



AGENDA

Shire of West Arthur Ordinary Council Meeting Thursday 18 April 2024

NOTICE OF MEETING

Dear Elected Member

The next Ordinary meeting of the Shire of West Arthur will be held on Thursday 18 April 2024 in the Council Chambers commencing at 7.00pm.

Vin Fordham Lamont
Chief Executive Officer

DISCLAIMER

No responsibility whatsoever is implied or accepted by the Shire of West Arthur for any act, omission or statement or intimation occurring during Council or Committee meetings or during formal/informal conversations with staff. The Shire of West Arthur disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission or statement or intimation occurring during Council or Committee meetings or discussions. Any person or legal entity that act or fails to act in reliance upon any statement does so at the person's or legal entity's own risk.

In particular and without derogating in any way from the broad disclaimer above, in any discussion regarding any planning application or application for a licence, any statement or limitation of approval made by a member or officer of the Shire of West Arthur during the course of any meeting is not intended to be and is not taken as notice of approval from the Shire of West Arthur. The Shire of West Arthur warns that anyone who has an application lodged with the Shire of West Arthur must obtain and only should rely on WRITTEN CONFIRMATION of the outcome of the application, and any conditions attaching to the decision made by the Shire of West Arthur in respect of the application.



Shire of West Arthur

Notice of Ordinary Council Meeting

In accordance with the Local Government Act 1995 and *Local Government (Administration) Regulations 1996* Reg 12 (2) it, is hereby notified that as from January 2023 to December 2023, Ordinary Council meetings of the Shire of West Arthur will be held as follows:

DATE	LOCATION	TIME
22 February 2024	Council Chambers	7.00pm
21 March 2024*	Council Chambers	7.00pm
18 April 2024*	Council Chambers	7.00pm
23 May 2024	Council Chambers	7.00pm
27 June 2024	Council Chambers	7.00pm
25 July 2024	Council Chambers	7.00pm
22 August 2024	Council Chambers	7.00pm
26 September 2024	Council Chambers	7.00pm
24 October 2024	Council Chambers	7.00pm
28 November 2024	Council Chambers	7.00pm
19 December 2024*	Council Chambers	7.00pm

- * March meeting third Thursday to avoid Easter
- * April meeting third Thursday to avoid Anzac Day
- * December meeting third Thursday to avoid Christmas

DISCLAIMER

INFORMATION FOR THE PUBLIC ATTENDING COUNCIL MEETINGS

Please Note:

The recommendations contained in this agenda are officers' recommendations only and should not be acted upon until Council has resolved to adopt those recommendations.

The resolutions of Council should be confirmed by perusing the minutes of the Council meeting at which these recommendations were considered.

Members of the public should also note that they act at their own risk if they enact any resolution prior to receiving official written notification of Councils decision.

Meeting Procedures:

1. All Council meetings are open to the public, except for matter raised by Council under "confidential items".
2. Members of the public may ask a question at an ordinary Council Meeting under "public question time".
3. Members of the public who are unfamiliar with meeting procedures are invited to seek advice at the meeting. If unsure about proceeding, just raise your hand when the presiding member announces public question time.
4. All other arrangements are in accordance with the Council's standing orders, policies and decision of the Shire of West Arthur.

Council Meeting Information:

Your Council generally handles all business at Ordinary or Special Council Meetings.

From time to time Council may form a Committee to examine subjects and then report back to Council.

Generally all meetings are open to the public; however, from time to time Council will be required to deal with personal, legal and other sensitive matters under "confidential items". On those occasions Council will generally close that part of the meeting to the public. Every endeavour will be made to do this as the last item of business of the meeting.

Public Question Time. It is a requirement of the *Local Government Act 1995* to allow at least fifteen (15) minutes for public question time following the opening and announcements at the beginning of the meeting. Should there be a series of questions the period can be extended at the discretion of the presiding member.

Written notice of each question should be given to the Chief Executive Officer fifteen (15) minutes prior to the commencement of the meeting. A summary of each question and the response is included in the meeting minutes.

When a question is not able to be answered at the Council Meeting a written answer will be provided after the necessary research has been carried out. Council staff will endeavour to provide the answers prior to the next ordinary meeting of Council.

Councillors may from time to time have a financial interest in a matter before Council. Councillors must declare an interest and the extent of the interest in the matter on the Agenda. However, the Councillor can request the meeting to declare the matter trivial, insignificant or in common with a significant number of electors or ratepayers. The Councillor must leave the meeting whilst the matter is discussed and cannot vote unless those present agree as above.

Members of staff, who have delegated authority from Council to act on certain matters, may from time to time have a financial interest in a matter on the Agenda. The member of staff must declare that interest and generally the presiding member of the meeting will advise the Officer if he/she is to leave the meeting.

Agendas, including an Information Bulletin, are delivered to Councillors within the requirements of the *Local Government Act 1995*, i.e. seventy-two (72) hours prior to the advertised commencement of the meeting. Whilst late items are generally not considered there is provision on the Agenda for items of an urgent nature to be considered.

Agendas, are delivered to Councillors within the requirements of the *Local Government Act 1995*, i.e. seventy-two (72) hours prior to the advertised commencement of the meeting. Whilst late items are generally not considered there is provision on the Agenda for items of an urgent nature to be considered.

Should an elector wish to have a matter placed on the Agenda the relevant information should be forwarded to the Chief Executive Officer in time to allow the matter to be fully researched by a Shire Officer. An Agenda item, including a recommendation, will then be submitted to Council for consideration. The Agenda closes 10 days prior to the Council Meeting.

Agendas for Ordinary Meetings are available at the Shire of West Arthur Office and on the Shire website seventy-two (72) hours prior to the meeting and the public are invited to view a copy at the Shire Office.

Agenda items submitted to Council will include a recommendation for Council consideration. Electors should not interpret and/or act on the recommendations until after they have been considered by Council. Please note the Disclaimer in the Agenda (page 3).

A copy of the unconfirmed Minutes of Ordinary and Special Meetings will be available for public inspection from the Shire of West Arthur Office and the Shire of West Arthur website within ten (10) working days after the Meeting.

Questions From The Public

Shire of West Arthur
 PO Box 112
 31 Burrowes Street
 Darkan WA 6392
 T: (08) 9736 2400
 E: shire@westarthur.wa.gov.au



Name			
Name of Organisation Representing (if applicable)			
Email Address			
Residential Address			
Postal Address(if different)			
Home Telephone No		Mobile No	
Agenda Item Number (if applicable see below)		Meeting Date	

Signature _____ Date _____

QUESTION

Each member of the public is entitled to ask up to 3 questions before other members of the public will be invited to ask their question. A total of 15 Minutes is allotted to Public Question Time at Council Meetings. If submitting questions to the Council, they are to relate to the Agenda Item tabled at that meeting.

Please Note: Members of the public must be in attendance at the Council Meeting to which they have submitted a question(s) for response. If this is not the case, the questions(s) will be treated as 'normal business correspondence and the question / response will not appear in the Council Minutes.

Please see Notes on Public Question Time on Pages 4 and 5 above.
 * **Council Meetings:** Questions are to relate to a matter affecting the Shire of West Arthur.



Application For Leave of Absence

(Pursuant to Section 2.25 of the Local Government Act 1995 (as amended))

Shire of West Arthur
PO Box 112
31 Burrowes Street
Darkan WA 6392
T: (08) 9736 2400
E:
shire@westarthur.wa.gov.au



- (1) A council may, by resolution, grant leave of absence to a member.
- (2) Leave is not to be granted to a member in respect to more than 6 consecutive ordinary meetings of the Council without the approval of the Minister.
- (3) The granting of the leave is to be recorded in the minutes of the meeting.
- (4) A member who is absent without first obtaining leave of the Council throughout 3 consecutive ordinary meetings of the Council is disqualified from continuing his or her membership of the Council.
- (5) The non-attendance of a member at the time and place appointed for an ordinary meeting of the Council does not constitute absence from an ordinary meeting of Council –
 - (a) if no meeting of the Council at which a quorum is present is actually held on that day; or
 - (b) if the non-attendance occurs while –
 - (i) the member has ceased to act as a member after which written notice has been given to the member under Section 2.27 (3) and before written notice has been given to the member under Section 2.27 (5);
 - (ii) while proceedings in connection with the disqualification of the member have been commenced and are pending; or
 - (iii) while the member is suspended under section 5.117(1)(a)(iv) or Part 8; or
 - (iv) while the election of the member is disputed and proceedings relating to the disputed election have been commenced and are pending.
 - (c) If the non-attendance occurs during a period for which the member is entitled to parental leave under subsection (5B).

I, _____ hereby apply for Leave of Absence from the West Arthur Shire Council from _____ to _____ for the purpose of _____

Signature _____ Date _____



Request to Attend Meeting by Electronic Means

*(Local Government Act 1995 – Section 5.25
Local Government (Administration) Regulations 1996 –
14C*

Shire of West Arthur
PO Box 112
31 Burrowes Street
Darkan WA 6392
T: (08) 9736 2400
E: shire@westarthur.wa.gov.au



Surname _____ **Other Names** _____

Date of Meeting _____

- Type of Meeting**
(Please tick one)
- Ordinary Council Meeting
 - Committee Meeting
 - Special Council Meeting

Consideration of Location and Equipment Available	
Regulation 14C(5) – In deciding whether to authorise a member to attend a meeting by electronic means, the Shire President or Council must have regard to whether the location from which the member intends to attend the meeting, and the equipment that the member intends to use to attend the meeting, are suitable for the member to be able to effectively engage in deliberations and communications during the meeting.	
Location Proposed	_____
Equipment Available	_____

IMPORTANT NOTE
The Shire President or Council cannot authorise a member to attend a meeting if the member’s attendance at the proposed meeting would result in the member attending more than half of the meeting type in the 12 months prior to the requested meeting date by electronic means. <i>(Regulation 14C(3)).</i>

Signature _____ Date _____

Please send this form to the Chief Executive Officer who will complete the member’s attendance section and forward to the Shire President or the Council for consideration.

OFFICE USE ONLY

MEMBERS ATTENDANCE

Number of Meetings Attended by Electronic Means in the 12 Months Prior to the Meeting Date

Ordinary Council Meeting	
Special Council Meeting	
Committee Meeting	

Number of Meetings Scheduled in the 12 Months Prior to the Meeting Date

Ordinary Council Meeting	
Special Council Meeting	
Committee Meeting	

Would Attending the Proposed Meeting Electronically Result in the Member Exceeding The 50% Requirement?

Yes No

Council/Shire President’s Consideration

The Shire President or Council should consider the following factors in determining whether the location and equipment is deemed suitable.

LOCATION

The location must be quiet and private. If there are other people at the location at the time of the meeting, you may require the person to be in a room that has a door that can be closed during the meeting, and request that the person wear headphones if appropriate.

EQUIPMENT AND ELECTRONIC MEANS

The equipment must support Council’s preferred electronic means for remote attendance, being Microsoft Teams.

Is the Location and Equipment Deemed Suitable?

Yes No

Is the Request to Attend the Proposed Meeting by Electronic Means Approved?

Yes No

Signature _____ Date _____



Written Declaration of Interest in Matter Before Council

Shire of West Arthur
PO Box 112
31 Burrowes Street
Darkan WA 6392
T: (08) 9736 2400
E: shire@westarthur.wa.gov.au



NOTE: USE ONE FORM PER DECLARATION

(1) I, _____ wish to declare an interest in the following item to be considered by council at its meeting to be held on

(2) _____

(3) Agenda item _____

(4) The type of interest I wish to declare is;

- Financial pursuant to Sections 5.60A of the Local Government Act 1995.
- Proximity pursuant to Section 5.60B of the Local Government Act 1995.
- Indirect Financial pursuant to Section 5.61 of the Local Government Act 1995.
- Impartiality pursuant to Regulation 22 of the Local Government (Model Code of Conduct) Regulations 2021

(5) The nature of my interest is

(6) The extent of my interest is

I understand that the above information will be recorded in the Minutes of the meeting and recorded by the Chief Executive Officer in an appropriate Register.

DECLARATION BY

Signature _____ Date _____

RECEIVED BY

Signature _____ Date _____

- (1) Insert your name.
- (2) Insert the date of the Council Meeting at which the item it to be considered.
- (3) Insert the Agenda Item Number and Title.
- (4) Tick the box to indicate the type of interest.
- (5) Describe the nature of your interest.
- (6) Describe the extent of your interest (if seeking to participate in the matter under the s.5.68 of the Act).

DISCLOSURE OF FINANCIAL INTEREST, PROXIMITY INTEREST AND/OR INTEREST AFFECTING IMPARTIALITY

Financial pursuant to Sections 5.60A of the Local Government Act 1995

5.60A – Financial Interest

For the purpose of this Subdivision, a person has a financial interest in a matter if it is reasonable to expect that the matter will if dealt with by the local government, or an employee or committee of the local government or member of the council of the local government, in a particular way, result in a financial gain, loss, benefit or detriment for the person.

[Section 5.60A inserted by No. 64 of 1998 s. 30; amended by No. 49 of 2004 s. 50.]

Proximity pursuant to Section 5.60B of the Local government Act 1995

5.60B – Proximity Interest

- (1) For the purposes of this Subdivision, a person has a proximity interest in a matter if the matter concerns –
 - 1) a proposed change to a planning scheme affecting land that adjoins the person’s land;
 - 2) a proposed change to zoning or use of land that adjoins that person’s land; or
 - 3) a proposed development (as defined in section 5.63 (5)) of land that adjoins the person’s land.
- (2) In this section, land (“the proposal land”) adjoins a person’s land if –
 - 1) the proposal land, not being a thoroughfare, has a common boundary with the person’s land;
 - 2) the proposal land, or any part of it, is directly across a thoroughfare from, the person’s land; or
 - 3) the proposal land is that part of a thoroughfare that has a common boundary with the person’s land.
- (3) In this section a reference to a person’s land is a reference to any land owned by the person or in which the person has any estate or interest.

[Section 5.60B inserted by No 64 of 1998 s. 30.]

Indirect Financial pursuant to Section 5.61 of the Local Government Act 1995

5.61 – Indirect financial interest

A reference in this Subdivision to an indirect financial interest of a person in a matter includes a reference to a financial relationship between that person and another person who requires a local government decision in relation to the matter.

Impartiality pursuant to Regulation 11 of the Local Government (Rules of Conduct) Regulation 2007

22 – Disclosure of interest

- (1) In this clause –
Interest –
 - 1) means an interest that could, or could reasonably be perceived to; adversely affect the impartiality of the person having the interest and
 - 2) includes an interest arising from kinship friendship or membership of an association.
- (2) A council member who has an interest in any matter to be discussed at a council or committee meeting attended by the member must disclose nature of the interest –
 - (a) in a written notice given to the CEO before the meeting; or
 - (b) at the meeting immediately before the matter is discussed.
- (3) Subclause (2) does not apply to an interest referred to in section 5.60 of the Act.

- (4) Subclause (2) does not apply if a council member fails to disclose an interest because the person did not know –
 - (a) That they had an interest in the matter; or
 - (b) That the matter in which they had an interest would be discussed at the meeting and the council member disclosed the interest as soon as possible after the discussion began.
- (5) If, under sub-regulation (2)(a), a person who is a council member discloses an interest in a written notice given to the CEO before a meeting then –
 - (a) Before the meeting the CEO is to cause the notice to be given to the person who is to preside at the meeting; and
 - (b) At the meeting the person presiding is to bring the notice and its contents to the attention of the persons present immediately before a matter to which the disclosure related is discussed.
- (6) Subclause (7) applies in relation to an interest if –
 - (a) Under subclause (2)(b) or (4)(b) the interest is disclosed at a meeting; or
 - (b) Under subclause (5)(b) notice of the interest is brought to the attention of the persons present at a meeting.
- (7) The nature of the interest is to be recorded in the minutes of the meeting.

Describe the extent of your interest (If seeking to participate in the matter under the s.5.68 of the act)

5.68 – Councils and committees may allow members disclosing interests to participate etc. in meetings

- (1) If a member has disclosed, under section 5.65, an interest in a matter, the members present at the meeting who are entitled to vote on the matter –
 - (a) may allow the disclosing member to be present during any discussion or decision making procedure relating to the matter; and
 - (b) may allow, to the extent decided by those members, the disclosing member to preside at the meeting (if otherwise qualified to preside) or to participate in discussions and the decision making procedures relating to the matter if –
 - (i) the disclosing member also discloses the extent of the interest; and
 - (ii) those members decide that the interest –
 - (I) is so trivial or insignificant as to be unlikely to influence the disclosing member's conduct in relation to the matter; or
 - (II) is common to a significant number of electors or ratepayers.
- (2) A decision under this section is to be recorded in the minutes of the meeting relating to the matter together with the extent of any participation allowed by the council or committee.
- (3) This section does not prevent the disclosing member from discussing, or participating in the decision making process on, the question on whether an application should be made to the Minister under section 5.69.

