BACKGROUND

The Plan was developed by the Audit and Risk Committee to provide a framework and timeline for internal audits which focussed on addressing key risks. The results would assist with the identification of weaknesses in preparation for the Financial Management and Audit Regulation reviews as required on a three-yearly basis.

COMMENTS AND DETAILSFinancial Management Review and Audit Regulation 17 Review

The reviews were undertaken in 2023 after RFQs were called for in March 2023. Moore Australia were engaged and the project commenced September 2023.

In a separate report Officers have identified the progress of the actions to be addressed that resulted from that review. Some of those actions were:

- The Risk Management Framework and Risk Management Policy were adopted by Council in March 2024.
- Staff Training was undertaken with regard to risk reporting as part of the Agenda Reports processes.
- Council policies have been reviewed by Officers and an update of that review is contained in a separate report.

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- WALGA contract templates are being utilised by the Shire of Toodyay on an as-needs basis through the service that the Shire subscribes to.

Officers have reviewed the proposed projects of the existing 10-year Assurance Cycles Plan (**Attachment 2**) and propose adjustments based on shifting priorities and emerging risks.

This project is expected to be budgeted for again in the 2026/2027 financial year, and an allocation will be included in the budget.

Information Management and Technology

Officers consider this area an extreme risk considering the recent increased global cyber-attacks and data leaks. Consequently, with the assistance of LGIS and the preparation of a Cyber Security Review tailored specifically for the Shire of Toodyay, work is underway to improve the Shire's cyber-security.

The costs of implementing actions within the cyber-security action plan are currently unknown. Once projects have been prioritised and costed, Officers will report back to Council with budget amendments as required.

Business Continuity

Business Continuity activities are carried out for two reasons: Firstly, to put mitigations in place so that either the likelihood or the impact (or both) of the identified risk are reduced. This is what we will be focusing on in this document; Secondly, the Shire needs to understand its overall risk position - i.e. the total number of risks that have been identified and the total risk levels. What will be key in the development of our business continuity plan is creating the process of how it will be tested. A draft plan has been developed and is expected to be finalised in the 2024/2025 financial year.

IMPLICATIONS TO CONSIDER**Consultative:**

Nil.

Strategic:

Plan for the Future: Shire of Toodyay Council Plan 2023-2033

Outcome 9. Responsible and effective leadership and governance

O9.1 Provide, strong, clear and accountable leadership.

Policy related:

Purchasing;

Financial Governance;

Risk Management;

Legislative Compliance; and

Internal Control.

Financial:

There are no financial impacts in respect to this report.

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Legal and Statutory:

Section 2.7 of the *Local Government Act 1995*.

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

Regulation 16 (a)(ii) of the *Local Government (Audit) Regulations 1996* states that the Audit Committee has functions to guide and assist the local government in carrying out its functions relating to other audits and other matters related to financial management.

Risk related:

The Audit and Risk Committee plays a key role in overseeing the local government's responsibilities in relation to financial reporting, risk management and legislative compliance. The internal audit function is a risk mitigation strategy as it provides comfort and assurance around the risk and control environment in an organisation.

Workforce related:

Significant resources are required to achieve the objectives within the Assurance Cycles Plan. This will include a mix of internal and external resources which will be considered prior to adoption of the budget each year.

VOTING REQUIREMENTS

Absolute Majority

OFFICER'S RECOMMENDATION 1

That the Audit & Risk Committee recommends to Council the following:

That Council adopts the REVISED 10-year Assurance Cycles Plan assessed annually (**Attachment 2**).

Cr Dival moved a Procedural Motion as follows:

That the meeting proceed to the next item of business (5. Other Business / New Business of an Urgent Nature) at 1.25pm in accordance with Standing Order 10.1(a).

Cr McKeown seconded the motion.

The motion was put.

PROCEDURAL MOTION /ARC RESOLUTION NO. ARC033/06/24

MOVED Cr S Dival

SECONDED Cr M McKeown

That the meeting proceed to the next item of business (5. Other Business / New Business of an Urgent Nature) at 1.25pm in accordance with Standing Order 10.1(a).

Voted For: Mr S Rutter, Cr S Dival, Cr S McCormick, Cr M McKeown, Cr J Prater and Mrs N Mills

Voted Against: Nil

MOTION CARRIED 6/0

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5 OTHER BUSINESS / NEW BUSINESS OF AN URGENT NATURE

Cr McKeown moved a Procedural Motion as follows:

That:

1. The meeting be closed to the public in relation to an item of new business (5.1) Confidential Business at 1.35pm in accordance with Standing Order 10.1(e).
2. in accordance with Standing Orders Clause 5.2 (2), Council close the meeting to members of the public to allow the part of the meeting that deals with confidential business to continue behind closed doors in accordance with Section 5.23 (2) of the *Local Government Act 1995* as matters being considered deal with the following —
 - (f) a matter that if disclosed, could be reasonably expected to —
 - (i) impair the effectiveness of any lawful method or procedure for preventing, detecting, investigating or dealing with any contravention or possible contravention of the law; or
 - (ii) endanger the security of the local government's property; or
 - (iii) prejudice the maintenance or enforcement of a lawful measure for protecting public safety; and
3. in accordance with Standing Orders Clause 5.2 (5) while the resolution under sub-clause 5.2 (2) remains in force, the operation of Standing Orders Clause 7.9 is to be suspended until the Council or the committee, by resolution, decides otherwise.

Cr Prater seconded the motion.

The motion was put.

PROCEDURAL MOTION/ARC RESOLUTION NO.ARC034/06/24**MOVED** Cr M McKeown**SECONDED** Cr J Prater

That:

1. The meeting be closed to the public in relation to an item of new business (5.1) Confidential Business at 1.35pm in accordance with Standing Order 10.1(e).
2. in accordance with Standing Orders Clause 5.2 (2), Council close the meeting to members of the public to allow the part of the meeting that deals with confidential business to continue behind closed doors in accordance with Section 5.23 (2) of the *Local Government Act 1995* as matters being considered deal with the following —
 - (f) a matter that if disclosed, could be reasonably expected to —
 - (i) impair the effectiveness of any lawful method or procedure for preventing, detecting, investigating or dealing with any contravention or possible contravention of the law; or
 - (ii) endanger the security of the local government's property; or

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5 JUNE 2024

(iii) prejudice the maintenance or enforcement of a lawful measure for protecting public safety; and

3. in accordance with Standing Orders Clause 5.2 (5) while the resolution under sub-clause 5.2 (2) remains in force, the operation of Standing Orders Clause 7.9 is to be suspended until the Council or the committee, by resolution, decides otherwise.

Voted For: Mr S Rutter, Cr S Dival, Cr S McCormick, Cr M McKeown, Cr J Prater and Mrs N Mills

Voted Against: Nil

MOTION CARRIED 6/0

Attachments

1 Tabled Document - Cr McKeown distributed via Email tabled at 1.36pm. - **CONFIDENTIAL**

In accordance with Standing Orders 5.2 (3) the Presiding Member directed everyone to leave except the Members; the Acting CEO and the Executive Assistant.

All other attendees departed the Council Chambers at 1.35pm.

Mr S Rutter disclosed under the provisions of regulation 14CA of the Local Government (Administration) Regulations 1996 that he could maintain confidentiality during the meeting or the closed part of the meeting if required, in accordance with 14CA(5).

Discussion ensued in regard to the confidential matter.

MOTION/ARC RESOLUTION NO. ARC035/06/24

MOVED Cr N Mills

SECONDED Cr S Dival

That the meeting be adjourned at 1.55pm to be rescheduled until after the entrance meeting with the Auditors from Pitcher Partners.

Voted For: Mr S Rutter, Cr S Dival, Cr S McCormick, Cr M McKeown, Cr J Prater and Mrs N Mills

Voted Against: Nil

MOTION CARRIED 6/0

MOTION/ARC RESOLUTION NO. ARC036/06/24

MOVED Cr N Mills

SECONDED Cr S Dival

That the meeting be resumed at 2.57pm.

