



Ordinary Council Meeting

25 September 2025

Commencing at 5:30 PM

AGENDA

Notice of Meeting.

To: The President and Councillors.

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

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

Aaron Bowman JP

CHIEF EXECUTIVE OFFICER



Information

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 as notice of approval from Council. No action should be taken on any item discussed at a Council Meeting prior to formal written advice on the resolution of the Council being received. Any plans or documents contained in this document may be subject to copyright law provisions (*Copyright Act 1998*, as amended) and the express permission of the copyright owner(s) should be sought prior to reproduction.

Availability of Meeting Agenda and its Attachments

Information about Council Meetings is located on the website

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

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

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



Information

Conduct of Members of the Public at Council Meetings

The *Shire of Toodyay Standing Orders Local Law 2008* prescribes the ways in which members of the public can contribute to a Council meeting. Members of the public attended Council meetings must comply with the Standing Orders Local Law. In particular, members of the public are reminded of sections 5.17 and 8.6 of the Standing Orders Local Law.

Section 5.17 Prevention of disturbance

- (1) A reference in this clause to a person is to a person other than a Member.
- (2) A person addressing the Council or committee must extend due courtesy and respect to the Council or committee and the processes under which it operates and must comply with any direction by the Presiding Member.
- (3) A person present at a meeting must not create a disturbance, by interrupting or interfering with the orderly conduct of the proceedings, whether by expressing approval or dissent, by conversing or by any other means.

Section 8.6 Right of Presiding Member to adjourn

- (1) For the purpose of preserving or regaining order, the Presiding Member may adjourn the meeting for a period of up to 15 minutes.
- (2) On resumption, the debate is to continue at the point at which the meeting was adjourned.
- (3) If, at any one meeting, the Presiding Member adjourns the meeting more than once for the purpose of preserving or regaining order, the second or subsequent adjournment may be to a later time on the same day or to another day.

Public Question Time

Procedures for Question Time for the public are governed by the *Local Government Act 1995*, the *Local Government (Administration) Regulations 1996*, and the *Shire of Toodyay Standing Orders Local Law 2008*. Regulation 6 specifies that minimum time for Question Time for the public is 15 minutes.

Procedures for Asking Questions

Regulation 7(1)(a) of the *Local Government (Admin) Regulations 1996* states the procedures for the asking of and responding to public questions are to be determined by the person presiding at the meeting. In accordance with the regulation and advice from the Department of Local Government, the Shire President of the Shire of Toodyay, has determined the following as a procedure for Public Question Time:

Procedure set by the Shire President pursuant to regulation 7(1)(a) of the *Local Government (Administration) Regulations 1996*

Members of the public who wish to ask a question at a Council Meeting **must complete** a [Public Question Registration Form](#) and submit it to the Chief Executive Officer by **12 noon on the day of the Council Meeting** via email: records@toodyay.wa.gov.au or in person at the Shire of Toodyay Administration Office, 15 Fiennes Street, Toodyay WA 6566.

Anyone that is incapable of submitting their questions in writing due to a physical or other

limitation is requested to contact the Shire of Toodyay as assistance is available.

A register will be kept of incoming questions and questions will be asked and responded to in order of receipt. The person presiding the meeting will manage public question time and ensure that each person wishing to ask their pre-submitted questions is given a fair and equal opportunity to do so.

The following general rules apply to question time:

- Questions relating to Council Business or to matters affecting Council will be

Information

considered at an Ordinary Council Meeting;

- At a Special Council Meeting only questions related to the purpose of the meeting will be considered.
- The first priority will be given to persons who are asking questions relating to items on the current meeting agenda.
- A person is required to state their name and to what item on the agenda their question refers to before they ask their question. Two questions are permitted to be asked at a time.
- Any preamble to provide context before a question is to be brief and relevant to the question itself and must directly support the question being asked.
- Questions should not include a statement or personal opinion.
- Questions may not be directed at specific Councillors or employees;
- Questions are not to be framed in such a way as to reflect adversely on a Councillor or Employee.
- No debate or discussion about the question or answer will take place at the meeting.
- Only pre-submitted questions will be allowed to be asked at the Council meeting.
- During the Council Meeting, no member of the public may interrupt the meeting's proceedings or enter into private conversations.
- Questions asked will be included in the minutes of the meeting however any pre-ambles to the questions asked will not be included.
- If questions cannot be answered at the meeting they will be 'taken on notice'. A written response will be provided, and the response will be recorded in the agenda of the next Ordinary Council Meeting.

Submissions

An owner, applicant or any member of the public who has an interest in an item on an Agenda, or generally, can make a submission

to Councillors for up to five minutes unless the time is extended by the Presiding Member.

