



Special Council Meeting

15 January 2026

Commencing at 4:00 PM

Agenda

Notice of Meeting.

To: The President and Councillors.

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

The Special Meeting of Council has been called by the Shire President.

The Special Meeting of Council is for the purpose of:

1. Acceptance of the Annual Report, including the Audited Financial Statements.
2. Setting a date and time of the Annual Electors Meeting.
3. Significant Matters raised in the 2024-2025 Financial Audit

Aaron Bowman JP

CHIEF EXECUTIVE OFFICER



Information

Our Vision, Purpose and Values

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

Our Vision

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

Our Purpose

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

Our Values

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

- **Integrity** - we behave honestly to the highest ethical standard;
- **Accountability** – we are transparent in our actions and accountable to the community;
- **Inclusiveness** – we are responsive to the community, and we encourage involvement by all people; and
- **Commitment** – we translate our plans into actions and demonstrate the persistence that will provide results.

Community Aspirations

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

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

Disclaimer

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

Availability of Meeting Agenda and its Attachments

Information about Council Meetings is located on the website

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

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

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

Information

Conduct of Members of the Public at Council Meetings

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

Section 5.17 Prevention of disturbance

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

Section 8.6 Right of Presiding Member to adjourn

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

Public Question Time

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

Procedures for Asking Questions

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

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

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

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

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

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

Information

The following general rules apply to question time:

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

Submissions

An owner, applicant or any member of the public who has an interest in an item on an Agenda, or generally, can make a submission to Councillors for up to five minutes unless the time is extended by the Presiding Member.

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

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

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

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

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

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

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

Information

Petitions

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

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

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

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

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

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

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

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

Council Meetings

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

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

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

Disclosure of Interests

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

Councillors must leave the meeting whilst the matter is discussed; however Council Officers are required to disclose their interest at the time of giving their advice to Council, whether in writing or verbally.

Confidential Items

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

Unconfirmed and Confirmed Minutes

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

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

Information



Public Question Time Registration

s.5.24 of the Local Government Act 1995

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

Date of Council Meeting: _____

Name(s): _____

Postal Address: _____

Organisation (if applicable): _____

Phone: _____ **Email:** _____

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

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

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

(1) _____

Agenda Item No: _____

(2) _____

Agenda Item No: _____

(3) _____

Agenda Item No: _____

(4) _____

Agenda Item No: _____

(5) _____

Agenda Item No: _____

If you require extra room, please attach an A4 page

Signature: **Date:**



Administration Centre
15 Fiennes Street (PO Box 96)
TOODYAY WA 6566

T (08) 9574 9300
E records@toodyay.wa.gov.au
W www.toodyay.wa.gov.au

Information



Public Submission Registration

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

Members of the public who wish to make a submission at an Agenda Briefing must complete this form

Date of Council Meeting:

Agenda Item and Name:

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

CONTACT DETAILS

Name(s): _____

Postal Address: _____

Organisation (if applicable):

Phone: _____ Email: _____

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

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

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

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

Signature: **Date:**

Please return this form to the Shire of Toodyay



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Information



Disclosure of Interest Form

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

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

Meeting Date: _____ Meeting type: Council Meeting Committee Meeting

Report No: _____ Report Title: _____

Disclosure made by: Councillor Employee Contractor Committee Member

Your Full Name: _____

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

Nature of Interest: _____

Extent of Interest: _____

Signature: _____ Date: _____

CEO Sign off

Signature: _____ Date: _____
Chief Executive Officer

Applicable Legislation and Operational Guidelines:

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

Local Government (Administration) Regulations 1996 (Regulation 19AD)

Local Government (Model Code of Conduct) Regulations 2021 (Regulation 22)

Local Government Operational Guideline (Disclosures of Interest)

Local Government Operational Guideline (Disclosure of gifts and disclosure of interests relating to gifts)

OFFICE USE ONLY

recorded in Minutes of Meeting

recorded in Disclosure of Interests Register

Date: _____ Officer Signature: _____

Information



Request for Works or Services OR Report an issue

Details of Person making the request or reporting the issue

Name: _____ Date: _____

Address: _____ (Residential / Property Address including postcode)