Voted For: Mr S Rutter, Cr S Dival, Cr S McCormick, Cr M McKeown, Cr J Prater and Mrs N Mills

Voted Against: Nil

MOTION CARRIED 7/0

AUDIT & RISK COMMITTEE MEETING MINUTES**5 JUNE 2024****5.1. CONFIDENTIAL BUSINESS**

The confidential attachment, provided via email was reviewed.

Clarification was sought.

Discussion ensued.

MOTION/ARC RESOLUTION NO.ARC037/06/24

MOVED Mr S Rutter

SECONDED Cr S Dival

That the Audit and Risk Committee advises Council that:

1. The Committee has made the CEO aware of potential misconduct by an Elected Member; and
2. Notes that the CEO will take appropriate action.

Voted For: Mr S Rutter, Cr S Dival, Cr S McCormick, Cr M McKeown, Cr J Prater and Mrs N Mills

Voted Against: Nil

MOTION CARRIED 6/0

6 CONFIRMATION OF NEXT MEETING

The next meeting of the Audit & Risk Committee is scheduled to be held on 4 September 2024 commencing at 10:00pm.

7 CLOSURE OF MEETING

The Chairperson closed the meeting at 3.58pm.



Our Ref: F21/71

7th Floor, Albert Facey House
469 Wellington Street, Perth

Ms Tabitha Bateman
Acting Chief Executive Officer
Shire of Toodyay
PO Box 96
TOODYAY WA 6566

Mail to: Perth BC
PO Box 8489
PERTH WA 6849

Tel: 08 6557 7500
Email: info@audit.wa.gov.au

Email: t.bateman@toodyay.wa.gov.au

Dear Ms Bateman

ANNUAL FINANCIAL REPORT FOR THE YEAR ENDED 30 JUNE 2023

The Office has completed the audit of the annual financial report for your Shire. In accordance with section 7.12AD (2) of the *Local Government Act 1995*, we enclose the Auditor General's auditor's report, together with the audited annual financial report.

We have also forwarded the reports to the President and the Minister for Local Government, as required by the Act. You are required to publish the annual report, including the auditor's report and the audited financial report, on your Shire's official website within 14 days after the annual report has been accepted by your Council.

Qualified audit opinion

As discussed at the exit meeting, the Auditor General's audit opinion has been qualified as we were unable to obtain sufficient and appropriate audit evidence regarding the prior year financial report, as the financial report was submitted for audit purposes without complete and accurate underlying records. The opinion on the financial report for the year ended 30 June 2022 was modified accordingly. The opinion on the current year financial report is also modified because of the possible effect of this matter on the comparability of the current year's figures and the corresponding figures.

Management control issues

While the result of the audit was generally satisfactory, I would like to draw your attention to the attached listing of deficiencies in internal control and other matters that were identified during the audit. These matters have been discussed with management and their comments have been included in the attachment.

Please note that the purpose of our audit was to express an opinion on the financial report. The audit included consideration of internal control relevant to the preparation of the financial report in order to design audit procedures that were appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of internal control.

An audit is not designed to identify all internal control deficiencies that may require management attention. The matters being reported are limited to those deficiencies that have been identified during the audit that are of sufficient importance to warrant being reported. It is possible that other irregularities and deficiencies may have occurred and not been identified as a result of our audit.

Unresolved matters from prior audits

We also draw your attention to the Matters Outstanding from Prior Audits issues set out in the attachment. We would appreciate your attention to these matters before next year's audit.

The date that entities provided their annual financial report to the Office has been recorded for purposes of reporting to Parliament. The date recorded for the receipt of your financial statements was 12 February 2024.

This letter has been provided for the purposes of the Shire and the Minister for Local Government and may not be suitable for other purposes.

I would like to take this opportunity to thank you, the management and the staff of the Shire for their cooperation with the audit team during our audit.

Feel free to contact me on 6557 7547 if you would like to discuss these matters further.

Yours sincerely

Subha Gunalan

Subha Gunalan
Director
Financial Audit
30 May 2024

Attach

ATTACHMENT

SHIRE OF TOODYAY

PERIOD OF AUDIT: YEAR ENDING 30 JUNE 2023

FINDINGS IDENTIFIED DURING THE AUDIT

Index of findings	Potential impact on audit opinion	Rating			Prior year finding
		Significant	Moderate	Minor	
<u>Financial Audit</u>					
1. Comparative financial information	Yes	✓			✓
2. Bank reconciliations	No	✓			✓
3. Purchasing policy not adhered to	No	✓			✓
4. Rates reconciliation	No	✓			
5. Risk Register	No	✓			
6. Manual journal entry controls	No		✓		
7. Supplier Masterfile Controls	No	✓			
8. Payroll records	No		✓		✓
9. Fixed asset register	No		✓		
10. Revenue cut-off errors	No			✓	
11. Excessive annual leave balances	No		✓		
12. Asset Management Plans	No		✓		
13. Grant income funding agreements	No			✓	
<u>Information system</u>					
14. IT Governance	No	✓			
15. Security weakness in active directory/ workstation	No	✓			

ATTACHMENT

SHIRE OF TOODYAY

PERIOD OF AUDIT: YEAR ENDING 30 JUNE 2023

FINDINGS IDENTIFIED DURING THE AUDIT

16. Outdated Business Continuity Plan/ Disaster Recovery Plan	No		✓		
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Key to ratings

The Ratings in this management letter are based on the audit team's assessment of risks and concerns with respect to the probability and/or consequence of adverse outcomes if action is not taken. We give consideration to these potential adverse outcomes in the context of both quantitative impact (for example financial loss) and qualitative impact (for example inefficiency, non-compliance, poor service to the public or loss of public confidence).

Significant - Those findings where there is potentially a significant risk to the entity should the finding not be addressed by the entity promptly. A significant rating could indicate the need for a modified audit opinion in the current year, or in a subsequent reporting period if not addressed. However even if the issue is not likely to impact the audit opinion, it should be addressed promptly.

Moderate - Those findings which are of sufficient concern to warrant action being taken by the entity as soon as practicable.

Minor - Those findings that are not of primary concern but still warrant action being taken.

ATTACHMENT**SHIRE OF TOODYAY****PERIOD OF AUDIT: YEAR ENDING 30 JUNE 2023****FINDINGS IDENTIFIED DURING THE AUDIT****1. Comparative financial information****2021 Finding**

The financial report for the year ended 30 June 2021 includes comparative information that is different from the audited financial report for the year ended 30 June 2020.

2022 Finding

Due to a lack of information, we have not been able to determine if the prior year finding has been satisfactorily resolved.

The prior year finding remains unresolved. The financial report for the year ended 30 June 2022 includes comparative information that is different from the audited financial report for the year ended 30 June 2021.

Management have confirmed that they cannot provide an explanation for these differences.

Status 2023

The financial report for the year ended 30 June 2023 includes comparative information that is different from the audited financial report for the year ended 30 June 2022.

We have audited the revised comparative information in respect of the Statement of Financial Position for the year ended 30 June 2022 and are satisfied that these appear to be free from material misstatement.

The prior year finding remains unresolved in respect of the comparative information for the Statement of Comprehensive Income.

We have not been able to obtain sufficient appropriate audit evidence that the revised comparative information in respect of the Statement of Comprehensive Income is free from material misstatement.

Rating: Significant**Implication**

Our audit opinion for the year ended 30 June 2023 is qualified in respect of the revised comparative information contained in the Statement of Comprehensive Income.

This is also a contravention of Australian Accounting Standard AASB 101 Presentation of Financial Statements and therefore Local Government (Financial Management) Regulation 5A. Accurate comparative information is important for the evaluation of the performance and the results of operations for the year of the Shire.

Recommendation

We recommend management of the Shire implement strong controls over the preparation of the annual financial report, including verification procedures to ensure accurate comparative information is included each year. We note that the absence of a qualification in respect of the Statement of Comprehensive Income figures for the year ended 30 June 2023 should help to resolve this issue for the next financial year.