A person wishing to make a submission at the Agenda Briefing must complete the [Submission Registration form](#) and submit it to the Chief Executive Officer by 12 noon on the day of the Agenda Briefing either in Person at the Shire of Toodyay Administration Office, 15 Fiennes Street, Toodyay WA 6566 or alternatively, via email to records@toodyay.wa.gov.au

Submissions will be received at the beginning of an Agenda Briefing.

The benefit of making a submission at an Agenda Briefing will be that Councillors are given the opportunity to ask questions and the person making the submission may respond.

The Presiding Member will manage the process, asking Councillors if they have any questions in order to clarify any information contained in a submission.

Anyone making a submission is required to state their name and identify whether they are a ratepayer or resident of the Shire when invited to present their submission by the Presiding Member (usually the Shire President).

Anyone making a submission must comply with any direction from the Presiding Member.

Submissions are to be concise. Where it is a submission regarding an Officer Report, state whether you agree with or object to the recommendation of the report and include your reasons for agreement or objection of the recommendation.

Petitions

Petitions inform the Council, in a public way, of the views of a section of the community and serve as a means of placing community concerns before Council.

Electors of the Shire of Toodyay may petition the Council to take some form of action over a particular issue.

A petition must be in the same format as the Shire's [petition template](#) and must be made by electors of the district and contain a summary of the reasons for the request.

Please note the following protocol for submissions of petitions. Petitions **MUST**:

Information

- be addressed to the Shire President and Councillors;
- contain a concise statement of facts and the action sought on every page of the petition;
- contain the names, addresses and signatures of the elector(s) making the request, and the date each elector signed;
- state the name and address of the person who arranged the petition for correspondence to be delivered to. Correspondence is not sent to all the signatures on the petition.

Petitions should be presented to Council by a Councillor and a copy ought to be provided to the Administration prior to it being presented to the Council Meeting.

The Councillor presenting the petition is required to read the petition and if necessary, request that it be referred for an Officer's report.

Where a petition does not conform to the above, it will be treated as normal business correspondence.

Council Meetings

The Shire President presides at Council Meetings in accordance with the *Local Government Act 1995* and *Local Government (Administration) Regulations 1996*.

The Chief Executive Officer and the Divisional Managers attend Council meetings to provide advice or any other information Councillors may seek but cannot vote or participate in debate.

Agendas are available for public inspection, at least 72 hours prior to the commencement of the meeting, from the Shire of Toodyay Administration Centre (between 8.30 am and 4.30 pm).

Disclosure of Interests

Councillors and Council Officers are required to disclose an interest when there may be a perception that there is a financial or proximity interest that could affect their impartiality.

Councillors must leave the meeting whilst the matter is discussed; however Council Officers are required to disclose their interest at the

time of giving their advice to Council, whether in writing or verbally.

Confidential Items

Some reports or attachments to reports are not for publication or distribution to members of the public, gallery or Council Officers. Such reports are dealt with at a time when the meeting is closed to the public. The matters that can be considered when the public is excluded from a meeting is limited to Section 5.23 of the *Local Government Act 1995*.

Unconfirmed and Confirmed Minutes

A copy of the Unconfirmed Minutes of Council Meetings will be made available on the Shire's website within 14 days after the meeting is held pursuant to r.13 of the *Local Government (Admin) Regulations 1996*.

Council will confirm the minutes of a meeting at the next available Council Meeting.

Information



Public Question Time Registration

s.5.24 of the Local Government Act 1995

Members of the public who wish to ask a question at a Council Meeting must complete this form

Date of Council Meeting: _____

Name(s): _____

Postal Address: _____

Organisation (if applicable): _____

Phone: _____ Email: _____

I am a: ☐ Resident ☐ Ratepayer ☐ Non-Resident ☐ Non-Ratepayer

Privacy Statement – In accordance with privacy requirements, the Questioner's address will not be made public. The information collected will only be used for matters related to Public Question Time.

Please be advised that I intend to ask the following questions in the order as numbered:

(1) _____

_____ Agenda Item No: _____

(2) _____

_____ Agenda Item No: _____

(3) _____

_____ Agenda Item No: _____

(4) _____

_____ Agenda Item No: _____

(5) _____

_____ Agenda Item No: _____

If you require extra room, please attach an A4 page

Signature: _____

Date: _____



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SHIRE OF
toodyay
place of plenty

*cl.5.11 of the Shire of Toodyay Standing Orders Local Law
Div. 3 of the Local Government Act 1995*

Date of Council Meeting: _____

Agenda Item and Name:

Are you speaking for or against the recommendation in the Agenda? ☐ For ☐ Against

Name(s): _____

Postal Address: _____

Organisation (if applicable): _____

Phone: _____ Email: _____

I am a: ☐ Resident ☐ Ratepayer ☐ Non-Resident ☐ Non-Ratepayer

Privacy Statement – In accordance with privacy requirements, the Submitter's address will not be made public. The information collected will only be used for matters related to Submission time.

