



# Governance Framework



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The framework is stored and accessed through the following structure:	
<b>Internally</b>	<b>Content Manager:</b> Original editable Word versions (restricted access) stored in a central repository as PDF and word documents via this link: <a href="#">Record F26/88-05: Governance Framework (including supporting frameworks)</a>
<b>Externally</b>	<b>Shire Website:</b> Public-facing versions of frameworks for community access that open up as PDF or HTML documents on the web via this link: <a href="https://www.toodyay.wa.gov.au/documents/302/shire-of-toodyay-governance-framework">https://www.toodyay.wa.gov.au/documents/302/shire-of-toodyay-governance-framework</a>

# 1. Introduction

The Shire of Toodyay aims to achieve high standards of governance that promote transparency, accountability, integrity, and efficiency. This framework integrates the areas of governance, risk management, integrity, communication, policy management, records management, IT governance, legal management, financial management, compliance management, and operational management.

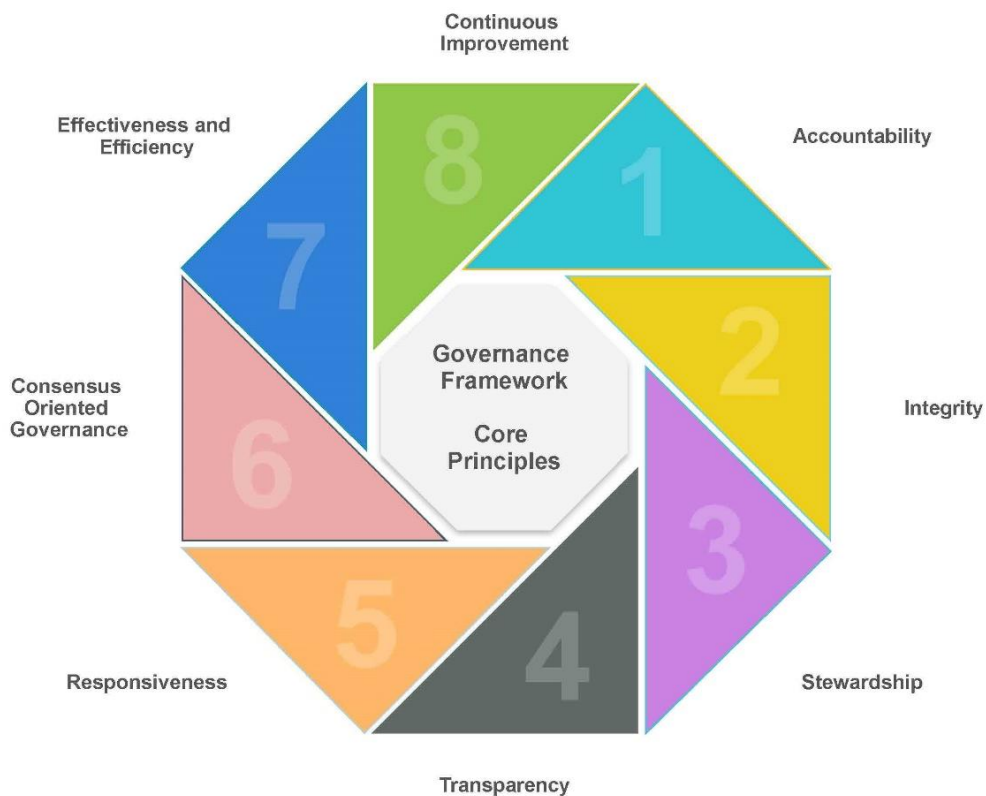
Governance is the process by which:

- (a) Decisions are made and implemented;
- (b) An organisation achieves its goals and produces its outputs; and
- (c) Organisations are directed, controlled, and held to account.

Good governance involves a focus on:

- (a) a clear vision and positive organisational culture;
- (b) clarity of roles and responsibilities;
- (c) robust management practices and systems which support both internal and external accountability; and
- (d) public access to formal decision-making and information.

There are eight key components of good governance:



## 1) **Accountability**

Accountability ensures that decision-makers are empowered to act within their authority, are held responsible for their actions, and operate transparently and ethically in service of the community.

This governance framework defines the roles and responsibilities of Councillors, the CEO, and staff to ensure that each individual understands their decision-making authority, obligations, and consequences of non-compliance.

Effective governance requires robust oversight mechanisms through decision-making processes that include checks and balances to prevent misuse of authority. These mechanisms ensure that decisions are made ethically and in alignment with community expectations. Oversight is supported by performance evaluations, financial audits, and regular reviews of strategic and operational activities.

### **Accountability Mapping**

The Shire maintains a detailed accountability map (refer to **Appendix A**) that outlines compliance responsibilities across the organisation to ensure that every individual knows their specific duties and obligations, supporting a culture of ownership and responsibility.

To further strengthen accountability, continuous improvement through regular performance evaluations; and financial audits aims to be the Shire's focus to ensure that services remain efficient, fair, and responsive to community needs.

### **Innovation and Adaptive Leadership**

Transparent communication and adaptive leadership foster trust and ensure that public services remain relevant and effective.

When leaders make decisions—whether about infrastructure, services, or policy—they must explain their rationale and demonstrate compliance with laws and standards. Missteps are addressed through established systems that investigate and rectify issues, ensuring that governance remains fair and transparent.

## **2) Integrity**

The Shire endeavours to promote ethical behaviour at all levels. This includes adherence to legislation, fair enforcement of regulations, and honest communication. Policies and procedures are designed to reflect this commitment, guiding decision-making and behaviour in a manner that prioritises the public interest.

The Shire maintains a publicly accessible [Statement of Business Ethics](#) and two distinct Code of Conducts are also on the Shire Website at the following links:

- [Code of Conduct for Council members, Committee members, and candidates](#)
- [Code of Conduct for Workers](#)

These documents set clear expectations for integrity, professionalism, and lawful conduct, reinforcing a culture of accountability and respect.

Integrity is strengthened through the delivery of comprehensive induction programs that cover:

- Roles and responsibilities;
- Decision-making processes;
- Communication protocols;
- Delegations and accountability;
- Shire values and Code of Conduct; and
- Confidentiality and access to information.

Professional development is encouraged to build capability and reinforce ethical standards across the organisation.

The Shire fosters a positive organisational culture rooted in trust, openness, and honesty. Constructive questioning is encouraged, and respectful dialogue is supported. This environment enables ethical decision-making and strengthens internal and external relationships.

### 3) **Stewardship**

The Shire of Toodyay demonstrates stewardship by endeavouring to manage its organisation for the benefit of all residents, ensuring fair treatment and inclusive representation.

Guided by the *Equal Opportunity Act 1984*, the Shire aims to actively promote diversity, equity, and inclusion across governance, service delivery, and leadership. Through equitable access, respectful engagement, and barrier-free participation, the Shire fosters a community where everyone feels valued and empowered.

### 4) **Transparency**

Transparency is essential to building trust and enabling informed participation in local government. Transparency means providing accessible, and accurate information to both internal stakeholders and the broader community.

Formal Council meetings are held publicly, allowing residents to observe how decisions are made and understand the rationale behind them. This openness ensures that governance processes are visible and understandable, reinforcing public confidence in the integrity of Council operations.

The Shire ensures compliance with the *Freedom of Information Act 1992* (FOI) supported by the Shire's Freedom of Information (FOI) Information Statement

<https://www.toodyay.wa.gov.au/documents/473/freedom-of-information-information-statement>

Other key governance documents published online, include:

- Agendas and Minutes containing formal decisions made by Council as well as the List of Payments and Monthly Financial Statements;
- Strategic and operational plans;
- Budget, Annual Financial Statements, Annual Reports, Schedule of Fees and Charges and other financial reports;
- local laws, policies, Council registers, and other information related to governance; and
- Information related to other residential services.

By providing open access to key governance documents, the Shire promotes transparency, enabling residents to stay informed about policy developments and financial management.

Transparency is not only about sharing information—it is about listening. When planning major initiatives such as infrastructure projects or community facilities that affect the community, the Shire endeavours to seek public input to inform Council decisions. This inclusive approach ensures

that diverse perspectives are considered and that outcomes reflect community needs and values.

Internally, the Shire ensures that decisions are made through clear, accountable processes. Councillors receive relevant information to support informed decision-making.

Community leadership involves guiding public understanding and expectations. Transparency ensures all residents have equal access to information and decision-making processes. The Shire's commitment to clear communication and ethical leadership ensures that governance is not only visible but also equitable and inclusive.

## **5) Responsiveness**

Responsiveness ensures the Shire can deliver effective, and community-focused services, particularly during periods of disruption or emergency. It reflects that the Shire will endeavour to be agile, accountable, and proactive in addressing the needs of its residents.

The Shire maintains strong governance arrangements to support continuity of operations and decision-making during emergencies. This is achieved through the implementation of the Business Continuity and Disaster Recovery Plan, which outlines protocols for maintaining essential services and organisational stability.

A key component of this plan is the Incident Command Structure, led by the Chief Executive Officer (CEO), which enables:

- Rapid and accountable decision-making;
- Coordinated deployment of resources; and
- Clear leadership and communication pathways.

These arrangements are supported by the Local Emergency Management Arrangements (LEMA), which are regularly reviewed and tested to ensure they remain fit for purpose and compliant with legislative requirements.

During emergencies, the Shire ensures:

- dissemination of accurate information to the community;
- Transparent decision-making processes;
- Continuity of essential services; and
- Engagement with relevant stakeholders, including emergency services and community groups.

The Shire's responsiveness promotes:

- Public confidence in local leadership;
- Organisational resilience;
- Ethical and evidence-based decision-making; and
- Alignment with community expectations and statutory obligations.

The Shire endeavours to undertake reviews and enhancement of its emergency governance protocols. Lessons learned from incidents, community feedback, and audit findings inform improvements to ensure responsiveness remains effective and adaptive.

## 6) **Consensus-Oriented Governance**

Consensus-oriented governance ensures that diverse community interests are considered in decision-making, enabling the development of sustainable policies that reflect shared values and long-term priorities. The Shire endeavours to balance environmental, social, and economic considerations to achieve outcomes that benefit current and future generations.

The Shire aims to actively promote sustainability through responsible land use, investment in renewable energy, and waste reduction initiatives. These efforts are embedded in strategic planning and operational practices, supporting environmental stewardship and resource efficiency.

To reinforce this commitment, the Shire endeavours to integrate social equity and economic resilience into its governance processes. This includes:

- Supporting local businesses and economic development;
- Promoting inclusive community engagement; and
- Ensuring equitable access to services and infrastructure.

By fostering collaboration across sectors and stakeholder groups, the Shire also aims to strengthen its capacity to deliver consensus-oriented governance reflected in:

- Transparent consultation processes for major projects;
- Evidence-based decision-making that considers long-term impacts;
- Engagement with sustainability experts and community representatives; and
- Regular policy reviews and data-informed forecasting.

These practices endeavour to ensure that decisions are not only technically sound but socially and environmentally responsible. By embedding sustainability into all aspects of its operations and adapting to emerging challenges, the Shire ensures that its policies remain relevant, inclusive, and effective over time.

## 7) **Effectiveness and Efficiency**

Effectiveness and efficiency are essential to delivering high-quality services and achieving the best possible outcomes for the community. The Shire endeavours to optimise the use of its resources—financial, human, and environmental—to ensure that operations are sustainable, responsive, and aligned with community priorities.

The Shire applies strategic planning and evidence-based decision-making to allocate resources to where they have the greatest impact. This includes careful budgeting, targeted infrastructure investment, and workforce planning to ensure that services are delivered in a cost-effective and community-focused manner.

To enhance operational effectiveness, the Shire:

- streamlines internal processes to reduce waste and improve productivity;
- implements digital solutions and modern workflows to increase agility;

- conducts performance assessments to identify areas for improvement; and
- engages with stakeholders to ensure services remain relevant and responsive.

These practices support a more efficient administration that can adapt to changing needs and deliver outcomes.

Effectiveness is measured not only by internal performance but by the extent to which services meet the needs of the community. The Shire engages with residents, businesses, and stakeholders to identify priorities and tailor programs accordingly. Clear objectives, structured planning, and responsive service delivery ensure that initiatives are both impactful and sustainable.

By embedding effectiveness and efficiency into its governance framework, the Shire:

- Maximises the value of public resources;
- Enhances service quality and responsiveness; and
- Reduces administrative burden and duplication.

## 8) **Continuous Improvement**

Continuous improvement ensures that governance practices evolve in response to community needs, legislative changes, and operational insights, fostering a culture of learning, innovation, and accountability.

This ensures that governance remains dynamic, accountable, and capable of delivering long-term benefits to the community.

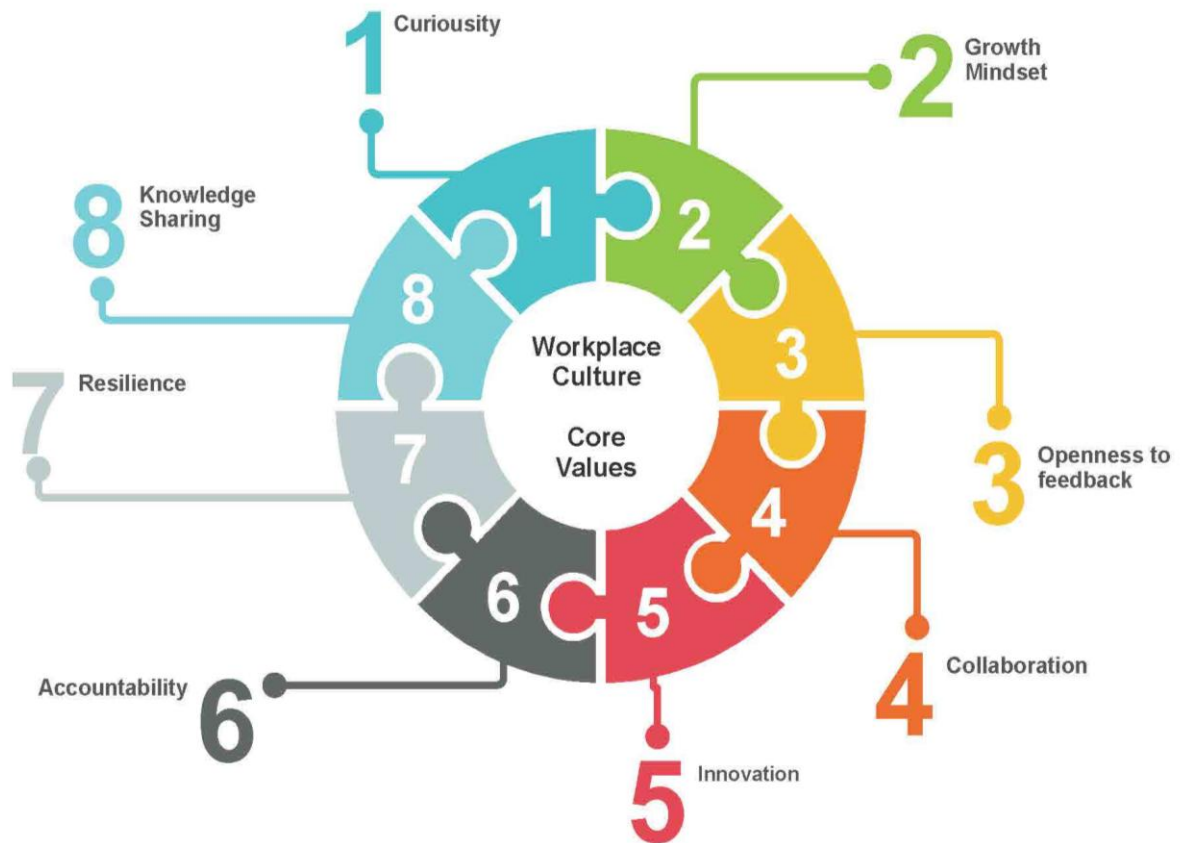
The Shire is dedicated to embedding continuous improvement across all levels of its operations in order to refine processes, eliminate inefficiencies, and align resources with strategic priorities, to ensure long-term sustainability and improved outcomes for residents and stakeholders.

The Shire supports a continuous learning culture through:

- Regular training, workshops, and compliance briefings;
- Access to online learning platforms and industry events;
- Mentorship and certification opportunities; and
- Performance reviews focused on development rather than judgement.

This approach ensures staff are equipped with up-to-date knowledge in financial controls, risk management, ethical governance, and statutory obligations.





Workplace culture is built on the values described above and below:

- **Curiosity:** encouraging exploration and questioning;
- **Growth Mindset:** belief in development through effort and learning;
- **Openness to Feedback:** embracing constructive input;
- **Collaboration:** sharing knowledge and learning from peers;
- **Innovation:** improving processes and experimenting with ideas;
- **Accountability:** ownership of personal and professional growth;
- **Resilience:** viewing challenges as learning opportunities; and
- **Knowledge Sharing:** ensuring expertise is accessible to all.

These values are embedded in leadership practices and daily operations, driving sustained improvement and excellence.

Through continuous improvement, the Shire achieves:

- Enhanced risk mitigation and regulatory compliance;
- Strengthened financial governance and fraud prevention;
- Improved transparency and accountability; and
- Increased community confidence and trust.

The Shire's commitment is reflected in its structured approach to governance ensuring that services remain efficient, transparent, and aligned with best practice, supporting sustainable growth and improved service delivery.

## 2. Definitions and Scope of the Governance framework

This framework applies to all governance activities across the Shire, encompassing policy management, compliance, risk management, legal, financial, operational, and IT governance.

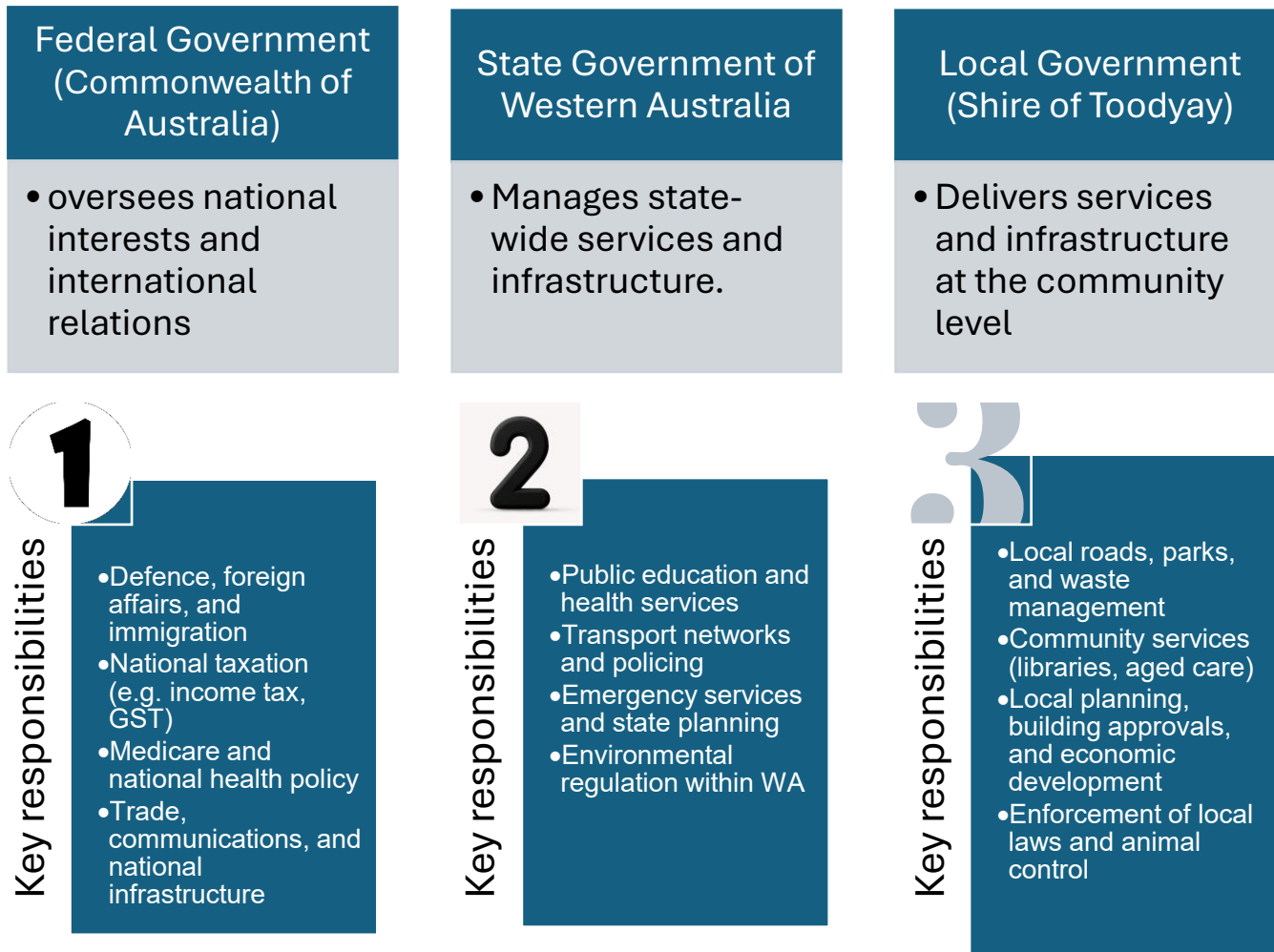
Term	Definition
Governance	The processes, systems, and practices through which decisions are made, implemented, and monitored to achieve strategic objectives and ensure accountability.
Local Government	The third tier of government in Australia, established under the Local Government Act 1995, responsible for delivering services and infrastructure at the community level.
Council	The elected governing body of the Shire of Toodyay, comprising Councillors and led by the Shire President, responsible for strategic decision-making.
CEO (Chief Executive Officer)	The principal executive officer appointed by Council to manage the day-to-day operations of the Shire and implement Council decisions.
Delegation	The formal transfer of authority from Council to the CEO or other officers to make decisions or perform duties under specified conditions.
Quasi-Judicial Function	A decision-making role that requires the application of law to facts in a fair and impartial manner, often in planning or regulatory contexts.
Compliance	Adherence to laws, regulations, policies, and procedures governing local government operations.
Integrity	The practice of ethical, honest, and lawful behaviour in all aspects of governance and service delivery.
Transparency	The principle of open and accessible decision-making, ensuring that information is available to the public and stakeholders.
Accountability	The obligation of individuals and organisations to explain their decisions and actions and accept responsibility for outcomes.
Continuous Improvement	An ongoing effort to enhance services, systems, and governance practices through feedback, innovation, and performance review.
Risk Management	The identification, assessment, and mitigation of risks that may affect the Shire's ability to achieve its objectives.
Strategic Planning	The process of setting long-term goals and priorities to guide the Shire's development and service delivery.
Integrated Planning and Reporting (IPR)	A framework that links community aspirations with strategic, financial, and operational planning to ensure sustainable governance.