Contents

1	Declaration of Opening/Announcement of Visitors.....	13
2	Attendance/Apologies/Approved Leave of Absence	13
3	Announcements of the Presiding Member	13
4	Response to Previous Public Questions taken on Notice	13
5	Public Question Time.....	13
6	Petitions, Deputations, Presentations, Submissions.....	14
6.1	Shayne Lucy – Evoke Living Homes.....	14
7	Applications for Leave of Absence.....	14
8	Disclosures of Interest	14
9	Confirmation of Minutes of Previous Meetings Held.....	14
9.1	Ordinary Meeting of Council 21 March 2024	14
10	Reports from Councillors	15
11	Office of the Chief Executive Officer.....	16
11.1	Standardised Meeting Procedures - Consultation.....	16
11.2	Appointment of WA Electoral Commission to Conduct an Extraordinary Election.....	46
11.3	Appointment of Replacement Councillor to the Audit and Risk Committee	53
11.4	Appointment of Replacement Member of Development Assessment Panel	60
11.5	Appointment of Replacement Member of Tidy Towns Committee	63
11.6	7 King St, Darkan - Failure to Comply with Directions Notice	66
11.7	Amendment to Delegation 2.5 Donations, Fee Reductions, and Sponsorships.....	70
11.8	Revocation of Delegation 2.20 Legal Representation and Cost Indemnification.....	75
11.9	F9 - Australia Day Citizen of the Year Awards.....	79
12	Corporate Services.....	84
12.1	Financial Reports - March 2024	84
12.2	Accounts for Payment Listing - March 2024.....	111
13	Works and Services.....	122
13.1	Disposal Of Unutilised Plant By Auction	122
14	Regulatory Services	125
15	Motions of which Previous Notice has been Given.....	125
16	New or Urgent Business Introduced by Decision of the Meeting	125
17	Matters Behind Closed Doors.....	125
18	Closure of Meeting	125

1 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The Presiding Member to declare the meeting open.

The Presiding Member advises all attendees that the meeting is being recorded as required by s5.23A of the Local Government Act 1995 and regulations 14F - 14I of the Local Government (Administration) Regulations 1996.

2 ATTENDANCE/APOLOGIES/APPROVED LEAVE OF ABSENCE

COUNCILLORS:	Cr Neil Morrell	(Shire President)
	Cr Karen Harrington	(Deputy Shire President)
	Cr Graeme Peirce	
	Cr Robyn Lubcke	
	Cr Duncan South	
	Cr Adam Squires	
STAFF:	Vin Fordham Lamont	(Chief Executive Officer)
	Rajinder Sunner	(Manager Corporate Services)
	Gary Rasmussen	(Manager Works and Services)
	Sharon Bell	(Community Development Officer)
	Kerryn Chia	(Projects Officer)

APOLOGIES:

ON LEAVE OF ABSENCE:

ABSENT:

MEMBER OF THE PUBLIC:	Shayne Lucy	Evoke Living Homes
-----------------------	-------------	--------------------

3 ANNOUNCEMENTS OF THE PRESIDING MEMBER

Nil

4 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

5 PUBLIC QUESTION TIME

Nil

6 PETITIONS, DEPUTATIONS, PRESENTATIONS, SUBMISSIONS**6.1 SHAYNE LUCY – EVOKE LIVING HOMES****7 APPLICATIONS FOR LEAVE OF ABSENCE**

Nil

8 DISCLOSURES OF INTEREST

Nil

9 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS HELD**9.1 ORDINARY MEETING OF COUNCIL 21 MARCH 2024****Statutory Environment:**

Section 5.22 of the *Local Government Act* provides that minutes of all meetings are to be kept and submitted to the next ordinary meeting of the council or the committee, as the case requires, for confirmation.

Voting Requirements:

Simple Majority

RECOMMENDATION:

That the Minutes of the Ordinary Meeting of Council held in Council Chambers on 21 March 2024 be confirmed as true and correct.

10 REPORTS FROM COUNCILLORS

Cr Neil Morrell (Shire President)

Cr Karen Harrington (Deputy Shire President)

Cr Graeme Peirce

Cr Robyn Lubcke

Cr Duncan South

Cr Adam Squires

11 OFFICE OF THE CHIEF EXECUTIVE OFFICER**11.1 STANDARDISED MEETING PROCEDURES - CONSULTATION**

File Reference:	ADM864
Location:	Nil
Applicant:	Nil
Author:	Vin Fordham Lamont, Chief Executive Officer
Authorising Officer:	Vin Fordham Lamont, Chief Executive Officer
Date:	29/03/2024
Disclosure of Interest:	Nil
Attachments:	1. WALGA Discussion Paper ↓

SUMMARY:

Council is requested to consider endorsing the attached responses to the survey questions and approving the submission to WALGA.

BACKGROUND:

A three-month consultation period is now open to inform the development of new regulations and guidance materials to standardise local government council and meeting procedures in WA.

The proposed state-wide regulations would replace individual council procedures, standing orders and local laws, and are part of the first tranche of local government reforms which were passed by WA Parliament in May 2023.

The Department of Local Government, Sport and Cultural Industries (DLGSC) invites local governments to have their say by visiting <https://www.dlgsc.wa.gov.au/local-government/strengthening-local-government/local-government-act-reform/standardised-meeting-procedures-consultation> and:

- reading the consultation paper; and
- completing the online survey.

The consultation closes on **Wednesday 29 May 2024**.

WALGA has also prepared a discussion paper (see attachment) with comments against each of the survey questions to assist local governments in their submissions. WALGA is accepting feedback from local governments until Monday 29 April 2024 and it is suggested that Council makes its submission through WALGA via this option.

COMMENT:

At its March briefing session, Council discussed the survey questions and the CEO has drafted responses as shown (in red font) in the attachment. It is recommended that Council support the attached responses.

CONSULTATION:

Senior Staff

STATUTORY ENVIRONMENT:

Local Government Act 1995

Multiple sections

POLICY IMPLICATIONS:

Nil

FINANCIAL IMPLICATIONS:

Nil

STRATEGIC IMPLICATIONS:

West Arthur Community Strategic Plan

Theme: Leadership and Management

Outcome: Establish and maintain sound business and governance structures

Strategy: Comply with regulations and best practice standards to drive good decision making by Council and Staff

RISK IMPLICATIONS:

Risk management is the removal of uncertainty from business decisions. Risk is expressed in terms of likelihood it may occur and the consequences that may flow from it. The consequences may be positive or negative or simply a deviation from the expected. The risk or consequence may be related to health and safety; financial; business or service interruption; compliance; reputation; or the environment. ***Reference to the risk matrix below will generate a risk rating by assessing the likelihood and consequence and multiplying these scores by each other.*** The greater the risk rating, the greater the risk and the higher the need for specific plans to be developed. All items with a risk rating greater than 10 should be added to the Risk Register and specific controls developed.

Risk Themes:

A risk theme is the categorising of risk. For example, the collection of risks that represent compliance failure. The risk themes in the shire Risk Register include:

- Business Disruption
- Community Disruption
- IT or Communications Failure
- External Threat or Fraud
- Misconduct
- Inadequate safety or security practices
- Inadequate project or change management
- Errors Omissions or Delays
- Inadequate Document Management Processes
- Inadequate supplier / contract management
- Providing inaccurate advice / information
- Ineffective Employment practices
- Compliance failure
- Inadequate asset management
- Inadequate engagement practices
- Ineffective facility or event management
- Inadequate environmental management

Risk Matrix:

Consequence		Insignificant	Minor	Moderate	Major	Catastrophic
Likelihood		1	2	3	4	5
Almost Certain	5	Medium (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Medium (8)	High (12)	High (16)	Extreme (25)

Possible	3	Low (3)	Medium (6)	Medium (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Medium (6)	Medium (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Medium (5)

Description of Key Risk	New Standardised Meeting Procedures will not align with our Council’s requirements.
Risk Likelihood (based on history and with existing controls)	(3) Possible
Risk Consequence	(3) Moderate
Risk Rating (Prior to Treatment or Control): Likelihood x Consequence	(9) Medium
Principal Risk Theme	Misconduct
Risk Action Plan (Controls or Treatment Proposed)	Participate in the development of new procedures by submission responses to DLGSC survey.

VOTING REQUIREMENTS:

Simple Majority

OFFICER RECOMMENDATION:

That Council endorse the attached responses to the DLGSC Standardised Meeting Procedures Survey and direct the CEO to submit them to WALGA at jmcgovern@walga.asn.au by 29 April 2024.



Standardised Meeting Procedures

WALGA DISCUSSION PAPER



Contents

PURPOSE OF WALGA DISCUSSION PAPER..... 3

PART 1 – GENERAL MEETING PROCESS 4

 1. Calling meetings..... 4

 2. Agendas and order of business 5

 3. Urgent business 6

 4. Quorum 7

 5. Adjourning a meeting 7

PART 2 – PUBLIC PARTICIPATION 9

 6. Public question time 9

 7. Presentations at council 11

 8. Petitions 12

PART 3 – CONDUCT OF DEBATE..... 14

 9. Orderly conduct of meetings..... 14

 10. Motions and amendments 16

 11. Debate on a motion 17

 12. Questions by members 18

 13. Procedural motions 19

 14. Adverse reflection 20

PART 4 – OTHER MATTERS 21

 15. Meeting minutes and confirmation..... 21

 16. Electronic meetings and attendance..... 23

 17. Council committees 24

 18. Meetings of electors 25

 19. Any other matters..... 25

SUBMITTING FEEDBACK TO WALGA 27



PURPOSE OF WALGA DISCUSSION PAPER

WALGA is conscious that Local Government consultation leading to the development of the *Local Government Amendment Act 2023* evidenced broad sector support for standardisation of meeting procedures.

WALGA is equally aware that while many current Meeting Procedures / Standing Orders Local Laws include a solid core of common provisions, there is also some diversity across a range of Local Laws content.

We therefore recognise the challenge inherent in developing standardised meeting procedures and the potential they may differ significantly from, or even exclude, well-entrenched Local Law practices and procedures applied at Council and Committee meetings. Participating in the consultation process is therefore crucial to developing workable standardised meeting procedures.

The WALGA Discussion Paper is developed with a view to being read in conjunction with the Department of Local Government, Sport and Cultural Industries Standardised Meeting Procedures Consultation Paper, released in February 2024.

Our Discussion Paper melds the Consultation Paper content with WALGA Comment that is intended to provoke thought and lead to a considered response to the 34 questions posed by the Department. It is WALGA's recommendation that Local Government administrators and Council Members work collaboratively in determining a response to the Consultation Paper. This can be facilitated through informal workshops or a more formal approach at a Council meeting.

WALGA would greatly appreciate receiving your formal response by close of business Monday 29 April 2024. This is a different timeframe to the Department's Consultation Paper closing date of 29 May 2024, however it is necessary to facilitate development of a consolidated advocacy position that reflects the aggregated views of the sector on standardised meeting procedures.

Contacts:

Tony Brown

Executive Director, Member Services

Contact: (08) 9213 2051 or tbrown@walga.asn.au

James McGovern

Manager Governance and Procurement

Contact: (08) 9213 2093 or jmcgovern@walga.asn.au



PART 1 – GENERAL MEETING PROCESS

DLGSCI Consultation Paper

1. Calling meetings

The calling of council meetings is outlined in sections 5.5 to 5.7 of the Act, and in existing regulations 12 to 14. Amendments are proposed to add new requirements for the oversight of special council meetings that are held at short notice and prevent any meeting from being held at an unreasonable time of day. It is important that special meetings are only convened in appropriate circumstances. Regulations are proposed to require:

- a minimum of 24 hours’ notice to convene a special council meeting
- that notice to convene a special council meeting may be done with less than 24 hours’ notice if an absolute majority of council members call the meeting
- that a meeting cannot commence any earlier than 8 am or later than 8 pm.

WALGA Comment

Currently there is no time-based provision relating to calling a Special Council Meeting, with start times based on availability of attendees, identified urgency of a matter and adopting a common-sense approach. In recognition of exceptional circumstances, consider:

- **Will an absolute majority of Council Members always be available/contactable if an emergency situation necessitates a special meeting?**
- **Should the Mayor or President be empowered to call a Special Council Meeting during an emergency, public health emergency or state of emergency, similar to emergency powers under section 6.8(1)(c) of the Act?**

1. **Is it suitable to allow for a special council meeting to be convened with less than 24 hours’ notice if an absolute majority of council members call the meeting? **Yes / No****

(a) If no, please provide a suggested alternative.

2. **Are there any circumstances where meetings must start earlier than 8 am or later than 8 pm? **Yes / No****

(a) If yes, please provide examples and the suggested alternative. **Refer to examples above provided by WALGA. Decision should require an absolute majority.**



DLGSCI Consultation Paper

2. Agendas and order of business

It is proposed to broadly retain existing requirements for local governments to publish meeting agendas.

It is proposed that the general order of meetings be outlined in the Regulations for consistency across the local government sector. However, a council or committee may decide to consider business in a different order, provided that the other requirements of the Regulations (such as public question time being held before any decisions are made) are still met.

Regulations are proposed to outline the following order of business:

- opening (local governments will still be able to continue their own practices for opening meetings, such as making acknowledgements, prayers, opening statements, etc.)
- recording attendance
- public question time (see section 6)
- public presentations and petitions (see sections 7 and 8)
- members' question time (see section 12)
- confirmation of previous minutes (see section 15)
- reports from committees and the CEO
- motions from members
- urgent business
- matters for which the meeting may be closed
- closure.

WALGA Comment

Some Meeting Procedures / Standing Orders Local Laws have dispensed with the Order of Business; is it necessary to regulate an Order of Business?

If the Order of Business is to be regulated, should the Regulations provide some flexibility for Local Governments to change their Order of Business; for example, bringing forward a matter of public interest is current common practice.

- 3. Is the proposed order of business suitable? Yes / No**
- (a) If no, please provide a suggested alternative**



DLGSCI Consultation Paper

3. Urgent business

Currently, individual local governments' meeting local laws and policies may vary in how urgent business is raised at a meeting. Existing local laws and policies provide various procedures for urgent business to be considered at a council meeting. Broadly, these procedures seek to limit the use of urgent business to only the most exceptional circumstances.

Regulations are proposed to allow the CEO to introduce an item without notice in cases of urgency if:

- an absolute majority of the council resolve to hear the matter at the meeting, and
- the item is clearly marked as urgent business.

It is proposed that DLGSC must be notified each time this occurs, within 7 calendar days, to ensure this process is only used in exceptional circumstances.

Urgent business may only be heard after public question time (see section 6).

WALGA Comment

If the CEO determines items of urgent business, is it appropriate to involve the Department in monitoring the CEO's performance given this is the role of Council?

Should a Council Member be permitted to introduce an urgent matter for consideration under a Notice of Motion?

Should a definition of 'urgent business' be included in standardised regulations, or should this be a matter of Policy?

4. Are the proposed requirements for urgent business suitable? Yes / No

(a) If no, please provide a suggested alternative. As the CEO determines items of urgent business, it is not appropriate to involve the Department in monitoring the CEO's performance given this is the role of Council. A Council member should not be permitted to introduce an urgent matter for consideration under a Notice of Motion. A definition of 'urgent business' should not be included in standardised regulations, rather it should be a matter of Policy.



DLGSCI Consultation Paper

4. Quorum

Existing regulation 8 addresses the process for when there isn't a quorum at a meeting.

Amendments are proposed to provide for the following where a quorum is lost or not present:

- if no quorum is present within 30 minutes of the time set for the meeting, the meeting lapses
- where quorum is lost during a meeting:
 - the meeting proceeds to the next item of business if it is due to members leaving because of a financial or proximity interest
 - the meeting is adjourned for 15 minutes for any other reason and if quorum cannot be reformed, the meeting is closed
- where quorum is lost, the names of the members then present are to be recorded in the minutes.