Please be advised that I intend to make a submission for regarding the item listed above.

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins or other markings on the paper.

If you require extra room please write on the back of this form or attach another A4 page

Signature: Date:

Please return this form to the Shire of Toodyay



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Information



Disclosure of Interest Form

This form is provided for Councillors, Committee Members, Employees, or Contractors to use for the purpose of declaring an interest in a matter to be considered by Council or a Committee. It is to be completed and given to the CEO before the meeting takes place or at the meeting immediately before the matter is discussed.

This information will be read out by the Presiding Member at the Council or Committee Meeting in accordance with the Code of Conduct for Council Members, Committee Members and Candidates.

Meeting Date: _____ Meeting type: ☐ Council Meeting ☐ Committee Meeting
Report No: _____ Report Title: _____

Disclosure made by: ☐ Councillor ☐ Employee ☐ Contractor ☐ Committee Member

Your Full Name: _____

Type of Interest: ☐ Financial ☐ Proximity ☐ Impartiality
☐ Indirect Financial ☐ Closely Associated Persons

Nature of Interest: _____

Extent of Interest: _____

Signature: _____ Date: _____

CEO Sign off

Signature: _____ Date: _____
Chief Executive Officer

Applicable Legislation and Operational Guidelines:

[Local Government Act 1995 \(Sections 5.65, 5.66, 5.67, 5.70, 5.71, 5.71A, 5.71B, 5.73 and 5.88 \(2\) \(b\)\)](#)

[Local Government \(Administration\) Regulations 1996 \(Regulation 19AD\)](#)

[Local Government \(Model Code of Conduct\) Regulations 2021 \(Regulation 22\)](#)

[Local Government Operational Guideline \(Disclosures of Interest\)](#)

[Local Government Operational Guideline \(Disclosure of gifts and disclosure of interests relating to gifts\)](#)

OFFICE USE ONLY

☐ recorded in Minutes of Meeting ☐ recorded in Disclosure of Interests Register

Date: _____ Officer Signature: _____

Information



Request for Works or Services OR Report an issue

Details of Person making the request or reporting the issue

Name: _____ Date: _____

Address: _____
(Residential / Property Address including postcode)

Phone (H): _____ Email: _____

Are you a current resident or ratepayer? ☐ Yes - Resident ☐ Yes - Ratepayer ☐ No
☐ Other (specify) _____

Location

Description

RECORDS USE ONLY

RMS Record No.: _____ Assessment No.: _____
(if applicable)

Request forwarded to: _____ Date: _____

Works allocated to: ☐ Building ☐ Maintenance ☐ Reserve ☐ Parks and Gardens
☐ Technical Officer ☐ Other (specify) _____

Contact made with Person making the request or reporting the issue

Contacted by: _____ Date: _____
(Name of Officer, and Department)

Contact made through: ☐ Phone ☐ In person ☐ Email ☐ Outgoing correspondence

The person was informed that: _____

SIGN OFF DETAIL – Works completed by

Name: _____ Signature _____ Date: _____

RMS: ☐ No further action ☐ Comments added to record: _____; or
☐ IWR rescanned and attached: _____



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ATTACHMENTS can be found in the Attachments Paper on the Council website
alongside this agenda.

1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

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

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

2 RECORDS OF ATTENDANCE**2.1 APOLOGIES****3 DISCLOSURE OF INTERESTS****4 PUBLIC QUESTIONS****4.1 RESPONSES TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

Nil.

4.2 PUBLIC QUESTION TIME**5 APPROVED LEAVE OF ABSENCE****6 CONFIRMATION OF MINUTES****5.1 Ordinary Meeting of Council held on 28 August 2025****OFFICER'S RECOMMENDATION**

That the Unconfirmed Minutes of the Ordinary Council Meeting held on 28 August 2025 be confirmed.

7 PETITIONS / PRESENTATIONS / SUBMISSIONS**7.1 PETITIONS**

[A petition](#) is to be addressed to the Shire President and is to be presented by a Councillor.

7.2 PRESENTATIONS

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

7.3 SUBMISSIONS

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

8 BUSINESS FROM PREVIOUS MEETING (IF ADJOURNED)

Nil.

9 ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)

Nil.