Term	Definition
Code of Conduct	A formal document outlining expected standards of behaviour for Councillors, Committee Members, Candidates, and Employees.
Conflict of Interest	A situation where personal interests may influence or appear to influence professional duties or decision-making.
Public Interest Disclosure (PID)	A legal mechanism that allows individuals to report misconduct or wrongdoing within the Shire, with protections against retaliation.
Audit, Risk and Improvement Committee (ARIC)	A Council-appointed committee providing independent oversight of governance, risk, and compliance functions.
Local Law	Legislation made by the Shire under the Local Government Act 1995 to regulate matters within its jurisdiction.
Standing Orders	Rules governing the conduct of Council meetings, including debate, motions, and voting procedures.
Freedom of Information (FOI)	The legal right of individuals to access documents held by the Shire, subject to exemptions under the Freedom of Information Act 1992.
Primary Return	A statutory declaration of financial interests required from key personnel within three months of commencing their role.
Annual Return	A yearly declaration of financial interests required from key personnel to ensure transparency and compliance.
Related Party Disclosure	A financial reporting requirement identifying transactions between the Shire and individuals or entities with a close relationship to key personnel.
Statutory Authority	A government agency established by legislation to oversee compliance, provide guidance, or enforce laws relevant to local government.
Operational Management	The day-to-day administration of services, resources, and infrastructure to meet strategic outcomes.
Community Engagement	The process of involving residents and stakeholders in decision-making through consultation, feedback, and participation.
Business Operating Practice	Internal procedures approved by the CEO to guide administrative functions and service delivery.
Council Policy	A document adopted by Council to guide governance, service delivery, and resource allocation.

### 3. Understanding the Three Tiers of Government in Australia

The three spheres of government are Federal, State and Local.

Each sphere works together in various ways to provide a number of services, and to find mechanisms for funding those services. Although each sphere of government functions differently and has vastly different powers and status, each plays an essential and equal role in meeting the needs of the broad community.



The three spheres of government share a relationship characterised by independence, interdependence, and dependence. Local Government, like the other spheres, is democratically elected in accordance with provisions contained in the *Local Government Act 1995* and *Local Government (Election) Regulations 1997* and has multiple roles and responsibilities, has revenue-raising powers, and can make laws.

Unlike designated statutory bodies, which tend towards single purpose service delivery, local government can offer a wide variety of services to their community, including local roads and bridges, footpaths, drainage, waste management, recreation facilities, parks, sports fields, swimming pools, halls, camping grounds and caravan parks, food inspection, aged care and accommodation, building and planning services, medical services; to only name a few.

Levying of rates based on land valuations is a form of taxation. Although raised against landowners or occupiers, additional forms of revenue-raising include miscellaneous fees and charges, including services charges, such as waste collection.

The table below shows the governance structure and how local government fits within Australia’s broader three-tiered system of government. This structure ensures that services and decision-making are delivered at the appropriate level—Federal, State, and Local.



**Local governments are the third level of government established as a corporate body with ongoing existence and a Common Seal pursuant to section 2.5 of the *Local Government Act 1995*.**

That body (the Shire) has the same legal rights as a person, meaning that it can sue and be sued. However, the State government has the power to dissolve, suspend or merge local governments and can override Council decisions.

The Shire has an elected Council as its governing body pursuant to section 2.6 of the *Local Government Act 1995* which also requires that the offices on the council of the local government of a shire are those of the president, the deputy president and the councillors.

The Shire of Toodyay has seven elected Councillors, each serving a four-year term, with elections held every two years. Councillors may be re-elected without term limits.

The Shire has legal responsibilities for many functions and activities important to local communities. Being the 'closest' level of government to the people, local government deals with issues that are crucial to people’s daily lives and significantly affect their quality of life.

The Shire is required to employ a person to be the Chief Executive Officer (CEO) of the Shire and any other persons that council believes are necessary to enable the functions of the Shire and of Council to be performed pursuant to section 5.36 of the *Local Government Act 1995*.

The CEO manages the administration, employs staff, and implements Council decisions.

The following principles apply:

- Councillors exercise decision-making authority as a member of Council after they are elected and formally sworn in; and when they meet as a Council.
- All lawful decisions are made at Council Meetings; or through delegations that are formally made by Council to the CEO. The CEO can also sub-delegate their decision-making authority to other Shire Officers.

The Shire is responsible for shaping liveable, sustainable communities through core functional areas (Refer to **Appendix B** – Provision of Services and Facilities).

Good governance is the process of managing resources to achieve development goals while upholding human rights and the rule of law. It is a way to ensure that public affairs are conducted without corruption and abuse. The way the Shire achieves good governance is through the components in the picture below.



## Coordination and Efficiency

The Shire has the ability to make local laws on matters such as property management, parking, and trading in public places, all of which carry the weight of legislation and can be enforced through the Courts.

Local governments must ensure that the services they provide integrate and coordinate with those of the Commonwealth and State governments to avoid duplication and ensure efficient resource allocation.

The relationship between local and Commonwealth Governments in Australia is collaborative, particularly in areas like funding and policy implementation. Financial Assistance Grants (FAGs) are a prime example of this relationship.

The Commonwealth Government offers Financial Assistance Grants to local governments under the *Local Government (Financial Assistance) Act 1995*. These grants are distributed annually.

The grants aim to ensure equitable service delivery across local governments, regardless of their revenue-raising capacity.

They help councils maintain infrastructure, provide community services, and support local development.

The grants are divided into the following parts:

- 01** **General Purpose Grants:** these are untied funds, meaning councils can allocate them as needed for various activities
- 02** **Identified Road Grants:** These are specifically designed for road maintenance and infrastructure.
- 03** **Distribution:** The allocation is based on principles like Horizontal Fiscal Equalisation (HFE) is the process in Australia of distributing Goods and Services Tax (GST) revenue to the States and Territories to ensure they all have a similar capacity to provide public services. Under this system, the Commonwealth Grants Commission (CGC) assesses the fiscal capacity of each state and recommends relativity factors for distributing GST revenue, aiming to bring all states up to the fiscal capacity of the strongest state. The purpose is to reduce fiscal disparities between sub-central governments, though the system faces scrutiny for its efficiency and potential impacts on state policy incentives.
- 04** **Administration:** State based Local Government Grants Commission recommend how the funds are distributed within their jurisdictions, ensuring alignment with national principles.

This funding mechanism highlights the interdependence between the two levels of government, with the Commonwealth providing resources and local governments implementing programs to meet community needs.

## 1) Election of Shire President (and for how long)

There is an administrative process for how the President is elected.

The office of Shire President and Deputy Shire President is to be filled as the first matter dealt with at a Special Council Meeting to be held after the ordinary local government election process has concluded.

The election of both those positions is to be conducted by the Chief Executive Officer (CEO) in accordance with Schedule 2.3 – When and how mayor's, presidents, deputy mayors, and deputy presidents are elected by the Council of the *Local Government Act 1995* (the Act).

Nominations for the office of Shire President or Deputy Shire President shall be in writing and given to the CEO before the meeting or during the meeting before the close of nominations on the form provided prior to the commencement of the meeting.

The election for the office of Shire President is conducted first, followed by the election of the Deputy Shire President.

The term of the Shire President and Deputy Shire President is two years as per s.2.28 of the *Local Government Act 1995*.

## 2) Extraordinary elections

An extraordinary election under the *Local Government Act 1995* occurs when a vacancy arises in the office of a councillor, mayor, or president outside the regular election cycle as explained below:

### **Trigger for Extraordinary Election:**

A vacancy may occur due to resignation, disqualification, death, or other reasons specified in Section 2.32 of the Act.

### **Setting the Election Date:**

The president, or the council, must fix the election date within one month of the vacancy occurring.

The election must be held within four months of the vacancy unless the Electoral Commissioner approves an extension.

### **Electoral Commissioner's Role:**

If the council fails to set an election date within the required timeframe, the CEO must notify the Electoral Commissioner, who then sets the date.

### **Compliance with Electoral Requirements:**

The election process must comply with all electoral requirements, including public notices, nominations, and voting procedures.

Extraordinary elections ensure that vacancies are filled to maintain the council's functionality and representation.



## 4. Governing Legislation and Statutory Authorities

There are over 250 pieces of legislation that govern local government's operations. The Shire of Toodyay is set up under the *Local Government Act 1995* (the Act) and is the third level of government in Australia.

The Shire has the legal responsibility for many functions and activities important to local communities. Being the 'closest' level of government to the people, local government deals with issues that are crucial to people's daily lives and significantly affect their quality of life.

The Shire is obligated to comply with various state legislative requirements and obligations to external authorities in addition to the Act. The Shire has implemented systems and processes to ensure it meets its legislative obligations and reports accordingly to any external agencies or authorities.

Relevant legislation setting out legislative requirements and obligations for the Shire includes but is not limited to:

### 1) **Local Government Act 1995**

This is the principal legislation governing the operations, powers, and responsibilities of local governments in Western Australia. It establishes the legal framework for councils to deliver services, manage resources, and engage with communities.

Section 3.1 of the *Local Government Act 1995* defines the general function of local governments as providing for the good government of their district. This broad power allows local governments to make decisions and provide services unless specifically prohibited by the Act or other written law. The general function must also consider sustainability, climate change impacts, long-term consequences, and the interests of Aboriginal people.

The general function requirement is addressed through the Shire's Reconciliation Action Plan that is contained on the Shire's website here: <https://www.toodyay.wa.gov.au/news/shire-of-toodyay-reconciliation-action-plan-2023-2026/430>

The Act generally grants local governments the power to do anything that is not explicitly prohibited by law, allowing them to be flexible and responsive to community needs.

Section 3.18 of the Act defines the legal framework for local governments to carry out their executive duties, ensuring they can effectively manage their affairs and provide services to their residents.

The Act defines the roles of Shire President, Councillors, Council, the Chief Executive Officer, and Senior Employees. It is this act that requires decisions to be made by resolution at council meetings, with provisions for delegated authority.

### 2) **Local Government Amendment Acts & Regulations**

Local Government Amendment Acts are legislative updates that may affect operational requirements, reporting obligations, and fiscal management systems. They modify or refine the *Local Government Act 1995* to improve governance, transparency, and operational efficiency the Shire of Toodyay. These amendments may address electoral processes, financial management, compliance, and community engagement.

### **3) Public Interest Disclosure Act 2003 (PID Act)**

The PID Act defines a legal framework that encourages the reporting of wrongdoing within public authorities, including local governments. The Shire is required to uphold the principles of the PID Act to promote integrity, transparency, and accountability in its operations.

The Shire supports employees, contractors, and community members in reporting corrupt, improper, or unethical conduct. Disclosures may relate to breaches of legislation, misuse of public resources, or other serious misconduct.

Individuals who make disclosures in good faith are protected from victimisation and reprisals. The Shire takes all reasonable steps to safeguard whistleblowers and ensure their confidentiality.

Information about Public Interest Disclosures is on the Shire's website at this link: <https://www.toodyay.wa.gov.au/documents/public-interest-disclosure>

### **4) Corruption, Crime and Misconduct Act 2003**

The Shire has obligations to meet under the *Corruption, Crime and Misconduct Act 2003* (CCM Act) regarding managing and reporting misconduct. The Shire must report any reasonable suspicion of serious misconduct—including corruption or bribery—by public officers to the Corruption and Crime Commission (CCC). Allegations of misconduct are referred to the Public Sector Commission.

The CCC holds investigative powers, including conducting hearings and compelling evidence. To mitigate risks, the Shire implements preventive measures such as internal controls, regular audits, and promoting a culture of integrity.

Training is provided to employees, contractors, and councillors to ensure awareness of misconduct obligations. The Shire's governance structures support compliance through clear policies, reporting procedures, and oversight mechanisms.

These practices reinforce ethical conduct and accountability.

### **5) Equal Opportunity Act 1984 (EO Act)**

This Act requires the Shire to eliminate discrimination and promote equality across all areas of its operations. The Act prohibits discrimination based on attributes such as sex, race, age, impairment, marital or family status, religious or political conviction, and gender history.

The Shire must ensure its policies, procedures, and practices—particularly in recruitment, employment, training, and promotion—are fair, inclusive, and compliant with the EO Act. It is also responsible for preventing and addressing sexual and racial harassment in the workplace.

To support compliance, the Shire endeavours to make training available to employees, contractors, and elected members. Equal opportunity policies are regularly reviewed and aligned with legislative requirements.

The Shire is required to report to the Equal Opportunity Commission on measures taken to uphold the Act, reinforcing its commitment to diversity, equity, and lawful conduct.

## 6) **State Records Act 2000**

The *State Records Act 2000* establishes the framework for the creation, management, and preservation of government records in Western Australia. It applies to all State organisations, including local governments, and aims to ensure that public records are properly maintained as evidence of government activity and accountability.

The Shire is required to:

- ❖ Ensure that full and accurate records of business activities are created and maintained, including decisions, actions, and communications.
- ❖ Develop and implement a Recordkeeping Plan approved by the State Records Commission. This plan must outline how records are managed and protected throughout their lifecycle.
- ❖ Provide appropriate training and resources to staff to ensure compliance with recordkeeping obligations.
- ❖ Safeguard records from unauthorised access, alteration, or destruction, whether physical or digital.
- ❖ Make records accessible in accordance with legal and administrative requirements and transfer permanent records to the State Archives Collection when appropriate.
- ❖ Periodically review the Recordkeeping Plan and report on compliance as required by the State Records Commission.

## 7) **Parliamentary Commissioner Act 1971**

This Act establishes the Ombudsman's authority to investigate complaints about the administrative actions of public authorities, including local governments. For the Shire of Toodyay, this reinforces the importance of fair, transparent, and accountable administrative processes.

Under the Reportable Conduct Scheme, the Shire's CEO must notify the Ombudsman of any reportable allegations or convictions of child abuse involving employees, contractors, or volunteers in roles involving children. This applies to facilities such as the Toodyay Library, Recreation Centre, and Community Resource Centre.

The Shire is required to uphold principles of procedural justice—voice, neutrality, respect, and trust—when managing complaints or investigations. It must also ensure prompt reporting of any reportable conduct, including physical assault, significant neglect, or emotional harm to children.

## 8) **Freedom of Information Act 1992**

This Act promotes transparency and accountability by granting individuals the right to access documents held by public authorities, including local governments. For the Shire of Toodyay, this means ensuring public access to records relating to formal Council decisions.

Requests for documents that may not be publicly available must be submitted in writing. Requests may cover a variety of materials, including paper files, digital records, photographs, audio recordings, and official reports. Individuals also have the right to request amendments to personal information that is inaccurate, incomplete, or outdated.

While the FOI Act supports open access, certain documents may be exempt due to privacy, legal confidentiality, or public safety considerations. The Shire must maintain clear procedures for processing FOI requests and ensure staff are trained to manage them in accordance with legislative requirements.

This framework reinforces the Shire's commitment to open government and supports public confidence in its decision-making processes.

More details can be found regarding **FOI applications and procedures** [here](#).

## 9) **Planning and Development Act 2005**

This Act defines the legislative foundation for land use planning and development across Western Australia. It is the principal statute governing strategic and statutory planning, development control, subdivision, and infrastructure coordination. Under the Act, the Shire is empowered to:

- **Prepare and implement local planning schemes** (Part 5), which guide land use, zoning, and development standards. Schemes must align with regional planning instruments and State Planning Policies.
- **Assess and determine development applications** (Part 10), acting as the responsible authority unless referred to Development Assessment Panels (DAPs) or the Western Australian Planning Commission (WAPC).
- **Engage in strategic planning**, contributing to regional and state planning through structure plans and local planning strategies.
- **Enforce planning controls**, including monitoring compliance and initiating enforcement action where necessary.
- **Consult with the community** on scheme amendments, structure plans, and significant proposals.

Under the Act, relevant provisions are:

- **Subdivision Control (Part 10A)**: WAPC assesses proposals; local governments provide input and conditions.
- **Strategic Planning Instruments**: Includes State Planning Policies, Codes, and Structure Plans.
- **Interim Development Orders (Part 6)**: Temporary controls where schemes are absent or urgent action is needed.
- **Enforcement and Compliance (Part 13)**: Powers to issue directions, infringements, and pursue legal action.
- **Appeals and Review (Part 14)**: Decisions may be reviewed by the State Administrative Tribunal (SAT).

## 10) **Privacy Act 1988 (Cth) and the Privacy and Responsible Information Sharing Act 2024:**

The Shire is required to protect personal information and ensure responsible data handling in accordance with the *Privacy Act 1988 (Cth)*; and the *Privacy and Responsible Information Sharing Act 2024 (WA)*.

These laws form a comprehensive framework for privacy, data security, and ethical information sharing across public sector entities.

As a federal statute, the [Privacy Act 1988 \(Cth\)](#) establishes the [Australian Privacy Principles \(APPs\)](#), which govern:

- **Lawful collection and use** of personal information for legitimate purposes;
- **Data security**, requiring safeguards against unauthorised access, loss, or misuse;
- **Individual rights**, including access to and correction of personal data; and
- **Regulatory oversight**, with obligations to report breaches and maintain compliance.

The [Privacy and Responsible Information Sharing Act 2024 \(WA\)](#) strengthens privacy protections while enabling responsible data sharing across government agencies. Key provisions include:

- **Oversight of collection, use, and disclosure** of personal and sensitive information;
- **Conditions for collecting sensitive data**, including consent, legal authorisation, or urgent health and safety needs;
- **Information security**, requiring destruction or de-identification of data when no longer required;
- **De-identification protocols**, preventing re-identification of anonymised data.

The Act also introduces:

- **Public sector data sharing** to improve service delivery;
- **Chief Data Officer oversight** to ensure compliance;
- **Legal protections** for ethical use of shared data; and
- **Privacy Impact Assessments (PIAs)** for new projects, supported by standard templates and the Shire's Privacy Management Plan.

The Shire aims to:

- collect, use, and disclose personal information only when lawful, necessary, and proportionate;
- conduct PIAs for new initiatives;
- maintain secure data handling practices;
- use de-identified data wherever possible;
- provide regular staff training on privacy obligations;
- support individuals in exercising their rights under privacy law.

This approach ensures compliance, protects community trust, and supports transparent, accountable governance.

## 11) Work Health and Safety Act 2020

This Act establishes a comprehensive legal framework for workplace safety across Western Australia. As a local government entity, the Shire of Toodyay is classified as a Person Conducting a Business or Undertaking (PCBU) and must comply with all duties under the Act to ensure the health and safety of employees, contractors, volunteers, and visitors.

### Key Compliance Obligations

- **Duty of Care:** The Shire must provide a safe working environment, eliminate, or minimise risks, and ensure adequate training and supervision.
- **Risk Management:** Hazards—physical, psychosocial, and environmental—must be identified, assessed, and controlled through documented procedures.
- **Incident Reporting:** Notifiable incidents (e.g. serious injuries, fatalities) must be reported to WorkSafe WA, with investigations and corrective actions undertaken.
- **Worker Consultation:** The Shire must engage employees in safety matters via Health and Safety Representatives (HSRs) and Health and Safety Committees.
- **Compliance and Enforcement:** Breaches may result in fines, legal action, or—in extreme cases—industrial manslaughter charges.

The Shire's endeavours to embed its WHS responsibilities into operational practices, supported by training, documented procedures, and regular audits. This ensures legal compliance, reduces risk exposure, and promotes a safe and respectful workplace culture.

## 12) Statutory Bodies and Regulatory Oversight

The Shire operates within a complex regulatory environment. They are both regulators and regulated entities, responsible for enforcing local laws and policies while also complying with oversight from state and federal statutory and regulatory bodies.

The Shire has regulatory authority in areas such as:

- **Planning and Zoning:** Enforcing land use regulations, development approvals, and building codes;
- **Public Health and Safety:** Managing food safety, environmental health, and waste services;
- **Infrastructure and Services:** Overseeing local roads, utilities, and transport; and
- **Community Standards:** Enforcing local laws on noise, signage, and animal control.

These functions are governed by legislation such as the *Local Government Act 1995*, *Planning and Development Act 2005*, and various public health and environmental laws.

More information about local government regulatory approaches is [here](#).

## Statutory Authorities

Statutory authorities are established by legislation to administer laws, provide oversight, or offer guidance. Key bodies relevant to local government include:

- **Local Government Grants Commission:** Oversees the distribution of financial assistance grants to councils.
- **State Administrative Tribunal (SAT):** Reviews decisions made by local governments, particularly in planning, building, and development matters. Elected members must ensure procedural fairness and sound decision-making to withstand SAT scrutiny.
- **Public Sector Commission (PSC):** Promotes integrity, leadership, and workforce capability under the *Public Sector Management Act 1994*.
- **Environmental Protection Authority (EPA):** Conducts environmental assessments that may influence local planning and development.
- **Local Government Advisory Board:** Advises on boundary changes, governance structures, and statutory interpretations.
- **Equal Opportunity Commission:** Administers the *Equal Opportunity Act 1984*, ensuring anti-discrimination compliance.
- **Ombudsman WA:** Investigates complaints about administrative actions under the *Parliamentary Commissioner Act 1971*.

[Ombudsman Western Australia - Role](#)  
[Ombudsman Western Australia - Parliament](#)

- **Office of the Information Commissioner (OIC):** Oversees compliance with the *Freedom of Information Act 1992* and privacy legislation.

[Information Commissioner's Office - What we do](#)

## Regulatory Authorities

Regulatory authorities enforce laws and ensure compliance across specific sectors. They may issue penalties, conduct investigations, and audit performance. Key regulators include:

- **Department of Local Government, Industry Regulation and Safety (DLGIRS):** regulates local government operations, monitors compliance with the *Local Government Act 1995*, and supports governance improvement.
- **Office of the Auditor General (OAG):** Conducts independent audits of financial and performance outcomes, reporting findings to Parliament to ensure transparency and accountability.
- **Corruption and Crime Commission (CCC):** Investigates serious misconduct and corruption within local government entities.
- **Western Australian Local Government Association (WALGA):** While not a regulator, WALGA advocates on behalf of local governments in the state, offers training, and policy guidance to support sector-wide governance excellence.