ATTACHMENT**SHIRE OF TOODYAY****PERIOD OF AUDIT: YEAR ENDING 30 JUNE 2023****FINDINGS IDENTIFIED DURING THE AUDIT****Management comment**

Agreed – significant effort has been put in to identifying and rectifying numerous prior year errors. Management expects that the measures put in place to date will assist in accurately reporting comparatives for future periods.

Responsible person: N Mwale – Finance Coordinator
Completion date: 31 August 2024

ATTACHMENT**SHIRE OF TOODYAY****PERIOD OF AUDIT: YEAR ENDING 30 JUNE 2023****FINDINGS IDENTIFIED DURING THE AUDIT****2. Bank reconciliations****2021 Finding**

Bank reconciliations are a key aspect of internal controls over cash resources. They are an essential control in managing the accuracy and completeness of the accounting records and financial statements.

During the audit we noted bank reconciliations appear to have been prepared outside the two systems, using Excel spreadsheets, to reconcile between the actual bank statements and the legacy system account balances. No bank reconciliations were performed between the actual bank statements and the new system. No reconciliations were performed between the general ledgers of the two systems. The new system was used to prepare the financial report for the year.

There is an unreconciled difference of \$62,816 between the two systems and the closing balance from the bank statements of the Municipal account as at 30 June 2021.

2022 Finding

Due to a lack of information, we have not been able to determine if the prior year finding has been satisfactorily resolved.

Management have indicated that there has been no bank reconciliations performed for the financial year of 2022.

Status 2023

During our audit we noted the following:

- Bank reconciliations were performed by the Shire at 30 June 2021, 30 June 2022 and 30 June 2023 in 2023.
- The 30 June 2023 bank reconciliation contains a long outstanding amount of \$3,885 dating back to 2021.
- The bank reconciliations at 30 June 2021, 30 June 2022 and 30 June 2023 were not signed by the preparers and there was no signature by the reviewers to evidence the review.

Rating: Significant**Implication**

Bank reconciliations are a fundamental internal control in accounting to ensure that there are no transactions that have been misstated. The timely preparation and review of bank reconciliations ensures that any misstatements are detected as soon as possible.

Long outstanding reconciling items past their expiry dates are reflected on bank reconciliations without any possibility of being honoured and thus affect the accuracy of the bank balance. The review of bank reconciliations represents a key control and if not performed adequately may result in errors or omissions in the accounting records going undetected.

ATTACHMENT**SHIRE OF TOODYAY****PERIOD OF AUDIT: YEAR ENDING 30 JUNE 2023****FINDINGS IDENTIFIED DURING THE AUDIT****Recommendation**

We recommend that bank reconciliations are prepared and reviewed on a monthly basis and are signed and dated by the preparer and reviewer to evidence that they are being performed and reviewed in a timely manner.

We further recommend that the identification of long outstanding transactions for follow up be prioritized as part of the review of monthly bank reconciliations.

Management comment

Noted – The Shire is working in collaboration with Datacom to improve the Bank Reconciliation functionality to assist with monthly processes. Management rates improvement in this area as a top priority and continue to monitor progress.

To ensure accurate Bank Reconciliations as at 30 June 2023, the Exec Manager Corporate and Community Services worked with Datacom to retrospectively balance the Shire's ledger with the actual cash position for the years ending 2021 and 2022 prior to completing 2023. This action was finalised in December 2023.

Consequently, finalisation of the outstanding reconciling items were delayed until the process was completed for all years. The transfers and other adjustments will be cleared prior to 30 June 2024.

Responsible person:

N Mwale – Finance Coordinator

Completion date:

30 June 2024

ATTACHMENT**SHIRE OF TOODYAY****PERIOD OF AUDIT: YEAR ENDING 30 JUNE 2023****FINDINGS IDENTIFIED DURING THE AUDIT****3. Purchasing policy not adhered to****2021 Finding**

We tested a sample of 60 purchase and noted that:

- In nine instances, a purchase order was dated after the date of invoice.
- In two instances, the minimum number of quotes were not obtained.
- In one instance the PO has not been authorised as per delegation of authority.
- In one instance the invoice has not been approved as per delegation of authority.
- In one instance a payment was made without an invoice from the supplier.

2022 Finding

Due to a lack of information, we have not been able to determine if the prior year finding has been satisfactorily resolved.

Status 2023

We tested a sample of 80 purchases and noted that:

- In 21 instances, a purchase order was dated after the date of the invoice.
- In four instances, the minimum number of quotes were not obtained.
- In one instance the PO had not been authorised as per delegation of authority.
- In one instance the contract in place in respect of a recurring expense was unable to be provided.

We note however that there were no issues regarding the controls around the approval of invoices, the approval of batch payments or the release of payments.

Rating: Significant**Implication**

The Shire has not adhered to the purchasing policy and as a result may commit to expenditure which has not been appropriately authorised by management, in line with the budget or represent valid business related expenditure of the Shire. This may potentially result in financial loss to the Shire.

Recommendation

We recommend that management ensure that purchase orders are obtained prior to the purchase of goods and services for all payments as required by the purchasing policy.

We further recommend that management ensure that all staff who are required to make purchases are aware of the shire's purchasing policy and that the correct number of quotes is sought for purchases in advance of purchases being committed to.

We also recommend that the Shire introduces controls to ensure that the delegation of authority is adhered to.

Finally, we recommend that the Shire ensures that copies of contracts/invoices are retained on file for inspection for all shire purchases.

ATTACHMENT**SHIRE OF TOODYAY****PERIOD OF AUDIT: YEAR ENDING 30 JUNE 2023****FINDINGS IDENTIFIED DURING THE AUDIT****Management comment**

Weaknesses are noted in relation to the purchase order dates. However it's management's understanding that system permissions should ensure authorisation of invoices occurs in line with policies and delegated authority. Additionally, management has implemented regular training to address procurement processes. Where staff are found to have not complied with correct procedure, this is addressed through line management and additional training.

Responsible person: G French – Acting Executive Manager

Corporate and Community Services

Completion date: 30 June 2024 – (training to be ongoing/regular)

ATTACHMENT**SHIRE OF TOODYAY****PERIOD OF AUDIT: YEAR ENDING 30 JUNE 2023****FINDINGS IDENTIFIED DURING THE AUDIT****4. Rates reconciliation****Finding**

During our review of the process to account for assessment rates charged to ratepayers, we noted that there is no evidence of a monthly reconciliation of property values as determined under the Valuation of Land Act 1978 and provided in Landgate reports to the Shire's Datascape rates system. We note however that the Shire prepared a rates reconciliation at 30 June 2023 and no issues with same were noted.

Rating: Significant

Implication

Rateable property values throughout the year may not represent the value of property values as provided by Landgate and determined under the Valuation of Land Act 1978 at 1 July each year as required by the Local Government Act 1995 section 6.28.

Recommendation

We recommend that a reconciliation of property values as provided by Landgate (determined under the Valuation of Land Act 1978) and values recorded in the Shire's Datascape rates system is performed on a monthly basis and is reviewed by management who is independent of the preparer.

Management comment

Agreed – monthly reconciliation of property valuations is essential to management of the rates ledger. Significant training has taken place and improvements to monthly processes have been prioritised.

Responsible person: N Mwale – Finance Coordinator

K Christiansen – Rates Officer

Completion date: 30 June 2024

ATTACHMENT**SHIRE OF TOODYAY****PERIOD OF AUDIT: YEAR ENDING 30 JUNE 2023****FINDINGS IDENTIFIED DURING THE AUDIT****5. Risk Register****Finding**

During our audit we found that the Shire does not maintain a Risk Register.

Rating: Significant**Implication**

Risk Management is a framework of culture, processes and structures directed towards effective risk management. This includes consideration of both potential opportunities and adverse effects on existing operations. As all actions and transactions involve risk, effective risk management involves the anticipating, understanding and monitoring of risk. It contributes to good corporate governance by providing reasonable assurance to Council, Executive Management and the community that the organisational objectives will be achieved within a tolerable degree of residual risk.