10 OFFICER REPORTS**10.1 PLANNING AND REGULATORY SERVICES****10.1.1 Foggarthorpe Structure Plan - Drummond Street Toodyay**

Date of Report:	11 September 2025
Applicant or Proponent:	Shire of Toodyay
File Reference:	PLA1
Author:	R Winslow – Acting Executive Manager Planning and Regulatory Services
Responsible Officer:	A Bowman JP – Chief Executive Officer
Previously Before Council:	LPP05 19/03/2009 and 28/06/2023
Author's Disclosure of Interest:	Nil
Council's Role in the matter:	Executive
Attachments:	Nil

PURPOSE OF THE REPORT

To consider requesting the Western Australian Planning Commission (WAPC) extend the approval period for the Foggarthorpe Structure Plan so that it remains in operation for another three years.

BACKGROUND

The Foggarthorpe Residential Estate Structure Plan was first endorsed in 2007 and subsequently amended in 2016. This plan replaced an earlier structure plan prepared in 2001 to accompany Amendment 56.

As a structure plan that was endorsed prior to 2015, the plan was provided a fresh 10-year validity window by the WAPC, commencing on 19 October 2015. This window closes on 19 October 2025, after which the structure plan will cease to operate unless this approval period is extended.

Subdivision and development within the structure plan area is ongoing, with current subdivision approvals in place north of Boyagerring Brook and the Amendment 1 residential proposal on Murray Walkway / Drummond Street. Given these projects are currently proposed, it is appropriate for the Foggarthorpe Structure Plan to remain in place in the short term.

COMMENTS AND DETAILS

It is proposed to request the WAPC extends the approval period for the Foggarthorpe Structure Plan for three years ending on 19 October 2028. This extended period will allow

for subdivision proposals to come to fruition and/or new strategic planning of the area to take place.

The alternative to extending the structure plan would be to allow it to lapse. Should this occur, there is no other structure plan or strategic document that will provide sufficient guidance on how the area is to be planned and developed. Officers do not recommend the structure plan lapse as it remains an important guiding document to development in the Foggarthorpe area.

Given the age of the structure plan, extending it for another ten years is not recommended. This approach is also unlikely to be supported by the WAPC. The three-year extension is considered to be the appropriate amount of time to allow for replacement planning or subdivision and development to take place.

IMPLICATIONS TO CONSIDER

Consultative:

No public consultation is required to support a request for extension of approval time for the structure plan. The advice of the Department of Planning, Lands and Heritage was sought concerning the status of the structure plan and the appropriateness of extension.

Strategic:

Shire of Toodyay Council Plan 2023:2033

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

5.1. Provide responsible planning and development.

5.2. Enable access to affordable, sustainable, and diverse housing options.

Policy related:

The structure plan and associated design guidelines were adopted as a Local Planning Policy. Should the structure plan lapse, it will be necessary to revoke the Local Planning Policy in accordance with clause 6 of the Deemed Provisions contained in Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* (Deemed Provisions).

Financial:

There are no costs associated with requesting the WAPC extends approval period for the Foggarthorpe Structure Plan.

Legal and Statutory:

The normal time limit placed on structure plans of 10 years is set by clause 28(1) of the Deemed Provisions. Subclause (2) provides for the WAPC to extend the term of approval.

In the event that Council resolves to request an extension of approval, the request to the WAPC will take the form of a "Form 5D" application. The WAPC will then determine whether to grant, modify or refuse the request. In the event of refusal, the structure plan will lapse on 19 October 2025 and be of no further effect.

The "Form 5D" application is required to be lodged with the WAPC prior to 19 October 2025.

Risk related:

A risk associated with allowing the structure plan to lapse (i.e. the do-nothing option) will be removal of detailed planning guidance over the subdivision and development of the Foggarthorpe area. Removal of structure planning may delay subdivision and development decisions until such time as a replacement structure plan or strategic guidance is in place.

Workforce related:

Nil.

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION

That Council instructs the Chief Executive Officer to lodge a "Form 5D" request to the Western Australian Planning Commission to extend the approval period for the Foggarthorpe Structure Plan by three (3) years, to end on 19 October 2028.

10.2 FINANCE AND CORPORATE SERVICES**10.2.1 Monthly Financial Statements - August 2025**

Date of Report:	8 September 2025
Applicant or Proponent:	Shire of Toodyay
File Reference:	FIN32
Author:	A Hart – Executive Manager Finance and Corporate Services
Responsible Officer:	A Hart – Executive Manager Finance and Corporate Services
Previously Before Council:	N/A
Author's Disclosure of Interest:	Nil.
Council's Role in the matter:	Legislative
Attachments:	1. August 2025 Monthly Financial Statements. ↗

PURPOSE OF THE REPORT

To present to Council the Monthly Financial Statements for August 2025.

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

Local governments are 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.

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.

