

# Ordinary Council Meeting

23 March 2021

# Minutes

To: The President and Councillors

Here within the Minutes of the Ordinary Council Meeting of the Shire of Toodyay held on the abovementioned date in the Council Chambers at the Shire of Toodyay, 15 Fiennes Street, Toodyay.

A handwritten signature in black ink, appearing to read 'Suzie Haslehurst', is written over a light blue wavy background element.

Suzie Haslehurst  
**CHIEF EXECUTIVE OFFICER**

## **Our Vision, Purpose and Values**

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

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

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

**Community Values:** We value highly:

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

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

***Integrity:*** We behave honestly to the highest ethical standard.

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

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

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

## **Disclaimer**

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

## **Availability of Meeting Agenda and its Attachments**

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**ATTACHMENTS** *with separate index follows Item 16.*

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## Preface

When the Chief Executive Officer approves these Minutes for distribution they are in essence "Unconfirmed" until the following 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 25 March 2021.




Suzie Haslehurst

**CHIEF EXECUTIVE OFFICER**

## Confirmed Minutes

These minutes were confirmed at a meeting held on 27 April 2021.

Signed:  .....

*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 Madacsi, Shire President, declared the meeting open at 4.00pm 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."*

## **2. RECORDS OF ATTENDANCE**

### Members

Cr R Madacsi	Shire President
Cr B Ruthven	Deputy Shire President
Cr T Chitty	
Cr P Greenway	arrived at 4.02pm.
Cr P Hart	
Cr M McKeown	
Cr S Pearce	
Cr B Rayner	

### Staff

Ms S Haslehurst	Chief Executive Officer
Mr K Nieuwoudt	Manager Planning and Development
Mr J Augustin	Manager Assets and Services
Mrs M Lamb	Compliance and Communications Officer
Mrs M Rebane	Executive Assistant
Miss B Flaherty	Temporary Finance Coordinator

### Visitors

P Barton	I Calderwood
L Graham	P Ruthven
B Foley	M Wood
R Pearce	C Wroth
A Wroth	S Dival

### **2.1 APOLOGIES**

Ms C Luangala	Manager Corporate & Community Services
Cr B Bell	

### **2.2 APPROVED LEAVE OF ABSENCE**

Nil

## 2.3 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

## 3. DISCLOSURE OF INTERESTS

The disclosures of interest in the form of a written notice received prior to the commencement of the meeting were as follows:

***The Chief Executive Officer declared a financial interest pursuant to Section 5.60A of the Local Government Act 1995 in respect to Item 14.1 CEO Revised Performance Criteria and Remuneration Review as she is the employee that is the subject of the report.***

## 4. PUBLIC QUESTIONS *(responded to by the Shire President unless otherwise indicated)*

### 4.1 RESPONSES TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

At the Ordinary Meeting of Council held on 23 February 2021 there were no questions taken on notice.

### 4.2 PUBLIC QUESTION TIME

P Barton on behalf of the Toodyay RSL

On Monday 19 October 2020, a meeting was held between representatives of the Toodyay Shire and the Toodyay RSL sub-branch. This meeting was to provide some needed clarity to the redevelopment of the shire's former Parks and Gardens Depot.

Following this meeting, 8 written points for discussion, with a question for each point, was delivered to the Shire on 25 October 2020. These 8 questions were to be answered at the November 2020 Council Meeting.

The Shire CEO made an interim response on 26 February 2021, which unfortunately did not answer any of the 8 questions.

It did refer to a workshop to be conducted prior to the March 2021 Council meeting. As stakeholders in this process, the RSL were disappointed our offer to assist with the workshop was not taken up.

Summary of Question One

Who comprised the 'workshop' and what was the agenda and when will the outcomes of that workshop be announced? After 5 months of deliberation, is Council able to provide an answer to any of the 8 questions raised at the October 2020 meeting? If not, what decisions has Council taken to move this matter forward?

*The Shire President responded as follows:*

*A workshop has not yet been held. Council will consider the re-allocation of the originally promised \$20,000 as part of the 2020/21 Budget Review to*



*be considered at this meeting. Council will be considering the RSL's remaining requests as part of the 2021/22 Annual Budget process which has been delayed. I understand the CEO's correspondence also asked if another estimate had been sought by the RSL for the proposed works. Do you have any further information that you can provide?*

P Barton responded as follows:

The estimate that we received from our Quantity Surveyor was in relation to building plans that had gone through and received planning approval for a minimum fit-out.

We cannot reduce the piping. We cannot reduce the ablutions. We cannot reduce the size of the building. The building is a Class 9B. It did not use to be but it is now a Class 9B. Those restrictions are what we can and cannot do. The plan we had was for a basic minimum fit out.

C Wroth

Summary of Question One

About five weeks ago I rang and left messages with the CEO to return my call. I gave it a week and nothing happened. I rang again a week later and asked again for a call to be returned. To this date there has been no response. Likewise, two weeks ago, I rang the Manager Assets and Services. I left two messages with him and no phone-call has been returned. I notice on the Agenda you mention community engagement. This is a good place you can start; by starting to return phone-calls from ratepayers. One of my phone-calls was in relation to making an official complaint about one of the Shire's ratepayer funded vehicles, driving dangerously. So dangerous in fact that it nearly caused an accident. I was going to receive a response as to what was going on but that was three and a half months ago. No response. Since then I have witnessed another serious driving offence by another ratepayer funded vehicle. I have thought what's the use of reporting because obviously nothing will happen and I think it is quite disgusting that Shire Officers cannot get back to ratepayers when they have genuine concerns or questions. Community consultation and engagement starts at the top. If it is not there it is not going to happen. My question is what will Council do about it? I assure you I am not the only one.

The Shire President responded as follows:

*I am very well aware that there has been some stress lately with the delay in getting responses. I would also like to make it very clear that Administration have been working under some pretty excessive constraints at the moment. We had the bushfire event that put a drain on resources. Our Manager of Assets and Services has only been here for a very short*

*time and it will take some time for familiarisation. We also had a storm event which, in excess of the normal procedures that we have and a reduced workforce, produced another 85 work orders. What I can say is that while there has been a delay in people getting back to you they have been responding to those matters. Every one of those matters has had staff check them and we have been getting reports back. The time though, to respond individually to every ratepayer in that time has not been ideal. We recognise that. We are putting mechanisms in place to deal with it. At the moment it is largely to do with capacity.*

***The Chief Executive Officer apologised for not responding but concurred with what the Shire President said.***

**L Graham**

Summary of Question One

The purpose of the loan proposed in matter 9.2.2 is the restructure of the finances for the Swimming Pool and the Recreation Facility. Does this expenditure constitute either a major trading undertaking, or a trading undertaking as defined in the Local Government Act? If not, why not and if so what action has been taken to acquit the additional responsibility Council incurs under the provisions of that Act?

*The Shire President advised that the question was complex and it will be responded to in writing.*

Summary of Question Two

What is the total cost of the Sport and Recreation Facility?

*The total cost at this stage is still in the final process of being acquitted. At this stage it is only an estimate. The estimate was within our budget of \$14.9m. We appear to be on budget but we will not know the final outcome till the figures are sorted. It is quite a large and lengthy process and not something readily done.*

**B Foley**

Summary of Question One

Where are we at with the Community Standpipe?

*The standpipe has arrived however, because of the excessive amount of work orders for works and services to be performed that we are dealing with from the storm we have not had the ability to complete installation. We are prioritising the storm damage first, given that it is a risk factor not to do so.*

C Wroth

Summary of Question Three

Over 12 months ago we were promised by the Shire's Works Supervisor regarding a ramp for the Freemason's Lodge where the Shire put some curbing there. I have had four meetings and two phone-calls from a Shire Officer, who promised it would be done in two weeks. It still has not been done. I have decided I will do it myself. Given that three months is acceptable for Shire Officers to not get back to us do you think that 12 months is acceptable?

*Mr Wroth I was not aware that any provisions had been made to undertake the ramp in the last few months. I believe the ramp was in the budget prior to the last financial year. My understanding is that that was a budget consideration.*

**The CEO responded as follows:**

***Mr Wroth raised two issues with me and I have been investigating them. One is related to a dish on the top of the building which is no longer in use and the other is related to a ramp which requires further investigation and outlined, we do not have a budget allocation in this budget.***

L Graham

Summary of Question Three

What is the projected ongoing cost of the Sport and Recreation Facility?

*At this stage, the costs are \$600,000 approximately; bear in mind that all figures at this stage are estimates until we have a twelve-month period to see what costs accumulate from that and to see if there are any incidentals. The figure of \$600,000 constitutes the running of the Recreation Centre minus the \$300,000 in anticipated income and then there is an approximation of \$298,000 we currently estimate at 1.8% for the loan and interest repayments.*

Summary of Question Four

Does Council have a Business Plan for the facility? If not, why not? If so, is the plan publicly available and when were Councillors provided with a copy of the plan?

*My understanding is that the Business Plan was done some time ago at the time the tenders were undertaken that was the plan that was in place. That has not yet been reviewed and will certainly have to be reviewed as part of the budget consideration.*

#### Summary of Question Five

The List of Payments Agenda Item shows that costs for this loan were included in the 2020/2021 Annual Budget. Are you able to guarantee there will be no rate increases attributable to this loan?

*No. Until we know exactly; as we have had a delay, in getting the loan application to Treasury. At the moment we have an estimate for the interest. We do not know at this stage our final figures with the acquittal so there is an element of unknown at the moment. Until that is known that cannot be categorically stated.*

#### Summary of Question Six

I have a similar question about the long-term financial plan (LTFP). The agenda papers state that the costs for the loan are included in that plan. I was seeking a similar guarantee over the life of that plan whether you would be increasing rates due to this loan?

*Are you talking about the current loan finishing on 30 June 2021?*

L Graham responded as follows:

The one you adopted recently.

*We made a provision within that plan for the addition of the long-term loan. It was expected we would be able to enact that back in June 2020. As it was, the time delay for the Recreation Centre blew out due to weather and other contractor issues. By the time we got to here, what has happened is that we have not had opportunity to place it into the LTFP. The monies we put aside to meet that expectation are still within the budget.*

#### Summary of Question Seven

Given the loan's interest rates from Treasury are shown as in round figures 1.9% why do all your financial projection papers have the interest rate built in at 4%?

*That is a legacy issue that we are reviewing.*

C Wroth

#### Summary of Question Four

Does Council have a policy or a procedure when ratepayer funded vehicles are driven in a dangerous manner?

The CEO responded as follows:

*That is covered by the Code of Conduct that employees are required to abide by. The first instance that you raised with me has been addressed in house as an operational matter. The Shire Officer in question has been*

*spoken to about the matter you raised with us. I understand you reported it to the Police. It is a Code of Conduct issue.*

Summary of Question Five

You will get back to me very shortly?

*The CEO responded as follows:*

*I will.*

Summary of Question Six

When there are Shire Road works in place my understanding is that it is illegal to pass a vehicle from within the roadworks? Is that correct?

*Do you mean to overtake if there is one lane?*

C Wroth responded as follows:

Yes to overtake if there is only one lane.

*It would be my expectation that is so but I cannot validate that.*

Summary of Question Seven

Could I get that in writing please?

*We can take that on notice.*

Summary of Question Eight

When will that happen?

*As soon as possible.*

L Graham

Summary of Question Eight

With regard to Item 9.3.1 Fees and Charges for the Recreation Precinct. Were the Fees and Charges currently being charged adopted by Council? If not, why not? If so, when were they adopted by Council?

*The Shire President took the question on notice.*

*Information provided after the meeting*

*The matter of fees and charges is being investigated and a report will be presented to Council at the April OCM.*

*Cr McKeown raised a Point of Order and asked the Presiding Member why it needed to be taken on notice when it has not been presented to Council.*

*Cr Pearce raised a Point of Order against Cr McKeown in accordance with Standing Order 8.4 pertaining to the interruption of public question time by Cr McKeown.*

*The Presiding Member rejected the Point of Order made by Cr McKeown in accordance with Standing Order 8.5, stating that his question was not a Point of Order. We will get back to Mr Graham.*

*Cr McKeown rejected the Presiding Member's ruling, stating he could raise a Point of Order at any time.*

*The Presiding Member rejected the Point of Order made by Cr McKeown in accordance with Standing Order 8.5, stating that Cr McKeown's Point of Order was not stated as a Point of Order.*

*Cr Pearce repeated her Point of Order pertaining to Councillor McKeown interrupting public question time.*

*Cr Madacsi upheld the Point of Order in accordance with Standing Order 8.5 and asked for the presumed Points of Order made by Cr McKeown to be withdrawn as Cr McKeown did not state what the Points of Order were pertaining to within the Shire of Toodyay Standing Orders Local Law 2008.*

*Cr McKeown agreed to withdraw his first Point of Order but that he would not withdraw the second as he had a right to raise a Point of Order at any time.*

### L Graham

#### Summary of Question Nine

With regard item 9.3.1 fees and charges of the Recreation Precinct, the Local Government Act only empowers Council to accept fees and charges in their budgets. Has this occurred? If so, when did it occur and if not, why has it not occurred?

*My understanding in regard to the aquatic centre is that the fees and charges have not been set yet. They are still being reviewed. There was an allowance made to open the pool early under an agreement through McLeod's and Insurers to give the school and the rest of the community use of the pool, allowing time for the rest of the deliberations. That was a courtesy move. This report has been withdrawn as comments raised by Sporting Groups have been received and we are looking further into the matter.*

### Summary of Question Ten

Given that you are already charging fees and charges what is the lawful basis for them if not passed through a budget in accordance with the Act?

*That is a matter that has been raised and we are looking into that. We are of the understanding that that was a matter through Clublinks and there may be some query to that and we are questioning the matter.*

## 5. CONFIRMATION OF MINUTES

### 5.1 Ordinary Meeting of Council held on 21 January 2021.

Date of Report:	11 March 2021
Applicant or Proponent:	Shire of Toodyay
File Reference:	MTG7
Author:	M Rebane – Executive Assistant
Responsible Officer:	S Haslehurst – Chief Executive Officer
Previously Before Council:	February 2021
Disclosure of Interest:	Nil
Council's Role in the matter:	Executive
Attachments:	Nil

### PURPOSE OF THE REPORT

To consider confirmation of the Unconfirmed Minutes of the Ordinary Meeting of Council held on 21 January 2021.

### BACKGROUND

At the Ordinary Meeting of Council held on 19 January 2021, questions were taken on notice as follows:

1. In relation to the Monthly Financial Statements Report why does the closing funding surplus or deficit for the YTD actual against YTD budget appears to be incorrect?
2. In relation to the Monthly Financial Statements Report why have we spent \$600,000 more than we had budgeted for?
3. In relation to the Monthly Financial Statements Report how is the calculation of the figure at Note 6 Rates Receivable graph that sits at \$250,000 made?

4. In relation to the Intention to Borrow Report what will the monthly repayment be in relation to different types of scenarios of interest rate being from 0% to 4%?
5. In relation to the Charcoal Lane Report how does the charge that was based on the valuation receive compare with stallholders' fees?

**COMMENTS AND DETAILS**

The Manager Corporate and Community Services provided responses to the CEO.

These responses are as follows:

1. In relation to the Monthly Financial Statements Report why does the closing funding surplus or deficit for the YTD actual against YTD budget appears to be incorrect?

*Manager Corporate and Community Services responds as follows:*

*Clarification was requested from Cr McKeown.*

2. In relation to the Monthly Financial Statements Report why have we spent \$600,000 more than we had budgeted for?

*Manager Corporate and Community Services responds as follows:*

*Explanations of variances making up the \$600k are outlined in note 3 of the report.*

3. In relation to the Monthly Financial Statements Report how is the calculation of the figure at Note 6 Rates Receivable graph that sits at \$250,000 made?

*Manager Corporate and Community Services responds as follows:*

*The calculation is the amount of Rates and Rubbish Fees that have been paid each month. It is the figures of the current trial balance to the previous month trial balance. The Heading of the graph will be amended to "Rates & Rubbish Fees Collection".*

<b><i>Rates and Rubbish Fees Collection</i></b>		
<b><i>Month</i></b>	<b><i>2019-20 - YTD \$ ('000's)</i></b>	<b><i>2020-21 - YTD \$ ('000's)</i></b>
<i>Jul</i>	<b><i>33,616</i></b>	<b><i>309,431</i></b>
<i>Aug</i>	<b><i>433,734</i></b>	<b><i>3,374,336</i></b>
<i>Sep</i>	<b><i>2,921,195</i></b>	<b><i>358,555</i></b>
<i>Oct</i>	<b><i>448,128</i></b>	<b><i>547,509</i></b>
<i>Nov</i>	<b><i>679,354</i></b>	<b><i>248,400</i></b>
<i>Dec</i>	<b><i>222,778</i></b>	



<i><b>Rates and Rubbish Fees Collection</b></i>		
<i><b>Month</b></i>	<i><b>2019-20 - YTD \$ ('000's)</b></i>	<i><b>2020-21 - YTD \$ ('000's)</b></i>
<i>Jan</i>	<i><b>549,122</b></i>	
<i>Feb</i>	<i><b>184,415</b></i>	
<i>Mar</i>	<i><b>571,265</b></i>	
<i>Apr</i>	<i><b>172,552</b></i>	
<i>May</i>	<i><b>145,003</b></i>	
<i>Jun</i>	<i><b>178,634</b></i>	

4. In relation to the Intention to Borrow Report what will the monthly repayment be in relation to different types of scenarios of interest rate being from 0% to 4%?

*Manager Corporate and Community Services responds as follows:*

*Interest is semi-annual compounding, quote received from the WA Treasury Corporation is 1.8287%. Based this, interest repayments would approximate \$80k and principal repayments would approximate \$188k in year 1 (total of \$268k pa).*

5. In relation to the Charcoal Lane Report how does the charge that was based on the valuation receive compare with stallholders' fees?

*Communication and Compliance Officer responds as follows:*

*The fee of \$150 per month is considered appropriate and is in accordance with approved usage and in line with the official valuation.*

## **IMPLICATIONS TO CONSIDER**

### **Consultative:**

Nil.

### **Strategic:**

A key point of the Strategic Community Plan Toodyay 2028 is Governance "The way the Shire leads and operates."

The Shire's strategic outcome is that Council "*engages with the community and provides good governance on behalf of the community.*"

The objectives and measures contained in the SCP relevant to this report are:

#### **Objective 3: Ensure rigorous organisational systems.**

S 3.2 Operate to best practice management in all areas.

**Policy related:**

Nil

**Financial:**

Nil

**Legal and Statutory:**

Standing Order 13 .2 (1) Content of Minutes refers to regulation 11 of the *Local Government (Administration) Regulations 1996* which is stated below.

**11. Minutes, content of (Act s. 5.25(1)(f))**

*The content of minutes of a meeting of a council or a committee is to include —*

- (a) the names of the members present at the meeting; and*
- (b) where a member enters or leaves the meeting during the course of the meeting, the time of entry or departure, as the case requires, in the chronological sequence of the business of the meeting; and*
- (c) details of each motion moved at the meeting, the mover and the outcome of the motion; and*
- (d) details of each decision made at the meeting; and*
- (da) written reasons for each decision made at the meeting that is significantly different from the relevant written recommendation of a committee or an employee as defined in section 5.70 (but not a decision to only note the matter or to return the recommendation for further consideration); and*
- (e) a summary of each question raised by members of the public at the meeting and a summary of the response to the question; and*
- (f) in relation to each disclosure made under section 5.65 or 5.70 in relation to the meeting, where the extent of the interest has also been disclosed, the extent of the interest; and*
- (g) each document attached to an agenda relating to a council or committee meeting unless the meeting or that part of the meeting to which the document refers is closed to members of the public.*

Standing Order 13.2(2) says that “in addition to the matters required by regulation 11, the minutes of a Council meeting are to include, where an application for approval is refused or the authorisation of a licence, permit or certificate is withheld or cancelled, the reasons for the decision.”

**Risk related:**

There is a compliance risk involved with not confirming the minutes.

**Workforce related:**

Nil

## VOTING REQUIREMENTS

Simple Majority

### **OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION NO. 51/03/21**

**MOVED** Cr Ruthven

That the Unconfirmed Minutes of the Ordinary Meeting of Council held on 21 January 2021 be confirmed.

**MOTION CARRIED 8/0**

### **5.2 Ordinary Meeting of Council held on 23 February 2021.**

#### **OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION NO. 52/03/21**

**MOVED** Cr Ruthven

That the Unconfirmed Minutes of the Ordinary Meeting of Council held on 23 February 2021 be confirmed.

**MOTION CARRIED 8/0**

### **5.3 Special Meeting of Council held on 8 March 2021.**

Cr Hart moved the Officer's Recommendation.

Cr Rayner objected to the motion.

Cr Pearce seconded the motion.

Discussion ensued.

The motion was put.

#### **OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION NO 53/03/21**

**MOVED** Cr Hart

**SECONDED** Cr Pearce

That the Unconfirmed Minutes of the Special Meeting of Council held on 8 March 2021 be confirmed.

**MOTION CARRIED 5/3**

*In accordance with Section 5.21(4)(b) of the Local Government Act 1995, Cr Madacsi requested that the vote of all members present be recorded. Councillors Madacsi, Ruthven, Hart, Pearce and McKeown voted for the motion. Councillors Rayner, Chitty and Greenway voted against the motion.*

#### 5.4 Agenda Briefing held on 16 March 2021.

**OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION NO. 54/03/21**

**MOVED** Cr Rayner

That the Notes of the Agenda Briefing held on 16 March 2021 be received subject to a typographical amendment for the Manager Corporate Services being made an apology to the meeting.

**MOTION CARRIED 8/0**

#### 5.5 Confidential Items

Nil.

### 6. PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS

#### 6.1 PETITIONS

Nil.

#### 6.2 DEPUTATIONS

Nil.

#### 6.3 PRESENTATIONS

Nil.

#### 6.4 SUBMISSIONS

**B Foley addressed Council in relation to the Budget and the Financial Statements of the Shire of Toodyay**

With respect to the Budget Review, Council has a responsibility not only to ratepayers but looking at the statements. So many items are over budget. Nobody has asked questions. Road Construction costs – every road went over budget. It amazes me how these things keep going. I know there have been changes in the organisation but hopefully budgets are prepared properly and the actual works will maintain the budget. We just cannot afford to go over budget thousands of dollars. Roads are not that great anyway. As it is Council's responsibility please keep this in mind.

**S Dival addressed Council regarding Item 9.3.5 Liquor Licensing.**

I am speaking against this agenda item. I believe there are a number of questions and implications to sort out in respect to that particular category of liquor licence that need further investigation so that those questions can be answered fully. I realise they are still part of the report for the April 2021 Council Meeting.

I also object to the Council spending money, if it does go through, spending money on someone else's liquor licence. I would have felt that if a private

organisation had a liquor licence they should be responsible for the cost of getting that licence. There is also no guarantee if Council does decide to pay for that licence application there is actually no guarantee of getting the licence as there are a number of (obviously) assessments that Liquor and Gaming will do and I just think that at this point of time with all the costs involved in the Centre, that Council should be really considering what money is spent for what. When there are possibly other alternatives such as continuing with occasional licences. While it might be a little bit more work for someone to apply for those licences I really think that surely the proven demand through bookings and numbers over there, that then that could be a better option than paying for an application where there is no guarantee of success; and possibly is that the best licence for over there? There is an alternate licence for a Restricted Club Licence through a Social Club or a Sporting Club which may or may not be a popular opinion but I think it would be worth looking at every alternative until Council transfers that \$13,000 and pays out \$13,000 for a private company's liquor licence. I do think that licence if awarded or provided then means that you will have issues of continuity with service and arrangements at the centre.

**L Graham addressed Council regarding Item 9.2.2 Notice of Intention to Borrow and Item 9.3.1 Fees and Charges.**

Your answer to my first question rang alarm bells with me relating to the compliance of the loan to provisions of the local government as to whether it is a major trading undertaking or a trading undertaking. The fact that that information is not before the Council now is extremely concerning. If it does meet either of those conditions your papers show that you have not done all the necessary things to allow that loan to be progressed. You as Councillors are supposed to know that and have that information in front of you before you make a decision. It is just not there.

I am loath, Madam President, to make a submission off-the-cuff but this is a one-off occasion. You either do it tonight, possibly unlawfully, or you delay it until you find out whether the information does in fact need doing or not. The second concern I have is over charging Fees and Charges for the Recreation Facility. In effect Council has admitted it is unlawfully charging fees for the Recreation Facility. There are only certain ways that you can charge fees and they are set out in the Act and the regulations and it is clear from your answer that you have not complied with them. You are collecting money unlawfully. That is not a reasonable thing for a Shire Council to do and even worse Madam Shire President, being aware of it; you are still collecting fees and charges unlawfully and I think, you know my views about local government and governance. I don't think they are a secret in Western Australia but our Council is being reviewed for its governance I would suggest very strongly to you all that acting unlawfully

is not the best way to deal with a governance matter. You have two serious issues to deal with before you make a decision at this meeting.

**7. BUSINESS FROM PREVIOUS MEETING (IF ADJOURNED)**

Nil.

**8. ANNOUNCEMENTS BY THE PRESIDING MEMBER (without discussion)**

*The Shire President may make an announcement in accordance with the Shire of Toodyay Standing Orders Local Law 2008 (Section 4.3) by informing Council of activities undertaken before and after the September 2020 Ordinary Council Meeting as follows:*

**8.1 PRESIDENT'S REPORT**

Shire President's Activities:

- Weekly President/CEO Operational Briefings;
- Office of Auditor General forum (18/2);
- Avon-Midland Country Zone meeting, Moora ((19/2);
- Governance Workshop, Perth (21/2);
- Attend St Aloysius - Election Announcement by Minister Templeman (22/2);
- NRM Feral Animal Workshop (24/2);
- Toodyay Herald briefing (25/2);
- ABC Radio breakfast interview (1/3);
- Audit & Risk Committee (4/3);
- SMC, tender & TRC loan (8/3);
- Budget Review Workshop (8/3);
- Community Strategy Plan Community information sessions x 2 (9/3);
- Environment Advisory Meeting (9/3);
- Provided articles for the Toodyay Community Newsletter, Toodyay Herald, review, question and amend OCM items, Biodiversity Strategy, F.3 Purchasing Policy. Read organisational reports. Liaise with CEO, councillors, and community. Maintain records. Address storm damage queries.

Other Matters:

- DLGSCI has agreed to extend the Inquiry Governance review deadlines and reduce the inquiry scope.
- The bi-annual management report for the Toodyay Recreation Centre (October 2020 – March 2021) is due in April.
- Community engagement sessions for the Strategic Community Plan 4-year review, are being held.
- Recent weather events have caused damage to a flight of steps to the Recreation Centre oval, and flooding in the Memorial Hall kitchen. \*\*
- The delay in approving the iArchive historical archival system has added \$22,000 to the 2021/2022 budget. \*\*
- Due to workload issues, the acquittal of the Recreation Centre income and expenditure has been delayed. Aside from normal operations, the Shire is undertaking Covid-19 directives, dealing with the outcomes of recent weather events, finalisation of the Recreation Centre project, DLGSCI Inquiry directives and governance reviews, implementing recent legislative and governance changes and inconveniences from the 16-month conversion to a new data system with reduced staff.
- Advice sought regarding the 8 March Special Council Meeting in relation to procedural concerns raised, deemed them unfounded.

**9. REPORTS OF COMMITTEES AND EMPLOYEE REPORTS**

**9.1 PLANNING AND DEVELOPMENT**

No reports

**9.2 CORPORATE & COMMUNITY SERVICES**

<b>9.2.1 Budget review for Period Ending 28 February 2021</b>	
Date of Report:	8 March 2021
Applicant or Proponent:	Shire of Toodyay
File Reference:	FIN28
Author:	C Luangala – Manager Corporate and Community Services
Responsible Officer:	S Haslehurst – Chief Executive Officer
Previously Before Council:	N/A
Disclosure of Interest:	Nil
Council's Role in the matter:	Executive
Attachments:	1. Budget Review.

**PURPOSE OF THE REPORT**

To consider amendments to the 2020/2021 Adopted Annual Budget.

**BACKGROUND**

The 2020/2021 Annual Budget was adopted by Council at its Special Meeting held on 5 October 2020.

As per Regulation 33A of the *Local Government (Financial Management) Regulations 1996*, a review has been conducted utilising the 28 February 2021 figures and proposed amendments to the 2020/2021 Annual Budget will produce a surplus of \$39,651.

**COMMENTS AND DETAILS**

Following a Budget Review workshop held on 8 March 2021, attended by six Councillors, the amendments outlined below are proposed:



Program	Nature & Type	Detail	Amount	Adjustment
		Budgeted Closing funding surplus(deficit)		<b>\$2,024</b>
Nil	Nil	Budgeted Net current assets at start of financial year surplus/(deficit)	\$301,670	
Nil	Nil	Actual Net current assets at start of financial year surplus/(deficit)	<u>\$167,485</u>	
Nil	Nil	Adjustment to Net current assets at start of financial year surplus/(deficit)		( <b>\$134,185</b> )
GP funding	Rates	Estimated amount to be raised from general rates	\$6,319,984	
GP funding	Rates	Actual amount to be raised from general rates	<u>\$6,276,901</u>	
GP funding	Rates	Adjustment to Rates Revenue		( <b>\$43,083</b> )
Governance	Materials & Contracts	Materials & Contracts - iArchive Implementation		( <b>\$35,000</b> )
Governance	Materials & Contracts	Materials & Contracts - Corporate Business Plan		( <b>\$7,000</b> )
Governance	Materials & Contracts	Governance Review (50% in this financial year)		( <b>\$25,000</b> )
Governance	Employee Costs	Employee costs (underspend projected)		\$133,060
Other Property	Materials & Contracts	RSL - refurbishment of former Parks and Garden's Depot		( <b>\$20,000</b> )

Program	Nature & Type	Detail	Amount	Adjustment
Other Property	Materials & Contracts	Cleaning of facilities		(\$45,000)
Recreation & Culture	Materials & Contracts	Recreation Centre liquor licence		(\$13,000)
Recreation & Culture	Utilities	Recreation Centre water overspent to mid-February 2021		(\$71,000)
Recreation & Culture	Interest expenses	Repayment of Interest (Toodyay Recreation Centre Loans)		\$131,030
Transport	Materials & Contracts	Capital works - Lovers Lane (budget \$39k, actual \$58k)	(\$18,185)	
Transport	Materials & Contracts	Capital works - McKnoe Drive (budget \$91k, actual \$117k)	(\$25,587)	
Transport	Materials & Contracts	Capital works - River Road (budget \$44k, actual \$52k)	(\$8,973)	
Transport	Materials & Contracts	Capital works - Toodyay Bindi Bindi (budget \$115k, actual \$116k)	(\$1,720)	
Transport	Materials & Contracts	Capital works - Toodyay Bindi Bindi Bridge 0700 (gravel road by-pass)	(\$20,000)	
Transport	Materials & Contracts	Capital works - Toodyay Street (budget \$7k, actual \$0k)	\$7,560	

Program	Nature & Type	Detail	Amount	Adjustment
Transport	Materials & Contracts	Road Maintenance	\$67,830	
Transport	Materials & Contracts	Bridge Maintenance	\$48,600	
Transport	Materials & Contracts	Capital works - Timber Creek (budget \$67k, actual \$107k)	(\$39,292)	
Transport	Materials & Contracts	Adjustment to Capital Works Budget		\$10,234
Financing Activities	Repayment of borrowings	Repayment of Debentures (Toodyay Recreation Centre Long Term Loan - Principal)		\$156,572
		<b>Projected Closing Funding Surplus(Deficit)</b>		<b>\$39,651</b>

## IMPLICATIONS TO CONSIDER

### Consultative:

Consultation has occurred with the CEO and Managers. A Budget Review workshop was held with six councillors in attendance on 8 March 2021.

### Strategic:

A key factor in the Strategic Community Plan, Toodyay 2028 is Governance: *The way the Shire leads and operates:*

*O 2: Consistently improve our governance practices.*

*O 3: Ensure rigorous organisational systems.*

**Financial:**

It is necessary to facilitate appropriate financial control and ensure that Council's financial resources are allocated in the most effective manner.

The purpose of a budget review is to ensure that income and expenditure for the current year is monitored in line with the adopted budget and, where exceptions to the adopted budget occur, makes amendments to the budget or scope of works as required.

**Legal and Statutory:**

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

**Risk related:**

Budgets should be monitored and reviewed on a regular basis to mitigate financial risk.

**Workforce related:**

Nil

**VOTING REQUIREMENTS**

Absolute Majority.

**OFFICER'S RECOMMENDATION**

That Council:

1. Accepts the Review of the 2020/2021 Annual Budget determined using actuals as of 28 February 2021.
2. Endorses the proposed amendments to the adopted 2020/2021 Annual Budget as outlined in this report.
3. Notes the change of an anticipated surplus of \$2,024 to an estimated anticipated surplus of \$39,651 for the 2020/2021 Financial Year.
4. Requests the CEO to forward the amended budget to the Department of Local Government in accordance with Regulation 33A of the *Local Government (Financial Management) Regulations 1996*.

Cr Pearce moved the Officer's Recommendation.

Clarification was sought.

Cr Rayner seconded the motion.

The Presiding Member requested a motion be moved in accordance with Standing Orders 5.2 (2) that the meeting be closed to the public.

**MOTION/COUNCIL RESOLUTION NO. 55/03/21**

**MOVED** Cr McKeown

1. That, in accordance with Standing Orders Clause 5.2 (2), Council close the meeting to members of the public at 4.51pm to allow questions to be asked in respect to a management contract so that the part of the meeting that deals with questions to be raised in respect to a confidential commercial-in-confidence document can be raised confidentially, behind closed doors in accordance with Section 5.23 (2) (e) of the *Local Government Act 1995* as matters being considered deal with the following —
  - (e) a matter that if disclosed, would reveal —
    - (i) a trade secret; or
    - (ii) information that has a commercial value to a person; or
    - (iii) 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; and
2. That 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.

**MOTION CARRIED 8/0**

In accordance with Standing Orders 5.2 (3) the Presiding Member directed everyone to leave except the Members; the CEO and any employee specified by the Presiding Member.

*All members of the public departed the Council Chambers at 4.51pm.*

Clarification was sought.

Discussion ensued.

**MOTION/COUNCIL RESOLUTION NO. 56/03/21**

**MOVED** Cr Chitty

That Council move from behind closed doors at 5.18pm.

**MOTION CARRIED 8/0**

*The public gallery returned to the Council Chambers at 5.18pm.*

Cr McKeown objected to the motion.

Debate commenced.

Further clarification was sought.

Debate recommenced.

Cr Pearce foreshadowed an amendment to the motion.

*The Shire President ruled that the meeting be adjourned at 5.32pm to give Cr Pearce time to formulate an amendment.*

*The Shire President resumed the meeting at 5.39pm.*

Debate recommenced.

Cr Pearce advised she would not be moving an amendment to the motion.

Debate continued.

The motion was put.

**OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION NO. 57/03/21**

**MOVED** Cr Pearce

**SECONDED** Cr Rayner

That Council:

1. Accepts the Review of the 2020/2021 Annual Budget determined using actuals as of 28 February 2021.
2. Endorses the proposed amendments to the adopted 2020/2021 Annual Budget as outlined in this report.
3. Notes the change of an anticipated surplus of \$2,024 to an estimated anticipated surplus of \$39,651 for the 2020/2021 Financial Year.
4. Requests the CEO to forward the amended budget to the Department of Local Government in accordance with Regulation 33A of the *Local Government (Financial Management) Regulations 1996*.

**MOTION CARRIED BY ABSOLUTE MAJORITY 5/3**

*In accordance with Section 5.21(4)(b) of the Local Government Act 1995, Cr Madacsi requested that the vote of all members present be recorded. Councillors Madacsi, Ruthven, Pearce, Hart and Chitty voted for the motion. Councillors McKeown, Rayner and Greenway voted against the motion.*

**9.2.2 Notice of Intention to Borrow – Conversion of existing short-term facilities into a long-term facility (Toodyay Recreation Centre Construction Loan).**

Date of Report:	11 March 2021
Applicant or Proponent:	Shire of Toodyay
File Reference:	PRO15
Author:	C Luangala – Manager Corporate & Community Services
Responsible Officer:	S Haslehurst – Chief Executive Officer
Previously Before Council:	Initially: February 2019 OCM Item 9.2.3 Notice of Intention to Borrow (Res. 57/02/19) 1. January 2021 OCM Item 9.2.3 (Res. 14/01/21); 2. February 2021 OCM Item 10.2.3 (Res. 32/02/21); and 3. March 2021 SM Item 6.1 (no resolution made).
Disclosure of Interest:	Nil
Council's Role in the matter:	Executive
Attachments:	1. LG Short-Term Facility Report (WA Treasury Corporation).

**PURPOSE OF THE REPORT**

To seek approval to provide local public notice of at least one calendar month (30 days) of the Shire's intent to convert two existing short-term loan facilities used for the construction of the Toodyay Recreation Centre totalling \$4.5million into one long-term loan facility totalling \$4.5million in accordance with the requirements of section 6.20 of the *Local Government Act 1995*.

**BACKGROUND**

This matter was initially considered at the January 2021 Ordinary Council Meeting where Council was provided with information regarding Council Resolution No. 57/02/19 made at an Ordinary Council Meeting held on 26 February 2019 as follows:

*That Council resolves to approve, by absolute majority, the advertisement of the Shire's Intention to Borrow a short-term construction loan facility of up to \$4.5million in FY18/19 for the construction of the Sport and Recreation Precinct*

*in accordance with the requirements of section 6.20(2) of the Local Government Act 1995.*

Two short-term facilities were drawn as outlined below:

WATC ID	Start Date	Maturity Date	Interest Rate	Amount
54132	24 Mar 2020	23 Mar 2021	0.92%	\$2,500,000
74362	15 Apr 2020	23 Mar 2021	0.61%	\$2,000,000
				<b>\$4,500,000</b>

The two short-term facilities were considered appropriate for the debt financing of the construction project due to:

- Easier cash flow management during the construction period (matching progress payments to builders with loan drawdowns); and
- Interest rate risk management for financing the asset (i.e., drawing down the full construction costs at the outset of the project) due to interest rate fluctuations.

The flexibility of the short-term lending facility enabled the Shire to separate the timing of immediate cash flow requirements from the timing of locking in a long-term debt structure. The Shire could therefore match cash flow requirements during the construction phase, borrowing two parcels of debt that should now be consolidated into one parcel of debt, refinanced into a long-term borrowing structure.

At the January 2021 Ordinary Council Meeting Council resolved:

*That Council defers the matter of Intention to Borrow – Conversion of Short-Term Facilities into Long Term Facility (Toodyay Recreation Centre Construction Loan) for consideration during the mid-year budget review process.*

Given time constraints relating to the need to advertise and the process for conversion of the loans, the matter was presented to Council again on 23 February and 8 March 2021 with a motion to rescind the above resolution. On both occasions, the motion was lost due to the requirement for an absolute majority vote.

On 8 March 2021, Councillors attended a budget review briefing. At that meeting the budget review was discussed and those discussions included the above matter which means that the resolution of January 2021 has now been implemented.

## **COMMENTS AND DETAILS**

Councillors were informed, via internal memorandum on 25 February 2021 and through an on-line Zoom meeting that the Manager Corporate and Community Services had liaised with the Western Australian Treasury Corporation on 24 February 2021 in regard to the existing short-term loan facilities totalling \$4.5m that were the subject of a report to Council in the January 2021 and February 2021 Ordinary Council Meetings.



The WATC advised that Council's options in relation to the loan facility are now as follows:

**Option A:** Council advertises its intention to convert the short-term facilities into a long-term facility and convert by 23 June 2021; or

**Option B:** Pay \$4.5m back to the WATC on or before 23 June 2021.

Given that the Shire is not in a position to pay back \$4.5m on or before 23 June 2021, an Officer's Recommendation has been prepared for Council's consideration.

## **IMPLICATIONS TO CONSIDER**

### **Consultative:**

Nil

### **Strategic:**

A key point of the Strategic Community Plan Toodyay 2028 is Governance "The way the Shire leads and operates."

The Shire's strategic outcome is that Council "*engages with the community and provides good governance on behalf of the community.*"

The objectives and measures contained in the SCP relevant to this report are:

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

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

S 1.3 Provide clear and engaged leadership on behalf of the community.

#### **Objective 3: Ensure rigorous organisational systems.**

S 3.1 Maintain long term financial and resourcing plans.

S 3.2 Operate to best practice management in all areas.

### **Policy related:**

Relevant policies are:

- *F16 Financial Governance Policy;*
- *F17 Borrowing Management Policy;*
- *F18 Long Term Financial Planning Policy;* and
- *A18 Risk Management.*

### **Financial:**

The Long-Term Financial Plan, adopted by Council, contains the detail in relation to the repayment of borrowings for the conversion of construction facilities for the Toodyay Recreation Centre into a long-term facility at a forecast interest rate of 4%.

Based on the quote received from WA Treasury Corporation of 1.8287% semi-annual compounding, interest repayments would approximate \$80k and principal repayments

would approximate \$188k in year 1 (total of \$268k pa). Repayments will commence in the 2021/2022 financial year.

**Legal and Statutory:**

Section 6.20 of the *Local Government Act 1995* sets out requirements and the power to borrow as stated below:

**6.20. Power to borrow.**

- (4) *A local government is not required to give local public notice under subsection (3) —*
- (a) *where the change of purpose has been disclosed in the annual budget of the local government for the relevant financial year; or*
  - (b) *in such other circumstances as are prescribed.*

The change of purpose has not been included in the annual budget which is why it needs to be advertised.

**Risk related:**

Compliance Risks if public notice is not approved. Timing is critical as the \$4.5million short-term loans will need to be repaid if conversion to long-term loan does not occur before 23 June 2021.

**Workforce related:**

Nil.

**VOTING REQUIREMENTS**

Absolute Majority

**OFFICER'S RECOMMENDATION**

That Council authorises the CEO to provide local public notice of at least one calendar month (30 days) of the Shire's intent to convert the two existing short-term loan facilities used for the construction of the Toodyay Recreation Centre totalling \$4.5million into one long-term loan facility totalling \$4.5million in accordance with the requirements of section 6.20 of the *Local Government Act 1995*.

Cr Madacsi foreshadowed an amendment motion as follows:

**A salient point has arisen in a question by Mr Larry Graham and in the absence of the Manager Corporate and Community Services we will defer this item.**

Cr Madacsi moved a motion as follows:

**A salient point has arisen in a question by Mr Larry Graham and in the absence of the Manager Corporate and Community Services we will defer this item.**

Cr Pearce objected to the motion.

Clarification was sought.

Cr Madacsi moved an amendment to the motion as follows:

**That the words “to a Special Council Meeting as soon as it can be called” be inserted after the words “defer this item.”**

Further clarification was sought.

Cr McKeown seconded the motion.

Clarification was sought.

Cr Madacsi sought leave to withdraw the motion under Standing Orders 9.15 (1).

**MOTION/COUNCIL RESOLUTION NO. 58/03/21**

**MOVED** Cr Madacsi

**SECONDED** Cr McKeown

That the motion be withdrawn in accordance with Standing Orders 9.15 (1).

**MOTION CARRIED 8/0**

**OFFICER’S RECOMMENDATION/COUNCIL RESOLUTION NO. 59/03/21**

**MOVED** Cr Ruthven

That Council authorises the CEO to provide local public notice of at least one calendar month (30 days) of the Shire’s intent to convert the two existing short-term loan facilities used for the construction of the Toodyay Recreation Centre totalling \$4.5million into one long-term loan facility totalling \$4.5million in accordance with the requirements of section 6.20 of the *Local Government Act 1995*.

**MOTION CARRIED BY ABSOLUTE MAJORITY 8/0**

**9.2.3 List of Payments - February 2021**

Date of Report:	11 March 2021
Applicant or Proponent:	Shire of Toodyay
File Reference:	FIN6
Author:	C Murcott – HR/Finance Officer
Responsible Officer:	C Luangala – Manager Corporate & Community Services
Previously Before Council:	N/A
Author's Disclosure of Interest:	Nil
Council's Role in the matter:	Review
Attachments:	1. List of Payments – February 2021.

**PURPOSE OF THE REPORT**

To present the cheques and electronic payments raised during February 2021.

**BACKGROUND**

Creditor invoices are processed as they are received and, on the 15th, and final day of every month, cheques and electronic fund transfers are raised for payments.

**OFFICER COMMENT / DETAILS**

Electronic Funds Transfers (EFT) are for payments transferred directly to creditor bank accounts. Direct Debits are for direct debits against the bank account such as bank fees, leases, loans, and charges etc. Payroll Direct Debits are for payroll and superannuation expenditures which are paid through Council's on-line (internet) banking system. The report on payments for the month is generated directly from Datascape and contains more detail than previously included. This means that the report is longer and in months where the number of payments is significant, this could increase.

**IMPLICATIONS TO CONSIDER**

**Consultative:**

Nil

**Strategic:**

Objective 3: Ensure rigorous organisational systems.  
 S 3.1 Maintain long term financial and resourcing plans.

- S 3.2 Operate to best practice management in all areas.
- S 3.3 Ongoing review of customer service and satisfaction.
- S 3.4 Embrace innovation in information and communication technologies.

**Policy related:**

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

**Financial:**

Payments of accounts are in accordance with Council's adopted 2020/21 Budget.

**Legal and Statutory:**

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

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

**Risk related:**

There is a compliance and reputational risk should Council choose not to approve the Officer recommendation.

**Workforce related:**

Nil

**VOTING REQUIREMENTS**

Simple Majority

**OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION NO. 60/03/21**

**MOVED** Cr Pearce

That Council notes as being paid payments listed and presented for the month of February 2021 as follows:

1. Trust Fund Electronic Fund Transfers (EFT) \$696,225.35 and Trust Cheques payments \$636.50;
2. Municipal Fund Electronic Fund Transfers (EFT) payments amounting to \$760,408.49 and Municipal Fund Cheques numbered 12828 to 12837 amounting to \$107,348.73;
3. Direct Debit Loan amounting to \$9,287.71 and Direct Debit amounting to \$30,376.19; and
4. Payroll Direct Debits totalling \$243,601.24.

**MOTION CARRIED 8/0**

**9.2.4 Monthly Financial Statements - February 2021**

Date of Report:	8 March 2021
Applicant or Proponent:	Shire of Toodyay
File Reference:	FIN24
Author:	C Luangala – Manager Corporate & Community Service
Responsible Officer:	C Luangala – Manager Corporate & Community Service
Previously Before Council:	N/A
Author's Disclosure of Interest:	Nil
Council's Role in the matter:	Review
Attachments:	<ol style="list-style-type: none"> <li>1. Monthly Financial Statements including Outstanding Rates Debtors and Outstanding Sundry Debtors for the month ending 28 February 2021;</li> <li>2. Bank Reconciliations for the month ending 28 February 2021.</li> </ol>

**PURPOSE OF THE REPORT**

To accept the Monthly Financial Statement, Outstanding Rates and Outstanding Sundry Debtors Information for the month ending 28 February 2021; and the Bank Reconciliation for the month ending 28 February 2021.

**BACKGROUND**

Regulation 34(4) of the *Local Government (Financial Management) Regulations 1996* states:

*A statement of financial activity and the accompanying documents referred to in sub regulation (2) is to be –*

- a) Presented at an ordinary meeting of the council within two months after the end of the month to which the statement relates; and*
- b) Recorded in the minutes of the meeting at which it is presented.*

These reports are prepared after all the end of month payments and receipts have been processed.

## **COMMENTS AND DETAILS**

Attached are the Monthly Financial Statement, Outstanding Rates and Outstanding Sundry Debtors Information for the month ending 28 February 2021; and the Bank Reconciliation for the month ending 28 February 2021.

The year-to-date Governance costs have now been allocated across different programs. The works and services cost allocation is yet to be recovered.

Explanation of the variance between the closing funding surplus (YTD Budget v YTD Actual) is included in Note 3 of the attached financial report.

## **IMPLICATIONS TO CONSIDER**

### **Consultative:**

Nil

### **Strategic:**

Objective 3: Ensure rigorous organisational systems.

S 3.1 Maintain long term financial and resourcing plans.