WALGA Comment

Is there potential for proposed standardised regulations to replicate existing regulation 8?

Should the presiding member be empowered to set the date and time to reconvene a meeting adjourned due to lack of quorum?

5. Are the proposed requirements for when a quorum is not present or lost suitable? Yes / No

(a) If no, please explain why and the suggested alternative, if any.

DLGSCI Consultation Paper

5. Adjourning a meeting

Currently, individual local governments' meeting local laws or policies may contain processes for adjourning a meeting. It is intended to adopt similar rules, while also addressing concerns regarding meetings of council that run late. Regulations are proposed to provide that:

- council may decide to adjourn a meeting to another day, time and place to resume from the point it adjourned
- a presiding member may adjourn a meeting for 15 minutes to regain order of a meeting that has been disrupted



- if a meeting is adjourned for a second time due to disruption, a presiding member must adjourn the meeting to another day, time or place (not on the same day), with notice being published on the local government’s website.

It is also proposed that if a meeting is continuing and it reaches 10:45 pm:

- the council or committee may decide to either extend the meeting for a further 15 minutes to allow for any remaining business to be concluded or determine to adjourn the meeting
- if any business remains at 11 pm, the meeting must adjourn to a day and time which is at least 10 hours later to deal with any outstanding agenda items and a notice must be published on the local government’s website listing when the meeting will resume.

WALGA Comment

There are a variety of meeting starting times, therefore is the proposal to regulate that meetings must always adjourn at 11pm appropriate? Could the meeting closure time be based on a standard number of hours commencing from the opening of a meeting?

Is a procedural motion to extend time, by absolute majority, a valid option?

Is employee work, health and safety an equal consideration when determining the earliest a meeting can reconvene? If so, should the CEO have an active role in determining the time the meeting reconvenes?

6. Is 11 pm an appropriate time for when a meeting must be adjourned? Yes / No

(a) If no, what is the suggested alternative? There are a variety of meeting starting times, therefore the proposal to regulate that meetings must always adjourn at 11pm is not appropriate. The meeting closure time could be based on a standard number of hours commencing from the opening of a meeting. A procedural motion to extend time, by absolute majority, is a valid option. Employee work, health and safety is an equal consideration when determining the earliest a meeting can reconvene. Therefore, the CEO should have an active role in determining the time the meeting reconvenes.



PART 2 – PUBLIC PARTICIPATION

DLGSCI Consultation Paper

6. Public question time

Currently, the Act and Regulations require that public question time is to be made available at every council meeting and certain committee meetings.

Regulation 6 requires that at least 15 minutes is to be made available for public questions at those meetings. However, question time may be extended if there are further questions; the time may also be used for other business if there are no further questions.

Regulation 7 also provides that question time must be held before substantive decisions are made at that meeting.

Currently, the practice at many local governments is that a person who wishes to ask a question attends the meeting (either physically in-person or by electronic means) to ask their question. However, it is proposed that regulations allow for a personal representative of a person to ask a question. This provides an alternative avenue for someone who may be unable to attend a meeting to have their question raised.

Currently, individual local governments meeting local laws and policies may contain processes for members of the public to raise questions. Some requirements, such as rules requiring a person to lodge a question in writing before a meeting, may prevent a person who is not familiar with those requirements from being able to ask a question.

New standardised requirements are proposed to expand the existing Regulations to require that:

- a member of the public only needs to provide their name and suburb/locality (and not any other information) before asking a question
- a person is not required to lodge a question in writing in advance of a meeting (although a person may choose to do so, for instance if they have a very specific or technical question)
- a local government may still require a person, or their personal representative, to attend a meeting to ask a question lodged in writing in advance of the meeting for it to be addressed at that meeting
- questions must not take more than 2 minutes to ask, including a relevant preamble, unless the presiding member grants an extension of time
- if other people are waiting to ask questions, the presiding member will seek to provide equal opportunity for people to ask questions (for instance, by moving to the next person waiting after someone has asked 3 questions, and returning to the first person if time allows)
- any questions are to be answered by the presiding member, or a relevant member (nominated by the presiding member), the CEO, or an employee nominated by the CEO



- if a question, or a question of a similar nature, was asked and answered in the previous 6 months, the presiding member may direct the member of the public to the minutes of the meeting that contains the question and answer
- no debate of a question or answer is to take place
- questions may be taken on notice by the person who is answering the question
- when a question is taken on notice, a response is to be given to the member of the public in writing and a copy of the answer is to be included in the agenda of the next ordinary meeting
- the presiding member may reject questions that contain offensive language or reflect adversely on others but must provide opportunities for the question to be rephrased

WALGA Comment

Do the proposals provide appropriate balance between the right of the public to ask questions and the community expectation that Councils efficiently transact meeting business and make decisions?

The public question time provisions under section 5.24 of the Act and the Local Government (Administration) Regulations do not specify that a member of the public must identify themselves. Is it appropriate that a person will be required to identify themselves, or should this be discretionary to permit a right to privacy?

Should a Council Member be permitted to act as a personal representative and ask a question on behalf of an absent member of the public? Should members of the public always be present to ask their question?

7. **Is the existing minimum allocation of 15 minutes for public question time sufficient? ~~Yes~~ / No**
 (a) If no, what minimum time limit do you suggest? **5 minutes.**
8. **Is 2 minutes enough time for a member of the public to ask a question? **Yes** / ~~No~~**
 (a) If no, what time limit or other method of allocating questions do you suggest?
9. **Should any other standard requirements for public question time be established? ~~Yes~~ / No**
 (a) If yes, please provide details.
10. **Should a personal representative be able to ask a question on behalf of another person? ~~Yes~~ / No**



(a) If no, please provide your reasons. If the person asking the question cannot make it to the meeting, then the Presiding Member should be able to read out the question.

DLGSCI Consultation Paper

7. Presentations at council

Local governments commonly allow for presentations (also known as deputations) to be made to inform council decisions. Councils may set a policy for whether they hear presentations at council meetings and/or committee meetings, or at other meetings, and the circumstances in which a presentation may be heard.

It is proposed that local governments will continue to have discretion to choose whether and when to hear presentations.

To allow for a decision to be made in advance of the meeting, it is proposed that either the presiding member or CEO will make the decision on whether a presentation is heard at a meeting, based on any policy established by the council.

Accordingly, it is proposed that a council may establish a policy that determines:

- the types of meetings at which presentations may be heard
- whether the responsibility for making decisions on presentation requests sits with either the presiding member or CEO
- any other matters to guide the presiding member or CEO's decision making towards requests.

New Regulations are also proposed to:

- allow a person, or group of people, to lodge a request in accordance with the council's policy to provide a presentation at least 48 hours before the meeting
- require the presiding member or CEO to decide and provide a response to the person requesting the presentation by 12 noon the day of the meeting
- provide that if the presiding member or CEO refuses an application, they are to provide their reasons to the applicant and advise of the refusal at the meeting
- limit presentations to 5 minutes (not including questions) unless there is a resolution to extend the time limit
- allow council and committee members to ask questions of presenters.

WALGA Comment

Should an applicant provide details of their proposed topic and context when making a request to provide a presentation, to permit the CEO to advise Council on relevant legal, financial or other implications?



Should the decision to allow a presentation be made by the presiding member in consultation with the CEO, rather than being made by one or the other?

- 11. Should the Regulations specify that a request to make a presentation must relate to an item on the agenda for the relevant meeting? **Yes / No****
- (a) If no, please provide reasons.
- 12. Is 48 hours of notice sufficient to administer an application from a member of the public to present to a meeting? **Yes / No****
- (a) If no, please provide reasons and suggest an alternative. **The application should give the CEO enough time to include it in the meeting agenda.**
- 13. Should a standard time limit be set for public presentations? **Yes / No****
- (a) If no, please provide reasons.
- 14. Would 5 minutes be a suitable time limit for public presentations? **Yes / No****
- (a) If no, please provide reasons and suggest an alternative. **20 minutes.**

DLGSCI Consultation Paper

8. Petitions

Many local governments have a tradition of accepting petitions, mirroring the practice of Parliament.

Regulations are proposed to:

- enable any person to petition a local government by lodging a petition to the council on any matter, including petitions which may be critical of actions or decisions of the local government
- require the lead petitioner to provide their contact details
- require any person signing a petition to state their suburb/town, and declare whether they are residents and/or electors of the district
- require the petitioner to tally the number of signatories
- limit rejection of a petition to only when it is not in the prescribed form
- require that the council is to consider each petition and must determine how it is to respond, such as by seeking a report from the CEO
- allow local governments to establish an electronic petitioning system if they wish
- require all petitions received and outcomes from petitions to be summarised in a report to the annual meeting of electors.





WALGA Comment

Should rejection of a petition extend to cases where the petitioned action will breach a written law and related imperatives, such as a public health emergency declaration?

15. Do the proposed regulations provide an effective system for managing petitions? Yes / No

(a) If no, please provide reasons and suggested alternatives. **Rejection of a petition should extend to cases where the petitioned action will breach a written law and related imperatives, such as a public health emergency declaration.**

PART 3 – CONDUCT OF DEBATE

DLGSCI Consultation Paper

9. Orderly conduct of meetings

New Regulations are proposed to create a duty for all people present at a meeting to:

- ensure that the business of the meeting is attended to efficiently and without delay
- conduct themselves courteously at all times
- allow opinions to be heard within the requirements of the meetings procedures.

It is also proposed that the Regulations:

- allow members to raise points of order to bring the presiding member's attention to a departure from procedure
- provide that it is a minor breach for a presiding member to preside in a manner which is unreasonable or contravenes the requirements of the Act or Regulations
- empower the presiding member to call a person to order and:
 - should a member not comply with a third call to order, the presiding member may direct them to speak no further (but they may continue to cast their vote) for the remainder of the meeting, with failure to adhere to the direction being a minor breach
 - if any other person does not comply with one call to order, the presiding member may direct them to leave the meeting, with failure to do so being an offence
- provide that a council may vote to rescind a direction made by a presiding member for a member to not speak further during a meeting
- provide that a member who has had a direction made against them to not speak further cannot move or second a motion that attempts to rescind the decision.





WALGA Comment

**Are the proposed presiding member powers sufficient to maintain order at meetings?
Are additional powers required?**

Clause 10 of the Model Code of Conduct includes matters that must be observed by Council and Committee Members attending Council meetings, enforceable through the behavioural complaints process. Are the proposed new duties of persons present at meetings similar to the expected behaviours expressed in the Model Code?

The proposed minor breach of the presiding member includes ‘unreasonable’ conduct; should the regulations be limited to actual contraventions of the Act, Regulations or Code of Conduct?

**16. Do these measures provide a suitable framework to maintain order in meetings?
Yes / No**

(a) If no, what are the suggested changes?

DLGSCI Consultation Paper

10. Motions and amendments

Existing meeting procedures address many matters relating to the processes of decision making. This includes motions and amendments (including foreshadowed and alternate motions), notices of motion by members, reasons for changes to the CEO’s recommended motion, passing motions “en bloc”, and how voting occurs. The existing system of motions (including foreshadowed, amendment, alternate and revocation motions) are proposed to be broadly maintained.

Council members may raise motions that are not part of the agenda of a meeting to recommend a proposal for consideration. For instance, a motion might propose a new policy or decision.

Local governments commonly require notice of a motion to be provided in advance of a council meeting. This is to allow council members time to review the motion and for the CEO and administration to provide advice needed to assist council members with making a decision on a motion.

Providing notice to other council members, the CEO and administration can support a more fulsome consideration of the motion.

Regulations are proposed to require council members to provide written notice of motions at least 1 calendar week before the council meeting commences. This would generally allow those motions to be included in the meeting agenda, which must be published 72 hours before the commencement of the meeting.

It is proposed that council members will still be able to move amendments and alternative motions during debate on agenda items without providing written notice in advance of the



meeting. This provides for members to be able to consider all options and suggestions for an item included in the agenda of a meeting.

It is proposed that reasons for notices of motion, amendments and other decisions that are changed at a meeting would still be required.

WALGA Comment

It is relatively common for Agendas to be prepared well in advance of the Council meeting so that Agenda Briefing sessions can be held. Should a notice of motion be provided within the established Agenda preparation timeframe of each Local Government?

Should a notice of motion be received by Council resolution to indicate support prior to the Administration preparing a detailed report?

Should a CEO be empowered to reject any notice of censure motion from a Council member, given this equates to adverse reflection?

- 17. Is a period of 1 calendar week an appropriate notice period for motions? Yes / No**
- (a) If no, what is your suggested alternative?
- 18. Are these proposals for motions suitable? Yes / No**
- (a) If no, please provide reasons

DLGSCI Consultation Paper

11. Debate on a motion

The practice of motions being moved and seconded and debate alternating between speakers for and against the motion is used in meeting procedures statewide.

Some local governments have a further requirement where if a motion is not opposed, no debate occurs, and the motion is recorded as passing unanimously.

Regulations are proposed to provide for the following rules for formal debate on a motion or amendment:

- any motion must be seconded before it may be debated (or carried without debate)
- a motion is carried without debate if no member is opposed to the motion
- if a member is opposed, the mover and seconder may speak and are followed by alternating speakers against and for the motion, with a final right of reply for the mover
- speeches must be relevant to the motion under debate and no member must speak twice –



except for the mover’s right of reply, or if the council decides to allow further debate

- no member can speak for longer than 5 minutes without the approval of the meeting.

WALGA Comment

Should regulations provide for Council to suspend formal debate rules to enable members to speak more than once on a specific item?

19. Do you support these rules for formal debate on a motion or amendment? ~~Yes~~ / **No**
 (a) If no, what is your suggested alternative? **Regulations should provide for Council to suspend formal debate rules to enable members to speak more than once on a specific item.**

20. Is 5 minutes a suitable maximum speaking time during debate? ~~Yes~~ / **No**
 (a) If no, what should be the default maximum speaking time? **3 minutes.**

21. Is a general principle against speaking twice on the same motion suitable? ~~Yes~~ / **No**
 (a) If no, please provide reasons.

DLGSCI Consultation Paper

12. Questions by members

The current practices for members asking formal questions at meetings varies throughout the sector. Some local governments have a “questions from council members” period; other local governments allow members to place questions on notice for future meetings.

Regulations are proposed to provide that:

- council members can ask the CEO questions related to any item on an agenda by providing the question in writing by 12 noon the day before the meeting
- council member questions are to be answered during the “questions from council members” agenda item
- council members must seek permission from the presiding member to ask the CEO 0.0.0. clarifying questions during debate.

WALGA Comment

Questions from Council Members are an important part of the meeting, especially if a Local Government does not conduct Agenda Briefings in advance of ordinary Council meetings.



Should questions from Council Members only be asked at one particular part of the meeting or be asked prior to debate on the agenda item to which the question relates? Could limiting questions to those provided the day before the meeting be counter productive to good decision making if the question relates to a matter on the Agenda?

With proposed new rules for public question time in mind, should questions by members also be limited by time and number in the interests of conducting efficient and effective meetings? Should the presiding member be empowered to rule on the relevance of a question?

- 22. Should the new standardised provisions include a maximum time limit for the “questions from council members” agenda item? Yes / No**
- (a) If no, please provide details.
- 23. Is 1 day of notice for a question from a council member sufficient? Yes / No**
- (a) If no, what is your suggested alternative and why?
- 24. Is it appropriate for the presiding member to consider whether to allow a member to ask clarifying questions during debate? Yes / No**
- (a) If no, what is your suggested alternative and why?

DLGSCI Consultation Paper

13. Procedural motions

Various procedural motions are provided for in each local governments' meeting procedures. They help with managing a meeting effectively and democratically.

Regulations are proposed to provide for the following procedural motions to be put without debate:

- a motion to vary the order of business (e.g. to move a report in the order of business so it is considered earlier)
- a motion to adjourn debate to another time
- a motion to adjourn the meeting
- a motion to put the question (close debate)
- a motion to extend a member's speaking time
- a motion to extend public question time
- a motion to extend the time for a public presentation



- a motion to refer a motion to a committee or for the CEO to provide a new or updated report to a future meeting
- a motion of dissent in the presiding member’s ruling (for example, to overturn the presiding member’s direction that a member does not speak further)

- a motion to close a meeting to the public in accordance with the Act.

WALGA Comment

Procedural motions in current Local Laws are accompanied by qualifying provisions explaining their effect; for example, a person who has spoken on a motion cannot move to close a debate on the motion; and the mover of some procedural motions can speak to the motion but cannot speak to some others.