Circumstances change frequently, therefore without an up-to-date Risk Register, the Shire has exposure to risks that if unmanaged, may have an adverse impact on the achievement of organisational objectives.

Recommendation

The Shire should maintain and update a Risk Register frequently and present this to the Audit committee and where appropriate to the Council on a regular basis.

Management comment

Agreed. This action was raised during the FMR/AR reviews and work has commenced to implement development and regular reviews of an organisation-wide Risk Register.

Notwithstanding this, regular reviews for various specific issues are presented to the ARC to keep the committee abreast of various issues, eg. cyber risks, ERP transition etc.

Responsible person: M Rebane – Governance Officer

Completion date: 30 September 2024

ATTACHMENT**SHIRE OF TOODYAY****PERIOD OF AUDIT: YEAR ENDING 30 JUNE 2023****FINDINGS IDENTIFIED DURING THE AUDIT****6. Manual journal entry controls****Finding**

During our audit we noted:

- Two instances of manual journals being reviewed and approved by the same person who processed the journals. We note however that in the case of these two journals related to the reallocation of expenses between cost centres and did not involve the change of amounts or dates. We also note that there was sufficient supporting documentation available for both.

Rating: Moderate**Implication**

If journals are not independently reviewed and approved, there is a risk that erroneous or fraudulent transactions may pass undetected. Accounting journals can represent significant adjustments to previously approved accounting transactions and should therefore be appropriately reviewed and approved.

Recommendation

To help maintain the integrity of the accounting information a senior staff member should authorise all journal entries to be processed in the system and review the correctness of each posting after being processed by the preparer. The authoriser/reviewer should sign and date each journal as evidence of approval and review.

Management comment

Comments noted – it appears there was a temporary glitch in the system. Datascape has since been rigorously tested and does not appear to allow review and approval by the one person.

Responsible person: G French – A/Executive
Manager Corporate and Community Services

Completion date: 31 August 2024

ATTACHMENT**SHIRE OF TOODYAY****PERIOD OF AUDIT: YEAR ENDING 30 JUNE 2023****FINDINGS IDENTIFIED DURING THE AUDIT****7. Supplier Masterfile Controls****Finding**

During our audit of Supplier Masterfiles we noted that Supplier Masterfile Amendments Forms are used to control the authorization of amendments to the supplier database.

From a sample of 10 Supplier Masterfile Amendments Forms reviewed, we noted the following:

- 10 instances where there is no evidence of review by a senior employee of the Shire.
- Two instances where there was no evidence of ABN checks being performed in respect of new suppliers.
- One instance where the ABN details on the supplier form and invoices did not agree with the Datascape accounting system supplier database.

Rating: Significant

Implication

Without a documented review of changes to the Supplier Masterfile by a senior person there is an increased risk of unauthorised or inaccurate supplier information being processed to the supplier module giving rise to the risk of payments not being made to the appropriate supplier.

Without sufficient background checks of new suppliers such as bank and ABN checks, there is a risk of inaccurate supplier information being processed to the supplier modules giving rise to the risk of payments not being made to the appropriate supplier.

Recommendation

We recommend that Supplier Masterfile Amendments Forms are reviewed on a regular basis and manually or digitally signed by a senior employee of the Shire as evidence of review.

We further recommend that that evidence of an ABN verification and banking details check is recorded on the Supplier Masterfile Amendments Forms and relevant supporting documentation is attached.

Management comment

Comments noted. Forms will be updated to include the name of the independent reviewer, and ABN checks and supporting information to be uploaded to Creditor record in Datascape.

Responsible person: N Mwale – Finance Coordinator
Completion date: 30 June 2024

ATTACHMENT**SHIRE OF TOODYAY****PERIOD OF AUDIT: YEAR ENDING 30 JUNE 2023****FINDINGS IDENTIFIED DURING THE AUDIT****8. Payroll records****2021 Finding**

During our work on the payroll records of the Shire, we identified the following matters:

- Two instances out of a sample of 24 where the Shire could not provide the contract for employees.
- One instance where the employee is no longer working for the Shire but still included in the employee list and there is no termination letter on file.
- Employee timesheets are not approved by management.
- Out of a sample of five terminated employees tested, we identified one instance where the termination letter was not obtained for the employee who had left.

2022 Finding

Due to a lack of information, we have not been able to determine if the prior year finding has been satisfactorily resolved.

Status 2023

During our audit we noted the following:

- Out of a sample of four terminated employees tested, we identified that there was no termination checklist completed or termination acceptance letter issued for each terminated employee.
- Out of a sample of 20 employees we identified three instances where the employees pay rate had increased however no variation letter informing them of the change had been issued.
- Out of a sample of four leave applications tested we noted that the date of approval by the line manager was not recorded on the leave application form.

Rating: Moderate

Implication

Without a formal record of termination details, incorrect pay details may be processed to the payroll system resulting in incorrect termination pay to employees resulting in financial loss to the Council. While the absence of a termination checklist may result in employee access to Shire systems not being removed in a timely manner on termination or Shire property not being appropriately accounted for and returned to the Shire.

In the absence of a variation letter informing employees of a change in their pay rate, there is a risk that employees may be unaware of the correct amount which they should be receiving and that employees may be paid incorrectly.

There is a risk that annual leave is taken by employees without prior approval by management. There is a further risk that leave processed to the Datandscape payroll system has not been approved and is not valid resulting in inaccurate payments to employees and leave balances.

ATTACHMENT**SHIRE OF TOODYAY****PERIOD OF AUDIT: YEAR ENDING 30 JUNE 2023****FINDINGS IDENTIFIED DURING THE AUDIT****Recommendation**

We recommend that management review the current termination processes and introduce a termination checklist to be completed when staff leave Shire employment. Management should also ensure that a termination acceptance letter is issued to all staff on termination.

We recommend that management ensure that all staff are issued a variation letter when there is a change to their rate of pay and that a copy is maintained on file.

We recommend that when approving leave forms, line managers date their signature as evidence of when leave is approved. Management should consider an alternative system for recording and tracking when and by whom annual leave has been requested and approved within the Datascape payroll system.

Management comment

It is noted that improvements are required in relation to terminations and employee exit controls. Moving forward, plans are in place to increase the hours of the payroll officer to assist with these improvements.

All leave requests and approvals are managed through the MyPay app – the Shire does not use forms. When an employee submits a request, an automatic email is sent to their line manager at the time of submission. When the request is approved (or rejected), the employee will receive notification by email. Currently, Officers are unable to generate a report in DataPay which includes both the approver name and date of approval.

Responsible person: C Cummings – Payroll Officer
Completion date: 30 June 2024

ATTACHMENT**SHIRE OF TOODYAY****PERIOD OF AUDIT: YEAR ENDING 30 JUNE 2023****FINDINGS IDENTIFIED DURING THE AUDIT****9. Fixed asset register****Finding**

Following the revaluation of the Shire's Land and Buildings and Infrastructure assets at 30 June 2022 and at 30 June 2023 performed in 2022-23, the Shire has not updated its fixed asset register at 30 June 2022 and 30 June 2023 accordingly during the 2022-23 period.

Rating: Moderate**Implication**

The absence of up-to-date fixed asset register can result in errors or omissions remaining undetected, leading to misstatements in the financial statements.

Recommendation

Management should ensure that the fixed asset register is up to date and regular reconciliations between the fixed assets register and the general ledger are prepared and independently reviewed by a senior officer, and evidence of the review retained.

Management comment

Management acknowledges that the asset reporting functions in Datascape are inadequate to meet the basic needs of monthly and annual reporting. Officers (through Datascape User Group meetings) have lobbied Datacom to prioritise further development of this important function.

Significant challenges were experienced with the asset data migration process which required significant resources to address. Moving forward, management will ensure that regular asset reconciliations are performed and independently reviewed.