S 3.2 Operate to best practice management in all areas.

S 3.3 Ongoing review of customer service and satisfaction.

S 3.4 Embrace innovation in information and communication technologies.

### **Policy related:**

F.02 Authorised Signatories

F.03 Purchasing

F.11 Corporate Credit Cards

F.16 Financial Governance

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

### **Financial:**

Budget variances are reported and explained in the attached financial statements.

### **Legal and Statutory:**

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

Regulation 34 and 35 of the *Local Government (Financial Management) Regulations 1996* sets out the form and content of the financial reports.

Regulation 34 of the *Local Government (Financial Management) Regulations 1996* requires a statement of Financial Activity to be prepared each month which is to contain the following details:

a) Annual budget estimates;

- b) Budget estimates to the end of the month;
- c) Actual amount of expenditure and revenue;
- d) Material variances between comparable amounts in b) and c) and above; and
- e) The net current assets at the end of the month to which the statements relates i.e.: surplus/deficit position.

The Statement is to be accompanied by:

- a) Explanation of the composition of net current assets, less committed assets and restricted assets;
- b) Explanation of the material variances; and
- c) Such other information considered relevant by the local government.

**Risk related:**

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

**Workforce related:**

Officer resources continue to be focused on the transition of the Shire's enterprise software.

**VOTING REQUIREMENTS**

Simple Majority

**OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION NO. 61/03/21**

**MOVED** Cr Chitty

That Council receives the Monthly Financial Statement, Outstanding Rates and Outstanding Sundry Debtors Information for the month ending 28 February 2021; and the Bank Reconciliations for the month ending 28 February 2021.

**MOTION CARRIED 8/0**



### 9.3 EXECUTIVE SERVICES

#### 9.3.1 Toodyay Recreation Centre Fee Structure - **withdrawn**

Date of Report:	1 February 2021
File Reference:	LEG400
Author:	M Lamb – Compliance and Communications Officer
Responsible Officer:	S Haslehurst – Chief Executive Officer
Previously Before Council:	N/A
Author's Disclosure of Interest:	Nil
Council's Role in the matter:	Executive
Attachment:	1. Fee Structure

**The Shire President advised that this item was withdrawn from the Agenda by the Chief Executive Officer.**

**9.3.2 Disposal of Assets – Lease of a portion of Charcoal Lane Car Park**

Date of Report:	9 March 2020
Applicant or Proponent:	Shire of Toodyay
File Reference:	00CHAR
Author:	M Lamb – Compliance and Communications Officer
Responsible Officer:	S Haslehurst – Chief Executive Officer
Previously Before Council:	23 June 2020 (Planning Application) 21 January 2021
Author's Disclosure of Interest:	Nil
Council's Role in the matter:	Executive
Attachments:	1. Summary of Submissions; and 2. <b>Confidential</b> Valuation Report

**PURPOSE OF THE REPORT**

It is proposed that Council disposes of 14 car parking bays in the Charcoal Lane car park through a leasing arrangement for the purpose of utilising the car parking bays as a Container Deposit Scheme (CDS) collection point.

**BACKGROUND**

The State Government introduced a Container Deposit Collection Scheme in October 2019. Containers for Change is run by WA Return Recycle Renew – a not-for-profit company responsible for establishing the collection network and managing its day-to-day operation.

Subsequent to that introduction, the Shire of Toodyay was approached by Xtreme Rhino Enterprises to facilitate that scheme by setting up a collection point in the Charcoal Lane car park. The *Local Government Act 1995* provides that a local government wishing to lease any property does so under Section 3.58.

**COMMENTS AND DETAILS**

Rhino Enterprises has requested to lease 14 of the 55 available car parking bays in the Charcoal Lane Car Park.

It is proposed that the CDS operates on Tuesday of each week, between the hours of 7.00am and 7.00pm for an initial two (2) year period.

The advertisement giving local public notice of the proposed disposition included the following details:

- (i) Description of the property; and
- (ii) Names of all parties concerned; and
- (iii) consideration to be received by the Shire; and
- (iv) market value of the property.

The Shire sought 3 quotes from companies to provide an official valuation of the property. Grundman and Assoc. Licensed Property Valuers provided a rental valuation report dated 1 December 2020. The confidential attachment to this report was before Council at its January 2021 meeting.

Council approved planning in June 2020 seeking planning approval for the container deposit scheme to be operated out of the Charcoal Lane public carpark.

Council's intention to dispose of this asset through a leasing arrangement was considered at the January 2021 Council Meeting and a decision was made to advertise for a period of 28 days and submissions from the community were invited.

Advertising occurred through:

February 2021 edition of the Toodyay Herald.

February 2021 edition of the Toodyay Community Newsletter.

The Shire of Toodyay website.

## **IMPLICATIONS TO CONSIDER**

### **Consultative:**

As per the attached summary of submissions, the Shire received 5 submissions in total: four noted questions regarding the position/site and operation of the Scheme and the fifth submission was supporting of the Scheme.

### **Strategic:**

- Social: our community wellbeing and connection
  - O1: Maintain and develop services that meet the requirements of our diverse community.
  - O 2: Facilitate community safety and wellbeing.
- Economic: business and jobs in the community
  - O 1: Encourage and support investment into new and existing businesses in Toodyay.
  - O 3: Encourage economic diversification.
- Built environment: Our buildings, roads and transport.
  - O2: Ensure our built environment meets community needs.

### **Policy related:**

F.12 Disposal of Property.

### **Financial:**

Based on the information given, a rental of \$150 (+GST) per month will be sought.

### **Legal and Statutory:**

In accordance with Section 3.58 of the *Local Government Act 1995* There are three (3) methods for disposal prescribed which include:

Public Auction: Highest Bidder

Public tender: Most acceptable, whether or not highest bidder

Private Treaty: *Subject to: Local Public Notice describing; the property, market \$value (valuer in last 6-months or as resolved by Council in last 6-months); and*

*Public submissions over 2-week period; and*

*Council considering submissions received and recording the reasons for a decision in the minutes.*

Private treaty is the most acceptable option in this instance.

### **Risk related:**

The Lessee is to take out public liability insurance to the value of a minimum of \$20 million.

### **VOTING REQUIREMENTS**

Simple Majority.

#### **OFFICER'S RECOMMENDATION**

That Council authorises the Chief Executive Officer to enter into a leasing arrangement with the provider of the Container Deposit Collection Scheme to be situated over 14 car parking bays in the Charcoal Lane car park.

Cr Greenway moved the Officer's Recommendation as follows:

**That Council authorises the Chief Executive Officer to enter into a leasing arrangement with the provider of the Container Deposit Collection Scheme to be situated over 14 car parking bays in the Charcoal Lane car park.**

Clarification was sought.

Cr Ruthven moved an amendment to the motion as follows:

**That the words "the provider" be replaced with the words "Xtreme Rhino Enterprises".**

Cr Greenway accepted the amendment.

Clarification was sought in relation to the substantive motion.

Cr Pearce moved an amendment to the substantive motion as follows:

**That the words "to be reviewed after two years" to be inserted after the words "car park".**

Further clarification was sought.

Discussion ensued.

Cr Pearce revised her amendment to the substantive motion to read as follows:

**That the words “to be reviewed after one year” to be inserted after the words “car park”.**

Cr Greenway accepted the amendment to the motion.

Clarification was sought.

The amendment was put.

**AMENDMENT/COUNCIL RESOLUTION NO. 62/03/21**

**MOVED** Cr Pearce

That the words “to be reviewed after one year” to be inserted after the words “car park”.

**AMENDMENT CARRIED 8/0**

Clarification was sought.

The substantive motion was considered.

Cr Ruthven objected to the motion.

Cr Rayner seconded the motion.

Debate commenced.

Cr Ruthven foreshadowed an amendment to the motion as follows:

**That the words “for each and every Tuesday” be inserted after the words “car park”**

Cr Greenway objected to the amendment.

The amendment was lost for want of a seconder.

Debate recommenced.

The substantive motion was put.

**OFFICER’S RECOMMENDATION/COUNCIL RESOLUTION NO. 63/03/21**

**MOVED** Cr Greenway

**SECONDED** Cr Rayner

That Council authorises the Chief Executive Officer to enter into a leasing arrangement with Xtreme Rhino Enterprises of the Container Deposit Collection Scheme to be situated over 14 car parking bays in the Charcoal Lane car park to be reviewed after one year.

**MOTION CARRIED 8/0**

**9.3.3 Disposal of Assets – Lease of a portion of the Toodyay Community Centre**

Date of Report:	9 March 2021
Applicant or Proponent:	Shire of Toodyay
File Reference:	CSD2
Author:	M Lamb – Compliance and Communications Officer
Responsible Officer:	S Haslehurst – Chief Executive Officer
Previously Before Council:	23 June 2020 (Planning Application) 21 January 2021
Author's Disclosure of Interest:	Nil
Council's Role in the matter:	Executive
Attachments:	1. Summary of Submissions; and 2. <b>Confidential</b> Valuation Report

**PURPOSE OF THE REPORT**

It is proposed that Council disposes of two (2) adjoining meeting rooms located in the Community Centre through a leasing arrangement for the purpose of utilising the rooms as a gymnasium.

**BACKGROUND**

The Shire was approached by the owners of the Toodyay Gymnasium (B2BFitness) earlier in 2020 with a proposal for the gym to move into and utilise the two (2) adjoining meeting rooms in the Community Centre as a gymnasium.

The Shire has been advised that the current lease held by the gymnasium will not be renewed and therefore new premises need to be found for this business to continue.

The meeting rooms in question are rarely used with only one regular, weekly user. This user has now relocated to the Recreation Centre and has an ongoing booking at that complex.

Minimal work will be required to install the gymnasium equipment: i.e. carpeting and one or two pieces of equipment will be bolted to the floor.

This report was before Council in January 2021 when Council endorsed the advertising and set the rent at \$1,600 per month (plus GST).

## **COMMENTS AND DETAILS**

B2BFitness has requested to lease the two subject meeting rooms in the Community Centre as a gymnasium.

It is proposed that the gymnasium operates on a 24/7 basis – as it does currently for an initial period to be negotiated.

The advertisement giving local public notice of the proposed disposition included the following details:

- (v) Description of the property; and
- (vi) names of all parties concerned; and
- (vii) identify the consideration to be received by the Shire; and
- (viii) identify the market value of the property.

The Shire sought 3 quotes from companies to provide an official valuation of the property. Grundman and Assoc. Licensed Property Valuers provided a rental valuation report dated 1 December 2020 as per **confidential** attachment (Attachment 1).

The subject rooms are rarely used. The building was opened in or around 2001 and was funded from various funding bodies. There are no documents that indicate any restrictions to the use of the building under those grants.

The Town Planning Scheme supports the use as a gymnasium.

Council's intention to dispose of this asset through a leasing arrangement was considered at the January 2021 Council Meeting and a decision was made to advertise for a period of 28 days and submissions from the community were invited.

Advertising occurred through:

February 2021 edition of the Toodyay Herald.

February 2021 edition of the Toodyay Community Newsletter.

The Shire of Toodyay website.

## **IMPLICATIONS TO CONSIDER**

### **Consultative:**

Two submissions were received resulting from the advertising. These submissions are included in the attached summary of submissions (Attachment 2).

### **Strategic:**

Key points from the Strategic Community Plan that apply to this decision are:

- Social: our community wellbeing and connection
  - O1: Maintain and develop services that meet the requirements of our diverse community.
  - O 2: Facilitate community safety and wellbeing.

- Economic: business and jobs in the community
  - 1: Encourage and support investment into new and existing businesses in Toodyay.
  - 3: Encourage economic diversification.
- Built environment: Our buildings, roads and transport.
  - 2: Ensure our built environment meets community needs.

**Policy related:**

F.12 Disposal of Property.

**Financial:**

Based on the information provided, a rental of \$1,600 (+GST) per month will be sought.

**Legal and Statutory:**

In accordance with Section 3.58 of the *Local Government Act 1995* There are three (3) methods for disposal prescribed which include:

Public Auction: Highest Bidder

Public tender: Most acceptable, whether or not highest bidder

Private Treaty: *Subject to: Local Public Notice describing; the property, market \$value (valuer in last 6-months or as resolved by Council in last 6-months); and*

*Public submissions over 2-week period; and*

*Council considering submissions received and recording the reasons for a decision in the minutes.*

Private treaty is the most acceptable option in this instance.

**Risk related:**

The Lessee will take out appropriate public liability insurance.

Restricted access to the building will be by way of an electronic device issued to gymnasium members only through a door entering the rooms directly. A twenty-four-hour security surveillance system will be installed by the gymnasium owners.

**Workforce:**

Nil

**VOTING REQUIREMENTS**

~~Simple Majority.~~ Absolute Majority



### **OFFICER'S RECOMMENDATION**

That Council authorises the Chief Executive Officer to enter into a leasing arrangement with the owner of the Toodyay Gymnasium, B2BFitness for the two (2) adjoining meeting rooms along with rooms for storage located in the Community Centre.

Clarification was sought.

Cr Pearce moved the Officer's Recommendation as follows:

**That Council authorises the Chief Executive Officer to enter into a leasing arrangement with the owner of the Toodyay Gymnasium, B2BFitness for the two (2) adjoining meeting rooms along with rooms for storage located in the Community Centre.**

Cr Chitty seconded the motion.

Cr Pearce moved an amendment to the motion as follows:

**That the words "and to be reviewed after two years" be inserted after the words "storage located in the Community Centre."**

Further clarification was sought.

Cr Chitty accepted the amendment.

The Shire President called for a show of hands in support of the amendment.

Cr Chitty raised a Point of Order in accordance with Standing Order 8.4 pertaining to the fact that the amendment had been accepted by the mover of the motion.

Shire President upheld the Point of Order in accordance with Standing Order 8.5.

Debate commenced in relation to the substantive motion.

The substantive motion was put.

### **OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION NO. 64/03/21**

**MOVED** Cr Pearce

**SECONDED** Cr Chitty

That Council authorises the Chief Executive Officer to enter into a leasing arrangement with the owner of the Toodyay Gymnasium, B2BFitness for the two (2) adjoining meeting rooms along with rooms for storage located in the Community Centre and to be reviewed after two years.

**MOTION CARRIED BY ABSOLUTE MAJORITY 8/0**

**9.3.4 Tender for Cleaning Shire of Toodyay facilities**

Date of Report:	4 January 2021
File Reference:	TEN03 / 2020
Author:	M Lamb – Compliance and Communications Officer
Responsible Officer:	S Haslehurst – Chief Executive Officer
Previously Before Council:	N/A
Author's Disclosure of Interest:	Nil
Council's Role in the matter:	Executive
<b>Confidential Attachment:</b>	1. Evaluation Report.

The attachment to the Officer Report is considered confidential and officers propose that the meeting be closed in accordance with section 5.23 (2) (c) and (e) of the *Local Government Act 1995* should Council wish to discuss its contents:

- (c) *a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting; and*
- (e) *a matter that if disclosed, would reveal —*
  - (i) *a trade secret; or*
  - (ii) *information that has a commercial value to a person; or*
  - (iii) *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;*

**PURPOSE OF THE REPORT**

To request that Council selects the recommended tenderer for the cleaning of the Shire of Toodyay facilities in accordance with the attached Confidential Evaluation Report and authorises the CEO to enter into and finalise contract negotiations with the recommended tenderer.

**BACKGROUND**

This report was before Council in February 2021. A decision was not reached as discussion surrounded the consideration of confidentiality and the inclusion of the Toodyay Recreation Centre.

Currently there is no contract in place for cleaning of the Shire facilities. The previous contract was terminated due to poor standards and KPIs were not being met on a consistent basis. A cleaning company was engaged on a temporary basis and this company has been carrying out those cleaning duties to date.

The Shire of Toodyay issued a tender, seeking proposals for operators to clean Shire Facilities. An Invitation to Tender (ITT) document was prepared as part of the tender submission package. The ITT included information in general terms, providing flexibility in response to demonstrate how each management component will be achieved and at what cost to the Shire. The ITT is not an undertaking or contractual offer by the Shire to receive the services set out herein.

The Shire is seeking to appoint a suitably qualified and resourced organisation to clean Shire facilities in their entirety or in part. The Facilities listed include:

- Toodyay Public Library
- Public Toilets located in Memorial Hall, Duidgee Park, Pelham Reserve, Toodyay Cemetery, Old Gaol Museum and Duke Street North.
- Shire Depot
- Community Centre
- Memorial hall
- Pavilion, kitchen, change rooms, toilets, umpires' room and grandstand, including ablution facilities.
- Visitors Centre
- Old Gaol Museum and Connor's Mill
- Museum Workshop
- Toodyay Recreation Centre
- Toodyay Aquatic Centre

The successful organisation will supply materials and workforce in order to clean and supply the facilities listed.

### **COMMENTS AND DETAILS**

Council will note that there are 2 tables provided in the recommendation report. One including the Toodyay Recreation Centre and the second without the Toodyay Recreation Centre.

The recommended tenderer presented a superior proposal based on the following:

- (a) Proven experience successfully managing local government facilities in consultation with the local government Increased opportunity for community engagement;
- (b) A clear understanding of the supply of materials required to successfully, and efficiently carry out the required work;
- (c) A clear understanding of the ad hoc component of the contract;
- (d) Higher capacity and resources to deliver a range of cleaning programs;

- (e) A clear understanding of reducing the environmental impact of cleaning and associated materials and chemicals.

On a value for money basis, it is the Officer's Recommendation that Council awards the contract for the cleaning of the Shire of Toodyay facilities (not including the Toodyay Recreation Centre) to the recommended tenderer as per the attached confidential evaluation report.

Officers are also recommending that Council authorises the Chief Executive Officer to negotiate and finalise the cleaning contract.

### **IMPLICATIONS TO CONSIDER**

#### **Consultative:**

Consultation has occurred with Senior Officers and Council at various Budget and Long-Term Financial Planning workshops.

Feedback from the community has been taken seriously and there has been a significant drop in complaints from the community since the termination of the previous cleaning company.

#### **Strategic:**

Key points from the Strategic Community Plan that apply to this decision are:

- Social: our community wellbeing and connection  
O1: Maintain and develop services that meet the requirements of our diverse community.
- Economic: business and jobs in the community  
O 1: Encourage and support investment into new and existing businesses in Toodyay.  
O 2: Promote Toodyay as a tourism destination.
- Natural environment: Protecting where we live.  
O 2: Ensure sustainable operating practices.
- Built environment: Our buildings, roads and transport.  
2: Ensure our built environment meets community needs.

#### **Policy related:**

F.03 Purchasing

#### **Financial:**

All Submissions would require an amendment to the Shire's FY20/21 Annual Budget. While the preferred tender indicates a minimal budget impact, final costs will be determined by the agreed upon scope at contract negotiation.

Budget amendments will be brought to Council for approval.

#### **Legal and Statutory:**

***Local Government Act 1995***

### **3.57 Tenders for providing goods or services.**

- (1) A local government is required to invite tenders before it enters into a contract of a prescribed kind under which another person is to supply goods or services.
- (2) Regulations may make provision about tenders.

### **Local Government (Functions and General) Regulations 1996**

#### **Division 2 - Tenders for providing goods or services (s. 3.57)**

#### **11 When tenders have to be publicly invited.**

- (1) Tenders are to be publicly invited according to the requirements of this Division before a local government enters into a contract for another person to supply goods or services if the consideration under the contract is, or is expected to be, more, or worth more, than \$250 000 unless subregulation (2) states otherwise.

#### **Risk related:**

A Risk Management plan is included in the Confidential Evaluation Report as attached to this report. Toodyay is regarded as a tourism hub. One of the first things visitors to Toodyay might visit and experience is our toilet facilities and how these facilities are presented makes a huge impact on those visitors with 'first impressions' and may impact on whether those visitors would return to the town in future.

### **VOTING REQUIREMENTS**

~~Simple Majority~~ Absolute Majority

#### **OFFICER'S RECOMMENDATION**

That Council:

1. Selects \_\_\_\_\_ for the operational management for the cleaning of the Shire of Toodyay facilities, which does not include the Toodyay Recreation Centre, in accordance with the recommendation contained in the Confidential Evaluation Report attached.
2. Authorises the Chief Executive Officer to:
  - (a) enter into contract negotiations with the successful tenderer in accordance with the provisions of the submitted tender.
  - (b) prepare and execute the necessary contract documents once negotiations have been finalised.
3. Notes that a report will be brought back to Council to approve any resulting budget amendments.

Clarification was sought in relation to the Voting Requirements.

Cr Pearce moved the Officer's Recommendation as follows:

**That Council:**

- 1. Selects Charles Service Companies for the operational management for the cleaning of the Shire of Toodyay facilities, which does not include the Toodyay Recreation Centre, in accordance with the recommendation contained in the Confidential Evaluation Report attached.**
- 2. Authorises the Chief Executive Officer to:**
  - (a) enter into contract negotiations with the successful tenderer in accordance with the provisions of the submitted tender.**
  - (b) prepare and execute the necessary contract documents once negotiations have been finalised.**
- 3. Notes that a report will be brought back to Council to approve any resulting budget amendments.**

Clarification was sought.

Cr Rayner moved an amendment to the motion as follows:

**That at Point 1 the words "CSC T/A" be inserted preceding the word "Charles".**

Further clarification was sought.

Cr Rayner seconded the motion.

Cr Pearce accepted the amendment.

Discussion ensued.

Further clarification was sought.

Cr Rayner foreshadowed an amendment to the motion.

Debate commenced.

Cr Rayner moved an amendment to the motion.

**That at Point 1 the words "in conjunction with the Aquatic Centre" be inserted after the words "Toodyay Recreation Centre".**

Cr Pearce accepted the amendment to the motion.

Further clarification was sought.

Cr Chitty raised a Point of Order in accordance with Standing Order 8.4 pertaining to the amendment to the motion in accordance with Standing Order 9.10 Order of Amendments.

The Shire President upheld the Point of Order in accordance with Standing Order 8.5 and sought any objections to the amendment.

Cr Chitty objected to the amendment.

Discussion continued.

Clarification was sought.

Cr McKeown moved an alternate amendment to replace Cr Rayner's amendment as follows:

**That the words "all of the" be inserted before the words "Toodyay Recreation Centre."**

Cr Pearce accepted the alternate amendment.

Cr Rayner accepted the alternate amendment.

Cr McKeown withdrew the alternate amendment.

Cr Hart moved an amendment to the motion as follows:

**That at Point 1 the words "any of" be inserted before the words "the Toodyay Recreation Centre."**

Cr Pearce accepted the amendment.

Cr Rayner accepted the amendment.

The Shire President read Point 1 aloud.

The amendment was put.

**AMENDMENT/COUNCIL RESOLUTION NO. 65/03/21**

**MOVED** Cr Hart

That at Point 1 the words "any of" be inserted before the words "the Toodyay Recreation Centre."

**AMENDMENT CARRIED 8/0**

Debate recommenced.

The substantive motion was put.

**OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION NO. 66/03/21**

**MOVED** Cr Pearce

**SECONDED** Cr Rayner

That Council:

1. Selects CSC T/A Charles Service Companies for the operational management for the cleaning of the Shire of Toodyay facilities, which does not include any of the Toodyay Recreation Centre, in accordance with the recommendation contained in the Confidential Evaluation Report attached.
2. Authorises the Chief Executive Officer to:
  - (a) enter into contract negotiations with the successful tenderer in accordance with the provisions of the submitted tender.

- (b) prepare and execute the necessary contract documents once negotiations have been finalised.
- 3. Notes that a report will be brought back to Council to approve any resulting budget amendments.

**MOTION CARRIED BY ABSOLUTE MAJORITY 8/0**



**9.3.5 Toodyay Recreation Centre Liquor Licencing**

Date of Report:	February 2021
File Reference:	TEN03 / 2020
Author:	M Lamb – Compliance and Communications Officer
Responsible Officer:	S Haslehurst – Chief Executive Officer
Previously Before Council:	N/A
Author's Disclosure of Interest:	Nil
Council's Role in the matter:	Executive
Attachment:	Nil

**PURPOSE OF THE REPORT**

To request that Council support and endorse obtaining a liquor licence for the serving of alcoholic beverages through sale or distribution, at the Toodyay Recreation Centre (TRC).

**BACKGROUND**

The Toodyay Aquatic Centre became operational on 24 October 2020 followed by the official opening of the Toodyay Recreation Centre on 21 November 2020.

The TRC was purposely built to facilitate the sports of tennis, netball, basketball, field hockey, rugby and soccer. Currently the Toodyay Tennis Club has moved to the TRC with soccer, women’s hockey, netball and basketball negotiating their place at the TRC.

Council appointed Clublinks as the Venue Manager of the TRC in August 2021.

The Pavilion at TRC is currently not licenced for the sale or distribution of alcohol. This request does not apply to the Aquatic Centre.

Interest has been shown by clubs and organisations throughout the state of Western Australia to hold functions and sporting tournaments at the TRC. The use of this community facility will be increased and enhanced with the ability to serve and distribute alcohol legally.

**COMMENTS AND DETAILS**

Currently the Venue Manager can provide food and beverage services for catered events via its existing food and beverage partners. This requires the service of food with alcohol as a packaged event (no cash bar) and the approval of an extended trading permit (ETP) at a cost of approximately \$100 per event.

Clublinks approached Canford Hospitality Consultants (Canford), an organisation who specialises in liquor licencing applications. The recommendation from Canford is that

the Special Facility (Sports Arena) Licence was the most appropriate for the venue. The timeframe for a successful application is 4 - 6 months.

The application for the licence needs to be submitted by Clublinks as the lessee. Although Clublinks would be the licensee, the licence remains attached to the venue regardless of the operator.

Clublinks, as the licensee must comply with the conditions of the licence:

- Clublinks staffing of club activities in the Pavilion as required.
- Clublinks staffing special events as required.
- Approved Manager onsite and all staff must have RSA certification and training.
- As licensee, a code of conduct must be enforced, harm minimisation policy, house management policy and incidents register on site and available for inspection.
- The approved redline (consumption) area is defined and no alcohol is served or consumed outside of that area.

Obtaining a liquor licence has shown to improve team culture, improve social behaviours and allows a common, safe place to meet and socialise.

## **IMPLICATIONS TO CONSIDER**

### **Consultative:**

Shire of Chittering – similar size and use. The Shire of Chittering noted no adverse social issues and with an organised structure in place the facility managers were able to moderate and regulate the consumption of alcohol.

Consultation has occurred with Senior Officers and Council at the December 2020 and January 2021 Concept Briefing.

Consultation with the facilities manager in Clublinks has been lengthy and Clublinks considerable experience in this area must also be noted along with advice from specialist in this area, such as Canfords.

### **Strategic:**

Key points from the Strategic Community Plan that apply to this decision are:

- Social: our community wellbeing and connection
  - O1: Maintain and develop services that meet the requirements of our diverse community.
  - O2: Facilitate community safety and wellbeing.
- Economic: business and jobs in the community
  - O 1: Encourage and support investment into new and existing businesses in Toodyay.
  - O 2: Promote Toodyay as a tourism destination.
  - O3 :Encourage economic diversification.

- Natural environment: Protecting where we live.
  - O 2: Ensure sustainable operating practices.
- Built environment: Our buildings, roads and transport.
  - 2: Ensure our built environment meets community needs.

**Policy related:**

F.11 Financial Governance

**Financial:**

Clublinks received preliminary advice from Canford regarding the licensing options available at Toodyay Recreation Centre. The advice from Canfor's Hospitality Consultants was that two options were most suitable for TRC, those being the Special Facilities Licence (Sports Arena) or Tavern Restricted Licence.

	<b>Special Facility (Sports Arena) Licence</b>	<b>Tavern Restricted Licence</b>
<b>Definition</b>	A special facility licence may be granted for the purpose of allowing the sale of liquor at a sports arena (being premises primarily used for playing and viewing sport) to persons playing or viewing sports, or attending any other event, at the arena.	<p>Authorises the sale and supply of liquor for consumption on the licensed premises only (i.e. no packaged liquor sales). A holder of a tavern restricted licence does not need to provide accommodation.</p> <p>Subject to this Act, during permitted hours the licensee of a hotel licence is authorised to keep open the licensed premises, or part of those premises, and, while those premises are open —</p> <p>(a) may sell liquor on the premises to any person for consumption on the premises; and</p> <p>(b) may, unless the licence is a hotel restricted licence or a tavern restricted</p>

	<b>Special Facility (Sports Arena) Licence</b>	<b>Tavern Restricted Licence</b>
		licence, sell packaged liquor on and from the premises to any person.
<b>Trading Hours</b> Mon – Sat Sunday NYE (Mon – Sat) NYE (Sun) Good Friday Christmas Day ANZAC day	<i>The trading hours for each special facility licence are determined individually by the Director of Liquor Licensing.</i>	6am – 12midnight 10am – 12midnight 6am – 2am NYD 10am – 2am NYD 12pm – 10pm (ancillary to a meal) 12pm – 10pm (ancillary to a meal) 12pm – 12am
<b>Estimated Costs</b> Racing, Gaming Liquor Application Costs Canford Hospitality Consultancy	\$3,620.50  \$8,000 - \$9,000 (plus GST)	\$3,620.50  \$10,000 - \$12, 000 (Plus GST)
<b>Application Timeline</b>	4 - 6 months	7 - 8 months

The sale of alcohol would likely bring in a level of income to the centre which would ultimately be used towards, maintenance, upkeep and improvements of the TRC and in turn support the community use of the TRC in a positive way.

It is noted that provision has been made for this matter in the Budget Review considered at Item 9.2.1 of this agenda.

**Legal and Statutory:**

Although Clublinks would be the applicant for a liquor licence, the Shire has to guarantee exclusive tenure (via the lease agreement) as well as approve/provide feedback for several sections of the *Liquor Control Act 1998*.

<b>Law/Act/Section</b>	<b>Detail</b>
<b>s37(5). Exclusive Tenure</b>	Every license, other than a club restricted license or an occasional license, is subject to the condition that the

Law/Act/Section	Detail
	<p>licensee occupies, and retains a right to occupy, the licensed premises to the exclusion of others, and an application for the grant or removal of such a license shall not be granted unless the licensing authority is satisfied that the applicant can, or on the grant of the application will be enabled to, comply with that condition; and if the licensee ceases to occupy the licensed premises, whether or not to the exclusion of others, the interest in the license terminates.</p>
<p><b>s38. Requirements for the grant or removal of a Category A license</b></p>	<p>(1) An applicant for the grant or removal of a Category A license must satisfy the licensing authority that, having regard to —</p> <ul style="list-style-type: none"> <li>(a) the number and condition of the licensed premises already existing in the affected area.</li> <li>(b) the manner in which, and the extent to which, those premises are distributed throughout the area.</li> <li>(c) the extent and quality of the services provided on those premises; and</li> <li>(d) any other relevant factor, being a matter as to which the licensing authority seeks to be satisfied, the license is necessary in order to provide for the reasonable requirements of the public for liquor and related services or accommodation in that area.</li> </ul> <p>(2) Taking into account the matters referred to in subsection (1), the licensing authority in considering what the requirements of the public may be shall have regard to —</p> <ul style="list-style-type: none"> <li>(a) the population of, and the interest of the community in, the affected area;</li> <li>(b) the number and kinds of persons residing in, resorting to or passing through the affected area, or likely in the foreseeable future to do so, and their respective expectations; and</li> <li>(c) the extent to which any requirement or expectation —</li> </ul>

Law/Act/Section	Detail
	<ul style="list-style-type: none"> <li>(i) varies during different times or periods; or</li> <li>(ii) is lawfully met by other premises, licensed or unlicensed.</li> </ul>
<b>s39 - Certificate of local government</b>	<p>(1) An application made to the licensing authority for the grant or removal of a licence, or for a change in the use or condition of any premises shall be accompanied by a certificate from the local government for the district in which the premises to which the application relates are situated, or are to be situated, unless the licensing authority otherwise determines.</p> <p>(2) A certificate referred to in subsection (1) shall state —</p> <ul style="list-style-type: none"> <li>(a) whether or not the premises comply with all relevant requirements of —           <ul style="list-style-type: none"> <li>(i) the <i>Health (Miscellaneous Provisions) Act 1911</i>; and</li> <li>(ia) the <i>Food Act 2008</i>; and</li> <li>(ii) any written law applying to the sewerage or drainage of those premises; and</li> <li>(iii) the <i>Local Government Act 1995</i>; and</li> <li>(iv) the <i>Building Act 2011</i>.</li> </ul> </li> <li>and</li> <li>(b) where the premises do not so comply, the manner in which the premises could be made to comply or that the premises could not reasonably be made to comply.</li> </ul>
<b>s40 - Certificate of local planning authority</b>	<p>(1) An application made to the licensing authority for the grant or removal of a licence, or for a change in the use or condition of any premises shall be accompanied by a certificate from the authority responsible for town planning matters in the district in which the premises to which the application relates are situated, or are to be situated, unless the licensing authority otherwise determines.</p>

Law/Act/Section	Detail
<b>Permit required for possession and consumption of liquor.</b>	3.15 (1) A person, on local government property, shall not consume any liquor or have in her or his possession or under her or his control any liquor, unless – <ul style="list-style-type: none"> <li>(a) that is permitted under the Liquor Licensing Act 1988; and</li> <li>(b) a permit has been obtained for that purpose.</li> </ul> (2) Subclause (1) does not apply where the liquor is in a sealed container.  <i>Part 4</i>
<b>Intoxicated persons not to enter local government property.</b>	4.4 A person shall not enter or remain on local government property while under the influence of liquor or a prohibited drug.
<b>Shire of Toodyay Local Laws</b>	The Shire has several local laws that reference possession and/or consumption of liquor at Shire venues. These maybe applicable to TRC if the venue is not licenced.

**Risk related:**

Excessive alcohol consumption may cause unruly behaviour.

Unregulated alcohol consumption may lead to unruly behaviour, property damage and personal injury.

Further or tighter regulation may be required with the school being in close proximity to the TRC.

**SUMMARY**

- The Special Facility Licence (Sports Arena) is the most appropriate for TRC and is the recommended option.
- The Special Facility Licence (Sports Arena) provides flexibility in operation and links to the operational hours and needs of clubs and the community.
- As the lessee Clublinks must be the applicant but the licence will always remain attached to TRC.
- It is recommended that a specialist such as Canford Hospitality Consultants are engaged to provide expertise and expediate the application process.

Recommended liquor licence application:	\$3,620.50
---	------------

Canford Hospitality Consultants	\$8,000 - \$9,000 (plus GST)
application timeline	4 – 6 months

- A liquor licence is likely to enhance and attract a higher usage of the facility.
- Alcohol consumption can be served in a managed and controlled environment.
- The availability of alcohol in an organised, moderated/regulated setting would improve social interaction and improve club team culture.
- Cost to Shire for recommended liquor licence application: \$3,620.50.

**VOTING REQUIREMENTS**

~~Simple Majority~~ Absolute Majority

**OFFICER'S RECOMMENDATION**

That Council supports and endorses obtaining a liquor licence for the serving of alcoholic beverages through sale or distribution, at the Toodyay Recreation Centre (TRC).

*Cr McKeown departed the Council Chambers at 6.33pm and returned at 6.33pm.*

Cr Pearce foreshadowed an alternate motion as follows:

**That Council:**

- 1. Supports and endorses a Special Facility Licence (Sports Arena) liquor licence for the serving of alcoholic beverages through the sale or distribution at the Toodyay Recreation Centre.**
- 2. Requests the CEO to:**
  - (a) Obtain quotations in accordance with the Shire's Purchasing Policy, within three months, to engage a consultant to undertake the process of obtaining the liquor licence at the Toodyay Recreation Centre.**
  - (b) Provide the quotations received for Council's consideration as part of the 2021/22 Budget process.**

Clarification was sought.

*The Shire President communicated to the gallery that the Officer's Recommendation required Absolute Majority whilst the amendment motion would only require Simple Majority.*

Cr Hart moved the Officer's Recommendation.

Cr Chitty objected to the motion.

The motion was lost for want of a seconder.



Cr Pearce moved the alternate motion.

Cr Ruthven seconded the motion.

Debate commenced.

The alternate motion was put.

**ALTERNATE MOTION/COUNCIL RESOLUTION NO. 67/03/21**

**MOVED** Cr Pearce

**SECONDED** Cr Ruthven

That Council:

1. Supports and endorses a Special Facility Licence (Sports Arena) liquor licence for the serving of alcoholic beverages through the sale or distribution at the Toodyay Recreation Centre.
2. Requests the CEO to:
  - (a) Obtain quotations in accordance with the Shire's Purchasing Policy, within three months, to engage a consultant to undertake the process of obtaining the liquor licence at the Toodyay Recreation Centre.
  - (b) Provide the quotations received for Council's consideration as part of the 2021/22 Budget process.

**VOTES EQUALLY DIVIDED 4/4**

*In accordance with 5.21(3) of the Local Government Act 1995, the Presiding Member cast a second vote 'for' the motion.*

**MOTION CARRIED 5/4**

*In accordance with Section 5.21(4)(b) of the Local Government Act 1995, Cr Madacsi requested that the vote of all members present be recorded. Councillors Madacsi, Ruthven, Hart and Cr Pearce voted for the motion. Councillors Rayner, Chitty, Greenway and McKeown voted against the motion.*

*Cr Greenway departed Council Chambers at 6.56pm.*

**9.3.6 Correspondence - Department of Local Government, Sport & Cultural Industries**

Date of Report:	10 March 2021
Applicant or Proponent:	Shire of Toodyay
File Reference:	MTG7
Author:	S Haslehurst – Chief Executive Officer
Responsible Officer:	S Haslehurst – Chief Executive Officer
Previously Before Council:	N/A
Disclosure of Interest:	Nil
Council's Role in the matter:	Executive
Attachments:	<ol style="list-style-type: none"> <li>1. Emails to and from DLGSC; and</li> <li>2. Governance Review Template.</li> </ol>

**PURPOSE OF THE REPORT**

To present details of correspondence with the Department of Local Government, Sport and Cultural Industries (DLGSC) since the February 2021 Ordinary Council Meeting.

**BACKGROUND**

At the June 2018 Ordinary Council Meeting (Resolution No. 122/06/18) Council resolved:

*That the CEO submit a report to Council at each Ordinary Council Meeting detailing correspondence of a Local Government governance nature or non-compliance matters between the Shire of Toodyay and the Government of Western Australia's Department of Local Government, Sport and Cultural Industries (including with the relevant Minister) since the report to the previous Ordinary Council Meeting.*

A report was presented to Council in February 2021 outlining correspondence from December 2019 until January 2021. This report details the correspondence with the DLGSC since then.

**COMMENTS AND DETAILS**

Correspondence with the DLGSC during the past month is attached at Attachment 1 which includes:

1. Email to DLGSC following a meeting between the CEO and officers of the DLGSC, seeking extensions to the proposed due dates for actions in relation to the Authorised Inquiry recommendations.
2. Provision of the DLGSC's Governance Review template (Attachment 2)

3. Confirmation received that amended due dates are agreed.

### **IMPLICATIONS TO CONSIDER**

#### **Consultative:**

Department of Local Government, Sport and Cultural Industries

#### **Strategic:**

*Governance: The way the Shire leads and operates*

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

*Objective 2 Consistently improve our governance practices.*

#### **Policy related:**

Nil

#### **Financial:**

Nil

#### **Legal and Statutory:**

##### **Local Government Act 1995**

It is a function of CEO to give effect to the decisions of Council in accordance with section 5.41 of the *Local Government Act 1995*.

#### **Risk related:**

There is a reputational and compliance risk if a Council resolution is not implemented. These are both rated high.

#### **Workforce related:**

The requirement to formally report all correspondence from the DLGSC adds to the impost on officer resources.

### **VOTING REQUIREMENTS**

Simple Majority

#### **OFFICER RECOMMENDATION**

That Council notes the correspondence with the Department of Local Government, Sport and Cultural Industries during February 2021 as outlined in and attached to, this report.

Cr Ruthven moved the Officer's Recommendation.

*Cr Greenway returned to the Council Chambers at 6.57pm.*

There were no objections.

The motion was put.

**OFFICER RECOMMENDATION/COUNCIL RESOLUTION NO. 68/03/21**

**MOVED** Cr Ruthven

That Council notes the correspondence with the Department of Local Government, Sport and Cultural Industries during February 2021 as outlined in and attached to, this report.

**MOTION CARRIED 8/0**

## 9.4 WORKS AND TECHNICAL SERVICES

No reports

## 9.5 COMMITTEE REPORTS

### 9.6.1 Audit and Risk Advisory Committee Recommendations

Date of Report:	10 March 2021
Applicant or Proponent:	Audit and Risk Committee
File Reference:	COC2
Author:	M Lamb – Compliance and Communications Officer
Responsible Officer:	S Haslehurst – Chief Executive Officer
Previously Before Council:	N/A
Author's Disclosure of Interest:	Nil
Council's Role in the matter:	Legislative / Executive
Attachments:	<ol style="list-style-type: none"> <li>1. Extract of Audit &amp; Risk Committee Minutes;</li> <li>2. Statement of Business Ethics;</li> <li>3. Western Australian Auditor General's Report - Local Government Contract Extensions and Variations;</li> <li>4. F.3 - Purchasing Policy; and</li> <li>5. Compliance Audit Return 2020.</li> </ol>

### PURPOSE OF THE REPORT

To receive the minutes of the Audit and Risk Committee and consider recommendations made at by the Committee at its meeting held on 4 March 2021.

### BACKGROUND

At the Audit and Risk Committee Meeting held on 4 March 2021, three officer reports were considered as contained in the extract of the minutes at Attachment 1:

1. Statement of Business Ethics
2. F.3 Purchasing Policy
3. Compliance Audit Return

## COMMENTS AND DETAILS

Below is a summary of the recommendations made by the Audit and Risk Committee. Council is asked to refer to the minutes of the Audit and Risk Committee meeting which provide further detail regarding each matter.

### **Recommendation 1          Statement of Business Ethics**

---

The Statement of Business Ethics provides guidance to business partners, contractors and suppliers on the values and ethical standards that the Shire of Toodyay upholds when conducting business, and the conduct and standards the Shire expects from its business partners, contractors and suppliers in return.

The Audit and Risk Committee reviewed the attached Statement of Business Ethics and recommended as follows:

*That Council:*

1. *Adopts the Statement of Business Ethics as amended.*
2. *Notes that the draft purchasing policy reflects the requirement for adherence to the adopted Statement of Business Ethics.*

The Statement of Business Ethics 2020 has been amended and is attached for Council consideration (Attachment 2).

### **Recommendation 2 – F.3 Purchasing Policy**

---

The Shire's Purchasing policy was reviewed as part of the Procurement Review using the *WALGA – Integrity in Procurement – Self Audit Tool*.

F.3 - Purchasing Policy has been amended to include recommendations from the OAG (refer Attachment 3) to:

1. include more comprehensive guidance on recording of contract information and management of contract extensions and variations,
2. establish specific delegated authorisation limits for the approval of contract extensions and variations, and
3. 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 updated policy also reflects changes to tendering thresholds which as per Regulation 11 of the *Local Government (Functions and General) Regulations 1996* requires that tenders are to be publicly invited before a local government enters into contracts for supply of goods or services where consideration is to be more than \$250,000 unless sub-regulation 2 of the Regulations applies.

The Audit and Risk Committee reviewed the attached F.3 Purchasing policy and recommended as follows:

*That Council adopts the revised F.3 - Purchasing Policy as amended.*

The Revised F.3 Purchase Policy has been amended and is attached for the Council consideration at Attachment 4.

### **Recommendation 3 – Compliance Audit Report**

---

To remain compliant, the Shire must lodge this report with the DLGSC prior to 31 March 2021.

The Audit and Risk Committee reviewed the attached Compliance Audit Return and recommended as follows:

*That Council adopt the attached Compliance Audit Return 2020 for the period 1 January 2019 to 31 December 2020 pursuant to Regulation 14(3) of the Local Government (Audit) Regulations 1996.*

The Compliance Audit Return 2020 is attached at Attachment 5.

### **IMPLICATIONS TO CONSIDER**

#### **Consultative:**

There has been no further consultation in relation to the recommendations made by the Audit and Risk Committee.

#### **Strategic:**

Corporate Business Plan and Strategic Community Plan:

Governance: Provide accountable and transparent leadership for the community.

O 2: Consistently improve our governance practices.

O 3: Ensure rigorous organisational systems.

#### **Policy related:**

A.17 Consideration of Committee Recommendations

A.20 Legislative Compliance

F.03 Purchasing

#### **Financial:**

Nil

#### **Legal and Statutory:**

Section 2.7 of the *Local Government Act 1995*

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

#### **Risk related:**

It is a legislative requirement for local governments to establish an audit committee. 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. This report mitigates the risk of non-compliance with the regulations.

## VOTING REQUIREMENTS

~~Absolute Majority~~ Simple Majority

### **AUDIT & RISK COMMITTEE RECOMMENDATION 1/COUNCIL RESOLUTION NO. 69/03/21**

**MOVED** Cr Pearce

That Council:

1. Adopts the Statement of Business Ethics as amended.
2. Notes that the draft purchasing policy reflects the requirement for adherence to the adopted Statement of Business Ethics.

**MOTION CARRIED 8/0**

### **AUDIT & RISK COMMITTEE RECOMMENDATION 2**

That Council adopts the revised F.3 - Purchasing Policy as amended.

Cr Hart moved the Recommendation 2 as follows:

**That Council adopts the revised F.3 - Purchasing Policy as amended.**

Clarification was sought.

Cr Ruthven foreshadowed an alternate motion.

**That Council defers adopting the revised F.3 - Purchasing Policy as amended until a copy of the recent amendments to the policy have been brought to Council.**

Discussion ensued.

Further clarification was sought.

The Shire President asked Cr Hart whether he would consider withdrawing the motion.

Cr Hart sought leave to withdraw the motion under Standing Orders 9.15 (1).

### **MOTION/COUNCIL RESOLUTION NO. 70/03/21**

**MOVED** Cr Hart

That the motion be withdrawn in accordance with Standing Orders 9.15 (1).

**MOTION CARRIED 8/0**



Cr Ruthven moved a motion as follows:

**That Council defers adopting the revised F.3 - Purchasing Policy as amended until a copy of the recent amendments to the policy have been brought to Council.**

Cr Rayner seconded the motion.

Debate commenced.

Cr Pearce moved an amendment to the motion as follows:

**That the words “at the April 2021 Ordinary Council Meeting” be inserted after the word “Council.”**

Cr Ruthven accepted the amendment.

Cr Rayner accepted the amendment.

Cr Rayner moved an amendment to the motion as follows:

**That the word “have” is replaced by the word “has”**

Cr Ruthven accepted the amendment.

The substantive motion was put.

**MOTION/COUNCIL RESOLUTION NO. 71/03/21**

**MOVED** Cr Ruthven

**SECONDED** Cr Rayner

That Council defers adopting the revised F.3 - Purchasing Policy as amended until a copy of the recent amendments to the policy has been brought to Council at the April 2021 Ordinary Council Meeting.

**MOTION CARRIED 8/0**

**AUDIT & RISK COMMITTEE RECOMMENDATION 3**

That Council adopts the attached Compliance Audit Return for the period 1 January 2020 to 31 December 2020 as amended pursuant to Regulation 14(3) of the *Local Government (Audit) Regulations 1996*.

Cr Madacsi moved Recommendation 3.

*Clarification was sought in relation to an amendment to page 127 under the Local Government Employees Question No. 5 pertaining to Senior Employees indicating that the response should read yes.*

Cr Pearce seconded the motion.

Debate commenced.

Further clarification was sought.

The motion was put.

**AUDIT & RISK COMMITTEE RECOMMENDATION 3/COUNCIL RESOLUTION  
NO. 72/03/21**

**MOVED** Cr Madacsi

**SECONDED** Cr Pearce

That Council adopts the amended Compliance Audit Return for the period 1 January 2020 to 31 December 2020 as amended pursuant to Regulation 14(3) of the *Local Government (Audit) Regulations 1996*.