9.2 Govern Shire finances, assets and operations responsibly.

Policy related:

Financial Governance

Financial:

Financial implications are reported in accordance with the approved material variances reporting threshold as adopted by Council; (+) or (-) \$10,000 or 10%, whichever is the greater.

Workforce related:

Nil.

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION

That Council receives the Monthly Financial Statements for August 2025 (**Attachment 1**).

10.2.2 List of Payments - August 2025

Date of Report:	8 September 2025
Applicant or Proponent:	Shire of Toodyay
File Reference:	FIN32
Author:	A Hart – Executive Manager Finance and Corporate Services
Responsible Officer:	A Hart – Executive Manager Finance and Corporate Services
Previously Before Council:	N/A
Author's Disclosure of Interest:	Nil
Council's Role in the matter:	Legislative
Attachments:	1. Warrant Listing Report 31/8/25 ➡

PURPOSE OF THE REPORT

To present to Council the list of payments for the months of August 2025.

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 August 2025 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:**

Nil

Strategic:

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:

Purchasing Policy

Delegation CS1

Financial:

Expenditure is 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.

Workforce related:

Nil.

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION

That Council receives the list of accounts as presented and listed below, for the month of August 2025:

Description	Amount \$
Municipal Cheques	\$0.00
Electronic Funds Transfer Payments	\$1,422,122.75
Payroll	\$564,569.26
Credit Cards	\$7,500.53
Other (Including Direct Debits)	\$24,276.49
Total	\$1,718,469.03

10.2.3 Financial Management Review: Risk Assessment and Improvement Plan

Date of Report:	9 September 2025
Applicant or Proponent:	Shire of Toodyay
File Reference:	LEG269
Author:	M Rebane – Governance Coordinator
Responsible Officer:	A Hart – Executive Manager Finance and Corporate Services
Previously Before Council:	No
Author's Disclosure of Interest:	Nil
Council's Role in the matter:	Review
Attachments:	1. Risk Assessment and Improvement Plan; (confidential) Section 5.23(2) (f)(ii) a matter that if disclosed, could be reasonably expected to endanger the security of the local government's property (under separate cover) 2. Record Keeping Plan Approval. 🔗

PURPOSE OF THE REPORT

To receive an update of the Shire of Toodyay Risk Assessment and Improvement Plan.

BACKGROUND

One of the functions of the Audit, Risk and Improvement Committee (the 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.

COMMENTS AND DETAILS

The Risk Assessment and Improvement Plan has been updated (**Attachment 1**).

✅ Completed Items (Status: Yes)

These components have been marked as completed with updates provided on 25.08.2025:

Governance & Policy

- **General Policy Actions:** *Related Party Disclosures Policy adopted by Council in June 2025.*
- **Policy Reference to Legislation & External Information:** *Privacy Management Plan and 2 new policies scheduled for ARIC in December 2025.*

Financial Controls

- **Recording Transactions in the ERP:** *Internal controls reviewed; Senior Officers now authorise documents.*

- **General Journals:** *Same update as above.*
- **Changes to Banking Details:** *Marked complete.*
- **Rates (x4 entries):** *All marked complete.*
- **Significant Audit Matters Report:** *No significant matters in the audit.*

Procurement

- **Procurement (x4 entries):** *All marked complete; one includes “New Supplier Details in place.”*
- **Procurement Assessment:** *Governance Coordinator uses WALGA templates.*

Corporate Transaction Cards (x3 entries):

- *Policy adopted by Council in June 2025.*

Employee Identity & Credentials:

- *Shire requests qualifications from employees — considered complete.*

⚠ Partially Updated / In Progress

These items have updates but are not yet marked as completed:

- **Procurement:** *New policy to be brought to ARIC in December 2025.*
- **Honorariums / Token Payments:** *Still ongoing — “They still want cash.”*
- **Fixed Asset Register:** *Under review; to be completed before finalisation of FY 2024–25 statements.*
- **Record Keeping Practices:** *Plan was approved by the State Records Office (Attachment 2); staff training starts September 2025.*
- **Staff Training:** *Training scheduled for September 2025.*
- **Council & Audit Risk Committee:** *Reassigned to Executive Manager Finance & Corporate Services; internal framework update recommended.*
- **Monthly Financial Report:** *Draft End of Month process developed.*

✗ No Updates / Still Outstanding

These items are marked as “No” with no new comments or updates:

- **ICT Strategic Plan** (4 entries)
- **Asset Management Plan**
- **Operational Procedures**
- **Risk Management Procedures** (2 entries)
- **ICT Risk Evaluation**
- **ERP Balances & Chart of Accounts Setup**
- **Overhead & Administration Allocations**
- **Bank Reconciliation**
- **Trust Fund**
- **Stock Control**
- **Receipting & Banking**

- Security Controls for Cash Handling
- Debtors
- Repossession of Property to Recover Rates
- Grants Management
- Record Keeping Practices (2 additional entries)
- Employee Appointment Procedures (2 entries)
- Employee Termination Procedures (2 entries)
- Insurance Claims
- Council & Audit Risk Committee (2nd entry)
- Risk Register
- Contracts Register
- Investment Register
- Community Complaints Procedures

It is recommended that this plan be received.