Phone (H): _____ Email: _____

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

Location

Description

RECORDS USE ONLY

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

Request forwarded to: _____ Date: _____

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

Contact made with Person making the request or reporting the issue

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

Contact made through: Phone In person Email Outgoing correspondence

The person was informed that: _____

SIGN OFF DETAIL – Works completed by

Name: _____ Signature: _____ Date: _____

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



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

1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

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

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

2 RECORDS OF ATTENDANCE**2.1 APOLOGIES****3 DISCLOSURE OF INTERESTS****4 PUBLIC QUESTIONS****4.1 PUBLIC QUESTION TIME****5 APPROVED LEAVE OF ABSENCE**

5 OFFICER REPORTS**5.1 EXECUTIVE SERVICES****5.1.1 Annual Report 2024-2025**

Date of Report:	5 January 2026
Applicant or Proponent:	Shire of Toodyay
File Reference:	MAN2
Author:	A Bowman JP – Chief Executive Officer
Responsible Officer:	A Bowman JP – Chief Executive Officer
Previously Before Council:	N/A
Author's Disclosure of Interest:	Nil
Council's Role in the matter:	Executive
Attachments:	1. 2024-2025 Annual Report

PURPOSE OF THE REPORT

To adopt the Annual Report including the audited Annual Financial Statements and set the date for the annual Electors Meeting.

BACKGROUND

The Local Government Act 1995 (the Act) requires every local government to prepare an Annual Report for each financial year (s5.53 and 5.54) and to adopt it within 2 months of receiving the auditor's report. Section 5.27 of the Act requires that a General Meeting of Electors of a district is to be held once every financial year and that the General Meeting is held on a day selected by the Local Government, no more than 56 days after the Local Government accepts the Annual Report.

COMMENTS AND DETAILS

The signed Annual Report for the financial year, including the audited Financial Statements ended 30 June 2025 is now submitted to the Council for acceptance. Following acceptance, local public notice is required to be given that the document is available for inspection. An annual Meeting of Electors is also required to be held. The Annual Report also contains the Annual Financial Report of the Shire for 2024/25. This includes the Statements of Comprehensive Income, Statement of Financial Position, Statement of Changes in Equity, Statement of Cash Flows, Statement of Financial Activity, and notes to and forming part of the accounts.

The Office of the Auditor General issued a Qualified Opinion. This was due to the 23/24 opinion and therefore they were unable to obtain sufficient appropriate audit evidence to determine whether any adjustments were necessary to the opening balances as 1 July 2024.

At the end of the financial year, the Shire had total assets of \$200.051 million and total liabilities of \$8.34 million, with total equity of \$191.711 million.

IMPLICATIONS TO CONSIDER**Consultative:**

Nil.

Strategic:

9.2 Govern Shire finances, assets, and operations responsibly.

Policy related:

Nil.

Financial:

The cash and cash equivalents are \$6,272,230

Legal and Statutory:

The Annual Report is to be accepted by the Shire no later than 23 February 2026 in accordance with s 5.54 of the *Local Government Act 1995*. An Electors General Meeting is to be held on a day selected by the Shire, but not more than 56 days after the Annual report has been accepted in accordance with s5.27 of the *Local Government Act 1995*.

Risk related:

Nil.

Workforce related:

There are no notable workforce related impacts of the officer's recommendation

VOTING REQUIREMENTS

Absolute Majority

OFFICER'S RECOMMENDATION

That Council resolves to:

1. Accept the Annual Report for the year ended 30 June 2025, subject to design and authorise the CEO to approve any minor changes that may be required before the document is finalise for printing.
2. Approved the Annual Meeting of Electors on Monday 9 February 2026 at 5:30 pm at Toodyay Community Resource Centre and give public notice in accordance with the *Local Government Act 1995*.

7 CONFIDENTIAL BUSINESS**RECOMMENDATION**

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

2.1 Significant Matters Raised in the 2024-2025 Financial Audit

This matter is considered to be confidential under Section 5.23(2) - (f)(i) and (f)(ii) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with a matter that if disclosed, could be reasonably expected to impair the effectiveness of any lawful method or procedure for preventing, detecting, investigating or dealing with any contravention or possible contravention of the law. and a matter that if disclosed, could be reasonably expected to endanger the security of the local government's property

8 CLOSURE OF MEETING