**MOTION CARRIED 8/0**

**10. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

Nil

**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**

*This section refers to Standing Orders 6.1 Questions on notice by Members.*

*This section refers to Standing Orders 6.1 Questions on notice by Members.*

**12.1 Cr Bell Item 10.3.3. from the Feb 2021 OCM.**

In relation to Item 10.3.3 of the February 2021 Ordinary Council Meeting, the Officer's Recommendation appeared to rely on (in part) on the results of a scoring system used as part of the assessment. This Evaluation Criteria and Scoring System was based around a weighted qualitative criterion, and involved four separate criteria: namely, Capability (weighting 20%); Experience / Performance (weighting 20%), Service Provision and Innovation (weighting 25%) and Tendered Price (weighing 35%). Under this Evaluation Criteria and Scoring System used by the Shire's Evaluation Panel.

- (a) What is the maximum score a tenderer could potentially achieved under the Capability criteria?

12.0

- (b) What is the maximum score a tenderer could potentially achieved under the Experience / Performance criteria?

2.0

- (c) What is the maximum score a tenderer could potentially achieved under the Service Provision and Innovation criteria?

5.0

- (d) What is the maximum score a tenderer could potentially achieved under the Tendered Price criteria?

3.5

- (e) What is the maximum total score a tenderer could potentially achieved?

22.5

- (f) Given that Capability and Experience / Performance carried equal weighting under the Evaluation Criteria and Scoring System (being a 20% weighting), would it be reasonable to expect that the maximum potential score a tenderer could achieved under both

Capability and Experience / Performance would be the same (given their equal weighting)?

*Not necessarily as there is a different expectation under each criterion.*

- (g) Given that Tendered Price carried the greatest weighting under the Evaluation Criteria and Scoring System (being a 35% weighting), would it be reasonable to expect that the maximum score a tenderer could potentially achieved under Tendered Price would be higher than potential maximum score a tendered could achieve under any of the other three criteria?

*Potentially, but not necessarily.*

- (h) Did the Evaluation Panel rely, at any time, on the location of where a tenderer obtained their experience (i.e., local vs Perth metropolitan area vs regional Western Australia vs interstate) when reaching their Recommendation?

*No however, this was noted in the Summary of Evaluation Panel findings in the Recommendation Report.*

If so,

- a. Why? And *N/A*
- b. Under which of the four aforementioned Evaluation Criteria did the Shire's Evaluation Panel use when considering the location of where a tenderer obtained their experience? *N/A*
- (i) Why did the Manager of Corporate and Community Services, likely being the only employee on the Evaluation Panel with formal qualifications in finance, withdraw from the Panel?

*As stated in the Recommendation Report, the Manager Corporate and Community Services withdrew from the Panel due to conflicting priorities in workload considerations.*

## **12.2 Cr Bell – Bird Management Policy**

Does the Shire have a bird management policy? If so, how can a member of the community gain access this document?

*No the Shire does not have a bird management policy.*

## **13. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING**

### **13.1 MEMBERS**

Nil

### **13.2 EMPLOYEES**

Nil

## 14. CONFIDENTIAL BUSINESS

### 14.1 Chief Executive Officer – Revised Performance Criteria and Remuneration Review

The Presiding Member requested a motion be moved in accordance with Standing Orders 5.2 (2) that the meeting be closed to the public.

#### **MOTION/COUNCIL RESOLUTION NO. 73/03/21**

**MOVED** Cr Rayner

1. That, in accordance with Standing Orders Clause 5.2 (2), Council close the meeting to members of the public at 7.18pm 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 —
  - (a) a matter affecting an employee or employees; and
  - (b) the personal affairs of any person; and
  - (c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting; and
2. That 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.

**MOTION CARRIED 8/0**

In accordance with Standing Orders 5.2 (3) the Presiding Member directed everyone to leave except the Members; and any employee specified by the Presiding Member.

*All members of the public departed the Council Chambers at 7.18pm.*

*The CEO and all staff, except for the minute-taker departed Council Chambers at 7.18pm.*

#### **OFFICER RECOMMENDATION**

That Council:

1. Adopts the revised 2020/21 Performance Criteria for the Chief Executive Officer as attached to this report.
2. Agrees that a review of the Chief Executive Officer's remuneration will be conducted as part of the annual performance review process and authorises the Shire President to enter into an agreement with the CEO to that effect.

Cr Ruthven moved the Officer's Recommendation.

Clarification was sought.

*The Shire President departed Council Chambers at 7.30pm in relation to Point 2 of the Officer's Recommendation.*

*The CEO returned to Council Chambers at 7.31pm.*

Further clarification was sought.

*The CEO departed Council Chambers at 7.35pm.*

Cr Greenway seconded the motion.

Debate commenced.

Cr McKeown objected to Point 1 which states "Adopts the revised 2020/21 Performance Criteria for the Chief Executive Officer as attached to this report."

Further clarification was sought.

The motion was put.

**OFFICER RECOMMENDATION/COUNCIL RESOLUTION NO. 74/03/21**

**MOVED** Cr Ruthven

**SECONDED** Cr Greenway

That Council:

1. Adopts the revised 2020/21 Performance Criteria for the Chief Executive Officer as attached to this report.
2. Agrees that a review of the Chief Executive Officer's remuneration will be conducted as part of the annual performance review process and authorises the Shire President to enter into an agreement with the CEO to that effect.

**MOTION CARRIED 5/3**

*In accordance with Section 5.21(4)(b) of the Local Government Act 1995, Cr Madacsi requested that the vote of all members present be recorded. Councillors Madacsi Ruthven, Chitty, Pearce and Hart voted for the motion. Councillors Rayner, Greenway and McKeown voted against the motion.*

**MOTION/COUNCIL RESOLUTION NO. 75/03/21**

**MOVED** Cr Chitty

**SECONDED** Cr Rayner

That Council come from behind closed doors at 7.40pm.

**MOTION CARRIED 8/0**

*The Council Chambers were re-opened at 7.40pm.*

*The Shire President read aloud Resolution No. 68/03/21 for the benefit of the public gallery.*

**15. NEXT MEETINGS**

Audit and Risk Committee	8 April 2021
Agenda Briefing	20 April 2021
Council Meeting	27 April 2021

**16. CLOSURE OF MEETING**

The Shire President declared the meeting closed at 7.41pm.





### AGENDA BRIEFING NOTES

Agenda Briefing Notes from 16 March 2021 1

### **Attachments that formed part of the Meeting Agenda (separately indexed)**

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No reports

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1.	List of Payments – February 2021.	17
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<b>9.3.5</b>	<b>Toodyay Recreation Centre Liquor Licencing</b>	<b>N/A</b>
	No attachments	N/A



<b>9.3.6</b>	<b>Correspondence - Department of Local Government, Sport &amp; Cultural Industries</b>	<b>65</b>
1.	Emails to and from DLGSC; and	65
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#### WORKS AND TECHNICAL SERVICES

No reports

#### COMMITTEE REPORTS

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# Agenda Briefing Notes

**16 March 2021**

## Unconfirmed Notes

These notes were approved for distribution on 19 March 2021.



Suzie Haslehurst  
**CHIEF EXECUTIVE OFFICER**

When the Chief Executive Officer approves these Notes for distribution they are in essence "informal notes."

At the next Ordinary Meeting of Council the Notes will be received, subject to any amendments made by the 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 put together as attachments to these Notes with the exception of Confidential Items.

Confidential Items or attachments that are confidential are compiled as part of the Ordinary Council Meeting, in a separate Confidential Minuted Item (CMI).

## Received Notes

These notes were received at an Ordinary Council Meeting held on 23 March 2021.

Signed: .....

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

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The **ATTACHMENTS** to these notes were the attachments to the Ordinary Council Meeting dated 23 March 2021.

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# NOTES

## 1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Shire President, Cr Madacsi, declared the meeting open at 4.04pm and read aloud the *Acknowledgement to Country*.

## 2. RECORDS OF ATTENDANCE/APOLOGIES

### Members

Cr R Madacsi	Shire President
Cr B Ruthven	Deputy Shire President
Cr T Chitty	
Cr P Greenway	
Cr P Hart	
Cr M McKeown	
Cr S Pearce	
Cr B Rayner	

### Staff

Ms S Haslehurst	Chief Executive Officer
Mr J Augustin	Manager Assets and Services
Miss B Flaherty	Finance Manager
Mrs M Lamb	Communication and Compliance Officer
Mrs C Luangala	Manager Corporate & Community Services
Mr K Nieuwoudt	Manager Planning & Development
Mrs M Rebane	Executive Assistant

### Visitors

Nil

### 2.1 APOLOGIES

Cr Bell

### 2.2 LEAVE OF ABSENCE PREVIOUSLY APPROVED

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

As per Council Meeting Agenda.

#### 4.2 PUBLIC QUESTION TIME

If there are public questions at the Agenda Briefing, insert them here.

#### 5. CONFIRMATION OF MINUTES

As per Council Meeting Agenda.

Item 5.1 – Ordinary meeting of Council held on 21 January 2021.

Responses provided in the table below:

<b>Questions for the Agenda Briefing</b>																																													
<b>Agenda Item</b>	<b>Councillor</b>	<b>Questions asked</b>	<b>Response to be provided by Officer</b>																																										
9.2.1 Monthly Financial Statements Jan2021 OCM	Cr McKeown	The reason why the closing funding surplus or deficit for the YTD actual against YTD budget appears to be incorrect.	<i>Manager Corporate and Community Services responds as follows: Clarification was requested from Cr McKeown.</i>																																										
9.2.1 Monthly Financial Statements Jan2021 OCM	Cr McKeown	How the calculation of the figure at Note 6 Rates Receivable graph that sits at \$250,000 is made.	<p><u>Manager Corporate and Community Services responds as follows:</u> The calculation is the amount of Rates and Rubbish Fees that have been paid each month. It is the figures of the current trial balance to the previous month trial balance. The Heading of the graph will be amended to "Rates &amp; Rubbish Fees Collection".</p> <table border="1"> <thead> <tr> <th colspan="3"><b>Rates and Rubbish Fees Collection</b></th> </tr> <tr> <th><b>Month</b></th> <th><b>2019-20 YTD \$ ('000's)</b></th> <th><b>2020-21 YTD \$ ('000's)</b></th> </tr> </thead> <tbody> <tr> <td>Jul</td> <td>33,616</td> <td>309,431</td> </tr> <tr> <td>Aug</td> <td>433,734</td> <td>3,374,336</td> </tr> <tr> <td>Sep</td> <td>2,921,195</td> <td>358,555</td> </tr> <tr> <td>Oct</td> <td>448,128</td> <td>547,509</td> </tr> <tr> <td>Nov</td> <td>679,354</td> <td>248,400</td> </tr> <tr> <td>Dec</td> <td>222,778</td> <td></td> </tr> <tr> <td>Jan</td> <td>549,122</td> <td></td> </tr> <tr> <td>Feb</td> <td>184,415</td> <td></td> </tr> <tr> <td>Mar</td> <td>571,265</td> <td></td> </tr> <tr> <td>Apr</td> <td>172,552</td> <td></td> </tr> <tr> <td>May</td> <td>145,003</td> <td></td> </tr> <tr> <td>Jun</td> <td>178,634</td> <td></td> </tr> </tbody> </table>	<b>Rates and Rubbish Fees Collection</b>			<b>Month</b>	<b>2019-20 YTD \$ ('000's)</b>	<b>2020-21 YTD \$ ('000's)</b>	Jul	33,616	309,431	Aug	433,734	3,374,336	Sep	2,921,195	358,555	Oct	448,128	547,509	Nov	679,354	248,400	Dec	222,778		Jan	549,122		Feb	184,415		Mar	571,265		Apr	172,552		May	145,003		Jun	178,634	
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9.2.1	Cr McKeown	The reason why we have spent \$600,000 more than	<i>Manager Corporate and Community Services responds as follows: Explanations of variances making up the \$600k are outlined in note 3 of the report.</i>																																										

<b>Questions for the Agenda Briefing</b>			
<b>Agenda Item</b>	<b>Councillor</b>	<b>Questions asked</b>	<b>Response to be provided by Officer</b>
Monthly Financial Statements (Jan OCM 2021)		we had budgeted for.	
9.2.3 Intention to Borrow Report (Jan OCM 2021)	Cr McKeown	What will the monthly repayment be in relation to different types of scenarios of interest rate being from 0% to 4%?	<i>Manager Corporate and Community Services responds as follows:  Interest is semi-annual compounding, quote received from the WA Treasury Corporation is 1.8287%. Based on this, interest repayments would approximate \$80k and principal repayments would approximate \$188k in year 1 (total of \$268k pa).</i>
9.3.1 Proposal to Lease – portion of Charcoal Lane Park (Jan 2021 OCM)	Cr McKeown	How does it compare with stallholders' fees	<i>Communication and Compliance Officer responds as follows:  The fee of \$150 per month is considered appropriate and is in accordance with approved usage and in line with the official valuation. There is no basis of comparison against general stallholder fees.</i>

No further clarification was sought.

Item 5.2 – Ordinary meeting of Council held on 23 February 2021.

<b>Questions for the Agenda Briefing</b>			
<b>Agenda Item</b>	<b>Councillor</b>	<b>Questions asked</b>	<b>Response to be provided by Officer</b>
10.3.5 Correspondence from the Department of Local Government. (Feb OCM 2021)	Cr McKeown	<u>On page 85</u> the email from the Department sent on 10 July in respect to Shire submitting its budget to the local govt department. When were the Councillors made aware of this email?  <u>The CEO responded as follows:</u>  <i>I believe the email was referred to in an officer report that went to the Special</i>	The Special Council Minutes of 5 October 2020 have been checked. The background of the report states that after the budget adoption an error was identified to do with the actuals for the year ended 30 June 2020 in the adopted budget were misstated in the Rates Setting Statement, resulting in an error in the Net Current assets at the start of the financial year in the Statutory Annual Budget. Councillors were notified of this by the Shire President on 24 July 2020 following the briefing that occurred on 22 July 2020.  The report also states that consultation and discussion had occurred between Councillors and Senior Management Staff.



<b>Questions for the Agenda Briefing</b>			
<b>Agenda Item</b>	<b>Councillor</b>	<b>Questions asked</b>	<b>Response to be provided by Officer</b>
		<p><i>Council Meeting in October 2020 about the revised budget.</i></p> <p><u>Cr Mckeown</u></p> <p>It was not there, but even if it did go there, given that this email says we think you have error in the budget of \$3m dollars why was not this referred to Council immediately?</p>	
<p>10.3.5</p> <p>Correspondence from the Department of Local Government.</p> <p>(Feb OCM 2021)</p>	<p><i>Cr McKeown</i></p>	<p><u>Cr Mckeown</u></p> <p>Dot point 2 Officer asked for response by 24 July 2020. If the Shire's response was by telephone and put forward a revised budget – advised we did not need to resubmit the budget – submitted in accord with legislation but we needed to take action to correct the budget. Which we did. In October 2020. When were Councillors made aware?</p>	<p>Refer to the answer above.</p>

Cr McKeown advised that in relation to motion 32/02/21 after we did not pass the revocation of the loan resolution Cr Ruthven asked we include in the minutes reasons why we did not pass the resolution.

The meeting required that the PDF of the minutes be brought up on the screen. This occurred however there was no reason given for why the decision made by Council, via resolution, was included in the content of the minutes.

*The CEO advised we would check that and provide a response.*

### Response after the Agenda Briefing

#### At the February 2021 Council Meeting

Standing Order 12.4 (4) Method of taking a vote states *that "for every division, the CEO is to ensure that the minutes record:*

*(a) the name of each Member who voted; and*

*(b) whether he or she voted in the affirmative or negative".*

Advice was sought from WALGA in regard to recording the reasons why the motion is lost in the minutes of a meeting. That advice is that *No, there is no legislative requirement to do so.*

In regard to the content of minutes, Standing Order 13.2 refers to Regulation 11 (da) of the *Local Government (Admin) Regulations 1996* which says *"written reasons for each decision made at the meeting that is significantly different from the relevant written recommendation of a committee or an employee as defined in section 5.70 (but not a decision to only note the matter or to return the recommendation for further consideration)"*

In respect to the decision made by Council in February 2021, Council voted against the Officer's Recommendation. Council did not amend the recommendation to make it significantly different nor did they move an alternate recommendation that was significantly different.

Therefore there is no requirement to record a reason for why the motion was lost.

WALGA has advised that *"if Council is insistent on documenting reasons for this purpose it may raise as-yet unanticipated risks, such as recording a lost vote in relation to a planning matter where the recorded reason may be given weight should there be a SAT appeal. Perhaps some legal advice around this prior to Council committing to it would be prudent."*

Cr McKeown advised that in relation to the Item in the February 2021 Council Meeting pertaining to the correspondence from the Department of Local Government there were questions that were taken on notice that were not recorded in the minutes of the meeting.

*The CEO advised that the responses to those questions were provided in a tabled attachment (the President's List) provided to Council before the opening of the Agenda Briefing today.*

The Shire President allowed Cr Ruthven to speak in respect to the matter of whether questions are to be recorded in the body of the minutes as follows:

- There is no requirement in the *Local Government Act 1995* to include questions asked by Elected Members during debate or clarification of a matter that is on the Agenda in the content of the minutes of meetings.

- The minutes are a recording of what happened at the meeting.
- The responses to those questions are given after the meeting therefore the questions themselves needn't be included in the minutes of the meeting.
- The only questions able to be included in the minutes are from the public in accordance with Regulation 11(e) of the *Local Government (Administration) Regulations 1996* which states that the content of the minutes is to include “a summary of each question raised by members of the public at the meeting and a summary of the response to the question”.
- The *Standing Orders Local Law 2008* does not require the content of the minutes of a meeting to include questions asked by Members during debate or clarification of a matter that is on the Agenda. This local law does specify in Part 6 – Questions by Members that a member may ask a question during debate, but it does not require the question nor the response to be included into the body of the minutes.

The CEO advised that what Cr Ruthven is saying is that the minutes are a recording of what actually occurred at the meeting. The statement the question is taken on notice is made but the minutes reflect clarification was sought. The answers are provided after the fact.

The Shire President noted that the CEO understood the intent of the question raised by Cr McKeown and that the actual words the “question was taken on notice” have not been included in the minutes.

Supplementary Information provided after the Agenda Briefing.

The Department's online guideline for Agendas and Minutes states:

*“Local government meetings are not generally recorded verbatim.”*

It also states that *“The only legislative requirement is that the principal aspects of the decision-making process that are prescribed in the Act and its Regulations, such as those who disclose financial or impartiality interests in matters, those who are present for decisions, and the details of the decisions that are ultimately made, must be recorded in the minutes.”*

*“Minutes are intended to be a record of the collective decision making of the relevant council or committee, and as such, a request by a member to include particular comments by the member, or by other members, in the minutes of a meeting should be declined unless there is provision for dealing with such requests in the Standing Orders of the local government (not recommended)”.*

Cr Greenway – Public Question Time

If a member of the public who would normally be present at public question time wants to ask a question or many questions, and they submit a question through a Councillor will the question(s) be asked in public question time or will they be just noted as received and taken on notice?

The Shire President responded as follows:

*If the questions are complex or lengthy or where there is a succession of questions we will simply acknowledge these questions have been received. Questions and answers will be included in the minutes. If there are short questions and short responses that can be read out I will do so. If the question is of particular interest to the community I will read it out. However to read out all questions that may be submitted is impractical in a meeting but they will all be recorded and answered in the content of the minutes unless they are complex questions that have been taken on notice in which case it would be recorded in the minutes that the questions were “taken on notice.”*

Item 5.3 – Ordinary meeting of Council held on 8 March 2021.

No further clarification was sought.

<b>Questions for the Agenda Briefing</b>			
<b>Agenda Item</b>	<b>Councillor</b>	<b>Questions asked</b>	<b>Response to be provided by Officer</b>
Item 5.3 SCM	Cr Pearce	Pg 12, Implications to consider – 5 Councillor change to to 6=	This has been amended. It was changed on one page, but not another.

**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)**

As per Council Meeting Agenda.

## 9. REPORTS OF COMMITTEES AND EMPLOYEE REPORTS

### 9.1 PLANNING AND DEVELOPMENT

No reports.

### 9.2 CORPORATE & COMMUNITY SERVICES

#### 9.2.1 Budget review for Period Ending 29 February 2021

<i>Questions for the Agenda Briefing</i>			
Agenda Item	Councillor	Questions asked	Response to be provided by Officer
9.2.1: Budget Review	<i>Cr Madacsi</i>	p.10 table requires a note to clarify if General Rates includes the ESL and other levies or is purely rates. The community cannot distinguish.	This is General Rates only.
9.2.1: Budget Review	<i>Cr Madacsi</i>	p.12 Five councillors should read six councillors.	This has been amended. It was changed on one page, but not another.
9.2.1: Budget Review	<i>Cr Madacsi</i>	Do I assume the \$43,083 we are down on rates are to be received or are this due to the Covid concessions?	Rates raised were lower due to Landgate valuations and COVID-19 concessions.
9.2.1: Budget Review	<i>Cr Madacsi</i>	What caused the over budgeted amounts for Lovers Lane, McKnoe and Timber Creek roads?	Additional costs due to downtime caused by fire bans and additional traffic management, material costs higher than anticipated.
9.2.1: Budget Review	<i>Cr Madacsi</i>	I note the Toodyay Rd works were not budgeted for, why are they being undertaken?	Please clarify as report doesn't include works on Toodyay Road.

#### Cr Pearce

There is an amount of \$13,000 in the budget for a Liquor Licence. Council is being asked to consider the licence at Item 9.3.5 of the Agenda. What are the implications of Council deciding to not support the application?

*The CEO responded as follows:*

*If Council chooses not to support the Officer's Recommendation Council could ask the CEO to amend the budget accordingly.*

#### Cr Pearce

When would that be done?

The CEO responded as follows:

*If Council is of a mind to make the decision to not accept the Officer's Recommendation at Item 9.3.5 regarding the Liquor Licence, Council could make an amendment to the Officer's Recommendation and resolve to request the CEO to amend the budget.*

What are the perceived implications if we do not pass the liquor licence as far as the running of the Recreation Centre?

*The CEO took the question on notice.*

**Response after the Agenda Briefing**

As the Venue Manager is acting on behalf of Council, they are under the same obligations of the Act as the Shire and therefore not recognised as a separate entity.

This report will be withdrawn from the agenda for the March 2021 Council Meeting pending further investigation.

Cr Rayner

On page 13 why is the budget for Timber Creek Crescent \$67,000?

*The Shire President advised that the response has been provided in the tabled President's List.*

It seems reasonably high for traffic management. Was there a lot more work involved?

The Manager Assets and Services responded as follows:

*The amount includes three days of downtime due to the fire ban and also a change in the scope of works and traffic management.*

Cr McKeown

Utilities – Monthly Financial Statements				
Month	Adopted Budget (a)	YTD Actual (b)	Variance Permanent (c)	Note
March 2021	(346,468)	(407,232)	(71,000)	4.2.3
February 2021	(346,468)	(336,617)	(134,618)	

It appears as though we have overspent by \$60,764. Do we need to allow for more than \$71,000 as a variance, considering we have four months to go? It cannot be just an overspend at the Recreation Centre that we have to cover. If the first eight months of utilities cost \$407,232 is it reasonable to assume that the last four months is half that (\$60,764 plus

\$203,616=\$264,380)? Are we looking at more than \$71,000 to make the budget balance?

*The CEO took the question on notice.*

Response after the Agenda Briefing

Please note that the Recreation Centre water bills only commenced in December, January and mid-February. The quarter ended December bill was about \$47k approx. (for mid-October to mid-December). For mid-December to mid-January it was \$31k approx.. Mid-January to mid-February was approx.\$28k.

*Cr Rayner made a statement that as we are moving into colder winter months the variance might not be as high as the \$200,000.*

Cr Pearce

In relation to Note 4.2.3, the utility charges variance of \$71,000 is listed as Recreation Centre. Why is only the Recreation Centre listed when it appears to be that we have already overspent in our entire budget utilities?

*The CEO took the question on notice.*

Response after the Agenda Briefing

A report on a budget variation request will come to Council as a separate item once the matter has been fully investigated.

Cr McKeown

On page 51 we have capital expenditure of Recreation and Culture of \$3,824.298 million. On page 48 under Recreation Precinct Buildings the Annual Budget was \$2,355,677. If we have spent \$3,824.298 million. That indicates to me that we are \$1.5m short on that item as well? Should that not be taken into account in the budget review the fact that we are \$1.5m short?

*The CEO took the question on notice.*

Response after the Agenda Briefing

Capital works were carried over into FY20/21.

The annual budget for FY19/20 was \$4,635,009. The annual budget for FY20/21 is \$2,355,677. Total \$6, 990, 686

The \$3,824,298 is the accumulated amount, from the inception of the project, that will be capitalised as at 28 February 2021. This amount is more than covered by the budget for 19/20 and 20/21 (ie. \$6.9m)

Cr Pearce made a statement about page 48 saying that “it actually says on the same page that the YTD Budget is \$1,570,448 so doesn’t this account for that money because that amount plus the \$2,355,677 adds up to \$3,926,125; close to the \$3.8m.”

Cr McKeown made a statement that he was looking at the entire budget for the whole year and on page 51 it says we have already spent \$3,824.298 million. Shouldn’t the budget review document show a budget deficiency of \$1.5million?

The Presiding Member advised that debate cannot take place and the Manager Corporate and Community Services will respond to the question.

Cr McKeown

We paid 2 invoices to Clublinks so far this year for operating expenses but I do not know how they relate to the operating budget for the Recreation Precinct because I have never seen an operating budget for the Recreation Precinct. Would it be possible, to make a decision about how we are going with the Recreation Precinct operating expenses could we have a copy of the operating budget for the Recreation Precinct so we can compare it to the two payments we have already made.

*The Presiding Member advised as follows:*

*There will be a little bit of a dilemma here because the operating expenses and revenue reports are over a six-month period. The next report is due in April 2021 so it will not be available for the March 2021 Ordinary Council Meeting. We have looked at making the reports more frequent but this information will come through the SP/CEO briefing.*

Cr McKeown

I was asking so I could be clear about the two invoices already paid within the budget.

*The Presiding Member advised as follows:*

*That is something we can take on notice and make sure Councillors are informed.*

Response after the Agenda Briefing

Refer to Shire President’s response: Report will be available in April 2021.

Cr McKeown

What is the total capital cost of the Recreation Centre?

*The Presiding Member took the question on notice.*



Response after the Agenda Briefing

The CEO advised the actual costs are still being collated.

It is in the Shire President announcements that we hoped to have had a full report to the April 2021 Council Meeting but were unable complete it in time. Total construction costs are \$14.9 million (approx.)

Cr McKeown

To make a decision about operating expenses could we have a copy of the budget for Recreation Centre operating expenses so we can compare to the two payments already made?

*The Presiding Member advised as follows:*

*This can be provided.*

Supplementary Information provided after the Agenda Briefing.

The two payments made to date are in accordance with the management agreement and the operating budget presented in September 2020. A reconciliation will be done as part of the 6 monthly report to be presented to Council in April.

Cr McKeown

What is the total capital cost of the Recreation Centre?

*The CEO advised the actual costs are still being collated. It is in the Shire President announcements that we hoped to have had a full report to the March 2021 Council Meeting but were unable to complete it in time.*

Supplementary Information provided after the Agenda Briefing.

Refer to response above (\$14.9 m approx.)

Cr McKeown

Can the costs of the Recreation Centre be determined by adding the number quoted in the Audited Annual Report to the \$3.8m in this February Report?

*The CEO took the question on notice.*

Response after the Agenda Briefing

Refer to response above (\$14.9 m approx.)

Cr Ruthven

On page 48 the Recreation Precinct the figure of \$2,355,677 figure am I right in my understanding that the heading under capital acquisitions that that amount is just for the building. It is not including the playing fields as well.

*The CEO took the question on notice.*

Response after the Agenda Briefing

Capital works were carried over into FY20/21.

The \$2.4m is for the construction of the whole precinct, including the pool.

Cr McKeown

If it is just for the buildings where will the budget for the playing fields be?

*The Shire President took the question on notice.*

Response after the Agenda Briefing

The budget went against buildings as it was anticipated that this would be the last component of the project to be constructed. Capitalisation of construction costs is yet to occur.

**9.2.2 Notice of Intention to Borrow – Conversion of existing short-term facilities into a long-term facility (Toodyay Recreation Centre Construction Loan).**

Questions for the Agenda Briefing			
Agenda Item	Councillor	Questions asked	Response to be provided by Officer
9.2.2: Intent to Borrow	Cr Madacsi	<p><u>Recommendation Amendment:</u> Add 'That Council authorises <u>the CEO to proceed with converting the Short term loan facilities into a Long term loan facility</u> and to provide local public notice .....</p> <p>Amendment to the motion (Officer's Recommendation) being that the words "to proceed with converting the short-term loan facilities into a long term loan facility and" be inserted prior to the words "to provide"</p>	<p>The current recommendation reads: That Council authorises the CEO to provide local public notice of at least one calendar month (30 days) of the Shire's intent to convert the two existing short-term loan facilities used for the construction of the Toodyay Recreation Centre totalling \$4.5million into one long-term loan facility totalling \$4.5million in accordance with the requirements of section 6.20 of the Local Government Act 1995.</p>
9.2.2: Intent to Borrow	Cr Madacsi	<p>There are no implications for Workforce Related. Would not time (\$) be a consideration, particularly reissuing of reports, Treasury advice, Zoom/SMC?</p>	<p>Minimal staff time is anticipated.</p>

No further clarification sought.

### 9.2.3 List of Payments - February 2021

<i>Questions for the Agenda Briefing</i>			
Agenda Item	Councillor	Questions asked	Response to be provided by Officer
9.2.3 List of Payments February 2021	<i>Cr Pearce</i>	Pg82 CI 2124 El Mule Os Coffee Supply Coffee Aust Day. \$1500 Was this provided free to residents?	We successfully applied for and received a grant of \$20,000 ex GST for Australia Day. We paid El Mule O's \$1,500 to provide free coffee to event attendees.
9.2.3 List of Payments February 2021	<i>Cr Pearce</i>	Clarification: Pg 81CI 2063 CBA Merchant Fee 169.95	Bank charges for EFTPOS terminals
9.2.3 List of Payments February 2021	<i>Cr Pearce</i>	In which part of the budget is allocation made for Australia Day. What was the budget allocation for Australia Day?	We successfully applied for and received a grant of \$20,000 ex GST for Australia Day.

#### Cr Chitty

On page 19 - CL.1998 it says ESRI Australia Project Services Senior Consultant Project. What is that?

*The CEO responded as follows.*

*The \$5,225 is part of the mapping module for Datascape which is supplied by ESRI Australia and that is part of that cost.*

Is this included in the total cost of what Datascape is costing us?

*The CEO responded as follows.*

*Yes.*

### 9.2.4 Monthly Financial Statements - February 2021

Nil

## 9.3 EXECUTIVE SERVICES

### 9.3.1 Toodyay Recreation Centre Fee Structure

***This item has been withdrawn from the Agenda pending further investigation.***

<i>Questions for the Agenda Briefing</i>			
Agenda Item	Councillor	Questions asked	Response to be provided by Officer
9.3.1: TRC Fee Structure	<i>Cr Madacsi</i>	<u>Recommendation Amendment:</u> Add 'That Council receives the proposed fee	Noted.

<i>Questions for the Agenda Briefing</i>			
<b>Agenda Item</b>	<b>Councillor</b>	<b>Questions asked</b>	<b>Response to be provided by Officer</b>
		structure as attached to this report for the effective operation of the Toodyay Recreation Centre <u>and notes provision exists for clubs and users to seek relief from undue financial burden.</u>	

Cr Chitty

Are Clublinks able to charge fees without Council's endorsement? Is that part of their Contract?

*The CEO responded as follows.*

*Yes they are because Council has appointed Clublinks to manage the facility in accordance with the operational budget presented to Council so that is based on them being able to charge for the use of the facilities.*

Cr McKeown

When was the operational budget presented to Council?

*The CEO responded as follows.*

September 2020.

*Cr Pearce advised that it was presented to Council as part of their tender document.*

Cr Pearce

Have the clubs been given a choice of the contents in the user agreement? Will the clubs need to enter into a user agreement each year?

*The CEO responded as follows.*

*Yes. The clubs can enter into a user agreement each year and it is reviewed each year. The content of the user agreement has been discussed with each club individually particularly around the hours of use and costs and so on. The idea of reviewing it annually is to make sure that the club is getting what they need but the Shire is also recovering its costs.*

Cr Chitty

The fee structure has the Senior Netball Club hire for the first year \$500 and the second year is \$750. This is a senior netball and hockey team are playing with the footballers; both clubs are

incorporated under the Football Club banner. They have one team. They will only ever have one team. Why would their fees increase to \$750 when they are only ever going to be one team? Is that something that can be negotiated with Clublinks?

The CEO responded as follows.

*The idea of the staged increase was to bring the clubs up to the level that would be commensurate with other facility usage. At the moment while clubs get established they will be on a very low charge. The idea is to stage it to allow clubs to get established and then renegotiate as the years go on.*

If we endorse this fee structure does that then, despite negotiations each year, mean that these fees will be that something will definitely happen? According to this structure, the second year is \$750. There is nothing in the document to say that the fees can be negotiated. Where clubs only have one team what will it be?

The Communication and Compliance Officer responded as follows.

*Flexibility is always a key issue and identified by the Venue Manager in anything they do regarding the negotiation with clubs and allowing the clubs to move into the space they want to use at the Recreation Centre. Each Club is different. As you say, the senior netball team has only got the one team. Their needs will be different to an up-and-coming junior club. They may not necessarily need all the facilities available to a junior club so yes we have a basis that we can go up and down from depending on the facilities that each of the clubs need to use and the hours of use. It is a flexible arrangement. The Venue Manager is very aware of that and has always been working in partnership with the Shire in order to get the usage of the Recreation Centre up and going and the clubs up and going and to support the community development of those clubs. That is first and foremost.*

Cr Ruthven

On page 56 under the Tennis Club the middle column can we change that to noon or midday?

*Noted.*

“Other as per user agreement” What would the other be likely to be? If there are other times apart from the times specified already for the Tennis Club how do we know what the other times are likely to be? For example when do the juniors play? Will there be allotted times as well? Should that be part of the fee structure?

The Presiding Member responded as follows.

*It is my understanding that that will be part of the operational negotiations that Clublinks will have with the various clubs and that is a very basic management issue however our Communication and Compliance Officer will respond.*

*The Communication and Compliance Officer responded as follows.*

*Other indicates that they have other times available to them if they wish. At the moment there is a tennis club meeting Monday afternoon for a duration of 8 weeks. These things pop up from time to time that are over and above their standard sessions per week. If any club wishes to have further time then they can negotiate with Clublinks. At the moment there is no cost for that because this is an introduction for them. As clubs find their feet they may wish to run tournaments or other competitions so they will book the club and the extra space that they need to run those competitions and events as they come up and arise.*

Cr Ruthven

The \*\*Café or kiosk will be opened and manned by the Facilities Manager during club times as agreed. Is there any extra cost for that? Who is managing the rest of the facility if the Facilities Manager is tied up with the running the café or kiosk? Do they have to engage someone else to cover for the Facilities Manager manning the kiosk because at the moment \$1,500 for a year works out to \$2.90 an hour over ten hours allocated to the Tennis Club would go nowhere near covering the Facilities Manager manning the kiosk.

*The Communication and Compliance Officer responded as follows.*

*At the moment the Café and Kiosk has not, up until now, been opened. I believe the Tennis Club is liaising now with the Facilities Manager and negotiating with the Facilities Manager to have the café/kiosk open at certain times (Wed night) and it does have to be staffed by the Facilities Manager to sell drinks and coffee and tea to the club. It is not a carte blanche opening to the clubs. It is going to be open and it will be run by the Facilities Manager.*

Does that mean Clublinks will provide food and drinks for sale to the Tennis Club?

*The Communication and Compliance Officer responded as follows.*

*Correct.*

Cr Rayner

The Facilities Manager will negotiate a contract with each club. What happens if that Facilities Manager goes and nobody knows what is going on?

The CEO responded as follows.

*When we talk about the Facilities Manager we talk about Clublinks as an organisation. We can review the Officer's Recommendation to include the notion of flexibility for negotiation.*

The Communication and Compliance Officer responded as follows.

*Currently the flexibility is worked into their individual user agreements so as part of their schedule attached to their user agreement there is a provision for flexibility and negotiation with each club.*

*The Presiding Member advised that she had forwarded to all Councillors a proposed amendment to the Officer's Recommendation.*

Cr Chitty

What about the storage units? Not every club appears to have a storage unit. What is the cost to the club to have it?

The Communication and Compliance Officer responded as follows.

*Each club had the opportunity to have a storage unit allotted to them and there is no further cost. This is part of the payment that they make.*

Cr Chitty

Could that fact be added to the fee structure because there is a misconception amongst some of the sporting groups that they have to pay extra for a storage unit?

*The CEO took the question on notice.*

Cr Greenway

Is the user agreement a standard document or is each one individual? Would it be noted on the document?

The CEO responded as follows.

*The user agreement outlines what is standard to the effect that the clauses are standard but the usage is tailored to the clubs need and the storage is included in that document.*

Cr McKeown

In the Officer's Report on page 25 under the heading Legal and Statutory it says Nil. In the *Local Government Act 1995 Fees*

and charges are definitely mentioned in the Act and Regulations. For example section 6.16 (2)(a) of the Act and s6.17 and s6.18 of the Act talk about Fees and Charges and say that it is the local government's job to set fees and charges and notify the public before they are applied. It says that the fees and charges have to be in the annual budget. Were they in the Annual Budget?

The Presiding Member responded as follows:

*My understanding is that these fees and charges are pertaining to the Shire of Toodyay as an organisation whereas these fees and charges are pertaining to Clublinks who are managing the facility in their own right. I will seek clarification.*

The CEO responded as follows:

*That is correct but I will seek further advice in respect to the Act and Regulations.*

Cr Greenway

In September 2020, the Toodyay Recreation Centre Operating model/Business Plan presented to Council states "Council to set fees and Clublinks to implement them."

This means that Council will set the bottom line of what these fees will be doesn't it?

The CEO responded as follows:

*Clublinks provided a draft of the proposed fees for Council to endorse which is what we are presenting to Council in the March 2021 Ordinary Council Meeting.*

Cr McKeown

Given the fact that Council have not endorsed the fees how have people been charged?

*The CEO took the question on notice.*

Cr Pearce

Have any club actually paid their annual fees to Clublinks?

The Communication and Compliance Officer responded as follows.

*The Soccer Club has completely paid up. Many other clubs have signed their agreement and paid their fees in full in line with those agreements. The Tennis Club have used the facilities since October 2020 but have not yet signed their user agreement, not paid their annual fee.*

Cr McKeown



Have members of the public paid fees to enter and use the swimming pool and facility up till now?

*The CEO responded as follows.*

*We are trying to activate a new centre that cost us \$14.8m so I do understand that there are things that have to be transitioned into the new centre. There are things that need to be ironed out. Officers are more than willing to make sure Councillors are happy with what is going on but we are trying to move forward and make sure the impost on ratepayers is minimised as possible.*

### 9.3.2 Disposal of Assets – Lease of a portion of Charcoal Lane Car Park

<b>Questions for the Agenda Briefing</b>			
<b>Agenda Item</b>	<b>Councillor</b>	<b>Questions asked</b>	<b>Response to be provided by Officer</b>
9.3.2: Disposal of Assets - Charcoal Lane lease	Cr Madacsi	<u>Recommendation Amendment:</u> That Council authorises the Chief Executive Officer to enter into a <u>two year</u> leasing arrangement with the provider of the Container Deposit Collection Scheme to be situated over 14 car parking bays in the Charcoal Lane Carpark <u>for each and every Tuesday.</u>	Noted.
Item 9.3.2 Lease of Parking Bays	Cr Pearce	The officer's report ...CDS operates Tuesday of each week for initial 2 year period? The Officers recommendation ...authorise CEO to enter into a lease agreement. There is no indication the length of the lease. Should there be an amendment to indicate the time duration for the lease?	It has been suggested a 2 year period to begin with will suffice – but can be varied.

#### Cr Greenway

Under consultation we received five submissions, four against reported their objections. Where does that come into any of this? Are these supposed to add to our decision-making?

*The Shire President responded as follows:*

*Yes, you are correct.*

#### Cr Pearce

Has there been any research yet into how much the area is used on the Tuesday and other six days?

*The CEO responded as follows.*

*No formal research however the scheme has been operating in that location since October and we have not received any complaints about it.*

Cr Ruthven

I recall seeing one submission against the use of it. I think the objection was that it wasn't understood that it would only be one day a week and not be a seven day a week exercise. When we advertised publicly, how clearly was it advertised that it would only be one day a week on the Tuesday?

*The CEO responded as follows.*

*It was clearly indicated that the usage would be for 1 day per week.*

**9.3.3 Disposal of Assets – Lease of a portion of the Toodyay Community Centre**

<i>Questions for the Agenda Briefing</i>			
<b>Agenda Item</b>	<b>Councillor</b>	<b>Questions asked</b>	<b>Response to be provided by Officer</b>
9.3.3 Lease Community Centre.	<i>Cr Pearce</i>	What is the length of the lease and what are the provisions for rent review	The length of the lease is still to be determined – this will be done through discussions with the lessee.
9.3.3 Lease Community Centre.	<i>Cr Pearce</i>	Who is responsible for the refurbishment or costs (e.g. carpet replacement)?	The Business moving into the centre will be responsible for the fit-out costs.
9.3.3 Lease Community Centre.		The lessee has asked for use of showers and toilet. There is no separate meter for electricity. How will electricity and water consumption be apportioned?	The Shire will be monitoring the costs associated with the utilities – any changes in costs will be taken into consideration. Generally, there is a percentage of usage charge correlating with the square meterage of the area used by the lessee.
9.3.3: Disposal of Assets - Toodyay Community Centre (Gym)	<i>Cr Madacsi</i>	If not, the cost to restore must be borne by the lessee.	Correct.
9.3.3: Disposal of Assets - Toodyay Community Centre (Gym)	<i>Cr Madacsi</i>	Does the flooring (type and pattern) allow for the removal of the bolted equipment at a later date without undue expense to restore to previous condition?	There will be minimal equipment bolted to the floor.

Cr Pearce

I had asked how the electricity, water and power consumption was apportioned. My concern is that the Lessee has asked to use the shower and the toilets. In a gym water usage for a

shower a big issue. Is this an effective method of working out the consumption of water by square meterage in this case?

*The CEO responded as follows.*

*The proposal is to ensure that there is a review on a sixmonthly basis so we can determine whether there has been any change in the consumption from the current and adjust charges accordingly.*

Cr Ruthven

The cleaning of the equipment in a gym needs to be frequent. Who is responsible for the cleaning?

*The CEO responded as follows.*

*That would be the responsibility of the proprietors of the business.*

Cr Chitty

Is there a shower in the Community Centre?

*The Communication and Compliance Officer responded as follows.*

*There is a shower along the corridor towards the Silver Chain office area.*

Cr Ruthven

Will a bond apply in this case for remediation if and when they leave so the flooring is put back to what it was and so on?

*The CEO responded as follows.*

*It will be part of the lease agreement that the facility will return to its original state at the expiry of the lease.*

### 9.3.4 Tender for Cleaning Shire of Toodyay facilities

<b>Questions for the Agenda Briefing</b>			
<b>Agenda Item</b>	<b>Councillor</b>	<b>Questions asked</b>	<b>Response to be provided by Officer</b>
9.3.4: Tender for Cleaning the Shire of Facilities	<i>Cr Madacsi</i>	p.34 of the Officers Report still includes the Recreation Centre and Aquatic Centre as facilities to be included.	There is a separate table and graph showing the figures without the Recreation Centre included.
9.3.4: Tender for Cleaning the Shire of Facilities	<i>Cr Madacsi</i>	Does the intent include the Aquatic Centre?	That is a decision for Council

<b>Questions for the Agenda Briefing</b>			
<b>Agenda Item</b>	<b>Councillor</b>	<b>Questions asked</b>	<b>Response to be provided by Officer</b>
9.3.4: Tender for Cleaning the Shire of Facilities	<i>Cr Madacsi</i>	Why are the final costs to be determined by the agreed upon scope at contract negotiation (p.35) and not at Resolution?	The final costs need to be determined through negotiation with the final preferred supplier.
9.3.4: Tender for Cleaning the Shire of Facilities	<i>Cr Madacsi</i>	The Recommendation needs the price, or a referral to the quote, within the resolution and the contract length noted.	This is an operational task and will be finalised during negotiations.
9.3.4: Tender for Cleaning the Shire of Facilities	<i>Cr Madacsi</i>	<u>Recommendation Amendment:</u> That Council: 1. Selects _____ _____ for the operational management for the cleaning of the Shire of Toodyay facilities, which does not include the Toodyay Recreation or <u>Aquatic Centre</u> , in accordance with .....	This has been identified in the Recommendation

### Cr Chitty

Had this document gone back to the tenderers for them to re-tender or this is the price it was and is without Recreation Centre?

### The CEO responded as follows.

*The tender documents included the provision for the Shire to award part, any of, all, or none of the specifications. We asked tenderers to break down their cost. We have not re-tendered or gone back to the tenderers.*

### **9.3.5 Toodyay Recreation Centre Liquor Licencing**

<b>Questions for the Agenda Briefing</b>			
<b>Agenda Item</b>	<b>Councillor</b>	<b>Questions asked</b>	<b>Response to be provided by Officer</b>
9.3.5: Liquor License	<i>Cr Madacsi</i>	Does the provision of the Special Facility (Sports Arena) License mean staff must be at the kitchen/Pavillion every time clubs have access to the kitchen, or will alcohol be	This is currently the case whether there is alcohol served or not.

<b>Questions for the Agenda Briefing</b>			
<b>Agenda Item</b>	<b>Councillor</b>	<b>Questions asked</b>	<b>Response to be provided by Officer</b>
		able to be secured? There is a staffing cost if so.	
9.3.5 Liquor Licence	<i>Cr Pearce</i>	<p>Pg 38, Typo Consultation with Senior Officers ...at Dec 2019, Should this read Dec 2020? Officers recommendation: Proposed Amendment: That Council</p> <p>Supports and endorses obtaining a Special Facility Licence (Sports Arena) liquor licence for the serving of alcoholic beverages through sale or distribution, at the Toodyay Recreation Centre (TRC), subject to the application process to obtain the licence commencing within two months of this approval.</p>	Noted. It should read December 2020.
9.3.5: Liquor License	<i>Cr Madacsi</i>	Is Clublinks responsible for the \$8,000 for Canford Hospitality Consultancy as p.43/44 graph includes the cost, yet the dot point below states the cost to the Shire as \$3,620.50?	No, this is the responsibility of the Shire and a sum on \$13,000 has been included in the Budget Review.

Cr Chitty

In the background of the report it says that "Interest has been shown by clubs and organisations through Western Australian to hold functions and sporting tournaments at the Toodyay Recreation Centre." Where is the evidence to back up this statement?

[The Communication and Compliance Officer responded as follows.](#)

*We have had quite a bit of interest, generally through word of mouth. We have heard from the organisers of the Over 55's Rugby Tour, the WA State Soccer Club, the Touch Rugby Group and the Wheatbelt Development Commission has also shown interest. These are just the contacts who have spoken*

*with me. There have been quite a number more that have been speaking directly with Clublinks and they have liaised with those parties further. The interest is there. We have no evidence in writing. This has just been purely through conversations and word of mouth as a result of the Shire and Clublinks promoting and marketing the availability of the Toodyay Recreation Centre.*

In regard to sporting tournaments what tournaments? Is this a detriment to the local club if Clublinks holds these tournaments?

*The CEO responded as follows.*

*The key here is communication and Clublinks are managing the venue on behalf of the Shire of Toodyay. The Facility Manager is very aware of the need to provide a service to the clubs in the first instance, but they have also been charged by the Shire to activate the centre. It is not to detriment the clubs at all. For example, if there was to be a tennis tournament to be held it would be done in full collaboration with the Tennis Club.*

Under the heading Comments and Details in the Officer's Report Clublinks is noted as the lessee - how is this so when it was categorically answered at the last Ordinary Council Meeting that they are the Facility Managers. These terms have two very different legal meanings. Are Clublinks paying for the lease of the community pavilion?