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

9.1.4. Undertake regular reviews of organisation and Council culture and implement initiatives to improve.

9.2. Govern Shire finances, assets, and operations responsibly

Policy related:

Risk Management Policy

Internal Control Policy

Legislative Compliance Policy

Financial:

Nil.

Legal and Statutory:

Local Government Act 1995

Risk related:

The risk in not receiving and noting the plan that is attached to this report is considered low (4). This report mitigates the risk.

Workforce related:

Nil.

VOTING REQUIREMENTS

Simple Majority

AUDIT COMMITTEE RECOMMENDATION (ARIC023/09/25)

That Council receives and notes the updated Shire of Toodyay Risk Assessment and Improvement Plan (**Confidential Attachment 1**).

OFFICER'S RECOMMENDATION

That Council receives and notes the updated Shire of Toodyay Risk Assessment and Improvement Plan (**Confidential Attachment 1**).

10.2.4 Section 7.12A Report - Significant Matters Raised in Audit

Date of Report:	4 September 2025
Applicant or Proponent:	Shire of Toodyay
File Reference:	FIN7
Author:	A Hart – Executive Manager Finance and Corporate Services
Responsible Officer:	A Bowman JP – Chief Executive Officer
Previously Before Council:	February 2021 – was the last time that a report of this nature was brought before the Council
Author's Disclosure of Interest:	Nil
Council's Role in the matter:	Executive
Attachments:	- Report on Findings identified during the Audit (confidential) <i>Section 5.23(2)</i> <i>(h) such other matters as may be prescribed (consider regulations) (under separate cover)</i> - Correspondence to the Minister. ⇒

PURPOSE OF THE REPORT

To present Council with a report addressing significant matters raised in the audit report received from the Office of the Auditor General, in accordance with Section 7.12A(4) of the *Local Government Act 1995*.

BACKGROUND

The Shire of Toodyay received its audit report from the Office of the Auditor General on 5 June 2025. Section 7.12A of the *Local Government Act 1995* requires local governments to do the following:

- Examine the report;
- Determine whether any matters raised require action, and if so, determine what action is to be taken;
- If the audit report identifies significant matters:
 - Prepare a report addressing those matters; and
 - Submit a report to the Minister for Local Government within 3 months of receiving the audit report.
- Publish the report on the Shire's website.

COMMENTS AND DETAILS

The Financial Management Report on Findings (significant matters) identified during the audit report is as per **Attachment 1**.

A significant matter is a finding in an audit report that poses a potentially serious risk to the local government if it is not addressed. These can include deficiencies in financial management or information systems, as well as specific recommendations from performance audits.

Officers have developed a report that addresses those significant matters that forms part of a letter that has been written to the Minister for Local Government (refer to **Attachment 2**).

IMPLICATIONS TO CONSIDER

Consultative:

Shire Officers tabled the audit report and Section 7.12A response at the ARIC with the aim of seeking ARIC's advice on the adequacy of management responses.

This aligns with principles of transparency, accountability, and continuous improvement.

Strategic:

Shire of Toodyay Council Plan 2023-2033

Outcome 9. Responsible and effective leadership and governance.

Policy related:

Nil. However it may inform future policy reviews or development.

Financial:

Nil.

Legal and Statutory:

Section 7.12A(4) of the *Local Government Act 1995*.

Risk related:

There is a high compliance risk if this recommendation is not accepted by the Council. This report mitigates the risk.

Workforce related:

Shire Officers will publish the report on the Shire's website.

VOTING REQUIREMENTS

Simple Majority

ARIC RECOMMENDATION (ARIC024/09/25) 1

That Council

1. Notes the significant matters raised in the 2023-2024 audit report received from the Office of the Auditor General (**Confidential Attachment 1**).
2. Approves submission of the report that includes the proposed actions to the Minister for Local Government in accordance with Section 7.12A(4) of the *Local Government Act 1995* (**Attachment 2**).
3. Authorises publication of the report on the Shire's website.

OFFICER'S RECOMMENDATION

That Council

1. Notes the significant matters raised in the 2023-2024 audit report received from the Office of the Auditor General (**Confidential Attachment 1**).
2. Approves submission of the report that includes the proposed actions to the Minister for Local Government in accordance with Section 7.12A(4) of the *Local Government Act 1995* (**Attachment 2**).
3. Authorises publication of the report on the Shire's website.