Are some qualifying provisions still necessary to ensure fair and equal participation in the meeting? Or should all procedural motions be put without debate?

25. Should any of these procedural motions not be included? Yes / No

(a) If yes, please identify which motions and why they should not be included.

26. Are any additional procedural motions needed? Yes / No

(a) If yes, please provide suggestions and explain why.

DLGSCI Consultation Paper

14. Adverse reflection

In addition to aspects of the model code of conduct, existing meeting procedures seek to prevent inappropriate language and adverse reflections from occurring at meetings.

Regulations are proposed to provide that:

- a person, including a member, cannot reflect adversely on the character of members, employees or other persons – if they do so they must withdraw their remark
- members cannot adversely reflect on the decisions of the council, except in making a motion to revoke or change a decision
- failure to withdraw adverse reflection is to be dealt with as disorderly conduct (including as a potential minor breach)
- a member who is concerned about a remark that may be an adverse reflection may raise a point of order with the presiding member.



WALGA Comment

With compulsory public broadcasting and audio recording of ordinary Council meetings imminent, should adverse reflection be elevated from a behavioural or minor breach to a serious breach of the Act?

27. Are there any circumstances where a person should be able to adversely reflect on another council member, an employee or a decision of the local government? Yes / No

(a) If yes, please provide more information to explain the circumstances.

PART 4 – OTHER MATTERS

DLGSCI Consultation Paper

15. Meeting minutes and confirmation

Existing meeting procedures provide for the method of confirmation of the minutes. It is proposed to amend the Regulations to provide a clear process for correcting minutes by:

- allowing a member who identifies errors with unconfirmed minutes to provide a CEO with any proposed corrections by 12 noon the day before a meeting at which the minutes are to be confirmed
- requiring any proposed corrections to the minutes to be presented to council for a decision with a recommendation from the CEO
- Requiring DLGSC to be notified if a local government fails to adopt or defers confirmation of the minutes of a meeting

WALGA Comment

The confirmation of minutes ensures that a true and correct record of a meeting is kept. Currently, a simple majority of Council Members must agree to any proposed amendments. Are additional rules required?

28. Is 1 day sufficient notice for a proposed correction to the minutes? Yes / No

(a) If no, how much notice should be required and why? **10 days because many smaller LGs only have part time team members responsible for preparation of minutes.**





DLGSCI Consultation Paper

16. Electronic meetings and attendance

In 2020, Regulations were introduced in response to the COVID-19 pandemic to enable councils to hold meetings electronically and for council members to attend using electronic means. This allowed councils to continue making critical decisions during the pandemic. The use of videoconferencing and the adoption of livestreaming has also encouraged public access and participation in local government.

On 9 November 2022, the [Local Government \(Administration\) Amendment Regulations 2022](#) took effect, meaning local governments could conduct council and committee meetings electronically outside of emergency situations and that council and committee members could attend in-person meetings using electronic means, such as videoconferencing.

The State Government committed to a public consultation process to gain feedback on the effect of these changes following 12 months of operation.

WALGA Comment

Is the ‘50% rule’ (refer: regulations 14C(3) and 14D(2A) of the *Local Government (Administration) Regulations*) for electronic attendance at in-person meetings and holding electronic meetings clearly understood? Is it proving to be easily applied?

Should the definition of ‘meeting’ (refer: regulation 14C(1) of the *Local Government (Administration) Regulations*) be amended to permit electronic attendance at electors’ meetings?

29. **Has the change to enable electronic meetings to occur outside of emergency situations been helpful? **Yes / No / Unsure or unable to comment****
 (a) If no, please explain why.
30. **Has the ability for individual members to attend meetings electronically been beneficial? **Yes / No / Unsure or unable to comment****
 (a) If no, please explain why.
31. **Do you think any changes to electronic meetings or electronic attendance are required? **Yes / No / Unsure or unable to comment****
 (a) If yes, please provide details of the changes and explain why they are needed.
Specific protocols of how to run and participate in an electronic meeting should be included to assist members during meetings.



DLGSCI Consultation Paper

17. Council committees

Sections 5.8 to 5.18 of the Act provide for the establishment of committees that may assist with decision making. Section 7.1A provides for the establishment of an audit committee. The standardised meeting procedures will only apply to those committees established under sections 5.8 and 7.1A.

It is proposed that provisions for committees be similar to requirements for council meetings. Committees may need to provide a more flexible meeting environment, in terms of time limitations and procedure, to facilitate the consideration of issues in detail. This is reflected in meeting procedures across the State.

Regulations are proposed to provide that:

- a committee meeting is to be called when requested by the presiding member of the committee, the mayor or president, or a third of the committee’s members
- certain meeting procedures such as the order of debate, speaking twice and time limits do not apply to a committee
- a committee is answerable to the council and must provide at least 1 report to council on its activities each year.

WALGA Comment

Many current Local Laws include requirements additional to sections 5.8 to 5.18 of the Act for establishing committees, that include assigning terms of reference and requirements for reporting to Council. Are similar establishment provisions required in standardised regulations?

If a committee has delegated authority to make decisions, should it follow that the standardised regulations must apply as they do at the ordinary council meeting?

32. Are any other modifications needed for committee meetings? Yes / No

(a) If yes, please provide details of the modifications and explain why. **Many current Local Laws include requirements additional to sections 5.8 to 5.18 of the Act for establishing committees, that include assigning terms of reference and requirements for reporting to Council. Similar establishment provisions are required in standardised regulations. If a committee has delegated authority to make decisions, it should follow that the standardised regulations must apply as they do at the ordinary council meeting.**



DLGSCI Consultation Paper

18. Meetings of electors

The Act establishes that the mayor or president is to preside at electors' meetings, and any resolutions passed by an electors' meeting are considered at a following council meeting.

As electors' meetings are quite different to council meetings, comment is sought about whether parts of the proposed standard should apply for electors' meetings.

WALGA Comment

Should the presiding member powers for effective control of meetings always apply to electors' meetings?

- 33. Should parts of the proposed standard apply at electors' meetings? Yes / No**
- (a) If yes, please explain what may be required. **The presiding member powers for effective control of meetings should always apply to electors' meetings.**

DLGSCI Consultation Paper

19. Any other matters

Feedback is welcome on any other element of local government meetings for consideration in the further development of the new Regulations.

WALGA Comment

There are additional matters common to current Standing Orders / Meeting Procedures Local Law that may feature in standardised regulations but not discussed in detail to date, including:

- **Revoking or changing decisions / implementing decisions: Many current Local Laws feature rules that clarify how revoking or changing decisions under Administration Regulation 10 is applied; does this content remain relevant for inclusion in standardised regulations?**
- **Suspension of standardised regulations: Many current Local Laws include a provision permitting Council by resolution, to suspend one or more Local Law provision; does this content remain relevant for inclusion in standardised regulations?**
- **Matters not included in standardised regulations: Many current Local Laws include a provision empowering the presiding member to decide matters not set out in the Local Law; does this power remain relevant for inclusion in standardised regulations?**



- **Enforcement:** Many current Local Laws include a specific enforcement provision; does this content remain relevant for inclusion in standardised regulations?
- **Powers of presiding member:** Some powers have been referred to in the Consultation Paper under orderly conduct of meetings – Part 3, Item 9. Would additional details of the presiding member powers be helpful?
- **Review of Standardised Regulations:** The Model Local Law (Standing Orders) 1998 (No 73, 3/4/98) were developed by the Department of Local Government to assist Local Governments transition from Bylaws created under the *Local Government Act 1960* to appropriate meeting provisions compliant with the current Act. This Model formed the basis of early Local Laws but due to lack of review, arguably fell out of favour as a suitable template. Should standardised regulations be reviewed every 5 years, to ensure they remain current with contemporary meeting practices?

34. Do you have any other comments or suggestions for the proposed new Regulations? YES

(a) If yes, please explain what may be required.

- **Revoking or changing decisions / implementing decisions:** Many current Local Laws feature rules that clarify how revoking or changing decisions under Administration Regulation 10 is applied; this content remains relevant for inclusion in standardised regulations.
- **Suspension of standardised regulations:** Many current Local Laws include a provision permitting Council by resolution, to suspend one or more Local Law provision; this content remains relevant for inclusion in standardised regulations.
- **Enforcement:** Many current Local Laws include a specific enforcement provision; this content remains relevant for inclusion in standardised regulations.
- **Powers of presiding member:** Some powers have been referred to in the Consultation Paper under orderly conduct of meetings – Part 3, Item 9. Additional details of the presiding member powers would be helpful.
- **Review of Standardised Regulations:** The Model Local Law (Standing Orders) 1998 (No 73, 3/4/98) were developed by the Department of Local Government to assist Local Governments transition from Bylaws created under the *Local Government Act 1960* to appropriate meeting provisions compliant with the current Act. This Model formed the basis of early Local Laws but due to lack of review, arguably fell out of favour as a suitable template. Standardised regulations should be reviewed every 5 years, to ensure they remain current with contemporary meeting practices.



SUBMITTING FEEDBACK TO WALGA

Please submit feedback on this Discussion Paper by close of business **Monday 29 April 2024** to:

James McGovern
Manager Governance and Procurement
jmcgovern@walga.asn.au
(08) 9213 2093

11.2 APPOINTMENT OF WA ELECTORAL COMMISSION TO CONDUCT AN EXTRAORDINARY ELECTION

File Reference:	ADM063
Location:	N/A
Applicant:	N/A
Author:	Vin Fordham Lamont, Chief Executive Officer
Authorising Officer:	Vin Fordham Lamont, Chief Executive Officer
Date:	3/04/2024
Disclosure of Interest:	Nil
Attachments:	1. WAEC Agreement to Conduct Election ↓ 2. Election Timeline ↓ 3. WAEC Cost Estimate ↓

SUMMARY:

Council is requested to consider appointing the Electoral Commissioner to conduct an extraordinary postal election to fill the current vacancy at the Shire of West Arthur.

BACKGROUND:

Lucy Hall was appointed to Council in October 2023 for a four year term. Cr Hall resigned from Council in March 2024 and, pursuant to section 4.8 of the *Local Government Act 1995* (LGA), an extraordinary election is required to fill the vacancy.

COMMENT:

At its meeting of 21 March 2024, Council resolved to provide in-principal support for the WA Electoral Commission (WAEC) to conduct the extraordinary election for the Shire of West Arthur. An estimate of the WAEC's costs has now been received from the Electoral Commissioner (attachment 3), together with confirmation of its agreement to conduct the election on behalf of the Shire (attachment 1). A condition of the agreement is that Council must pass the necessary motions described in attachment 1.

The proposed election date is 12 July 2024 and the relevant timeline of actions is provided as attachment 2.

CONSULTATION:

WA Electoral Commission

STATUTORY ENVIRONMENT:

Local Government Act 1995

s.4.8 Extraordinary elections

s.4.20(4) CEO to be returning officer unless other arrangements made

s.4.61 (2) Choice of methods of conducting election

POLICY IMPLICATIONS:

Nil

FINANCIAL IMPLICATIONS:

The estimated cost of the election (\$13,500 incl. GST) will be included in the 2024/2025 annual budget.

STRATEGIC IMPLICATIONS:

West Arthur Community Strategic Plan

Theme: Leadership and Management

Outcome: Councillors represent the community and are well trained

Strategy: Council process is open and transparent to the general community

RISK IMPLICATIONS:

Risk management is the removal of uncertainty from business decisions. Risk is expressed in terms of likelihood it may occur and the consequences that may flow from it. The consequences may be positive or negative or simply a deviation from the expected. The risk or consequence may be related to health and safety; financial; business or service interruption; compliance; reputation; or the environment. **Reference to the risk matrix below will generate a risk rating by assessing the likelihood and consequence and multiplying these scores by each other.** The greater the risk rating, the greater the risk and the higher the need for specific plans to be developed. All items with a risk rating greater than 10 should be added to the Risk Register and specific controls developed.

Risk Themes:

A risk theme is the categorising of risk. For example, the collection of risks that represent compliance failure. The risk themes in the shire Risk Register include:

- Business Disruption
- Community Disruption
- IT or Communications Failure
- External Threat or Fraud
- Misconduct
- Inadequate safety or security practices
- Inadequate project or change management
- Errors Omissions or Delays
- Inadequate Document Management Processes
- Inadequate supplier / contract management
- Providing inaccurate advice / information
- Ineffective Employment practices
- Compliance failure
- Inadequate asset management
- Inadequate engagement practices
- Ineffective facility or event management
- Inadequate environmental management

Risk Matrix:

Consequence		Insignificant	Minor	Moderate	Major	Catastrophic
Likelihood		1	2	3	4	5
Almost Certain	5	Medium (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Medium (8)	High (12)	High (16)	Extreme (25)
Possible	3	Low (3)	Medium (6)	Medium (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Medium (6)	Medium (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Medium (5)

Description of Key Risk	Failure to follow the legislated election process would result in delays in appointing the required replacement member of Council.
Risk Likelihood (based on history and with existing controls)	(5) Almost Certain
Risk Consequence	(3) Moderate
Risk Rating (Prior to Treatment or Control): Likelihood x Consequence	(15) High
Principal Risk Theme	Compliance Failure
Risk Action Plan (Controls or Treatment Proposed)	Support the officer recommendation as presented.

VOTING REQUIREMENTS:

Absolute Majority

OFFICER RECOMMENDATION:

That Council, by absolute majority:

1. declare, in accordance with section 4.20(4) of the *Local Government Act 1995*, the Electoral Commissioner to be responsible for the conduct of the extraordinary election; and
2. decide, in accordance with section 4.61(2) of the *Local Government Act 1995* that the method of conducting the extraordinary election will be as a postal election.



WESTERN AUSTRALIAN
Electoral Commission

Mr Vincent Fordham Lamont
Chief Executive Officer
Shire of West Arthur
PO Box 112
DARKAN WA 6392

Dear Mr Fordham Lamont,

**Councillor vacancy – Local Government Extraordinary Election –
Written Agreement**

I refer to an email dated 28 March 2024 in which you accept the Western Australian Electoral Commission's Cost Estimate for the 2024 Local Government Extraordinary Election and commit to take it to your next council meeting.

For the purposes of section 4.20(4) of the *Local Government Act 1995*, this letter constitutes my written agreement to be responsible for the conduct of the local government extraordinary election for the Shire of West Arthur **subject to** your Council passing the following two motions (**unchanged**):

1. declare, in accordance with section 4.20(4) of the *Local Government Act 1995*, the Electoral Commissioner to be responsible for the conduct of the extraordinary election; and
2. decide, in accordance with section 4.61(2) of the *Local Government Act 1995* that the method of conducting the extraordinary election will be as a postal election.

For the Commission to conduct the extraordinary election as a postal election, your Council will then need to pass the above two motions (**unchanged**) by an absolute majority upon receipt of this letter.

Once the Council passes the abovementioned motions, please forward confirmation to the Commission to the email address below.

If you have further queries, please contact lgelections@waec.wa.gov.au.

Yours sincerely,

A handwritten signature in blue ink that reads "R Kennedy".