Other regulatory bodies may include:

- **Trading Boards** (e.g. Water Corporation, Western Power): Oversee commercial services that intersect with local government infrastructure.
- **Governing Boards and Committees** (e.g. Insurance Commission of WA): Provide leadership and oversight for public sector entities.

## 5. Local Government Governance

The Shire operates within a defined legal framework and must not duplicate or contradict state or federal laws.

Council makes decisions in areas over which it has legislative authority but cannot duplicate or contradict federal or state law. Laws made by the Shire are called local laws and cover such issues as the activities permitted on public land, animal management, and use of Shire facilities. Local laws are enforced by employees.

The Shire has compliance and enforcement obligations related to Investigations, penalties, and disciplinary actions under statutory authority as well as ethical conduct and conflict-of-interest management.

The Shire is responsible for enforcing and administering its own local laws, which are specific to their jurisdiction.

Section 3.5 of the *Local Government Act 1995* grants local governments broad legislative powers to make laws, ordinances, or regulations to regulate their area and manage their affairs. This section enables them to implement bylaws and ordinances related to various matters, including traffic, animal control, waste management, and more.

Access to the Shire's local laws is available on the Shire's website at the link below:

<https://www.toodyay.wa.gov.au/documents/local-laws>

The Shire exercises its functions under key legislation, and this includes enforcing legislation under which it has authority including but not limited to:

- *Local Government Act 1995;*
- *Planning and Development Act 2005;*
- *Building Act 2011;*
- *Dog Act 1976;*
- *Bush Fires Act 1954;*
- *Public Health Act 2016;*
- *Cat Act 2011;*
- *Cemeteries Act 1986;*
- *Caravan Parks and Camping Grounds Act 1995;*
- *Work Health and Safety Act 2020; and*
- *Local Government (Audit) Regulations 1996.*



## 1) Integrated Planning and Reporting (IPR Framework)

The Shire's IPR Framework ensures that the Shire's strategic direction is shaped by community aspirations and delivered through structured, measurable, and legally compliant planning that establishes a foundation for informed decision-making, sustainable service delivery, and transparent governance.

The IPR framework supports four key governance principles:

- (i) **Transparency:** through public reporting mechanisms such as the Annual Report, Budget, and Strategic Community Plan (Council Plan);
- (ii) **Accountability:** maintained via performance measures and regular compliance reviews;
- (iii) **Adaptability:** enabled through annual reviews and community feedback loops; and
- (iv) **Integrity:** ensured by aligning all plans with community needs and statutory obligations.

The IPR Framework is mandated under several legislative instruments:

- *Local Government Act 1995 (WA)* – Parts 5 and 6;
- *Local Government (Administration) Regulations 1996* – Regulations 19C and 19DA;
- *Local Government (Financial Management) Regulations 1996* – Regulation 33A;
- *Australian Accounting Standards* – including AASB 124, AASB 101, and updates referenced in the 2025/26 Annual Budget.

These instruments require the adoption of key strategic and operational plans to ensure compliance, financial sustainability, and alignment with community expectations.

The IPR Framework integrates long-term vision with operational capability through the following plans:

Plan Type	Purpose	Duration
<b>Council Plan</b> (incorporating the Strategic Community Plan and Corporate Business Plan)	Sets long-term vision and priorities	10 years
<b>Long Term Financial Plan (LTFP)</b>	Forecasts financial sustainability	10 years
<b>Asset Management Plans (AMPs)</b>	Manages infrastructure lifecycle	10 years
<b>Workforce Plan</b>	Aligns staffing with strategic needs	4–5 years
<b>Annual Budget</b>	Allocates resources for service delivery	1 year

The IPR Framework enables the Shire to:

- Translate community aspirations into actionable strategies.
- Ensure Council decisions are evidence-based, sustainable, and legally compliant.
- Monitor and report on performance to maintain public trust.
- Adapt to changing circumstances through regular review and community engagement.

The framework aims to strengthen governance, enhance service delivery, and ensure the Shire remains accountable to its community and regulatory obligations.






## 2) **Strategic Planning (Section 5.56 of the *Local Government Act 1995*)**

The Shire is required to develop and adopt a Plan for the Future (also referred to as a Strategic Community Plan or more recently, a Council Plan). The strategic plan reflects community aspirations and guides all Council activities by setting its long-term strategic direction.

When talking about good governance, “community” is often used as if everyone has the same interests and needs. The Shire of Toodyay has many different communities, such as residents, businesses, visitors, and seniors. These groups often have different goals and interests. A key challenge is to recognise, address, and manage these diverse and sometimes conflicting interests.

Strategic Plans developed through inclusive consultation, supported by the Shire’s [Community Consultation and Engagement Policy](#) are reviewed annually.

The Council Plan outlines how the Shire aims to meet the community’s needs and aspirations, focusing on five interconnected pillars that guide strategic decision-making and community outcomes:

-  **People**  
Supporting a safe, inclusive, and connected community where wellbeing, culture, and diversity are valued.
-  **Planet**  
Protecting and enhancing our natural environment through sustainable practices and climate resilience.
-  **Place**  
Creating vibrant, liveable spaces that reflect our heritage, character, and community identity.
-  **Prosperity**  
Encouraging economic development, innovation, and local enterprise to build a thriving regional economy.
-  **Performance**  
Delivering accountable, transparent, and responsive governance with a focus on continuous improvement.

Each area includes a primary goal and desired outcomes, which are detailed in the Council Plan available on the Shire's website here <https://www.toodyay.wa.gov.au/documents/432/council-plan-plan-for-the-future-2023-2033>

The Council Plan also promotes organisational values of openness, honesty, and respectful engagement, encouraging constructive questioning and clear accountability.

### 3) **Supporting Plans (key informing strategies)**

The Council Plan includes and is supported by key informing strategies that shape the annual budget and operational priorities such as:

The **Long-Term Financial Plan** ensuring financial sustainability by:

- Forecasting revenue, expenditure, and capital investment;
- Identifying funding gaps and financial risks;
- Supporting informed decision-making and prioritisation; and
- Aligning with the Strategic Community Plan and the Corporate Business Plan (which are contained within the Council Plan).

**Asset Management Plans** optimise the lifecycle of Shire assets, including:

- Roads, bridges, buildings, parks, drainage, and equipment;
- Renewal and maintenance strategies; and
- Funding sources: rates, grants, reserves, asset sales, borrowings.

These plans provide strategic direction in the management of Shire assets. Good governance requires the Shire to manage its assets in a financially viable, efficient, and sustainable manner.

The **Workforce Plan** ensures the Shire has the right people, skills, and culture to deliver services. It includes:

- Workforce projections and cost implications;
- Leadership and culture development; and
- Diversity and inclusion strategies.

It guides organisational workforce planning and management to assist the Shire in attracting and retaining a suitable, committed, and professional labour force that is structured to achieve the priorities of the Council Plan and to deliver quality services to the community.

*Note: The Shire's Asset Management Plans and Workforce Plan are not current.*

### 4) **Council Registers**

To enhance public oversight, the Shire endeavours to maintain centralised public registers. The link is here:

[Council Registers](#)

The Shire strengthens governance integrity through regular audits and compliance reviews, safeguarding legal and financial accountability. Independent audits verify adherence to statutory obligations, while whistleblower protections empower individuals to report misconduct without fear of retaliation. By embedding strong accountability measures, the Shire reinforces its commitment to ethical governance and transparent leadership.

## 5) Compliance Auditing

The Shire endeavours to keep track of its governance responsibilities through its Compliance Management Framework and a Compliance Calendar, which help ensure that all legal and operational obligations are being met.

- [WALGA Compliance Calendar and Information Return](#)

Providing information to the public is fundamental to the principles of section 1.3(2) of the *Local Government Act 1995*.

WALGA offers a Public Information Access Guide and Audit Tool in Microsoft Word format so Local Governments can use it as an internal audit tool. They also offer a Compliance Calendar, available to local government subscribers.

The Shire utilises tools to manage compliance as a means to completing information returns.

- [Privacy and Responsible Information Sharing \(PRIS\)](#)

The Department of Premier and Cabinet, as the Government of Western Australia, offers PRIS Readiness Guidance.

The Shire completes quarterly surveys through PRIS tools to make an informed assessment as to how the Shire meets the requirements of this legislation.

- [Public Sector Commission \(PSC\)](#)

The Public Sector Commission offers an Integrity Framework Maturity Self-Assessment Tool that is completed on an annual basis to assess and improve the Shire's approach to integrity.

- [Compliance Audit Return \(CAR\)](#)

Regulation 14 Compliance audits by local governments of the *Local Government (Audit) Regulations 1996* requires the Shire to conduct an annual audit of its compliance with statutory requirements and responsibilities placed on it under the Act. The CAR comprises a checklist of the Shire's statutory obligations in areas such as local laws, tenders, meeting procedures, disclosures of financial interests and financial management.

The CAR is completed with input from the Executive Management Group (EMG). The completed return is then reviewed by the Audit, Risk and Improvement Committee (ARIC) and presented for adoption by Council. A certified copy must be forwarded to the Department by 31 March each year.

## 6) Community Engagement & Public Transparency

Public engagement and transparency are essential components of local government governance, ensuring that the Shire of Toodyay operates in an accountable, inclusive, and legally compliant manner. These processes are guided by state legislation, local policies, and best practices to foster community participation and open decision-making.

The Shire of Toodyay endeavours to foster strong partnerships between government, businesses, and community groups through inclusive, transparent, and responsive engagement. This function ensures that

residents have meaningful opportunities to influence local governance and decision-making.

Mechanisms are in place for residents to provide feedback, raise concerns, and appeal decisions.

When 'community' is referred to in this framework, it means the many groups, individuals and interests represented within the Shire of Toodyay district.

### **Customer Service Charter**

The [Customer Service Charter](#) outlines the standards residents can expect when interacting with the Shire, including:

- Courtesy and respect;
- Prompt and efficient service;
- Fair and objective complaint handling;
- Clear communication; and
- Professional and consistent conduct

### **Complaints**

Complaints are managed under the [Community Complaints Policy](#). It distinguishes complaints from service requests and outlines how issues are assessed, investigated, and resolved. Where appropriate, matters may be escalated to senior staff or external bodies such as the WA Ombudsman.

The Shire's complaints management process, supported by the Community Complaints Policy, ensures that complaints are handled consistently and fairly. This process covers services, administrative actions, competitive neutrality, and the conduct of Councillors and staff.

Specific complaint types include:

- **Noise complaints** – investigated under the *Environmental Protection (Noise) Regulations 1997*;
- **Food safety concerns** – addressed under the *Food Act 2008*;
- **Valuation objections** – referred to the Valuer General's Office; and
- **General service complaints** – managed internally with a focus on resolution and service improvement

### **Feedback Integration**

Public input is actively integrated into governance processes:

- Feedback is collected via surveys, information sessions, and written submissions;
- Officers assess and incorporate feedback into planning and policy development; and
- Submitters are notified of how their input influenced final decisions.

This approach reinforces the Shire's commitment to governance and continuous improvement.






## 7) Advocacy – Shire of Toodyay

The Shire of Toodyay recognises advocacy as essential to representing the interests of its community to other spheres of government, statutory authorities, and private entities whose decisions may affect the region.

Advocacy extends beyond representation—it ensures that community voices influence broader policy, infrastructure, and funding outcomes.

### • Council's Role in Advocacy

Council acts as a conduit between the community and external stakeholders, championing local priorities through:

- Representation to State and Federal governments, regulatory bodies, and private sector organisations; and
- Endorsement of advocacy priorities, which include:
  -  Transport infrastructure and connectivity;
  -  Mining activities and local impact;
  -  Water resource management;
  -  Energy sustainability and resilience; and
  -  Tourism, cultural development, and events.

These priorities reflect both immediate concerns and long-term regional development goals.

### • Partnerships and Advocacy

The Shire endeavours to collaborate with Local businesses, neighbouring local governments, community organisations, and advocacy groups. These partnerships support business development, job creation, and community wellbeing.

Shire's advocacy efforts are grounded in inclusive consultation. Such relationships provide insights into regional challenges and opportunities, informing policies that promote sustainable growth and economic resilience.

### • Cross-Government Collaboration

Effective advocacy often requires coordination across jurisdictions. The Shire engages with State and Federal agencies to:

- Secure funding for major projects;
- Align planning and implementation strategies; and
- Advance infrastructure development.

This cooperative approach enhances efficiency, regulatory alignment, and public benefit.

### • Councillor Conduct in Advocacy and Planning Matters

Councillors play a critical role in advocacy, upholding the highest standards of integrity and impartiality. To ensure lawful and ethical conduct:

- Councillors must not commit or indicate their vote on development applications outside formal Council meetings;

- Objectivity must be maintained; undue closeness to applicants or objectors must be avoided;
- Offers of gifts, benefits, or donations from developers or related parties must be declared in accordance with the *Local Government Act 1995* and associated regulations;
- The Code of Conduct for Council Members, Committee Members and Candidates must be strictly followed;
- Councillors should seek advice from the CEO or Shire President when uncertain about appropriate conduct;
- Private meetings with developers should be avoided unless formally arranged and documented through the Shire's governance protocols; and
- Councillors must be aware that perceived bias or undue influence can compromise the validity of Council decisions and erode public confidence.

The Department of Local Government, Industry Regulation and Safety (DLGIRS) offers operational guidelines on Councillor relationships with developers, which should be reviewed as part of ongoing governance training at the link below.

#### [Councillor's relationship with developers](#)

Councillors must exercise caution when engaging with development applications. Pressures may arise from public opinion, media, or lobbying efforts, including offers of gifts or benefits. To maintain transparency and probity, Councillors must:

- Avoid close associations with proponents or objectors;
- Understand their limitations in decision-making roles;
- Consider community views but remain impartial;
- Avoid pre-determining applications or making promises;
- Comply with the Council Member, Committee Member and Candidate Code of Conduct.

The Shire supports ethical governance by providing guidance through the Department of Local Government, Industry Regulation and Safety (LGIRS) and operational guidelines on Councillor conduct in development matters.

Councillors are central to the Shire's governance, representing the community, and upholding ethical standards. Their effectiveness depends on respectful relationships, clear boundaries with staff, and a commitment to transparency, collaboration, and public service.

- [Attendance at events policy](#)

Under the *Local Government Act 1995* and the Shire's [Attendance at Events Policy](#) the CEO, Staff and Councillors must exercise transparency and impartiality when accepting invitations to events—particularly where the host has a matter currently before Council.

The policy enables the CEO, Staff and Councillor to attend events in their official capacity without compromising their ability to participate in Council decision-making.

All invitations to events are addressed to the CEO and where an invitation is received directly, it is then forwarded to the CEO for assessment.

Events listed in the authorised events table within the policy are pre-approved. Other events may be approved by the Shire President (for Councillors) if they meet criteria such as public benefit, relevance to Council duties, or alignment with strategic objectives.

If an invitation is provided free of charge and its value exceeds the prescribed threshold (currently \$300), and the host has a matter before Council, this constitutes a gift and creates a disclosable interest under the Act.

Gift disclosures are made through completion of a form where the receiver of the gift considers whether attendance may be perceived as compromising impartiality, even if the gift is below the threshold.

### **Example Scenario**

A Councillor is invited to a private function hosted by a developer with a current planning application before Council. The event includes food, drinks, and entertainment, valued at approximately \$350.

#### **Required Actions:**

- Forward the invitation to the CEO for assessment;
- If attending, disclose the gift and declare an interest in any future Council matters involving the developer;
- Recuse oneself from decision-making if impartiality may be compromised.

### **Governance Considerations**

Councillors and staff must remain mindful of public perception and the potential for bias. Attendance at events must not undermine community confidence in the Shire's integrity.

The governance framework ensures that participation in civic and community events is balanced with the need to uphold ethical standards and comply with legislative obligations.

## **8) Service Delivery**

The Shire of Toodyay aims to deliver services that are efficient, effective, and aligned with the strategic objectives outlined in the Council Plan. The Shire endeavours to take a proactive approach to managing its operations.

This includes:

- Early identification of service delivery issues through monitoring and feedback;
- adjustments to address inefficiencies or emerging challenges;
- Innovation in service design, including the use of digital tools and collaborative platforms;

- Staff training and development to support high-quality service provision.

By staying ahead of potential issues and embracing innovation, the Shire ensures that the following services remain relevant, reliable, and resilient:

- **Planning and Regulatory Services (Service Unit)**

Services governed by legislation such as the *Planning and Development Act 2005* and the *Building Act 2011* include:

- (a) Strategic land use planning and zoning;
- (b) Development approvals and infrastructure coordination; and
- (c) Enforcement of building codes and environmental protections.

- **Infrastructure, Assets and Services (Service Unit)**

The management of essential infrastructure and services includes:

- (a) Road construction and maintenance;
- (b) Waste management and recycling; and
- (c) Asset management and capital works planning.

These services are delivered in accordance with strategic objectives and available resources, ensuring efficiency and sustainability.

- **Economic Development and Community Services (Service Unit)**

These services are tailored to meet local needs and support community wellbeing:

- (a) Libraries, cultural services, and community events;
- (b) Parks, recreation centres, and public spaces; and
- (c) Community development and inclusion initiatives.

To ensure services remain efficient and effective, the Shire undertakes regular performance monitoring. This may include:

- Internal audits of service delivery processes;
- Community and staff feedback surveys;
- Operational performance reviews; and
- Benchmarking against best practice standards.

These evaluations help identify strengths, gaps, and opportunities for improvement. Performance data is analysed to inform decision-making and guide resource allocation.

The Shire endeavours to foster a culture of continuous improvement across all service areas. This involves:

- assessments of workflows, policies, and procedures;
- application of modern technologies to streamline operations;
- automation and digitisation of routine tasks where appropriate;

- regular updates to service delivery protocols to reflect evolving needs and innovations.

Feedback is central to this process. It is not only collected but used to refine service models, improve responsiveness, and enhance overall quality.

## 9) **Audit, Risk and Improvement Committee**

The Audit, Risk and Improvement Committee plays a critical oversight role in ensuring the integrity, accountability, and continuous improvement of the Shire's operations. The Committee's functions are contained in their [Charter](#) which is available on the Shire's website. The Committee meets quarterly and reports directly to Council.

## 10) **Delegations and decision making**

Effective governance within the Shire relies on a clear separation between strategic leadership and operational management. Delegations are a critical mechanism that enables this separation, ensuring that Council can concentrate on high-level strategic matters while operational decisions are efficiently managed by the administration.

Delegations play a crucial role in ensuring efficient decision-making and governance within the Shire. By assigning specific authorities and responsibilities to staff, the Shire streamlines operations while maintaining accountability and transparency.

Delegations are essential for:

- **Efficient decision-making**, particularly in managing the high volume of development applications.
- **Strategic focus** by Council on major developments and policy matters.
- **Compliance** with legislative requirements under the *Local Government Act 1995*.

Delegations allow routine and technical decisions to be made by qualified officers with expertise to ensure responsiveness and service delivery without compromising governance standards.

### Roles and Responsibilities

- **Council** retains authority over strategic decisions, policy adoption, and matters reserved under legislation.
- **Shire President** does not hold operational authority but plays a leadership and oversight role. They liaise with the CEO to ensure delegated decisions align with Council's strategic direction.
- **Chief Executive Officer (CEO)** is the primary recipient of delegated authority from Council. The CEO may sub-delegate powers to other officers, provided legislation permits.

This structure ensures that operational decisions are made by those with the appropriate expertise, while Council maintains oversight and strategic control.

### Delegations Register

The Shire is required to have a Register of Delegations pursuant to s.5.46 of the *Local Government Act 1995*. The register contains all instruments of

delegation formally delegated by Council to the CEO and, where applicable, sub-delegated to other officers.

Key features include:

- Transparency and auditability, with all decisions under delegation recorded in the Shire's Record Keeping System.
- Public availability via the Shire's website:

<https://www.toodyay.wa.gov.au/council/council-registers/delegation-register.aspx>

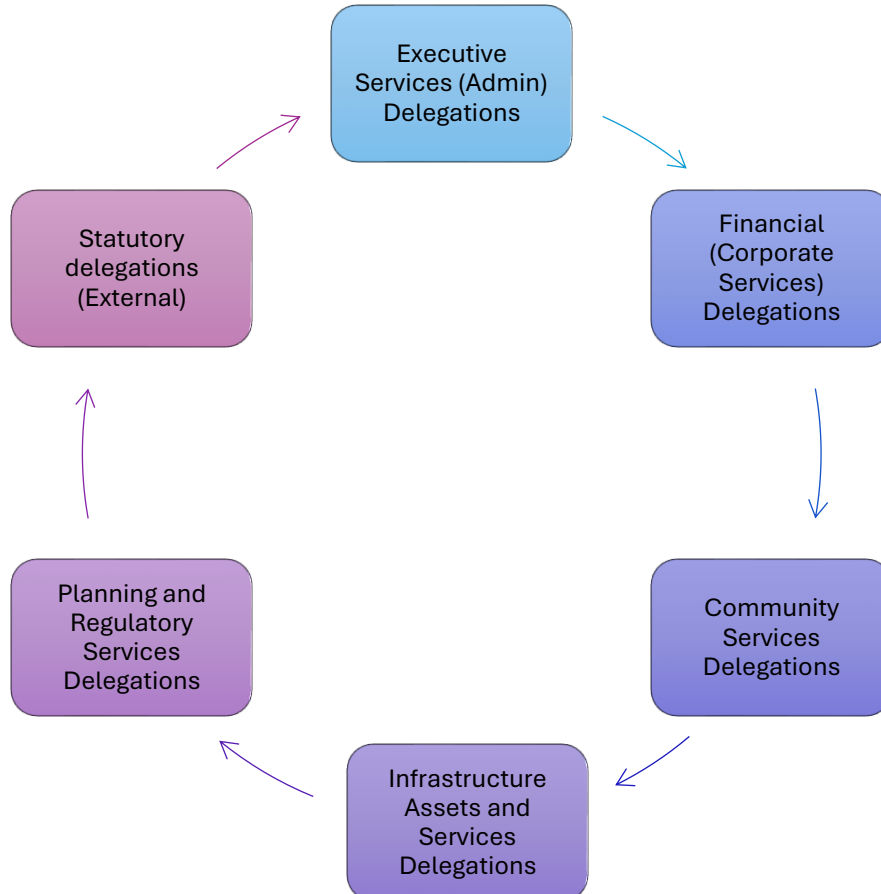
### Types of Delegations

Delegations fall into several broad categories that reflect the nature of decisions being made. Administrative delegations empower the CEO and authorised officers to manage day-to-day operational matters, such as issuing permits, managing contracts, and handling routine applications.