Responsible person: N Mwale – Finance Coordinator
Completion date: 30 June 2024

ATTACHMENT**SHIRE OF TOODYAY****PERIOD OF AUDIT: YEAR ENDING 30 JUNE 2023****FINDINGS IDENTIFIED DURING THE AUDIT****10. Revenue cut-off errors****Finding**

Out of a sample of 10 year-end sales transactions tested, we noted three sales invoices relating to the 2022/23 financial year which were incorrectly recognised in the 2023/24 financial year.

We note that the value of the three sales invoices is not material and the impact on the annual financial report is not considered material.

Rating: Minor**Implication**

There is increased risk of incorrect financial reporting when year-end cut-off procedure is not properly performed.

Recommendation

We recommend that management review and improve its year-end sales cut-off procedures to ensure all sales are recorded in the correct financial reporting period. Strengthening internal controls and providing training to staff can help minimize the risk of similar errors in the future.

Management comment

Noted and agreed - Significant staff turnover, not just in the finance department but across the organisation, has been a key factor in the number of errors. In addition, there's been notably reduced capacity to provide training in-house due to lack of corporate knowledge. Procedures need to be reviewed, and training provided to support new staff to develop understanding.

Responsible person: G French – Acting Executive Manager
Corporate and Community Services

Completion date: 31 July 2024

ATTACHMENT**SHIRE OF TOODYAY****PERIOD OF AUDIT: YEAR ENDING 30 JUNE 2023****FINDINGS IDENTIFIED DURING THE AUDIT****11. Excessive annual leave balances****Finding**

During our testing of employee leave provisions, we noted seven employees at 30 June 2023 and five employees at 30 June 2022 who had annual leave balances in excess of eight weeks (40 days) at year end.

The Local Government Industry Award 2010 deems an employee's leave accrual to be excessive if the employee has accrued more than eight weeks.

Rating: Moderate**Implication**

Excessive annual leave balances may have adverse effects on the Shire including:

- key staff not being rotated, a preventive control against fraud;
- health and safety concerns with staff members not taking their annual leave entitlements;
- an increase to the Council's costs given salary rises and increments over time.

Recommendation

The Shire should ensure that employees take leave in a timely manner and excessive leave balances are cleared in accordance with the Shire's policy.

Management comment

This risk is noted. Management will consider the effectiveness of existing strategies around leave management to address the issue.

Responsible person: T Bateman – Acting Chief Executive Officer

Completion date: 31 December 2024

ATTACHMENT**SHIRE OF TOODYAY****PERIOD OF AUDIT: YEAR ENDING 30 JUNE 2023****FINDINGS IDENTIFIED DURING THE AUDIT****12. Asset Management Plans****Finding**

The Shire last completed a review of its Asset Management Plans in 2018.

Rating: Moderate**Implication**

A current Asset Management plan provides essential guidance for staff to manage the Shire's assets in accordance with management's expectations. Lack of formal and comprehensive plan that is readily available to staff increases the risk of mismanagement and recording of assets.

Recommendation

We recommend that the Shire's asset management plans are reviewed at least once in every five years in order to provide management with a current approach for managing the Shire's assets, which includes acquisition, assignment of useful life, recording, identification, tracking (e.g. stocktake), disposal and response to theft, damage or loss. The plan should also cover the management of portable and attractive assets.

Management comment

Noted – this is a Council priority. An asset rationalisation process is underway as a precursor to reviewing and updating the AMPs.

Responsible person: C Sullivan – Executive Manager
Infrastructure and Asset Services

Completion date: 30 March 2025

ATTACHMENT**SHIRE OF TOODYAY****PERIOD OF AUDIT: YEAR ENDING 30 JUNE 2023****FINDINGS IDENTIFIED DURING THE AUDIT****13. Grant income funding agreements****Finding**

As part of our testing of grant revenue we noted that a signed version of the Memorandum of Understanding (MOU) between the Department of Fire and Emergency Services (DFES), Shire of Toodyay and Shire of Goomalling in respect of the Provision of a Local Government Community Services Manager which has been countersigned by DFES was not on file.

Rating: Minor**Implication**

In the absence of a funding agreement which has been signed by all parties to the MOU there is a risk that it would be difficult for the Shire to pursue legal action and demand action from other parties to the MOU should a dispute arise in the future.

Recommendation

We recommend that a signed copy of all funding agreements are retained by the Shire.

Management comment

Noted – Officers will request a signed copy from DFES for recording.

Responsible person: M Rebane – Governance Officer

Completion date: 31 July 2024

ATTACHMENT**SHIRE OF TOODYAY****PERIOD OF AUDIT: YEAR ENDING 30 JUNE 2023****FINDINGS IDENTIFIED DURING THE AUDIT****14. IT Governance****Finding**

During our testing of IT controls, we noted the following:

• Absence of IT-related policies and procedures:

The Shire lacks comprehensive IT related policies and procedures, indicating a potential gap in governance and regulatory compliance. Although there exists an ICT Use Policy, important information such as adoption and review dates are absent, which raises concerns about its relevance and effectiveness.

• No current IT Strategic Plan:

The absence of a current IT Strategic Plan suggests a deficiency in long-term vision and direction for the Shire's IT initiatives. While a previous ICT 2018-19 plan existed, the absence of an updated version may result in misalignment with Shire goals and technological advancements.

• Missing IT Asset Management Plan:

The Shire does not have an IT Asset Management Plan in place, indicating a lack of structured processes for the acquisition, deployment, maintenance, and disposal of IT assets. This oversight can lead to inefficiencies, increased costs, and potential security risks.

• Absence of asset classification based on sensitivity:

The Shire lacks a system for classifying IT assets based on their sensitivity to the project or Shire. This omission can result in inadequate protection of sensitive information, potentially exposing the Shire to security breaches and compliance violations.

Rating: Significant**Implication**

The Shire might face significant risks stemming from the absence of IT related policies and procedures. Without clear guidelines in place, the Shire may struggle to comply with relevant laws, regulations, and industry standards, potentially leading to legal consequences, financial penalties, and reputational damage.

The lack of a current IT Strategic Plan hampers the Shire's ability to align IT initiatives with business objectives and allocate resources effectively, which could result in redundant investments, missed opportunities, and decreased competitiveness.

The absence of an IT Asset Management Plan and asset classification framework can lead to operational inefficiencies and security vulnerabilities which increases the risk of data breaches, loss of intellectual property, and reputational harm, underscoring the urgent need for comprehensive IT governance measures to mitigate these risks and safeguard the Shire's interests.

Recommendation

To strengthen IT governance, we recommend the Shire review and update IT policies and procedures, ensuring clarity and adherence to industry standards. Clear adoption and review dates are to be established to foster ongoing improvement and accountability. Additionally, we recommend developing an IT Strategic Plan aligned with business objectives, engaging stakeholders for support and regularly updating it to reflect evolving priorities.

ATTACHMENT**SHIRE OF TOODYAY****PERIOD OF AUDIT: YEAR ENDING 30 JUNE 2023****FINDINGS IDENTIFIED DURING THE AUDIT**

The implementation of an IT Asset Management Plan will assist to manage asset lifecycles effectively, with defined processes for tracking, inventory management, and data destruction. Asset classification based on sensitivity will prioritise protection measures, with regular reviews to adapt to changing needs and risks.

Management comment

Noted. Management acknowledges that IT plans, policies and procedures should be formalised to assist in mitigating IT risks. It is envisaged that implementation and regular review of the Risk Register will assist in addressing this risk.

Responsible person: G French – Acting Executive Manager
Corporate and Community Services

Completion date: 30 June 2025

ATTACHMENT**SHIRE OF TOODYAY****PERIOD OF AUDIT: YEAR ENDING 30 JUNE 2023****FINDINGS IDENTIFIED DURING THE AUDIT****15. Security weakness in active directory/ workstation****Finding**

The computer audit report and computer worksheet report of 3 March 2023 shows significant security weaknesses in the active directory configuration of the organisation.