*The CEO responded as follows.*

*No.*

Under the heading Implications to Consider, it states in the Officer's Report that Clublinks has considerable experience in this area. Where is the evidence that they are experienced in liquor licensing for multi-purpose sporting facilities when by their own admission they have never managed one before?

*The Communication and Compliance Officer responded as follows.*

*I am not sure where that belief has come from. Clublinks is a Venue Manager that is managing venues throughout Australia of a similar type and standard so I am unable to shed more light on that.*

**Cr Madacsi**

Cr Chitty; was that information written or verbal?

*Cr Chitty responded as follows:*

*It was written.*

*Cr Pearce advised that when Clublinks presented to Council they included a quite extensive expose of where they have*

*managed facilities in the Eastern States (Moore Park Golf, Centenary Park and Collier Park Golf).*

Cr Chitty

Under the heading Financial in the Officer's Report it states that the sale of alcohol would likely bring in a level of income to the centre which would ultimately be used towards maintenance, upkeep and improvements of the TRC. What is the basis of this statement? Has there been a budget forecast done? Advice I have had from the Dept. of Liquor and Gaming is that there cannot be any profit share under the Act and all money from the sale of alcohol must go into the licensee's bank account - so how does the Shire think there will be money for maintenance and upkeep if the Shire is responsible for this yet Clublinks retains all profits from the sale of alcohol?

*The CEO responded as follows:*

*The money from the sale of alcohol will go into the licensee's bank account and we will comply with the Liquor and Gaming Legislation. The way that it benefits the Shire is the fact that sale of alcohol is one element of the operational budget that determines how much of a deficit the Shire is required to pay to operate the centre. The Officer from the Department Office of Racing, Liquor and Gaming is right. There is no profit share but that is more directed at situations where a Facility Manager may say to a club who wants to sell alcohol that "you have a night here, and we will take a share of the profits." That is not that situation.*

Cr Chitty

Under the heading Legal and Statutory in the Officer's Report in regard to "exclusive tenure (via the lease agreement)" advice from the Department of Liquor and Gaming is that "exclusive tenure" means just that. There cannot be any other entity occupy the licensed area. I specifically asked the question about the sporting clubs having access to the pavilion as part of their agreements. How can they share that and have exclusive tenure for a licence?

*The CEO took the question on notice.*

*Response after the Agenda Briefing*

*This response will be included in the report being put to the Ordinary Council Meeting in April 2021.*

Cr Chitty

The term exclusive tenure (via lease agreement). What lease agreement? How is it possible to have both a management agreement and a lease agreement?

*The CEO took the question on notice.*

**Response after the Agenda Briefing**

This response will be included in the report being put to the Ordinary Council Meeting in April 2021.

Cr Chitty

Under the heading "Risk Related" it:

- doesn't mention that under 18's are restricted to going on license premises.
- doesn't mention that if Clublinks has a lease and a liquor license they have the final say in who accesses the pavilion.

I was advised they could amend the rules (still in accordance with the act) but refuse entry to certain patrons. How is this in line with a community pavilion?

*The CEO responded as follows:*

*This is an issue of activating the space and meeting the needs of the community. There are a number of facilities throughout the state that sell alcohol and manage all those risks. We are not the first Shire to consider selling alcohol at a sporting facility but there are certainly rules that need to be put in place and applied.*

Cr Ruthven

On page 43 in the table it says in the Law/Act/Section Shire of Toodyay Local Laws: "The Shire has several local laws that reference possession and/or consumption of liquor at Shire venues. These may be applicable to the Toodyay Recreation Centre if the venue is not licenced." Could we have the names of the local laws?

*The Communication and Compliance Officer took the question on notice.*

**Response after the Agenda Briefing**

Delegation CS9 Consumption of Liquor on local government property states in terms of issuing permits the local law that is referred to is the Shire of Toodyay's Local Government Property Local Law.

The Shire of Toodyay "Local Government Property Local Law" was gazetted on 25/10/2001 in accordance with Section 3.5 "Legislative Powers of Local Governments" and Section 3.12 "Procedure for making Local Laws" of the *Local Government Act 1995*.

The Shire of Toodyay "Local Government Property Local Law" states that the Head of Power in relation to this delegation and



in the local law the term "liquor" has the same meaning as is given to it in section 3 of the *Liquor Licensing Act 1988* which is now known as the *Liquor Control Act 1988*.

Section 37 "Pre-requisites for grants of licences etc.; conditions on licences" from the *Liquor Control Act 1988* states that the local government is a "Public Body", and as such local governments have the power under this Act to properly control the consumption of liquor on local government property.

#### Cr Pearce

It appears that Council will have a tight budget for this next financial year. Would Clublinks be able to manage with the current licence at a cost of \$100 per event for the next twelve months until there was an indication of demand for the sale of liquor at the venue?

*The Communication and Compliance Officer responded as follows:*

*The current licence allows only alcohol to be sold and distributed while there is a food component to the event. So whilst Clublinks is happy for us to use that licence and model, it cannot be used long-term as a viable option because the idea behind the proposed licence is so clubs can have a social activity after training or their club nights where no food component is associated with the sale and distribution of alcohol.*

#### Cr Pearce

At the moment there is no indication that there is a demand for the sale of liquor at this venue at this stage. If there is no indication of a demand at this stage could Clublinks continue as they have been until next financial year?

*The Communication and Compliance Officer responded as follows:*

*The problem is that alcohol consumption is illegal within any shire building without an appropriate liquor licence. If any clubs had a social night they could be fined and it would be a sizeable fine not only to Clublinks but also to the Shire. It is a way of managing what people and the clubs do. We haven't done any research into how much it will be managed or supported by the community or utilised but it is a strategy to manage what will be a normal social norm in any case.*

#### Cr Greenway

The Football Club has a social event at the footy oval. The sports pavilion is a Shire owned building. They have alcohol there. How does it happen with them? Do they apply for a licence for every event? If so, can it happen at the new facility?

*The CEO responded as follows:*

*Yes it could. You are talking about an occasional licence. Each club would have to apply for their own occasional licence. There is a limit of 12 per year for an occasional licence. It could not be that the Tennis Club says they will have a social function every Sunday because they could not get a licence for that level of social activity.*

Cr McKeown

Is alcohol illegal in any shire building? Is that right?

*The CEO took this question on notice.*

Response after the Agenda Briefing

The Shire of Toodyay local law states that there is prohibition on the sale, supply or consumption of liquor unless a liquor licence is first obtained for that purpose under the *Liquor Licensing Act 1988*.

Cr McKeown

It is illegal to sell alcohol without a licence.

*The CEO responded as follows:*

*Yes it is illegal to sell alcohol without a licence.*

Is it illegal to have alcohol?

*The CEO responded as follows:*

*No.*

Is there anything to prevent a tennis player taking alcohol to a tennis club on a Sunday morning?

*The CEO responded as follows:*

*Yes because it is a public facility and alcohol cannot be consumed without permission.*

Supplementary information provided after the Agenda Briefing

The Shire of Toodyay local law states that there is prohibition on the sale, supply or consumption of liquor unless a liquor licence is first obtained for that purpose under the *Liquor Licensing Act 1988*.

Cr McKeown

At the moment the Memorial Hall functions are okay with an occasional licence and the Football Club functions with an occasional licence. The Agricultural Society and Cricket Club probably function the same way. In the short-term to avoid expenditure is it something we can consider?

**The Shire President advised that this was not a question and is part of the debate.**

On page 40 it says that every licence is subject to conditions that the licensee occupies and retains a right to occupy the licensee premises to the exclusion of others.

If Clublinks has obtained a licence of the type being talked about does that mean that they have a right to occupy the building where there will be lines drawn to the exclusion of others (i.e. lease it to them)

Once Clublinks has the licence to occupy that area to the exclusion of others does that mean they have right to exclude the Shire from that area?

*The CEO took the question on notice.*

#### Response after the Agenda Briefing

The Venue Manager is acting on behalf of the Shire and is therefore under the same statutory and compliance obligations as the Shire. The venue Manager is not leasing the Toodyay Recreation Centre but acting for the Shire – employed by the Shire.

It is correct in “that every licence is subject to conditions that the licensee occupies and retains a right to occupy the licensee premises to the exclusion of others.” This clause is applied to maintain control of a venue and any business/s running out of the same premises. i.e. A bar (to the exclusion of others) wishing to then run a TAB – a separate licence would then need to be granted for the TAB. In the TRC case, the Venue Manager would not be able to lease the kitchen to a third party (separate business) without another licence being granted.

This clause does not apply to any user group of the centre.

#### Cr Pearce

With an occasional licence an application is made each time for every club and there is a cost involved. As a result of an application for an occasional licence, does the club/person or entity have to have an “approved manager” to be the people serving the alcohol in order to meet the conditions of the application and will these expenses be on top of the occasional licence?

*The Communication and Compliance Officer responded as follows:*

*All those things would have to be put in place.*

**9.3.6 Correspondence - Department of Local Government, Sport & Cultural Industries**

Nil

**9.4 WORKS AND TECHNICAL SERVICES**

No reports

**9.5 COMMITTEE REPORT**

**9.5.1 Audit and Risk Advisory Committee Recommendations**

<i>Questions for the Agenda Briefing</i>			
<b>Agenda Item</b>	<b>Councillor</b>	<b>Questions asked</b>	<b>Response to be provided by Officer</b>
9.5.1: Audit & Risk	<i>Cr Madacsi</i>	Purchasing Policy - Where is the amended policy to compare the changes?	The amended policy went to the Audit Committee Meeting and will be contained in the minutes of that meeting. This can also be tabled separately, but as the recommendation is being made by the Audit Committee this ought not to be necessary.

Cr Ruthven

On page 49 Implications to Consider under Financial it says Nil. Is that correct? Should it have information about purchasing, or procurement?

*The CEO responded as follows:*

*The reference is in relation to the report but not to the actual outcomes of the Audit and Risk Committee Recommendations.*

Cr Ruthven

On page 71 of the attachments which is the minutes or at top right-hand side of the page it says agenda. Can this be corrected?

*The CEO responded as follows:*

*Yes.*

### Cr Ruthven

Can we have a marked-up copy of the attachments from the Audit and Risk Committee Meeting to ensure that amendments have been done because it appears a couple were missed from the Audit & Risk Committee Meeting. These were:

#### **F.3 Purchasing Policy**

- On page 105 at the first dot point “the word “an” replace the words “a more”
- On page 111 under the Heading 6.8 Opening of Tenders the word “the” be removed before the word “either”
- The sentence to read “Tenders are to be opened in the presence of either the CEO, or Manager Corporate and Community Services, or Manager Planning & Development, or the Manager Assets and Services and at least one other Shire Officer.”

#### **Compliance Audit Return**

- On page 127 at No. 5 under Response instead of N/A it should say “Yes”.

#### **10. ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

Nil

#### **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**

As per Council Meeting Agenda.

#### **13. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING**

##### **13.1 MEMBERS**

##### **13.2 EMPLOYEES**

#### **14. CONFIDENTIAL BUSINESS**

##### **14.1 Chief Executive Officer – Revised Performance Criteria and Remuneration Review**

*The Shire President ruled that the Agenda Briefing move behind closed doors at 5.44pm to discuss confidential business.*

All staff except Mrs M Rebane left the Chambers.

No questions.

*The Shire President brought the Agenda Briefing from behind closed doors at 5.55pm.*

The CEO returned to the Chambers at 5.55pm.

**15. NEXT MEETINGS**

As per Council Meeting Agenda.

**16. CLOSURE OF MEETING**

There being no further business, the Shire President, declared the Agenda Briefing closed at 5.55pm.

**SHIRE OF TOODYAY  
BUDGET REVIEW REPORT  
FOR THE PERIOD ENDED 28TH FEBRUARY 2021**

**LOCAL GOVERNMENT ACT 1995  
LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996**

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SHIRE OF TOODYAY  
STATEMENT OF BUDGET REVIEW  
(NATURE OR TYPE)  
FOR THE PERIOD ENDED 28TH FEBRUARY 2021

Note	Budget v Actual		Predicted			
	Adopted Budget (a)	YTD Actual (b)	Variance Permanent (c)	Variance Timing (Carryover) (d)	Year End (a)+(c)+(d)	
	\$	\$	\$	\$	\$	
<b>OPERATING ACTIVITIES</b>						
Net current assets at start of financial year surplus/(deficit)	301,670	167,485	(134,185)		167,485	▼
<b>Revenue from operating activities (excluding rates)</b>						
Operating grants, subsidies and contributions	1,662,906	1,284,599			1,662,906	
Fees and charges 4.1.1	1,372,013	1,201,384			1,372,013	
Interest earnings 4.1.6	31,543	4,731			31,543	
Profit on asset disposals 4.1.8	63,550				63,550	
	3,130,012	2,490,714	0	0	3,130,012	
<b>Expenditure from operating activities</b>						
Employee costs 4.2.1	(4,376,503)	(2,450,983)	133,060		(4,243,443)	▼
Materials and contracts	(3,114,596)	(2,579,883)	(28,570)		(3,143,166)	▲
Utility charges 4.2.3	(346,468)	(407,232)	(71,000)		(417,468)	▲
Depreciation on non-current assets	(3,529,141)	(2,844,038)			(3,529,141)	
Interest expenses	(255,707)	(148,228)	131,030		(124,677)	▼
Insurance expenses	(253,091)	(186,597)			(253,091)	
Other expenditure 4.2.6	(95,000)	(116,941)			(95,000)	
	(11,970,506)	(8,733,901)	164,520	0	(11,805,986)	
Purchase and construction of infrastructure-roads	(2,627,089)	(636,728)			(2,627,089)	
Proceeds from disposal of assets	159,000	179,658			159,000	
<b>Amount attributable to investing activities</b>	<b>(1,142,130)</b>	<b>(560,697)</b>	<b>(106,196)</b>	<b>0</b>	<b>(1,248,326)</b>	
<b>FINANCING ACTIVITIES</b>						
Repayment of borrowings	(344,167)	(12,624)	156,572		(187,595)	▲
Transfers to cash backed reserves (restricted assets)	(195,100)	(4,731)			(195,100)	
Transfers from cash backed reserves (restricted assets)	431,670				431,670	
<b>Amount attributable to financing activities</b>	<b>(107,597)</b>	<b>(17,354)</b>	<b>156,572</b>	<b>0</b>	<b>48,975</b>	
<b>Budget deficiency before general rates</b>	<b>(6,317,960)</b>	<b>(3,809,077)</b>	<b>80,710</b>	<b>0</b>	<b>(6,237,250)</b>	
<b>Estimated amount to be raised from general rates</b>	<b>6,319,984</b>	<b>6,276,901</b>	<b>(43,083)</b>	<b>0</b>	<b>6,276,901</b>	▼
<b>Closing funding surplus(deficit)</b>	<b>2,024</b>	<b>2,467,824</b>	<b>37,627</b>	<b>0</b>	<b>39,651</b>	▲



SHIRE OF TOODYAY  
STATEMENT OF BUDGET REVIEW  
(STATUTORY REPORTING PROGRAM)  
FOR THE PERIOD ENDED 28TH FEBRUARY 2021

	Budget v Actual		Predicted			Material Variance
	Adopted Annual Budget Note (a)	YTD Actual (b)	Variance Permanent (c)	Variance Timing (Carryover) (d)	Year End (a)+(c)+(d)	
	\$	\$	\$	\$	\$	
<b>OPERATING ACTIVITIES</b>						
Net current assets at start of financial year surplus/(deficit)	301,670	167,485	(134,185)		167,485	▼
<b>Revenue from operating activities (excluding rates)</b>						
Governance	59,500	88,543			59,500	
General purpose funding	815,041	586,696			815,041	
Law, order, public safety	649,813	256,450			649,813	
Health	67,500	53,009			67,500	
Housing	11,780	10,630			11,780	
Community amenities	758,275	741,409			758,275	
Recreation and culture	110,500	121,235			110,500	
Transport	220,985	261,468			220,985	
Economic services	249,866	221,474			249,866	
Other property and services	186,752	149,800			186,752	
	3,130,012	2,490,714	0	0	3,130,012	
<b>Expenditure from operating activities</b>						
Governance	(756,240)	(495,882)	66,060		(690,180)	▼
General purpose funding	(352,322)	(185,796)			(352,322)	
Law, order, public safety	(1,453,047)	(1,220,380)			(1,453,047)	
Health	(309,960)	(140,023)			(309,960)	
Education and welfare	(46,314)	(18,190)			(46,314)	
Housing	(37,268)	(16,691)			(37,268)	
Community amenities	(1,183,837)	(983,326)			(1,183,837)	
<b>INVESTING ACTIVITIES</b>						
Non-operating grants, subsidies and contributions	5,882,920	3,961,092			5,882,920	
Purchase property, plant and equipment	(4,556,961)	(4,064,719)	(106,196)		(4,663,157)	▲
Purchase and construction of infrastructure - roads	(2,627,089)	(636,728)			(2,627,089)	
Proceeds from disposal of assets	159,000	179,658			159,000	
<b>Amount attributable to investing activities</b>	(1,142,130)	(560,697)	(106,196)	0	(1,248,326)	
<b>FINANCING ACTIVITIES</b>						
Repayment of borrowings	(344,167)	(12,624)	156,572		(187,595)	▼
Transfers to cash backed reserves (restricted assets)	(195,100)	(4,731)			(195,100)	
Transfers from cash backed reserves (restricted assets)	431,670				431,670	
<b>Amount attributable to financing activities</b>	(107,597)	(17,354)	156,572	0	48,975	
<b>Budget deficiency before general rates</b>	(6,317,960)	(3,809,076)	80,710	0	(6,237,250)	
<b>Estimated amount to be raised from general rates</b>	6,319,984	6,276,901	(43,083)	0	6,276,901	
<b>Closing Funding Surplus(Deficit)</b>	2	2,024	37,627	0	39,651	▲

**SHIRE OF TOODYAY  
NOTES TO AND FORMING PART OF THE BUDGET REVIEW REPORT  
FOR THE PERIOD ENDED 28TH FEBRUARY 2021**

**1. BASIS OF PREPARATION**

The budget has been prepared in accordance with Australian Accounting Standards (as they apply to local governments and not-for-profit entities) and interpretations of the Australian Accounting Standards Board, and the *Local Government Act 1995* and accompanying regulations. The *Local Government (Financial Management) Regulations 1996* take precedence over Australian Accounting Standards. Regulation 16 prohibits a local government from recognising as assets Crown land that is a public thoroughfare, such as land under roads, and land not owned by but under the control or management of the local government, unless it is a golf course, showground, racecourse or recreational facility of State or regional significance. Consequently, some assets, including land under roads acquired on or after 1 July 2008, have not been recognised in this budget. This is not in accordance with the requirements of *AASB 1051 Land Under Roads* paragraph 15 and *AASB 116 Property, Plant and Equipment* paragraph 7.

Accounting policies which have been adopted in the preparation of this budget have been consistently applied unless stated otherwise. Except for cash flow and rate setting information, the budget 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.

**THE LOCAL GOVERNMENT REPORTING ENTITY**

All funds through which the Shire of Toodyay controls resources to

**CRITICAL ACCOUNTING 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.

The estimates and associated assumptions are based on historical experience and various other factors that are 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.

**2020-21 ACTUAL BALANCES**

Balances shown in this budget review report as 2020-21 Actual are as forecast at the time of budget review preparation and are subject to final adjustments.

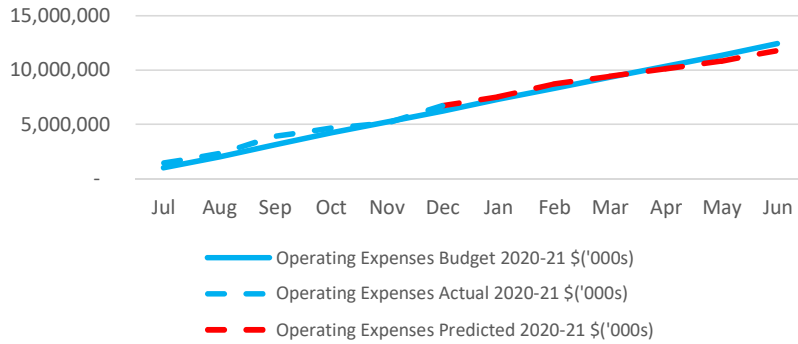
**ROUNDING OFF FIGURES**

All figures shown in this budget review report are rounded to the nearest dollar.

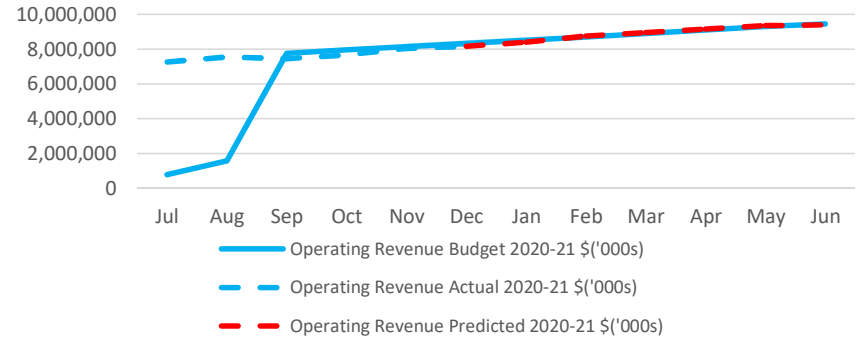
**SHIRE OF TOODYAY**  
**SUMMARY GRAPHS - BUDGET REVIEW**  
**FOR THE PERIOD ENDED 28TH FEBRUARY 2021**

**2. SUMMARY GRAPHS - BUDGET REVIEW**

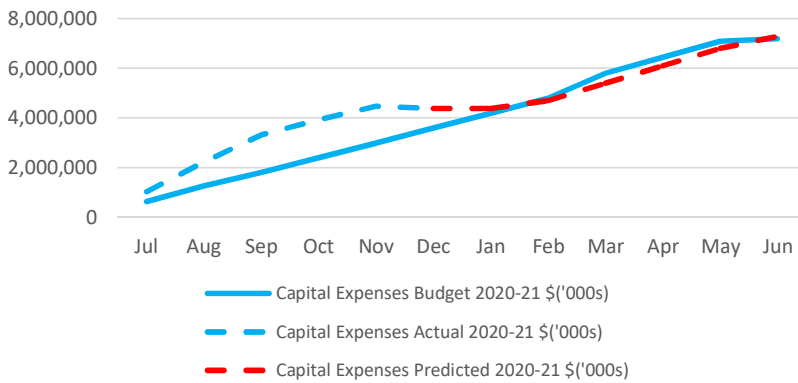
**Operating Expenses**



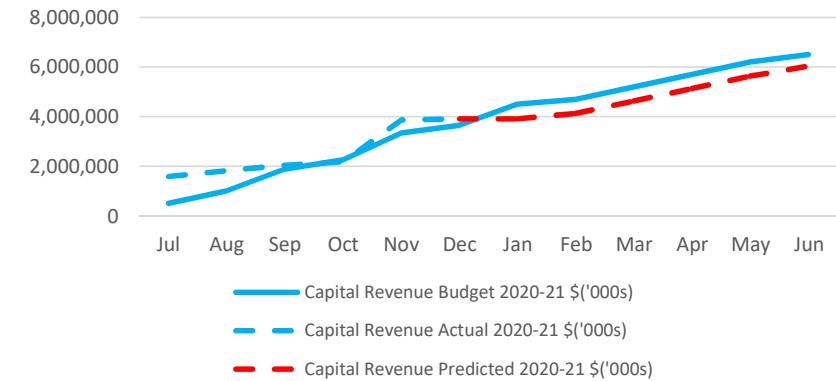
**Operating Revenue**



**Capital Expenditure**



**Capital Revenue**



3 NET CURRENT FUNDING POSITION

EXPLANATION OF DIFFERENCE IN NET CURRENT ASSETS AND SURPLUS/(DEFICIT)

Operating activities excluded from budgeted deficiency

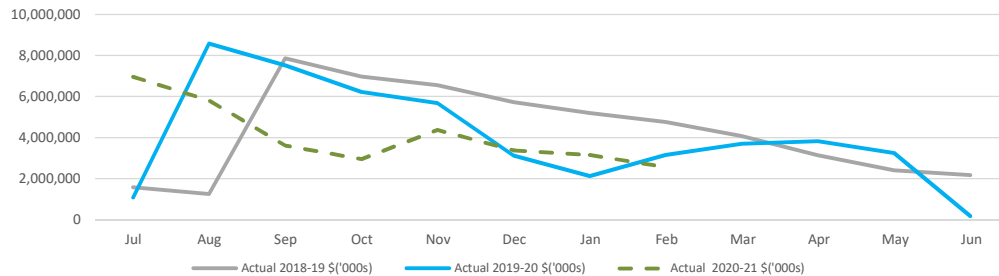
When calculating the budget deficiency for the purpose of Section 6.2 (2)(c) of the *Local Government Act 1995* the following amounts have been excluded as provided by *Local Government (Financial Management) Regulation 32* which will not fund the budgeted expenditure.

(i) Operating activities excluded from budgeted deficiency

The following non-cash revenue or expenditure has been excluded from operating activities within the Rate Setting Statement.

	ACTUAL UNAUDITED 30 June 2020	ACTUAL AUDITED 30 June 2020	BUDGET 30 June 2020	BUDGET 30 June 2021	ACTUAL 28 February 2021
<b>Adjustments to operating activities</b>				\$	\$
Less: Profit on asset disposals	(1,988)	(1,988)	(63,866)	(63,550)	0
Less: Movement in Pensioner Deferred rates (non-current)	(9,213)	(9,213)	0		
Less: Fair value adjustments to financial assets through profit and loss	(7,016)	(7,016)			
Less: Movement in employee liabilities associated with restricted cash	(25,216)	(25,214)		5,000	640
Add: Loss on asset disposals	87,901	87,901	35,250		
Add: Movement in employee benefit provisions (non-current)	50,589	50,589			
Add: Depreciation on non-current assets	4,380,930	4,380,937	4,428,700	3,529,141	2,844,038
<b>Non-cash amounts excluded from operating activities</b>	<b>4,475,987</b>	<b>4,475,996</b>	<b>4,400,084</b>	<b>3,470,591</b>	<b>2,844,678</b>
<b>(ii) Current assets and liabilities excluded from budgeted deficiency</b>					
Add: Contract liability not expected to cleared at end of year					
- Current portion of borrowings	4,761,020	4,687,594	5,776	4,416,853	4,674,971
- Current portion of lease liabilities	80,444	80,444	0	80,444	
- Employee benefit provisions	221,733	221,732	246,949	226,733	222,373
Add: Movement in provisions between current and non-current provisions			47,382	0	
Add: Change in accounting policy					
<b>Total adjustments to net current assets</b>	<b>3,424,535</b>	<b>3,351,107</b>	<b>(962,996)</b>	<b>3,321,938</b>	<b>3,253,950</b>
<b>(iii) Composition of estimated net current assets</b>					
<b>Current assets</b>					
Cash unrestricted	819,732	1,308,070	69,417	515,086	3,697,669
Cash back reserves - restricted	1,638,662	1,638,663	1,263,103	1,402,092	1,643,394
Cash Unspent grants, subsidies and contributions - restricted	393,120				
Financial assets - unrestricted					
Financial assets - restricted reserves					
Receivables - rates and rubbish	1,146,628	1,136,431	989,602	1,146,628	2,942,834
Receivables - other				0	
Other financial assets					
Contract assets					
Inventories	81,244	81,244	73,576	81,244	87,022
	<b>4,079,386</b>	<b>4,164,408</b>	<b>2,395,698</b>	<b>3,145,050</b>	<b>8,370,918</b>
<b>Less: current liabilities</b>					
Payables	(1,369,536)	(1,622,366)	(589,691)	(1,369,536)	(7,792,714)
Contract liabilities	(393,120)	(359,495)			
Lease liabilities	(80,444)	(80,444)	0	(80,444)	(527,306)
Long term borrowings	(4,761,020)	(4,687,594)	(5,776)	(4,416,853)	
Provisions	(598,131)	(598,131)	(696,800)	(598,131)	(742,056)
	<b>(7,202,251)</b>	<b>(7,348,030)</b>	<b>(1,292,267)</b>	<b>(6,464,964)</b>	<b>(9,062,077)</b>
<b>Net current assets</b>	<b>(3,122,865)</b>	<b>(3,183,622)</b>	<b>1,103,431</b>	<b>(3,319,914)</b>	<b>(691,158)</b>
<b>Less: Total adjustments to net current assets</b>	<b>3,424,535</b>	<b>3,351,107</b>	<b>(962,996)</b>	<b>3,321,938</b>	<b>3,253,950</b>
<b>Closing funding surplus / (deficit)</b>	<b>301,670</b>	<b>167,485</b>	<b>140,435</b>	<b>2,024</b>	<b>2,562,791</b>

Liquidity Over the Year



3. COMMENTS/NOTES - NET CURRENT FUNDING POSITION (CONTINUED)

**SIGNIFICANT ACCOUNTING POLICIES**

**CASH AND CASH EQUIVALENTS**

Cash and cash equivalents include cash on hand, cash at bank, deposits available on demand with banks, other short term highly liquid investments 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 shown as short term borrowings in current liabilities.

**TRADE AND OTHER RECEIVABLES**

Trade and other receivables include amounts due from ratepayers for unpaid rates and service charges and other amounts due from third parties for goods sold and services performed in the ordinary course of business.

Receivables expected to be collected within 12 months of the end of the reporting period are classified as current assets. All other receivables are classified as non-current assets.

Collectability of trade and other receivables is reviewed on an ongoing basis. Debts that are known to be uncollectible are written off when identified. An allowance for doubtful debts is raised when

**CURRENT AND NON-CURRENT CLASSIFICATION**

In the determination of whether an asset or liability is current or non-current, consideration is given to the time when each asset or liability is expected to be settled. The asset or liability is classified as current if it is expected to be settled within the next 12 months, being the Shire of Toodyay's operational cycle. In the case of liabilities where the Shire of Toodyay does not have the unconditional right to defer settlement beyond 12 months, such as vested long service leave, the liability is classified as current even if not expected to be settled within the next 12 months. Inventories held for trading are classified as current even if not expected to be realised in the next 12 months except for land held for sale where it is held as non-current based on the Shire of Toodyay's intentions to release for sale.

**CONTRACT ASSETS**

A contract asset is the right to consideration in exchange for goods or services the entity has transferred to a customer when that right is conditioned on something other than the passage of time.

**LOANS AND RECEIVABLES**

Loans and receivables are non-derivative financial assets with fixed or determinable payments that are not quoted in an active market and are subsequently measured at amortised cost. Gains or losses are recognised in profit or loss. Loans and receivables are included in current assets where they are expected to mature within 12 months after the end of the reporting period.

**TRADE AND OTHER PAYABLES**

Trade and other payables represent liabilities for goods and services provided to the Shire of Toodyay prior to the end of the financial year that are unpaid and arise when the Shire of Toodyay becomes obliged to make future payments in respect of the purchase of these goods and services. The amounts are unsecured, are recognised as a current liability and are normally paid within 30 days of recognition.

**CONTRACT LIABILITIES**

An entity's obligation to transfer goods or services to a customer for which the entity has received consideration (or the amount is due) from the customer. Grants to acquire or construct recognisable non-financial assets to be controlled by the Shire of Toodyay are recognised as a liability until such time as the Shire of Toodyay satisfies its obligations under the agreement. the (undiscounted) amounts expected to be paid when the obligation is settled.

The Shire of Toodyay's obligations for short-term employee benefits such as wages, salaries and sick leave are recognised as a part of current of financial trade and other payables in the statement position. Shire of Toodyay's obligations for employees' annual leave and long service leave entitlements are recognised as provisions in the statement of financial position.

**PROVISIONS**

Provisions are recognised when the Shire of Toodyay has a legal or constructive obligation, as a result of past events, for which it is probable that an outflow of economic benefits will result and that outflow can be reliably measured.

Provisions are measured using the best estimate of the amounts required to settle the obligation at the end of the reporting period.

SHIRE OF TOODYAY  
 NOTES TO THE REVIEW OF THE ANNUAL BUDGET  
 FOR THE PERIOD ENDED 28TH FEBRUARY 2021

4. PREDICTED VARIANCES

Comments/Reason for Variance	Variance \$	
	Permanent	Timing
Budgeted Closing funding surplus(deficit)	2,024	
Budgeted Net current assets at start of financial year surplus/(deficit)	301,670	
Actual Net current assets at start of financial year surplus/(deficit)	167,485	
	<b>-134,185</b>	
<b>4.1 OPERATING REVENUE (EXCLUDING RATES)</b>		
<b>4.1.1 FEES AND CHARGES</b>		
<b>4.1.2 OPERATING GRANTS, SUBSIDIES AND CONTRIBUTIONS</b>		
<b>4.1.6 INTEREST EARNINGS</b>		
<b>4.1.7 OTHER REVENUE</b>		
<b>4.1.8 PROFIT ON ASSET DISPOSAL</b>		
Predicted Variances Carried Forward	0	0

SHIRE OF TOODYAY  
 NOTES TO THE REVIEW OF THE ANNUAL BUDGET  
 FOR THE PERIOD ENDED 28TH FEBRUARY 2021

4. PREDICTED VARIANCES

Comments/Reason for Variance

	Variance \$	
	Permanent	Timing
Governance Review (50% in this financial year)	-25,000	
RSL - refurbishment of former Parks and Garden's Depot	-20,000	
Cleaning of facilities	-45,000	
Recreation Centre liquor licence	-13,000	
	<b>-145,000</b>	

4.2.3 UTILITY CHARGES

Recreation Centre water overspent to Mid February 2021	-71,000	
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4.2.4 DEPRECIATION (NON CURRENT ASSETS)

4.2.5 INTEREST EXPENSES

Repayment of Interest (Toodyay Recreation Centre Loans)	131,030	
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4.2.6 INSURANCE EXPENSES

4.2.7 OTHER EXPENDITURE

4.2.8 LOSS ON ASSET DISPOSAL

Predicted Variances Carried Forward	0	0
Predicted Variances Brought Forward	0	0

SHIRE OF TOODYAY  
 NOTES TO THE REVIEW OF THE ANNUAL BUDGET  
 FOR THE PERIOD ENDED 28TH FEBRUARY 2021

4. PREDICTED VARIANCES

Comments/Reason for Variance	Variance \$	
	Permanent	Timing
<b>4.3 CAPITAL REVENUE</b>		
<b>4.3.1 NON OPERATING GRANTS, SUBSIDIES AND CONTRIBUTIONS</b>		
<b>4.3.2 PROCEEDS FROM DISPOSAL OF ASSETS</b>		
<b>4.3.3 PROCEEDS FROM NEW DEBENTURES</b>		
<b>4.3.4 PROCEEDS FROM SALE OF INVESTMENT</b>		
<b>4.3.5 PROCEEDS FROM ADVANCES</b>		
<b>4.3.6 SELF-SUPPORTING LOAN PRINCIPAL</b>		
<b>4.3.7 TRANSFER FROM RESERVES (RESTRICTED ASSETS)</b>		
Predicted Variances Carried Forward	0	0
Predicted Variances Brought Forward	0	0



SHIRE OF TOODYAY  
 NOTES TO THE REVIEW OF THE ANNUAL BUDGET  
 FOR THE PERIOD ENDED 28TH FEBRUARY 2021

4. PREDICTED VARIANCES

Comments/Reason for Variance	Variance \$	
	Permanent	Timing
<b>4.4 CAPITAL EXPENSES</b>		
<b>4.4.1 LAND HELD FOR RESALE</b>		
<b>4.4.2 LAND AND BUILDINGS</b>		
<b>4.4.3 PLANT AND EQUIPMENT</b>		
<b>4.4.4 FURNITURE AND EQUIPMENT</b>		
<b>4.4.5 INFRASTRUCTURE ASSETS - ROADS</b>		
Capital works - Lovers Lane (budget \$39k, actual \$58k)	-18,185	
Capital works - McKnoe Drive (budget \$91k, actual \$117k)	-25,587	
Capital works - River Road (budget \$44k, actual \$52k)	-8,973	
Capital works - Toodyay Bindi Bindi (budget \$115k, actual \$116k)	-1,720	
Capital works - Toodyay Street (budget \$7k, actual \$0k)	7,560	
Road Maintenance	67,830	
Capital works - Timber Creek (budget \$67k, actual \$107k)	-39,292	
Adjustment to Capital Works Budget	<u>-18,367</u>	
<b>4.4.6 INFRASTRUCTURE ASSETS - OTHER</b>		
Capital works - Toodyay Bindi Bindi Bridge 0700 (gravel road by-pass)	-20,000	
Bridge Maintenance	48,600	
	<u>28,600</u>	
<b>4.4.7 PURCHASES OF INVESTMENT</b>		
<b>4.4.8 REPAYMENT OF DEBENTURES</b>		
Repayment of Debentures (Toodyay Recreation Centre Long Term Loan - Principal)	156,572	
<b>4.4.9 ADVANCES TO COMMUNITY GROUPS</b>		
Predicted Variances Carried Forward	0	0
Predicted Variances Brought Forward	0	0

SHIRE OF TOODYAY  
 NOTES TO THE REVIEW OF THE ANNUAL BUDGET  
 FOR THE PERIOD ENDED 28TH FEBRUARY 2021

4. PREDICTED VARIANCES

Comments/Reason for Variance

	Variance \$	
	Permanent	Timing
<b>4.5 OTHER ITEMS</b>		
<b>4.5.10 TRANSFER TO RESERVES (RESTRICTED ASSETS)</b>		
<b>4.5.11 TRANSFER FROM RESERVES (RESTRICTED ASSETS)</b>		
<b>4.5.1 RATE REVENUE</b>		
Estimated amount to be raised from general rates	6,319,984	
Actual amount to be raised from general rates	6,276,901	
	<b>-43,083</b>	
<b>4.5.2 OPENING FUNDING SURPLUS(DEFICIT)</b>		
<b>4.5.3 NON-CASH WRITE BACK OF PROFIT (LOSS)</b>		
<b>Total Predicted Variances as per Annual Budget Review</b>	<b>39,651</b>	<b>0</b>

SHIRE OF TOODYAY  
NOTES TO THE BUDGET REVIEW REPORT  
FOR THE PERIOD ENDED 28TH FEBRUARY 2021

5. BUDGET AMENDMENTS

Amendments to original budget since budget adoption. Surplus/(Deficit)

GL Account Code	Description	Council Resolution	Classification	No Change - (Non Cash Items) Adjust.	Increase in Available Cash	Decrease in Available Cash	Amended Budget Running Balance	Comments
				\$	\$	\$	\$	
	<b>Budget Adoption</b>		Opening Surplus(Deficit)	<b>2,024</b>			2,024	
	Adjustment to Net current assets at start of financial year surplus/(deficit)		Opening Surplus(Deficit)	(134,185)			(134,185)	
	Adjustment to Rates Revenue		Operating Revenue			(43,083)	(43,083)	
	Materials & Contracts - iArchive Implementation		Operating Expenses			(35,000)	(35,000)	project fees
	Materials & Contracts - Corporate Business Plan		Operating Expenses			(7,000)	(7,000)	consultancy fees
	Governance Review (50% in this financial year)		Operating Expenses			(25,000)	(25,000)	
	RSL - refurbishment of former Parks and Garden's Depot		Operating Expenses			(20,000)	(20,000)	
	Cleaning of facilities		Operating Expenses			(45,000)	(45,000)	
	Employee costs (underspend projected)		Operating Expenses		133,060		133,060	
	Recreation Centre liquor licence		Operating Expenses			(13,000)	(13,000)	
	Recreation Centre water overspent to Mid February 2021		Operating Expenses			(71,000)	(71,000)	
	Repayment of Interest (Toodyay Recreation Centre Loans)		Operating Expenses		131,030		131,030	
	Capital works - Lovers Lane (budget \$39k, actual \$58k)		Capital Expenses			(18,185)	(18,185)	
	Capital works - McKnoe Drive (budget \$91k, actual \$117k)		Capital Expenses			(25,587)	(25,587)	
	Capital works - River Road (budget \$44k, actual \$52k)		Capital Expenses			(8,973)	(8,973)	
	Capital works - Toodyay Bindi Bindi (budget \$115k, actual \$116k)		Capital Expenses			(1,720)	(1,720)	
	Capital works - Toodyay Bindi Bindi Bridge 0700 (gravel road by-pass)		Capital Expenses			(20,000)	(20,000)	
	Capital works - Toodyay Street (budget \$7k, actual \$0k)		Capital Expenses		7,560		7,560	
	Road Maintenance		Capital Expenses		67,830		67,830	
	Bridge Maintenance		Capital Expenses		48,600		48,600	
	Capital works - Timber Creek (budget \$67k, actual \$107k)		Capital Expenses			(39,292)	(39,292)	
	Repayment of Debentures (Toodyay Recreation Centre Long Term Loan - Principal)		Operating Expenses		156,572		156,572	delay in conversion
	<b>Amended Budget Cash Position as per Council Resolution</b>			<b>(132,161)</b>	<b>544,652</b>	<b>(372,840)</b>	<b>39,651</b>	

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## Audit Report

### Shire of Toodyay

Audit report for the period 01 August 2020 to 31 August 2020

#### PORTFOLIO SUMMARY

	Debt Outstanding 31 Aug 20	Weighted Average Interest Rate <sup>3</sup> 31 Aug 20	Interest Paid 01 Aug 20 to 31 Aug 20	Accrued Interest 31 Aug 20	Market Value 31 Aug 20 <sup>4</sup>
<b>Account - General</b>					
Annuity Lending	1,576,317.40	4.8542	-	18,015.15	1,891,352.47
Account Total:	1,576,317.40	4.8542	-	18,015.15	1,891,352.47
<b>Account - Sport &amp; Recreation Precinct</b>					
Liquidity Lending	4,500,000.00	0.7854	-	14,791.24	4,521,078.14
Account Total:	4,500,000.00	0.7854	-	14,791.24	4,521,078.14
<b>Portfolio Total:</b>	<b>\$6,076,317.40</b>	<b>1.8409</b>	<b>\$0.00</b>	<b>\$32,806.39</b>	<b>\$6,412,430.61</b>

## Audit Report

**Account - General  
Facility - Annuity Lending**

Client Loan ID	WATC Trade ID	Start Date	Maturity Date	Int Rate %	CF <sup>1</sup>	Debt Outstanding 31 Aug 20	Interest Paid 01 Aug 20 to 31 Aug 20	Accrued Interest 31 Aug 20	Market Value 31 Aug 20 <sup>4</sup>
63	49429	30 Jan 01	30 Jan 21	6.1800	S	9,009.32	0.00	49.93	9,272.04
64	49433	01 May 01	01 May 21	6.5400	S	19,944.39	0.00	435.97	20,891.96
70	49821	27 Jun 11	27 Jun 21	5.6600	Q	15,889.36	0.00	161.29	16,424.96
65	49439	29 Jun 01	29 Jun 21	6.8200	S	13,016.33	0.00	155.23	13,653.16
67	49688	19 Jun 09	19 Jun 24	6.6000	S	183,750.58	0.00	2,452.02	209,480.18
71	49918	14 Dec 12	14 Dec 32	4.5200	S	590,336.49	0.00	5,759.49	716,827.37
72	49951	24 May 13	24 May 33	4.4500	S	744,370.93	0.00	9,001.22	904,802.80
						1,576,317.40	0.00	18,015.15	1,891,352.47

**Account - Sport & Recreation Precinct  
Facility - Liquidity Lending**

Client Loan ID	WATC Trade ID	Start Date	Maturity Date	Int Rate %	CF <sup>1</sup>	Debt Outstanding 31 Aug 20	Interest Paid 01 Aug 20 to 31 Aug 20	Accrued Interest 31 Aug 20	Market Value 31 Aug 20 <sup>4</sup>
	54132	24 Mar 20	23 Mar 21	0.9200	Z	2,500,000.00	0.00	10,145.21	2,515,550.03
	74362	15 Apr 20	23 Mar 21	0.6100	Z	2,000,000.00	0.00	4,646.03	2,005,528.11
						4,500,000.00	0.00	14,791.24	4,521,078.14

- Note:  
This report provides values to close of business on the Report End Date.
- (1) CF: The compounding frequency of the loan.
- (2) Capital Indexed Lending: Only real interest rates presented.  
TFR: Margin to BBSW presented for forward settling Term Floating Rate loans.
- (3) Weighted Average Interest Rate is annualised rate.  
CPI rate are excluded from the Weighted Average Interest Rate calculation.
- (4) Market value reflects WATC's asset valuation methodology based on 'mid-market' rates. This will differ from a client payout valuation that would include a mid-ask spread to cover market transaction costs.