10.3 ECONOMIC DEVELOPMENT AND COMMUNITY SERVICES

Nil.

10.4 EXECUTIVE SERVICES**10.4.1 Elector's General Meeting 4 September 2025**

Date of Report:	11 September 2025
Applicant or Proponent:	Shire of Toodyay
File Reference:	MTG7
Author:	M Rebane – Governance Coordinator
Responsible Officer:	A Bowman JP – Chief Executive Officer
Previously Before Council:	N/A
Author's Disclosure of Interest:	Nil
Council's Role in the matter:	Executive
Attachments:	1. Elector's General Minutes. ↗

PURPOSE OF THE REPORT

To receive the minutes of the General Meeting of Electors held in accordance with section 5.27 of the *Local Government Act 1995*, and to record that no decisions were made.

BACKGROUND

The *Local Government Act 1995* (the Act) requires a local government to accept an annual report by 31 December after the relevant fiscal year and no later than two months after the Auditor's Reports become available. Council accepted the annual Report on 24 July 2025.

Section 5.27 of the Act requires that a general meeting of electors of a district is to be held once every financial year and that the general meeting is held on a day selected by the Local Government, no more than 56 days after the Local Government accepts the annual report.

The Annual Elector's General Meeting was held at the Morangup Community Centre on 4 September 2025.

Section 5.33 of the Act requires all decisions made at an electors meeting to be considered at the next Ordinary Council meeting, or if that is not practicable at the first Ordinary Council meeting after that Meeting. If a Council decision is made in response to a decision made at the Electors meeting, the reasons for the decision are to be recorded in the minutes.

The minutes of the proceedings at an Electors meeting must be available to members of the public before the Council meeting at which decisions made at the Electors meeting are first considered. These minutes were published to the Shire's website on 9 September 2025 at 4.35pm.

COMMENTS AND DETAILS

The Annual Elector's General Meeting was attended by 15 members of the public.

No motions were received, and therefore no decisions made at the Elector's Meeting require Council consideration or action.

The meeting provided an opportunity for community engagement and transparency in local governance.

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

Policy related:

Nil.

Financial:

Nil.

Legal and Statutory:

Local Government Act 1995 –Section 5.27 (Electors' general meetings),

Local Government Act 1995 –Section 5.32 and 5.33.

Local Government (Administration) Regulations 1996 – Regulation 15

Risk related:

Nil.

Workforce related:

Nil.

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION

That Council receives the minutes of the Annual Meeting of Electors held on 4 September 2025 pursuant to s.5.33 of the *Local Government Act 1995*.

10.4.2 Council and Committee Meeting Schedule 2026

Date of Report:	26 August 2025
Applicant or Proponent:	Shire of Toodyay
File Reference:	MTG4/MTG7/COC2/FIR3/FIR27
Author:	M Rebane – Governance Coordinator
Responsible Officer:	A Bowman JP – Chief Executive Officer
Previously Before Council:	Annually
Author's Disclosure of Interest:	Nil
Council's Role in the matter:	Executive
Attachments:	1. Council and Committee meeting schedule. ↗

PURPOSE OF THE REPORT

To consider the Shire of Toodyay Council and Committee meeting schedule for 2026 (**Attachment 1**) and to implement Agenda Forums instead of Agenda Briefings.

BACKGROUND

At least once each year, the Shire must give local public notice of the dates, times, and places of ordinary council meetings and committee meetings that are open to the public and are to be held in the next 12 months. The notice must be:

- Published on the local government's website.
- Displayed on a public noticeboard at the local government's offices and at every local library (if applicable).
- Provided at least 7 days before the first meeting in the schedule.

Meetings must be held in a publicly accessible location, and the scheduled dates will occur in the Council Chambers in the Administration Centre.

The 2025 Meeting Schedule was as follows:

Type of meeting	Scheduled day
Committee meetings	1st Thursday of the month (varied times);
Council Workshops	2nd Thursday of the month (5.30pm)
Agenda Briefings	3rd Thursday of the month (5.30pm)
Council Meeting	4th Thursday of the month (5.30pm)

There is no legislative requirement that mandates a local government must hold an Agenda Briefing or pre-Council meeting specifically for the purpose of asking questions about items on the agenda.

For proper decision-making, elected members must have the opportunity to gain maximum knowledge and understanding of any issues presented to the council on which they must

vote. It is reasonable for elected members to expect they will be provided with all the relevant information they need to understand issues listed on the agenda for the next or following Ordinary Council Meeting. The complexity of many items means that elected members may need to be given information additional to that in a staff report and / or they may need an opportunity to ask questions of relevant staff members.