A substantial number of computers are not included in the Domain Group, indicating a lack of proper management and oversight in the network infrastructure.

The computer patch update dates are incorrectly recorded, as exemplified by the TSC-CR03 patch update date being registered as 1 January 0001.

Rating: Significant

Implication

The exclusion of computers from the Domain Group can lead to unauthorised access, compromise of sensitive data, and increased exposure to external threats.

Inaccurate patch update dates indicate a failure to maintain an effective security posture, leaving the network susceptible to known vulnerabilities and exploits. Such weaknesses could result in data breaches, system outages, and reputational damage to the organization.

Recommendation

We recommend that management conduct a review of the active directory structure to ensure all computers are properly included in the Domain Group and implement access controls to prevent unauthorised entry.

We further recommend that management rectify the inaccuracies in patch update dates by establishing a systematic approach to patch management.

Management comment

Management will raise this matter with the Shire's IT provider for immediate action.

Responsible person: G French – Acting Executive Manager
Corporate and Community Services

Completion date: 30 June 2024

ATTACHMENT**SHIRE OF TOODYAY****PERIOD OF AUDIT: YEAR ENDING 30 JUNE 2023****FINDINGS IDENTIFIED DURING THE AUDIT****16. Outdated Business Continuity Plan / Disaster Recovery Plan****Finding**

Upon review of the Shire's Business Continuity Plan ("BCP") and Disaster Recovery Plan ("DRP") documentation, it was noted that no date indicating the document's development or revision was present. Furthermore, upon examination of contact details, it appeared that the document had not undergone any recent revisions. Additionally, while backup testing had been conducted, there was a lack of evidence to suggest that testing of the BCP and DRP had taken place.

Rating: Moderate**Implication**

The absence of documented revision dates raises concerns regarding the currency and relevance of the BCP and DRP. Without clear indications of when the plans were last updated, there is uncertainty regarding the alignment of these documents with current organisational processes, technologies, and risks.

Furthermore, the lack of testing of the BCP and DRP presents significant vulnerabilities. Testing is essential for validating the effectiveness of the plans and identifying any gaps or deficiencies in preparedness.

Recommendation

We recommend documenting the development and revision dates of the BCP and DRP, ensuring clarity regarding their currency, and facilitating regular reviews and updates.

Thorough testing of the BCP and DRP should be conducted to assess their effectiveness in real-world scenarios, identifying weaknesses and areas for improvement. Implementing a schedule for regular review and testing, involving all relevant stakeholders, will help maintain the plans' relevance and effectiveness over time.

Management comment

Review of the BCP and Disaster Recovery Plan has been initiated and is currently underway.

Responsible person: G French – Acting Executive Manager
Corporate and Community Services

Completion date: 31 December 2024



Local Emergency Management Committee Meeting

12 June 2024

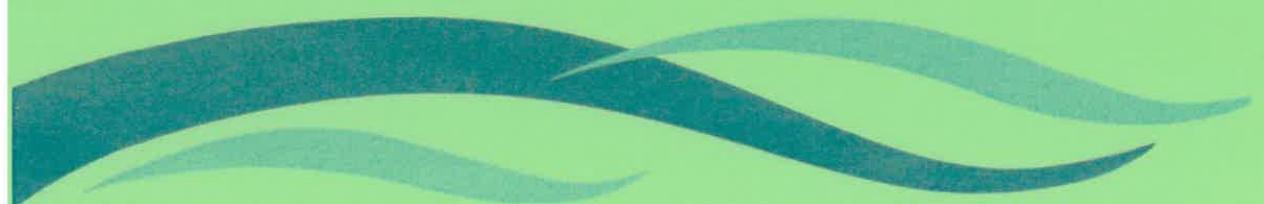
Minutes

To: Local Emergency Management Committee Meeting Members and Councillors.

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

Tabitha Bateman

ACTING CHIEF EXECUTIVE OFFICER



**LOCAL EMERGENCY MANAGEMENT COMMITTEE MEETING
MINUTES****12 JUNE 2024****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 14 June 2024.



Tabitha Bateman

ACTING CHIEF EXECUTIVE OFFICER

Confirmed Minutes

These minutes were confirmed at a meeting held on 13 November 2024.

Signed:

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

**LOCAL EMERGENCY MANAGEMENT COMMITTEE MEETING
MINUTES**

12 JUNE 2024

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**LOCAL EMERGENCY MANAGEMENT COMMITTEE MEETING
MINUTES**

12 JUNE 2024

1 DECLARATION OF OPENING

CR C DURI, DECLARED THE MEETING OPEN AT 10.38AM AS A DEPUTY CHAIRPERSON DUE TO THE ABSENCE OF CR WRENCH.

1.1 ANNOUNCEMENT OF VISITORS

Nil.

1.2 RECORD OF ATTENDANCE AND APOLOGIESMembers

Mr C Sullivan	Executive Manager Infrastructure, Assets & Services
Cr C Duri	Councillor (Deputy Chair)
Sgt J Foster	Police Officer in Charge – Toodyay
Mr R Koch	Deputy 2 CBFCO / CESM
Mrs E Francis	Emergency Management Officer
Mr P Hay	DFES District Officer
Mr K Combes	St John Ambulance Community Paramedic
Ms J Spadaccini	District Emergency Services Officer - Wheatbelt (Department)
Mr S Willcocks	Ranger
Ms K Browne	Welfare Liaison Officer
Mr A Smith	District Officer Natural Hazards
<u>Staff</u>	
Mrs M Rebane	Executive Assistant
<u>Visitors</u>	
J Howard	Police Officer – Toodyay
<u>Apologies</u>	
T Bateman	Deputy Local Recovery Coordinator/Acting Chief Executive Officer
Cr D Wrench	Councillor (Elected Chair)

1.3 DISCLOSURE OF INTEREST

Nil.

2 MINUTES AND ADDITIONAL INFORMATION**2.1 CONFIRMATION OF MINUTES**

Minutes of Meeting held on 13 March 2024

**LOCAL EMERGENCY MANAGEMENT COMMITTEE MEETING
MINUTES**

12 JUNE 2024

OFFICER'S NO.LEMC002/06/24	RECOMMENDATION/LEMC	RESOLUTION
MOVED	Mrs E Francis	
SECONDED	Mr C Sullivan	
	That the Unconfirmed Minutes of the Local Emergency Management Committee Meeting held on 13 March 2024 be confirmed.	
<u>Voted For:</u>	Mr C Sullivan, C Duri, Mr J Foster, Mr R Koch, Mrs E Francis, Mr P Hay, Ms J Spadaccini, Mr K Combes, Mr S Willcocks, Ms K Browne	
<u>Voted Against:</u>	Nil	
		MOTION CARRIED 10/0

2.2 REVIEW OF STATUS REPORT

2.2.1 Confirmation of Minutes and Status Report

Attachments:	<ol style="list-style-type: none"> March 2024 LEMC Minutes; 🔗 Status Report; and Committee Member Reporting Form.
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The extract of the LEMC Minutes from March 2024 were provided for confirmation purposes.

The LEMC Status report was reviewed:

COMPLETE: Swimming Pool Follow Up	TRC Venue provided details of stored chemicals and quantity but could not confirm 'Risk Radius'. DFES – Phil – explained that in the event of a chemical spill, DFES as the Incident Controller have a scientific contact that is called and advise the required evacuation distance.
COMPLETE: Call out Procedure (LEMC004/06/23)	Relating to formalising a call out procedure for Agencies contacting the Shire for assistance, this state item has been incorporated into the existing 'Contacts Register' (Pg 7), indicating the Top 4 Shire contacts and order of call out.
IN PROGRESS Updating Landowner Details (OCM249/11/22)	Discussion have been had with management agreeing on internal staff roles in the process. Looking to progress the specifics in the new financial year.