Robert Kennedy
ELECTORAL COMMISSIONER
2 April 2024



POSTAL ELECTION TIMETABLE

2024 Local Government Extraordinary Election - Shire of West Arthur

Days to Polling Day	Day	Date	Election Events	References to Act / Regs
80	Tue	23/04/2024	Last day for declaration to have the Electoral Commissioner conduct a postal election. A decision made to conduct the election as a postal election cannot be rescinded after the 80th day.	LGA 4.20(2)(3)(4) LGA 4.61(5)
77	Fri	26/04/2024	Electoral Commissioner to appoint a person to be the Returning Officer of the Local Government for the election.	LGA 4.20(4)
77 to	Fri to	26/04/2024 to	Between the 77th / 63rd day the CEO is to give Statewide public notice of the time and date of close of enrolments.	LGA 4.39(2)
63	Fri	10/05/2024	* Preferred date: Wednesday 1 May 2024	
63	Fri	10/05/2024	Last day for the CEO to advise the Electoral Commissioner of the need to prepare a residents roll. Advertising may begin for nominations from 63 days and no later than 52 days before election day. * Preferred date: Wednesday 15 May 2024	LGA 4.40(1) LGA 4.47(1)
57	Thu	16/05/2024	Roll Close Close roll 5.00 pm.	LGA 4.39(1)
52	Tue	21/05/2024	Last day for advertisement to be placed calling for nominations.	LGA 4.47(1)
51	Wed	22/05/2024	Nominations Open First day for candidates to lodge completed nomination paper, in the prescribed form, with the Returning Officer. Nominations period is open for 8 days.	LGA 4.49(a)
44	Wed	29/05/2024	Close of Nominations 4.00 pm on the 44th day before election day.	LGA 4.49(a)
43	Thu	30/05/2024	Last day for the CEO to prepare and certify an owners and occupiers roll for the election. Last day for the Electoral Commissioner to prepare and certify a residents roll.	LGA 4.41(1) LGA 4.40(2)
30	Wed	12/06/2024	* Preferred date for Notice of Election Lodgement of election packages with Australia Post. Delivery dependent on normal Australia Post standards.	LGA 4.64(1)
29	Thu	13/06/2024	The preparation of any consolidated roll under subregulation (1) be completed on or before 29th day before election day.	Reg. 18(2)
26	Sun	16/06/2024	Last day for the Returning Officer to give Statewide public notice of the election. * Preferred date: Wednesday 12 June 2024	LGA 4.64(1)
11	Mon	1/07/2024	Commence processing returned election packages.	
0	Fri	12/07/2024	ELECTION DAY - Close of poll 6.00 pm	LGA 4.7
<i>As soon as practicable</i>			Declaration and Notice of Election Result by the Returning Officer	LGA 4.77
Post Declaration of Results Events				References to Act / Regs
Within 14 days			Report to Minister. The report relating to an election under section 4.79 is to be provided to the Minister within 14 days after the declaration of the result of the election.	Reg. 81
Within 28 days			An invalidity complaint is to be made to a Court of Disputed Returns, constituted by a magistrate, but can only be made within 28 days after notice is given of the result of the election.	LGA 4.81(1)

* Dates subject to change



WESTERN AUSTRALIAN
Electoral Commission

Mr Vincent Fordham Lamont
Chief Executive Officer
Shire of West Arthur
PO Box 112
DARKAN WA 6392

Dear Mr Fordham Lamont,

Councillor vacancy – Local Government Extraordinary Election – Cost Estimate

I refer to an email of 21 March 2024 enquiring if the Commission can provide a Cost Estimate to undertake an extraordinary election for the Shire of West Arthur due to the resignation of Councillor Lucy Hall.

As you are aware, if a declaration has been made under section 4.20(4) of the *Local Government Act 1995*, the local government is required to meet the expenses of the Commissioner in connection with the election to the extent required by regulations.

As such, to assist with the Council's decision under section 4.20(4) of the *Local Government Act 1995*, the Commission has estimated the cost to conduct your Council's election as a postal election at approximately \$13,500 (inc GST) which is based on the following assumptions:

- 620 electors;
- response rate of approximately 50%;
- appointment of a local Returning Officer; and
- count to be conducted at your office using CountWA.

Costs not included in this estimate:

- non-statutory advertising (i.e. additional advertisements in community newspapers and promotional advertising);
- any legal expenses other than those that are determined to be borne by the Western Australian Electoral Commission in a Court of Disputed Returns;
- local government staff members to issue replacement votes; and
- the cost of any casual staff to assist the Returning Officer on election day or night

This cost estimate is **not** to be taken as my written agreement to be responsible for the conduct of the local government extraordinary election for the Shire of West Arthur in accordance with section 4.20(4) of the *Local Government Act 1995*.

I will provide that written agreement upon receiving written confirmation from you that:

- A. Your Council agrees to the costs estimate of approximately \$13,500 as set out above; and
- B. You agree that, upon receiving my written agreement, the following two motions will be presented to your Council (**unchanged**):
 1. declare, in accordance with section 4.20(4) of the *Local Government Act 1995*, the Electoral Commissioner to be responsible for the conduct of the extraordinary election;
 2. decide, in accordance with section 4.61(2) of the *Local Government Act 1995* that the method of conducting the extraordinary election will be as a postal election.

For the Commission to conduct the extraordinary election as a postal election, your Council will then need to pass the above two motions (**unchanged**) by an absolute majority *after* receiving my written agreement.

If you have any queries, please contact lgelections@waec.wa.gov.au.

Yours sincerely


Robert Kennedy
ELECTORAL COMMISSIONER

27 March 2024

11.3 APPOINTMENT OF REPLACEMENT COUNCILLOR TO THE AUDIT AND RISK COMMITTEE

File Reference:	ADM421
Location:	N/A
Applicant:	N/A
Author:	Vin Fordham Lamont, Chief Executive Officer
Authorising Officer:	Vin Fordham Lamont, Chief Executive Officer
Date:	25/03/2024
Disclosure of Interest:	Nil
Attachments:	1. Audit and Risk Committee Terms of Reference

SUMMARY:

Council is requested to consider appointing a replacement member to the Audit and Risk Committee, following the resignation from Council of Lucy Hall.

BACKGROUND:

The *Local Government Act 1995* (s7.1A) requires that a local government establish an Audit and Risk Committee with a minimum of three members. The members of this committee are to be appointed by the local government and at least 3 of the members, and the majority of the members, are to be council members.

The Shire of West Arthur Audit and Risk Committee comprises three members, all of which are current councillors.

COMMENT:

On 20 March 2024. Cr Lucy Hall handed in her resignation from Council, effective immediately. As a result, and particularly given the small existing membership of the Audit and Risk Committee, it is important to replace the departed member as soon as possible.

Pursuant to section 5.11 of the Local Government Act 1995, an appointment to any committee of Council is current until the next ordinary election, the committee is disbanded or the member resigns.

CONSULTATION:

Nil

STATUTORY ENVIRONMENT:

Local Government Act 1995

s7.1A Audit Committee

s5.11 Committee membership, tenure of

POLICY IMPLICATIONS:

Policy C3 - Audit & Risk Management Committee – Terms of Reference

FINANCIAL IMPLICATIONS:

Nil

STRATEGIC IMPLICATIONS:

West Arthur Community Strategic Plan

Theme: Leadership and Management

Outcome: Establish and maintain sound business and governance structures

Strategy: Comply with regulations and best practice standards to drive good decision making by Council and Staff

RISK IMPLICATIONS:

Risk management is the removal of uncertainty from business decisions. Risk is expressed in terms of likelihood it may occur and the consequences that may flow from it. The consequences may be positive or negative or simply a deviation from the expected. The risk or consequence may be related to health and safety; financial; business or service interruption; compliance; reputation; or the environment. **Reference to the risk matrix below will generate a risk rating by assessing the likelihood and consequence and multiplying these scores by each other.** The greater the risk rating, the greater the risk and the higher the need for specific plans to be developed. All items with a risk rating greater than 10 should be added to the Risk Register and specific controls developed.

Risk Themes:

A risk theme is the categorising of risk. For example, the collection of risks that represent compliance failure. The risk themes in the shire Risk Register include:

- Business Disruption
- Community Disruption
- IT or Communications Failure
- External Threat or Fraud
- Misconduct
- Inadequate safety or security practices
- Inadequate project or change management
- Errors Omissions or Delays
- Inadequate Document Management Processes
- Inadequate supplier / contract management
- Providing inaccurate advice / information
- Ineffective Employment practices
- Compliance failure
- Inadequate asset management
- Inadequate engagement practices
- Ineffective facility or event management
- Inadequate environmental management

Risk Matrix:

Consequence		Insignificant	Minor	Moderate	Major	Catastrophic
Likelihood		1	2	3	4	5
Almost Certain	5	Medium (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Medium (8)	High (12)	High (16)	Extreme (25)
Possible	3	Low (3)	Medium (6)	Medium (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Medium (6)	Medium (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Medium (5)

Description of Key Risk	Failure to appoint a replacement member to the Audit and Risk Committee
Risk Likelihood (based on history and with existing controls)	(5) Almost Certain
Risk Consequence	(2) Minor
Risk Rating (Prior to Treatment or Control): Likelihood x Consequence	(10) High
Principal Risk Theme	Compliance Failure
Risk Action Plan (Controls or Treatment Proposed)	Appoint a replacement member as required.

VOTING REQUIREMENTS:

Absolute Majority

OFFICER RECOMMENDATION:

That Council appoint Cr _____ to the Shire of West Arthur Audit and Risk Committee until the 2025 local government election, or earlier pursuant to section 5.11 of the *Local Government Act 1995*.

Policy Title	C3 - Audit & Risk Management Committee – Terms of Reference
Policy Type	Governance
Responsible Officer	Chief Executive Officer



Purpose

The ensure the Audit & Risk Management Committee plays a key role in assisting the Council to fulfil its governance and oversight responsibilities in relation to financial reporting, internal control structure, risk management systems, legislative compliance, ethical accountability and the internal and external audit functions.

Scope

The committee is to facilitate:

- the enhancement of the credibility and objectivity of external & internal financial reporting;
- compliance with laws and regulations as well as use of best practise guidelines relative to auditing;
 - the coordination of the internal audit
 - function with the external audit
- effective oversight of financial and other risks and the protection of Council assets
- the provision of an effective means of communication between the external auditor, the CEO and the Council.

Definitions

Nil

Policy Statement

Powers of the Audit & Risk Management Committee

The committee is a formally appointed committee of Council and is responsible to that body. The committee does not have executive powers or authority to implement actions in areas over which the CEO has legislative responsibility and does not have any delegated financial responsibility. The committee does not have any management functions and cannot involve itself in management processes or procedures.

The committee is to report to Council and provide appropriate advice and recommendations on matters relevant to its term of reference in order to facilitate informed decision-making by Council in relation to the legislative functions and duties of the local government that have not been delegated to the CEO.

Membership

The committee shall consist of three (3) elected members, and may include an external member in accordance with the *Local Government Act 1995*. All members shall have full voting rights.

Quorum

The quorum at any meeting shall be half plus one of the number of offices. Therefore the number for a Quorum shall be 3 voting members.

Meetings

The committee shall meet at least twice annually. Additional meetings may be convened at the discretion of the presiding person.

Reporting

Reports and recommendations of each committee meeting shall be presented to the next ordinary meeting of the Council.

Duties and Responsibilities

The duties and responsibilities of the committee will be -

- a. Provide guidance and assistance to Council as to the carrying out the functions of the local government in relation to audits.
- b. Develop and recommend to Council –
 - a list of those matters to be audited; and
 - the scope to be undertaken.
 - Recommend to Council the person or persons to be appointed for internal audits.
 - Develop and recommend to Council a written agreement for the appointment of the auditor. The agreement is to include –
 - the objectives of the audit;
 - the scope of the audit;
 - a plan of the audit;
 - details of the remuneration and expenses to be paid to the auditor; and
 - the method to be used by the local government to communicate with, and supply information to, the auditor.
- c. Meet with the auditor once in each year.
- d. Liaise with the CEO to ensure that the local government does everything in its power to –
 - assist the auditor to conduct the audit and carry out his or her other duties under the Local Government Act 1995; and
 - ensure that audits are conducted successfully and expeditiously.

- e. Examine the reports of the auditor after receiving a report from the CEO on the matters and –
 - determine if any matters raised require action to be taken by the local government; and
 - ensure that appropriate action is taken in respect of those matters.
- f. Review the report prepared by the CEO on any actions taken in respect of any matters raised in the report of the auditor and presenting the report to Council for adoption prior to the end of the next financial year or 6 months after the last report prepared by the auditor is received, whichever is the latest in time.
- g. Review the scope of the audit plan and program and its effectiveness.
- h. Address issues brought to the attention of the committee that are within the parameters of the committee's terms of reference.
- i. Seek information or obtain expert advice through the CEO on matters of concern within the scope of the committee's terms of reference following authorisation from the Council.
- j. Review the appropriateness of special internal audit assignments undertaken by internal audit at the request of Council or CEO
- k. Review reports of internal audits, monitor the implementation of recommendations made by the audit and review the extent to which Council and management reacts to matters raised;
- l. Facilitate liaison between the internal and external auditor to promote compatibility, to the extent appropriate, between their audit programs
- m. Review the local government's draft annual financial report, focusing on –
 - accounting policies and practices;
 - changes to accounting policies and practices;
 - the process used in making significant accounting estimates;
 - significant adjustments to the financial report (if any) arising from the audit process;
 - compliance with accounting standards and other reporting requirements; and
 - significant variances from prior years;
- n. Consider and recommend adoption of the annual financial report to Council. Review any significant changes that may arise subsequent to any such recommendation but before the annual financial report is signed;
- o. Address issues brought to the attention of the committee, including responding to requests from Council for advice that are within the parameters of the committee's terms of reference;
- p. Seek information or obtain expert advice through the CEO on matters of concern within the scope of the committee's terms of reference following authorisation from the Council;
- q. Oversee the effective management of risk within the Shire of West Arthur, including review of risk management policies & procedures, reviewing outstanding risk mitigation actions and periodically reviewing the Shire of West Arthur risk register.
- r. Review the annual Compliance Audit Return and report to the council the results of that review, and

- s. Consider the CEO’s biennial reviews of the appropriateness and effectiveness of the local government’s systems and procedures in regard to risk management, internal control and legislative compliance, required to be provided to the committee, and report to the council the results of those reviews.

History	25/05/2023
Delegation	Nil
Relevant Legislation	<i>Local Government Act 1995</i>
Related Documentation	Nil

11.4 APPOINTMENT OF REPLACEMENT MEMBER OF DEVELOPMENT ASSESSMENT PANEL

File Reference:	ADM421
Location:	Nil
Applicant:	Nil
Author:	Vin Fordham Lamont, Chief Executive Officer
Authorising Officer:	Vin Fordham Lamont, Chief Executive Officer
Date:	29/03/2024
Disclosure of Interest:	Nil
Attachments:	Nil

SUMMARY:

Council is requested to consider appointing a replacement representative for the Shire of West Arthur to sit as Development Assessment Panel (DAP) members.

BACKGROUND:

As a key component of the State Government's planning reform agenda Development Assessment Panels (DAPs) aim to enhance planning expertise in the decision-making process by improving the balance between technical advice and local knowledge.

Development Assessment Panels (DAPs) are decision-making bodies that are independent of the Department of Planning, Lands and Heritage or the Western Australian Planning Commission.

DAPs were established under the *Planning and Development (Development Assessment Panels) Regulations 2011* and are administered by the DAP secretariat within the Department of Planning, Lands and Heritage. DAPs assess Development Applications which are considered to be significant enough to require assessment outside the standard local government process.

Representation of local interests is a key part of the DAP system. In accordance with this premise, under Regulation 23 of the *Planning and Development (Development Assessment Panels) Regulations 2011*, Councils are required to nominate, as soon as possible following elections, four elected members to sit as DAP members.

COMMENT:

At its ordinary meeting of 26 October 2023, Council made the following appointments as DAP members:

- Cr Graeme Peirce (Member)
- Cr Lucy Hall (Member)
- Cr Neil Morrell (Proxy)
- Cr Karen Harrington (Proxy)

On 20 March 2024, Cr Hall handed in her resignation from Council, effective immediately. As a result, it is necessary to replace the departed member as soon as possible.

CONSULTATION:

Nil

STATUTORY ENVIRONMENT:

Planning and Development (Development Assessment Panels) Regulations 2011

Reg. 23 Constitution of DAPs

POLICY IMPLICATIONS:

Nil

FINANCIAL IMPLICATIONS:

Nil

STRATEGIC IMPLICATIONS:

West Arthur Community Strategic Plan

Theme: Leadership and Management

Outcome: Establish and maintain sound business and governance structures

Strategy: Comply with regulations and best practice standards to drive good decision making by Council and Staff

RISK IMPLICATIONS:

Risk management is the removal of uncertainty from business decisions. Risk is expressed in terms of likelihood it may occur and the consequences that may flow from it. The consequences may be positive or negative or simply a deviation from the expected. The risk or consequence may be related to health and safety; financial; business or service interruption; compliance; reputation; or the environment. ***Reference to the risk matrix below will generate a risk rating by assessing the likelihood and consequence and multiplying these scores by each other.*** The greater the risk rating, the greater the risk and the higher the need for specific plans to be developed. All items with a risk rating greater than 10 should be added to the Risk Register and specific controls developed.