Financial delegations enable appropriately authorised staff to approve expenditure, manage budgets, and oversee financial transactions, including in areas such as service delivery and emergency response.

Planning delegations, made under the local planning scheme and State legislation, allow qualified officers to determine development applications that meet specified criteria set out in the Shire's instrument of delegation.

Regulatory and compliance delegations support officers in administering public health, safety, environmental and local law functions. Together, these delegations ensure lawful and efficient decision-making across the organisation.



Delegations are governed by:

- **Section 5.42** – Delegation of some powers and duties to the CEO.
- **Section 5.44** – CEO's power to delegate to other employees.
- **Section 5.43** – Limits on delegations to CEO of the Act outlines those powers or duties that may not be delegated to the CEO.

All delegations must be lawful, recorded and reported to support transparency and accountability and reviewed annually in accordance with s.5.46(2) of the *Local Government Act 1995*.

Delegations support good governance by distributing workload appropriately. They also reinforce the separation of powers, ensuring:

- Council focuses on strategic leadership;
- Administration handles operational execution; and
- The Shire President's role is strengthened through oversight and strategic alignment, without interfering in administrative functions.

## 11) **Quasi-Judicial Functions**

The Shire of Toodyay has statutory responsibilities under the *Planning and Development Act 2005* and associated regulations together with other relevant state legislation and planning policies. These responsibilities require both Council and Employees to assess and apply the law to factual situations in a consistent, lawful, and impartial manner which means that they are exercising quasi-judicial functions primarily in the context of planning and regulatory decision-making.

Planning decisions are governed by a statutory framework that outlines the procedures and controls for assessing development proposals. The Shire must carry out its planning functions in accordance with this governance framework and uphold the principles of administrative law, natural justice, and procedural fairness.

These functions require Council and employees to apply legislative frameworks objectively, fairly, and in accordance with principles of administrative law and natural justice.

Quasi-judicial responsibilities arise under:

- *Planning and Development Act 2005*;
- *Local Government Act 1995*; and
- Other relevant State laws, planning policies, and statutory instruments

Councillors exercise quasi-judicial powers when determining:

- Development applications and planning approvals;
- Licences, permits, and regulatory compliance matters;
- Formal appeals and reviews of administrative decisions; and
- Matters requiring statutory discretion.

Employees, including specialist planning officers are responsible for:

- Assessing applications against relevant legislation and policies;
- Preparing impartial reports and recommendations for Council;

- Ensuring that all relevant facts and legal considerations are presented.

All decisions must be:

- Objective, based on evidence, relevant planning considerations, and legislative criteria;
- Transparent and follow due process;
- Fair, allowing affected parties to present their case and be heard; and
- Compliant with all relevant laws and regulations.

### Roles and Responsibilities

- **Councillors** remain impartial to avoid being influenced by applicants or public sentiment. They are responsible for making decisions based on the content of the employee's report, relevant facts, applicable legislation, and any submissions made in accordance with statutory consultation process as well as debate at Council Meetings.

Councillors must also:

- not pre-judge applications before reviewing all relevant information;
  - seek additional information during agenda forums, via the CEO or via formal debate at formal council meetings;
  - avoid reliance on irrelevant or extraneous factors;
  - ensure decisions are based on existing rules and discretions, not personal preferences; and
  - provide legally sound reasons based on relevant planning considerations when resolving a motion that is significantly different (contrary) to the officer recommendations.
- **Employees** assess applications and provide professional, impartial advice. Officers prepare reports detailing relevant legislative provisions, factual context, consultation outcomes and make recommendations for Council consideration.
  - **The Shire** upholds the principles of procedural fairness by:
    - Inviting affected parties to make written submissions;
    - providing opportunities for in-person submissions where appropriate;
    - ensuring applicants have a right of reply; and
    - considering relevant planning principles in all submissions.

Decisions are not to be based on irrelevant considerations or public pressure, and debate is restricted to matters of fact and law as outlined in the officer's report.

### **Governance Safeguards**

To maintain the integrity of the decision-making process the legal framework and relevant considerations must be understood; regular training should be

undertaken on quasi-judicial responsibilities; and detailed records must be maintained for audit and legal scrutiny.

To prevent role confusion and undue influence a clear distinction is maintained between the assessment (which is the Officer's role) and determination (which is Council's role). Councillors are not to influence assessment outcomes and employees must not influence, except by way of providing further factual information, Council's final determination.

## 6. Governance Structure and Roles

The Shire of Toodyay operates under a structured governance framework established by the *Local Government Act 1995*, which promotes accountability, transparency, and effective decision-making in the delivery of services, infrastructure, and regulatory functions.

An organisational structure (refer to **Appendix B**) delineates responsibilities across the four service units of the Shire.

The Shire of Toodyay comprises two distinct but complementary components:

### ❖ **Elected Council**

Council is the governing body responsible for strategic leadership and community representation that:

- Sets the strategic direction of the Shire through the Council Plan;
- Makes decisions at formal Council meetings;
- Oversees the performance of the Shire's functions;
- Allocates financial and physical resources;
- Monitors service delivery through the CEO;
- Ensures services do not duplicate other public offerings; and
- Represents the interests of electors, ratepayers, and residents.

The Shire President presides at Council meetings and liaises with the CEO to support effective governance.

### ❖ **Administrative Arm**

Led by the Chief Executive Officer (CEO), the administrative arm is responsible for implementing Council decisions and managing day-to-day operations.

The Administration:

- give professional and technical advice to Council;
- implement council resolutions;
- manage operational activities and delegated functions;
- maintain financial management systems, including risk and compliance controls;
- prepare reports and recommendations for council consideration;
- oversee employee recruitment, development, and performance;
- Liaise with the Shire President and Deputy Shire President.

## 1) Council

Under section 2.7 of the *Local Government Act 1995*, Council is the governing body of the Shire and is responsible for overseeing the local government's affairs and the performance of its functions. All decisions of Council are made collectively at Council Meetings in accordance with section 5.20 of the Act.

Council's responsibilities include providing strategic direction, adopting the annual budget, allocating resources, and monitoring the Shire's financial and organisational performance. These functions are exercised through formal resolutions passed at properly convened Council Meetings.

Council operates as a collegiate decision-making body. Each Councillor participates in the decision-making process by considering reports, asking questions, and voting on matters in accordance with statutory requirements and the Shire's Meeting Procedures Local Law.

Councillors are elected to represent the interests of residents, ratepayers, and the broader community. Their representative role involves:

### **Representation and Decision-Making**

- Considering community views and local priorities when participating in Council decisions;
- Adopting policies, strategies and plans that set the Shire's strategic direction; and
- Making determinations on matters requiring Council authority under legislation.

### **Accountability and Transparency**

- Receiving reports on financial, operational and compliance matters as required under the Act;
- Ensuring agendas, minutes and relevant documents are publicly available in accordance with statutory timeframes; and
- Complying with ethical, behavioural and disclosure obligations set out in the Act, Regulations and Code of Conduct.

### **Community Engagement**

- Considering information arising from community consultation processes undertaken by the Shire in accordance with legislative requirements or Council-endorsed engagement practices;
- Using submissions, feedback, and stakeholder input as part of Council's decision-making considerations; and
- Supporting engagement processes that ensure decisions are based on accurate, and relevant information.



## 2) Shire President

The Shire President is elected by the Councillors at the first Council meeting following a local government election, in accordance with the *Local Government Act 1995*. The role is defined under Section 2.8 of the Act and carries significant responsibilities in leadership, governance, and community representation.

The Shire President serves as the Presiding Member of Council, with duties including:

- **Chairing Council Meetings:** Ensuring meetings are conducted in an orderly manner, decisions are made transparently, and governance protocols are followed.
- **Civic and Ceremonial Duties:** Representing the Shire at citizenship ceremonies, official functions, and public events.
- **Public Representation:** Acting as the public face of the Shire, advocating for Council decisions, and speaking on behalf of the organisation—setting aside personal views to reflect the collective position of Council.
- **Community Leadership:** Providing guidance during times of crisis (e.g. disaster recovery) and promoting the interests of the community.
- **Councillor Engagement:** Ensuring all Councillors are informed, involved in decision-making, and supported in their governance roles.
- **CEO Liaison:** Maintaining regular communication with the Chief Executive Officer to monitor organisational performance and ensure alignment with Council's strategic direction.

The Shire President plays a vital role in fostering **good governance**, facilitating respectful relationships among Councillors and between Council and Administration Arm, and promoting a culture of collaboration, transparency, and accountability.

The Shire places high importance on the Shire President's role in:

- Facilitating effective Council decision-making;
- Upholding democratic principles; and
- Supporting strategic leadership and organisational performance.

The Shire President's leadership is central to maintaining a well-functioning Council and ensuring that governance systems, communication, and processes are robust and responsive to community needs.

While the Shire President does not hold operational authority, the President liaises with the CEO to ensure delegated decisions align with Council's strategic intent and governance standards. This separation of powers reinforces the President's oversight and leadership role without encroaching on administrative functions.

## 3) Deputy Shire President

Under Section 5.34 of the *Local Government Act 1995*, the Deputy Shire President may perform the functions of the Shire President when the position is vacant, or the President is unavailable. The Deputy supports the

President in fulfilling ceremonial, leadership, and governance duties and ensures continuity of representation and decision-making.

#### 4) **Councillors**

Under Section 2.10 of the *Local Government Act 1995*, Councillors are elected to represent the interests of electors, ratepayers, and residents of the district. Their role is both strategic and representative, contributing to the effective governance of the Shire.

Key responsibilities include:

- Representing community interests in decision-making;
- Providing leadership and guidance to the community;
- Facilitating communication between the community and Council;
- Participating in Council and committee meetings; and
- Performing functions assigned under the Act or other written laws.

Councillors are expected to act in the best interests of the community, uphold good governance, and contribute to the strategic direction of the Shire.

Councillors play a vital role in shaping the future of the Shire through:

- Policy formulation and strategic planning;
- Budget approval and financial oversight;
- Oversight of local laws and regulations;
- Advocacy for local projects and funding;
- Ethical conduct, including managing conflicts of interest; and
- Model leadership, promoting cooperation and respect.

Councillors must consider the “big picture” and make decisions that benefit the entire community, not just specific interest groups.



## Relationships Between Councillors

Strong, respectful relationships among Councillors are essential for effective governance. The following principles guide interactions:

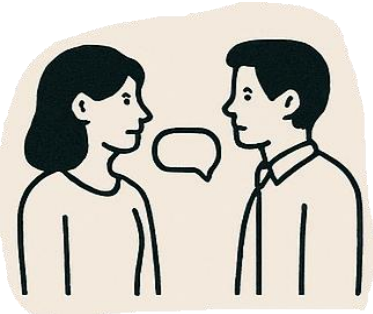
### Respect and Professional Conduct

- Treating each other respectfully, even when views differ;
- Maintaining professionalism in meetings and correspondence;
- Avoiding personal conflicts and focusing on community outcomes.



### Effective Communication

- Engaging in open, honest, and respectful dialogue;
- Practising active listening to understand diverse perspectives;
- Using formal and informal channels to stay informed.



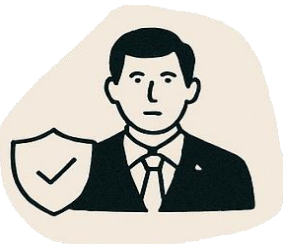
### Shared Purpose and Strategic Alignment

- Working towards shared goals aligned with strategic plans;
- Supporting collective decision-making and consensus-building.



### Accountability and Ethical Governance

- Upholding ethical standards and legislative obligations;
- Being accountable for decisions and commitments;
- Ensuring transparency to maintain public trust.



### Constructive Debate and Dispute Resolution

- Encouraging healthy debate and evidence-based decisions;
- Using structured processes to resolve disagreements;
- Remaining solution-focused and avoiding unproductive conflict.



## Relationship Between Councillors and Employees

The relationship between Councillors and employees is governed by clear boundaries to preserve the integrity of governance and operational execution.



- Councillors focus on strategic direction, policy, and governance;
- Employees, under the CEO's leadership, manage operations and service delivery;
- Councillors do not directly manage staff.

## Professional Communication

- Councillors engage with staff via formal channels;
- Employees provide reports and advice to support Council decisions;
- Clear protocols prevent operational interference.



## Respect and Collaboration

- Councillors respect staff expertise and avoid directing employees;
- Employees offer impartial advice to inform governance;
- Mutual respect fosters effective service delivery.



## Transparency and Ethical Conduct

- Councillors avoid conflicts of interest in staff interactions;
- Employees maintain neutrality and follow governance protocols;
- Reporting structures ensure accountability.



## Access to Information

- Councillors request information through approved procedures;
- Employees provide advice through their expertise;
- Governance policies regulate access to records.



## Collaboration with the Administration

- Councillors maintain constructive relationships with staff;
- Roles and responsibilities are understood and respected;
- Employees implement Council decisions.



## 5) Chief Executive Officer (CEO)

The Chief Executive Officer (CEO) is the only officer directly appointed by Council and holds a pivotal role in the leadership and management of the Shire of Toodyay.

Under Section 5.41 of the *Local Government Act 1995*, the CEO is responsible for the day-to-day operations of the local government and for implementing the decisions of Council.

The CEO's statutory and operational duties include:

- **Implementing Council Decisions:** Ensuring resolutions passed by Council are actioned effectively and in accordance with legislative and policy requirements.
- **Managing Daily Operations:** Overseeing the delivery of services such as waste collection, infrastructure maintenance, and community programs.
- **Financial Management and Compliance:** Ensuring adherence to financial regulations, internal controls, and risk management protocols.
- **Legal and Regulatory Adherence:** Maintaining compliance with all applicable laws, regulations, and governance standards including governance audits and recordkeeping.
- **Staff Management:** Employing, developing, and managing staff, ensuring the organisation is appropriately resourced and motivated.
- **Strategic Alignment:** Establishing and maintaining a management structure that supports the strategic objectives outlined in the Council Plan, and crisis communication.
- **Governance and Accountability:** Maintaining accurate records, conducting governance audits, and assessing service delivery performance.
- **Organisational Culture:** Promoting openness, accountability, fairness, and effective communication across the organisation.
- **Community and Council Liaison:** Advising Council to support informed decision-making and ensuring the Administration carry out resolutions made by the Council.

The CEO is expected to:

- **Maintain systems** that promote accountability, integrity, and performance and to ensure sound financial reporting to Council which includes:
  - Developing and maintaining financial systems, plans, and protocols;
  - Ensuring adequate resources for financial monitoring and service delivery;
  - Supporting internal review and audit mechanisms;
  - Promoting a culture of responsibility and accountability; and
  - Ensuring compliance with all legislative provisions.

The CEO must ensure the Shire regularly reviews and reports on the effectiveness of systems and procedures relating to risk management, internal control, and legislative compliance pursuant to Regulation 17 of the *Local Government (Audit) Regulations 1996*,

- **Advising Council** to support informed decision making and fostering respectful relationships between Council, staff, and the community;
- Promote a culture of ethical conduct, transparency, and continuous improvement.

The CEO also performs functions delegated by Council through the Delegations Register, which outlines specific powers and duties. These delegations are reviewed annually to ensure legal compliance and operational relevance.

The relationship between the CEO and Council is based on mutual respect, clear boundaries, and shared governance responsibilities:

- Council sets strategic direction and monitors CEO performance;
- The CEO executes Council decisions, manages staff, and oversees and manages operations; and
- Council communicates expectations through the CEO and conducts annual performance evaluations with independent advice, in accordance with the Model Standards for CEO Recruitment, Performance and Termination.

Council has adopted a policy on [Standards for CEO Recruitment, selection, performance and termination](#); and [Temporary Employment or Appointment of CEO](#). These ensure transparency and consistency in managing the CEO's employment lifecycle.

## 6) Councillor–Administration Protocols

To preserve governance integrity, Councillors must not direct staff or involve themselves in operational matters. All contact with the Administration must be through the CEO, as outlined in:

- **The [Department's Guide to Meetings](#) which states:**  
*All council contact with administration should be through the CEO. Most CEOs have agreed communication protocols in place, and this may include council member access to senior staff. No council member may undertake a task that contributes to the administration of the local government, unless authorised to do so by the council or by the CEO. Consequently, it is inappropriate for council members to direct employees or for employees to take direction from council members.*
- The [Local Government \(Default Communications Agreement\) Order 2025](#) made under the *Local Government Regulations Amendment Regulations 2025*, establishes a mandatory written communications agreement framework between Council and the CEO.

From **1 January 2026**, every local government must either adopt its own written communications agreement that complies with the

Order or, if it does not, the Default Communications Agreement in the Order applies by law.

The Shire of Toodyay aims to ensure that its Councillor–Administration communications protocols are consistent with the applicable communications agreement, including:

- all contact with the Administration occurring through the CEO or in accordance with any authorised arrangements for access to senior staff;
  - clear limits on Councillors’ involvement in operational matters; and
  - defined pathways for information requests, briefings, and escalation, in line with the Act, regulations and the adopted or default communications agreement.
- The [Local Government \(Model Code of Conduct\) Regulations 2021](#).

**Councillors must not:**

- 1 • Undertake unauthorised administrative tasks;
- 2 • Direct, threaten, or abuse staff;
- 3 • Make defamatory or offensive statements about staff.

Breaches of the Code of Conduct may result in complaints and remedial actions such as mediation, counselling, or training.

**7) Executive Leadership and Organisational Governance Summary**

The Executive Managers are designated Senior Officers under Section 5.37 of the *Local Government Act 1995*. All employees report to the Chief Executive Officer (CEO), who is responsible for the overall management of the organisation.

The Executive Team plays a critical leadership role in:

- Providing strategic direction and oversight of Shire operations;
- Developing and implementing financial plans and budgets;
- Overseeing day-to-day financial management;
- Allocating resources efficiently and setting operational priorities; and
- Supporting continuous improvement and service excellence.

Through collaboration, transparency, and data-informed decision-making, the Executive Team ensures that policies, projects, and services align with community needs and Council’s strategic objectives.

There are four Executive Managers who are responsible for managing four service units relating to the Shire’s operational functions and ensuring

alignment with strategic and governance frameworks. Their responsibilities include:

- Managing service unit budgets, expenditures, and financial reporting;
- Ensuring compliance with policies, regulations, and standards;
- Overseeing staff, resources, and workflows;
- Reporting governance issues and contributing to improvement initiatives; and
- Driving performance through clear objectives and best practice implementation.

Their leadership ensures that service unit operations support broader organisational goals and uphold the Shire’s commitment to accountability, service quality, and sustainable growth.

Staff are essential to the delivery of services and the smooth operation of the Shire. Their responsibilities include:

- Adhering to governance policies, procedures, and the Worker Code of Conduct;
- Participating in training and reporting governance concerns;
- Supporting administrative functions, including financial transactions and recordkeeping;
- Implementing Council-approved policies and maintaining internal controls; and
- Complying with the *Work Health and Safety Act 2020* and contributing to a safe and respectful workplace.

The Shire supports staff through ongoing training, development programmes, and improvement initiatives. A culture of learning and collaboration empowers employees to enhance their capabilities, contribute innovative ideas, and deliver consistent, professional services to the community.

## 8) **CEO and Shire President – Governance Relationship**

The Shire President and CEO have distinct but complementary roles:

The Shire President presides over Council meetings.

The CEO ensures operational execution, manages staff, and implements Council decisions.

This relationship is governed by the *Local Government Act 1995* and is built on:

Term	Description
<b>Defined Roles and Responsibilities</b>	Strategic leadership by the Shire President; operational management by the CEO.
<b>Open and Transparent Communication</b>	Regular meetings and clear reporting structures.

Term	Description
<b>Mutual Respect and Professionalism</b>	Fostering effective governance and avoiding personal conflict.
<b>Accountability and Ethical Leadership</b>	Adhering to governance principles and maintaining public trust.
<b>Collaborative Decision-Making</b>	Aligning governance strategy with operational delivery.
<b>Community and Stakeholder Engagement</b>	Joint representation of the Shire's interests.
<b>CEO's performance plan</b>	Council is responsible for, conducting annual evaluations, and ensuring alignment with strategic goals.

## 9) Committees and Working Groups

To assist with its decision-making responsibilities, Council may establish committees pursuant to section 5.8 Establishment of committees of the Act. In some circumstances the Shire is legislatively required to establish committees for a specific regulatory purpose.

Committees meet as and when required and make recommendations to Council. Where a committee has delegated authority for some of its functions, it is able to make a decision in its own right.

When Council establishes a committee, clear terms of reference are determined such as the purpose, reporting and other accountability requirements that are intended to apply in relation to that committee. Committees report to Council and are subject to the requirements of the Act.

More details about local government roles and responsibilities can be found [here](#).

## 7. Meeting Procedures and decision-making processes.

The Shire endeavours to adhere to meeting procedures that outline how council meetings are conducted, how motions are proposed, and how decisions are finalised.

The Shire of Toodyay Council Meetings are governed by meeting procedures (e.g. the [Shire of Toodyay Standing Orders Local Law 2008](#) currently the Shire of Toodyay Standing Orders Local Law 2008).

Meeting Procedures and rules exist to –

- ensure better decision-making processes during Council and committee meetings;
- assist in the orderly conduct of meetings dealing with Council business;
- provide a better understanding of the process of conducting meetings; and
- allow a more effective and efficient use of time at meetings.

Shire Council meetings are livestreamed via YouTube and recorded. The recordings can be accessed from [the Shire website](#) almost immediately after the stream of the meeting has ended.

## 1) Council meetings

These meetings are for the formal debating and decision-making of Council. Councillors, CEO and Shire Officers attend all Council meetings. Council Meetings are required to be open to the public pursuant to section 5.23(1) of the *Local Government Act 1995*.

When matters listed in section 5.23(2) Meetings generally open to public of the Act are to be considered, Council may resolve to close the meeting and proceed behind closed doors.

In order to promote the transparency and accountability required for good governance, the closure of meetings is applied prudently and as infrequently as possible. Internal processes are in place for matters that may require the meeting to be closed to the public.