**LOCAL EMERGENCY MANAGEMENT COMMITTEE MEETING
MINUTES**

12 JUNE 2024

2.3 INWARD/OUTWARD CORRESPONDENCE

2.3.1 Contacts Register, Incoming and Outgoing Correspondence

Attachments:	<ol style="list-style-type: none"> 1. DESO Report (DC Wheatbelt LEMC); (under separate cover) 2. DEMA Report; (under separate cover) 3. DEMA Red Cross Follow up. Link 4. Contacts and Resources Register. (confidential) Section 5.23(2) <i>(e)(iii)a matter that if disclosed, would reveal information about the business, professional, commercial or financial affairs of a person where the trade secret or information is held by, or is about, a person other than the local government (under separate cover)</i>
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CORRESPONDENCE INWARDS

- DESO Report – report received.
- DEMA Report – report received.
- DEMA – Red Cross Follow up and resources

CORRESPONDENCE OUTWARDS

- Nil.

3 BUSINESS LEFT OVER FROM PREVIOUS MEETING

Nil.

4 OTHER BUSINESS / NEW BUSINESS OF AN URGENT NATURE

4.1 CONTACT LIST

The list will be updated.

4.2 RISK MANAGEMENT

MAF Reporting

CESM provided an overview in regard to the Shire's mitigation and verge spraying program.

NBN Emergency Management Session in Dowerin (June 7)

CESM and EMO provided an overview of this event.

Points raised:

- NBN Presentation intended to be planned for the LEMC.
- Opportunity for digital plan to be incorporated in Emergency management documents and to support grant funding opportunities in this space.
- Support through Australia's natural disasters (STAND).

**LOCAL EMERGENCY MANAGEMENT COMMITTEE MEETING
MINUTES**

12 JUNE 2024

- Community Engagement opportunities.
- Aware Grant opening at the moment to cover the cost of administration to work with the NBN to create the digital plan.

4.3 PRESENTATIONS OR EVENTSRed Cross Roadshow – recovery training

CESM provided an overview of the training.

4.4 INCIDENT/EXERCISE REPORTSEvacuation Centre exercise – Muchea May 22.

DESO provided an overview of the outcomes of the above exercise.

DESO advised a report will be published about the exercise once it is approved for release. Six Shires attended. 46 participants, of which there were 6 from Toodyay. Actions that have come out will be released in the report. It will be tabled at the next LEMC meeting and it will also go to the DEMC.

Points raised:

- Training will be rolled out as a result of this exercise.
- EMO and Welfare Liaison Officer provided an overview of their experience with the scenarios included in the exercise.
- Another exercise planned for Northam in the future.

4.5 PROJECTS AND GRANT FUNDINGDRF Grant Funded

EMO provided an overview of the generator project and the progress of the grant. Mitigation works near the Recreation Centre are progressing.

NDRR – successful grant (North/Nottingham)

The grant will link unconnected portions of two roads in the Shire. This came from the Bush Fire Report. A lot of subdivisions with one road in and one out.

AWARE Grant round open

EMO advised we would see if the digital planning project will fit in with this grant.

4.6 STRATEGIC REVIEW / PLANNINGLEMA Updated

Department of Communities terminology and general grammar and formatting amendments. The update was put onto the Shire of Toodyay website.

Business continuity planning

EMO will be discussing terminology that may not align with the LEMA.

It will be emailed for out of session feedback by the end of the month.

**LOCAL EMERGENCY MANAGEMENT COMMITTEE MEETING
MINUTES**

12 JUNE 2024

4.7 ROUNDTABLE DISCUSSION AND AGENCY UPDATES**DFES**

Exercise scheduled with Water Corporation. Review of the total fire ban process.

CESM

Thanked EMO for getting the grant and thanks to Jo for the assistance.

District Emergency Services Officer - Wheatbelt

Report will detail the ability to exercise and do training. If the Shire has dated that will work well, they can be placed into the calendar.

Working on evacuation centre audits.

St John Ambulance

Focusing on Toodyay for recruitment. Targeting local events. Toodyay and Morangup team responding well. Involved in chlorine leak exercise 21 Aug 24 and focusing on similar exercises.

WAPOL

Everything well from policing perspective. Two new staff members gone from 4 to 6 staff. Once vacancy left. Another home acquired. Full complement within next six months.

On-call system from 1 July 24 in effect. Officers will be on call during early morning hours and early mornings on day shift for response.

Welfare Liaison Officer

Nil

Local Recovery Coordinator

Introduced Shayne as the new Ranger.

Ranger

Nil

EMO

- DEMA has a clash this year with DEMC and LEMC meetings. Available in November which is when she is booked in to come here.
- Draft Dates for DEMC Meetings in works to be approved. Toodyay and Goomalling on the same day – we can ascertain how that will be managed when scheduling meetings in 2025.
- Michael (Dept. of Communities) and EMO have future plans to meet and conduct Evacuation Centre Audits
- Thanked the Rangers who have been apprised of all emergency matters.
- Thanked the two new liaison officers in place.

**LOCAL EMERGENCY MANAGEMENT COMMITTEE MEETING
MINUTES****12 JUNE 2024**Cr Duri

Asked everyone to have a look at the information from Shelby about the Red Cross that contains follow up items which will be addressed for the meeting when Shelby is here with the LEMC in November 2024.

5 CONFIRMATION OF NEXT MEETING

The next meeting of the Local Emergency Management Committee Meeting is scheduled to be held on 13 November 2024 commencing at 10:30 AM.

6 CLOSURE OF MEETING

The Chairperson closed the meeting at 11.25am.



Works Advisory Committee Meeting

12 June 2024

Minutes

To: Works Advisory Committee Meeting Members and Councillors.

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

A handwritten signature in blue ink, appearing to read 'Tabitha Bateman'.

Tabitha Bateman
ACTING CEO



WORKS ADVISORY COMMITTEE MEETING MINUTES

12 JUNE 2024

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 13 June 2024.



Tabitha Bateman
ACTING CEO

Confirmed Minutes

These minutes were confirmed at a meeting held on ..

Signed:

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

WORKS ADVISORY COMMITTEE MEETING MINUTES

12 JUNE 2024

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WORKS ADVISORY COMMITTEE MEETING MINUTES

12 JUNE 2024

1 DECLARATION OF OPENING

Mr C Sullivan declared the meeting open at 3.10pm.

1.1 ELECTION OF A CHAIRPERSON

Date of Report:	12 June 2024
File Reference:	COG6
Author:	M Rebane – Executive Assistant
Responsible Officer:	C Sullivan – Executive Manager Infrastructure, Assets & Services
Attachments:	Nil

PURPOSE

To elect the position of Presiding Member of the Works Advisory Committee (WAC).

BACKGROUND

At an Ordinary Council Meeting held on 22 May 2024, Council resolved to establish a Works Advisory Committee.

At that meeting Cr Dival, Cr Prater and Cr McKeown were appointed as Council Members to the Committee.

Council requested the Acting CEO to publicly advertise for expressions of interest from community representatives to be appointed to the Works Advisory Committee

Legal and Statutory Information

s.5.12 of the *Local Government Act 1995*.

COMMENTS AND DETAILS

The CEO or their representative will preside over the meeting until the election of the Presiding Member has been completed.

If there is more than one nomination for either position, then members are to vote on the matter by secret ballot as if they were electors voting at an election.

Section 5.12(2) of the *Local Government Act 1995* states that members of a committee **may** elect a deputy presiding member from amongst themselves but any such election is to be in accordance with the Act.

Cr Prater nominated Cr McKeown.

Cr Dival seconded the nomination.

Cr McKeown accepted the nomination and assumed the Chair at 3.11pm.

DECLARATION – WAC PRESIDING MEMBER 1

That the Works Advisory Committee elects Cr McKeown as Presiding Member.

WORKS ADVISORY COMMITTEE MEETING MINUTES

12 JUNE 2024

1.2 RECORD OF ATTENDANCE AND APOLOGIESMembers

Cr McKeown	Shire President
Cr Dival	Deputy Shire President
Cr Prater	

Staff

Mr C Sullivan	Executive Manager Infrastructure, Assets and Services
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Visitors

Nil

Apologies

Nil

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****2.2 REVIEW OF STATUS REPORT**

Nil.