Risk Themes:

A risk theme is the categorising of risk. For example, the collection of risks that represent compliance failure. The risk themes in the shire Risk Register include:

- Business Disruption
- Community Disruption
- IT or Communications Failure
- External Threat or Fraud
- Misconduct
- Inadequate safety or security practices
- Inadequate project or change management
- Errors Omissions or Delays
- Inadequate Document Management Processes
- Inadequate supplier / contract management
- Providing inaccurate advice / information
- Ineffective Employment practices
- Compliance failure
- Inadequate asset management
- Inadequate engagement practices
- Ineffective facility or event management
- Inadequate environmental management

Risk Matrix:

Consequence Likelihood		Insignificant	Minor	Moderate	Major	Catastrophic
		1	2	3	4	5
Almost Certain	5	Medium (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Medium (8)	High (12)	High (16)	Extreme (25)
Possible	3	Low (3)	Medium (6)	Medium (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Medium (6)	Medium (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Medium (5)

Description of Key Risk	Failure to appoint a replacement member to the Development Assessment Panel.
Risk Likelihood (based on history and with existing controls)	(5) Almost Certain
Risk Consequence	(2) Minor
Risk Rating (Prior to Treatment or Control): Likelihood x Consequence	(10) High
Principal Risk Theme	Compliance Failure
Risk Action Plan (Controls or Treatment Proposed)	Appoint a replacement member as required.

VOTING REQUIREMENTS:

Simple Majority

OFFICER RECOMMENDATION:

That Council:

1. Appoint the following councillors to sit as Development Assessment Panel members until the 2025 local government election, or earlier as required:
 - a) Cr _____ (Member)
 - b) Cr _____ (Member)
 - c) Cr _____ (Proxy)
 - d) Cr _____ (Proxy) ; and
2. Direct the CEO to advise the Department of Planning, Lands and Heritage of the change of membership of the Shire of West Arthur Development Assessment Panel.

11.5 APPOINTMENT OF REPLACEMENT MEMBER OF TIDY TOWNS COMMITTEE

File Reference:	ADM421
Location:	Nil
Applicant:	Nil
Author:	Vin Fordham Lamont, Chief Executive Officer
Authorising Officer:	Vin Fordham Lamont, Chief Executive Officer
Date:	29/03/2024
Disclosure of Interest:	Nil
Attachments:	Nil

SUMMARY:

Council is requested to consider appointing a replacement member to its Tidy Towns Committee, following the resignation from Council of Lucy Hall.

BACKGROUND:

The Keep Australia Beautiful Council's annual Tidy Towns Sustainable Communities Awards recognise regional and remote communities that demonstrate effective litter prevention activities, positive environmental action and social outcomes. In 2011, West Arthur won the overall WA State Award.

COMMENT:

The current membership of Council's Tidy Towns Committee is comprised of Crs Robyn Lubcke and Lucy Hall. On 20 March 2024, Cr Hall handed in her resignation from Council, effective immediately. As a result, and particularly given the small existing membership of the Tidy Towns Committee, it is necessary to replace the departed member.

It is also important to review the necessity of the committee and potentially develop new Terms of Reference for the committee. This will be looked at by management after the new member is appointed.

CONSULTATION:

Nil

STATUTORY ENVIRONMENT:

Nil

POLICY IMPLICATIONS:

Nil

FINANCIAL IMPLICATIONS:

Nil

STRATEGIC IMPLICATIONS:

West Arthur Community Strategic Plan

Theme: Leadership and Management

Outcome: Establish and maintain sound business and governance structures

Strategy: Comply with regulations and best practice standards to drive good decision making by Council and Staff

RISK IMPLICATIONS:

Risk management is the removal of uncertainty from business decisions. Risk is expressed in terms of likelihood it may occur and the consequences that may flow from it. The consequences may be positive or negative or simply a deviation from the expected. The risk or consequence may be related to health and safety; financial; business or service interruption; compliance; reputation; or the environment. **Reference to the risk matrix below will generate a risk rating by assessing the likelihood and consequence and multiplying these scores by each other.** The greater the risk rating, the greater the risk and the higher the need for specific plans to be developed. All items with a risk rating greater than 10 should be added to the Risk Register and specific controls developed.

Risk Themes:

A risk theme is the categorising of risk. For example, the collection of risks that represent compliance failure. The risk themes in the shire Risk Register include:

- Business Disruption
- Community Disruption
- IT or Communications Failure
- External Threat or Fraud
- Misconduct
- Inadequate safety or security practices
- Inadequate project or change management
- Errors Omissions or Delays
- Inadequate Document Management Processes
- Inadequate supplier / contract management
- Providing inaccurate advice / information
- Ineffective Employment practices
- Compliance failure
- Inadequate asset management
- Inadequate engagement practices
- Ineffective facility or event management
- Inadequate environmental management

Risk Matrix:

Consequence		Insignificant	Minor	Moderate	Major	Catastrophic
Likelihood		1	2	3	4	5
Almost Certain	5	Medium (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Medium (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Medium (6)	Medium (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Medium (6)	Medium (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Medium (5)

Description of Key Risk	Failure to replace a departed member of Council’s Tidy Towns Committee.
Risk Likelihood (based on history and with existing controls)	(3) Possible
Risk Consequence	(1) Insignificant
Risk Rating (Prior to Treatment or Control): Likelihood x Consequence	(3) Low
Principal Risk Theme	Community Disruption
Risk Action Plan (Controls or Treatment Proposed)	Appoint a replacement member as required.

VOTING REQUIREMENTS:

Simple Majority

OFFICER RECOMMENDATION:

That Council:

1. Appoint Cr _____ to the Shire of West Arthur Tidy Towns Committee until the 2025 local government election, or earlier as required; and
2. Direct the CEO to review the necessity of maintaining the West Arthur Tidy Towns Committee and, if it is to continue, develop an appropriate Terms and Conditions document for Council to approve.

11.6 7 KING ST, DARKAN - FAILURE TO COMPLY WITH DIRECTIONS NOTICE

File Reference:	A2675
Location:	7 King St, Darkan
Applicant:	N/A
Author:	Vin Fordham Lamont, Chief Executive Officer
Authorising Officer:	Vin Fordham Lamont, Chief Executive Officer
Date:	29/03/2024
Disclosure of Interest:	Nil
Attachments:	Nil

SUMMARY:

Council is requested, pursuant to section 215 of the *Planning and Development Act 2005*, to consider removing the sea container and caravan from 7 King St Darkan, storing them at the Shire Depot and charging the owner accordingly.

BACKGROUND:

At its meeting of 28 September 2023, Council resolved to approve a retrospective Development Application (DA) from the owner of 7 King St Darkan to place a sea container on the property. The owner had already situated the sea container on the property without submitting the required DA.

The first three conditions of the approval were:

1. The sea container shall be relocated to be more than 7.5m from the front boundary and 1.0m from a side boundary, within 90 days of the date hereof.
2. A site plan drawn to scale, showing the revised location of the sea shall be submitted to, and approved by Council, within 90 days of the date hereof.
3. The sea container shall be painted and / or screened to the requirements and satisfaction of the Responsible Authority, within 90 days of the date hereof.

A site inspection by the Shire on 8 January 2024 confirmed the requirements of Conditions 1, 2 and 3 of the development approval granted on 28 September 2023 had not yet been addressed.

On 18 January 2024, a notice of direction was issued to the owner stating that:

- “Your failure to comply with the requirements of Conditions 1, 2 and 3 of the development approval granted on 28 September 2023 is an offence under section 218 of the *Planning and Development Act 2005* which renders you liable to a fine of up to \$200,000 and, in the case of a continuing offence, a further fine of \$25,000 for each day during which the offence continues.”

The Notice of Direction also advised the owner that he had an additional 60 days (until 18 March) to comply with conditions 1, 2 and 3 before he became liable to the fines indicated previously. He responded to the CEO advising that the work would be carried out in the required timeframe.

On 27 March 2024, the CEO again inspected the property and none of the required work had been carried out.

COMMENT:

The CEO discussed the situation with the Shire's planning consultant and determined that there were two choices available to Council:

1. Instruct the Shire's lawyers to initiate prosecution action in the Magistrates Court where the owner will, if found guilty, face the following maximum penalties as prescribed in section 223 the *Planning and Development Act 2005*:

Unless otherwise provided, a person who commits an offence under this Act is liable to a fine of \$200,000 and, in the case of a continuing offence, a further fine of \$25,000 for each day during which the offence continues.

2. Pursuant to section 215(1) of the *Planning and Development Act 2005*, remove the sea container (and caravan) from the property and store it at the Shire Depot. The cost of this action to the Shire can be recovered from the owner of the property.

The CEO recommends the second option to avoid unnecessary costs and still achieve the desired outcome of compliance with the Development approval.

CONSULTATION:

Shire Planning Consultant

STATUTORY ENVIRONMENT:

Planning and Development Act 2005

s.215 Illegal development, responsible authority's powers to remove etc.

s.223 General penalty

POLICY IMPLICATIONS:

Nil

FINANCIAL IMPLICATIONS:

There will be a cost to remove the sea container and caravan to the Shire Depot but this can be claimed back from the owner of the property.

STRATEGIC IMPLICATIONS:

West Arthur Community Strategic Plan

Theme: Built Environment

Outcome: Our built infrastructure is well maintained, attractive and inviting

Strategy: Our townscapes are attractive and well developed with consideration for current and future usage

RISK IMPLICATIONS:

Risk management is the removal of uncertainty from business decisions. Risk is expressed in terms of likelihood it may occur and the consequences that may flow from it. The consequences may be positive or negative or simply a deviation from the expected. The risk or consequence may be related to health and safety; financial; business or service interruption; compliance; reputation; or the environment. ***Reference to the risk matrix below will generate a risk rating by assessing the likelihood and consequence and multiplying these scores by each other.*** The greater the risk rating, the greater the risk and the higher the need for specific plans to be developed. All items with a risk rating greater than 10 should be added to the Risk Register and specific controls developed.

Risk Themes:

A risk theme is the categorising of risk. For example, the collection of risks that represent compliance failure. The risk themes in the shire Risk Register include:

- Business Disruption
- Community Disruption
- IT or Communications Failure
- External Threat or Fraud
- Misconduct
- Inadequate safety or security practices
- Inadequate project or change management
- Errors Omissions or Delays
- Inadequate Document Management Processes
- Inadequate supplier / contract management
- Providing inaccurate advice / information
- Ineffective Employment practices
- Compliance failure
- Inadequate asset management
- Inadequate engagement practices
- Ineffective facility or event management
- Inadequate environmental management

Risk Matrix:

Consequence		Insignificant	Minor	Moderate	Major	Catastrophic
Likelihood		1	2	3	4	5
Almost Certain	5	Medium (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Medium (8)	High (12)	High (16)	Extreme (25)
Possible	3	Low (3)	Medium (6)	Medium (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Medium (6)	Medium (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Medium (5)

Description of Key Risk	Developments that are not approved may detract from the aesthetics of the townscape, and deter potential residents and business owners.
Risk Likelihood (based on history and with existing controls)	(3) Possible
Risk Consequence	(3) Moderate
Risk Rating (Prior to Treatment or Control): Likelihood x Consequence	(9) Medium
Principal Risk Theme	Compliance Failure
Risk Action Plan (Controls or Treatment Proposed)	Follow the actions described in the relevant legislation and remove the offending items.

VOTING REQUIREMENTS:

Simple Majority

OFFICER RECOMMENDATION:

That Council, pursuant to section 215 of the *Planning and Development Act 2005*:

1. approve the removal of the sea container and caravan situated, outside the development approval conditions, on 7 King St Darkan;
2. authorise their storage at the Shire Depot and the charging of the owner of 7 King St Darkan accordingly; and
3. direct the CEO to advise the owner of the action taken by the Shire.

11.7 AMENDMENT TO DELEGATION 2.5 DONATIONS, FEE REDUCTIONS, AND SPONSORSHIPS

File Reference:	ADM058
Location:	N/A
Applicant:	N/A
Author:	Vin Fordham Lamont, Chief Executive Officer
Authorising Officer:	Vin Fordham Lamont, Chief Executive Officer
Date:	8/03/2024
Disclosure of Interest:	Nil
Attachments:	1. Amended Delegation 2.5 Donations, Fee Reductions, and Sponsorships ↓

SUMMARY:

Council is requested to consider updating Delegation 2.5 – Donations, Fee Reductions, and Sponsorships to include the power to waive or reduce Shire fees or charges relating to development/building applications, by not-for-profit community organisations.

BACKGROUND:

Section 6.12(1)(b) of the *Local Government Act 1995* states that a local government may waive or grant concessions in relation to any amount of money. Section 5.42 of the Act provides for a local government to delegate some duties and powers to its CEO to improve efficiency of decision making.

COMMENT:

The CEO has come across a situation recently where a community not-for-profit organisation has requested that the Shire waive its component of development/building application fees. This is not a common occurrence but it is enough for the CEO to request that Council delegate him the power to waive or reduce waive or reduce Shire fees or charges relating to development/building applications, by not-for-profit community organisations.

CONSULTATION:

Niel Mitchell (Strettle Pty Ltd) – Governance Consultant to Local Government

STATUTORY ENVIRONMENT:

Local Government Act 1995

s6.12(1)(b) Power to defer, grant discounts, waive or write off debts

s5.42 Delegation of some powers and duties to CEO

POLICY IMPLICATIONS:

Nil

FINANCIAL IMPLICATIONS:

Potential reduction in Shire fees or charges relating to development/building applications. Given that most community organisations do not own any property, it is not anticipated that this would be a significant occurrence.

STRATEGIC IMPLICATIONS:

West Arthur Community Strategic Plan

Theme: Leadership and Management

Outcome: Establish and maintain sound business and governance structures

Strategy: Comply with regulations and best practice standards to drive good decision making by Council and Staff

RISK IMPLICATIONS:

Risk management is the removal of uncertainty from business decisions. Risk is expressed in terms of likelihood it may occur and the consequences that may flow from it. The consequences may be positive or negative or simply a deviation from the expected. The risk or consequence may be related to health and safety; financial; business or service interruption; compliance; reputation; or the environment. **Reference to the risk matrix below will generate a risk rating by assessing the likelihood and consequence and multiplying these scores by each other.** The greater the risk rating, the greater the risk and the higher the need for specific plans to be developed. All items with a risk rating greater than 10 should be added to the Risk Register and specific controls developed.

Risk Themes:

A risk theme is the categorising of risk. For example, the collection of risks that represent compliance failure. The risk themes in the shire Risk Register include:

- Business Disruption
- Community Disruption
- IT or Communications Failure
- External Threat or Fraud
- Misconduct
- Inadequate safety or security practices
- Inadequate project or change management
- Errors Omissions or Delays
- Inadequate Document Management Processes
- Inadequate supplier / contract management
- Providing inaccurate advice / information
- Ineffective Employment practices
- Compliance failure
- Inadequate asset management
- Inadequate engagement practices
- Ineffective facility or event management
- Inadequate environmental management

Risk Matrix:

Consequence		Insignificant	Minor	Moderate	Major	Catastrophic
Likelihood		1	2	3	4	5
Almost Certain	5	Medium (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Medium (8)	High (12)	High (16)	Extreme (25)
Possible	3	Low (3)	Medium (6)	Medium (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Medium (6)	Medium (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Medium (5)

Description of Key Risk	Failure to provide assistance to not-for-profit, community organisations in a timely manner.
Risk Likelihood (based on history and with existing controls)	(4) Likely
Risk Consequence	(2) Minor
Risk Rating (Prior to Treatment or Control): Likelihood x Consequence	(8) Medium
Principal Risk Theme	Inadequate Engagement Practices
Risk Action Plan (Controls or Treatment Proposed)	Amend Delegation 2.5 as proposed.

VOTING REQUIREMENTS:

Absolute Majority

OFFICER RECOMMENDATION:

That Council, by absolute majority:

1. Approve updating Delegation 2.5 – Donations, Fee Reductions, and Sponsorships to include the power for the CEO to waive or reduce Shire fees or charges relating to development/building applications, by not-for-profit community organisations.
2. Direct the CEO update Council’s Delegations Register; and
3. Direct the CEO to post the updated Delegations Register on the Shire website.