Good decision-making at a Council meeting is enhanced when the meeting is well run. This requires a clear and informative agenda, good chairing and facilitation and adherence to meeting procedures at Council meetings where Council can make a decision by passing a resolution.

### **Attendance and Leave of Absence**

Councillors are expected to attend all scheduled Council meetings. If a Councillor anticipates missing one or more Council meetings, they must complete an [Record D26/6740: Approved Leave of Absence Application](#) form and submit it to the Chief Executive Officer to ensure a report is presented at the next available Council Meeting for a formal resolution.

Leave must be approved *prior* to the absence. Failure to obtain approval may result in disqualification under Section 2.25 of the *Local Government Act 1995*, which applies if a Councillor is absent from three consecutive meetings without approved leave.

If a Councillor anticipates they may be unable to attend a meeting they email the Shire President and copy in the CEO to make them aware to ensure their apology is recorded in the minutes of the Council Meeting.

Where Councillors are an apology for a Committee Meeting, they must email the Presiding Person of that Committee and copy in the CEO as the meeting may fail to meet a quorum and might not be able to proceed if they were not present.

Where Staff are an apology to a Council or a Committee meeting, they are to inform the CEO to enable other Officers to attend in their absence, if that is required.

While in-person attendance is preferred, Councillors may request to attend meetings electronically. To do that, Councillors (and committee members) must ensure that the Approval for Electronic Attendance Form is completed before intending to attend any meeting electronically. The form is to be submitted to the Shire President (cc'ing the CEO).

This is to comply with regulation 14C(2)(iii), which requires that electronic attendance be authorised by (a) the Mayor; (b) the President; or (c) the Council.

Members will not be able to attend electronically unless this authorisation has been completed and recorded.

At a council or committee meeting members are to have their camera on during the meeting and make a formal declaration *by reading out their confidentiality declaration* during the meeting, and more importantly before any part of the meeting is closed to the public.

The prescribed wording is:

*“I disclose under the provisions of regulation 14CA of the Local Government (Administration) Regulations 1996 that I can maintain confidentiality during the meeting or the closed part of the meeting if required, in accordance with regulation 14CA(5).”*

This requirement is set out in regulation **14CA(5)** of the *Local Government (Administration) Regulations 1996*.

The *Local Government (Administration) Regulations 1996* permits electronic attendance for up to 50% of meetings, with approval from the Shire President or majority of Council.

This cap does not apply to members living with a disability (as defined in the *Disability Services Act 1993*).

The Shire has a [Live streaming and Recording of Council Meetings](#) Policy and an [Electronic attendance at Meetings](#) Policy to ensure consistency and transparency.

### **Notice of Motion at Council Meetings**

Councillors propose motions and amendments at council meetings following structured procedures.

#### **Notice of Motion Process**

Proposing a Motion: A councillor must clearly state the motion they wish to propose. The motion must be relevant to the agenda and within the council's authority. It should align with strategic plans and avoid operational matters. Officers may assist with drafting and provide comment. Must be submitted 15 business days prior to the meeting.

Another councillor must second the motion for it to proceed to debate

Debating the Motion: Once seconded, the motion is open for discussion among councillors. Councillors may express their views, ask questions, or seek clarification during the debate.

Councillors can propose amendments to the motion to refine or modify its content.

Amending a Motion: Amendments must be directly relevant to the original motion and cannot introduce entirely new matters.

The amendment must also be seconded before being debated and voted on.

## Notice of Motion Process

Voting:	After debate, the council votes on the amendment first. If passed, the amended motion becomes the substantive motion.  The council then votes on the substantive motion to reach a final decision.
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This process ensures clarity, fairness, and effective decision-making during council meetings. More information can be found from the [Department of Local Government's guide to meetings](#).

### Rules of debate

The rules for debate in council and committee meetings, as outlined in the Department of Local Government's meeting guidelines, are designed to ensure orderly and effective discussions.

## Rules for Debate process

Speaking Order:	Councillors must be acknowledged by the presiding person before speaking. Speakers are generally called in the order they indicate their intention to speak.
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Relevance:	Contributions to the debate must be relevant to the motion or amendment under discussion.
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Time Limits:	Time limits may be imposed on speeches to ensure all members have an opportunity to contribute.
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Respectful Conduct:	Councillors must avoid personal attacks or offensive language. All remarks should be directed through the presiding person.
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Amendments:	Amendments to motions must be proposed, seconded, and debated before being voted on.
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Closure of Debate:	Debate concludes when all speakers have been heard or when a procedural motion to close debate is passed.
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These rules promote fairness, respect, and efficiency in decision-making processes.

### Voting requirements, s5.21 of the Act:

Every council or committee member present at a meeting has the right to one vote. Members must vote if present, except in cases covered by Section 5.67. If a vote is evenly split, the person presiding casts a second (tie-breaking) vote. For non-secret ballot votes, the person presiding must ensure the total votes for and against the motion are recorded and that each member voted.

Voting details are not recorded for secret ballots as per Schedule 2.3.

Failing to vote (when required) or fulfill tie-breaking duties is an offence.

### **Setting the date and time of council meetings**

Council set the date and time of Council meetings when adopting its annual Council and Committee Meetings schedule, however Council workshops, and information sessions may be called at any time through the Office of the CEO, in liaison with the Shire President.

No meetings are held in January however:

- Special Council Meetings may be called pursuant to the provisions of the *Local Government Act 1995*.

The Council Meeting cycle, set by Council annually, is below:

Type	When	Time
Council Meeting	1st Thursday of the month	starting time 5.30pm
Committee Meetings	2nd Thursday of the month	(variable times) and spread out the committees to different months.
Council Workshops	3rd Thursday of the month;	starting time 5.30pm
Agenda Forums	Last Thursday of the month.	starting time 5.30pm

### **Agendas and Minutes**

The agenda compilation process involves Officers drafting reports on matters requiring a council decision. These reports, along with any relevant attachments, are reviewed by Executive Managers and the CEO. After revisions, the reports are incorporated into the agenda.

Public notice of meetings is given, and agendas are made available to Councillors and the public in advance pursuant to regulation 12 of the *Local Government (Administration) Regulations 1996*.

Meeting minutes are prepared and published in compliance with the *Local Government (Administration) Regulations 1996*, which require unconfirmed minutes to be made publicly available within 14 business days of the meeting. Minutes are subsequently confirmed at the next Ordinary Council Meeting and made available for public inspection.

### **Confidentiality and Data Protection Policies**

To protect sensitive information, the Shire implements strict handling guidelines that ensure personal data, confidential records, and legally protected materials are managed responsibly. These policies balance transparency with ethical obligations, safeguarding individual privacy while maintaining clear and accessible governance. Secure data management and responsible disclosure practices reinforce confidence in local government operations.

At times access to and the use of confidential information is required to conduct local government business. This information could relate to commercial matters, individual ratepayer, resident, or legal issues.

Each of the Codes of Conduct expressly state that the confidentiality of any and all confidential information must be maintained unless determined otherwise.

Councillors, Committee members, and Staff must not use confidential information to gain improper advantage for themselves or another person or body in ways which are inconsistent with their obligation to act impartially in the public interest; or to improperly cause harm, detriment or impairment to any person, body, the Council, or the Shire.

If a Councillor, Committee Member or Staff becomes aware of a communication error the process is to notify the CEO or Communications Officer immediately; not attempt to correct it publicly without guidance and follow the Shire's structured error response protocol:

- Acknowledge the error;
- Explain the cause and impact;
- Outline corrective actions; and
- Reassure the public and prevent repetition.

### **Obligation on members to read and understand**

It is the responsibility of Councillors to thoroughly read and understand the agenda content.

All reports should be read carefully, in preparation for the meeting, to ensure the main points are understood. If something is unclear, the Councillor can request further clarification by emailing [cr.request@toodyay.wa.gov.au](mailto:cr.request@toodyay.wa.gov.au) and raise concerns with the CEO or the responsible Executive Manager, preferably well in advance of a meeting.

Asking questions of a complex or technical nature at a Council meeting is to be avoided, as employees present may not be able to adequately respond spontaneously; there is a risk of a factually incorrect answer being given or the question may have to be taken on notice.

Reports affecting Shire planning, finance or legal matters can be quite complex and clarification of points prior to the meeting is essential. The CEO or relevant Manager should be emailed at the earliest opportunity to allow a written response before the meeting. This response is provided to all Councillors.

The decision to adopt, amend, or reject a recommendation, rests with Council. Where a Council decision is different to the recommendation, reasons for that decision must be stated and recorded in the minutes.

A decision to defer a matter should be seen as a last resort and occur only where it is clear that additional information is required or where circumstances have become known after distribution of the agenda. Failure to consult the community or key stakeholders may also give cause to defer a matter.

## **2) Councillor Forums**

These forums provide an opportunity where Councillors can gain an understanding of issues that are decided at upcoming meetings. Councillors ask questions and get clarity on complex matters beyond what is in Officer's reports. The CEO and Shire Officers may also update Councillors on new matters at Agenda Forums.

The Forum is closed to the public and not livestreamed. No debate or decisions happen during these forums, but they are crucial for informed

decision making. Information about Forums is contained in the [Council Forums Policy](#) on the Shire's Website.

### 3) **Councillor Workshops**

These informal sessions provide an opportunity for Councillors and Shire Officers to discuss strategies and plans for the Shire's development.

Topics discussed include but are not limited to:

- changes in the local government sector and their impact on the Shire;
- important local or regional matters;
- issues that may need Council decisions;
- Key documents like Planning Strategies; Budgets; Reports; Strategic Plans; Project Briefs; Financial Plans; Asset Management Plans; Officer reports; Delegation Register; some frameworks (i.e. Risk Management framework) and policies;
- Major revenue or spending needs; and
- relationships with other agencies.

Stakeholders like local government representatives, the Public Sector Commission, the Water Corporation, LGIS, WALGA, Main Roads WA, NRM, the Wheatbelt Development Commission, Parliamentarians and others can request to brief Members through the CEO's Office.

No formal decisions are made at workshops as the focus is only on sharing information and discussing ideas.

### 4) **Committees**

Information about committees is contained on the [Shire's website](#).

**Note:** Council has not delegated authority to any Committee at the present time.

### 5) **Electors general meeting**

[Electors' general meetings](#), as outlined in Section 5.27 of the *Local Government Act 1995*, are annual meetings held by local governments.

Information about Electors' general meetings is on the Shire's [website](#).

### 6) **Public Participation**

Members of the public participate during designated times, at a Council Meeting, as outlined in the regulations or local laws. The avenues for public participation at formal council meetings are:

- Public Question Time;
- Submissions (Deputations); or
- Petitions.

Protocols and further information is available on the Shire's website at this link: <https://www.toodyay.wa.gov.au/council/council-meetings-committees/submissions-and-public-questions.aspx>

These mechanisms ensure that residents have multiple ways to engage with and influence local government decisions. More details can be found on the [Shire's website](#).

## 8. Risk Management

The Shire aims to maintain a "**Risk Management Framework**" that promotes a proactive risk culture across the organisation. Through consistent application of this framework the Shire aims to minimise resource waste and ensure safe, well-managed events, activities, and projects for both employees and the community.

Council participates in the risk management program at a strategic and policy level. The CEO and Executive Management Team ensure processes are in place for identifying and managing risk, responding to, and mitigating such risks.

Operational responsibility lies with the CEO and Executive Management Team, who ensure robust processes are in place to identify, assess, respond to, and mitigate risks.

Given the Shire's broad service delivery to residents and visitors, it is recognised that all activities carry inherent risks. Effective risk management is essential to achieving strategic objectives, delivering services efficiently, and capitalising on opportunities for improvement. Failure to adequately assess and manage risks may result in financial loss, safety hazards, or reputational damage.

Risk considerations play a key role in shaping the Shire's Council Plan and inform community strategies and priorities. Internal and external risk factors help guide the selection of goals and objectives from the outset.

### Key Elements of the Risk Management Framework

- **Risk Identification:** of potential risks across areas such as public safety, financial stability, and environmental impact.
- **Risk Assessment:** based on their likelihood and potential consequences using a structured methodology.
- **Mitigation Strategies:** to reduce the probability or impact of identified risks. These may include safety protocols, contingency planning, or process improvements.
- **Controls and Responsibilities:** such as infrastructure maintenance schedules and staff training programs.
- **Monitoring and Reporting:** through audits, reviews, and performance indicators. The Executive Managers and the CEO aim to keep Council informed of current and emerging risks.
- **Training and Communication:** through training sessions, newsletters, workshops, and meetings, fostering a culture of risk awareness.
- **Incident Management:** In the event of a risk occurrence, the Shire follows a clear process for reporting, investigation, and corrective action. Records are maintained to support continuous improvement.

The "[Risk Management Framework](#)" is on the Shire's website.

## 9. Integrity Framework

The Shire aims to maintain an internal "**Integrity Framework**" that was developed in alignment with the Public Sector Commission's guidelines.

Councillors and Staff are expected to comply with legal and ethical standards, including codes of conduct and anti-corruption measures. This commitment to integrity reinforces public trust and ensures that governance practices are fair and

lawful. Ethical decision-making is not only a legal requirement but a cultural expectation within the Shire.

The Integrity Framework aims to:

- Foster a culture of integrity and ethical behaviour;
- Prevent misconduct, fraud, and corruption;
- Clarify roles and responsibilities for integrity management;
- Ensure transparency in decision-making and operations; and
- Promote continuous improvement through regular review and education.

## **Key Components**

### **❖ Governance and Leadership**

Ethical leadership is central to the framework, with the CEO, Council, and Executive Management Group modelling integrity and overseeing compliance. The Audit, Risk and Improvement Committee assists the Council in fulfilling its oversight responsibilities.

### **❖ Legislative Compliance**

The framework is underpinned by key legislation including the *Public Sector Management Act 1994*, *Corruption, Crime and Misconduct Act 2003*, and *Financial Management Act 2006*. Compliance is mandatory and monitored through internal and external audits.

### **❖ Risk Management**

Integrity risks are identified, assessed, and documented in a structured risk register. The Shire applies AS/NZS ISO 31000:2018 and AS 8001:2021 standards to guide fraud and corruption control.

### **❖ Internal Controls and Audit**

Regular audits and compliance checks ensure operational integrity and identify areas for improvement.

### **❖ Fraud and Corruption Detection**

Detection systems include audit logs, data analytics, whistleblower pathways, and random audits. The Public Interest Disclosure (PID) process supports confidential reporting and protects whistleblowers.

### **❖ Education and Capacity Building**

Induction programs, mentoring, and ongoing education reinforce ethical standards and build staff capability.

### **❖ Culture and Values**

The Shire's values—Integrity, Accountability, Inclusiveness, and Commitment—are embedded in strategic planning, recruitment, and service delivery. The Code of Conduct sets behavioural expectations for all officers and elected members.

### **❖ Response to Breaches**

Breaches are investigated impartially, with disciplinary actions proportionate to the severity. Whistleblower protections are enforced under the PID Act, and reporting mechanisms are accessible and confidential.

## ❖ **Oversight and Review**

Annual self-assessments using the PSC's Integrity Framework Maturity Tool ensure continuous improvement. Findings inform policy updates, training, and governance enhancements.

## ❖ **Communication and Public Engagement**

Integrity is promoted through internal communications, public awareness campaigns, and transparent reporting. Community feedback informs governance practices and reinforces accountability.

This approach helps the Shire maintain high ethical standards, ensuring transparency, accountability, and public trust in its operations.

### **1) Integrity and Ethical Decision-Making**

To uphold public trust, the Shire implements policies and systems to detect and prevent fraud, misconduct, and unethical behaviour. All actions and decisions must comply with relevant legislation, regulations, and standards.

Councillors must:

- Act in the public interest and avoid conflicts;
- Make decisions that are lawful, strategic, and transparent; and
- Use revocation motions only when justified by new information or changing circumstances.

Information provided to Councillors via any means is not considered public information unless it is known (under Section 5.94 of the *Local Government Act 1995* as public information) because access is provided to Councillors in their capacity as a Councillor (refer to s.5.93 of the *Local Government Act 1995*).

Members of the public must not be sent, nor copied into emails that have information within them that is confidential or have information attached that is confidential where that information has been marked as confidential.

Councillors are entrusted with upholding the integrity and accountability of local government operations. In accordance with the *Local Government Act 1995*, the following responsibilities are critical:

#### **Misuse of Local Government Resources**

Councillors must not use Shire resources for electoral or personal purposes unless authorised.

Councillors must ensure that all local government resources—such as funds, property, and confidential information—are used solely for official purposes. Misuse may include:

- Accessing or disclosing confidential information without proper authority;
- Using council assets for personal benefit.

Such conduct may constitute a breach of the Act and result in disciplinary or legal consequences.

Refer to Local Government (Model Code of Conduct) Regulations 2021 – Clause 17. All councillors must comply with the Shire's Code of Conduct and complete annual declarations of interest.

## **Provision of False or Misleading Information**

Councillors must not knowingly provide false, misleading, or deceptive information in the course of their duties. This includes:

- Statements made during council meetings;
- Information provided to the public or media; and/or
- Material used in election campaigns.

Providing false information can undermine public trust and may breach provisions relating to misconduct or serious misconduct under the Act.

## **Maintaining and Updating Information**

Councillors have a duty to ensure that records and information under their control are accurate, current, and complete. This supports:

- Transparency in decision-making;
- Accountability to the community; and
- Compliance with statutory obligations.

Failure to meet these obligations may result in investigation by the Local Government Inspector and Inspectorate, the relevant Department, the Public Sector Commission or the Corruption and Crime Commission, depending on the nature and severity of the breach, and subject to the allocation of functions under the *Local Government Act 1995*, the *Local Government (Local Government Inspector) Regulations 2025* and the *Corruption, Crime and Misconduct Act 2003*.

Records are retained for the prescribed period as outlined in the local government's Recordkeeping Plan. Unauthorized destruction or disposal of records is prohibited.

## **2) Primary Returns: Non-compliance may result in fines or imprisonment.**

Primary Returns are to be completed by key management personnel in accordance with s.5.70 and s.5.71 of the *Local Government Act 1995* (the Act). The return must be lodged within three months from the start date (i.e. Councillor's Swearing in date and a staff member's commencement date of employment).

Key management personnel are required to disclose an interest in their return in relation to:

- ❖ Real property (s.5.79 of the Act) in the district or in an adjoining district;
- ❖ Income sources (s.5.80 of the Act) above \$500; and
- ❖ Beneficial interests in trusts (s.5.81 of the Act);
- ❖ Interest and Positions in Corporations (s.5.84 of the Act);
- ❖ Debts (s.5.85 of the Act);
- ❖ Dispositions of property (s.5.86 of the Act); and
- ❖ Discretionary Disclosures (s.5.87 of the Act).

This includes benefits or liabilities, whether financial or not, which are not required to be disclosed but may appear to raise a conflict between private interests and duties as Key management personnel.

The primary return is filed on a Primary Return (Financial Interests) Register in accordance with section 5.88 of the Act. This register is available for public inspection in accordance with s.5.94 of the Act.

### **3) Annual Returns: Non-compliance may result in fines or imprisonment.**

An **Annual Return** for each financial year is required to be completed by key personnel (including Councillors) in accordance with Section 5.76 (1) of the Act. Information to be disclosed in the return is in accordance with Section 5.78 (1) of the Act.

### **4) Related Party Disclosures and Transactions**

Under local government financial reporting requirements, a Related Party Disclosure Form (RPD) is required to be completed by “a Related Party” annually in accordance with AASB Standard (AASB 124 Related Party Disclosures – July 2015) and as part of the Shire’s financial audit.

The AASB Standard is available on the AASB website: <http://www.aasb.gov.au>

#### **What Is a Related Party Disclosure?**

A Related Party Disclosure identifies transactions between the local government and individuals or entities that may influence decision-making due to their relationship with the council. This ensures transparency and accountability in financial reporting.

#### **Who Is a Related Party?**

Under AASB 124 – Related Party Disclosures, the following are considered related parties:

- Elected members (Councillors, Shire President, and Deputy Shire President);
- Key management personnel (e.g. CEO, Executive Managers);
- Close family members of the above;
- Entities controlled or jointly controlled by any of the above.

#### **What Must Be Disclosed?**

Any transactions between a related party as themselves (or their related parties) and the local government and updating the declaration when circumstances change and seeking advice from the CEO if unsure. Examples include:

- Leasing council property;
- Receiving payments for services;
- Contracts awarded to businesses they control.

#### **Why Is This Important?**

- Ensures compliance with AASB 124 and *Local Government (Financial Management) Regulations 1996*.

- Supports audit transparency and public trust.
- Helps identify and manage conflicts of interest.

## 5) Penalties for Non-Compliance

### Failure to lodge a return [s5.75, s5.76]

Failure to lodge a primary return within three months of the start day or an annual return by 31 August in any year carries a maximum penalty of \$10,000 or imprisonment for two years.

### Failure to disclose information in a return [s5.78]

Failure to comply with the requirements for disclosing information in a primary or annual return carries a maximum penalty of \$10,000 or imprisonment for two years.

### Offence to give false or misleading information [s5.89]

Providing information in written form in a primary or annual return that the person knows to be false or misleading in a material particular or likely to deceive in a material way carries a maximum penalty of \$10,000 or imprisonment for two years.

## 10. Communication

The Shire aims to maintain an internal "**Communication Framework**" that outlines the Shire of Toodyay's strategic approach to internal and external communication, ensuring transparency, accessibility, and community engagement across all platforms and activities. It supports compliance with key legislation including the *Local Government Act 1995*, *State Records Act 2000*, and *Freedom of Information Act 1992*, and aligns with the Shire's broader governance and integrity objectives.

The Shire endeavours to ensure that all communication is straightforward, transparent, and aligned with governance objectives. This includes using plain language, avoiding jargon, and maintaining consistency across different platforms to build trust and understanding.

The Communication Management Framework applies to all forms of communication—written, verbal, and digital—and is designed to ensure that information shared with stakeholders is accurate, inclusive, and legally compliant. It covers day-to-day communications, public notices, media releases, social media, newsletters, and communications during election periods.

Key principles underpinning the framework include:

- **Transparency:** Open and honest communication with the community.
- **Consistency:** Uniform messaging aligned with strategic goals.
- **Accessibility:** Inclusive communication for people with disabilities and CALD communities.
- **Engagement:** Two-way dialogue that encourages feedback and participation.