Regulation 14H of the *Local Government (Administration) Regulations 1996* requires class 1 and 2 local governments to broadcast Council Meetings electronically.

Electronic broadcasting is defined in section 5.23A(1) of the Act as “*broadcasting by way of internet or other electronic means.*” Another common term for electronic broadcasting is “live streaming.” The Shire of Toodyay is a class 3 local government and therefore there is not required to “live stream” council meetings.

There are no legislative requirements for any local governments to livestream agenda briefings.

COMMENTS AND DETAILS

During 2025 there were difficulties experienced with not having enough time for preparation of advertisements or notifications related to items on the agenda. It was also difficult to arrange meetings ad-hoc. There was no room for additional workshops or urgent matters without disrupting the cycle completely.

Schedule of Council and Committee Meetings

In 2026 Officers looked at two different options.

Option 1	Type of meeting	Scheduled day
	Agenda Forums	1st Thursday of the month (5.30pm);
	Council Meeting	2nd Thursday of the month (5.30pm)
	Committee Meetings	3rd Thursday of the month (5.30pm);
	Council Workshops	The last Thursday of the month (5.30pm) One workshop in January but no workshops in December.
Option 2	Type of meeting	Scheduled day
	Council Meeting	1st Thursday of the month (5.30pm);
	Committee Meetings	2nd Thursday of the month (variable times) and spread out the committees to different months.
	Council Workshops	3rd Thursday of the month (5.30pm);
	Agenda Forums	The last Thursday of the month (5.30pm)

Attachment 1 details **Option 2** as the preferred option. This is because **Option 2** offers better operational efficiency which is why it is being recommended. Committees are spread out and held on different months. The Shire can still meet compliance obligations and there will be opportunity particularly around budget review and budget adoption, for extra workshops or briefings to be added to the schedule ad-hoc, without interrupting the cycle.

Both options meet requirements under the *Local Government Act 1995* and *Administration Regulations*, provided public notice is given and meetings are recorded.

Agenda Briefings vs Agenda Forums

A review of the Shire's Agenda Briefings suggests that in the current format there are few benefits, and it is suggested that the format is reviewed. This would include where necessary allowing for briefings given by staff for the purpose of ensuring that elected members are more fully informed; and allowing for discussion although debate style discussion must not be allowed.

Option 1

Continue as it, with Agenda Briefings

Option 2

Replace Agenda Briefings with Agenda Forums that remain open to the public but are not live streamed.

While livestreaming has value in enhancing transparency for formal decision-making forums such as Ordinary Council Meetings, it is not considered necessary for Agenda Forums. These sessions are designed to facilitate informal, non-decision-making dialogue between elected members and staff, allowing for clarification of complex matters and the sharing of background information. The open nature of Agenda Forums—being accessible to the public in person—ensures transparency is maintained. Removing the livestreaming component reduces administrative burden and technical overhead, while still preserving the core purpose of the forum: to support informed decision-making through meaningful engagement. This approach aligns with the Shire's commitment to responsible governance and efficient use of resources.

It is recommended that Agenda Briefings be replaced with Agenda Forums, that are open to the public but are not live streamed.

IMPLICATIONS TO CONSIDER**Consultative:**

Nil.

Strategic:***Shire of Toodyay Council Plan 2023-2033*****Outcome 9: Responsible and Effective Leadership and Governance.**

Provide strong, clear, and accountable leadership.

Policy related:

Council Forums Policy

Live Streaming and Recording of Council Meetings

Standing Orders Local Law 2008

Financial:

Nil.

General Function:

Nil.

Legal and Statutory:

Regulation 12(1) of the Local Government (Administration) Regulations 1996.

Risk related:

Nil.

Workforce related:

Shire Officers will schedule in the diaries of Councillors and Staff the meetings agreed to as well as publish information on the Shire website.

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION

That Council approves the 2026 Schedule of Council and Committee Meetings (**Attachment 1**); noting that Agenda Forums will replace Agenda Briefings.

10.5 INFRASTRUCTURE, ASSETS AND SERVICES

Nil.

10.6 COMMITTEE REPORTS

Nil.

11 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil.

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

13 QUESTIONS OF MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

Nil.

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

14.1 MEMBERS

Nil.

14.2 EMPLOYEES

Nil.

15 CONFIDENTIAL BUSINESS**RECOMMENDATION**

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

15.1 Chief Executive Officer Performance Review 2024/2025

This matter is considered to be confidential under Section 5.23(2) - (a) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with a matter affecting an employee or employees

16 NEXT MEETINGS

Meeting Name	Date	Time
Agenda Briefing	23 October 2025	5.30pm
Ordinary Council Meeting	30 October 2025	5.30pm

17 CLOSURE OF MEETING