Delegation Title:	2.5 Donations, Fee Reductions, and Sponsorships
Express Power to Delegate:	<p><i>Local Government Act 1995:</i></p> <p>s.5.42 Delegation of some powers or duties to the CEO</p> <p>s.5.43 Limitations on delegations to the CEO.</p>
Express Power or Duty Delegated:	<i>Local Government Act 1995</i>
Delegate:	Chief Executive Officer
<p>Function:</p> <p><i>This is a precis only.</i></p> <p><i>Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i></p>	<ol style="list-style-type: none"> 1. The Chief Executive Officer is delegated power to make donations to not for profit community organisations in accordance with s.6.12(1)(b) of the <i>Local Government Act 1995</i>. <ul style="list-style-type: none"> • Includes power to waive or reduce fees charged for the use of Shire facilities by not-for-profit community organisations. • Includes power to waive or reduce Shire fees or charges relating to development/building applications, by not-for-profit community organisations. 2. The Chief Executive Officer is delegated the power to determine sponsorship contribution to the following annual events: <ul style="list-style-type: none"> • Sheepfest <p>Sponsorship may include in-kind works by way of Shire plant and employees, and/or a direct financial allocation.</p>
Council Conditions on this Delegation:	<ol style="list-style-type: none"> 1. There being sufficient funds in the annual budget for the purpose; 2. The combined maximum value in any one financial year of any sponsorship be limited to \$1,500 per event. 3. The combined maximum value of any donation or fee reduction be limited to \$500 per event/activity.
Express Power to Sub-Delegate:	<p><i>Local Government Act 1995:</i></p> <p>s.5.44 CEO may delegate some powers and duties to other employees</p>
<p>Sub-Delegate/s:</p> <p><i>Appointed by CEO</i></p>	Manager Corporate Services
<p>CEO Conditions on this Sub-Delegation:</p> <p><i>Conditions on the original delegation also apply to the sub-delegations.</i></p>	Nil

<i>Compliance Links:</i>	<i>Local Government Act 1995</i>
<i>Record Keeping:</i>	<i>In accordance with r19 Local Government (Administration) Regulations 1996</i>

Version Control:

Adoption by Council 12 April 2022 Amended by Council 18 April 2024

11.8 REVOCATION OF DELEGATION 2.20 LEGAL REPRESENTATION AND COST INDEMNIFICATION

File Reference:	ADM058
Location:	N/A
Applicant:	N/A
Author:	Vin Fordham Lamont, Chief Executive Officer
Authorising Officer:	Vin Fordham Lamont, Chief Executive Officer
Date:	30/03/2024
Disclosure of Interest:	Nil
Attachments:	1. Delegation 2.20 ↓

SUMMARY:

Council is requested to consider revoking the following delegation to the CEO – 2.20 Legal Representation and Cost Indemnification as it is superfluous to needs.

BACKGROUND:

Section 5.42 of the *Local Government Act 1995* provides for a local government, for the purpose of improving efficiencies of decision making, to delegate some of its powers to the CEO.

Council adopted Delegation 2.20 Legal Representation and Cost Indemnification (see attached) on 12 April 2022 as part of a review of all existing delegations.

COMMENT:

A recent review of Delegation 2.20 by the CEO found that it did not make sense. There is a reference within the delegation to Policy 13, but that particular policy does not currently exist and management is unable to locate any historical policy of that number. It is difficult, therefore, to determine exactly what the delegation was trying to achieve.

If the intention was to enable the CEO to seek legal advice without reference to Council, then the delegation is not required on the following basis:

- Obtaining legal advice relevant to the day-to-day management of the local government is a CEO function under s.5.41(d) of the *Local Government Act 1995*.
 - Council determines the budget allocation for this purpose and the CEO then determines when legal advice may be required, in the context of day-to-day management, within the \$ value constraint of the budget allocation.
 - If the cost of the legal advice is outside the budget allocation, an out of budget expenditure agenda item would need to be taken to Council.
- Where a legal matter is likely to be a substantial risk to the LG or progresses from operational to strategic risk, the CEO has an obligation to advise Council under s.5.41(a) and (b), and to manage the risk in accordance with the risk management framework. This may require reporting via the Audit and Risk Committee, with recommendations subsequently to Council.

It is, therefore, recommended that Council revoke Delegation 2.20, pursuant to section 5.45(1)(b7) of the *Local Government Act 1995*, as it is surplus to requirements.

CONSULTATION:

WALGA Governance Advisor

STATUTORY ENVIRONMENT:

Local Government Act 1995

s.5.41 Functions of CEO

s.5.42 Delegation of some powers and duties to CEO

s.5.45 Other matters relevant to delegations under this Division

POLICY IMPLICATIONS:

Nil

FINANCIAL IMPLICATIONS:

Nil

STRATEGIC IMPLICATIONS:

West Arthur Community Strategic Plan

Theme: Leadership and Management

Outcome: Establish and maintain sound business and governance structures

Strategy: Comply with regulations and best practice standards to drive good decision making by Council and Staff

RISK IMPLICATIONS:

Risk management is the removal of uncertainty from business decisions. Risk is expressed in terms of likelihood it may occur and the consequences that may flow from it. The consequences may be positive or negative or simply a deviation from the expected. The risk or consequence may be related to health and safety; financial; business or service interruption; compliance; reputation; or the environment. ***Reference to the risk matrix below will generate a risk rating by assessing the likelihood and consequence and multiplying these scores by each other.*** The greater the risk rating, the greater the risk and the higher the need for specific plans to be developed. All items with a risk rating greater than 10 should be added to the Risk Register and specific controls developed.

Risk Themes:

A risk theme is the categorising of risk. For example, the collection of risks that represent compliance failure. The risk themes in the shire Risk Register include:

- Business Disruption
- Community Disruption
- IT or Communications Failure
- External Threat or Fraud
- Misconduct
- Inadequate safety or security practices
- Inadequate project or change management
- Errors Omissions or Delays
- Inadequate Document Management Processes
- Inadequate supplier / contract management
- Providing inaccurate advice / information
- Ineffective Employment practices
- Compliance failure
- Inadequate asset management
- Inadequate engagement practices
- Ineffective facility or event management

- Inadequate environmental management

Risk Matrix:

Consequence Likelihood		Insignificant	Minor	Moderate	Major	Catastrophic
		1	2	3	4	5
Almost Certain	5	Medium (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Medium (8)	High (12)	High (16)	Extreme (25)
Possible	3	Low (3)	Medium (6)	Medium (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Medium (6)	Medium (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Medium (5)

Description of Key Risk	Ineffective/superfluous documents confuse the Shire’s decision making processes.
Risk Likelihood (based on history and with existing controls)	(4) Likely
Risk Consequence	(1) Insignificant
Risk Rating (Prior to Treatment or Control): Likelihood x Consequence	(4) Low
Principal Risk Theme	Business Disruption
Risk Action Plan (Controls or Treatment Proposed)	Revoke Delegation 2.20 as recommended.

VOTING REQUIREMENTS:

Absolute Majority

OFFICER RECOMMENDATION:

That Council:

1. revoke Delegation 2.20 Legal Representation and Cost Indemnification, pursuant to section 5.45(1)(b7) of the *Local Government Act 1995*, as it is surplus to requirements; and
2. direct the CEO to update the Delegations Register and place the updated document on the Shire website.

Delegation Title:	2.20 Legal Representation and Cost Indemnification
Express Power to Delegate:	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO.
Express Power or Duty Delegated:	<i>Local Government Act 1995</i>
Delegate:	Chief Executive Officer
Function: <i>This is a precis only.</i> <i>Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	In cases where a delay in the approval of an application will be detrimental to the legal rights of the applicant, the Chief Executive Officer may exercise, on behalf of the Council, the powers of the Council under Policy 13 to a maximum of \$5,000 in respect of each application.
Council Conditions on this Delegation:	Must comply with relevant policies Legal expenses do not exceed \$5,000.00 in respect of each application. Where it is the Chief Executive Officer who is seeking urgent financial support for legal services, the Council shall deal with the application. An application approved by the CEO is to be submitted to the next ordinary meeting of Council for advice only.
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Sub-Delegate/s: <i>Appointed by CEO</i>	Nil
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	

<i>Compliance Links:</i>	
<i>Record Keeping:</i>	<i>In accordance with r19 Local Government (Administration) Regulations 1996</i>

Version Control:

Adoption by Council 12 April 2022

11.9 F9 - AUSTRALIA DAY CITIZEN OF THE YEAR AWARDS

File Reference:	ADM020
Location:	N/A
Applicant:	N/A
Author:	Sharon Bell, Community Development Officer
Authorising Officer:	Vin Fordham Lamont, Chief Executive Officer
Date:	26/03/2024
Disclosure of Interest:	Nil
Attachments:	1. F9 - Australia Day Citizen of the Year Awards ↓

SUMMARY:

Council is requested to approve a correction to the existing policy F9 – Australia Day Citizen of the Year Awards to reflect how the selection panel members will be nominated and elected.

BACKGROUND:

The purpose of the policy is to acknowledge the contribution and celebrate community engagement of people within the community of the Shire of West Arthur.

The Awards recognise individuals and organisations making a notable contribution during the current year, and/or those who have given outstanding service over a number of years.

COMMENT:

The Australia Day Committee comprises three community members, nominated and voted on by the Councillors. Under the current system, previously serving members are not permitted to serve on the committee for a second term. This has led to a severe reduction in the number of people able or willing to serve on the committee.

At the February 2024 Council Briefing Session, a discussion was held regarding the best way forward. The amended policy reflects the changes required.

CONSULTATION:

Councillors
Staff

STATUTORY ENVIRONMENT:

Local Government Act 1995

s2.7. Role of the Council

- 1) That Council –
 - a) governs the local government's affairs; and
 - b) is responsible for the performance of the local government's functions.
- 2) Without limiting subsection (1), the Council is to –
 - a) oversee the allocation of the local government's finances and resources; and
 - b) determine the local government's policies.

POLICY IMPLICATIONS:

Annual review of policy.

FINANCIAL IMPLICATIONS:

Nil

STRATEGIC IMPLICATIONS:

West Arthur: Towards 2031

Theme: Leadership and Management

Outcome: Actively engage with community, business and other stakeholders to grow and develop the community

Strategy: Continued improvement in communication with the community through various platforms that ensure all members of the community have access to information.

RISK IMPLICATIONS:

Risk management is the removal of uncertainty from business decisions. Risk is expressed in terms of likelihood it may occur and the consequences that may flow from it. The consequences may be positive or negative or simply a deviation from the expected. The risk or consequence may be related to health and safety; financial; business or service interruption; compliance; reputation; or the environment. **Reference to the risk matrix below will generate a risk rating by assessing the likelihood and consequence and multiplying these scores by each other.** The greater the risk rating, the greater the risk and the higher the need for specific plans to be developed. All items with a risk rating greater than 10 should be added to the Risk Register and specific controls developed.

Risk Themes:

A risk theme is the categorising of risk. For example, the collection of risks that represent compliance failure. The risk themes in the shire Risk Register include:

- Business Disruption
- Community Disruption
- IT or Communications Failure
- External Threat or Fraud
- Misconduct
- Inadequate safety or security practices
- Inadequate project or change management
- Errors Omissions or Delays
- Inadequate Document Management Processes
- Inadequate supplier / contract management
- Providing inaccurate advice / information
- Ineffective Employment practices
- Compliance failure
- Inadequate asset management
- Inadequate engagement practices
- Ineffective facility or event management
- Inadequate environmental management

Risk Matrix:

Consequence		Insignificant	Minor	Moderate	Major	Catastrophic
Likelihood		1	2	3	4	5
Almost Certain	5	Medium (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Medium (8)	High (12)	High (16)	Extreme (25)
Possible	3	Low (3)	Medium (6)	Medium (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Medium (6)	Medium (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Medium (5)

Description of Key Risk	Committee not assessing nominations
Risk Likelihood (based on history and with existing controls)	Possible (3)
Risk Consequence	Minor (2)
Risk Rating (Prior to Treatment or Control): Likelihood x Consequence	Medium (6)
Principal Risk Theme	Reputational
Risk Action Plan (Controls or Treatment Proposed)	Comply with policy amendments

VOTING REQUIREMENTS:

Simple Majority

OFFICER RECOMMENDATION:

That Council adopt amended policy F9 – Australia Day Citizen of the Year Awards as presented and approve its inclusion in the Policy Manual.

Policy Title	F9 - Australia Day Citizen of the Year Awards.
Policy Type	Corporate Services
Responsible Officer	Community Development Officer



Purpose

To acknowledge the contribution and celebrate community engagement of people within the community of the Shire of West Arthur.

Scope

The Awards recognise individuals and organisations that have made a notable contribution during the current year, and/or to those who have given outstanding service over a number of years.

In particular, the Shire encourages people from diverse backgrounds to consider nominating, including Aboriginal and Torres Strait Islander people, women, young people, those living with disabilities, and people from culturally diverse backgrounds.

Definitions

Recipients will have been judged to have:

- Made a significant contribution to the local community over and above what is normally expected through their paid employment/business.
- Demonstrated leadership on a community issue resulting in the enhancement of community life.
- Developed or implemented a significant initiative which has brought about positive change and added value to community life.
- Displayed inspiring qualities as a role model for the community.

Eligibility Criteria

- Nominees should reside or work principally within the Shire of West Arthur.
 - Groups of people or couples will not normally be eligible except when meeting the criteria for a community group, although a couple or pair working together on a joint initiative may be considered in an individual category at the discretion of the local selection committee.
 - A person may receive an award on more than one occasion in recognition of their particularly outstanding community contribution or involvement in an alternative initiative.
 - Unsuccessful nominees may be nominated in future years.
 - Nominations must be apolitical in their nature and should not in any way bring the awards program or local government authority into disrepute.
 - Sitting members of State, Federal and Local Government are not eligible.
-

Policy Statement

In line with the Community Citizen of the Year Awards from the Australia Day Council of Western Australia, nominations are to be sought from organisations and individuals for:

- Community Citizen of the Year
- Community Citizen of the Year (Youth)
- Community Citizen of the Year (Senior)
- Active Citizenship (group or event)

Nominations are to be in accordance with the official Australia Day Community Citizen of the Year Awards.

Judging

- One winner is to be selected for each category by a panel of three community members;
- Judging will be in accordance with the criteria published in the Australia Day WA Citizen of the Year Award Guidelines; and
- No Award is to be presented when the judges believe the nominees are not of a sufficiently high standard to receive the award.

Committee

- The committee is to consist of three (3) community members;
- The committee members will each serve three (3) years on a rotational basis;
- The community (including past members) is to nominate committee members annually;
- Council votes to approve the nominees; and
- The Community Development Officer is a non-voting member, providing secretarial support.

The Shire President, or his/her nominee, shall present the awards at the Australia Day Ceremony held annually.

History	25/05/2023 24/08/2023 18/04/2024
Delegation	Nil
Relevant Legislation	<i>Local Government Act 1995</i>
Related Documentation	Auspire – Australia Day Council of WA

12 CORPORATE SERVICES**12.1 FINANCIAL REPORTS - MARCH 2024**

File Reference:	ADM339
Location:	N/A
Applicant:	N/A
Author:	Melinda King, Manager Financial Reporting
Authorising Officer:	Rajinder Sunner, Manager Corporate Services
Date:	11/04/2024
Disclosure of Interest:	Nil
Attachments:	1. Financial Report March 2024 ↓

SUMMARY:

Council is requested to consider the financial reports for the periods ending 31 March 2024.

BACKGROUND:

The financial reports for the period ending 31 March 2024 are attached.

COMMENT:

If you have any questions regarding details in the financial reports, please contact the office before Council meeting so that sufficient time is given to research the request. This will enable the information to be provided at the Council meeting.

CONSULTATION:

Not required.

STATUTORY ENVIRONMENT:

Regulation 34 (1) of the Local Government (Financial Management) Regulations 1996 states that a Local Government is to prepare each month a statement of financial activity reporting on the revenue and expenditure, as set out in the annual budget under regulation 22(1)(d), for the previous month (the relevant month) in the following detail —

- (a) annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c); and
- (b) budget estimates to the end of the relevant month and
- (c) actual amounts of expenditure, revenue and income to the end of the relevant month and
- (d) material variances between the comparable amounts referred to in paragraphs (b) and (c); and
- (e) the net current assets at the end of the relevant month, and a note containing a summary explaining the composition of the net existing assets.

POLICY IMPLICATIONS:

Nil

FINANCIAL IMPLICATIONS:

There are no financial implications. Reported income and expenditure will be assessed by management as being consistent with the 2023/24 Annual Budget.