Shire of Toodyay

List of Payments Presented to Council for Period 1 February 2021 to 28 February 2021

Pay/Type	Date	Name	Description	Amount
12828	1/02/2021	Synergy	Electricity Charges - New Depot 10/12/20 To 12/01/21	478.15
12829	1/02/2021	Telstra Corporation Ltd	Telstra BFB Accounts - 7852285500 - 09012021	364.23
12830	1/02/2021	Water Corporation	Water Account - Recreation Centre 16/12/2020 To 13/01/2021	31,616.38
12831	23/02/2021	Department Of Transport	12 Months Vehicle Registration T0016	386.10
12831	23/02/2021	Department Of Transport	12 Months Vehicle Registration - T0017	250.50
12831	23/02/2021	Department Of Transport	12 Months Vehicle Registration - 1Ttd353	24.00
12831	23/02/2021	Department Of Transport	12 Months Vehicle Registration - 1Tqu555	24.00
12832	23/02/2021	Old Gaol Museum	Old Gaol Honorariums For Feb 2021	400.00
12832	23/02/2021	Old Gaol Museum	Old Gaol Honorariums For March 2021	400.00
12833	23/02/2021	Shire Of Toodyay	Reimbursement Of Petty Cash At The Depot	86.90
12834	23/02/2021	Synergy	Electricity Charges On Account 802970900 - Nov 20 To Jan 21	18,292.58
12834	23/02/2021	Synergy	Electricity Charges - Streetlights Dec 20 To Jan 21	3,746.89
12834	23/02/2021	Synergy	Electricity Charges - Coondle Nunile Fire Station Dec 20 To Jan 21	572.30
12834	23/02/2021	Synergy	Electricity Charges - New Depot 13/01/2021 To 09/02/2021	412.64
12835	23/02/2021	Telstra Corporation Ltd	Morangup BFB & SES Account Jan 2021	89.94
12835	23/02/2021	Telstra Corporation Ltd	Telstra Mobile & Data Accounts - Jan 2021	2,259.04
12835	23/02/2021	Telstra Corporation Ltd	Telstra Account 7852285500 - BFB Accounts Jan 2021	306.33
12835	23/02/2021	Telstra Corporation Ltd	Telstra Account 0293288400 - Jan 2021	7,682.92
12836	23/02/2021	Water Corporation	Water Account - Newcastle Park 09/12/2020 To 12/02/2021	1,128.69
12836	23/02/2021	Water Corporation	Water Account - Library - 09/12/2020 To 12/02/2021	69.41
12836	23/02/2021	Water Corporation	Water Account - Mrs O'Reillys Cottage 09/12/2020 To 12/02/2021	317.75
12836	23/02/2021	Water Corporation	Water Account - 33-35 Telegraph Road 10/12/2020 To 12/02/2021	42.73
12836	23/02/2021	Water Corporation	Water Account - Bendigo Bank - 09/12/2020 To 12/02/2021	356.90
12836	23/02/2021	Water Corporation	Water Account - Cemetery 10/12/2020 To 12/02/2021	114.47
12836	23/02/2021	Water Corporation	Water Account - Donegans Cottage 10/12/2020 To 12/02/2021	71.96
12836	23/02/2021	Water Corporation	Water Account - Parkers Cottage 10/12/2020 To 12/02/2021	50.04
12836	23/02/2021	Water Corporation	Water Account - Duidgee Park 10/12/2020 To 15/02/2021	2,936.19
12836	23/02/2021	Water Corporation	Water Account - Old Depot Harper Road 09/12/2020 To 12/02/2021	872.09
12836	23/02/2021	Water Corporation	Water Account - VC & Connors Mill 09/12/2020 To 12/02/2021	717.65
12836	23/02/2021	Water Corporation	Water Account - Memorial Hall 09/12/2020 To 12/02/2021	439.58
12836	23/02/2021	Water Corporation	Water Account - Duke St Toilets - 09/12/2020 To 12/02/2021	351.80
12836	23/02/2021	Water Corporation	Water Account - Old P&G Depot - 11/12/2020 To 15/02/2021	10.31
12836	23/02/2021	Water Corporation	Water Account - Anzac Park 11/12/2020 To 15/02/2021	686.80
12836	23/02/2021	Water Corporation	Water Account - Tennis Courts 15/12/2020 To 15/05/2021	151.86
12836	23/02/2021	Water Corporation	Water Account - Admin 11/12/2020 To 15/02/2021	21.30
12836	23/02/2021	Water Corporation	Water Account - Admin 11/12/2020 To 15/02/2021	1,346.97
12836	23/02/2021	Water Corporation	Water Account - Old Gaol 11/12/2020 To 15/02/2021	300.81

Shire of Toodyay  
List of Payments Presented to Council for Period 1 February 2021 to 28 February 2021

Pay/Type	Date	Name	Description	Amount
12836	23/02/2021	Water Corporation	Water Account - 19A Clinton St 11/12/2020 To 15/02/2021	243.82
12836	23/02/2021	Water Corporation	Water Account - 19B Clinton St 11/12/2020 To 15/02/2021	311.42
12836	23/02/2021	Water Corporation	Water Account - Pelham Reserve Toilets 11/12/2020 To 15/02/2021	5.32
12836	23/02/2021	Water Corporation	Water Account - Community Centre & Medical Centre 09/12/2020 To 12/02/2021	618.28
12836	23/02/2021	Water Corporation	Water Account - Old Railway Reserve 09/12/2020 To 12/02/2021	244.90
12837	25/02/2021	Water Corporation	Water Account - Waste Transfer Station 10/12/2020 To 15/02/2021	274.19
12837	25/02/2021	Water Corporation	Water Account - Railway Station Gardens 09/12/2020 To 12/02/2021	212.96
12837	25/02/2021	Water Corporation	Water Account - Railway Road Depot 10/12/2020 To 15/02/2021	239.58
12837	25/02/2021	Water Corporation	Water Account - Toodyay Recreation Complex 13/01/2021 To 10/02/2021	27,772.98
12837	25/02/2021	Water Corporation	Water Account For Community Standpipe - Stirling Tce - 09/12/2020 To 12/12/2021	45.07
1733	25/02/2021	Shire of Toodyay	BS Levies & CTF Levies Commissions JULY 2020 to OCTOBER 2020	636.50
Cl.1369	1/02/2021	Toll	Freight Charges To 11/10/2020	42.74
Cl.1930	1/02/2021	ITR WA	Grader Blades And Hardware - John Deere & Komatsu Graders	4,121.81
Cl.1932	1/02/2021	Mayday Earthmoving	Hire Of Water Cart For Dust Suppression On Bejoording Road 01/11/2020 To 18/12/2020	12,512.50
Cl.1933	1/02/2021	Mayday Earthmoving	Hire Of Tow Behind Broom 04/12/2020 To 18/12/2020	1,815.00
Cl.1935	1/02/2021	Mayday Earthmoving	Hire Of Equipment For Road Construction Projects - 30/11/2020 To 18/12/2020	7,580.00
Cl.1940	1/02/2021	Toodyay Tyre & Exhaust	2 X Batteries - Coondle 3.4	503.00
Cl.1941	1/02/2021	Toodyay Tyre & Exhaust	Puncture Repair And Three Disposals - 1TJR184	115.00
Cl.1942	1/02/2021	Komatsu Australia Pty Ltd	3000 Hour Service On Komatsu Grader	2,844.34
Cl.1951	1/02/2021	Shire Of Northam	Waste Tipping Fees - December 2020	10,978.91
Cl.1952	1/02/2021	Shire Of Northam	Waste Tipping Fees - November 2020	10,053.17
Cl.1958	1/02/2021	Austral Pool Solutions Pty Ltd	Starting Block Covers X 8	2,051.19
Cl.1970	1/02/2021	C & F Building Approvals	NCC Compliance Assessment & C	110.00
Cl.1971	1/02/2021	C & F Building Approvals	NCC, CDC & BAL To 15/01/2021	396.00
Cl.1972	1/02/2021	Charles Service Company	Contract Cleaning Of Shire Facilities - January 2020	12,670.79
Cl.1973	1/02/2021	Christmas 360 - Sean Byron	Supply & Install Town Christmas Tree And Trees For Admin, Library. Install Of Shire Owned Garlands	8,000.00
Cl.1974	1/02/2021	Easifleet	Easisalary Deductions For PPPE 19/01/2020	852.19
Cl.1975	1/02/2021	Mrs Frances Chitty	VC Stock	288.00
Cl.1976	1/02/2021	Cadds Fashions Sportfirst Northam	PPE - Outside Crew	1,008.97
Cl.1977	1/02/2021	Avon-Midland Country Zone WALGA	Membership Subscription 2020/2021	2,200.00



Shire of Toodyay  
List of Payments Presented to Council for Period 1 February 2021 to 28 February 2021

Pay/Type	Date	Name	Description	Amount
CI.1978	1/02/2021	Autopro Northam	1000Lt AdBlue Plus Freight	864.58
CI.1979	1/02/2021	Mrs Rosemary Madacsi	Councillor Monthly Attendance Allowance - Jan 2021	3,114.95
CI.1980	1/02/2021	Beth Ruthven	Councillor Monthly Attendance Allowance - January 2020	1,484.90
CI.1981	1/02/2021	Brian Rayner	Councillor Monthly Attendance Allowance - Jan 2021	1,022.94
CI.1982	1/02/2021	Mr Benjamin Bell	Councillor Monthly Attendance Allowance - Jan 2021	1,022.94
CI.1983	1/02/2021	Mrs Therese Chitty	Councillors Monthly Attendance Allowance - Jan 2021	1,022.94
CI.1984	1/02/2021	Philip Hart	Councillors Monthly Attendance Allowance - Jan 2021	1,022.94
CI.1985	1/02/2021	Mrs Susan Pearce	Councillors Monthly Attendance Allowance - Jan 2021	1,022.94
CI.1986	1/02/2021	Michael McKeown	Councillors Monthly Attendance Allowance - Jan 2021	1,022.94
CI.1987	1/02/2021	Paula Greenway	Councillors Monthly Attendance Allowance - Jan 2021	1,022.94
CI.1988	1/02/2021	Winc Australia P/L	Stationery Order - Printer Toner - CSO	84.37
CI.1989	1/02/2021	Milford Homes Pty Ltd	Refund Of Planning Fees - Planning approval not required	381.12
CI.1990	1/02/2021	The Cola Cafe	2 x Platters Of Sandwiches, 1 Platter Each Of Fruit, Cheese & Biscuits, Chicken & Salad	310.00
CI.1991	1/02/2021	Mrs Dorothy Hall	Refund Of Excess Rates - 4 Mastalerz Rt	842.00
CI.1992	1/02/2021	Wheatbelt Catering Services	Catering - Shire Staff & Councillor Xmas Dinner	625.00
CI.1994	1/02/2021	Dunning Investments Pty Ltd	12 Bags Of Ice For Australia Day 2021	40.00
CI.1996	1/02/2021	Public Transport Authority Of WA	TransWA Ticket Sales For The Month Of Dec 2020	477.18
CI.1997	1/02/2021	Shawmac Pty Ltd	Toodyay Recreation Centre Claim 10 - Civil & Consulting	2,530.00
CI.1998	1/02/2021	Esri Australia	Project Services - Senior Consultant	5,225.00
CI.1999	1/02/2021	WA Police Department	National Police Checks - Volunteers - P Hart & H McDonald-Appleby	33.40
CI.2000	1/02/2021	The Cola Cafe	Sandwiches For 18 People (Including Gluten Free)	162.00
CI.2001	1/02/2021	The Cola Cafe	Catering For Australia Day Event - Citizenship Ceremony	250.00
CI.2002	1/02/2021	Mr Gary Horsfield	Window Cleaning At Medical Centre, Memorial Hall & Pavilion	450.00
CI.2003	1/02/2021	Toodyay Garden & Outdoor Centre	4 X Dwarf Agapanthus	76.00
CI.2004	1/02/2021	Autopro Northam	Wiper Blades Replacement For Toyota Camry	29.46
CI.2006	1/02/2021	Avon Waste - Stondon Pty Ltd	Rubbish Collection Services For The Fortnight Commencing 04/01/2021	13,903.18
CI.2007	23/02/2021	Avon Woodturners	Fabrication & Turning Of 18 Jarrah Rings For The Memorial Hall Renovations	288.00
CI.2008	1/02/2021	Jan Augustin	Reimbursement For The Purchase Of Safety Boots - J Augustin	149.99
CI.2009	23/02/2021	Rodney Christian	Refund Of Excess Rates Due To Sale Of Property	433.20
CI.2010	1/02/2021	Ms Rebecca Hoffman	Refund Of Excess Rates Due To Sale Of Property At 2326 Bindi Bindi Toodyay Road	396.00
CI.2011	1/02/2021	Toodyay Fairytale Farm	Travelling Animal Farm & Face Painting For Australia Day Event	792.00
CI.2012	1/02/2021	Toodyay Auto Centre	Repairs To Morangup 1.4	372.00
CI.2013	1/02/2021	Toodyay Community Resource Centre	2 X Covid Safety Marshall For Australia Day Event	1,100.00
CI.2014	1/02/2021	Toodyay Herald	Lot 402 Mount Road - Extractive Industry - December Edition	151.10

Shire of Toodyay  
List of Payments Presented to Council for Period 1 February 2021 to 28 February 2021

Pay/Type	Date	Name	Description	Amount
CI.2015	1/02/2021	Woodlands Distributors & Agencies	Carton Of Black Degradable Dog Waste Bags	412.50
CI.2016	1/02/2021	Parker Black & Forrest Pty Ltd	Supply Keys For Rec Centre	932.80
CI.2017	1/02/2021	Belingarni Fabrication Home & Property Service	Fire Break Works At Katta Rise, Sesselis Road, Settlers Ridge & Nottingham Road	1,705.00
CI.2018	1/02/2021	Belingarni Fabrication Home & Property Service	Extra Firebreak Works At Coondle West Road & Caladenia Drive	891.00
CI.2019	1/02/2021	Belingarni Fabrication Home & Property Service	Grading Of Firebreaks At Louisa Circle	420.00
CI.2020	1/02/2021	Boral Construction Materials (Boral Resources WA Ltd)	2000Lt Emulsion	1,716.00
CI.2021	1/02/2021	C & F Building Approvals	Building Approval Services To 22/01/2021	440.00
CI.2023	23/02/2021	Av Sec Security Services	Security Alarm Call Out To Community Centre 24/12/2020	65.00
CI.2026	1/02/2021	Broderick Waste Solutions	Management Of Waste Transfer Station Fortnight Ending 26/01/2021	5,500.00
CI.2027	1/02/2021	Avon Skip Bins	Front Lift Bin Empty - Toodyay Recreation Centre	250.00
CI.2028	1/02/2021	Avon Skip Bins	Empty Of Front Lift Bins - Depot - Jan 2021	50.00
CI.2029	1/02/2021	Avon Skip Bins	Empty Of Front Lift Bins - Memorial Hall - Jan 2021	200.00
CI.2030	1/02/2021	Avon Skip Bins	Empty Of Front Lift Bins - Sportsground - Jan 2021	50.00
CI.2031	1/02/2021	Kennards Hire	Hire Of Portable Traffic Lights On Julimar Road - 18/12/2020 To 15/01/2021	1,760.00
CI.2032	1/02/2021	Major Motors Pty Ltd	Toodyay 12.2 - Headlight & Indicator	467.52
CI.2033	23/02/2021	Professional PC Support Pty Ltd	Agreement - Managed Phone Service	1,050.92
CI.2034	23/02/2021	Grove Wesley Design Art	2 X Information Bay Panels Free Range Emu Farm & Mountain Park Retreat	66.00
CI.2035	1/02/2021	Testo Pty Ltd	Calibration Of Thermometer	172.70
CI.2036	23/02/2021	LGISWA	Motor Vehicle Insurance Adjustment 19/20	4,564.79
CI.2037	1/02/2021	Total Green Recycling	Waste Transfer Station E-waste Recycling 14/01/2021	1,139.16
CI.2038	1/02/2021	WacWill Landscaping & Earthworks Pty Ltd	Supply & Install Rock Pitching On Edge Of Tennis Courts	6,050.00
CI.2039	1/02/2021	MM Electrical Merchandising	3 Phase Mains Connection Box & Shroud - Waste Transfer Station	192.42
CI.2040	1/02/2021	Total Eden - Midland	PVC Reticulation Fittings	158.88
CI.2043	25/02/2021	West Wide Auto Electrics	Electrical Repairs To Coondle 3.4	1,042.00
CI.2044	23/02/2021	West Wide Auto Electrics	Electrical Repairs To Posi Skid Steer Loader	495.00
CI.2045	1/02/2021	Bendigo & Adelaide Bank Ltd	Transfer Fee	10.00
CI.2046	1/02/2021	Bendigo & Adelaide Bank Ltd	Monthly Service Fee	15.00
CI.2047	1/02/2021	Bendigo & Adelaide Bank Ltd	Overdraft Fee	15.00
CI.2048	1/02/2021	Bendigo & Adelaide Bank Ltd	Bank Fee	0.30
CI.2049	1/02/2021	Bendigo & Adelaide Bank Ltd	Bank Fee	2.33
CI.2050	1/02/2021	Bendigo & Adelaide Bank Ltd	Bank Fee	0.05
CI.2051	1/02/2021	Bendigo & Adelaide Bank Ltd	Bank Fee	6.16
CI.2052	1/02/2021	Westnet	Morangup Library Internet	119.90
CI.2053	1/02/2021	Bendigo & Adelaide Bank Ltd	Bpay Monthly Fee	358.11

Shire of Toodyay  
List of Payments Presented to Council for Period 1 February 2021 to 28 February 2021

Pay/Type	Date	Name	Description	Amount
CI.2054	23/02/2021	LG Professionals Australia WA	2020/2021 Silver Local Govt Membership Subscription	2,200.00
CI.2055	23/02/2021	The Print Shop	Promotional Signage & Banners For Australia Day 2021	268.40
CI.2056	23/02/2021	The Print Shop	Promotional Signage & Products For Australia Day 2021	797.50
CI.2057	23/02/2021	The Print Shop	Promotional Signage & Products For Australia Day 2021	132.00
CI.2058	23/02/2021	The Print Shop	Promotional Signage & Products For Australia Day 2021	1,248.50
CI.2059	23/02/2021	The Print Shop	Promotional Signage & Products For Australia Day 2021	393.80
CI.2060	23/02/2021	Mrs Krystal Stonham	Reimbursement For The Purchase Of - Eggs, Mini Foam Cooler, And Testing Products	121.56
CI.2061	23/02/2021	Kleen West Distributers	One Box Of Toilet Rolls	48.95
CI.2062	23/02/2021	Kathleen Summers	Brush Cutting Of Various Shire Reserves	420.00
CI.2063	3/02/2021	Commonwealth Bank Of Australia	Merchant Fee	169.95
CI.2064	3/02/2021	Commonwealth Bank Of Australia	Merchant Fee	199.52
CI.2065	3/02/2021	Commonwealth Bank Of Australia	Merchant Fee	91.70
CI.2066	3/02/2021	Bendigo & Adelaide Bank Ltd	Bank Fee	8.03
CI.2067	3/02/2021	Bendigo & Adelaide Bank Ltd	Bank Fee	61.65
CI.2068	23/02/2021	Pizza Lab 6566	Pizzas - Australia Day Celebrations 2021	1,760.00
CI.2069	4/02/2021	Bendigo & Adelaide Bank Ltd	Bank Fee	0.15
CI.2070	23/02/2021	6Five Double6	Consignment Sales - Jan 2021	11.53
CI.2071	23/02/2021	Ms Alison Downie	Consignment Sales - Jan 2021	17.66
CI.2072	23/02/2021	Mr Barry Keens	Consignment Sales - Jan 2021	72.20
CI.2073	23/02/2021	John Butler	Consignment Sales - Jan 2021	46.20
CI.2074	23/02/2021	Deborah Termann	Consignment Sales - Jan 2021	28.00
CI.2075	23/02/2021	Esslemont Estate	Consignment Sales - Jan 2021	32.96
CI.2076	23/02/2021	Glenoran Leather	Consignment Sales - Jan 2021	36.15
CI.2077	23/02/2021	Lindsay Burke	Consignment Sales - Jan 2021	11.53
CI.2078	23/02/2021	Mrs Misty Rogers	Consignment Sales - Jan 2021	12.98
CI.2079	23/02/2021	Quilts By Robyn	Consignment Sales - Jan 2021	335.00
CI.2080	23/02/2021	Southern Sharpening Services	Consignment Sales - Jan 2021	34.61
CI.2081	23/02/2021	Ms Stephanie Slater	Consignment Sales - Jan 2021	15.00
CI.2082	23/02/2021	Tammar Publications	Consignment Sales - Jan 2021	24.00
CI.2083	23/02/2021	Mrs Tanya Stuart	Consignment Sales - Jan 2021	32.72
CI.2084	23/02/2021	Auscoinwest	Coin Collectors Albums - VC Stock	222.75
CI.2085	23/02/2021	Autopro Northam	Replacement Wiper Blades For Holden Colorado X 3	96.93
CI.2086	23/02/2021	Avon Valley Shotokan Karate Club (Usku)	Australia Day 2021 - General Event Assistance	500.00
CI.2087	8/02/2021	Fuji Xerox Australia Pty Ltd	Photocopier Lease - Depot/VC/Library	470.34
CI.2088	23/02/2021	Bunnings - Midland	Hook & Eye Door Stop	17.62
CI.2089	23/02/2021	Capture The Light Photographic Tours	Consignment Sales - Dec 2020 & Jan 2021	40.03
CI.2090	23/02/2021	Easifleet	Employee Deductions PPE 02/02/2021	852.19
CI.2091	23/02/2021	Environmental Health Australia (WA) Inc	Full Membership 20/21 - K Stonham	350.00
CI.2092	23/02/2021	H & G Engineering	Supply 4 Roller Inserts For Car Trailer	715.00

Shire of Toodyay  
List of Payments Presented to Council for Period 1 February 2021 to 28 February 2021

Pay/Type	Date	Name	Description	Amount
CI.2093	23/02/2021	Broderick Waste Solutions	Management Of Waste Transfer Station Fortnight Ending 12 January 2021	5,500.00
CI.2094	23/02/2021	Broderick Waste Solutions	Delivery Of E-waste 14 January 2021	660.00
CI.2095	23/02/2021	Broderick Waste Solutions	Cartage Of Waste To Northam For The Month Of January 2021	3,950.76
CI.2096	23/02/2021	Broderick Waste Solutions	Management Of Waste Transfer Station Fortnight Ending 9 February 2020	5,500.00
CI.2098	23/02/2021	Toodyay Traders	All Purpose Roller Cover 230Mm & Screen Door Latch	52.20
CI.2099	23/02/2021	Toodyay Traders	4 X 70W Halogen Globes	15.60
CI.2100	23/02/2021	Toodyay Traders	Retractable Hose Reel - Shire Depot	76.75
CI.2101	23/02/2021	Toodyay Traders	1 X Bundle (45) 940mm Steel Fence Droppers	154.50
CI.2103	23/02/2021	Australia Post	Postage Charges For January 2021	1,238.59
CI.2104	23/02/2021	Oakdale Handcrafts	VC Stock	108.00
CI.2109	23/02/2021	Toll	Freight Charges To 31 Jan 2021	21.18
CI.2110	23/02/2021	Toll	Freight Charges To 17 Jan 2021	46.20
CI.2111	23/02/2021	Toll	Freight Charges To 24 Jan 2021	486.92
CI.2112	23/02/2021	Landgate	Rural UV Interim Valuations Schedule R2020/1	85.46
CI.2113	23/02/2021	Landgate	Mining Tenements Schedule M2021/1	41.00
CI.2114	23/02/2021	Landgate	Online Certificate Of Title Searches - January 2021	80.10
CI.2115	23/02/2021	Toodyay Tyre & Exhaust	2 X Tyres For Toodyay Central 4.4 Plus Disposals	1,998.00
CI.2116	23/02/2021	Toodyay Tyre & Exhaust	Tyre Puncture Repair On Ranger Ute	30.00
CI.2117	23/02/2021	Toodyay Tyre & Exhaust	Tyre Puncture Repair To Ranger Ute	30.00
CI.2118	23/02/2021	Toodyay Tyre & Exhaust	3 X Tyres For Komatsu Grader Plus Disposals	7,288.00
CI.2119	23/02/2021	URL Networks Pty Ltd	SIP Trunk, PAYG, Mobile & Landline - January 2021	344.60
CI.2120	23/02/2021	Vanguard Press	Printing For Valley For All Seasons Brochure & Visitor Centre Maps	2,255.00
CI.2121	23/02/2021	Wright Express Aust Pty Ltd	SES Fuel Card Administration Cost To 8 February 2021	20.64
CI.2122	23/02/2021	Mr Peter Byfield	Entertainment & PA Services - Australia Day 2021	1,000.00
CI.2123	23/02/2021	Terry Siva - Eonian Media	DJ Services - Australia Day 2021 - Pool Party	500.00
CI.2124	23/02/2021	El Mule O'S Coffee	Supply Of Coffee For Australia Day 2021	1,500.00
CI.2125	23/02/2021	Mobile Mouse	Professional Development - CDO - Microsoft Word & Outlook	530.00
CI.2126	23/02/2021	Information Services & Technology	Collections Mosaic 2021 Online Support Plan - Network 3 User Licences - Old Gaol Museum	121.00
CI.2127	23/02/2021	Belingarni Fabrication Home & Property Service	Firebreak Works - Caladenia Dve, Red Gum Cir, Marginata Rd, White Gum Rdg & Harcourt St	1,958.00
CI.2128	23/02/2021	Charles Service Company	Monthly Cleaning Of Admin & Youth Hall 12/11/2020 To 11/12/2020	1,980.00
CI.2129	23/02/2021	Charles Service Company	Initial Clean Of Aquatic Centre And Pavilion - Nov & Dec 2020	880.00
CI.2130	23/02/2021	Charles Service Company	Monthly Cleaning Of Admin & Youth Hall Dec 2020 To Jan 2021	1,518.00
CI.2131	23/02/2021	C & F Building Approvals	NCC Compliance Assessments X 3 To 29/01/2021	330.00
CI.2132	23/02/2021	C & F Building Approvals	NCC Compliance Assessments X 1 To 07/02/2021	308.00

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List of Payments Presented to Council for Period 1 February 2021 to 28 February 2021

Pay/Type	Date	Name	Description	Amount
CI.2133	23/02/2021	Datacom Solutions (Au) Pty Ltd	Direct Access & Payroll Services For The Month Of January 2021	297.55
CI.2134	23/02/2021	Datacom Solutions (Au) Pty Ltd	Datascape Monthly SaaS Fee	3,300.00
CI.2136	23/02/2021	Mr Gary Horsfield	Window Cleaning - Admin	540.00
CI.2137	23/02/2021	St John Ambulance- Toodyay & Districts	Supply First Aid Post At Australia Day Event 2021	192.50
CI.2140	23/02/2021	Toodyay Bakery & Cafe	550 Rolls For Australia Day 2021 Celebrations	445.50
CI.2141	23/02/2021	Toodyay Bakery & Cafe	Catering For Forget Me Not Cafe 08/12/2020	76.30
CI.2142	23/02/2021	Av Truck Services Pty Ltd	Replacement Of Missing Light Surround On T0012	74.77
CI.2144	23/02/2021	Winc Australia P/L	Part -Admin Stationery Order # 8874344730	90.89
CI.2147	23/02/2021	Toodyay Junior Football Club	Australia Day 2021 Setup	500.00
CI.2148	23/02/2021	Toodyay Music Festival	Community Group - Australia Day 2021 Assistance With Pack Up	500.00
CI.2149	23/02/2021	AFGRI Equipment Australia Pty Ltd	Hydraulic Cylinder - John Deere Grader	2,726.86
CI.2150	23/02/2021	Toodyay IGA	IGA Account - January 2021	1,973.82
			<i>Admin/Corp Serv - Newspapers, Milk, Sugar</i>	86.55
			<i>VC Sundry - Milk, Cleaning products, Coffee</i>	37.5
			<i>Library Sundry - Newspapers, Milk, Coffee, Cleaning products, Plastic cups</i>	74.71
			<i>Ranger - Dog Food, Hand sanitiser</i>	55.32
			<i>Depot Sundry - Milk, Sugar, Coffee &amp; Tea</i>	49.98
			<i>Aust Day 2021 - Refreshments, Cleaning Products, Serviettes, Plates, Cutlery</i>	1669.76
CI.2151	23/02/2021	Autopro Northam	Non Locking Fuel Cap For - Graffiti Trailer	11.21
CI.2152	23/02/2021	Autopro Northam	Ryco Service Kits x6	495.28
CI.2153	23/02/2021	Equifax	Fit2Work Checks For January 2021	48.18
CI.2154	23/02/2021	Ezi-Fix Welding & Handyman Services	Butterly Roof Repair	50.00
CI.2155	23/02/2021	Autopro Northam	4Amp Battery Charger	103.97
CI.2156	23/02/2021	Roof Safe Pty Ltd	Coondle-Nunile Fire Station Recertification	485.93
CI.2157	23/02/2021	Esri Australia	Project Services Senior Consultant - V Mitchell 14/01/2021	2,090.00
CI.2158	23/02/2021	Frames West	Manufacture Of Fuel Tank For Graffiti Trailer	324.50
CI.2159	23/02/2021	Multicon Commercial Constructions (Stallion Homes)	Washroom Upgrade - Toodyay Central BFB	10,560.00
CI.2160	23/02/2021	Avon Waste - Stondon Pty Ltd	Rubbish Collection Charges For The Fortnight Commencing 18/01/2021	13,834.54
CI.2161	23/02/2021	Grove Wesley Design Art	Interpretive Sign For Behind Newcastle Gaol Museum	660.00
CI.2162	23/02/2021	Hays Specialist Recruitment (Aust) Pty Ltd	Temp Finance Coordinator For Week Ending 07/02/2021	1,412.02
CI.2163	23/02/2021	Colour Splash Media	Photography For Australia Day 2021 Event	385.00
CI.2164	23/02/2021	Toodyay Pharmacy	Purchase Of Disposable Face Masks For BFB Volunteers	498.00
CI.2166	23/02/2021	Blackwell Plumbing	Repair Blocked Drains At Medical Centre	4,311.60
CI.2167	23/02/2021	WA Model Aero Club	Refund Of Planning Fees As Development Approval Not Needed	147.00
CI.2168	23/02/2021	James Mcloughlin	Refund Of Excess Rates Due To Sale Of Property	121.00

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List of Payments Presented to Council for Period 1 February 2021 to 28 February 2021

Pay/Type	Date	Name	Description	Amount
CI.2169	23/02/2021	Stewart & Heaton Clothing Co Pty Ltd	Part Order - BFB PPE	2,506.46
CI.2170	23/02/2021	Stewart & Heaton Clothing Co Pty Ltd	Part Order - BFB PPE	181.16
CI.2172	23/02/2021	WA Police Department	National Police Check - Volunteer	16.70
CI.2173	25/02/2021	Environmental Health Australia (WA) Inc	WA Conference 2021 Registration - 1 Day	295.00
CI.2174	23/02/2021	West Wide Auto Electrics	Traffic Light Fault	621.50
CI.2175	23/02/2021	Little Farm-Toodyay	Hazard Reduction At Drummond Street, Nunile	250.00
CI.2176	23/02/2021	Countrywide Windscreens	Replace Windscreen On Isuzu Tip Truck	594.00
CI.2177	23/02/2021	Professional PC Support Pty Ltd	Printer And Toners For Museum	1,216.23
CI.2178	23/02/2021	Professional PC Support Pty Ltd	Managed ITC Support Agreement - Billing For March 2021	8,205.44
CI.2179	23/02/2021	Professional PC Support Pty Ltd	Managed Phone Agreement - Billing For March 2021	1,050.92
CI.2180	23/02/2021	MM Mechanical Pty Ltd	Weld Crack In Water Manifold - Morangup 2.4	50.00
CI.2181	23/02/2021	Hills Fire Equipment Service	5.0 Kg Carbon Dioxide Extinguisher - BRPC	203.50
CI.2182	23/02/2021	Major Security Services	Security Services For Australia Day 2021 Event - Mon 25/01/2021 & Tues 26/01/2021	1,859.00
CI.2183	23/02/2021	Officeworks	Part - Admin Stationery Order # 200120	39.44
CI.2184	23/02/2021	Officeworks	Final - Admin Stationery Order #200120	328.95
CI.2185	23/02/2021	Morris Pest And Weed Control Pty Ltd	Bee Relocation From Waste Transfer Station	220.00
CI.2186	23/02/2021	Snap - West Perth	Business Cards - J Augustin	111.00
CI.2187	23/02/2021	Southern Cross Austereo Pty Ltd	Around The Towns - Jan 2021	88.00
CI.2188	23/02/2021	Professional PC Support Pty Ltd	Additional Charges To Invoice 17129 - Managed ITC Agreement March 2021 Billing	126.82
CI.2189	23/02/2021	WALGA	BJ84 WALGA Council Connect Website Development - 1St Instalment & Subscription Fee Pro Rata To 30 June 2021	22,704.25
CI.2190	23/02/2021	Spacetoco Pty Ltd	Host Parterpro Bundle - Online Facility Bookings February 2021	165.00
CI.2191	23/02/2021	Multicon Commercial Constructions (Stallion Homes)	Variation Claim #1 - Supply & Installation Of 2 X Door Closers & 1 X Digital Lock - Toodyay Central BFB Upgrade	2,623.50
CI.2192	23/02/2021	WALGA	2 X Crates Containing Courtesy Speed Display Signs	78.16
CI.2193	15/02/2021	Commonwealth Bank Of Australia	Bpoint Fee	38.29
CI.2194	15/02/2021	Toyota Finance	BRPC Vehicle Lease	1,359.73
CI.2195	15/02/2021	Fuji Xerox Australia Pty Ltd	Photocopier Lease - Planning & Development	155.10
CI.2196	15/02/2021	Fuji Xerox Australia Pty Ltd	Photocopier Lease - Admin	370.70
CI.2198	12/02/2021	CNH Industrial Capital Aust Pty Ltd	Iveco Truck Lease	3,207.70
CI.2201	23/02/2021	Shire Of Northam	Waste Tipping Fees 07/01/2021 To 31/01/2021	7,757.01
CI.2202	23/02/2021	Shire Of Northam	Waste Tipping Fees 01/01/2021 To 06/01/2021	1,714.97
CI.2203	23/02/2021	Mrs Carol Hanson	Refund Of Excess Rates Due To Sale Of Property	396.95
CI.2204	23/02/2021	Marketforce	Provision For T01/21 Bridge 0700 Works, Tender Advertisement In The West Australian	630.00
CI.2205	16/02/2021	Komatsu Australia Corporate Finance Pty Ltd	Front Wheel Loader Lease	4,901.37
CI.2206	23/02/2021	Toodyay Tyre & Exhaust	Tube Replacement And Truck Tyre Repair	101.00
CI.2207	23/02/2021	Toodyay Tyre & Exhaust	Tyre Fitted, New Battery & Tyre Disposal	661.50

Shire of Toodyay  
List of Payments Presented to Council for Period 1 February 2021 to 28 February 2021

Pay/Type	Date	Name	Description	Amount
CI.2208	23/02/2021	Toodyay Tyre & Exhaust	Truck Tyre & Disposal - Toodyay Central 4.4	990.00
CI.2209	23/02/2021	Ulf Maass	Refund Of Excess Rates Due To Sale Of Property	1,054.28
CI.2210	25/02/2021	Tenderlink	Tender: Ten01/2021 Culvert Conversion Of Bridge 0700 Bindi Bindi - Toodyay Road	190.30
CI.2212	23/02/2021	Wilmot Harvey Pty Ltd	VC Floor Stock	651.20
CI.2214	23/02/2021	Fuji Xerox Australia Pty Ltd	January 2021 Photocopier Readings - Admin	1,415.68
CI.2215	23/02/2021	Easifleet	Easisalary Deductions PPE 16/02/2021	852.19
CI.2216	23/02/2021	Toodyay Hardware & Farm	3 X 25mm Reticulation Valves With Solenoids	103.50
CI.2217	23/02/2021	Toodyay Hardware & Farm	50 X 94cm Fence Droppers	197.50
CI.2218	23/02/2021	Toodyay Hardware & Farm	BFB Fittings	346.30
CI.2219	23/02/2021	Toodyay Hardware & Farm	18mm To 12mm Hose Connector	3.50
CI.2220	23/02/2021	Toodyay Hardware & Farm	Twin Tap 18mm Connector	17.21
CI.2221	23/02/2021	Toodyay Hardware & Farm	Hose Connectors & Seal Tape	21.81
CI.2222	23/02/2021	Toodyay Hardware & Farm	Farm Gate Fitting Assembly	59.95
CI.2223	23/02/2021	Toodyay Hardware & Farm	Frontline Plus X Large Dog	57.45
CI.2224	23/02/2021	Toodyay Hardware & Farm	Dome Metal Sprinkler	11.58
CI.2225	23/02/2021	Toodyay Hardware & Farm	Orbit Sprinkler With Adjustable Nozzle X 5	18.25
CI.2226	23/02/2021	Toodyay Hardware & Farm	25mm Conduit Coupling	1.24
CI.2227	23/02/2021	Toodyay Hardware & Farm	4 X Poly Nipples 3/4 X 1/2in	7.37
CI.2228	23/02/2021	Toodyay Hardware & Farm	4 X 3/4in Poly Sockets	17.78
CI.2229	23/02/2021	Toodyay Hardware & Farm	Rubber Mallet, Cable Ties - Australia Day	23.22
CI.2230	23/02/2021	Toodyay Hardware & Farm	9Kg Gas Bottle	33.00
CI.2231	23/02/2021	Toodyay Hardware & Farm	Broom Handle, Mop Head & Rubber Flushpipe Cone	19.14
CI.2232	23/02/2021	Toodyay Hardware & Farm	1Lt Caustic Drain Cleaner	9.28
CI.2233	23/02/2021	Toodyay Hardware & Farm	19mm Poly Connector, Hose Clamps	7.60
CI.2234	23/02/2021	Toodyay Hardware & Farm	Screen Door Closer	20.52
CI.2235	23/02/2021	McCleod's Barristers & Solicitors	Matter No 46507, R Atthowe - Lot 76 Grevillea Place, Morangup	404.79
CI.2236	23/02/2021	McCleod's Barristers & Solicitors	Matter Number 46507, R Atthowe, - Lot 76 Grevillea Place, Morangup	636.64
CI.2237	25/02/2021	Active Mobility Systems	Pelican Wheelchair - Self Propelling Standard SWL 120Kg - TRC	2,352.00
CI.2238	23/02/2021	Dunning Investments Pty Ltd	20600Lt Diesel & 2855Lt Unleaded	27,098.52
CI.2239	23/02/2021	Frontline Fire & Rescue Equipment	BFB PPE	4,491.42
CI.2240	25/02/2021	Hays Specialist Recruitment (Aust) Pty Ltd	Finance Coordinator Temp For Week Ending 14 February 2021	2,644.13
CI.2241	23/02/2021	ITR WA	Final 10 Grader Blades	2,174.81
CI.2242	23/02/2021	Wilko's Feral Pest Control	Pest Control On Shire Reserve - Malkup Brook	1,440.00
CI.2271	23/02/2021	QED Environmental Services Pty Ltd	Asbestos Audit Of Register, Report And Presentation	3,872.00
CI.2272	23/02/2021	WA Rangers Association	20 X Shoulder Badges & 8 Epaulettes Plus Freight	304.00
CI.2273	23/02/2021	West Wide Auto Electrics	Electrical Repairs To Karcher Tow Broom	1,834.05
CI.2274	23/02/2021	West Wide Auto Electrics	Electrical Repairs To Workshop Truck	960.00
CI.2275	23/02/2021	West Wide Auto Electrics	New Batteries For John Deere Grader	650.00

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Pay/Type	Date	Name	Description	Amount
CI.2276	23/02/2021	Netstar Australia Pty Ltd	Supply Of DFES AVL to CESM Vehicle	730.91
CI.2277	25/02/2021	Mrs Rosemary Madacsi	Members Monthly Attendance Allowance - Feb 2021	3,114.95
CI.2278	23/02/2021	Beth Ruthven	Members Monthly Attendance Allowance - Feb 2021	1,484.90
CI.2279	25/02/2021	Brian Rayner	Members Monthly Attendance Allowance - Feb 2021	1,022.94
CI.2280	25/02/2021	Mr Benjamin Bell	Members Monthly Attendance Allowance - Feb 2021	1,022.94
CI.2281	25/02/2021	Mrs Therese Chitty	Members Monthly Attendance Allowance - Feb 2021	1,022.94
CI.2282	25/02/2021	Philip Hart	Members Monthly Attendance Allowance - Feb 2021	1,022.94
CI.2283	25/02/2021	Mrs Susan Pearce	Members Monthly Attendance Allowance - Feb 2021	1,022.94
CI.2284	25/02/2021	Michael McKeown	Members Monthly Attendance Allowance - Feb 2021	1,022.94
CI.2285	25/02/2021	Paula Greenway	Members Monthly Attendance Allowance - Feb 2021	1,022.94
CI.2286	23/02/2021	Industrial Automation Group	Upgrade Of Software And Mobile Router For Shire Of Toodyay Commercial Standpipe On Northam Toodyay Rd	3,064.60
CI.2287	23/02/2021	Oil & Energy Pty Ltd	25Lt Carnet Jumbo Cleaner	220.00
CI.2288	23/02/2021	Northam Towing	Transport Of Coondle 1.4 To Major Motors For Repair	550.00
CI.2289	23/02/2021	West Wide Auto Electrics	Electrical Repairs To Various Plant	2,910.70
CI.2290	23/02/2021	Kleen West Distributers	Paper Towel & Urinal Blocks	134.53
CI.2291	23/02/2021	Specialised Tree Service	Pruning Of Various School Bus Routes	9,960.00
CI.2292	23/02/2021	JR & A Hersey	Purchase Of Expendable Stores	467.50
CI.2293	23/02/2021	Ezi-Fix Welding & Handyman Services	Replace Roof Sheetting At Community Centre	995.00
CI.2294	23/02/2021	Autopro Northam	Ryco Air Filter	33.63
CI.2295	23/02/2021	AFGRI Equipment Australia Pty Ltd	Scarifier Tooth X 15 - John Deere Grader	757.85
CI.2296	23/02/2021	Jason Signmakers	90Km Multi Message Board Signs For Traffic Management	243.87
CI.2297	25/02/2021	Wheatbelt Office Of Business Machines - Northam	Photocopier Readings - Library, VC & Depot - 06/08/2020 To 03/02/2021	6,813.59
CI.2298	25/02/2021	Applied Industrial Technologies Pty Ltd	New Lifting Chain - 2M X 3500Kg	445.50
CI.2299	25/02/2021	C & F Building Approvals	NCC Compliance Assessments X 3 For The Period Ending 20-02-2021	330.00
CI.2300	25/02/2021	Fox Transportables	Refund Of Planning Fees - Incomplete Application - Deemed Refusal	493.91
CI.2302	25/02/2021	Mrs Nicola Wybrow	Refund Of Excess Rates As Per Ratepayer Request	3,000.00
CI.2303	25/02/2021	Hills Fire Equipment Service	Service Of Shire Buildings Fire Equipment	1,667.60
CI.2304	25/02/2021	Wayne Giesemann Ceilings	Remove & Replace Ceilings In Community Centre Due To Water Damage	1,001.00
CI.2305	25/02/2021	Bitumen Surfacing	Supply & Install Materials To Reseal River Road SLK 2.60 - 4.70 @ 6.2M Wide	58,270.76
CI.2306	25/02/2021	Bitumen Surfacing	Supply & Install Materials To Lovers Lane Reseal SLK 0.00 - 1.90 @ 2.6M Wide	63,893.54
CI.2307	25/02/2021	Bitumen Surfacing	Supply & Install Materials To Toodyay Bindi Bindi Road Reseal SLK'S (9.45-10.16), (12.49-12.62), (19.41-20.10), (31.4-33.40) LRCI Funding	128,391.48



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List of Payments Presented to Council for Period 1 February 2021 to 28 February 2021

Pay/Type	Date	Name	Description	Amount
CI.2308	25/02/2021	Bitumen Surfacing	Supply & Install 2 Coat Seal, 100Sqm Patchwork To Ellery Place	1,246.82
CI.2309	25/02/2021	Dept Of Fire & Emergency Services	2020/2021 ESL Qtr 3 In Accordance With The Dept Of Fire & Emergency Services Of WA Act 1998	80,474.08
CI.2310	25/02/2021	Broderick Waste Solutions	Management Of Waste Transfer Station For The Fortnight Ending 23 February 2021	5,500.00
CI.2312	25/02/2021	Bunnings - Midland	Replacement Garden Taps For Mrs O'Reillys Cottage	105.64
CI.2313	25/02/2021	Avon Waste - Stondon Pty Ltd	10 X General Waste Bins & 5 X Recycle Bins For Australia Day 2021 Event	290.00
CI.2314	18/02/2021	Gear Select	Drum Roller Lease	2,296.91
CI.2315	17/02/2021	Bendigo & Adelaide Bank Ltd	Bank Fee	7.81
CI.2316	14/02/2021	Credit Card CESM	Credit Card CESM	4.00
			Card Fee	4.00
CI.2317	14/02/2021	Credit Card MCCS	Credit Card MCCS	1,134.53
			Caltex Joondalup - Carwash T000	13.70
			EG Fuelco - Fuel T000	30.04
			Dept of Transport - Vehicle Registration 1TIU352	24.00
			CIMA Global - Annual Subscription - C Luangala	521.74
			International Transaction fee	15.65
			SPOT Messenger - GPS Tracking - Grader	60.67
			International Transaction fee	1.82
			Adobe Acropro subscription fee	462.91
			Card Fee	4.00
CI.2318	14/02/2021	Credit Card MPD	Credit Card MPD	4,122.15
			Avis Car Hire - Ranger - Vehicle hire while Ranger Ute is being repaired	1,898.19
			Super Retail - Pool toys and games for Aust Day 2021	301.77
			BP Henley Brook - Fuel T0000	20.00
			Avis Car Hire - Ranger - Vehicle hire while Ranger Ute is being repaired	1,898.19
			Card Fee	4.00
CI.2319	14/02/2021	Credit Card CEO	Credit Card CEO	6,672.51
			EG Fuelco - Fuel T0	82.71
			Safety Culture iAuditor - Annual Subscription - OHS	250.80
			Transmit SMS - Burst SMS Harvest BANS Credit	5,095.00
			Valley Car Hire Northam - Ranger - Vehicle hire while Ranger Ute is being repaired	1,240.00
			Card Fee	4.00
CI.2320	14/02/2021	Credit Card MWS	Credit Card MWS	4.00
			Card Fee	4.00

Shire of Toodyay  
List of Payments Presented to Council for Period 1 February 2021 to 28 February 2021

Pay/Type	Date	Name	Description	Amount
CI.2321	25/02/2021	Public Transport Authority Of WA	TransWA Tickets Sales - January 2021	438.05
CI.2322	25/02/2021	Mr Keith Croucher	Refund Of Excess Rates Due To Sale Of Property	21.34
CI.2323	25/02/2021	Major Motors Pty Ltd	Mirror Assembly For Isuzu Truck	243.71
CI.2324	25/02/2021	WacWill Landscaping & Earthworks Pty Ltd	Installation Of Wheelchair Access At Millard's Pool Picnic Shelter	3,300.00
CI.2326	25/02/2021	Applied Industrial Technologies Pty Ltd	Replacement Tow Coupling For Portable Traffic Lights	55.00
CI.2327	25/02/2021	Stewart & Heaton Clothing Co Pty Ltd	Part Order - BFB PPE	1,836.78
CI.2337	24/02/2021	Bendigo & Adelaide Bank Ltd	Bank Fee	12.21
CI.2338	24/02/2021	Komatsu Australia Corporate Finance Pty Ltd	Grader Lease	4,560.99
EFT28548	01/02/2021	Australian Taxation Office	BAS - May 2020	13,550.00
EFT28549	03/02/2021	Capitary No3 Pty Ltd	Refund of Rehabilitation Bond - T84	695,377.17
EFT28550	25/02/2021	Australian Electoral Office	Refund of Community Centre Hire 21/08/2010 - 2010 Federal Election	500.00
EFT28551	25/02/2021	Construction Training Fund	CTF Levies - January 2021	348.18
	3/2/2021	Payroll	PPE 02/02/2021	104,138.74
	17/2/2021	Payroll	PPE 16/02/2021	103,207.59
	3/2/2021	Aware Super	Superannuation PPE 02/02/2021	18,042.70
	17/2/2021	Aware Super	Superannuation PPE 16/02/2021	18,212.21
	1/2/2021	WA Treasury Corporation	Loan 63 repayment	9,287.71
			<b>Total Payments</b>	<b>1,847,884.21</b>

Direct Debit	\$	30,376.19
Trust EFT	\$	696,225.35
Muni EFT	\$	760,408.49
DD Payroll	\$	207,346.33
DD Super	\$	36,254.91
DD Loans	\$	9,287.71
Muni Chqs	\$	107,348.73
Trust Chqs	\$	636.50
<b>TOTAL</b>	<b>\$</b>	<b>1,847,884.21</b>

**SHIRE OF TOODYAY**  
**MONTHLY FINANCIAL REPORT**

**For the Period Ended 28 February 2021**

**LOCAL GOVERNMENT ACT 1995**  
**LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996**

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**SHIRE OF TOODYAY**  
**STATEMENT OF FINANCIAL ACTIVITY**  
**(Statutory Reporting Program)**  
**For the Period Ended 28 February 2021**

	Note	2020/2021 Annual Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)	Var. % (b)-(a)/(a)	Var.
		\$	\$	\$	\$	%	
<b>Operating Revenues</b>							
Governance		59,500	39,656	88,543	48,887	123.28%	▲
General Purpose Funding - Rates	9	6,319,984	6,319,984	6,276,901	(43,083)	(0.68%)	
General Purpose Funding - Other		815,041	543,320	586,696	43,376	7.98%	
Law, Order and Public Safety		649,813	433,160	256,450	(176,710)	(40.80%)	▼
Health		67,500	44,984	53,009	8,025	17.84%	▲
Housing		11,780	7,848	10,630	2,782	35.45%	
Community Amenities		758,275	728,537	741,409	12,872	1.77%	
Recreation and Culture		110,500	73,632	121,235	47,603	64.65%	▲
Transport		220,985	220,485	261,468	40,983	18.59%	▲
Economic Services		249,866	166,528	221,474	54,946	33.00%	▲
Other Property and Services		186,752	124,480	149,800	25,320	20.34%	▲
<b>Total Operating Revenue</b>		<b>9,449,996</b>	<b>8,702,614</b>	<b>8,767,616</b>	<b>65,002</b>		
<b>Operating Expense</b>							
Governance		(756,240)	(534,922)	(495,882)	39,040	7.30%	
General Purpose Funding		(352,322)	(234,824)	(185,796)	49,028	20.88%	▲
Law, Order and Public Safety		(1,915,647)	(1,276,800)	(1,220,380)	56,420	4.42%	
Health		(309,960)	(206,568)	(140,023)	66,545	32.21%	▲
Education and Welfare		(46,314)	(30,856)	(18,190)	12,667	41.05%	
Housing		(37,268)	(24,800)	(16,691)	8,109	32.70%	▲
Community Amenities		(1,183,837)	(788,888)	(983,326)	(194,438)	(24.65%)	▼
Recreation and Culture		(2,027,379)	(1,321,711)	(1,065,308)	256,403	19.40%	▲
Transport		(4,512,600)	(3,008,192)	(3,189,840)	(181,648)	(6.04%)	
Economic Services		(1,006,282)	(670,608)	(659,221)	11,387	1.70%	
Other Property and Services		(285,257)	(223,208)	(759,245)	(536,037)	(240.15%)	▼
<b>Total Operating Expenditure</b>		<b>(12,433,106)</b>	<b>(8,321,377)</b>	<b>(8,733,902)</b>	<b>(412,525)</b>		
<b>Funding Balance Adjustments</b>							
Add back Depreciation		3,529,141	2,352,704	2,844,038	491,334	20.88%	▲
Adjust (Profit)/Loss on Asset Disposal	8	(63,550)	(42,368)	0	42,368	(100.00%)	
Adjust Provisions and Accruals		5,000	0	640	640		
<b>Net Cash from Operations</b>		<b>487,481</b>	<b>2,691,573</b>	<b>2,878,392</b>	<b>186,819</b>		
<b>Capital Revenues</b>							
Grants, Subsidies and Contributions	11	6,345,520	4,598,684	3,961,092	(637,592)	(13.86%)	▼
Proceeds from Disposal of Assets	8	159,000	106,000	179,658	73,658	69.49%	▲
<b>Total Capital Revenues</b>		<b>6,504,520</b>	<b>4,704,684</b>	<b>4,140,750</b>	<b>(563,934)</b>		

**SHIRE OF TOODYAY**  
**STATEMENT OF FINANCIAL ACTIVITY**  
**(Statutory Reporting Program)**  
**For the Period Ended 28 February 2021**

	Note	2020/2021 Annual Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)	Var. % (b)-(a)/(a)	Var.
<b>Capital Expenses</b>							
Land and Buildings	13	(3,315,361)	(2,210,208)	(26,591)	2,183,617	98.80%	▲
Infrastructure - Roads	13	(1,980,879)	(1,320,440)	(636,728)	683,712	51.78%	▲
Infrastructure - Footpaths	13	(52,000)	(34,664)	0	34,664	100.00%	▲
Infrastructure - Bridges	13	(465,000)	(310,000)	0	310,000	100.00%	▲
Infrastructure - Other	13	(129,208)	(86,128)	(2,210)	83,918	97.43%	▲
Plant and Equipment	13	(1,241,600)	(827,736)	(211,621)	616,115	74.43%	▲
Infrastructure - Work in Progress	13	0	0	(3,824,298)	(3,824,298)		▼
<b>Total Capital Expenditure</b>		<b>(7,184,048)</b>	<b>(4,789,176)</b>	<b>(4,701,447)</b>	<b>87,729</b>		
<b>Net Cash from Capital Activities</b>		<b>(679,528)</b>	<b>(84,492)</b>	<b>(560,697)</b>	<b>(476,205)</b>		
<b>Financing</b>							
Transfer from Reserves	7	431,670	287,768	0	(287,768)	100.00%	
Repayment of Debentures	10	(344,167)	(229,416)	(12,624)	216,792	94.50%	▲
Transfer to Reserves	7	(195,100)	(130,008)	(4,731)	125,277	96.36%	▲
<b>Net Cash from Financing Activities</b>		<b>(107,597)</b>	<b>(71,656)</b>	<b>(17,354)</b>	<b>54,302</b>		
<b>Net Operations, Capital and Financing</b>		<b>(299,644)</b>	<b>2,535,425</b>	<b>2,300,340</b>	<b>(235,085)</b>		
<b>Opening Funding Surplus/(Deficit)</b>	3	<b>301,670</b>	<b>301,670</b>	<b>262,452</b>	<b>(39,218)</b>		
<b>Closing Funding Surplus(Deficit)</b>	3	<b>2,026</b>	<b>2,837,095</b>	<b>2,562,792</b>	<b>(274,303)</b>	<b>(9.67%)</b>	

Indicates a variance between Year to Date (YTD) Budget and YTD Actual data as per the adopted materiality threshold.  
Refer to Note 2 for an explanation of the reasons for the variance.