The framework defines clear roles and responsibilities for the CEO, Executive Team, Communications staff, Executive Managers, and the Community Development Officer, ensuring accountability and coordination across all communication activities.

Communication planning is a central feature, with tailored plans developed for projects, policies, and events. These plans identify key messages, target audiences,

appropriate channels, and measurable outcomes. Evaluation methods include surveys, analytics, attendance tracking, and performance reviews.

The Shire endeavours to improve its digital accessibility, adhering to WCAG 2.1 standards to ensure online content is usable by all. It also embraces emerging technologies, such as SMS alerts and the Antenno App, to enhance responsiveness and community feedback.

Public transparency is reinforced through accessible information on the Shire's website, including FOI statements, council minutes, registers, and policies. A structured error response protocol ensures accountability and trust when issues arise.

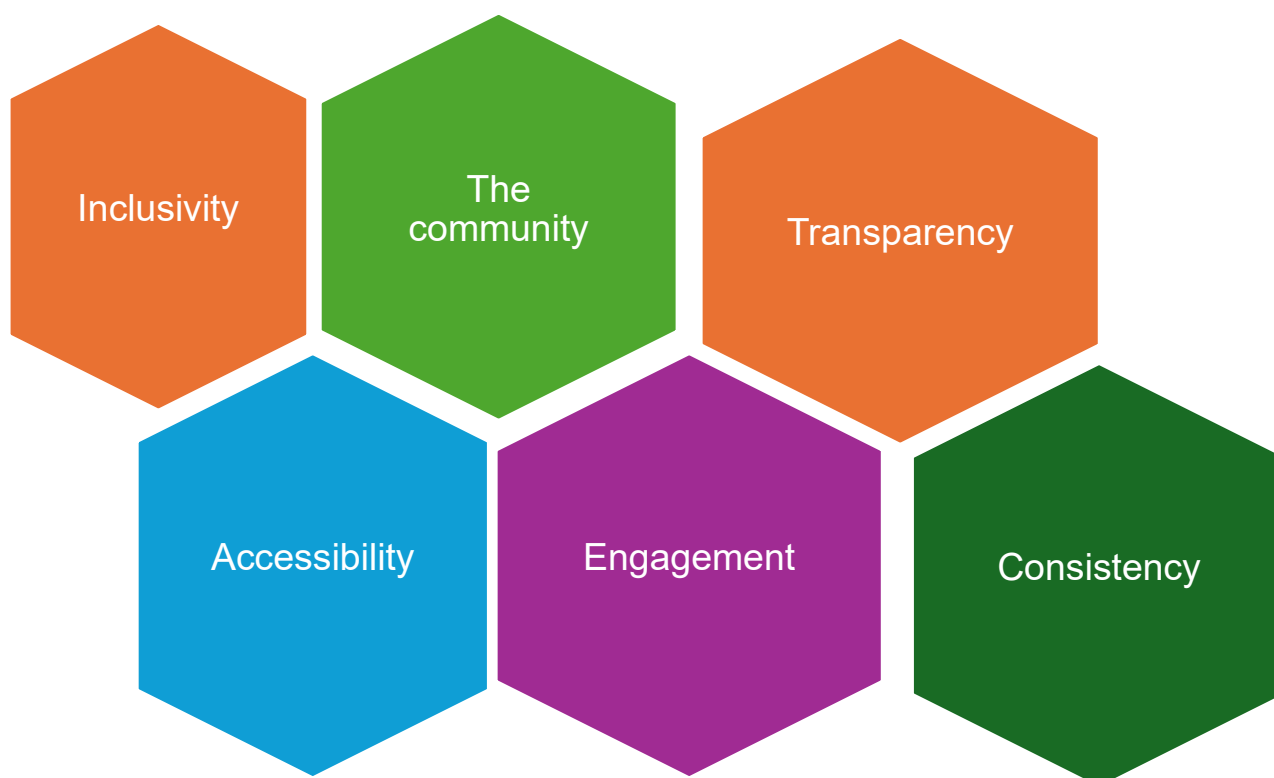
The framework includes a Multilingual and CALD Strategy, ensuring essential information is translated and interpreter services are available when needed. Partnerships with multicultural organisations support outreach and feedback collection.

Public engagement is guided by the [Shire's Community Consultation and Engagement Policy](#), which ensures that feedback from residents and stakeholders informs decisions, policies, and project directions. Submitters are acknowledged and updated on outcomes, reinforcing transparency and respect.

In times of crisis, the Shire activates a Crisis Communication Plan, led by the CEO or Shire President, using multi-channel updates to keep the community informed. Post-crisis evaluations help refine future responses.

Staff training is provided annually to build communication capability, covering plain language, accessibility, FOI obligations, and crisis protocols. Communication activities are regularly evaluated to ensure effectiveness and alignment with governance priorities.

The framework sets clear objectives, including increasing public awareness, enhancing engagement, improving accessibility, and strengthening trust in governance. Continuous improvement is embedded through annual reviews, stakeholder feedback, and oversight by the Executive Management Group.



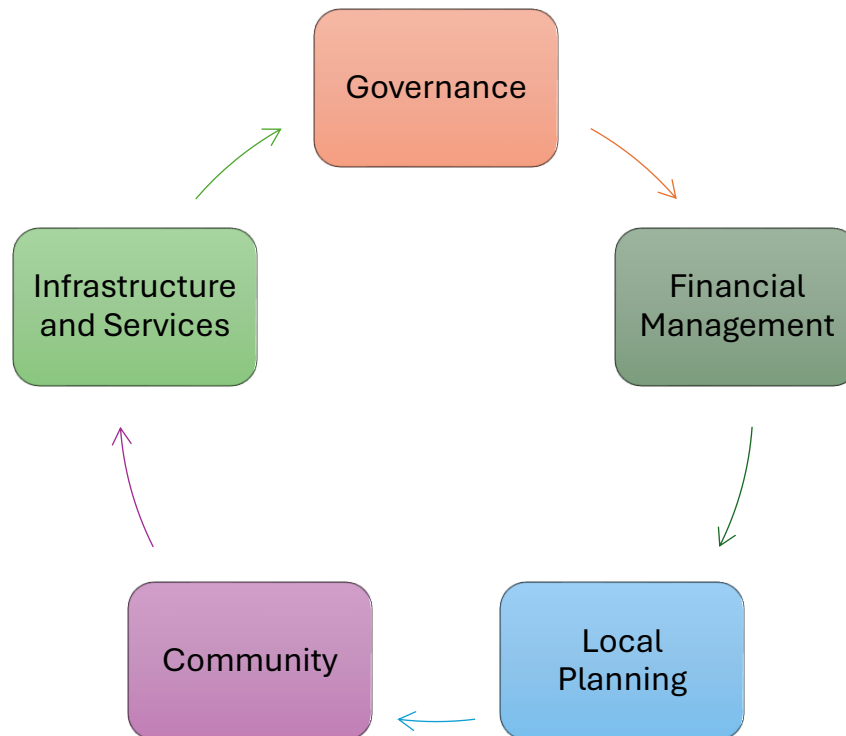
## 11. Policy Management

The Shire aims to maintain an internal "**Policy Management Framework**" designed as an operational guideline for staff ensure compliance with legislative and governance standards. An Officer's responsibilities include formulating policies to guide service delivery and resource allocation and reviewing existing policies to ensure they remain relevant and effective.

While Council is responsible for endorsing policies that reflect strategic direction and agreed positions, Officers apply their expertise and follow the Policy Management Framework to develop, assess, and present policies for Council consideration. This collaborative process ensures that policies are both operationally sound and strategically aligned.

To maintain relevance and legal compliance, policies are subject to **regular review cycles**, allowing the Shire to adapt to legislative changes, operational developments, and community feedback.

These policies are split up into five different groups as per the figure below.



Where members of the public have queries related to above Shire policies they are able to contact the Shire via the link below where they can "Report an Issue" - <https://my.toodyay.wa.gov.au/do-it-online/problems-requests-submissions>

**Council Approved policies** are broad, strategic, high-level governance-oriented policies, focusing on the big picture and long-term outcomes for the Shire. They set the overall direction, objectives, and priorities for the Shire. Examples include policies on community engagement, environmental sustainability, or financial management. They are published on the Shire's website.

**Business Operational Practices approved by the CEO** are day-to-day procedures and processes implemented by the administration to carry out administrative functions. They are not published because they are internal documents.

## 12. Records Management

The Shire's records are managed in accordance with the Shire's Record Keeping Plan and Records Management Policy.

All Councillors, Employees and contractors are responsible for maintaining complete, accurate and reliable evidence of all business transactions and ensuring all documents are retained within the Shire's official recordkeeping system at the point of creation regardless of the format, in accordance with:

- (a) *State Records Act 2000;*
- (b) *Freedom of Information Act 1992;*
- (c) *Interpretation Act 1984;* and the
- (d) *Local Government Act 1995.*

The Shire's Records Management Policy may be accessed through the following link:

[Record Keeping Policy](#)

The Shire's Record Keeping Policy may be accessed through the following link:  
<https://www.toodyay.wa.gov.au/documents/116/record-keeping>



## 13. ITC Strategy

The Shire aims to maintain an internal "**Information & Communication Technology (ICT) Strategic Plan**" that includes a framework for cybersecurity risk management, data protection policies, and digital service delivery goals. The strategy provides a blueprint for developing and implementing ITC policies, managing IT resources and cybersecurity risks and monitoring IT performance to ensure data security.



## 14. Legal Management

The Shire aims to maintain an internal "**Legal Management Framework**" designed as an operational guideline for staff to ensure compliance, accountability, and ethical governance. This framework endeavours to provide an overview in regard to contract management, legal compliance, risk mitigation, financial oversight, and ethical conduct to support effective service delivery.

Legal records are managed in accordance with the *State Records Act 2000*, supported by a document retention policy that ensures proper storage and accessibility of legal documentation.

When legal matters arise—such as governance concerns, disputes, or regulatory issues—the CEO determines when to engage legal counsel. The Shire aims to follow any internal procedures for handling complaints and litigation, including a risk management plan to identify legal risks and outline mitigation strategies through the Shire's Risk Management Framework and Risk Register. Open communication with stakeholders is prioritised to prevent misunderstandings and reduce the likelihood of legal escalation.

This proactive approach ensures that legal challenges are addressed effectively, with all actions remaining compliant with legislation and aligned with high standards of governance.

### **Governance and Compliance Structure**

Operating at a local level, the Shire addresses community-specific issues such as zoning, waste management, and infrastructure. Its legal framework ensures:

- **Transparency and accountability** in financial management, land use, and community engagement.
- **Regulatory enforcement** for workplace safety, environmental protection, and dispute resolution.
- **Continuous improvement** through policy reviews, audits, and governance enhancements.

The framework defines statutory obligations, internal governance roles, and mechanisms for compliance and public transparency. It supports ethical governance, sustainable development, and robust accountability.

### **Ethical Conduct and Breach Management**

Procedures for handling breaches vary depending on the nature of the breach:

- Councillor breaches are addressed through protocols outlined in the Councillor's Induction Manual.
- Employee breaches follow business operating practices.

**Disclosure of interest** is managed through formal reporting mechanisms. Regular ethics training and strict enforcement of disclosure requirements ensure fair and impartial decision-making. These measures reinforce the Shire's commitment to ethical leadership and governance.

### **Financial Governance and Integrity**

The Shire endeavours to maintain strong financial governance through:

- Development of structured financial procedures and internal audits;
- Budgeting protocols that prioritise sustainability and service delivery; and

- Procurement guidelines that ensure transparency, competitiveness, and fairness.

Public reporting is a key component, with financial statements, budgets, and annual reports published to promote transparency.

### **Auditing and Oversight**

Financial oversight is reinforced through:

- External audits conducted by Auditors from the Office of the Auditor General under the *Auditor General Act 2006*, providing independent verification of financial practices;
- Internal audits and monitoring systems to detect irregularities and ensure efficiency; and
- Compliance with legal standards in procurement, expenditure, and reporting.

These practices safeguard public resources and uphold ethical governance.

### **Fraud Prevention and Whistleblower Protection**

To prevent fraud, the Shire endeavours to implement and manage:

- Internal controls such as segregation of duties and independent approvals.
- Disclosure requirements for financial conflicts of interest among Councillors.
- Whistleblower protections under the *Public Interest Disclosure Act 2003*, including secure reporting channels and non-retaliation policies.

These measures promote transparency, accountability, and integrity in financial and operational activities.

## **15. Financial Management Framework**

The Shire aims to maintain an internal Financial Management Framework containing an overview of the integrated approach to managing public funds, ensuring transparency, accountability, and long-term sustainability. It aligns with the requirements of the *Local Government Act 1995*, the *Local Government (Financial Management) Regulations 1996*, and other relevant legislation, and supports the Shire's strategic objectives as outlined in the Council Plan.

The Risk Management Framework plays a critical role in identifying, assessing, and mitigating risks. Regular audits and performance evaluations ensure that financial and operational risks are managed proactively and transparently.

This framework is a basic overview for financial planning, budgeting, revenue and expenditure management, asset and investment oversight, financial reporting, compliance, and risk mitigation. It applies to all financial activities across the organisation and supports informed decision-making, and ethical governance.

The core principles of the framework are:

- **Accountability:** Transparent financial transactions and regular reporting;
- **Sustainability:** Long-term financial stability and efficient resource allocation;
- **Prudence:** Responsible decision-making and risk avoidance; and
- **Compliance:** Adherence to laws, regulations, and standards.

## **Financial Planning and Budgeting**

Structured financial planning to support service delivery and infrastructure development while minimising the financial burden on ratepayers is essential.

The annual budget is developed by the Executive Managers of each service unit before it is presented to Council. A statutory mid-year review ensures responsiveness to changing conditions. Forecasting endeavours to include income, expenditure, cash flow, and scenario modelling. Financial performance is endeavoured to be monitored through monthly reports, variance analysis, and year-end reconciliations, informing future budgets.

## **Revenue and Expenditure Management**

Revenue sources include rates, fees, grants, and other income streams. Expenditure is controlled through defined approval thresholds, procurement procedures, and monitoring systems. Variances are addressed through corrective actions to maintain financial discipline.

## **Asset and Investment Management**

The Shire endeavours to manage its diverse asset portfolio through lifecycle-based planning, maintenance, and renewal strategies. Asset Management Plans (AMPs) are aligned with the Long-Term Financial Plan and include service levels, funding requirements, and performance monitoring. Investments are governed by a formal [Investment of Surplus Funds Policy](#), prioritising capital preservation, liquidity, and ethical standards.

Asset valuations are conducted periodically to ensure accurate reporting and compliance with accounting standards. Disposal and rationalisation processes ensure assets are used efficiently and responsibly.

## **Financial Governance and Compliance**

Financial governance is overseen by Council, the Executive Management Group, and the Audit, Risk, and Improvement Committee. Responsibilities are clearly defined across roles, ensuring accountability and strategic alignment. Compliance management includes regular policy reviews, legislative monitoring, staff training, and maintenance of audit trails.

## **Financial Reporting and Audit**

The Shire produces monthly financial activity statements, quarterly budget reviews, and annual financial reports. These are reviewed internally and externally to ensure accuracy and transparency. External audits by the Office of the Auditor General provide independent verification of financial integrity and compliance.

## **Fraud Prevention and Ethical Conduct**

Internal controls include segregation of duties, authorisation protocols, audit trails, and annual reconciliations. Councillors and staff are required to disclose financial interests and comply with the Model Code of Conduct. Whistleblower protections under the *Public Interest Disclosure Act 2003* ensure safe reporting of misconduct.

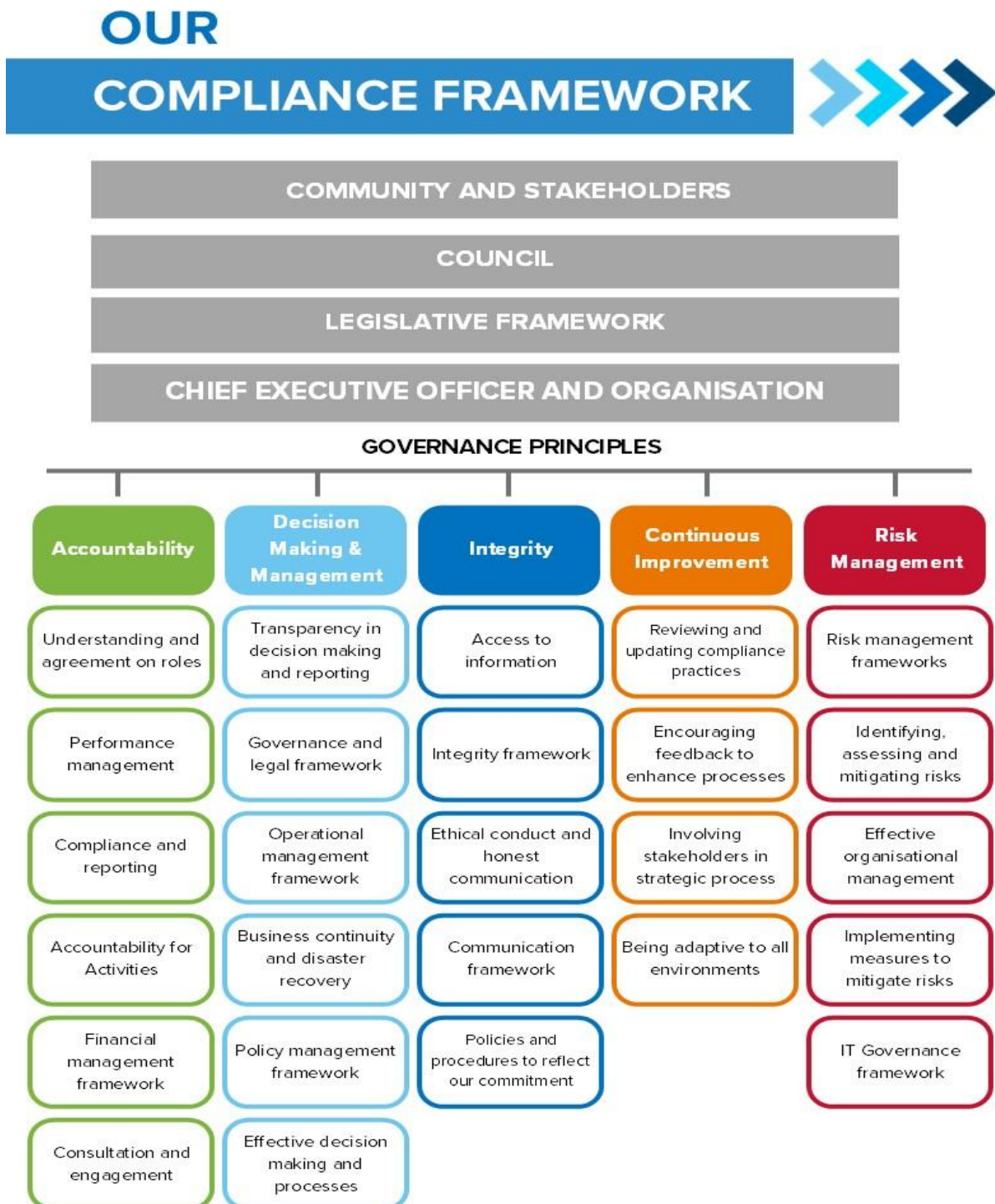
## **Risk Management and Regulatory Enforcement**

The Shire's Risk Management Framework aligns with AS ISO 31000:2018 and supports legal compliance, operational continuity, and community safety. Workplace safety policies comply with the *Work Health and Safety Act 2020*, and emergency preparedness is supported by a Business Continuity and Disaster Recovery Plan (BCDR), reviewed at least every two years.

Land use and development are regulated under the *Planning and Development Act 2005*, with a focus on sustainability and heritage protection. Financial risks are identified and mitigated through contingency planning, reserve management, and scenario modelling.

## 16. Compliance Management

The Shire aims to maintain an internal "**Compliance Management Framework**" designed as an operational guideline for staff to ensure compliance and accountability. The Shire endeavours to adhere to all relevant local, state, and federal laws, ensuring that governance, financial practices, environmental regulations, and community services meet legal standards.



## 17. Behavioural Management

This section outlines the principles of respectful engagement, integrity, and accountability, and guidance on managing behavioural complaints, rules of conduct breaches, and misconduct investigations by oversight bodies such as the Public Sector Commission (PSC) and the Corruption and Crime Commission (CCC). Understanding and adhering to the Code of Conduct is essential to maintaining public confidence, fostering a positive Council culture, and ensuring lawful and ethical decision-making.

### 1) Professional Conduct and Behavioural Expectations

Councillors are expected to uphold the highest standards of personal and professional conduct in their role as elected representatives.

The Act (s.5.103 (1)) and the *Local Government (Model Code of Conduct) Regulations 2021* (r.3) prescribes a mandatory Code of Conduct to be observed by Council Members and Candidates containing principles to guide behaviour and a disciplinary framework to deal with individual misconduct.

Division 4 introduces *Rules of Conduct* regulating matters such as:

- Misuse of local government resources;
- Securing personal advantage or disadvantaging others;
- Prohibition against involvement in administration;
- Relationship with local government employees;
- Disclosure of information;
- Disclosure of interests;
- Compliance with plan requirement; and
- Contravention of local law as to conduct.

Conduct Breaches under Division 4 of the Rules of Conduct are dealt with by the Department of Local Government, Industry Regulation and Safety (LGIRS) Local Government Inspector.

### 2) Code of Conduct and Ethical Standards

The [Shire of Toodyay Code of Conduct for Council Members, Committee Members and Candidates](#) is adopted by Council. It is a document that is required to be reviewed after every local government election in accordance with s.5.104 of the *Local Government Act 1995*.

It includes provisions about conflicts of interest, gifts, and use of information as well as outlining the principles, values, and behaviours that the community is entitled to expect of all Council Members, committee members and candidates which are to:

- act with reasonable care and diligence;
- act with honesty and integrity;
- act lawfully;
- identify and appropriately manage any conflict of interest;
- avoid damage to the reputation of the Shire;

- be open and accountable to the public;
- base decisions on relevant and factually correct information;
- treat others with respect and fairness; and
- not be impaired by mind affecting substances.