2.3 INWARD/OUTWARD CORRESPONDENCE

Nil.

3 BUSINESS LEFT OVER FROM PREVIOUS MEETING (IF ADJOURNED)

Nil.

WORKS ADVISORY COMMITTEE MEETING MINUTES

12 JUNE 2024

4 OFFICER REPORTS

4.1 Membership Applications

Date of Report:	7 June 2024
Applicant or Proponent:	Works Advisory Committee
File Reference:	COC6
Author:	M Rebane – Executive Assistant
Responsible Officer:	C Sullivan – Executive Manager Infrastructure, Assets & Services
Previously Before Council:	N/A
Author's Disclosure of Interest:	Nil
Council's Role in the matter:	Executive
Attachments:	<p>1. Expressions of Interest Received. (confidential) <i>Section 5.23(2)</i> <i>(b) the personal affairs of any person</i> <i>(e)(i) a matter that if disclosed, would reveal a trade secret where the trade secret or information is held by, or is about, a person other than the local government (under separate cover)</i></p>

PURPOSE OF THE REPORT

To consider making a recommendation to Council in regard to Expressions of Interest received for the Works Advisory Committee.

BACKGROUND

Council resolved to establish the Works Advisory Committee in May 2024.

At the same meeting, Council requested the CEO publicly advertise for expressions of interest from community representatives to be appointed to the Works Advisory Committee.

COMMENTS AND DETAILS

Expressions of interest were called for via the Shire of Toodyay website.

The closing date for submissions was Tuesday 11 June 2024.

We received one application before the due date and one after. (Refer to **attachment 1**).

The Committee Book states that the membership composition of the Works Advisory Group in regard to community representatives will be residents and/or ratepayers of the Shire of Toodyay with knowledge and experience relevant to the purpose and objectives of the committee. The committee will make recommendations to Council regarding appointment of Community Members.

WORKS ADVISORY COMMITTEE MEETING MINUTES**12 JUNE 2024**

It is recommended that all expressions of interest be accepted. This would be at the maximum allowed of community members and the submissions are from a diverse range of applicants.

IMPLICATIONS TO CONSIDER**Consultative:**

Nil

Strategic:***Plan for the Future: Shire of Toodyay Council Plan 2023-2033******Outcome 9. Responsible and effective leadership and governance.***

09.1. *Provide strong, clear and accountable leadership.*

Policy related:

Governance Framework.

Committee Book.

Council Delegates Roles and Responsibilities Policy; and

Local Government Payments and Gifts to Members

Financial:

There will be a cost involved with the appointment of a member now that the Salaries and Allowances Tribunal has included community members being paid meeting attendance fees. There will also be costs associated with training and induction up to \$800 (approx.).

Legal and Statutory:

s.5.8, s.5.9, s.5.10, s.5.11A, and s.5.11 of the *Local Government Act 1995*.

Risk related:

To delay the decision of membership till the next Committee Meeting would be a high risk. This report mitigates the risk.

Workforce related:

A Shire Officer will update the website, arrange the member's training and provide an induction pack to the person appointed by Council.

VOTING REQUIREMENTS

Simple Majority

MOTION/WAC RESOLUTION NO.WAC001/06/24

MOVED Cr M McKeown

SECONDED Cr S Dival

That the meeting move behind closed doors at 3.11pm.

WORKS ADVISORY COMMITTEE MEETING MINUTES

12 JUNE 2024

Voted For: Crs J Prater, M McKeown and S Dival

Voted Against: Nil

MOTION CARRIED 3/0

MOTION/WAC RESOLUTION NO.WAC002/06/24

MOVED Cr M McKeown

SECONDED Cr J Prater

That Standing Orders be suspended at 3.13pm.

Voted For: Crs J Prater, M McKeown and S Dival

Voted Against: Nil

MOTION CARRIED 3/0

MOTION/WAC RESOLUTION NO.WAC003/06/24

MOVED Cr J Prater

SECONDED Cr S Dival

That the Works Advisory Committee recommends to Council the following:

That Council appoints Aldo Lamas, and Dustin Bennett as community members on the Works Advisory Committee.

Voted For: Crs J Prater, M McKeown and S Dival

Voted Against: Nil

MOTION CARRIED 3/0

MOTION/WAC RESOLUTION NO.WAC004/06/24

MOVED Cr M McKeown

SECONDED Cr S Dival

That Council move from behind closed doors at 3.19pm.

Voted For: Crs J Prater, M McKeown and S Dival

Voted Against: Nil

MOTION CARRIED 3/0

The Council Chambers were re-opened at 3.19pm.

In accordance with Standing Order 5.2(7), the Presiding Member read aloud the following resolutions for the benefit of members of the public:

WAC003/06/24 – Resolution appointing Committee Members.

WORKS ADVISORY COMMITTEE MEETING MINUTES

12 JUNE 2024

5 OTHER BUSINESS / NEW BUSINESS OF AN URGENT NATURE

MOTION/WAC RESOLUTION NO.WAC005/06/24**MOVED** Cr M McKeown**SECONDED** Cr J Prater

That Standing Orders are suspended at 3.21pm.

Voted For: Crs J Prater, M McKeown and S DivalVoted Against: Nil**MOTION CARRIED 3/0**

Discussion ensued.

5.1 Availability of Trades

Discussion ensued.

MOTION/WAC RESOLUTION NO.WAC006/06/24**MOVED** Cr J Prater**SECONDED** Cr S Dival

That the Works Advisory Committee recommends to Council the following:

That Council requests the CEO advertise for expressions of interest directed at Toodyay based building trades such as electricians, plumbers, carpenters, etc who are available and willing to do work for the Shire.

Voted For: Crs J Prater, M McKeown and S DivalVoted Against: Nil**MOTION CARRIED 3/0****5.2 Work Requests**

- Clarification about how the new system operates.
- Inclusion of works requests in each monthly Council Information Bulletin.

5.3 Positions in the Infrastructure Dept

- Down four positions at present.
- Workload pressures.

*Cr McCormick entered Council Chambers as an observer to the meeting at 3.59pm.***MOTION/WAC RESOLUTION NO. WAC007/06/24****MOVED** Cr M McKeown**SECONDED** Cr J Prater

That Standing Orders be resumed at 3.59pm.

Voted For: Crs J Prater, M McKeown and S Dival

WORKS ADVISORY COMMITTEE MEETING MINUTES**12 JUNE 2024**

Voted Against: Nil	MOTION CARRIED 3/0
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6 CONFIRMATION OF NEXT MEETING

The next meeting of the Works Advisory Committee is scheduled to be held on Wednesday 11 September 2024 commencing at 4.00pm.

7 CLOSURE OF MEETING

The Chairperson closed the meeting at 4.00pm.

MEMORANDUM

MEMO TO: Mrs T Bateman
Temporary Chief Executive Officer
Shire of Toodyay

FROM: Cr. Rosemary Madacs

DATE: 26/05/2024

FILE NO:

SUBJECT: Notice of Motion



Administration Centre

15 Fiennes Street
PO Box 96
TOODYAY WA 6566

T (08) 9574 2258

F (08) 9574 2158

E records@toodyay.wa.gov.au

W www.toodyay.wa.gov.au

This memorandum is notice, in accordance with the Section 4.4 (2)(b) of the Shire of Toodyay Standing Orders, of a motion I wish Council to consider at the next Ordinary Meeting of Council as follows:

NOTICE OF MOTION

That Council requests the Shire President.

1. To provide a written weekly brief to councillors no later than ten days after the meeting occurs and which includes the following information.
 - a. the discussion that occurs in the Shire President/CEO briefing meetings,
 - b. any operational matter or other matters that will or has the potential to impact the shire or presents a risk to the organisation or community.
2. To provide timely and complete responses to councillor queries to him.

Regards

Rosemary Madacs
COUNCILLOR