This statement is to be read in conjunction with the accompanying Financial Statements and notes.

**SHIRE OF TOODYAY**  
**STATEMENT OF FINANCIAL ACTIVITY**  
**(By Nature or Type)**  
**For the Period Ended 28 February 2021**

	Note	2020/2021 Annual Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)	Var. % (b)-(a)/(a)	Var.
<b>Operating Revenues</b>							
Rates	9	\$ 6,319,984	\$ 6,319,984	\$ 6,276,901	\$ (43,083)	% (0.68%)	
Operating Grants, Subsidies and Contributions	11	1,677,906	1,191,693	1,284,599	92,906	7.80%	
Fees and Charges		1,357,013	1,127,553	1,201,384	73,831	6.55%	
Interest Earnings		31,543	21,016	4,731	(16,285)	(77.49%)	▼
Profit on Disposal of Assets	8	63,550	42,368	0	(42,368)	(100.00%)	
<b>Total Operating Revenue</b>		<b>9,449,996</b>	<b>8,702,614</b>	<b>8,767,616</b>	<b>65,002</b>		
<b>Operating Expense</b>							
Employee Costs		(4,376,502)	(2,908,955)	(2,450,983)	457,972	15.74%	▲
Materials and Contracts		(3,577,196)	(2,425,298)	(2,579,883)	(154,585)	(6.37%)	
Utility Charges		(346,468)	(230,856)	(407,232)	(176,376)	(76.40%)	▼
Depreciation on Non-Current Assets		(3,529,141)	(2,352,704)	(2,844,038)	(491,334)	(20.88%)	▼
Interest Expenses		(255,707)	(136,375)	(148,228)	(11,853)	(8.69%)	
Insurance Expenses		(253,090)	(203,549)	(186,597)	16,952	8.33%	
Other Expenditure		(95,000)	(63,640)	(116,941)	(53,301)	(83.75%)	▼
<b>Total Operating Expenditure</b>		<b>(12,433,104)</b>	<b>(8,321,377)</b>	<b>(8,733,901)</b>	<b>(412,524)</b>		
		(2,983,108)	381,237	33,714			
<b>Funding Balance Adjustments</b>							
Add back Depreciation		3,529,141	2,352,704	2,844,038	491,334	20.88%	▲
Adjust (Profit)/Loss on Asset Disposal		(63,550)	(42,368)	0	42,368	(100.00%)	
Adjust Provisions and Accruals		5,000	0	639	639		
<b>Net Cash from Operations</b>		<b>487,483</b>	<b>2,691,573</b>	<b>2,878,391</b>	<b>186,818</b>		
<b>Capital Revenues</b>							
Grants, Subsidies and Contributions	11	6,345,520	4,598,684	3,961,092	(637,592)	(13.86%)	▼
Proceeds from Disposal of Assets		159,000	106,000	179,658	73,658	69.49%	▲
<b>Total Capital Revenues</b>		<b>6,504,520</b>	<b>4,704,684</b>	<b>4,140,750</b>	<b>(563,934)</b>		
<b>Capital Expenses</b>							
Land Held for Resale		0	0	0	0		
Land and Buildings	13	(3,315,361)	(2,210,208)	(26,591)	2,183,617	98.80%	▲
Infrastructure - Roads	13	(1,980,879)	(1,320,440)	(636,728)	683,712	51.78%	▲
Infrastructure - Footpaths	13	(52,000)	(34,664)	0	34,664	100.00%	▲
Infrastructure - Bridges	13	(465,000)	(310,000)	0	310,000	100.00%	▲
Infrastructure - Other	13	(129,208)	(86,128)	(2,210)	83,918	97.43%	▲
Plant and Equipment	13	(1,241,600)	(827,736)	(211,621)	616,115	74.43%	▲
Infrastructure - Work In Progress		0	0	(3,824,298)	(3,824,298)		
<b>Total Capital Expenditure</b>		<b>(7,184,048)</b>	<b>(4,789,176)</b>	<b>(4,701,447)</b>	<b>87,729</b>		
		(679,528)	(84,492)	(560,697)	(476,205)		
<b>Net Cash from Capital Activities</b>		<b>(679,528)</b>	<b>(84,492)</b>	<b>(560,697)</b>	<b>(476,205)</b>		
<b>Financing</b>							
Transfer from Reserves	7	431,670	287,768	0	(287,768)	(100.00%)	
Repayment of Debentures	10	(344,167)	(229,416)	(12,624)	216,792	94.50%	▲
Transfer to Reserves	7	(195,100)	(130,008)	(4,731)	125,277	96.36%	▲
<b>Net Cash from Financing Activities</b>		<b>(107,597)</b>	<b>(71,656)</b>	<b>(17,354)</b>	<b>54,302</b>		
<b>Net Operations, Capital and Financing</b>		<b>(299,644)</b>	<b>2,535,425</b>	<b>2,300,340</b>	<b>(235,086)</b>		
<b>Opening Funding Surplus(Deficit)</b>	3	<b>301,670</b>	<b>301,670</b>	<b>262,452</b>	<b>(39,218)</b>		
<b>Closing Funding Surplus(Deficit)</b>	3	<b>2,026</b>	<b>2,837,095</b>	<b>2,562,792</b>	<b>(274,304)</b>		

Indicates a variance between Year to Date (YTD) Budget and YTD Actual data as per the adopted materiality threshold.

This statement is to be read in conjunction with the accompanying Financial Statements

**Shire of Toodyay**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
For the Period Ended 28 February 2021

**Note 2: EXPLANATION OF MATERIAL VARIANCES**

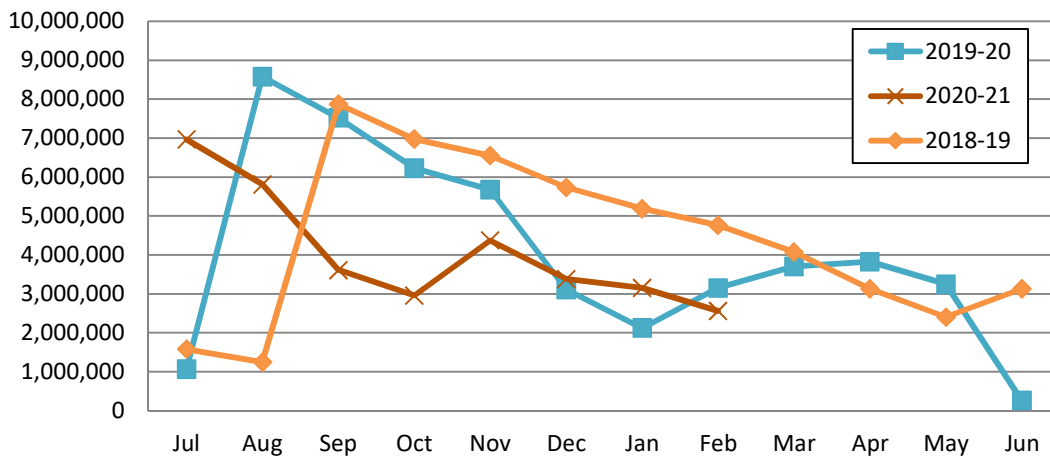
Reporting Program	Var. \$	Var. %	Var.	Timing/ Permanent	Explanation of Variance
	\$	%			
<b>Operating Revenues</b>					
Governance	48,887	123.28%	▲		
General Purpose Funding - Rates	(43,083)	(0.68%)			
General Purpose Funding - Other	43,376	7.98%			
Law, Order and Public Safety	(176,710)	(40.80%)	▼	Timing	Grant funding yet to be received
Health	8,025	17.84%	▲	Timing	
Housing	2,782	0.00%			
Community Amenities	12,872	1.77%			
Recreation and Culture	47,603	64.65%	▲		Timing of grants income received
Transport	40,983	18.59%	▲		Timing of grants income received
Economic Services	54,946	33.00%	▲		
Other Property and Services	25,320	20.34%	▲		
<b>Operating Expense</b>					
Governance	39,040	7.30%		Timing	
General Purpose Funding	49,028	20.88%	▲	Timing	Datascape implementation invoices yet to come in
Law, Order and Public Safety	56,420	4.42%		Timing	
Health	66,545	32.21%	▲	Timing	General underspend on Health
Education & Welfare	12,667	41.05%			General underspend on Education and Welfare
Housing	8,109	32.70%	▲	Timing	
Community Amenities	(194,438)	(24.65%)	▼	Timing	Overspend on sanitation \$124k, balance to be investigated
Recreation and Culture	256,403	19.40%	▲	Timing	Progress bill yet to be approved
Transport	(181,648)	(6.04%)		Timing	
Economic Services	11,387	1.70%		Timing	
Other Property and Services	(536,037)	(240.15%)	▼	Timing	Works and Services overheads yet to be recovered
Utilities	(176,376)	(76.40%)	▼		Rec Centre water costs are over budget. Budget \$35k and actual \$106k
Other Expenditure	(53,301)	(83.75%)	▼		Alma Beard rent write off \$35k, subscriptions \$44k, donations paid \$37k
<b>Capital Revenues</b>					
Grants, Subsidies and Contributions	(637,592)	(13.86%)	▼		Grants to be received
Proceeds from Disposal of Assets	73,658	69.49%	▲	Timing	Sale of Assets
<b>Capital Expenses</b>					
Land and Buildings	2,183,617	98.80%	▲	Timing	Work in progress to be capitalised
Infrastructure - Roads	683,712	51.78%	▲	Timing	Projects yet to commence/be completed
Infrastructure - Footpaths	34,664	100.00%	▲	Timing	Projects yet to commence/be completed
Infrastructure - Bridges	310,000	100.00%	▲	Timing	Projects yet to commence/be completed
Infrastructure - Other	83,918	97.43%	▲	Timing	Projects yet to commence/be completed
Plant and Equipment	616,115	74.43%	▲	Timing	Projects yet to commence/be completed
Work In Progress			▼		
<b>Financing</b>					
Loan Principal	216,792	94.50%	▲	Timing	Loan Repayments for Recreation Precinct

**Shire of Toodyay**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
**For the Period Ended 28 February 2021**

**Note 3: NET CURRENT FUNDING POSITION**

				Positive=Surplus (Negative=Deficit)		
				YTD 28 Feb 2021	30th June 2020	YTD 29 Feb 2020
				\$	\$	\$
<b>Current Assets</b>						
Cash Unrestricted	4		3,697,669	1,307,821	1,261,483	
Cash Restricted	4		1,643,394	1,638,663	2,099,266	
Receivables - Rates	6		1,202,276	818,474	2,151,181	
Receivables -Other	6		1,740,558	328,154	606,237	
Interest / ATO Receivable/Trust						
Inventories			87,022	81,244	74,358	
			<b>8,370,918</b>	<b>4,174,356</b>	<b>6,192,525</b>	
<b>Less: Current Liabilities</b>						
Payables			(7,792,714)	(6,057,132)	(594,095)	
Provisions			(742,056)	(598,130)	(695,294)	
Grant Liabilities			(527,306)	(527,306)	0	
			<b>(9,062,077)</b>	<b>(7,182,568)</b>	<b>(1,289,388)</b>	
Less: Cash Reserves	7		(1,643,394)	(1,638,663)	(2,099,266)	
Adjustment for Current Borrowings			4,674,971	4,687,594	99,312	
Adjustment for Cash Backed Liabilities			222,373	221,733	249,851	
<b>Net Current Funding Position</b>			<b>2,562,791</b>	<b>262,452</b>	<b>3,153,034</b>	

**Note 3 - Liquidity Over the Year**



**Comments - Net Current Funding Position**



**SHIRE OF TOODYAY**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
**For the Period Ended 28 February 2021**

**Note 4: CASH AND INVESTMENTS**

	Interest Rate	Unrestricted \$	Restricted \$	Trust \$	Investments \$	Total Amount \$	Institution	Maturity Date
<b>(a) Cash Deposits</b>								
Municipal		3,697,669				3,697,669	Bendigo Bank	At Call
Trust				162,637		162,637	Bendigo Bank	At Call
<b>(b) Term Deposits</b>								
Municipal NCD: 3546421	0.15%		1,643,394			1,643,394	Bendigo Bank	16.08.21
Trust - T83	1.00%			0		0	Bendigo Bank	19.07.21
Trust - T84	1.00%			0		0	Bendigo Bank	19.07.21
Trust - T794	0.55%			0		0	Bendigo Bank	27.03.21
Trust - T100	0.40%			141,398		141,398	Bendigo Bank	27.05.21
Trust - T4	0.40%			124,901		124,901	Bendigo Bank	26.05.21
Trust - T114	0.40%			208,099		208,099	Bendigo Bank	26.05.21
Trust - T214	0.40%			49,399		49,399	Bendigo Bank	26.05.21
Trust - T458	0.45%			451,213		451,213	Bendigo Bank	26.06.21
Trust - T793	0.40%			23,926		23,926	Bendigo Bank	26.05.21
Trust - T797	0.40%			32,836		32,836	Bendigo Bank	26.05.21
Trust - T805	0.50%			24,370		24,370	Bendigo Bank	14.04.21
Trust - T809	0.35%			123,585		123,585	Bendigo Bank	18.04.21
Trust - T810	0.55%			0		0	Bendigo Bank	16.03.21
Trust - T811	0.55%			9,521		9,521	Bendigo Bank	16.03.21
<b>Total</b>		<b>3,697,669</b>	<b>1,643,394</b>	<b>1,351,887</b>		<b>6,692,949</b>		

**Comments/Notes - Investments**

The above totals reflect the actual balance of the bank statements held at the Bank at month end. These balances will not include items such as unrepresented cheques and payments, and monies received by the Shire on the last day of the month.

Trust monies held by the Shire of Toodyay are not reflected in Note 3: Net Current Funding Position.

SHIRE OF TOODYAY  
 NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
 For the Period Ended 28 February 2021

**Note 5: BUDGET AMENDMENTS**

Amendments to original budget since budget adoption. Surplus/(Deficit)

GL Account Code	Description	Council Resolution	Classification	Non Cash Adjustment	Increase in Available Cash	Decrease in Available Cash	Amended Budget Running Balance
				\$	\$	\$	\$
	<b>Budget Adoption</b> Surplus brought forward		Opening Surplus(Deficit)				118,019
				0	0	0	118,019

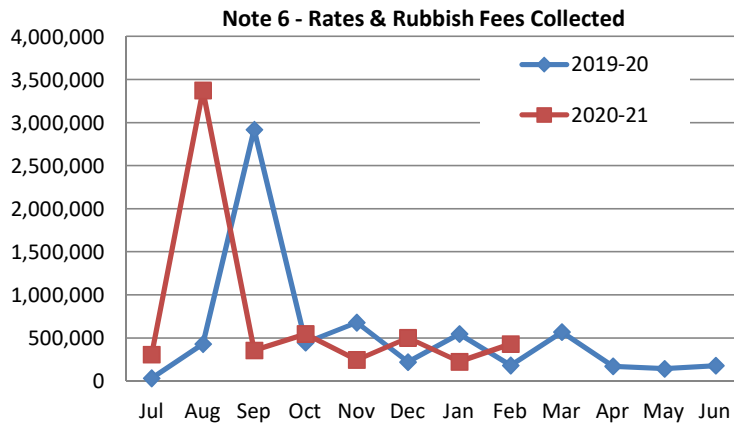
Classifications Pick List
Operating Revenue
Operating Expenses
Capital Revenue
Capital Expenses
Opening Surplus(Deficit)
Non Cash Item

**SHIRE OF TOODYAY**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
**For the Period Ended 28 February 2021**

**Note 6: RECEIVABLES**

**Receivables - Rates Receivable**

	YTD 28 Feb 2021	30 June 2020
	\$	\$
Opening Arrears Previous Years	700,084	681,435
Levied this year	6,355,132	6,557,391
Less Collections to date	(5,852,939)	(6,538,742)
Equals Current Outstanding	<b>1,202,277</b>	<b>700,084</b>
<b>Net Rates Collectable</b>	<b>1,202,277</b>	<b>700,084</b>
% Collected	82.96%	90.33%



**Comments/Notes - Receivables Rates**

**Comments/Notes - Receivables Rates and Rubbish**

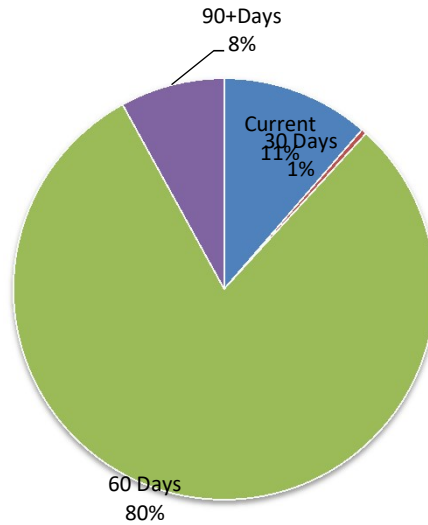
ESL	39,357
Legal Action	38,936
Services (Rubbish, Waste)	74,690
Penalties	30,667
Rates and Arrears	857,794
Properties in Credit	(113,489)
<b>Total Current</b>	<b>927,956</b>
Deferred Pensioners ( not collectable till Pensioner property is sold or paid)	274,322
<b>Total</b>	<b>1,202,277</b>

**SHIRE OF TOODYAY**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
**For the Period Ended 28 February 2021**

Receivables - General	Current	30 Days	60 Days	90+Days
	\$	\$	\$	\$
Receivables - General	25,271	921	178,581	17,835
<b>Total Receivables General Outstanding</b>				<b><u>222,608</u></b>

Amounts shown above include GST (where applicable)

**Note 6 - Accounts Receivable (non-rates)**



**Comments/Notes - Receivables General**

This note reflects Sundry Debtors only. It does not include other debtors such as GST due from the ATO & Pensioner Rebates due from the State.

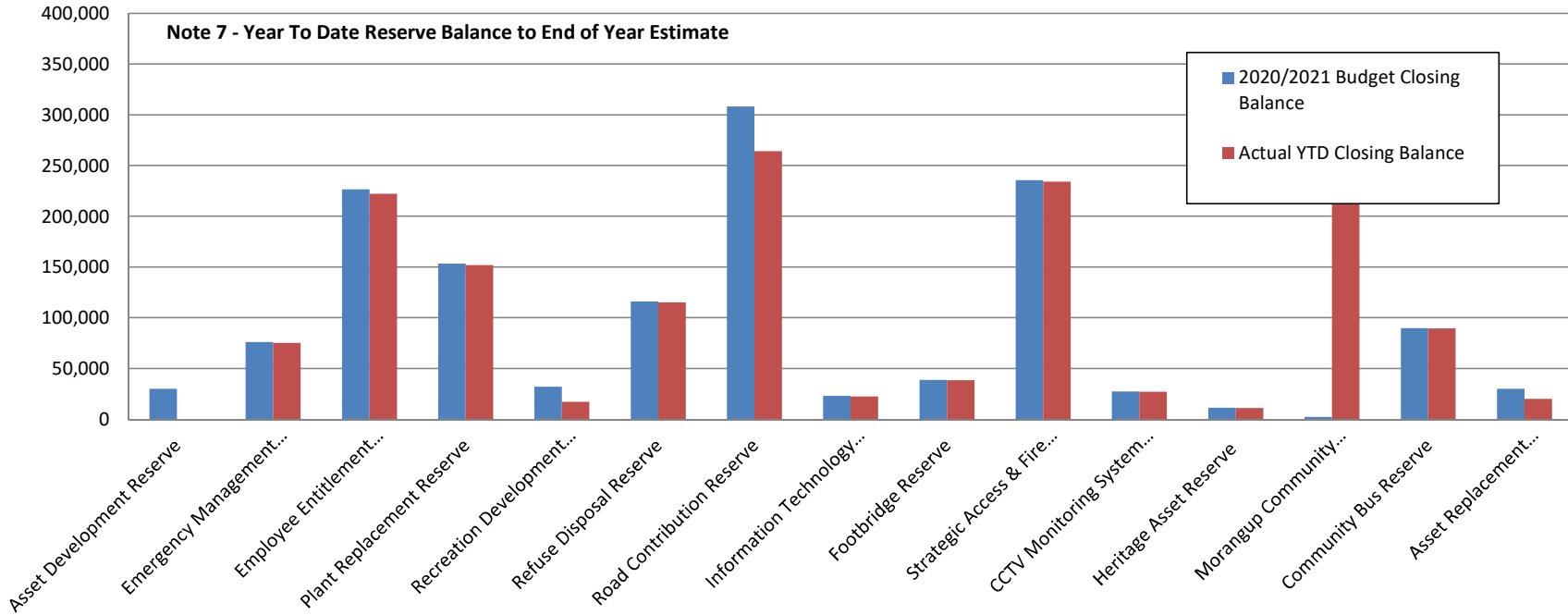
No Action Required	1,517,950
<b>Total Outstanding</b>	<b>1,740,558</b>

**SHIRE OF TOODYAY**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
For the Period Ended 28 February 2021

**Note 7: Cash Backed Reserve**

2020-21 Name	Opening Balance	2020/2021 Budget Interest Earned	Actual Interest Earned	2020/2021 Budget Transfers In (+)	Actual Transfers In (+)	2020/2021 Budget Transfers Out (-)	Actual Transfers Out (-)	2020/2021 Budget Closing Balance	Actual YTD Closing Balance
Asset Development Reserve	\$ 0	\$ 0	\$ 0	\$ 30,000	\$ 0	\$ 0	\$ 0	\$ 30,000	\$ 0
Emergency Management & Recovery Reserve	75,114	1,000	217	0	0	0	0	76,114	75,331
Employee Entitlement Reserve	221,733	5,000	640	50,000	0	(50,000)	0	226,733	222,373
Plant Replacement Reserve	151,529	2,000	437	0	0	0	0	153,529	151,966
Recreation Development Reserve	17,299	500	50	14,500	0	0	0	32,299	17,349
Refuse Disposal Reserve	115,017	1,000	332	0	0	0	0	116,017	115,349
Road Contribution Reserve	263,457	5,000	761	70,000	0	(30,000)	0	308,457	264,218
Information Technology Reserve	22,507	500	65	0	0	0	0	23,007	22,572
Footbridge Reserve	38,373	500	111	0	0	0	0	38,873	38,484
Strategic Access & Fire Egress Reserve	233,585	2,000	674	0	0	0	0	235,585	234,259
CCTV Monitoring System Reserve	27,031	350	78	0	0	0	0	27,381	27,109
Heritage Asset Reserve	11,130	250	32	0	0	0	0	11,380	11,163
Morangup Community Centre Reserve	352,199	2,000	1,017	0	0	(351,670)	0	2,529	353,216
Community Bus Reserve	89,499	500	258	0	0	0	0	89,999	89,757
Asset Replacement Reserve - Rec Precinct	20,189	0	58	10,000	0	0	0	30,189	20,247
	<b>1,638,663</b>	<b>20,600</b>	<b>4,731</b>	<b>174,500</b>	<b>0</b>	<b>(431,670)</b>	<b>0</b>	<b>1,402,092</b>	<b>1,643,394</b>

**SHIRE OF TOODYAY**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
For the Period Ended 28 February 2021



**SHIRE OF TOODYAY**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
For the Period Ended 28 February 2021

**Note 8 CAPITAL DISPOSALS**

Actual YTD Profit/(Loss) of Asset Disposal				Disposals	Amended Current Budget			Comments
Cost	Accum Depr	Proceeds	Profit (Loss)		YTD 28 02 2021			
					2020/2021 Annual Budget Profit/(Loss)	Actual Profit/(Loss)	Variance	
\$	\$	\$	\$	\$	\$	\$		
				<b>Plant and Equipment</b>				
				T6435 Kubota Front Deck Mower	125	0	(125)	
				T0011 Hino Truck	36,456	0	(36,456)	
32,000	(2,878)	36,465	7,343	T0 Ford Wild Track	16,563	7,343	(9,220)	
22,000	(3,707)	15,545	(2,748)	T00 Suburu Forester	2,618	(2,748)	(5,366)	
22,000	(2,471)	19,647	118	T0002 Mitsubishi Triton Ute	7,788	118	(7,670)	
45,000	(2,485)	30,815	(11,700)	Dynapac Roller	0	(11,700)	(11,700)	
70,000	(898)	77,185	8,083	JCB 436ZX Front End Loader	0	8,083	8,083	
<b>191,000</b>	<b>(12,439)</b>	<b>179,658</b>	<b>1,097</b>		<b>63,550</b>	<b>1,097</b>	<b>(62,453)</b>	

Comments - Capital Disposal/Replacements

**SHIRE OF TOODYAY**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
For the Period Ended 28 February 2021

Note 9: RATING INFORMATION	Rate in \$	Number of Properties	Rateable Value \$	Rate Revenue \$	Interim Rates \$	Back Rates \$	Total Revenue \$	2020/2021 Budget Rate Revenue \$	2020/2021 Budget Interim Rate \$	2020/2021 Budget Back Rate \$	2020/2021 Budget Total Revenue \$
<b>RATE TYPE</b>											
<b>Differential General Rate</b>											
GRV Residential	12.9430	555	7,261,388	939,842	41,913	9,430	991,184	1,042,526	0	0	1,042,526
GRV - Commercial	14.0200	28	1,338,282	187,627	(3,827)	0	183,800	179,974	0	0	179,974
GRV - Industrial	12.4383	19	418,800	52,279	0	0	52,279	52,279	0	0	52,279
GRV - Rural	11.8690	100	1,427,920	169,480	0	0	169,480	169,480	0	0	169,480
GRV - Rural Residential	11.2600	880	12,858,860	1,447,908	(268)	0	1,447,640	1,447,373	0	0	1,447,373
UV - General	1.1680	405	75,698,000	884,153	(158)	(275)	883,720	883,287	0	0	883,287
UV - Rural	0.8969	184	161,086,000	1,444,781	(12,150)	(192)	1,432,438	1,420,096	0	0	1,420,096
				<b>5,126,068</b>	<b>25,511</b>	<b>8,962</b>	<b>5,160,541</b>	<b>5,195,015</b>			<b>5,195,015</b>
<b>Minimum Payment</b>	<b>Minimum \$</b>			<b>0</b>							
GRV Residential	1,351	238	1,353,359	321,538	0	0	321,538	321,538	0	0	321,538
GRV - Commercial	1,351	6	35,200	8,106	0	0	8,106	8,106	0	0	8,106
GRV - Industrial	1,351	10	38,040	13,510	0	0	13,510	13,510	0	0	13,510
GRV - Rural	1,351	43	354,688	58,093	0	0	58,093	58,093	0	0	58,093
GRV - Rural Residential	1,351	528	3,493,132	713,328	0	0	713,328	713,328	0	0	713,328
UV - General	1,351	166	11,115,835	224,266	0	0	224,266	224,266	0	0	224,266
UV - Rural	1,351	0	411,000	0	0	0	0	0	0	0	0
				<b>1,338,841</b>			<b>1,338,841</b>				<b>1,338,841</b>
				<b>6,464,909</b>			<b>6,499,382</b>				<b>6,533,856</b>
Concession				(146,198)			(145,779)				0
<b>Amount from General Rates</b>				<b>6,318,711</b>			<b>6,353,604</b>				<b>6,533,856</b>
Ex-Gratia Rates				1,273			1,528				1,200
<b>Totals</b>				<b>6,319,984</b>			<b>6,355,132</b>				<b>6,535,056</b>

Comments - Rating Information



**SHIRE OF TOODYAY**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
For the Period Ended 28 February 2021

**10. INFORMATION ON BORROWINGS**

(a) Debenture Repayments

Particulars	Principal 1-Jul-20	New Loans	Principal Repayments		Principal Outstanding		Interest Repayments	
			Actual \$	2020/2021 Budget \$	Actual \$	2020/2021 Budget \$	Actual \$	2020/2021 Budget \$
<b>Recreation &amp; Culture</b>								
Loan 65 - Community Centre	13,016		6,398	13,016	6,618	0	444	722
Loan 67 - Library Upgrade	183,751		20,445	41,565	163,306	142,186	6,064	14,073
Loan 69 - Library Upgrade	0		0	0	0	0	0	0
Loan 72 - Land - Rec Precinct	744,371		21,451	43,380	722,920	700,991	16,562	35,158
Loan 75 - Recreation Precinct	0		0	156,572	0	4,343,428		174,793
			0					
<b>Transport</b>								
Loan 70 - Footbridge	15,889		7,833	15,889	8,056	0	395	623
Loan 71 - Depot Stage 2	590,337		17,826	36,056	572,511	554,281	13,342	28,282
<b>Economic Services</b>								
Loan 64 - Visitor Centre	19,945		9,809	19,945	10,136	0	652	1,046
<b>Other Property &amp; Services</b>								
Loan 63 - Bank Building	17,743		17,744	17,744	(1)	0	827	1,010
	<b>1,585,052</b>	<b>0</b>	<b>101,507</b>	<b>344,167</b>	<b>1,483,545</b>	<b>5,740,886</b>	<b>38,285</b>	<b>255,707</b>

No new debentures were raised during the reporting period.

Loan 75 - Recreation Precinct currently sits in a Short Term Loan Facility. This will be converted to a Long Term Loan by March 2021.

**SHIRE OF TOODYAY**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
**For the Period Ended 28 February 2021**

**Note 11: GRANTS AND CONTRIBUTIONS**

Program/Details GL	Grant Provider	Approval	2020-21 Budget	Variations Additions (Deletions)	Operating	Capital	Recoup Status	
							Received	Not Received
		(Y/N)	\$	\$	\$	\$	\$	\$
<b>GENERAL PURPOSE FUNDING</b>								
GENERAL PURPOSE GRANT	Federal Government	Yes	450,202				348,879	101,323
ROAD IMPROVEMENT GRANT	Federal Government	Yes	273,796				203,192	70,604
Rates - Legal Expenses Recovered	Local Government	Yes	35,000				320	34,680
<b>GOVERNANCE</b>								
Recoups - Contributions, Donations & Reimburse	Local Government		7,500				0	7,500
LEGAL EXPENSES RECOVERED	Local Government		1,000				0	1,000
Grants - Governance	Local Government		1,000				0	1,000
Income Protection	LGIS		0				6,059	(6,059)
Administration - Income	Local Government		30,000				15,557	14,443
Administration - Income - GST Free	Local Government		20,000				58,837	(38,837)
Income Protection	LGIS							
<b>LAW, ORDER, PUBLIC SAFETY</b>								
Fire Prevention - Grants	DFES	Yes	1,766,215				40,000	1,726,215
ESL Levy Recoup	DFES	Yes	224,011				111,680	112,331
Fire Mitigation Grant	DFES	Yes	462,600				231,300	231,300
CESM Recoups	DFES & Shire of Goomalling	Yes	112,826				69,192	43,634
Bushfire Risk Management Coordinator	DFES		176,083				0	176,083
Toodyay Districts SES	DFES	Yes	49,019				18,592	30,427
<b>HEALTH</b>								
Health Inspections Recoup	Local Government		500				0	500
<b>HOUSING</b>								
Recoups/Reimbursements - Aged Housing	Local Government	Yes	0				443	(443)
Recoups - Staff Housing	Local Government		1,500				1,187	313

**SHIRE OF TOODYAY**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
**For the Period Ended 28 February 2021**

**Note 11: GRANTS AND CONTRIBUTIONS**

Program/Details GL	Grant Provider	Approval	2020-21 Budget	Variations Additions (Deletions)	Operating	Capital	Recoup Status	
							Received	Not Received
<b>COMMUNITY AMENITIES</b>								
Community Sponsorship	Local Government		5,000				0	5,000
<b>RECREATION AND CULTURE</b>								
Community Centre Recoups		No	1,500				692	808
Club Insurance		Yes	3,000				1,416	1,584
Toodyay Race Club Reimbursements		Yes	2,500				1,017	1,483
Sport & Rec Grants	Lotterywest	Yes	1,000				63,244	(62,244)
Grant Income - Writers Festival		Yes	1,500				159	1,341
Grants Income	East Metropolitan Reg Council	Yes	3,000				0	3,000
Sport & Rec Grants	Dept Sport & Rec		2,500				0	2,500
Events Misc			1,500				1,100	400
Recreation Precinct	BBRF & Lotterywest		2,100,246				2,498,219	(397,973)
<b>TRANSPORT</b>								
Operating Grants - Roads	MRWA	Yes	144,485				140,195	4,290
MRWA Street Light Subsidy	MRWA	Yes	1,500				0	1,500
Road Maintenance Contributions	Private	Yes	75,000				112,072	(37,072)
Road Safety	Office of Road Safety		0				9,201	(9,201)
Bridge	MRWA	Yes	465,000				0	465,000
Footpath			26,000				0	26,000
Road Program Grant	Main Roads	Yes	826,604				600,132	226,472
Roads to Recovery Grant	Dept of Infrastructure	Yes	698,855				591,441	107,414
<b>ECONOMIC SERVICES</b>								
Community Directory	Avon Valley Advocate		3,000				0	3,000
Tourism & Area Promotion			3,000				29,424	(26,424)

**SHIRE OF TOODYAY**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
**For the Period Ended 28 February 2021**

**Note 11: GRANTS AND CONTRIBUTIONS**

Program/Details GL	Grant Provider	Approval	2020-21 Budget	Variations Additions (Deletions)	Operating	Capital	Recoup Status	
							Received	Not Received
<b>OTHER PROPERTY &amp; SERVICES</b>								
Public Works Overheads			1,000				68	932
Workers Compensation	LGIS		15,000				83,611	(68,611)
Fuel Tax Credits	ATO		28,784				0	28,784
Bank Building Recoups	Bendigo Bank		2,200				1,713	487
Reimbursement - Parenting Payment Scheme	Centrelink		0				6,050	(6,050)
Insurance Reimbursement	LGIS		0				698	(698)
<b>TOTALS</b>			<b>8,023,426</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>5,245,691</b>	<b>2,777,735</b>
	Operating		1,677,906				1,284,599	
	Non-operating		6,345,520				3,961,092	
			<u>8,023,426</u>				<u>5,245,691</u>	

**SHIRE OF TOODYAY**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
**For the Period Ended 28 February 2021**

**Note 12: TRUST FUND**

Funds held at balance date over which the Shire has no control and which are not included in this statement are as follows:

Description	Opening Balance 1-Jul-20	Amount Received	Amount Paid	Closing Balance 28-Feb-21
	\$	\$	\$	\$
Quarry rehabilitation Bonds	1,863,800	73,067	(698,145)	1,238,723
Housing bonds	0			0
Kerb Bonds	0			0
Key bonds	6,361	100	(3,138)	3,323
Venue Hire Bonds	0	0	0	0
Crossover Bonds	0			0
BCITF	0	0	0	0
Building Services	0	24,424	(19,914)	4,510
Standpipe bonds	20,710	6,391	(750)	26,351
Road Construction Bonds	27,998	6,135		34,133
Other Bonds	3,715	0	(3,066)	649
Planning Bonds	35,040	34,864	(25,706)	44,198
	<b>1,957,624</b>	<b>144,981</b>	<b>(750,719)</b>	<b>1,351,887</b>

SHIRE OF TOODYAY  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
For the Period Ended 28 February 2021

**Note 13: CAPITAL ACQUISITIONS**

Infrastructure Assets		Annual Budget 2020/21	YTD Budget	YTD Actual	Variance (Under)/Over	YTD Actual (Renewal Exp)	Strategic Reference / Comment
		0	0	0	0	0	
<b>Land Total</b>		<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	
<b>Total Land</b>		<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	
<b>BUILDINGS</b>							
<b>Governance</b>							
Admin Brickwork Remediation	Q191	5,000	3,328	0	(5,000)		
<b>Governance Total</b>		<b>5,000</b>	<b>3,328</b>	<b>0</b>	<b>(5,000)</b>	<b>0</b>	
<b>Law, Order, Public Safety</b>							
Julimar Fire Shed	Q209	559,414	372,936	6,496	(552,918)		
Toodyay Colocation PPE Cleaning Facilities	Q211	9,600	6,400	11,985	2,385		
<b>Law, Order, Public Safety Total</b>		<b>569,014</b>	<b>379,336</b>	<b>18,481</b>	<b>(550,533)</b>		
<b>Recreation And Culture</b>							
Showgrounds Pavilion - Kitchen	Q148	5,000	3,328	0	(5,000)		
Morangup Community Centre	Q165	351,670	234,440	0	(351,670)		
Recreation Precinct Buildings	Q199	2,355,677	1,570,448	0	(2,355,677)		
Library Brickworks	J038	5,000	3,328	0	(5,000)		
Donegans Cottage	Q135	16,500	11,000	0	(16,500)		
Toodyay Race Club - Approx 10 buildings, 173 Racecourse Road (BLG037)				8,110	8,110		31/12/2020 Correct cost allocations since July - JE
<b>Recreation And Culture Total</b>		<b>2,733,847</b>	<b>1,822,544</b>	<b>8,110</b>	<b>(2,725,737)</b>	<b>0</b>	

SHIRE OF TOODYAY  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
For the Period Ended 28 February 2021

**Note 13: CAPITAL ACQUISITIONS**

Infrastructure Assets		Annual Budget 2020/21	YTD Budget	YTD Actual	Variance (Under)/Over	YTD Actual (Renewal Exp)	Strategic Reference / Comment
<b>Housing</b>							
Clinton Street Duplex	Q009	7,500	5,000	0	(7,500)		
<b>Other Property &amp; Services Total</b>		<b>7,500</b>	<b>5,000</b>	<b>0</b>	<b>(7,500)</b>		
<b>Buildings Total</b>		<b>3,315,361</b>	<b>2,210,208</b>	<b>26,591</b>	<b>(3,288,770)</b>	<b>0</b>	
<b>Plant , Equip. &amp; Vehicles</b>							
Photocopier - Morangup BFB & Toodyay SES		5,500	3,667		(5,500)		
SES Ute Fitout		18,100	12,067	26,600	8,500		
4.4B Bejoording Fire Tender		569,000	379,333		(569,000)		
4.4B Julimar Fire Tender		569,000	379,333		(569,000)		
T6435 Kubota Front Deck Mower		35,000	23,333		(35,000)		
T0 Suburu Forrester		45,000	30,000		(45,000)		
Purchase of new Volkswagen Tiguan				24,224			
CESM Vehicle Renewal - Toyota Hilux				50,718	50,718		This expense was accrued in the 2019/20 Financail Year
Custom Canopy for Ranger Vehicle				13,380	13,380		This expense was accrued in the 2019/20 Financail Year
Lights and Sirens for CESM Vehicle				15,791	15,791		This expense was accrued in the 2019/20 Financail Year
<b>Transport Total</b>		<b>1,241,600</b>	<b>827,733</b>	<b>130,712</b>	<b>(1,215,000)</b>	<b>0</b>	
<b>Plant , Equip. &amp; Vehicles Total</b>		<b>1,241,600</b>	<b>827,733</b>	<b>130,712</b>	<b>(1,215,000)</b>	<b>0</b>	

SHIRE OF TOODYAY  
 NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
 For the Period Ended 28 February 2021

Note 13: CAPITAL ACQUISITIONS

Infrastructure Assets		Annual Budget 2020/21	YTD Budget	YTD Actual	Variance (Under)/Over	YTD Actual (Renewal Exp)	Strategic Reference / Comment
<b>Roads</b>							
<b>Transport</b>							
Bejoording Road	A0001	612,156	408,104	441,424	(170,732)		
Julimar Road	A0004	418,500	278,984	76,280	(342,220)		
Toodyay West Road inc Footpath	B0011	300,160	200,080	0	(300,160)		
River Road	D0010	44,096	29,368	0	(44,096)		
Lovers Lane	D0012	39,899	26,576	0	(39,899)		
Toodyay Street	D0071	7,562	5,016	2,132	(5,430)		
McKnoe Drive	D0134	91,979	61,304	0	(91,979)		
Timber Creek Crescent	D0177	67,832	45,216	0	(67,832)		
Clinton Street - Footpath	B0064	48,695	32,464	0	(48,695)		
Toodyay Bindi Bindi Road	B0197	115,000	76,664	116,893	1,893		
Hall Road	B0168	235,000	156,664	0	(235,000)		
Dreyer Road	B0121	0	0		0		
<b>Transport Total</b>		<b>1,980,879</b>	<b>1,320,440</b>	<b>636,728</b>	<b>(1,344,151)</b>	<b>0</b>	
<b>Roads Total</b>		<b>1,980,879</b>	<b>1,320,440</b>	<b>636,728</b>	<b>(1,344,151)</b>	<b>0</b>	
<b>Infrastructure - Bridges</b>							
<b>Transport</b>							
Bridge Works - Telegraph Bridge		465,000	310,000	0	(465,000)		
<b>Transport Total</b>		<b>465,000</b>	<b>310,000</b>	<b>0</b>	<b>(465,000)</b>		
<b>Infrastructure Bridges - Total</b>		<b>465,000</b>	<b>310,000</b>	<b>0</b>	<b>(465,000)</b>	<b>0</b>	
<b>Infrastructure - Other</b>							
<b>Law, Order &amp; Public Safety</b>							
Emergency Fire Water Tanks	Q210	100,208	66,800	2,210	(97,998)	0	
<b>Law, Order &amp; Public Safety Total</b>		<b>100,208</b>	<b>66,800</b>	<b>2,210</b>	<b>(97,998)</b>	<b>0</b>	



SHIRE OF TOODYAY  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
For the Period Ended 28 February 2021

Note 13: CAPITAL ACQUISITIONS

Infrastructure Assets		Annual Budget 2020/21	YTD Budget	YTD Actual	Variance (Under)/Over	YTD Actual (Renewal Exp)	Strategic Reference / Comment
<b>Economic Services</b>							
Community Standpipe	Q206	29,000	19,328	0	(29,000)		
<b>Community Amenities Total</b>		<b>29,000</b>	<b>19,328</b>	<b>0</b>	<b>(29,000)</b>	<b>0</b>	
<b>Infrastructure Other - Total</b>		<b>129,208</b>	<b>86,128</b>	<b>2,210</b>	<b>(126,998)</b>	<b>0</b>	
<b>Footpaths</b>							
Jarrat Pass	112122	52,000	34,664	0	52,000	0	
		<b>52,000</b>	<b>34,664</b>	<b>0</b>	<b>52,000</b>	<b>0</b>	
<b>Infrastructure Footpaths - Total</b>		<b>52,000</b>	<b>34,664</b>	<b>0</b>	<b>52,000</b>	<b>0</b>	
<b>Infrastructure - Work in Progress</b>							
Works in Progress		0	0	3,824,298	3,824,298		Recreation Centre Precinct project
<b>Recreation &amp; Culture Total</b>		<b>0</b>	<b>0</b>	<b>3,824,298</b>	<b>3,824,298</b>		
<b>Infrastructure Parks &amp; Recreation - Total</b>		<b>0</b>	<b>0</b>	<b>3,824,298</b>	<b>3,824,298</b>	<b>0</b>	
<b>Capital Expenditure Total</b>		<b>7,184,048</b>	<b>4,789,173</b>	<b>4,620,538</b>	<b>(2,098,621)</b>	<b>0</b>	

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**Shire of Toodyay - Bank Reconciliation As At 28 February 2021**

**Trust**

**Balance as per**

- Financial Statement - Trust - Unrestricted - GL Account 100617100 1,351,762.83

<b>Total</b>	<b>1,351,762.83</b>
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**Balance as per**

- Bendigo - 110482783 162,637.28

- Bendigo - Term Deposit No: 137945127 - T100 141,398.36

- Bendigo - Term Deposit No: 152237145 - T214 49,399.38

- Bendigo - Term Deposit No: 152238135 - T4 124,901.14

- Bendigo - Term Deposit No: 152238176 - T114 208,098.87

- Bendigo - Term Deposit No: 152238218 - T458 451,213.40

- Bendigo - Term Deposit No: 152240818 - T793 23,926.19

- Bendigo - Term Deposit No: 152240834 - T797 32,835.72

- Bendigo - Term Deposit No: 158622795 - T805 24,370.38

- Bendigo - Term Deposit No: 165467309 - T809 123,585.19

- Bendigo - Term Deposit No: 173945890 - T811 9,521.31

<b>Subtotal</b>	<b>1,351,887.22</b>
-----------------	---------------------

Adjustments (See Below) 0.00

Plus Outstanding Deposits - Current Month (124.39)

Plus Outstanding Cheques - Current Month 0.00

Plus Outstanding Deposits - Previous Periods 0.00

Plus Outstanding Cheques - Previous Periods 0.00

<b>Total</b>	<b>1,351,762.83</b>
--------------	---------------------

Adjustment Breakdown

Trust Transfer to Muni 0.00

Trust Transfer to Muni (incorrect amount transferred) 0.00

0.00

*Beth Flaherty* (Beth Flaherty)

Signed: Finance Coordinator

9/03/2021

Date

*CEW*

Signed: Manager of Corporate & Community Services

9/3/2021

Date

**Shire of Toodyay - Bank Reconciliation As At 28 February 2021**

	<b>Reserve</b>
<b>Balance as per</b>	
- Financial Statement - Reserve - 10075510	1,643,393.63
<b>Total</b>	<b>1,643,393.63</b>
<b>Balance as per</b>	
- Bendigo - NCD: 3546421	1,643,393.63
Roundings	0.00
	<b>Difference</b>
	0.00
<b>Subtotal</b>	<b>1,643,393.63</b>
Adjustments (See Below)	0.00
Plus Outstanding Deposits - Current Month	0.00
Plus Outstanding Cheques - Current Month	0.00
Plus Outstanding Deposits - Previous Periods	0.00
Plus Outstanding Cheques - Previous Periods	0.00
<b>Total</b>	<b>1,643,393.63</b>

Adjustment Breakdown

0.00

*Beth Flaherty* (Beth Flaherty)

Signed: Finance Coordinator

9/03/2021

Date

*CEM*

Signed: Manger Corporate & Community Services

9/3/2021

Date

# TOODYAY RECREATION CENTRE PROPOSED FEE STRUCTURE

## Fee Review – Toodyay Recreation Centre

The Toodyay Recreation Centre (TRC) is now being operated under the Facilities Management of Clublinks. Clublinks is liaising with user groups – sporting and community – to ensure that all those wishing to use the TRC are accommodated at fees that are realistic and affordable.