The *Local Government (Model Code of Conduct) Regulations 2021* may be accessed through the following link:

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

The Act (s.5.51A) requires that the CEO prepare and implement a Code of Conduct to be observed by employees and the *Local Government (Administration) Regulations 1996* sets out that the Employee Code is to include provisions relating to: -

- Gifts;
- Conflicts of interest;
- Personnel behaviour;
- Performance of duties;
- Use and disclosure of information;
- Use of local government resources and finances;
- Keeping of records;
- Preventing reportable conduct; and
- Reporting suspected breaches.

In addition to the above requirements, the Worker's Code of Conduct reflects the Shire's organisational Values and aligns with the requirements of the Act and the Public Sector Commission. It is published on the Shires website at the link below:

[\*\*Worker Code of Conduct\*\*](#)

The Codes are not intended to control or prohibit the actions of Council Members, Committee Members or Workers, but simply to document the standards of conduct expected of all who serve the community.

**Breaches of either Code of Conduct**

Any breaches may be referred to the Shire's Complaints Officer through emailing [complaints@toodyay.wa.gov.au](mailto:complaints@toodyay.wa.gov.au)

The Complaints Officer for the Shire of Toodyay is the CEO. Council authorised the Chief Executive Officer to deal with complaints under Division 3 of the *Local Government (Model Code of Conduct) Regulations 2021* (Model Code of Conduct) as per regulation 11 (3) at its Council Meeting held on 27 Feb 2025 (CRN: OCM036/02/25).

### **3) Conflicts and Disclosure of Interests**

Councillors, Committee Members and Staff must understand and comply with the disclosure requirements outlined in sections 5.59 to 5.73 of the *Local Government Act 1995* and the Shire's Codes of Conduct. These obligations are central to maintaining ethical decision-making, transparency, and public trust.

Failure to disclose an interest affecting impartiality may breach the *Rules of Conduct Regulations* and could invalidate Council decisions.

Disclosed conflicts are managed to ensure professional duties are not compromised by personal interests or those of closely associated persons. The Shire has procedures in place to support this.

Effective governance depends on the proper management of conflicts of interest. Individuals must remain vigilant to ensure personal interests do not influence professional duties or decision-making.

❖ **Seeking Advice**

Councillors and employees are encouraged to seek advice from the CEO, Shire President, or fellow Councillors if they believe a conflict may exist. In some cases, independent legal advice may be appropriate. However, the responsibility to assess and declare a conflict rests solely with the individual.

❖ **Personal Accountability**

Each Councillor or employee is accountable for identifying and declaring any conflict of interest, regardless of advice received. This personal responsibility is fundamental to the integrity of the decision-making process.

❖ **Misuse of Conflict of Interest**

Conflict of interest provisions must not be used as a political tool. No Councillor has the authority to determine another's conflict; this is a matter for individual judgement. Misuse undermines the principle of natural justice and the credibility of governance processes.

❖ **Community Expectations**

Declarations of interest may at times conflict with community expectations. For example, a local planning matter may evoke strong community sentiment. In these circumstances action should be to carefully assess the situation and seek appropriate advice; clearly communicate the rationale for the decision; and be supported by Council and administration in explaining legislative requirements.

Conflict of interest provisions must not be used to avoid voting on contentious matters where no actual conflict exists.

#### 4) **Defamation and limited privilege protection**

Defamation is the communication of a false statement (words spoken or written) that harms the reputation of an individual person, business, product, group, government, religion or nation.

If words lower a person's self-esteem or expose them to hatred, contempt, or ridicule, that person is defamed by the person speaking those words. Under the *Defamation Act 2005*, persons may be prosecuted or even jailed if found to be guilty of defamation.

Unlike Members of Parliament, Councillors do not have parliamentary privilege. They may be subject to civil action for defamatory or harmful statements made inside or outside the Council chamber. Section 9.56 of the

Act includes protection for actions taken in good faith under the Act or other written laws, but this does not absolve the Shire of liability.

Limited privilege protection for councillors refers to the legal safeguards that apply to their actions and statements made in the course of performing their official duties. This protection ensures that councillors can freely discuss, and debate matters without fear of legal repercussions, such as defamation claims, provided their conduct aligns with the responsibilities and ethical standards of their role.

However, this privilege is not absolute. The protection is limited to actions related to their official duties and does not extend to personal conduct or statements made outside the scope of their role.

Councillors must avoid making defamatory or discriminatory remarks or statements during debates that could be construed as defamatory. If legal action arises, the Councillor is personally responsible, even if the Shire covers legal costs. Indemnity may be denied if the action is deemed outside the scope of Council duties or not in good faith.

Refer to the Shire's [Legal Representation Costs Indemnification Policy](#) for further guidance.

## **5) Dispute Resolution and Conflict Management**

The Shire of Toodyay maintains a structured and transparent approach to resolving disputes and managing conflicts, aligned with local government policies, state legislation, and ethical governance principles.

### **Internal Dispute Resolution**

Workplace and administrative conflicts are addressed through formal mechanisms including mediation, negotiation, and structured reporting. These processes support constructive communication, minimise disruption, and foster a respectful working environment.

Staff and elected members are supported through training and policy guidance, ensuring compliance with the *Public Sector Management Act 1994* and reinforcing ethical conduct.

### **Complaint Handling**

A formal complaint handling system is in place to receive, assess, and respond to concerns raised by residents and stakeholders. This reinforces fairness, accountability, and responsiveness in governance.

### **External Appeals and Remedies**

Where internal resolution is not possible, the Shire aims to provide access to external review mechanisms. Residents and stakeholders may appeal decisions relating to planning, regulation, or administration through defined processes. Unresolved matters may be referred to the State Administrative Tribunal (SAT) for independent legal review. The Shire ensures that appeal procedures are publicly accessible, clearly documented, and consistent with statutory obligations.

### **Governance and Legal Integrity**

These dispute resolution processes form part of the Shire's broader legal and governance framework, which ensures compliance with state and federal laws, supports risk management, and promotes continuous improvement. By maintaining robust internal controls and engaging

transparently with the community, the Shire upholds public trust and ethical standards in all aspects of dispute and conflict management.

## 6) Breaches of the *Local Government Act 1995*

There are two main categories of breaches under the Act described below.

### **Conduct Breaches (Division 4 Rules of Conduct and specified offences)**

Contraventions of the Rules of Conduct set out in Division 4 of Schedule 1 to the *Local Government (Model Code of Conduct) Regulations 2021* and certain prescribed offences are treated as conduct breaches under Part 8A of the *Local Government Act 1995*.

Conduct Breaches are dealt with through the Local Government Inspector and Inspectorate, the Principal Adjudicator and, where applicable, the State Administrative Tribunal, in accordance with the amended Act and the *Local Government (Local Government Inspector) Regulations 2025*.

Examples of conduct that may constitute a **conduct breach** include:

- Misuse of local government resources (e.g. using Shire assets for electioneering);
- Securing personal advantage or disadvantaging others;
- Improper involvement in administration (e.g. directing staff);
- Inappropriate relationships with employees (e.g. threats, undue influence);
- Disclosure of confidential or restricted information; and
- Failure to appropriately manage and disclose relevant interests as required by the Act, regulations, and Code of Conduct.

In addition, the *Local Government (Local Government Inspector) Regulations 2025* prescribe particular offences (for example, certain meeting behaviour and financial interest disclosure offences) as **specified breaches** and provide for infringement notices to be issued by authorised inspectorate officers.

### **Serious Breaches**

These involve breaches of the *Local Government Act 1995* itself, such as:

- Failure to declare financial interests (s.5.65–5.69);
- Voting on matters where a financial interest exists;
- Improper disclosure or misuse of information (s.5.93);
- Failure to lodge returns of financial interests (s.5.75, s.5.76); and
- Improper use of office for personal gain (s.5.93, Criminal Code s.83)

These are investigated by the Department of Local Government, Industry Regulation and Safety (DLGIRS) and may be referred to the State Administrative Tribunal (SAT).

## 7) **Behavioural complaints (Division 3) – Mandatory referral to Inspector & Monitors and the complaint handling process**

Complaints about breaches of Division 3 of the *Local Government (Model Code of Conduct) Regulations 2021*, which deals with behaviour standards for Council members, committee members, and candidates, are considered behaviour complaints. These complaints are managed by the Complaints Officer at the Shire of Toodyay. The goal is to ensure sound working relationships and prevent repeated breaches through an educative approach. Mandatory referral to the Inspector under reg 3A / s.5.105(3); (b) the Inspector's power to appoint a monitor; and (c) that some complaints may be dealt with under **Part 8A** as conduct breaches.

The Shire has a Council Approved Policy titled: [Complaints of Alleged Breach of Code of Conduct for Members, Committee Members and Candidates](#)

This policy exists to ensure that the Shire of Toodyay has a clear, fair, and transparent process for dealing with complaints about the behaviour of Council Members, Committee Members, and Candidates.

This policy is required under the *Local Government (Model Code of Conduct) Regulations 2021* as it helps uphold high standards of conduct in local government by:

- Promoting accountability and ethical behaviour;
- Ensuring complaints are handled consistently and fairly; and
- Protecting the integrity of Council decision-making and public trust.

This policy outlines how the Shire manages complaints about breaches of **Division 3 of the Code of Conduct**, which covers behaviour such as Personal integrity; Respectful relationships; and conduct at meetings.

It does not cover conduct nor offences classified as specified offences under section 8.A4(2) of the *Local Government Act 1995* or breaches under other parts of the law—those are referred to external bodies like the Department of Local Government, Industry Regulation and Safety (LGIRS) or the Public Sector Commission.

The policy states mediation as being compulsory. The Complaints Officer uses their discretion to conduct the mediation session and if that process falls through then the Officer engages an External Consultant to conduct the assessment process of the complaint, much like the Local Government Inspector would do for Division 4 alleged breaches.

The Complaints Officer determines if a breach occurred, and if so, may implement a plan to address the behaviour.

### **Referral of repeated behavioural breaches to the Inspector and appointment of monitors**

From 1 January 2026, if the person who is the subject of a behavioural complaint has, on at least 2 previous occasions, been found under the Shire's adopted Code of Conduct to have committed a behavioural breach on or after that date, the authorised complaints officer must refer the complaint to the Local Government Inspector under section 5.105(3) of the Act and regulation 3A of the *Local Government (Model Code of Conduct) Regulations 2021*.

The Inspector may decide to:

- refer the matter to be dealt with as a conduct breach under Part 8A Division 5 of the Act; or
- refer the matter back to the Shire to be dealt with under Division 3 of the Code of Conduct in accordance with regulation 6 of the *Local Government (Local Government Inspector) Regulations 2025*.

The Inspector also has the power to appoint a monitor to assist the Shire in dealing with matters raised by a complaint and may direct the Shire to defer further dealing with the complaint until the monitor has reported to the Inspector, as provided for in clauses 14A and 14B of Schedule 1 to the *Local Government (Model Code of Conduct) Regulations 2021*.

#### Key Features of the Policy

**Who Can Complain:** Any person can lodge a complaint if they believe a Member, Committee Member, or Candidate has breached the Code.

**Confidentiality:** All complaints are handled confidentially, and it is an offence to disclose details unless a formal finding is made.

**No Appeal:** Once a decision is made, it is final—there is no right of review or appeal.

This policy helps ensure that elected officials and candidates are held to high standards of behaviour, while also protecting the rights of those involved in the complaint process.

## 8) **Rules of Conduct Division 4 complaints (Local Government Inspector/Inspectorate)**

Local Government (Model Code of Conduct) Regulations 2021 defines Division 4 of Schedule 1 as containing the Rules of Conduct for council members and candidates. Contraventions of these rules, and certain prescribed offences, are treated as conduct breaches under Part 8A of the *Local Government Act 1995*.

Complaints are dealt with under the Local Government Inspector and Inspectorate framework, in accordance with the Act and the *Local Government (Local Government Inspector) Regulations 2025*.

Division 4 outlines specific rules that council members and candidates must adhere to. These rules are designed to maintain high standards of professional and ethical conduct.

**Types of Division 4 conduct breaches include: *Local Government (Model Code of Conduct) Regulations 2021 – Schedule 1***

- *Clause 17 – Misuse of local government resources;*
- *Clause 18 – Securing personal advantage or disadvantaging others;*
- *Clause 19 – Prohibition against involvement in administration;*
- *Clause 20 – Relationship with local government employees;*
- *Clause 21 – Disclosure of information;*
- *Clause 22 – Disclosure of interests;*
- *Clause 23 – Compliance with plan requirement.*

**Local Government (Administration) Regulations 1996 – regulation 34D** (contravention of local law as to conduct) is also prescribed as a conduct breach.

A conduct breach may be the subject of a complaint to the Local Government Inspector/Inspectorate. The Inspector and Inspectorate may:

- assess and investigate complaints;
- refer matters to the Principal Adjudicator or State Administrative Tribunal under Part 8A of the Act;
- publish findings, censures, and orders on the Inspector’s website for prescribed periods; and
- impose or recommend orders (for example, public censure, training requirements, or other remedial actions) as provided for in the Act and regulations.

The Shire cooperates with the Inspectorate’s processes and maintain a **Breach Complaints Register** on its website to support transparency and accountability, including any requirements that continue to apply in relation to pre-1 January 2026 minor breach matters during the transitional period specified in the Act and regulations.

## 9) Public Sector Commission (PSC) misconduct

Based on the *Corruption, Crime and Misconduct Act 2003*, the types of breaches of trust or conduct that could potentially lead to termination but are not severe enough to warrant investigation by the Corruption and Crime Commission (CCC) are classified as misconduct. These are typically handled by the Public Sector Commissioner rather than the CCC.

Types of misconduct that may lead to termination but fall short of serious misconduct			
Type of Conduct	Description	Relevant Section	Potential Consequence
Breach of trust	Conduct involving a breach of the trust placed in a public officer by virtue of their office	Section 4(d)(iii)	Grounds for termination under Public Sector Management Act
Misuse of information	Using information acquired through official duties for personal gain or to harm others	Section 4(d)(iv)	Disciplinary action, including termination
Dishonest or partial performance	Performing duties in a dishonest or biased manner	Section 4(d)(ii)	Grounds for termination

Types of misconduct that may lead to termination but fall short of serious misconduct			
Type of Conduct	Description	Relevant Section	Potential Consequence
Conduct affecting impartiality	Actions that could adversely affect the honest or impartial performance of duties	Section 4(d)(i)	Disciplinary action
Disciplinary offence	Any conduct that constitutes a disciplinary offence under the <i>Public Sector Management Act 1994</i>	Section 4(vi)	Reasonable grounds for termination
misconduct	Misconduct not involving police, MPs, or local government councillors, but still significant	Section 45B & 45C	Managed by Public Sector Commissioner, may lead to termination

### How misconduct can be avoided

The following practices are applicable to maintaining ethical conduct:

- **Act with integrity and impartiality** in all council matters.
- **Avoid using confidential information** for personal or political gain.
- **Declare and manage conflicts of interest** transparently.
- **Follow council codes of conduct** and relevant legislation.
- **Seek guidance** when unsure about ethical obligations.

### 10) CCC serious misconduct

The Corruption and Crime Commission (CCC) deals with "serious misconduct" in local governments, which includes corruption, fraud, and other serious offenses committed by public officers while acting in their official capacity. Serious misconduct, as defined by the *Corruption, Crime and Misconduct Act 2003*, can include acts like bribery, fraud, or abusing one's position for personal gain, particularly if the offense carries a penalty of two or more years imprisonment. The CCC also has a broader role to improve integrity within the public sector and reduce the risk of misconduct.

*Section 3 of the Corruption, Crime and Misconduct Act 2003* defines the "principal officer of a notifying authority" to include the chief executive officer or chief employee of a department or organisation as defined in the *Public Sector Management Act 1994*.

Section 28(1) of the *Corruption, Crime and Misconduct Act 2003* outlines that it is the duty (and legal requirement) of the Shire's Chief Executive Officer of the Shire of Toodyay which is a Public Authority to report any suspected serious misconduct to the Corruption and Crime Commission (CCC) as soon as reasonably practicable after becoming aware of it. Failure to do so may result in the CCC reporting the noncompliance to a person or body with disciplinary authority (Section 31).

Section 28(2) of the *Corruption, Crime and Misconduct Act 2003* states:

*A person to whom this section applies must notify the Commission in writing of any matter —*

- (a) *which that person suspects on reasonable grounds concerns or may concern serious misconduct; and*
- (b) *which, in the case of a person referred to in subsection (1)(c) or (d), is of relevance or concern to that person in his or her official capacity.*

Based on the *Corruption, Crime and Misconduct Act 2003*, here is a table summarising the types of serious misconduct that include corruption, fraud, bribery, and abuse of position—particularly where the conduct carries a penalty such as imprisonment. These are typically investigated by the Corruption and Crime Commission (CCC).

<b>Types of Serious Misconduct under the Act</b>			
<b>Type of Serious Misconduct</b>	<b>Description</b>	<b>Relevant Section</b>	<b>Potential Penalty</b>
<b>Corrupt conduct</b>	Acting or failing to act corruptly in official duties	Section 4(a)	May lead to criminal prosecution
<b>Corrupt advantage</b>	Using position to gain benefit or cause detriment	Section 4(b)	May lead to criminal prosecution
<b>Criminal offence</b>	Committing an offence punishable by 2+ years imprisonment while acting in official capacity	Section 4(c)	Criminal conviction
<b>Bribery</b>	Offering or accepting bribes to influence decisions	Section 169	Up to 5 years imprisonment and \ \$100,000 fine
<b>Fraud</b>	Dishonest conduct for personal gain or to cause loss	Section 4(b), Schedule 1	Criminal prosecution
<b>Abuse of position</b>	Misusing authority for personal or others' benefit	Section 4(d)(iii)	Disciplinary or criminal action
<b>Misuse of information</b>	Using confidential info for personal gain or to harm others	Section 4(d)(iv)	Disciplinary or criminal action

### *Types of Serious Misconduct under the Act*

Type of Serious Misconduct	Description	Relevant Section	Potential Penalty
<b>Destroying evidence</b>	Wilfully destroying documents to obstruct investigations	Section 171	Up to 3 years imprisonment and \ \$60,000 fine
<b>False testimony</b>	Knowingly giving false evidence to the Commission	Section 168	Up to 5 years imprisonment and \ \$100,000 fine

#### **How serious misconduct can be avoided**

The following practices Councillors and Staff are to follow to maintain ethical conduct:

- Act with integrity and avoid any form of corruption or dishonesty;
- Never use your position for personal gain or to benefit others improperly;
- Avoid accepting gifts or benefits that could influence a decision;
- Report any suspected misconduct to the appropriate authority;
- Maintain confidentiality and never misuse information obtained through their role; and
- Comply with all laws and codes of conduct applicable to their position.

The Corruption and Crime Commission (CCC) is the primary body responsible for investigating and addressing serious misconduct allegations in Western Australia, including those involving local governments.

The CCC investigates allegations, exposes misconduct, and can recommend actions to address the issue, which may include referrals to other authorities like the police.

The CCC aims to improve integrity within the public sector, reduce misconduct and corruption, and build public confidence in government institutions. Anyone can report suspected serious misconduct to the CCC.



## 18. Operational Management

The Shire aims to maintain an internal "**Operational Management Framework**" that contains an overview of the Shire's structured approach to delivering strategic, high-quality services. The framework applies to all operational activities, including service delivery, resource, and financial management.

The framework is aligned with the Council Plan (Plan for the Future 2023–2033), developed under the *Local Government Act 1995* and associated regulations. Supporting strategies include the Long-Term Financial Plan, Workforce Plan, and Asset Management Plans, which inform annual budgets and operational priorities.

### **Service Delivery and Performance**

The Shire endeavours to deliver accessible, reliable, and cost-effective services. Key mechanisms include:

- **Service Standards:** Transparent benchmarks for responsiveness and quality, shared via public channels;
- **Performance Monitoring:** Regular audits, feedback surveys, and data analysis to assess and improve service delivery; and
- **Feedback and Improvement:** Community and staff input is actively sought and used to refine operations.

### **Resource Management**

The Shire endeavours to foster a skilled, diverse, and values-aligned workforce through:

- Structured recruitment and retention strategies;
- Ongoing training and leadership development;
- Compliance with the *Public Sector Management Act 1994* and *Work Health and Safety Act 2020*; and
- Performance reviews linked to strategic goals and legal obligations

Asset management is guided by lifecycle costing, condition assessments, and sustainability principles. The Shire endeavours to embrace continuous improvement through process reviews, innovation, and risk management.

### **Legislative Compliance Matrix and Review Schedule**

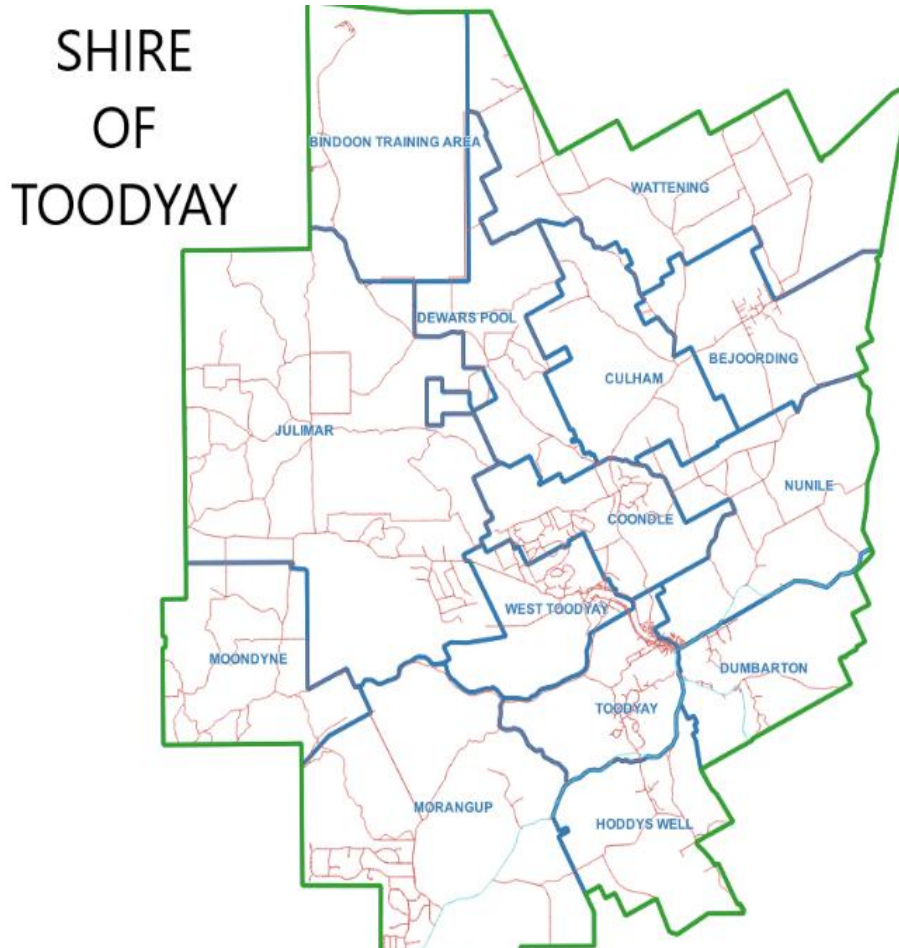
The framework includes a sample of a detailed legislative compliance matrix assessing compliance across key instruments. Actions may often be recommended to strengthen these areas and ensure full alignment with legislative and best practice standards.