It is proposed that fees for Toodyay clubs (excluding Tennis) be phased in over a 3 year period, reflecting current financial arrangements and the transition into the new facilities at the Toodyay Recreation Centre.

Fees are benchmarked against the Shire of Northam where applicable. Year one is determined to be the first year of the user agreement commencing.

Type	Detail/Inclusions	Fee
<b>Soccer Club</b> - priority access for training and games as per their user agreement.		
Seasonal Hire	<ul style="list-style-type: none"> <li>• Year 1</li> <li>• Year 2</li> <li>• Year 3</li> </ul>	\$500.00 +GST \$750.00 + GST \$1,000.00 + GST
Casual Pitch Hire	<ul style="list-style-type: none"> <li>• Per hour (minimum 2 hours)</li> <li>• ½ day</li> <li>• Full day</li> </ul>	\$40.00 \$250.00 \$350.00
<b>Hockey</b> - priority access for training and games as per their user agreement.		
Seasonal Hire	<ul style="list-style-type: none"> <li>• Year 1</li> <li>• Year 2</li> <li>• Year 3</li> </ul>	\$500.00 +GST \$750.00 + GST \$1,000.00 + GST
Casual Pitch Hire *** currently free of charge	<ul style="list-style-type: none"> <li>• Per hour (minimum 2 hours)</li> <li>• ½ day</li> <li>• Full day</li> </ul>	\$40.00 \$250.00 \$350.00
<b>Basketball</b> - priority access for training and games as per their user agreement.		
Seasonal Club Hire	<ul style="list-style-type: none"> <li>• Year 1</li> <li>• Year 2</li> <li>• Year 3</li> </ul>	\$500.00 +GST \$750.00 + GST \$1,000.00 + GST
Casual Court Hire Fee *** currently free of charge	<ul style="list-style-type: none"> <li>• Per person</li> </ul> **currently only available for full court bookings	\$5.00

Type	Detail/Inclusions	Fee
Full Court Hire	<ul style="list-style-type: none"> <li>Per Hour</li> </ul>	\$25.00
<b>Netball</b> - priority access for training and games as per their user agreement.		
Seasonal Club Hire	<ul style="list-style-type: none"> <li>Year 1</li> <li>Year 2</li> <li>Year 3</li> </ul>	\$500.00 +GST \$750.00 + GST \$1,000.00 + GST
Casual Court Hire Fee *** currently free of charge	<ul style="list-style-type: none"> <li>Per person (**only available for full court bookings)</li> </ul>	\$5.00
Full Court Hire	Per Hour	\$25.00
<b>Tennis Club</b> - The user agreement for the Toodyay Tennis Club is an annual agreement and allows the Tennis Club exclusive access to all courts at the times set out in their user agreement. Tennis court access for Tennis Club members outside of the agreed times will be free of charge to members but <u>must</u> be booked through Clublinks.		
Annual User Agreement Fee	<ul style="list-style-type: none"> <li>1 November 2020 to 31 October 2021</li> <li>1 November 2021 to 31 October 2022</li> </ul>	\$1,500.00 \$2,500.00
Access	<p><b>Courts</b> (**includes lighting at no further charge and Flexibility for user times has been incorporated into the User Agreement)</p> <ul style="list-style-type: none"> <li>Tuesday - 4 courts from 9am to 1pm</li> <li>Wednesday - 4 courts from 7pm – 10pm</li> <li>Sunday - 4 courts from 9am to 12pm</li> </ul> <p><b>Other – as per User Agreement</b></p> <p>Pavilion meeting room – Tennis Courts side.            Storage Room No. 1.            **Café/kiosk will be opened and manned by the facilities manager during Club times – as agreed with facilities manager.</p>	N/A
Casual Court Use	<ul style="list-style-type: none"> <li>Casual per court per hour</li> <li>Casual all 4 courts per hour</li> <li>Racquet Hire</li> <li>Ball Hire</li> </ul>	\$25.00 \$80.00 \$5.00 \$5.00
<b>Pavilion - Clubs/Community Group Access</b> - Registered clubs and not for profit community groups can use this fee structure. Evening Functions must be concluded by 12.00pm. Half day is use is based on 4 hours. Hire periods can be negotiated with the facilities manager.		
Half Room Hire	<ul style="list-style-type: none"> <li>Per hour</li> <li>Full day</li> </ul>	\$15.00 \$125.00
Full Room Hire	<ul style="list-style-type: none"> <li>Per hour</li> <li>Full day</li> </ul>	\$30.00 \$200.00
Cleaning	Cleaning fee where applicable will be 100% of the cost charged by the Shire's nominated contractor.	100% of cost
<b>Pavilion – Commercial Users</b>		
Full Room Hire	<ul style="list-style-type: none"> <li>Per hour</li> <li>Full day</li> </ul>	\$50.00 \$300.00

Type	Detail/Inclusions	Fee
Bond	A security bond maybe charged for events deemed to have a higher risk profile which may include but is not limited to 18 <sup>th</sup> and 21 <sup>st</sup> birthday parties.	\$500.00
Cleaning	Cleaning fee where applicable will be 100% of the cost charged by the Shire's nominated contractor.	100% of cost
<b>Toodyay District High School – <u>Further consultation required</u></b>		
Courts and Pitch	Per Hour	\$25.00
	All Day Carnival	\$200.00
School/Community Groups – Kitchen - Access for tuition	• Per hour	\$10.00
	• All day	\$70.00
Commercial Use - Kitchen.	• Per hour	\$20.00
	• All day	\$100.00
Cleaning	fee where applicable	\$50.00 per hour

#### Northam Pricing Comparison

Hockey	\$2,500
Football Junior	\$2,500
Football Senior	\$7,700
Casual Hourly Hire	\$25.00 (lights additional \$16.00)
<b>Outdoor Courts</b>	
Senior game	\$13.00 (lights additional \$4.20)
Special Events	\$768.00
Senior Program	\$7.50
Senior Program 10 Game	\$67.50
Junior Program	\$6.50
Social Sports Team	\$45.00
Team Forfeit	\$45.00
Hospitality Area Community	\$420.00 per day/\$90.00 per hour
Hospitality Area Commercial	\$630.00
Hire per Court	\$245.00
Storage Cage	\$112.00

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### 9.3.2 Disposal of Assets – Lease of a portion of Charcoal Lane Car Park

The following is a summary of submissions received for lease of a portion of the Charcoal lane Car park:

No.	Details of submission	Officer Comment
1	<p>1. We believe the shire has many alternate sites of secondary low value land convenient to the public and the service provider for the purpose. Alternate suggestions</p> <ul style="list-style-type: none"> <li>- Old railway depot between the railway station and the men's shed</li> <li>- Showgrounds</li> <li>- Railway road between railway and Duidgee park (large gravel surface and turning circle)</li> <li>- Waste transfer station</li> </ul>	<p>The car parking bays have been centrally located and easily accessible location was chosen as it is central and easily accessible.</p>
	<p>2. Demand for appropriate parking is high, particularly during event and festival periods. These events themselves are a positive experience for visitors and encourage many return visits for years to come.</p>	<p>Most events are held over a weekend. The bays are used 1 day per week on a Tuesday and this has not, to date, not interfered with any event held in Toodyay.</p>
	<p>3. Locally the demand continues to increase in that area and will continue to do so. If the shire considered it appropriate the bays nearest the IGA would now be best applied for the elderly and disabled, further encouraging the use of Charcoal Lane and the main parking area.</p>	
	<p>4. I doubt a cost/benefit analysis would support the loss of 14 established bays for \$150 per month.</p>	<p>The proposed fee is \$150 for 4 days per month. Most of the profit is being directed back to community groups. The Shire needs to be careful to ensure that the rental remains affordable for the operators to provide a valuable service to the community.</p>
	<p>5. Past experience has proved that proposed new development opportunities have been lost due to the exorbitant cost of parking provisions asked of private land holders.</p>	<p>The car park is owned and managed by the Shire.</p>
	<p>6. Toodyay we believe is well regarded for ease of parking and attractive to locals and visitors alike. Every opportunity should be taken to utilise land in the townsite that has no other obvious use, to improve the situation, and proposals such as this should seek alternate sites.</p>	
	<p>7. The aesthetics of such a proposed use are far from appealing in an area that has been created and cared for at quite some expense and should be preserved.</p>	<p>The parking bays are set to the back of the main car park to minimise effects on amenity.</p>
	<p>8. In reverse, ask the planner (a) how much commercial space would be allowed to compliment 14 bays or (b) how many dollars in lieu of bays</p>	

Attachment 1 – Item 9.3.2

No.	Details of submission	Officer Comment
	the shire would seek from a developer of space in town (last price was \$7,000 per bay several years ago).	
2	We have a property adjacent to Charcoal Lane at 2 Duke St North. Would you please send more details on where the proposed closure of 14 bays will be located within the car park and what sort of container deposit receptacles will be situated there.	The bays have been in use since October 2020 and are located at the very back of the car park . The position is considered to be out of the way and unobtrusive.
3	I think it is concerning that the shire is contemplating leasing out car bays I would have thought it more appropriate to locate the can collection in the old shed next to men's shed the IGA car park is designed purpose is for shoppers and tourists visiting Toodyay I find it a little surprising the shire would even contemplate doing this car bays are for cars concerned rate payer.	If, in future the use of the car parking bays prove to interfere with general every day shoppers, the situation could be reconsidered and moved elsewhere.
4	Thank you for providing the opportunity to comment. I am a big supporter of the "Cash for Containers scheme" and the positive flow on effect this has for the environment and the reduction of litter on our streets. In saying that, I don't feel the IGA Carpark is the most appropriate location for the collection. My concerns over the location of the collection point are a combination of aesthetics and safety. If someone drops glass, who is patrolling to ensure it is all cleaned up in a highly trafficable area? Who is monitoring the flow of vehicles to ensure it is safely managed in a busy car park? The noise and look in collection points can degrade an area. My suggestion would be to have the collection point in the "Old Depot" facility, where it is away from the main car park but still in town for convenience. This would still allow the Shire to benefit from a "Lease agreement", put in place a proper "in & out" system for safety and remove the issues from a car park that is heavily used. The bays in question at the IGA car park could be re-marked and promoted as trailer or caravan parking which is lacking near town.	The operators of the CCS are responsible for the clean up and removal of all broken glass and rubbish. Noise pollution is not currently considered to be an issue. Future consideration may be given to rehousing the CCS in the event that the car park in general becomes busy or proves to be a danger to the community in some any way.
6	I am writing on behalf of the Toodyay Tidy Towns Committee to express support for the lease of a section of Charcoal Lane carpark as a collection point for the Containers for Change Scheme. Our group has been campaigning for and undertaking activities to reduce litter and improve recycling within our community for a number of years. We joined the lobby to encourage the State Government to introduce the scheme. Like many volunteer groups we are enthusiastic about the manifold benefits it will bring both the environment and community. We would encourage Council to consider waiving or reducing the lease fee to ensure the continued presence and viability of the business' operation. It is encouraging and indeed inspiring to see how people here in Toodyay have already embraced the Containers for Change scheme. There appears to be no adverse impacts on the motoring public as the proposed area is underutilised for parking. Further, the collection point is easily noticed and accessible thus attracts increased interest.	

[Attachment 1 – Item 9.3.2](#)

No.	Details of submission	Officer Comment
	Toodyay Tidy Towns will continue to promote and support this important initiative and wish the Xtreme Rhino Enterprises continued success.	

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### 9.3.3 Disposal of Assets – Lease of a portion of Toodyay Community Centre

The following is a summary of submissions received for lease of a portion of the Community Centre:

No.	Details of submission	Officer Comment
1	I do not agree with the lease of 2 rooms in the Community Centre to a commercial entity. I believe the rooms should remain available for the use of community groups.	Currently, the rooms are rarely used. Community Groups are able to utilise the new Toodyay Recreation Centre.
2	Thank you for providing the opportunity to comment. As a member of the Local Gym, I would love to see it located near the new Recreation Precinct, however I understand there is not adequate space there currently. The gym is well used and a much needed facility for locals to improve their health and fitness.	Parking has been noted as a possible issue and will be addressed along with signage in the first instance.

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**From:** Marina Sucur  
**Sent:** Tuesday, 23 February 2021 1:36 PM  
**To:** Suzie Haslehurst <[s.haslehurst@toodyay.wa.gov.au](mailto:s.haslehurst@toodyay.wa.gov.au)>  
**Subject:** RE: [External]-FW: Toodyay Shire Governance review

Hi Suzie

I have now received approval for your requested extension dates as outlined below. So we can work towards those dates in complying with the Authorised Inquiry action plan.

Regards  
Marina

**From:** Marina Sucur  
**Sent:** Friday, 19 February 2021 3:19 PM  
**To:** Suzie Haslehurst <[s.haslehurst@toodyay.wa.gov.au](mailto:s.haslehurst@toodyay.wa.gov.au)>  
**Subject:** RE: [External]-FW: Toodyay Shire Governance review

Hi Suzie

Thank you very much for providing this information. With regard to the extension requests, I will seek approval for that and get back to you when I have a response.

Regards  
Marina

**From:** Suzie Haslehurst <[s.haslehurst@toodyay.wa.gov.au](mailto:s.haslehurst@toodyay.wa.gov.au)>  
**Sent:** Thursday, 18 February 2021 11:23 AM  
**To:** Marina Sucur <[REDACTED]>  
**Cc:** Merridith Lamb <[Governance@toodyay.wa.gov.au](mailto:Governance@toodyay.wa.gov.au)>; Councillor Madacsi <[cr.madacsi@toodyay.wa.gov.au](mailto:cr.madacsi@toodyay.wa.gov.au)>; Shire of Toodyay CEO <[records@toodyay.wa.gov.au](mailto:records@toodyay.wa.gov.au)>  
**Subject:** RE: [External]-FW: Toodyay Shire Governance review

Hi Marina

Thank you for your email below and for the opportunity to meet with you and your Director, Narell Lethorn yesterday. As discussed, I write to propose an extension to the dates provided in the attachment to correspondence received from the Department on 25 January 2021 (your ref. E2057184).

The Shire has contacted both of the organisations suggested by the Department to undertake the proposed Governance Review. The AICD declined to provide a quote due to the broad nature of the review scope. However, we have been speaking to Professor Roberta Ryan from the University of Newcastle NSW whom I understand has also had a conversation with you regarding the proposed scope. We agreed at our meeting yesterday that there is flexibility in this regard and we will keep working to refine the scope of the review. I reiterate that the Shire's financial capacity is limited and will inform the final proposed scope.

Officers are still researching relevant and appropriate training, suppliers and costs. It appears that the Procurement training provided by WALGA is the most relevant for local governments. However, due to legislative changes, this training is being amended and is not currently available. We will continue to liaise with WALGA and other providers regarding this and other training.

I propose the following extensions for your consideration:

Governance Review	Submit preferred organisation/scope	30 April 2021
	DLGSC authorisation	14 May 2021
	Interim report	30 July 2021
	Final report	30 September 2021
Elected Member Training	Submit training options for approval	31 March 2021
	DLGSC authorisation	14 April 2021
	Training completed	15 October 2021
	Report provided to DLGSC	31 October 2021

The above proposed dates take into consideration the requirements for complying with recent legislative changes, the Shire's current review of its Strategic Community Plan and the capacity of the organisation.

Please find attached the Compliance and Enforcement policy adopted by Council at the Ordinary Council Meeting held 27 October 2020 (along with an extract of the minutes), and the confidential minutes from the CEO probation review undertaken in December 2020 by Gary Clark from Boab Community Consulting. The Shire has also reviewed/adopted the following policies during 2020 as part of an on-going review process agreed to by Council:

H.4 Managing Leave Entitlements	M.3 Member Sitting Fees and Entitlements	M.9 Attendance at Events
M.4 Continuing Professional Development	F.22 Financial Hardship	M.5 Council Forums
G.2 Public Art Policy	S.P.1 Asset Management	F.2 Authorised Signatories
F.5 Debt Collection	F.9 Investment of Surplus Funds	F.12 Disposal of Property
F.16 Financial Governance	F.17 Borrowing Management	F.18 Long Tern Financial Planning
HR.07 Vehicle Usage	F.11 Corporate Credit Cards	E.3 Vehicle Crossover

Officers are also currently undertaking workshops with elected members to review the Shire's Local Planning policies.

I look forward to working with you to facilitate a realistic and achievable process of continuous improvement for the Shire of Toodyay. Please don't hesitate to contact me should you have any queries or wish to discuss any of the above.

Regards

Suzie Haslehurst  
**CHIEF EXECUTIVE OFFICER**

Shire of Toodyay  
PO Box 96  
TOODYAY WA 6566

Phone: (08) 9574 9300  
Fax: (08) 9574 2158  
E: [ceo@toodyay.wa.gov.au](mailto:ceo@toodyay.wa.gov.au)  
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Please consider the environment before printing this email

**From:** Marina Sucur <[REDACTED]>  
**Sent:** Friday, 12 February 2021 11:10 AM  
**To:** Suzie Haslehurst <[s.haslehurst@toodyay.wa.gov.au](mailto:s.haslehurst@toodyay.wa.gov.au)>  
**Subject:** [External]-FW: Toodyay Shire Governance review

Good morning Suzie

Thank you for your call yesterday, it was good to talk to you again. As requested, please find attached a copy of the Departmental template for a governance review adapted for the Shire of Toodyay. This can be used to guide the discussion between the Shire and Roberta to tailor the scope of the governance review. In my email to Roberta below, there is further information about recent legislative changes.

The Shire mentioned a comprehensive policy review in its response. This may also be considered during the governance review. Could the Shire please provide an update on the progress of this review?

In terms of the other actions:

- Has the Shire identified suitable training opportunities for councillors?
- Could a copy of the updated Compliance Enforcement Policy (re litigation) please be provided to the Department?
- Have there been any CEO performance reviews to date? If so, please provide an update

If you have any further queries, please do not hesitate to contact me.

Regards

**Marina Sucur**

Senior Project Officer, Local Government Support

Department of Local Government, Sport and Cultural Industries  
140 William Street, Perth WA 6000  
GPO Box R1250, Perth WA 6844

Telephone +61 8 6552 1783

Email [REDACTED]

Web [www.dlgsc.wa.gov.au](http://www.dlgsc.wa.gov.au)

*The Department acknowledges the Aboriginal peoples of Western Australia as the traditional custodians of this land, and we pay our respects to their Elders past and present.*

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### Shire of Toodyay (Proposed Scope of Work - Independent Governance Review)

Area of Review	Detailed Scope of Work
The role of Council	<ul style="list-style-type: none"> <li>i. Assess role of Council, for the period 6 December 2018 until the date of the commencement of the governance review, in fulfilling its prescribed role under s 2.7 of the <i>Local Government Act 1995</i>, as follows:               <ul style="list-style-type: none"> <li>1. The Council —                   <ul style="list-style-type: none"> <li>a. governs the local government’s affairs; and</li> <li>b. is responsible for the performance of the local government’s functions.</li> </ul> </li> <li>2. Without limiting subsection (1), the Council is to —                   <ul style="list-style-type: none"> <li>a. oversee the allocation of the local government’s finances and resources; and</li> <li>b. determine the local government’s policies.</li> </ul> </li> </ul> </li> <li>ii. Assess the performance of Council; (including conduct of meetings, compliance with Meeting Procedures Local Law – i.e. Standing Orders, clarity of motions, voting patterns – including casting vote, Presiding Member’s role and responsibilities etc.).</li> <li>iii. Assess the structure and functions of the Committees of Council.</li> <li>iv. Consider the degree to which Council involves itself in day-to-day operational matters in accordance with clause 19 of Schedule 1 of the <i>Local Government (Model Code of Conduct) Regulations 2021</i>. <b>NB:</b> prior to 3 February 2021, Regulation 9(1) of the <i>Local Government (Rules of Conduct) Regulations 2007</i> applied.</li> </ul>
The role of individual Council members	<ul style="list-style-type: none"> <li>i. Assess the role of individual Council members for the period 6 December 2018 to the date of the commencement of the governance review, to ensure they are performing in accordance with s 2.8, 2.9 and 2.10 of the <i>Local Government Act 1995</i>.</li> </ul>
Council culture and dynamics	<ul style="list-style-type: none"> <li>i. Assess the Council culture and dynamics for the period 6 December 2018 to the date of the commencement of the governance review, to ensure adherence with the <i>Local Government (Model Code of Conduct) Regulations 2021</i>. <b>NB:</b> Prior to 3 February 2021, the Shire of Toodyay’s Code of Conduct applied.</li> </ul>
Relationship between Council and the CEO	<ul style="list-style-type: none"> <li>i. Assess the relationship between Council and CEO(s) for the period 6 December 2018 to the date of the commencement of the governance review to ensure it is productive, positive, professional and compliant with <i>the Local Government Act 1995</i>.</li> </ul>
Relationship between Council and the administration;	<ul style="list-style-type: none"> <li>i. Assess the relationship between Council and the administration for the period 6 December 2018 to the date of the commencement of the governance review to ensure it is productive, positive, professional and compliant with the <i>Local Government Act 1995</i>, including but not limited to the Principles identified under section 5.40.</li> <li>ii. The scope of work should detail the ability of administration staff to provide their commentary and feedback anonymously to the engaged entity undertaking the governance review, ensuring they can speak and / or submit information freely.</li> </ul>

Area of Review	Detailed Scope of Work
Management of employees;	<ul style="list-style-type: none"> <li>i. Assess the Shire’s processes for CEO recruitment (and termination where applicable) for the period 6 December 2018 to the date of the commencement of the governance review to ensure compliance with Schedule 2 of the <i>Local Government (Administration) Regulations 1996</i>. <b>NB:</b> Prior to 3 February 2021, the Shire’s human resources policies applied.</li> <li>ii. Assess the Shire’s annual performance reviews for the Chief Executive Officer for the period 6 December 2018 to the date of the commencement of the governance review to ensure compliance with s5.38(1) of the <i>Local Government Act 1995</i>.</li> <li>iii. Assess the Shire’s annual performance reviews for the Shire's employees the period 6 December 2018 to the date of the commencement of the governance review to ensure compliance with s5.38(2) and s 5.38(3) of the <i>Local Government Act 1995</i> and</li> <li>iv. Assess the Shire's human resources policies to ensure that they meet the needs of the Shire, including compliance with the <i>Occupational Safety and Health Act 1984</i> and grievance processes.</li> <li>v. Assess any anomalies between officers who were provided an adequate review under section 5.38(3) and within 12 months had their employment terminated.</li> <li>vi. Assess the Shire’s empowerment of employees and delegation process in accordance with section 5.44.</li> </ul>
Procurement and probity; and	<ul style="list-style-type: none"> <li>i. Assess the Shire's procurements for the period 6 December 2018 to the date of the commencement of the governance review to ensure compliance with the legislative requirements and relevant Council Policies and make recommendations based on review findings having regard to industry best practice;</li> <li>ii. Review the Council's current Purchasing Policy and the Shire's processes, procedures and guidelines to ensure compliance with legislative requirements and make recommendations based on the findings having regard to industry best practice.</li> </ul>
Record keeping	<ul style="list-style-type: none"> <li>i. Assess the Shire's record keeping and records management to ensure compliance with the <i>Local Government Act 1995</i>, <i>State Records Act 2005</i> and the Shire’s Record Management Policy and make recommendations based on review findings having regard to industry best practice.</li> </ul>
Other Policies	<ul style="list-style-type: none"> <li>i. Assess the Shire’s current Litigation Policy (adopted in October 2020) in relation to the scope and authority of the CEO regarding any litigation on the Shire’s behalf.</li> </ul>

**1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS**

Cr Ruthven, Chairperson, declared the meeting open at 2.02pm.

**2. RECORDS OF ATTENDANCE / APOLOGIES**

Members

Cr Ruthven	Council Member (PM/Chairperson)
Cr Madacsi	Council Member (DPM/Deputy Chair)
Cr Hart	Council Member
Cr Pearce	Council Member
Ms H McDonald-Appleby	Community Member
Ms J Robertson	Community Member

Staff

Ms S Haslehurst	Chief Executive Officer
Mrs M Lamb	Communication and Compliance Officer
Mrs C Luangala	Manager Corporate Services
Mrs M Rebane	Executive Assistant

Visitors

Nil.

Apologies

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. CONFIRMATION OF MINUTES**

**4.1 Minutes of Meeting held on 3 December 2020.**

**OFFICER'S RECOMMENDATION/ARC RES. NO. 01/03/21**

**MOVED** Cr Madacsi

That the Unconfirmed Minutes of the Audit & Risk Committee Meeting held on 3 December 2020 be confirmed.

**MOTION CARRIED 6/0**

**5. INFORMATION ADDITIONAL TO THE AGENDA**

**5.1 Review of Audit & Risk Committee Status Report**

This was reviewed.

**6. BUSINESS LEFT OVER FROM PREVIOUS MEETING (if adjourned)**

Nil.

**7. OFFICER REPORTS**

**7.1 Statement of Business Ethics**

Date of Report:	25 January 2021
Applicant or Proponent:	Shire of Toodyay
File Reference:	COC2
Author:	M Lamb – Compliance & Communications Officer
Responsible Officer:	S Haslehurst– Chief Executive Officer
Previously Before Council:	N/A
Author's Disclosure of Interest:	Nil
Council's Role in the matter:	Executive
Attachments	1. Statement of Business Ethics

**PURPOSE OF THE REPORT**

To consider the attached Statement of Business Ethics for recommendation to Council.

**BACKGROUND**

As part of the Procurement Review undertaken in late 2020, it was identified that best practice is to adopt a Statement of Business Ethics which outlines what the Shire expects from suppliers and what suppliers can expect from the Shire.

Once adopted, the Statement will be referred to in the Shire's amended purchasing policy and all staff engaged in purchasing will be required to adhere to it.

**COMMENTS AND DETAILS**

This Statement of Business Ethics provides guidance to business partners, contractors and suppliers on the values and ethical standards that the Shire of Toodyay upholds when conducting business, and the conduct and standards the Shire expects from its business partners, contractors and suppliers in return.

**OFFICER'S RECOMMENDATION**

The Audit Committee recommends the following to Council:  
 That Council:

1. Adopts the Statement of Business Ethics as attached to this report.
2. Notes that the amended purchasing policy reflects the requirement for adherence to the adopted Statement of Business Ethics.

The CEO received general agreement from Audit & Risk Committee Members to allow Shire Officers to pick up any typographical amendments to the Statement of Business Ethics.

Further amendments were made as follows:

- The words “all Laws applicable in Western Australia” replace the words “all Australian Laws” at the first dot point under the heading “What we ask of you.”
- The word “real” be replaced by the word “actual”.
- The words “undertake an annual induction process” are replaced by the words “undertake the induction process annually.”

**OFFICER’S RECOMMENDATION/ARC RES. NO. 02/03/21**

**MOVED** Cr Hart

The Audit Committee recommends the following to Council:

That Council:

1. Adopts the Statement of Business Ethics as amended.
2. Notes that the draft purchasing policy reflects the requirement for adherence to the adopted Statement of Business Ethics.

**MOTION CARRIED 6/0**

<b>7.2 F.3 Purchasing Policy</b>
----------------------------------

Date of Report:	8 February 2021
Applicant or Proponent:	Shire of Toodyay
File Reference:	COC2
Author:	C Luangala – Manager Corporate & Community Services
Responsible Officer:	S Haslehurst – Chief Executive Officer
Previously Before Council:	25 February 2020 OCM, 24 March 2020 OCM
Disclosure of Interest:	Nil
Council's Role in the matter:	Executive
Attachments:	<ol style="list-style-type: none"> <li>1. REVISED F.3 - Purchasing Policy; and</li> <li>2. Western Australian Auditor General's Report - Local Government Contract Extensions and Variations.</li> </ol>

**PURPOSE OF THE REPORT**

To consider a recommendation to Council in relation to the adoption of the revised F.3 - Purchasing Policy (Attachment 1).

**BACKGROUND**

At the January 2019 Ordinary Council Meeting (OCM) Council adopted ten revised Finance Policies.

On 17 February 2020 Councillor Ruthven provided the CEO with notification of a Notice of Motion for the 24 March 2020 Ordinary Meeting of Council as follows:

*That Council directs the CEO to bring to the March Ordinary Meeting of Council Policy F3, Purchasing Policy, for review.*

At its March 2020 OCM, Council resolved as follows:

*That Council:*

1. *Set the date for a workshop of Finance Policies to be held on Tuesday 29 September 2020; thereby*
2. *Deferring the consideration of finance policies until the October 2020 Ordinary Council Meeting.*



In August 2020, Council resolved:

*That Council requests the Chief Executive Officer to review the Shire's procurement policies, practices and procedures in accordance with the recommendation made by the Auditor General and present a report to the December 2020 meeting of the Audit and Risk Committee for consideration of any recommended improvements to be made.*

A workshop with Councillors on Finance Policies was held on 20 October 2020.

Finance Policies with the exception of the F.3 Purchasing policy were reviewed and adopted at the October 2020 OCM and the December 2020 OCM.

### **COMMENTS AND DETAILS**

F.3 - Purchasing Policy has now been reviewed for Council's consideration.

The Purchasing policy was reviewed as part of the Procurement Review using the WALGA – *Integrity in Procurement – Self Audit Tool*.

F.3 - Purchasing Policy has been amended to include recommendations from the OAG to:

1. include more comprehensive guidance on recording of contract information and management of contract extensions and variations,
2. establish specific delegated authorisation limits for the approval of contract extensions and variations, and
3. 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 updated policy also reflects changes to tendering thresholds which as per Regulation 11 of the *Local Government (Functions and General) Regulations 1996* requires that tenders are to be publicly invited before a local government enters into contracts for supply of goods or services where consideration is to be more than \$250,000 unless sub-regulation 2 of the Regulations applies.

### **IMPLICATIONS TO CONSIDER**

#### **Consultative:**

Consultation has occurred with the CEO and Managers.

#### **Strategic:**

A key factor in the Strategic Community Plan, Toodyay 2028 is Governance: The way the Shire leads and operates.

The strategic outcome is: *A Council that engages with the community and provides good governance on behalf of the community.*

*S.1.1 states that the SCP will be used as the blueprint for Council Policy development and decisions.*

**Policy related:**

Finance policies are reviewed every two years.

**Financial:**

There are no adverse financial implications envisaged from this report.

**Legal and Statutory:**

In accordance with section 2.7 of the *Local Government Act 1995* it is the role of Council to determine the local government policies.

There is a requirement under *Local Government (Functions and General) Regulations 1996* - Reg 11a for a local government to prepare or adopt, and is to implement, a purchasing policy in relation to contracts for other persons to supply goods or services where the consideration under the contract is, or is expected to be, \$250,000 or less or worth \$250,000 or less.

**Risk related:**

Reviewing and updating Finance policies is a risk mitigation strategy.

**Workforce related:**

Nil

**VOTING REQUIREMENTS**

Simple Majority

**OFFICER'S RECOMMENDATION**

The Audit Committee recommends to Council the following:

That Council adopts the revised F.3 - Purchasing Policy as attached.

The Presiding Member requested a motion to suspend Standing Orders.

**MOTION/ARC RES. NO. 03/03/21**

**MOVED** Cr Hart

That Standing Order 7.9 be suspended at 2.32pm.

**MOTION CARRIED 6/0**

Clarification was sought.

**MOTION/ARC RES. NO. 04/03/21**

**MOVED** Cr Pearce

That Standing Order 7.9 be resumed at 3.54pm.

**MOTION CARRIED 6/0**

Further clarification was sought.

**MOTION/ARC RES. NO. 05/03/21**

**MOVED** Cr Madacsi

The Audit Committee recommends to Council the following:

That Council adopts the revised F.3 - Purchasing Policy as amended.

**MOTION CARRIED 6/0**

MINUTES EXTRACT

**7.3 Compliance Audit Return**

Date of Report:	22 January 2021
Applicant or Proponent:	Shire of Toodyay
File Reference:	COC2
Author:	M Lamb – Compliance and Communications Officer
Responsible Officer:	S Haslehurst– Chief Executive Officer
Previously Before Council:	N/A
Author's Disclosure of Interest:	Nil
Council's Role in the matter:	Legislative
Attachments	1. Compliance Audit Return 2020.

**PURPOSE OF THE REPORT**

To consider the annual Compliance Audit Return for 2020 (Attachment 1).

**BACKGROUND**

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

The Compliance Audit Return 2020 is a checklist of the Shire’s statutory compliance with the *Local Government Act 1995* and its regulations that focuses on high-risk areas of statutory reporting as prescribed in Regulation 14 of the *Local Government (Audit) Regulations 1996*.

**COMMENTS AND DETAILS**

The Compliance Audit Return 2020 has been completed and is attached for the Audit & Risk Committee to consider and make a recommendation to Council.

The Compliance Audit Return 2020 is required to be lodged with the Department Local Government, Sport and Cultural Industries via the Smart Hub before 31 March 2021.

**IMPLICATIONS TO CONSIDER**

**Consultative:**

Consultation has occurred with the CEO, Managers and other Shire Officers as necessary.

**Strategic:**

Governance.

**Policy related:**

Nil

**Financial:**

Nil

**Legal and Statutory:**

Regulation 14 of the *Local Government (Audit) Regulations 1996* states as follows:

**14 Compliance audits by local governments**

- (1) *A local government is to carry out a compliance audit for the period 1 January to 31 December in each year.*
- (2) *After carrying out a compliance audit the local government is to prepare a compliance audit return in a form approved by the Minister.*
- (3A) *The local government's audit committee is to review the compliance audit return and is to report to the council the results of that review.*
- (3) *After the audit committee has reported to the council under subregulation (3A), the compliance audit return is to be —*
  - (a) *presented to the council at a meeting of the council; and*
  - (b) *adopted by the council; and*
  - (c) *in the minutes of the meeting at which it is adopted.*

**Risk related:**

There is a compliance risk if the Compliance Audit Return is not submitted by 31 March which is considered high.

**Workforce related:**

Nil

**VOTING REQUIREMENTS**

Simple Majority

**MOTION/ARC RES. NO. 06/03/21**

**MOVED** Cr Hart

The Audit Committee recommends to Council the following:

That Council adopts the attached Compliance Audit Return for the period 1 January 2020 to 31 December 2020 as amended pursuant to Regulation 14(3) of the *Local Government (Audit) Regulations 1996*.

**MOTION CARRIED 6/0**

## **8. OTHER BUSINESS / NEW BUSINESS OF AN URGENT NATURE**

- Cr Ruthven – Risks and Compliance.

The Audit & Risk Committee has identified risks associated with the lack of full participation of all Elected Members as defined in the Act.

Action: These identified risks will be raised by the Shire President at the next Concept Forum.

## **9. NEXT MEETING**

The next Audit & Risk Committee Meeting is scheduled for 8 April 2021.

## **10. CLOSURE OF MEETING**

The Chairperson declared the meeting closed at 4.25pm.

MINUTES EXTRACT

# Statement of Business Ethics

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## Overview

This Statement of Business Ethics provides guidance for all sectors of the community when conducting business with the Shire of Toodyay (Shire). It outlines the Shire's ethical standards and our expectation that goods and service providers will comply with these standards in all their dealings with the Shire. This Statement also outlines what goods and service providers can expect of the Shire.

## Our Key Business Principles

- **Ethics and integrity**

The Shire and its employees shall observe the highest standards of ethics and integrity in undertaking purchasing activities and act in an honest and professional manner. All parties will be treated equitably, consistently, impartially and fairly.

- **Best value for money**

The Shire will procure goods and services that offer the best value for money. Best value for money does not automatically mean the lowest price. Rather the Shire will balance all relevant factors including initial cost, whole-of-life cost, quality, reliability and timeliness in determining true value for money.

- **Transparency and accountability**

All purchasing activities shall comply with relevant legislation, regulations and Shire policies and be free from bias. Full documentation and accountability will be taken for purchasing decisions to ensure the efficient, effective and proper expenditure of public monies.

- **Sustainability**

The Shire is committed to sustainable procurement and where appropriate shall endeavour to design tenders and quotations to provide an advantage to goods, services and/or processes that minimise environmental and negative social impacts. Sustainable considerations will be balanced against best value for money outcomes.

## What you can expect from the Shire

The Shire will ensure that all its policies, procedures and practices relating to tendering, contracting and the purchase of goods and services are consistent with industry leading practice and the highest standards of ethical conduct.

Our employees are bound by the Shire's Code of Conduct. When doing business with the private sector, Shire employees are accountable for their actions and are expected to:

- Use public resources effectively and efficiently.
- Deal with all individuals and organisations in a fair, honest and ethical manner.
- Avoid any conflicts of interests (actual perceived or potential).
- Never seek gifts or other personal benefits.

In addition, all Shire procurement activities are guided by the following core business principles:

- All suppliers (whether invited to make a submission through tender or through direct quotation process) will be treated with impartiality and fairness and given equal access to information to assist with quotations, tendering or supply.
- All procurement activities and decisions will be fully and clearly documented by the Shire to provide an efficient audit trail and to allow for an effective performance review of contracts.
- All contracts that involve services to the public will be undertaken in a manner consistent with the Shire's Disability Access and Inclusions Plan (DAIP) 2018-2023.
- Energy-efficient equipment, products containing recycled materials and environmentally friendly products will be purchased wherever reasonably possible taking into account best value for money considerations.
- Tenders will not be called unless the Shire has a firm commitment to proceed to contract although the Council reserves the right not to proceed with any tender or quotation so advertised.
- The Shire will not disclose confidential or proprietary information.

## What we ask of you

The Shire requires all private sector providers of goods and services to observe the following principles when doing business with the Shire:

- Comply with all laws applicable in Western Australia.
- Gain an understanding of the Shire's policies, guidelines and procedures relating to purchasing, including an understanding of this Statement (all available on the Shire's website).
- Provide accurate and reliable advice and information when invited or required.
- Declare actual, perceived or potential conflicts of interests as soon as you or your employees become aware of the conflict.
- Act ethically, fairly and honestly in all your dealings with the Shire.
- Take all reasonable measures to prevent the disclosure of confidential Shire information.
- Do not engage in any form of collusive practice, including offering Shire employees or Elected Members inducements or incentives designed to improperly influence the conduct of their duties.
- Do not discuss Shire business or information in the media.
- Assist the Shire to prevent unethical practices in business relationships by reporting such practices.



## Why is compliance important?

By complying with the Shire's Statement of Business Ethics, you will be able to advance your business objectives and interests in a fair and ethical manner. As all Shire suppliers of goods and services are required to comply with this Statement, compliance will not disadvantage you in any way.

You should also be aware of the consequences of not complying with the Shire's ethical requirements when doing business with the Shire. Improper or unethical conduct could lead to termination of contracts or loss of future work with the Shire. Overall any business reputation can also be detrimentally affected if corrupt and criminal behaviour is made public.

Complying with the Shire's business principles will also prepare your business for dealing with the ethical requirements of other local governments and public sector agencies should you choose to do business with them.

## Guidance Notes

### Incentives, gifts and benefits

The Shire's employees and Elected Members do not expect to receive, or be the recipients of gifts, benefits or incentives as a result of our business relationship with goods or service providers. Goods and service providers are requested to refrain from offering such incentives, gifts or benefits to employees or Elected Members. The Shire's Code of Conduct provides for the type of incentives, gifts and benefits that can be received by Elected Members and employees. If wanting to give a gift, please check with the proposed recipient as to whether a gift can be accepted, or alternatively view the Shire's Code of Conduct.

### Conflicts of interest

All Shire Employees and Elected Members are required to disclose any actual, or perceived potential conflicts of interest. The Shire extends this requirement to all Shire business partners, contractors and suppliers.

### Confidentiality

All Shire information must be treated as confidential unless otherwise indicated. The Shire will maintain appropriate confidentiality and not disclose propriety information unless legally obligated to do so.

### Safety

The Shire of Toodyay strives for continuous improvement while creating a strong safety and health culture within all aspects of Shire activities. This commitment to safety is the Shire's highest priority and will not be compromised. All employees, including volunteers and contractors, are required to take all reasonable care to ensure their own safety and that of others in the workplace.

### Communications between parties

All communications should be clear, direct and accountable to minimise the risk of perception of inappropriate influence being brought to bear on the business relationship. Canvassing of Elected Members during a tender process will disqualify bids from further consideration and contact with Elected Members during work for the Shire is prohibited unless expressly authorised by the Shire.

### Use of Shire equipment, resources and information.

All Shire equipment, resources and information should only be used for its proper official purpose.

## Contracting employees

All contracted and sub-contracted employees are expected to comply with this Statement. If you employ sub-contractors in your work for the Shire, you must make them aware of this Statement. All contractors and sub-contractors will be required to undertake an annual induction process prior to commencing business with the Shire.

## Secondary Employment

Employees are not permitted to engage in private work with any person that has an interest in a proposed or current contract with the Shire.

## Intellectual property rights

In business relationships with the Shire, parties respect each other's intellectual property rights and will formally negotiate any access, license or use of intellectual property.

## Who to contact?

If you have any questions regarding this Statement or to provide information about suspected corrupt conduct, please contact the Shire via the details below.

### **Chief Executive Officer**

Shire of Toodyay  
15 Fiennes Street (PO Box 96)  
TOODYAY WA 6566

**Phone:** (08) 9574 9300  
**Fax:** (08) 9574 2158  
**Email:** [records@toodyay.wa.gov.au](mailto:records@toodyay.wa.gov.au)  
**Website:** [www.toodyay.wa.gov.au](http://www.toodyay.wa.gov.au)

Persons reporting corrupt behaviour or misconduct are protected by the *Corruption and Crime Commission Act 2003* and other 'Whistle-blower' protection laws such as the *Public Interest Disclosure Act 2003*. These laws protect persons disclosing corruption related matters from reprisal or detrimental action and ensure disclosures are properly investigated and dealt with.

# Western Australian Auditor General's Report



## Local Government Contract Extensions and Variations and Ministerial Notice Not Required



Report 20: 2019-20

4 May 2020

**Office of the Auditor General  
Western Australia**

National Relay Service TTY: 13 36 77  
(to assist people with hearing and voice impairment)

We can deliver this report in an alternative format for those with visual impairment.

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ISSN: 2200-1913 (print)  
ISSN: 2200-1921 (online)

***The Office of the Auditor General acknowledges the traditional custodians throughout Western Australia and their continuing connection to the land, waters and community. We pay our respects to all members of the Aboriginal communities and their cultures, and to Elders both past and present.***

**Local Government Contract Extensions and  
Variations  
and  
Ministerial Notice  
Not Required**



**THE PRESIDENT  
LEGISLATIVE COUNCIL**

**THE SPEAKER  
LEGISLATIVE ASSEMBLY**

**LOCAL GOVERNMENT CONTRACT EXTENSIONS AND VARIATIONS AND  
MINISTERIAL NOTICE NOT REQUIRED**

This report has been prepared for submission to Parliament under the provisions of section 25 of the *Auditor General Act 2006*.

This focus area audit assessed if entities adequately managed extensions and variations to their contracts, and if they maintained comprehensive summaries of their contracts.

I wish to acknowledge the entities' staff for their cooperation with this report.

Also included is my determination that a section 82 notice was not required by the Minister for Water.

A handwritten signature in black ink, appearing to read 'C Spencer'.

CAROLINE SPENCER  
AUDITOR GENERAL  
4 May 2020

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**Local Government Contract Extensions and  
Variations**



# Executive summary

## Background

Western Australia's 148 local government entities (entities) spend billions of dollars each year on purchasing a wide range of goods and services. A significant number of these purchases involve contracts.

Procurement contracts vary in complexity, value, duration and risk, but all benefit from a strong approach to contract management. Robust contract management processes centred around the principles of probity, accountability and transparency help to ensure that contracting is effective, meets the standards expected by the community and the Parliament and provides good value for money for the ratepayer.

Comprehensive policies and good management of contract extensions and variations are essential to achieving these outcomes. It is important for all entities to maintain a summary of their contracts in a register or database (hereafter referred to as register), with all key contract details, to help effectively manage contract extensions and variations. This is essential from an accountability perspective and also assists entities in meeting their financial reporting obligations.

## Conclusion

At 5 entities there was insufficient documentation to demonstrate that extensions or variations were given due consideration, so we were unable to conclude if they were appropriately managed. At 3 entities, some extensions did not have evidence of contractor performance reviews, and at 3 entities some variations were not approved by delegated officers.

Most entities need to enhance their policies with comprehensive guidance. All entities' contract registers lacked key information essential to effective monitoring of contractual obligations.

## What we did

The focus of this audit was to assess if entities adequately managed extensions and variations to their contracts, and if they maintained comprehensive summaries of their contracts.

We assessed the policies, procedures and practices for managing contract extensions and variations at 8 entities of varying sizes in both metropolitan and regional Western Australia. We assessed the following criteria:

- Do entities have adequate policies and procedures for managing contract extensions and variations?
- Do entities have complete and accurate summaries of their contracts?
- Are entities adequately:
  - controlling contract extensions, including the review of contractor performance before extending contracts
  - controlling contract variations, and determining if a variation significantly changes the original scope of the contract
  - complying with management approved delegations before a contract is extended or varied?

When testing against these criteria, we had regard for Part 4 of the Local Government (Functions and General) Regulations 1996, which deals with the provision of goods and services, and includes specific requirements relating to contract extensions and variations. In addition, we expected entities to meet the principles of the *Local Government Act 1995*, which requires entities to have policies, and to keep proper accounts and records. We also had regard to the broader principles of good internal control and governance and general better practice principles that help reduce procurement risks and support value for money.

The audit focused on whether controls were in place to support effective management of contract extensions and variations after a contract was finalised. It was not designed to review the adequacy of procurement processes undertaken prior to the signing of the original contracts.

The following 8 entities were included in this audit:

Entities
City of Bayswater (Bayswater)
City of Kwinana (Kwinana)
City of Rockingham (Rockingham)
City of Swan (Swan)
Shire of Narrogin (Narrogin)
Shire of Wagin (Wagin)
South Metropolitan Regional Council (SMRC)
Town of Cottesloe (Cottesloe)

Source: OAG

**Table 1: Entities included in the audit**

We assessed contract extensions and variations processed from 1 January 2018 to the date of the audits, in mid-2019.

Detailed findings have been reported to audited entities. Their audit committees should follow up to ensure audit findings and recommendations are appropriately addressed by management in a timely manner.

We conducted this audit under section 18 of the *Auditor General Act 2006* and in accordance with Australian Auditing and Assurance Standards. The approximate cost of undertaking the audit and reporting was \$177,500.

## What we found

The contract management policies and procedures at most entities lacked appropriate guidance for staff to correctly and consistently process extensions and variations. We also found contract registers at all 8 entities were missing key information required for effective contract management.

We found instances at 5 entities where sound practices were not always followed for assessment and approval of extensions and/or variations. We therefore could not conclude whether this represented probity in purchasing and value for money for the ratepayer.

### **Policies and procedures need to be enhanced to ensure consistent application by staff**

Comprehensive policies and procedures provide clear guidance to staff, help ensure that regulatory requirements are complied with, and that better practices are consistently followed by all staff. It is also important to have clear documentation of delegated authorisations to ensure that all decisions on contract extensions and variations are made by officers within their delegated authority limits.

Kwinana had sound policies and procedures for managing contract extensions and variations, with scope for improvement at the other 7 entities.

We identified the following shortcomings:

- Four entities did not have clearly established authorisations and delegations for the approval of contract extensions and/or variations. Establishing clear lines of responsibility and accountability for all decision making is an important prerequisite to ensuring decisions are made by individuals the entity considers have the requisite skills, knowledge and experience.
- The policies of 5 entities lacked guidance on what constitutes an appropriate contract variation. For example, a contract variation to provide goods and services that is inconsistent with the scope of the original contract, or significantly alters the scope of the original contract is not appropriate. In such circumstances, a separate procurement process would normally be required.
- The policies of 6 entities did not outline the key requirements for processing contract extensions, including that contracts could be extended only if the terms of the original contract included extension options.
- The policies or procedures of 5 entities did not require a documented performance assessment of a contractor before a contract extension option was considered. This increases the risk that poor performing contractors may be granted extensions.
- No entities' policies or procedures required staff to maintain a contract register, with all key contract information.
- Six entities did not require a regular review of their contract registers to identify contracts that are due to expire, so that appropriate action starts well before the contract expiry date. Lack of a review process increases the risk that contract extension decisions may be rushed, leading to inappropriate extensions, and potentially impact continuity in the provision of goods and services.

## **Contract registers did not include key information for effective contract oversight**

It is important for all entities to maintain a summary of their contracts, with all key information, to help contract managers effectively manage contract extensions and variations.

The entities in our audit maintained records of their contracts on databases, registers, or a combination of both. One entity did not have any collective record of their contracts at the commencement of the audit, but subsequently provided us with a contract summary. The contract registers at the 8 entities did not include all key contract information. We identified the following:

- The contract registers at 2 entities were incomplete and did not include all current contracts. The register at another entity did not include the commencement, duration and end dates of contracts. A fourth entity's register included inaccurate and/or inconsistent information on key data such as contract values, term dates and the status of contracts. Inaccurate and incomplete contract registers can affect management's ability to effectively manage contracts.
- At 6 entities, the contract registers did not include the dollar value of contracts, or any contract extensions or variations. In addition, at 3 of these entities, registers did not include the estimated dollar value of Schedule of Rate<sup>1</sup> contracts. As a result, inadequate information was available to management on the total cost of their contracts.
- Where relevant, although details of contract variations are contained within individual contract management plans, none of the entities' contract registers included summarised information on approved contract variations, such as the number and dollar value of individual variations, and the total value of approved variations. This information is essential for contract managers to effectively track the cumulative value of contract variations, evaluate the impact on the scope of the original contracts, and initiate separate procurement processes where appropriate.
- At 4 entities, contract registers did not include information on the number and duration of extension options available under each contract and details of extension options that were exercised. This information would enable better monitoring of contracts, including the timely exercise of contract extension options.
- The contract registers at 6 entities did not have details of scheduled performance review dates, to ensure that timely reviews of contractor performance were performed prior to considering contract extension options.

## **Some entities need to improve their assessment of contractors' performance before extending contracts**

A contract extension may extend the agreed terms for a further period and/or involve changes to price, personnel and services. We expected to find evidence that contract managers had performed an adequate and timely review of contractors' performance before granting an extension. This would provide management with adequate opportunity to assess if the contractor still offered value for money.

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<sup>1</sup> Schedule of Rates contracts are used where the nature of contract work is certain, but the exact amount of work to be performed cannot be predicted at the outset and is inherently provisional in nature. Nonetheless, tenders are usually invited and awarded based on the range of estimated quantities.

All entities except Rockingham and Kwinana exercised contract extension options during our audit period. One of the 6 did not have detailed records of the total number and value of contract extension options exercised. Based on the contract registers of the remaining 5 entities, 51 contract extension options totalling \$19.6 million were exercised during the audit period.

We tested a sample of 18 contract extensions totalling \$13.6 million across the 6 entities. Narrogin, Wagin and SMRC had adequate processes in place for the extension of contracts.

At the other 3 entities, we noted the following shortcomings:

- At 2 entities, 6 of 7 contract extensions did not have any formal documentation to demonstrate that an assessment of contractor performance was conducted before the contract extensions were approved. We were therefore unable to conclude if there was adequate review of contractor performance before exercising the extension options. This increases the risk that poor performing contractors may be granted extensions. The total value of 5 of these extensions was \$1.4 million, while the value of the remaining extension could not be determined as the original contract was not available.
- Three extensions at 2 entities totalling \$1.48 million were approved after the expiry of the initial contracts. One of the entities advised that there were extenuating circumstances that resulted in a short period when some key functions were performed later than usual. Renewal processes that are not initiated well before the expiry of contracts, limit the entities' ability to assess whether the contracts still offer the best value for money. This also potentially impacts the continued supply of goods and services.
- For 2 of 5 contract extensions at 1 entity, there was no mutually accepted agreement or correspondence between both the parties to extend the contract.

### **Contract variations were not always adequately explained at 2 entities**

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. We considered if contract variations, individually or cumulatively, significantly altered the scope of the original contract. This may indicate that an entity was using variations to avoid undertaking a new procurement process.

All entities except Wagin undertook contract variations during the period of our audit, although only 5 were able to provide detailed information of the total number and value of their contract variations processed. The contract registers of these 5 entities showed 63 variations totalling \$6 million. We reviewed 27 contract variations totalling \$5.2 million across the 7 entities.

At 2 entities, 4 of 12 variations were not supported by detailed proposals with descriptions of the nature and reasons for the variations, including associated cost, time and scope implications. We were therefore unable to conclude whether the variations had been approved based on adequate analysis of these implications and whether value for money assessments had been performed.

### **Delegation levels were not always complied with when extending or varying contracts**

It is important that all decisions relating to the approval of contract extensions and variations are made in accordance with approved authorisation limits. This ensures that these decisions are valid, and are made by staff with the experience and knowledge commensurate with the value and complexity of the contracts involved.

We reviewed the approval processes of 27 variations valued at \$5.2 million and 18 contract extensions totalling \$13.6 million across all 8 entities and identified the following shortcomings:

- At 2 entities, 7 variations totalling \$1.2 million were approved by officers in excess of their delegated authority.
- At a third entity, we identified 2 variations to a contract totalling \$77,395 that significantly changed the scope of the original contract, increasing the contract value in excess of the \$150,000 tender threshold limit. The consequent waiver from tender was approved by an officer who did not have the delegated authority.
- Two extensions totalling \$73,058 at 1 entity did not have any documented evidence of their approval. We were therefore unable to conclude if an appropriate officer had approved them. This reduces transparency and accountability in decision making and increases the risk that the mandated level of scrutiny is not applied.

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## Recommendations

1. All local government entities, including those not sampled in this audit, should:
  - a. ensure their policies and procedures 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. establish specific delegated authorisation limits for the approval of contract extensions and variations
  - c. ensure their contract summaries include all key information relating to contracts. The level of information should be based on their assessment of the significance, number and complexity of their contractual arrangements
  - d. ensure that records of key decisions are retained in accordance with their recordkeeping plans and are readily available
  - e. 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.
2. Entities should review their policies and procedures against the principles in Appendix 1.

Under section 7.12A of the *Local Government Act 1995*, all sampled entities are required to prepare an action plan addressing significant matters relevant to their entity for submission to the Minister for Local Government within 3 months of this report being tabled in Parliament and for publication on the entity's website. This action plan should address the points above, to the extent that they are relevant to their entity, as indicated in this report.

### Response from entities

Entities in our sample generally accepted the recommendations and confirmed that, where relevant, they have amended policies and administrative systems, or will improve practices for managing contract extensions and variations.

## Appendix 1: Better practice principles

The following table shows control principles on which our audit focused. They are not intended to be an exhaustive list.

Management of contract extensions and variations	Focus area	What we expected to see
<b>Policy</b>	Policies and procedures	<ul style="list-style-type: none"> <li>Contract management policies and procedures are regularly reviewed to ensure compliance with current legislation and relevance to current operations.</li> <li>Policies or procedures include a requirement to maintain a comprehensive register or database of all contracts, including:               <ul style="list-style-type: none"> <li>the dollar value above which contracts are to be included in the register, and</li> <li>the custodian of the register with responsibility for regular review and update of the contract register or database.</li> </ul> </li> <li>Policies include clear guidance on what constitutes a contract variation and when a separate procurement process is required.</li> <li>The policies or procedures provide guidance on the key processes for contract extensions, including timely and documented assessments of contractor performance prior to exercising an extension option.</li> </ul>
	Delegations	<ul style="list-style-type: none"> <li>There are appropriate delegations and authorisations in place for procurement as well as for contract extensions and variations.</li> </ul>
<b>Records</b>	Comprehensive register of contracts	<ul style="list-style-type: none"> <li>A comprehensive register of all contracts is maintained, with all key contract information.</li> </ul>
<b>Contract extensions</b>	Contract terms	<ul style="list-style-type: none"> <li>Contracts are extended only if the original contract includes extension options.</li> </ul>
	Approval	<ul style="list-style-type: none"> <li>Contract extensions are approved by an appropriate officer, in accordance with delegated authorisation limits.</li> <li>Extensions are approved before the expiration date of the original contract or previously extended term, for continuity in the provision of services.</li> </ul>
	Contractor performance review	<ul style="list-style-type: none"> <li>There is documented evidence that contractor performance has been assessed before a contract extension is approved.</li> </ul>



Management of contract extensions and variations	Focus area	What we expected to see
	Recordkeeping	<ul style="list-style-type: none"> <li>• There is documented evidence that the terms of the contract extension have been mutually agreed by the entity and the contractor.</li> <li>• Documents for approval of contract extensions are retained in accordance with recordkeeping plans, to promote accountability and transparency in decision making.</li> </ul>
<b>Contract variations</b>	Approval	<ul style="list-style-type: none"> <li>• Contract variations are approved by an appropriate officer, in accordance with delegated authorisation limits.</li> <li>• Consideration is given to the cumulative impact of variations, to ensure that the scope of the original contract is not significantly altered, and that a separate procurement process is not required.</li> </ul>
	Proposal for variation	<ul style="list-style-type: none"> <li>• Contract variations are supported by proposals with detailed description of the nature of the variation, with associated cost, time and scope implications.</li> </ul>
	Recordkeeping	<ul style="list-style-type: none"> <li>• The variation proposals and approval documents are retained in accordance with recordkeeping plans, to promote accountability and transparency in decision making.</li> </ul>

Source: OAG

**Ministerial Notice Not Required**

## Ministerial notice not required

On 24 March 2020, we received 2 notices from the Minister for Water, the Hon David Kelly MLA, under section 82 of the *Financial Management Act 2006* (FMA) in relation to Legislative Assembly Questions on Notice 5872 part (6) and 5873 part (c).

On 10 December 2019, the Hon Terry Redman MLA asked the Minister for the following information:

### *Legislative Assembly Question on Notice 5872*

*(1) I refer to the recent Freedom of Information (FOI) released by Water Corporation including a redacted copy of "PRA Business Case" arguing the value of "insourcing the Perth Region Alliance", and ask?*

*(6) Will the Minister table a copy of the "Alliance Agreement" referenced on page 10 of the business case?*

On 19 March 2020, the Minister replied:

*(6) The Alliance Agreement is a commercial contract arrangement between the Water Corporation and Programmed Facilities Management.*

### *Legislative Assembly Question on Notice 5873*

*I refer to the decision by Water Corporation to insource the services currently provided under the Aroona Alliance, and ask:*

*(c) Can the Minister table the Aroona Alliance contract;*

On 10 March 2020, the Minister replied:

*(c) The Alliance Agreement is a commercial contract arrangement between the Water Corporation and the Alliance partners.*

The Minister's notices advised that the Perth Regional Alliance Agreement and the Aroona Alliance Contract could not be provided to Parliament, as their release would disclose commercially confidential and sensitive information.

We determined that the 2 notices were not required in this instance, as the information does not concern the conduct or operation of an agency as required by the FMA. Section 85 of the *Water Corporations Act 1995* outlines the limited application of the FMA and the *Auditor General Act 2006* to the Water Corporation, but this does not cover section 82 of the FMA.

The Audit Practice Statement on our website ([www.audit.wa.gov.au](http://www.audit.wa.gov.au)) outlines the circumstances when a notice is unlikely to be required. These include when the requested information does not concern the conduct or operation of an agency as required by the FMA.

## Auditor General's reports

Report number	2019-20 reports	Date tabled
19	Control of Monies Held for Specific Purposes	30 April 2020
18	Information Systems Audit Report 2020 – State Government Entities	6 April 2020
17	Controls Over Purchasing Cards	27 March 2020
16	Audit Results Report – Annual 2018-19 Financial Audit of Local Government Entities	11 March 2020
15	Opinion on Ministerial Notification	28 February 2020
14	Opinion on Ministerial Notification	31 January 2020
13	Fee-setting by the Department of Primary Industries and Regional Development and Western Australia Police Force	4 December 2019
12	Audit Results Report – Annual 2018-19 Financial Audits of State Government Entities	14 November 2019
11	Opinion on Ministerial Notification	30 October 2019
10	Working with Children Checks – Follow-up	23 October 2019
9	An Analysis of the Department of Health's Data Relating to State-Managed Adult Mental Health Services from 2013 to 2017	9 October 2019
8	Opinions on Ministerial Notifications	8 October 2019
7	Opinion on Ministerial Notification	26 September 2019
6	Opinions on Ministerial Notifications	18 September 2019
5	Fraud Prevention in Local Government	15 August 2019
4	Access to State-Managed Adult Mental Health Services	14 August 2019
3	Delivering Western Australia's Ambulance Services – Follow-up Audit	31 July 2019
2	Opinion on Ministerial Notification	26 July 2019
1	Opinions on Ministerial Notifications	19 July 2019

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## F.3 Purchasing Policy

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### Introduction

This policy is intended to provide clear direction to staff when carrying out the purchasing of goods and services for the Shire of Toodyay and to ensure that purchasing is undertaken in an efficient, effective, economical and sustainable manner.

### Application

This Policy applies to all employees at the Shire of Toodyay and it is a requirement that all employees adhere to this Policy. Breaches of this Policy may result in disciplinary action.

This Policy:

- Provides the Shire of Toodyay with a more effective way of purchasing goods and services.
- Ensures that purchasing transactions are carried out in a fair and equitable manner.
- Strengthens integrity and confidence in the purchasing system.
- Ensures that the Shire of Toodyay receives value for money in its purchasing.
- Ensures that the Shire of Toodyay considers the environmental impact of the procurement.
- Ensures the Shire of Toodyay is compliant with all regulatory obligations.
- Promotes effective governance and definition of roles and responsibilities.
- Ensures that the Shire of Toodyay considers the environmental impact of the procurement process across the life cycle of goods; and
- Provides for guidelines for preferential purchasing agreements with organisations which are regional.
- Upholds respect from the public and industry for the Shire of Toodyay's purchasing practices that withstand probity.

### Policy Intent

- To provide compliance with the *Local Government Act 1995* and the *Local Government (Functions and General) Regulations 1996*.
- To deliver a best practice approach and procedures to internal purchasing for the Shire of Toodyay.
- To ensure consistency for all purchasing activities that integrates within all Shire of Toodyay operational areas.
- To allow for preferential treatment for Toodyay businesses who wish to do business with Council.

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- To maximise potential expenditure from Council to the community and businesses located within the Shire of Toodyay.
- To ensure the future sustainability of the Shire of Toodyay and its community.

## 1. Ethics and Integrity

All officers and employees of the Shire of Toodyay shall observe the highest standards of ethics and integrity in undertaking purchasing activities and act in an honest and professional manner that supports the standing of the Shire of Toodyay.

The Shire has adopted a Statement of Business Ethics that outlines what the Shire expects from suppliers and what suppliers can expect from the Shire.

The following principles, standards and behaviours must be observed and enforced through all stages of the purchasing process to ensure the fair and equitable treatment of all parties:

- (a) Full accountability shall be taken for all purchasing decisions and the efficient, effective and proper expenditure of public monies based on achieving value for money;
- (b) All purchasing practices shall comply with relevant legislation, regulations and requirements consistent with the Shire of Toodyay policies, Statement of Business Ethics and Code of Conduct;
- (c) Purchasing is to be undertaken on a competitive basis in which all potential suppliers are treated impartially, honestly and consistently;
- (d) All processes, evaluations and decisions shall be transparent, free from bias and fully documented in accordance with applicable policies and audit requirements;
- (e) Any actual or perceived conflicts of interest are to be identified, disclosed and appropriately managed;
- (f) Any information provided to the Shire of Toodyay by a supplier shall be treated as commercial-in-confidence and shall not be released unless authorised by the supplier or relevant legislation; and
- (g) Where appropriate the Shire will consider environmental and social impacts along with value for money outcomes when making purchasing decisions.

## 2. Value for Money

Value for money is an overarching principle governing purchasing that allows the best possible outcome to be achieved for the Shire of Toodyay. It is important to note that compliance with the specification is more important than obtaining the lowest price, particularly taking into account user requirements, quality standards, sustainability, life cycle costing and service benchmarks.

An assessment of the best value for money outcome for any purchasing should consider:

- (a) All relevant whole-of-life costs and benefits, whole of life cycle costs (for goods) and whole of contract life costs (for services) including transaction costs associated with acquisition, delivery, distribution, as well as other costs, such as, but not limited to, holding costs, consumables, deployment, maintenance and disposal.

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- (b) 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;
- (c) Financial viability and capacity to supply without risk of default. (Competency of the prospective suppliers in terms of managerial and technical capabilities and compliance history);
- (d) A strong element of competition in the allocation of orders or the awarding of contracts. This is achieved by obtaining a sufficient number of competitive quotations wherever practicable.

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. Purchasing Thresholds

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:

AMOUNT OF PURCHASE	POLICY
Up to \$10,000	Direct purchase from suppliers.
\$10,001 - \$49,999	Obtain at least two written quotations.
\$50,000 - \$249,999	Obtain at least three written quotations containing price and specification of goods and services (with procurement decision based on all value for money considerations). Formal Request for Quotation (RFQ) documents are to be issued by Business Units and a record of the details of written quotations received is to be made in accordance with the Purchasing Policy.
\$250,000 and above	Conduct a public tender process or apply Regulation 11(2) of the <i>Local Government (Functions and General) Regulations 1996</i> .

#### Up to \$10,000

Where the value of procurement of goods or services does not exceed \$10,000 direct purchase from the supplier may be made. However, it is recommended to use professional discretion and occasionally undertake market testing to ensure best value is maintained. This instance should only apply for a single, simple purchase where the cost of seeking competitive quotes would be unreasonable on a cost to benefit analysis basis (e.g.: purchasing library books or minor catering supplies).

Record keeping requirements must be maintained in accordance with record keeping policies.

#### \$10,001 - \$49,999

This category is for the procurement of goods or services where the value of such procurement ranges between \$10,001 and \$49,999.

At least two written quotations are required. Where this is not practical e.g.: due to limited suppliers, it must be noted through records relating to the process. This purchasing method is suitable where the purchase is in a known market or is relatively small and low risk.

### **\$50,000 to \$249,999**

For the procurement of goods or services where the value exceeds \$50,000 but is less than \$249,999, it is required to obtain at least three written quotes.

The responsible officer is expected to demonstrate due diligence seeking quotes and to comply with any record keeping and audit requirements.

Formal Request for Quotation (RFQ) documents are to be issued by the responsible officer and a record of the details of written quotations received is to be made. Record keeping requirements must be maintained in accordance with record keeping policies. For procurement of goods and services in this range, the selection should not be based on price alone, and it is required to consider some of the qualitative factors such as quality, stock availability, accreditation, time for completion or delivery, warranty conditions, technology, maintenance requirements, the organisation's capability, previous relevant experience and any other relevant factors as part of the assessment of the quotes.

**NOTES:** The general principles relating to written quotations in this category 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.

## **4. WALGA Preferred Suppliers**

Officers will utilise the WALGA Preferred Supplier list whenever possible to ensure that all purchasing is carried out in a cost effective and time efficient manner that provides maximum benefit to the Council.

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## 5. 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 such proposed purchases are contained within the Budget, are within the officer's area of activity, adhere to the purchasing threshold provisions in section 3 of this policy and subject to delegation ES1.

Title	Maximum
Chief Executive Officer	As delegated by Council
Manager Planning & Development	\$75,000
Manager Corporate & Community Services	\$75,000
Manager Assets & Services	\$75,000
Works Supervisors & Engineering Technical Officer	\$25,000
Community Emergency Services Manager (emergency purposes only)	\$5,000

All orders raised are to have the following items included:

- (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 account or job 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. Regulatory Compliance

### 6.1 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;

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- (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.

## 6.2 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.

## 6.3 Anti-Avoidance

The Shire of Toodyay shall not enter two or more contracts of a similar nature for the purpose of splitting the value of the contracts to take the value of consideration below an amount with the intention of avoiding the need to publicly tender or meet the standards of set thresholds.

## 6.4 Tender Criteria

The Shire of Toodyay shall, before tenders are publicly invited, determine the criteria for deciding which tender should be accepted.

An evaluation panel will be established prior to the advertising of a tender and include a mix of skills and experience relevant to the nature of the purchase.

## 6.5 Advertising Tenders

Tenders are to be advertised in a statewide publication as a minimum and in local media where possible. The tender must remain open for at least fourteen days after the date the tender is advertised. Care must be taken to ensure that fourteen **full** days are provided as a minimum.

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 of Toodyay 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;
  - (iv) Whether or not the Shire of Toodyay has decided to submit a tender; and
  - (v) Whether or not tenders can be submitted by facsimile or other electronic means, and if so, how tender may be submitted.

#### 6.6 Issuing Tender Documentation

Tenders will not be made available (counter, mail, internet, referral or other means) without a robust process to ensure the recording of details of all parties who acquire the documentation.

This is essential as if 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 of Toodyay not to compromise its Duty to be fair.

#### 6.7 Tender Deadline

A tender that is not received in full in the required format by the advertised Tender Deadline shall be rejected.

#### 6.8 Opening of Tenders

No tenders are to be removed from the tender box, or opened (read or evaluated) prior to the Tender Deadline.

Tenders are to be opened in the presence of either the CEO, Manager Corporate and Community Services, Manager Planning & Development, or the Manager Assets & Services and at least one other Council Officer. The details of all tenders received and opened shall be recorded in the Tenders Register.

Tenders are to be opened in accordance with the advertised time and place.

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 of Toodyay. 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.

## 6.9 No Tender Received

Where the Shire of Toodyay 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.

## 6.10 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.

## 6.11 Addendum to 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 of Toodyay 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.

## 6.12 Minor Variation

If after the tender has been publicly advertised and a successful tenderer has been chosen but before the Shire of Toodyay and tenderer have entered into a Contract, a minor variation may be made by the Shire of Toodyay.

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.

## 6.13 Notification of Outcome

Each tenderer shall be notified of the outcome of the tender by the Chief Executive Officer (under Delegated Authority) or following Council resolution within 21 days. Notification shall include:

- (a) The name of the successful tenderer.
- (b) The total value of consideration of the winning offer or schedule of rates.

The details and total value of consideration for the winning offer must also be entered into the Tenders Register at the conclusion of the tender process. If no tender was accepted it must be advertised "that no tenders were accepted."

## 7. Records Management

All records associated with the tender process or a direct purchase process must be recorded and retained.

For a tender process this includes:

- (a) Tender documentation;
- (b) Internal documentation;
- (c) Evaluation documentation;
- (d) Enquiry and response documentation; and
- (e) Notification and award documentation.

For a direct purchasing process this includes:

- (a) Quotation documentation;
- (b) Internal documentation; and
- (c) Order forms and requisitions.

Record retention shall be in accordance with the minimum requirements of the *State Records Act 2000*, and the Shire of Toodyay's internal records management procedures.

## 8. 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.

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Regional\* Preference will be provided to tenderers by assessing the tender from that Shire of Toodyay tenderer as if the price bids were reduced by:

**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.

**Part 2**

Although goods or services that form a part of a tender submitted by a Shire of Toodyay 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.

**9. 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 of Toodyay 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 of Toodyay 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.



## 9.1 Establishing a Panel

Should the Shire of Toodyay 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 of Toodyay 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 of Toodyay 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.

## 9.2 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 of Toodyay 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.

### 9.3 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;

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- (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 of Toodyay is also to 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 of Toodyay.

## 10. 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 of Toodyay must utilise the following industry experts for advice on procurement matters:

- WALGA
- Department of Local Government, Sport and Cultural Industries
- Professional services such as legal experts and auditors

## 11. Environmental Purchasing

Sustainable procurement is defined as the purchasing of goods and services that have less environmental and social impacts than competing products and services.

- (a) Preference is to be given to 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) Preference is to be given to goods or services that aim to minimise impacts on the environment.
- (c) Purchase of electrical equipment should be 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) Purchase of water using appliances should be AAA rated. Higher rated appliances may be afforded a 5% allowance when comparing pricing with lesser rated products.

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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.

## **12. Contract Extensions and Variations**

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. Where a contract variation to provide goods and services that is inconsistent with the scope of the original contract, or significantly alters the scope of the original contract, a separate procurement process would be required. 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 of Toodyay 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;
- (j) 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;
- (k) 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;
- (l) ensure that records of key decisions are retained in accordance with recordkeeping plans and are readily available;

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- (m) improve review processes relating to contract extensions, including timely and documented reviews of contractor performance before exercising contract extension options;
- (n) 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;
- (o) 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.

**Regional\*** applies to local government areas neighbouring the Shire of Toodyay.

#### Reference Information

<b>Related Documents</b>	Shire of Toodyay Delegation Register
<b>Related Legislation</b>	<i>Local Government Act 1995 (WA)</i> <i>Local Government (Functions and General) Regulations 1996</i> <i>Records Management Act 2000</i>

#### Associated Forms and Attachments

#### Document Control Information

<b>Document Category</b>	Finance
<b>Document Title</b>	Purchasing Policy
<b>Document ID</b>	
<b>Version No.</b>	
<b>Archived and Previous Version</b>	
<b>Access Restrictions</b>	
<b>Author (position title)</b>	Manager Corporate and Community Services
<b>Approved By</b>	Chief Executive Officer
<b>Date of Approval (OCM)</b>	
<b>Date of Last Review</b>	Amended Council Meeting 15 November 2007 Reviewed Council Meeting 21 May 2009 Amended Council Meeting 13 May 2010 Amended Council Meeting 18 September 2012 Amended Council Meeting 22 July 2014 Amended Council Meeting 22 November 2016 Amended Council Meeting 22 January 2019
<b>Date of Next Review</b>	

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## Toodyay - Compliance Audit Return 2020

### Certified Copy of Return

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

<b>Commercial Enterprises by Local Governments</b>					
<b>No</b>	<b>Reference</b>	<b>Question</b>	<b>Response</b>	<b>Comments</b>	<b>Respondent</b>
1	s3.59(2)(a) F&G Regs 7,9,10	Has the local government prepared a business plan for each major trading undertaking that was not exempt in 2020?	N/A		Merridith Lamb
2	s3.59(2)(b) F&G Regs 7,8,10	Has the local government prepared a business plan for each major land transaction that was not exempt in 2020?	N/A		Merridith Lamb
3	s3.59(2)(c) F&G Regs 7,8,10	Has the local government prepared a business plan before entering into each land transaction that was preparatory to entry into a major land transaction in 2020?	N/A		Merridith Lamb
4	s3.59(4)	Has the local government complied with public notice and publishing requirements for each proposal to commence a major trading undertaking or enter into a major land transaction or a land transaction that is preparatory to a major land transaction for 2020?	N/A		Merridith Lamb
5	s3.59(5)	During 2020, did the council resolve to proceed with each major land transaction or trading undertaking by absolute majority?	N/A		Merridith Lamb



<b>Delegation of Power/Duty</b>					
<b>No</b>	<b>Reference</b>	<b>Question</b>	<b>Response</b>	<b>Comments</b>	<b>Respondent</b>
1	s5.16	Were all delegations to committees resolved by absolute majority?	N/A	No delegations to committees.	Merridith Lamb
2	s5.16	Were all delegations to committees in writing?	N/A		Merridith Lamb
3	s5.17	Were all delegations to committees within the limits specified in section 5.17?	N/A		Merridith Lamb
4	s5.18	Were all delegations to committees recorded in a register of delegations?	N/A		Merridith Lamb
5	s5.18	Has council reviewed delegations to its committees in the 2019/2020 financial year?	Yes		Merridith Lamb
6	s5.42(1) & s5.43 Admin Reg 18G	Did the powers and duties delegated to the CEO exclude those listed in section 5.43 of the Act?	Yes		Merridith Lamb
7	s5.42(1)	Were all delegations to the CEO resolved by an absolute majority?	Yes		Merridith Lamb
8	s5.42(2)	Were all delegations to the CEO in writing?	Yes		Merridith Lamb
9	s5.44(2)	Were all delegations by the CEO to any employee in writing?	Yes		Merridith Lamb
10	s5.16(3)(b) & s5.45(1)(b)	Were all decisions by the council to amend or revoke a delegation made by absolute majority?	Yes		Merridith Lamb
11	s5.46(1)	Has the CEO kept a register of all delegations made under Division 4 of the Act to the CEO and to employees?	Yes		Merridith Lamb
12	s5.46(2)	Were all delegations made under Division 4 of the Act reviewed by the delegator at least once during the 2019/2020 financial year?	Yes		Merridith Lamb
13	s5.46(3) Admin Reg 19	Did all persons exercising a delegated power or duty under the Act keep, on all occasions, a written record in accordance with Admin Reg 19?	Yes		Merridith Lamb

<b>Disclosure of Interest</b>					
<b>No</b>	<b>Reference</b>	<b>Question</b>	<b>Response</b>	<b>Comments</b>	<b>Respondent</b>
1	s5.67	Where a council member disclosed an interest in a matter and did not have participation approval under sections 5.68 or 5.69, did the council member ensure that they did not remain present to participate in discussion or decision making relating to the matter?	Yes		Merridith Lamb





No	Reference	Question	Response	Comments	Respondent
2	s5.68(2) & s5.69 (5) Admin Reg 21A	Were all decisions regarding participation approval, including the extent of participation allowed and, where relevant, the information required by Admin Reg 21A, recorded in the minutes of the relevant council or committee meeting?	Yes		Merridith Lamb
3	s5.73	Were disclosures under section sections 5.65, 5.70 or 5.71A(3) recorded in the minutes of the meeting at which the disclosures were made?	Yes		Merridith Lamb
4	s5.75 Admin Reg 22, Form 2	Was a primary return in the prescribed form lodged by all relevant persons within three months of their start day?	Yes		Merridith Lamb
5	s5.76 Admin Reg 23, Form 3	Was an annual return in the prescribed form lodged by all relevant persons by 31 August 2020?	Yes		Merridith Lamb
6	s5.77	On receipt of a primary or annual return, did the CEO, or the mayor/president, give written acknowledgment of having received the return?	Yes		Merridith Lamb
7	s5.88(1) & (2)(a)	Did the CEO keep a register of financial interests which contained the returns lodged under sections 5.75 and 5.76?	Yes		Merridith Lamb
8	s5.88(1) & (2)(b) Admin Reg 28	Did the CEO keep a register of financial interests which contained a record of disclosures made under sections 5.65, 5.70, 5.71 and 5.71A, in the form prescribed in Admin Reg 28?	Yes		Merridith Lamb
9	s5.88(3)	When a person ceased to be a person required to lodge a return under sections 5.75 and 5.76, did the CEO remove from the register all returns relating to that person?	Yes		Merridith Lamb
10	s5.88(4)	Have all returns removed from the register in accordance with section 5.88(3) been kept for a period of at least five years after the person who lodged the return(s) ceased to be a person required to lodge a return?	Yes		Merridith Lamb
11	s5.89A(1), (2) & (3) Admin Reg 28A	Did the CEO keep a register of gifts which contained a record of disclosures made under sections 5.87A and 5.87B, in the form prescribed in Admin Reg 28A?	Yes		Merridith Lamb
12	s5.89A(5) & (5A)	Did the CEO publish an up-to-date version of the gift register on the local government's website?	Yes		Merridith Lamb
13	s5.89A(6)	When a person ceases to be a person who is required to make a disclosure under section 5.87A or 5.87B, did the CEO remove from the register all records relating to that person?	Yes		Merridith Lamb



No	Reference	Question	Response	Comments	Respondent
14	s5.89A(7)	Have copies of all records removed from the register under section 5.89A (6) been kept for a period of at least five years after the person ceases to be a person required to make a disclosure?	Yes		Merridith Lamb
15	Rules of Conduct Reg 11(1), (2) & (4)	Where a council member had an interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person, did they disclose the interest in accordance with Rules of Conduct Reg 11(2)?	Yes		Merridith Lamb
16	Rules of Conduct Reg 11(6)	Where a council member disclosed an interest under Rules of Conduct Reg 11 (2) was the nature of the interest recorded in the minutes?	Yes		Merridith Lamb
17	s5.70(2) & (3)	Where an employee had an interest in any matter in respect of which the employee provided advice or a report directly to council or a committee, did that person disclose the nature and extent of that interest when giving the advice or report?	Yes		Merridith Lamb
18	s5.71A & s5.71B (5)	Where council applied to the Minister to allow the CEO to provide advice or a report to which a disclosure under s5.71A(1) relates, did the application include details of the nature of the interest disclosed and any other information required by the Minister for the purposes of the application?	N/A		Merridith Lamb
19	s5.71B(6) & s5.71B(7)	Was any decision made by the Minister under subsection 5.71B(6) recorded in the minutes of the council meeting at which the decision was considered?	N/A		Merridith Lamb
20	s5.103 Admin Regs 34B & 34C	Has the local government adopted a code of conduct in accordance with Admin Regs 34B and 34C to be observed by council members, committee members and employees?	Yes		Merridith Lamb
21	Admin Reg 34B(5)	Has the CEO kept a register of notifiable gifts in accordance with Admin Reg 34B(5)?	Yes		Merridith Lamb

### Disposal of Property

No	Reference	Question	Response	Comments	Respondent
1	s3.58(3)	Where the local government disposed of property other than by public auction or tender, did it dispose of the property in accordance with section 3.58(3) (unless section 3.58(5) applies)?	Yes		Merridith Lamb
2	s3.58(4)	Where the local government disposed of property under section 3.58(3), did it provide details, as prescribed by section 3.58(4), in the required local public notice for each disposal of property?	Yes		Merridith Lamb



<b>Elections</b>					
<b>No</b>	<b>Reference</b>	<b>Question</b>	<b>Response</b>	<b>Comments</b>	<b>Respondent</b>
1	Elect Regs 30G(1) & (2)	Did the CEO establish and maintain an electoral gift register and ensure that all disclosure of gifts forms completed by candidates and donors and received by the CEO were placed on the electoral gift register at the time of receipt by the CEO and in a manner that clearly identifies and distinguishes the forms relating to each candidate?	Yes		Merridith Lamb
2	Elect Regs 30G(3) & (4)	Did the CEO remove any disclosure of gifts forms relating to an unsuccessful candidate, or a successful candidate that completed their term of office, from the electoral gift register, and retain those forms separately for a period of at least two years?	N/A		Merridith Lamb
3	Elect Regs 30G(5) & (6)	Did the CEO publish an up-to-date version of the electoral gift register on the local government's official website in accordance with Elect Reg 30G(6)?	Yes		Merridith Lamb

<b>Finance</b>					
<b>No</b>	<b>Reference</b>	<b>Question</b>	<b>Response</b>	<b>Comments</b>	<b>Respondent</b>
1	s7.1A	Has the local government established an audit committee and appointed members by absolute majority in accordance with section 7.1A of the Act?	Yes		Merridith Lamb
2	s7.1B	Where the council delegated to its audit committee any powers or duties under Part 7 of the Act, did it do so by absolute majority?	N/A	No delegated authority	Merridith Lamb
3	s7.3(1) & s7.6(3)	Was the person or persons appointed by the local government to be its auditor appointed by an absolute majority decision of council?	Yes		Merridith Lamb
4	s7.3(3)	Was the person(s) appointed by the local government under s7.3(1) to be its auditor a registered company auditor or an approved auditor?	Yes		Merridith Lamb
5	s7.9(1)	Was the auditor's report for the financial year ended 30 June 2020 received by the local government by 31 December 2020?	Yes		Merridith Lamb
6	s7.12A(3)	Where the local government determined that matters raised in the auditor's report prepared under s7.9 (1) of the Act required action to be taken, did the local government ensure that appropriate action was undertaken in respect of those matters?	Yes		Merridith Lamb



No	Reference	Question	Response	Comments	Respondent
7	s7.12A(4)(a)	Where matters identified as significant were reported in the auditor's report, did the local government prepare a report that stated what action the local government had taken or intended to take with respect to each of those matters?	Yes	Included in the February 2021 Ordinary Council Meeting Agenda	Merridith Lamb
8	s7.12A(4)(b)	Where the local government was required to prepare a report under s.7.12A(4)(a), was a copy of the report given to the Minister within three months of the audit report being received by the local government?	N/A	To be done after adoption at the February 2021 Ordinary Council Meeting Agenda	Merridith Lamb
9	s7.12A(5)	Within 14 days after the local government gave a report to the Minister under s7.12A(4)(b), did the CEO publish a copy of the report on the local government's official website?	N/A	To be done after adoption at the February 2021 Ordinary Council Meeting Agenda	Merridith Lamb
10	Audit Reg 7	Did the agreement between the local government and its auditor include the objectives and scope of the audit, a plan for the audit, details of the remuneration and expenses paid to the auditor, and the method to be used by the local government to communicate with the auditor?	Yes		Merridith Lamb
11	Audit Reg 10(1)	Was the auditor's report for the financial year ending 30 June received by the local government within 30 days of completion of the audit?	Yes		Merridith Lamb

**Integrated Planning and Reporting**

No	Reference	Question	Response	Comments	Respondent
1	Admin Reg 19C	Has the local government adopted by absolute majority a strategic community plan? If Yes, please provide the adoption date or the date of the most recent review in the Comments section?	Yes	October 2018 Resolution No. 261/10/18	Merridith Lamb
2	Admin Reg 19DA (1) & (4)	Has the local government adopted by absolute majority a corporate business plan? If Yes, please provide the adoption date or the date of the most recent review in the Comments section?	Yes	23 April 2019 Resolution No. 103/04/19	Merridith Lamb
3	Admin Reg 19DA (2) & (3)	Does the corporate business plan comply with the requirements of Admin Reg 19DA(2) & (3)?	Yes		Merridith Lamb



<b>Local Government Employees</b>					
<b>No</b>	<b>Reference</b>	<b>Question</b>	<b>Response</b>	<b>Comments</b>	<b>Respondent</b>
1	Admin Reg 18C	Did the local government approve a process to be used for the selection and appointment of the CEO before the position of CEO was advertised?	Yes		Merridith Lamb
2	s5.36(4) & s5.37 (3) Admin Reg 18A	Were all CEO and/or senior employee vacancies advertised in accordance with Admin Reg 18A?	Yes		Merridith Lamb
3	Admin Reg 18E	Was all information provided in applications for the position of CEO true and accurate?	Yes		Merridith Lamb
4	Admin Reg 18F	Was the remuneration and other benefits paid to a CEO on appointment the same remuneration and benefits advertised for the position under section 5.36(4)?	Yes		Merridith Lamb
5	s5.37(2)	Did the CEO inform council of each proposal to employ or dismiss senior employee?	N/A		Merridith Lamb
6	s5.37(2)	Where council rejected a CEO's recommendation to employ or dismiss a senior employee, did it inform the CEO of the reasons for doing so?	N/A		Merridith Lamb

<b>Official Conduct</b>					
<b>No</b>	<b>Reference</b>	<b>Question</b>	<b>Response</b>	<b>Comments</b>	<b>Respondent</b>
1	s5.120	Has the local government designated a senior employee as defined by section 5.37 to be its complaints officer?	No	CEO is Complaints Officer in accordance with s5.120(2)	Merridith Lamb
2	s5.121(1)	Has the complaints officer for the local government maintained a register of complaints which records all complaints that resulted in a finding under section 5.110(2)(a)?	Yes		Merridith Lamb
3	s5.121(2)	Does the complaints register include all information required by section 5.121 (2)?	Yes		Merridith Lamb
4	s5.121(3)	Has the CEO published an up-to-date version of the register of the complaints on the local government's official website?	No		Merridith Lamb

<b>Optional Questions</b>					



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

No	Reference	Question	Response	Comments	Respondent
1	Financial Management Reg 5 (2)(c)	Did the CEO review the appropriateness and effectiveness of the local government's financial management systems and procedures in accordance with Financial Management Reg 5(2)(c) within the three years prior to 31 December 2020? If yes, please provide the date of council's resolution to accept the report.	Yes	Resolution No. 205/8/18 31/03/18	Merridith Lamb
2	Audit Reg 17	Did the CEO review the appropriateness and effectiveness of the local government's systems and procedures in relation to risk management, internal control and legislative compliance in accordance with Audit Reg 17 within the three years prior to 31 December 2020? If yes, please provide date of council's resolution to accept the report.	Yes	Resolution No. 204/8/18 28/8/18 Item No. 9.2.6	Merridith Lamb
3	s5.87C(2)	Where a disclosure was made under sections 5.87A or 5.87B, was the disclosure made within 10 days after receipt of the gift?	Yes		Merridith Lamb
4	s5.87C	Where a disclosure was made under sections 5.87A or 5.87B, did the disclosure include the information required by section 5.87C?	Yes		Merridith Lamb
5	s5.90A(2)	Did the local government prepare and adopt by absolute majority a policy dealing with the attendance of council members and the CEO at events?	Yes	Resolution 61/02/20	Merridith Lamb
6	s.5.90A(5)	Did the CEO publish an up-to-date version of the attendance at events policy on the local government's official website?	Yes	Resolution No. 59/02/20	Merridith Lamb
7	s5.96A(1), (2), (3) & (4)	Did the CEO publish information on the local government's website in accordance with sections 5.96A(1), (2), (3), and (4)?	Yes		Merridith Lamb
8	s5.128(1)	Did the local government prepare and adopt (by absolute majority) a policy in relation to the continuing professional development of council members?	Yes	Resolution 62/02/20	Merridith Lamb
9	s5.127	Did the local government prepare a report on the training completed by council members in the 2019/2020 financial year and publish it on the local government's official website by 31 July 2020?	Yes	Resolution No. 25/02/20	Merridith Lamb
10	s6.4(3)	By 30 September 2020, did the local government submit to its auditor the balanced accounts and annual financial report for the year ending 30 June 2020?	Yes		Merridith Lamb



<b>Tenders for Providing Goods and Services</b>					
<b>No</b>	<b>Reference</b>	<b>Question</b>	<b>Response</b>	<b>Comments</b>	<b>Respondent</b>
1	F&G Reg 11A(1) & (3)	Does the local government have a current purchasing policy that complies with F&G Reg 11A(3) in relation to contracts for other persons to supply goods or services where the consideration under the contract is, or is expected to be, \$250,000 or less or worth \$250,000 or less?	Yes		Merridith Lamb
2	F&G Reg 11A(1)	Did the local government comply with its current purchasing policy in relation to the supply of goods or services where the consideration under the contract was, or was expected to be, \$250,000 or less or worth \$250,000 or less?	Yes		Merridith Lamb
3	s3.57 F&G Reg 11	Subject to F&G Reg 11(2), did the local government invite tenders for all contracts for the supply of goods or services where the consideration under the contract was, or was expected to be, worth more than the consideration stated in F&G Reg 11(1)?	Yes	Fire Mitigation Works	Merridith Lamb
4	F&G Regs 11(1), 12(2), 13, & 14(1), (3), and (4)	When regulations 11(1), 12(2) or 13 required tenders to be publicly invited, did the local government invite tenders via Statewide public notice in accordance with F&G Reg 14(3) and (4)?	Yes		Merridith Lamb
5	F&G Reg 12	Did the local government comply with F&G Reg 12 when deciding to enter into multiple contracts rather than a single contract?	Yes		Merridith Lamb
6	F&G Reg 14(5)	If the local government sought to vary the information supplied to tenderers, was every reasonable step taken to give each person who sought copies of the tender documents or each acceptable tenderer notice of the variation?	Yes		Merridith Lamb
7	F&G Regs 15 & 16	Did the local government's procedure for receiving and opening tenders comply with the requirements of F&G Regs 15 and 16?	Yes		Merridith Lamb
8	F&G Reg 17	Did the information recorded in the local government's tender register comply with the requirements of F&G Reg 17 and did the CEO make the tenders register available for public inspection and publish it on the local government's official website?	Yes		Merridith Lamb
9	F&G Reg 18(1)	Did the local government reject any tenders that were not submitted at the place, and within the time, specified in the invitation to tender?	No		Merridith Lamb



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10	F&G Reg 18(4)	Were all tenders that were not rejected assessed by the local government via a written evaluation of the extent to which each tender satisfies the criteria for deciding which tender to accept?	Yes		Merridith Lamb
11	F&G Reg 19	Did the CEO give each tenderer written notice containing particulars of the successful tender or advising that no tender was accepted?	Yes		Merridith Lamb
12	F&G Regs 21 & 22	Did the local government's advertising and expression of interest processes comply with the requirements of F&G Regs 21 and 22?	Yes		Merridith Lamb
13	F&G Reg 23(1) & (2)	Did the local government reject any expressions of interest that were not submitted at the place, and within the time, specified in the notice or that failed to comply with any other requirement specified in the notice?	Yes	Respondent did not attend mandatory site briefing.	Merridith Lamb
14	F&G Reg 23(3)	Were all expressions of interest that were not rejected assessed by the local government?	Yes		Merridith Lamb
15	F&G Reg 23(4)	After the local government considered expressions of interest, did the CEO list each person considered capable of satisfactorily supplying goods or services as an acceptable tenderer?	Yes		Merridith Lamb
16	F&G Reg 24	Did the CEO give each person who submitted an expression of interest a notice in writing of the outcome in accordance with F&G Reg 24?	Yes		Merridith Lamb
17	F&G Regs 24AD(2) & (4) and 24AE	Did the local government invite applicants for a panel of pre-qualified suppliers via Statewide public notice in accordance with F&G Reg 24AD(4) and 24AE?	N/A		Merridith Lamb
18	F&G Reg 24AD(6)	If the local government sought to vary the information supplied to the panel, was every reasonable step taken to give each person who sought detailed information about the proposed panel or each person who submitted an application notice of the variation?	N/A		Merridith Lamb
19	F&G Reg 24AF	Did the local government's procedure for receiving and opening applications to join a panel of pre-qualified suppliers comply with the requirements of F&G Reg 16, as if the reference in that regulation to a tender were a reference to a pre-qualified supplier panel application?	N/A		Merridith Lamb
20	F&G Reg 24AG	Did the information recorded in the local government's tender register about panels of pre-qualified suppliers comply with the requirements of F&G Reg 24AG?	N/A		Merridith Lamb





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

No	Reference	Question	Response	Comments	Respondent
21	F&G Reg 24AH(1)	Did the local government reject any applications to join a panel of pre-qualified suppliers that were not submitted at the place, and within the time, specified in the invitation for applications?	N/A		Merridith Lamb
22	F&G Reg 24AH(3)	Were all applications that were not rejected assessed by the local government via a written evaluation of the extent to which each application satisfies the criteria for deciding which application to accept?	N/A		Merridith Lamb
23	F&G Reg 24AI	Did the CEO send each applicant written notice advising them of the outcome of their application?	N/A		Merridith Lamb
24	F&G Regs 24E & 24F	Where the local government gave regional price preference, did the local government comply with the requirements of F&G Regs 24E and 24F?	N/A		Merridith Lamb

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

\_\_\_\_\_  
Signed Mayor/President, Toodyay

\_\_\_\_\_  
Signed CEO, Toodyay

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