All key plans and policies are subject to scheduled reviews, ranging from annual to five-year cycles. Reviews are documented and reported to ARIC and/or Council, with out-of-cycle reviews triggered by legislative changes. Outcomes inform updates to the Compliance Calendar.

## 19. Local Government Context – Shire of Toodyay

This chapter is an overview of the Shire of Toodyay’s historical development, governance structure, and community context.

Toodyay is a rural Shire with a population of approximately 4,600 residents. It includes the townsite of Toodyay and surrounding localities such as Morangup, Julimar, Dewars Pool, and Bejoording. The Shire is known for its heritage architecture, natural beauty, and vibrant community events. The local economy is based in Agriculture, tourism, and small business.



### 11) District Profile

The Shire’s demographic profile is on the Shire website here: <https://www.toodyay.wa.gov.au/council/about-our-shire/shire-of-toodyay-demographics.aspx>

## 12) Historical Overview

The Shire of Toodyay is located on Whadjuk Noongar Country, with Aboriginal custodianship dating back over 40,000 years. The area has a rich colonial history, with European settlement beginning in the early 1830s. Toodyay was originally established as a convict depot and agricultural centre, and its heritage is reflected in its preserved buildings, cultural sites, and community traditions.

Key historical milestones	
Year	Event
1836	The original townsite of Toodyay was surveyed and determined in 1836.
1857	Convict depot established
1860	<p>In 1860, after several serious floods in 1857 and 1859, a second township named Newcastle was laid out approximately 4.8km upstream.</p> <p>The name Newcastle was derived from the Secretary of State for the Colonies, the Duke of Newcastle, although it ceased to expand.</p> <p>The township of "Old" Toodyay continued to exist,</p>
1871	the Toodyay Road District was gazetted.
1877	<p>the Municipality of Newcastle was established on 28 September 1877 by proclamation under the Municipal Institutions Act 1876. Entirely surrounded by the Toodyay Road District, it was located on the south side of the Avon River, extending west to Lukin Street and south to Pelham Reserve to include all of the main town, the municipal council consisted of seven Councillors , three each of whom represented the East Ward and West Ward (separated by Duke Street) and a chairman (titled mayor from 1887).</p> <p>Its first election was held on Monday 19 November 1877, at which Charles Samuel Monger won 26 votes against Arthur Wroth's 20 to become the first chairperson. An observer writing in 1878 commented that the previously neglected streets had markedly improved in their condition.[3]</p>
1903	Most elections were uncontested (the last mayoral contest took place in 1903) and the Newcastle Herald newspaper often lamented the low turnout at contested elections and at ratepayers' meetings, the council's small revenue, which could not easily



Key historical milestones	
Year	Event
	increase due to the amount of non-rateable Government property and the failure to merge North Toodyay into the municipality, was outstripped by the cost of administration.
1909	the Federal authorities urged the town of Newcastle to change its name. Newcastle in New South Wales and Newcastle in Western Australia were being confused.
1910	<p>the Municipal Council held a referendum, and, by a slim majority, it was decided to change the name of the town to Toodyay. On 6 May 1910, it was declared that the town of Newcastle would henceforth be known as Toodyay and the old town of Toodyay would henceforth be known as West Toodyay. On 4 June 1910, the municipality was formally renamed Toodyay at a meeting of the council, although the change was never gazetted.</p> <p>By 1911, the council had £50 to spend on roads, and was seeking from the state government £350 to improve Stirling Terrace and £250 for the town hall,[4] the Minister for Works, W. J. George, suggested amalgamation with the Toodyay Road District. At a ratepayers' meeting on 28 August 1911, which only two ratepayers attended, Mayor Jonathon Somers formally proposed amalgamation. A referendum held on 12 September 1911 resulted in a petition to the minister to dissolve the municipality.[5]</p> <p>On 27 February 1912, the Municipality of Toodyay amalgamated into the Toodyay Road Board, its area becoming a new Central Ward with two Councillors. On 1 July 1961, Toodyay became a Shire under the Local Government Act 1960.</p>
1961	The Toodyay Road Board transitioned to its current status as a shire in 1961. This change was part of a broader reform across Western Australia, where road boards were restructured into shires to better reflect their expanded roles in local governance and community development. The land that would later become Duidgee Park was Lot 1 Newcastle, bought by Mr John Henry Monger Jnr in 1861.
1985	The Shire of Toodyay underwent a significant change in status in 1985 when it transitioned from the "Shire of Newcastle" to its current name. This change was made to avoid confusion with the town of Newcastle in New South Wales and to better reflect the local identity and heritage of the area. The name "Toodyay" is derived from the Noongar word "Duidgee," meaning "place of plenty."

### 13) Corporate identity (as reflected in)

#### Coat of arms

When the Road Board became a Shire, a coat of arms was displayed in Council Chambers up to the year 1960. There was not a specific coat of arms made up for the Shire of Toodyay. The one on display was the Royal Coat of Arms of the Queen of the United Kingdom.

In 1871, the Toodyay Road District was gazetted, and in 1877, the Municipality of Newcastle followed, the latter was abolished and merged in 1912, and on 1 July 1961, Toodyay became a Shire under the Local Government Act 1960.

#### Emblem

The Shire of Toodyay has a common seal emblem that is used when documents are being executed in accordance with Section 20 of the Shire of Toodyay Standing Orders Local Law 2008 and sections 2.5, 9.49A and 9.49B of the *Local Government Act 1995*.

#### Logo and Corporate Identity

The Shire's corporate identity is reflected in the Shire's Style Guide adopted in 2007.



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## 14) Vision and Values

### 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.

## 15) Wards and Representation

The Shire of Toodyay is not divided into wards. Prior to 2019 there had been a North, East and West and Central ward.

All Councillors are elected by the district and are expected to represent the interests of the entire community, not just specific localities.

## 16) Constitution of Council.

In 1871, the Toodyay Road District was gazetted, and in 1877, the Municipality of Newcastle followed, the latter was abolished and merged in 1912, and on 1 July 1961, Toodyay became a shire under the *Local Government Act 1960*.<sup>[2]</sup>

Members are elected to Council for a maximum four-year term after which they may stand for re-election. Ordinary elections are held on the third Saturday in October every two years.



## 20. Monitoring and Reporting

To maintain effective governance, the Shire of Toodyay regularly monitors its governance activities to assess performance, identify areas for improvement, and ensure alignment with strategic and legislative requirements. Reliable systems and tools are used to track progress, support transparency, and inform decision-making.

Accurate reporting complements monitoring by providing senior management and stakeholders with clear insights into governance performance. Reports highlight achievements, challenges, and opportunities for enhancement, supporting accountability and continuous improvement. Well-structured reporting builds trust and enables leadership to make informed decisions that strengthen governance outcomes.

## 21. Training and Education

To uphold strong and effective governance, the Shire of Toodyay endeavours to provide structured training and education programs that build capability, reinforce accountability, and support informed decision-making across the organisation.

Governance training delivered to staff can ensure a clear understanding of key principles, policies, and procedures. Sessions undertaken can clarify individual roles and responsibilities, promote ethical conduct, and support alignment with the Shire's strategic and operational governance objectives. Ongoing education ensures that employees remain up to date with legislative changes, internal protocols, and sector best practices.

For Elected Members, mandatory training is required within the first twelve months of office, covering core competencies essential to fulfilling their role in public office. In accordance with the *Local Government Act 1995*, Council maintains a policy for continuing professional development for Elected Members, reviewed biennially following local government elections. This policy outlines the scope, parameters, and budget allocations for Councillor training and development.

Beyond formal training, the Shire promotes a culture of good governance through awareness initiatives. Communication tools such as newsletters, workshops, and team briefings are used to share updates, highlight best practices, and encourage open dialogue. These initiatives foster engagement, transparency, and a shared understanding of governance expectations.

By embedding continuous learning into its governance framework, the Shire ensures that its workforce and leadership remain informed, capable, and responsive to emerging challenges. This commitment to education strengthens organisational resilience and supports the delivery of accountable, ethical, and community-focused governance.

## 22. Continuous Improvement

The Shire of Toodyay applies a structured approach to continuous improvement to ensure its governance practices remain effective, compliant, and aligned with legislative and organisational requirements. Continuous improvement is achieved through scheduled reviews, capability development, evidence-based decision-making, and the adoption of recognised best practice standards.

Capability development forms part of this commitment. Elected Members must complete mandatory training within their first twelve months of office, and Council

maintains a Continuing Professional Development Policy—reviewed biennially in accordance with the Local Government Act 1995—that sets out training categories, funding parameters, and development requirements. Staff capability is supported through ongoing professional development and sector-standard training relevant to their roles and delegated responsibilities.

Governance frameworks, including those relating to risk, compliance, financial management, information management, communication, operational practices and ICT, are reviewed every two years as part of the Shire’s governance improvement cycle. These reviews are coordinated by the Governance Coordinator with input from the Executive Management Group and documented in accordance with the Shire’s Record Keeping Plan, ensuring that governance instruments remain current, accurate and aligned with statutory obligations and strategic priorities.

The Shire uses feedback mechanisms—such as surveys, consultation processes, internal audits, control assessments, and performance reviews—to identify and address areas requiring improvement. Findings from these activities inform updates to governance structures, policies, procedures and reporting mechanisms, ensuring that they remain transparent, accountable, and fit for purpose.

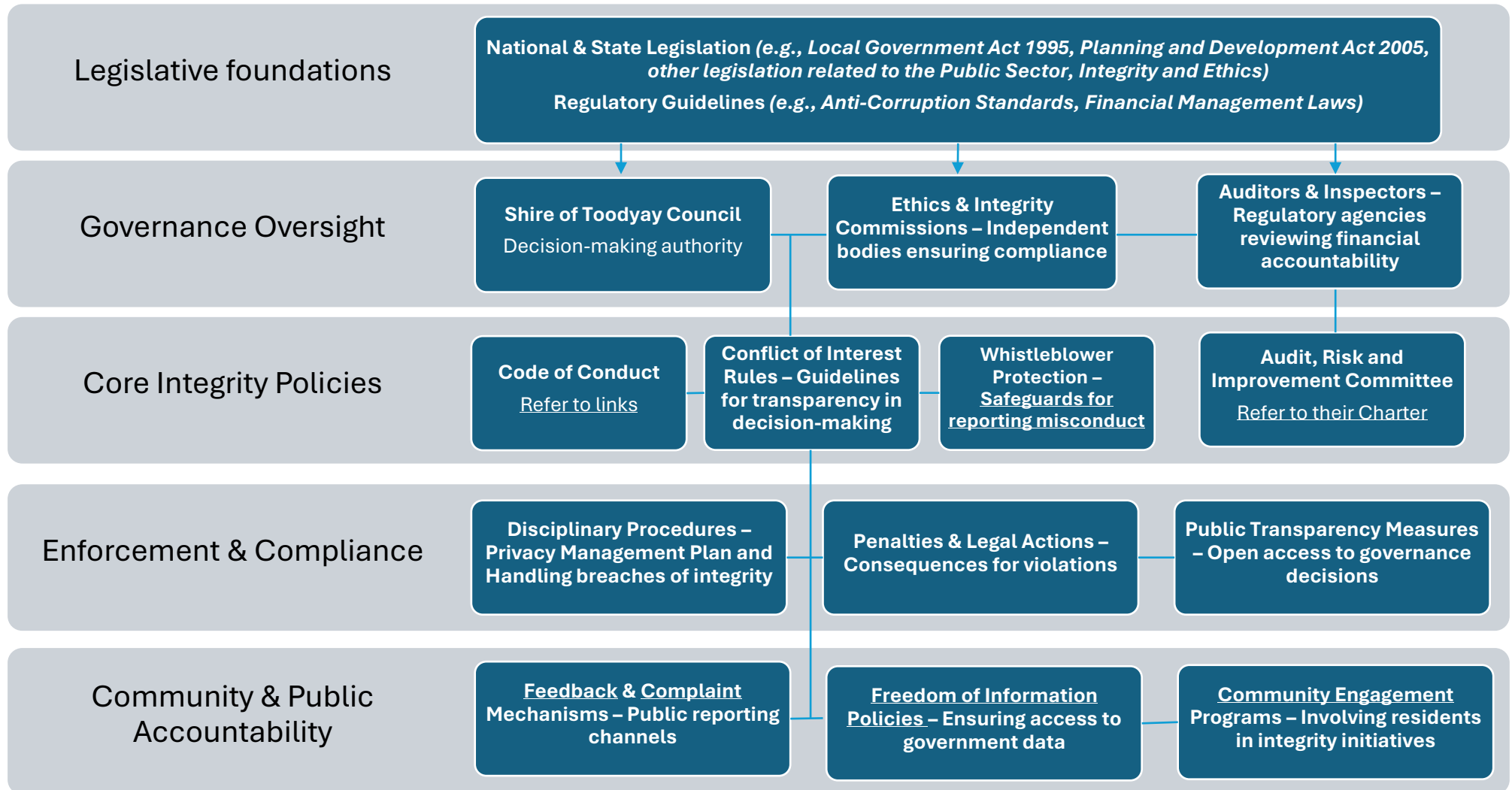
Continuous improvement also involves benchmarking against industry standards, analysing sector trends and incorporating relevant lessons learned from internal and external reviews. This supports the refinement of governance processes, strengthens ethical leadership, and enhances operational efficiency.

Adaptation and resilience are promoted through the periodic integration of new technologies, updated legislative requirements, and streamlined business processes. This ensures the Shire can respond effectively to emerging risks, changes in the operating environment and the evolving expectations of the community and regulators.

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## 23. APPENDIX A – Accountability Map



## 24. APPENDIX B – Provision of Services and Facilities

Section 3.18 allows local governments to provide services and facilities deemed necessary or convenient for the good governance of their district. This includes things like waste management, parks and recreation, and community programs.

Functional area	Responsibilities	Description of the services provided
Office of the CEO	Strategic planning & management	Develops and implements strategic plans to achieve the Shire's vision and goals
	Risk Management	Identifies, assesses, and manages risks to ensure the Shire's activities are carried out safely and effectively
	Governance	Ensures compliance with legislative and regulatory requirements and promotes transparent and accountable decision-making.
	Communications & PR	Manages internal and external communications, media relations, and public engagement.
	Advocacy	Represents the Shire's interests at regional, state, and federal levels.
Finance and Corporate Services	Finance	Manages the Shire's financial resources, including budgeting, accounting, and financial reporting
	Customer service	front-line services to residents and businesses, addressing inquiries and concerns.
	Records and systems	Maintains the Shire's records and manages information systems.
	Human Resources	Manages recruitment, training, employee relations, and HR business operating practices.
	Information technology	Oversees the Shire's IT infrastructure and supports technology needs.
Economic Development and Community Services	Library	access to books, digital resources, and community programs.
	Museums	Preserves and showcases the Shire's cultural heritage.
	Community Resource Centre	Offers resources and support services for residents.
	Economic development	Promotes business growth and economic opportunities within the Shire. Support for local businesses through initiatives like workshops, networking events, and grants.

Functional area	Responsibilities	Description of the services provided
Economic Development and Community Services		Promotion of tourism to boost the local economy, including maintaining visitor centres and organizing events. Collaboration with stakeholders to attract investment and create job opportunities.
	Grant funding and acquittal	Manages grant applications and reporting
	Community development;	Supports initiatives that enhance community well-being and social cohesion. Coordination of community engagement programs to foster inclusivity and participation. Provision of facilities like libraries, resource centres, and recreational spaces. Support for cultural and heritage preservation projects.
	Tourism and events	Develops and promotes tourism activities and local events.
	Toodyay Recreation Centre	Management of the Toodyay Recreation Centre: Features an Aquatic Centre with a 25m, 8-lane pool and a family-friendly leisure pool, tennis courts, basketball/netball courts, a grass sporting pitch, and the Lotterywest Community Pavilion.
	Facility Management (Sport and Recreation)	Toodyay Showgrounds: Includes an oval for sports like Australian rules football and cricket, as well as a pavilion for indoor sports and community events. Toodyay Memorial Hall: A heritage-listed venue suitable for fitness classes, dance groups, and recreational activities. Walking Tracks and Parks: Beautiful trails and parks for outdoor activities and relaxation. Develops Programs (e.g. KidSport: Enables children to participate in community sports by providing financial assistance). Community Events: Regularly hosts sports tournaments, fitness workshops, and recreational activities.
	Social Services	Access to training and development programs for residents. Assistance with government services, such as Centrelink and public information access. Programs to address social issues, including health and well-being initiatives.
	Aquatic Centre Management	Swim School Coordinator and Lifeguards and Duty Managers

Functional area	Responsibilities	Description of the services provided
Planning and Regulatory Services	Statutory & strategic planning;	Manages land use planning and development approvals.
	Planning Services	<p>Develop and implement local planning schemes and strategies to guide land use and development.</p> <p>Assess development applications to ensure compliance with zoning and planning regulations.</p> <p>Facilitate community consultation on planning matters, such as rezoning or structure plans.</p>
	Compliance Planning	Ensures adherence to regulations and local laws.
	Building approvals & heritage	<p>Reviews and approves building applications and oversees heritage conservation.</p> <p>Issue building permits and ensure compliance with building codes and standards.</p> <p>Conduct inspections during construction to maintain safety and quality.</p> <p>Provide advice on building regulations and requirements.</p>
	Regulatory Services	<p>Enforce local laws related to health, safety, and the environment (e.g., noise control, waste management).</p> <p>Monitor compliance with development approvals and conditions.</p> <p>Address breaches of planning and building regulations through enforcement actions.</p>
	Sustainability and Environmental Management	<p>Promotes sustainable practices and environmental stewardship.</p> <p>The Shire implements strategies to protect and enhance local biodiversity and ecosystems.</p> <p>Programs focus on sustainable land use, water conservation, and pollution control.</p> <p>Community education initiatives promote environmental awareness and responsible practices.</p>
	Environmental Health	Ensures public health through inspections and regulations.

Functional area	Responsibilities	Description of the services provided
Infrastructure, Assets and Services	Construction and Maintenance	Manages construction and maintenance of Shire infrastructure.
	Road's maintenance and construction	Maintenance and upgrades of local roads, bridges, and footpaths. Management of drainage systems and public infrastructure. Support for community projects involving construction or maintenance. Oversees road construction, repairs, and maintenance.
	Drainage maintenance and construction	Ensures effective stormwater management.
	Footpath maintenance and construction	Maintains and constructs pedestrian pathways.
	Bridge Maintenance and Upgrades	Manages the upkeep and improvement of bridges.
	Regulatory	
	Ranger Services	Enforces local laws and regulations, including animal control.
	Reserves Management	Oversees the maintenance of public reserves
	Street Cleaning	Ensures streets are clean and well-maintained
	Parks & Gardens maintenance;	Manages the upkeep of parks and gardens
	Fire Mitigation Activities;	Conducts activities to reduce fire risk.
	Weed Spraying	Controls invasive weeds in public areas
	Depot Management	Manages Shire depots and related facilities
	Fleet Management and Maintenance	Oversees the maintenance of Shire vehicles and equipment.
	Asset Management	Manages Shire assets to ensure they are effectively utilised and maintained.
	Waste Services	Weekly kerbside rubbish collection and fortnightly recycling collection. Operation of a Waste Transfer Station, open daily for residents to dispose of waste. Programs to address illegal dumping and promote recycling.
	Waste Transfer Station	Operates the Shire's waste transfer facilities.

Functional area	Responsibilities	Description of the services provided
Infrastructure, Assets and Services	Asset Management Planning	Develops and implements asset management plans.
	Building Maintenance	Ensures Shire buildings are well-maintained and safe
	Grant funding and acquittal	Manages grant applications and reporting
	Community Emergency Services Manager;	Coordinates emergency services and community preparedness.
	Volunteer Fire Brigades Support	support and resources to volunteer fire brigades.
	DFES contract management for CESM; Grant funding and acquittal	Manages contracts with the Department of Fire and Emergency Services.
	Animal Control	Dog and Cat Management: Enforcing registration, microchipping, and sterilization requirements for dogs and cats as per the Dog Act 1976 and Cat Act 2011. Lost and Found Animals: Operating an Animal Management Facility to house stray animals and assist owners in reclaiming their pets. Livestock Control: Managing stray livestock to ensure public safety and prevent property damage. Wildlife Assistance: Providing guidance on dealing with wildlife encounters, such as snakes or injured animals.
	Ranger Services	Local Law Enforcement: Ensuring compliance with local laws related to parking, littering, and public safety. Bushfire Management: Issuing permits for burning and monitoring compliance with fire safety regulations. Community Education: Promoting responsible pet ownership and environmental awareness through public campaigns.
	Environmental Services	Conservation efforts for local reserves and biodiversity hotspots. Management of bushfire risks, including burning periods and permits. Initiatives to maintain a clean and litter-free environment.
	Reserves Management	The Shire oversees the maintenance and conservation of public reserves and natural areas.

Functional area	Responsibilities	Description of the services provided
Infrastructure, Assets and Services		<p>Activities include weed control, habitat restoration, and infrastructure upkeep (e.g., trails and signage).</p> <p>Collaboration with local groups and volunteers supports ongoing conservation efforts.</p>
	Bushfire Management	<p>The Shire works closely with the Bush Fire Advisory Committee to manage fire risks and ensure community safety.</p> <p>Services include issuing permits, enforcing firebreak requirements, and coordinating controlled burns.</p> <p>Volunteer bushfire brigades are supported through training, resources, and operational guidance.</p>
	Compliance and Emergency management	Ensures compliance with emergency management regulations and plans.