STRATEGIC IMPLICATIONS:

West Arthur Towards 2031

Theme: Leadership and Management

Outcome: Establish and maintain sound business and governance structures

Strategy: Ensure that the local community is provided with value for money through the prudent expenditure of rates

RISK IMPLICATIONS:

Risk management is the removal of uncertainty from business decisions. Risk is expressed in terms of likelihood it may occur and the consequences that may flow from it. The consequences may be positive or negative or simply a deviation from the expected. The risk or consequence may be related to health and safety; financial; business or service interruption; compliance; reputation; or the environment. **Reference to the risk matrix below will generate a risk rating by assessing the likelihood and consequence and multiplying these scores by each other.** The greater the risk rating, the greater the risk and the higher the need for specific plans to be developed. All items with a risk rating greater than 10 should be added to the Risk Register and specific controls developed.

Risk Themes:

A risk theme is the categorising of risk. For example, the collection of risks that represent compliance failure. The risk themes in the shire Risk Register include:

- Business Disruption
- Community Disruption
- IT or Communications Failure
- External Threat or Fraud
- Misconduct
- Inadequate safety or security practices
- Inadequate project or change management
- Errors Omissions or Delays
- Inadequate Document Management Processes
- Inadequate supplier / contract management
- Providing inaccurate advice / information
- Ineffective Employment practices
- Compliance failure
- Inadequate asset management
- Inadequate engagement practices
- Ineffective facility or event management
- Inadequate environmental management

Risk Matrix:

Consequence		Insignificant	Minor	Moderate	Major	Catastrophic
Likelihood		1	2	3	4	5
Almost Certain	5	Medium (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Medium (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Medium (6)	Medium (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Medium (6)	Medium (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Medium (5)

Description of Key Risk	Not preparing monthly financial statement which affects Council’s ability to oversee the Shire’s financial management.
Risk Likelihood (based on history and with existing controls)	Rare (1)
Risk Consequence	Minor (2)
Risk Rating (Prior to Treatment or Control): Likelihood x Consequence	Low (2)
Principal Risk Theme	Compliance failure
Risk Action Plan (Controls or Treatment Proposed)	Prepare monthly financial statements for the Council.

VOTING REQUIREMENTS:

Simple Majority

OFFICER RECOMMENDATION:

That Council accepts the financial reports for the period ending 31 March 2024 as presented.

SHIRE OF WEST ARTHUR
MONTHLY FINANCIAL REPORT
(Containing the required statement of financial activity and statement of financial position)
For the period ended 31 March 2024

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

TABLE OF CONTENTS

Statements required by regulation

Statement of Financial Activity	2
Statement of Financial Position	3
Note 1 Basis of Preparation	4
Note 2 Statement of Financial Activity Information	5
Note 3 Explanation of Material Variances	6

**SHIRE OF WEST ARTHUR
STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 MARCH 2024**

	Supplementary Information	Adopted Budget Estimates (a) \$	YTD Budget Estimates (b) \$	YTD Actual (c) \$	Variance* \$ (c) - (b)	Variance* % ((c) - (b))/(b)	Var.
OPERATING ACTIVITIES							
Revenue from operating activities							
General rates	10	1,998,156	1,998,156	1,997,237	(919)	(0.05%)	
Grants, subsidies and contributions	13	417,215	273,941	292,737	18,796	6.86%	▲
Fees and charges		336,840	274,459	258,882	(15,577)	(5.68%)	▼
Interest revenue		201,900	124,502	127,064	2,562	2.06%	
Other revenue		109,470	43,577	70,614	27,037	62.04%	▲
Profit on asset disposals	6	11,124	2,534	0	(2,534)	(100.00%)	▼
		3,074,705	2,717,169	2,746,534	29,365	1.08%	
Expenditure from operating activities							
Employee costs		(2,169,272)	(1,618,076)	(1,592,475)	25,601	1.58%	▲
Materials and contracts		(1,416,780)	(1,054,364)	(993,742)	60,622	5.75%	▲
Utility charges		(118,152)	(88,614)	(87,492)	1,122	1.27%	
Depreciation		(2,269,487)	(471,407)	(512,054)	(40,647)	(8.62%)	▼
Finance costs		(27,016)	(19,323)	(19,323)	0	0.00%	
Insurance		(130,039)	(130,039)	(122,840)	7,199	5.54%	
Other expenditure		(65,800)	(26,850)	(23,831)	3,019	11.24%	▲
Loss on asset disposals	6	(5,034)	0	(3,516)	(3,516)	0.00%	
		(6,201,580)	(3,408,673)	(3,355,273)	53,400	1.57%	
Non-cash amounts excluded from operating activities	Note 2(b)	2,635,656	413,459	460,156	46,697	11.29%	▲
Amount attributable to operating activities		(491,219)	(278,045)	(148,583)	129,462	46.56%	
INVESTING ACTIVITIES							
Inflows from investing activities							
Proceeds from capital grants, subsidies and contributions	14	1,310,628	669,916	671,744	1,828	0.27%	
Proceeds from disposal of assets	6	125,000	35,000	29,091	(5,909)	(16.88%)	▼
Proceeds from financial assets at amortised cost - self supporting loans		30,007	22,475	22,475	0	0.00%	
		1,465,635	727,391	723,310	(4,081)	(0.56%)	
Outflows from investing activities							
Payments for property, plant and equipment	5	(1,419,371)	(856,942)	(808,161)	48,781	5.69%	▲
Payments for construction of infrastructure	5	(1,564,245)	(948,139)	(902,148)	45,991	4.85%	▲
		(2,983,616)	(1,805,081)	(1,710,309)	94,772	5.25%	
Amount attributable to investing activities		(1,517,981)	(1,077,690)	(986,999)	90,691	8.42%	
FINANCING ACTIVITIES							
Inflows from financing activities							
Proceeds from new debentures	11	150,000	0	0	0	0.00%	
Transfer from reserves	4	1,146,546	0	0	0	0.00%	
		1,296,546	0	0	0	0.00%	
Outflows from financing activities							
Repayment of borrowings	11	(125,119)	(88,515)	(88,515)	0	0.00%	
Transfer to reserves	4	(478,654)	(84,652)	(85,793)	(1,141)	(1.35%)	
		(603,773)	(173,167)	(174,308)	(1,141)	(0.66%)	
Amount attributable to financing activities		692,773	(173,167)	(174,308)	(1,141)	(0.66%)	
MOVEMENT IN SURPLUS OR DEFICIT							
Surplus or deficit at the start of the financial year		1,688,686	1,688,686	1,753,939	65,253	3.86%	▲
Amount attributable to operating activities		(491,219)	(278,045)	(148,583)	129,462	46.56%	▲
Amount attributable to investing activities		(1,517,981)	(1,077,690)	(986,999)	90,691	8.42%	▲
Amount attributable to financing activities		692,773	(173,167)	(174,308)	(1,141)	(0.66%)	
Surplus or deficit after imposition of general rates		372,259	159,784	444,049	284,265	177.91%	▲

KEY INFORMATION

▲ ▼ Indicates a variance between Year to Date (YTD) Budget and YTD Actual data as per the adopted materiality threshold.

* Refer to Note 3 for an explanation of the reasons for the variance.

This statement is to be read in conjunction with the accompanying Financial Statements and Notes.

**SHIRE OF WEST ARTHUR
STATEMENT OF FINANCIAL POSITION
FOR THE PERIOD ENDED 31 MARCH 2024**

	Supplementary Information	30 June 2024 \$	31 March 2024 \$
CURRENT ASSETS			
Cash and cash equivalents	3	4,257,269	3,378,740
Trade and other receivables		358,547	282,288
Other financial assets		30,007	7,532
Inventories	8	84,985	84,985
Assets classified as held for sale		65,107	65,107
TOTAL CURRENT ASSETS		4,795,915	3,818,652
NON-CURRENT ASSETS			
Other financial assets		340,484	340,484
Property, plant and equipment		19,680,290	19,943,790
Infrastructure		115,289,607	116,191,755
TOTAL NON-CURRENT ASSETS		135,310,381	136,476,029
TOTAL ASSETS		140,106,296	140,294,681
CURRENT LIABILITIES			
Trade and other payables	9	235,168	139,287
Other liabilities	12	7,336	317,112
Borrowings	11	125,119	36,604
Employee related provisions	12	310,426	310,426
TOTAL CURRENT LIABILITIES		678,049	803,429
NON-CURRENT LIABILITIES			
Borrowings	11	561,137	561,137
Employee related provisions		11,941	11,941
TOTAL NON-CURRENT LIABILITIES		573,078	573,078
TOTAL LIABILITIES		1,251,127	1,376,507
NET ASSETS		138,855,169	138,918,174
EQUITY			
Retained surplus		10,500,426	10,477,638
Reserve accounts	4	2,754,878	2,840,671
Revaluation surplus		125,599,865	125,599,865
TOTAL EQUITY		138,855,169	138,918,174

This statement is to be read in conjunction with the accompanying notes.

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 MARCH 2024**

1 BASIS OF PREPARATION AND SIGNIFICANT ACCOUNTING POLICIES

<p>BASIS OF PREPARATION</p> <p>This prescribed financial report has been prepared in accordance with the <i>Local Government Act 1995</i> and accompanying regulations.</p> <p>Local Government Act 1995 requirements <i>Section 6.4(2) of the Local Government Act 1995</i> read with the <i>Local Government (Financial Management) Regulations 1996</i>, prescribe that the financial report be prepared in accordance with the <i>Local Government Act 1995</i> and, to the extent that they are not inconsistent with the Act, the Australian Accounting Standards. The Australian Accounting Standards (as they apply to local governments and not-for-profit entities) and Interpretations of the Australian Accounting Standards Board were applied where no inconsistencies exist.</p> <p>The <i>Local Government (Financial Management) Regulations 1996</i> specify that vested land is a right-of-use asset to be measured at cost, and is considered a zero cost concessionary lease. All right-of-use assets under zero cost concessionary leases are measured at zero cost rather than at fair value, except for vested improvements on concessionary land leases such as roads, buildings or other infrastructure which continue to be reported at fair value, as opposed to the vested land which is measured at zero cost. The measurement of vested improvements at fair value is a departure from AASB 16 which would have required the Shire to measure any vested improvements at zero cost.</p> <p><i>Local Government (Financial Management) Regulations 1996</i>, regulation 34 prescribes contents of the financial report. Supporting information does not form part of the financial report.</p> <p>Accounting policies which have been adopted in the preparation of this financial report have been consistently applied unless stated otherwise. Except for cash flow and rate setting information, the financial report has been prepared on the accrual basis and is based on historical costs, modified, where applicable, by the measurement at fair value of selected non-current assets, financial assets and liabilities.</p>	<p>THE LOCAL GOVERNMENT REPORTING ENTITY</p> <p>All funds through which the Shire controls resources to carry on its functions have been included in the financial statements forming part of this financial report.</p> <p>All monies held in the Trust Fund are excluded from the financial statements. A separate statement of those monies appears at Note 15 to these financial statements.</p> <p>Judgements and estimates</p> <p>The preparation of a financial report in conformity with Australian Accounting Standards requires management to make judgements, estimates and assumptions that effect the application of policies and reported amounts of assets and liabilities, income and expenses.</p> <p>The estimates and associated assumptions are based on historical experience and various other factors believed to be reasonable under the circumstances; the results of which form the basis of making the judgements about carrying values of assets and liabilities that are not readily apparent from other sources. Actual results may differ from these estimates.</p> <p>The balances, transactions and disclosures impacted by accounting estimates are as follows:</p> <ul style="list-style-type: none"> • estimated fair value of certain financial assets • impairment of financial assets • estimation of fair values of land and buildings, infrastructure and investment property • estimation uncertainties made in relation to lease accounting • estimated useful life of intangible assets <p>SIGNIFICANT ACCOUNTING POLICES</p> <p>Significant accounting policies utilised in the preparation of these statements are as described within the 2023-24 Annual Budget. Please refer to the adopted budget document for details of these policies.</p> <p>PREPARATION TIMING AND REVIEW</p> <p>Date prepared: All known transactions up to 10 April 2024</p>
--	---

**SHIRE OF WEST ARTHUR
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 MARCH 2024**

2 STATEMENT OF FINANCIAL ACTIVITY INFORMATION

(a) Net current assets used in the Statement of Financial Activity	Supplementary Information	Adopted Budget	Last Year	Year to Date
		Opening 30 June 2023	Closing 30 June 2023	31 March 2024
Current assets		\$	\$	\$
Cash and cash equivalents	3	4,257,269	4,257,269	3,378,740
Trade and other receivables		358,809	358,547	282,288
Other financial assets		30,007	30,007	7,532
Inventories	8	14,985	84,985	84,985
Assets classified as held for sale		0	65,107	65,107
		4,661,070	4,795,915	3,818,652
Less: current liabilities				
Trade and other payables	9	(236,163)	(235,168)	(139,287)
Other liabilities	12	(6,750)	(7,336)	(317,112)
Borrowings	11	(125,119)	(125,119)	(36,604)
Employee related provisions	12	(316,845)	(310,426)	(310,426)
		(684,877)	(678,049)	(803,429)
Net current assets		3,976,193	4,117,866	3,015,223
Less: Total adjustments to net current assets	Note 2(c)	(2,287,507)	(2,363,927)	(2,571,174)
Closing funding surplus / (deficit)		1,688,686	1,753,939	444,049

(b) Non-cash amounts excluded from operating activities

The following non-cash revenue and expenditure has been excluded from operating activities within the Statement of Financial Activity in accordance with *Financial Management Regulation 32*.

Non-cash amounts excluded from operating activities	Adopted Budget	YTD Budget (a)	YTD Actual (b)
	\$	\$	\$
Adjustments to operating activities			
Less: Profit on asset disposals	6	(11,124)	(2,534)
Add: Loss on asset disposals	6	5,034	0
Add: Depreciation		2,269,487	471,407
Movement in current employee provisions associated with restricted cash		0	(55,414)
- Employee provisions		372,259	0
Total non-cash amounts excluded from operating activities		2,635,656	413,459

(c) Current assets and liabilities excluded from budgeted deficiency

The following current assets and liabilities have been excluded from the net current assets used in the Statement of Financial Activity in accordance with *Financial Management Regulation 32* to agree to the surplus/(deficit) after imposition of general rates.

Adjustments to net current assets	Adopted Budget	Last Year	Year to Date
	Opening 30 June 2023	Closing 30 June 2023	31 March 2024
	\$	\$	\$
Less: Reserve accounts	4	(2,754,878)	(2,754,878)
Less: Financial assets at amortised cost - self supporting loans	8	(30,007)	(30,007)
- Current financial assets at amortised cost - self supporting loans			
- Land held for resale			(70,000)
Add: Current liabilities not expected to be cleared at the end of the year:			
- Current portion of borrowings	11	125,119	125,119
- Employee Benefit Provision		372,259	365,839
Total adjustments to net current assets	Note 2(a)	(2,287,507)	(2,363,927)

CURRENT AND NON-CURRENT CLASSIFICATION

In the determination of whether an asset or liability is current or non-current, consideration is given to the time when each asset or liability is expected to be settled. Unless otherwise stated assets or liabilities are classified as current if expected to be settled within the next 12 months, being the Council's operational cycle.

**SHIRE OF WEST ARTHUR
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 MARCH 2024**

3 EXPLANATION OF MATERIAL VARIANCES

The material variance thresholds are adopted annually by Council as an indicator of whether the actual expenditure or revenue varies from the year to date actual materially.
The material variance adopted by Council for the 2023-24 year is \$10,000 or 10.00% whichever is the greater.

Description	Var. \$	Var. %	
	\$	%	
Revenue from operating activities			
Grants, subsidies and contributions	18,796	6.86%	▲
Australia Day grant funding greater than budget. \$11,000			
DFES ESL funding greater than budget. \$6,000			
Fees and charges	(15,577)	(5.68%)	▼
Caravan Park income is below budget		Permanent	
Other revenue	27,037	62.04%	▲
Reimbursements of employee costs above budget \$14,480		Permanent	
Reimbursement of legal costs above budget \$14,182			
Profit on asset disposals	(2,534)	(100.00%)	▼
Proceeds on sale of works manager vehicle below budget (offset by purchase of new vehicle also below budget)			
Expenditure from operating activities			
Employee costs	25,601	1.58%	▲
Employee costs below budget year to date.		Timing	
Materials and contracts	60,622	5.75%	▲
Fire brigade expenditure is greater than budget. \$23,990	(23,990)	Permanent	
Plant operation costs are greater than year to date budget. \$43,000	(43,000)	Permanent	
Bridge maintenance greater due to reallocation of project LRCI 4. \$49,493	(49,493)	Permanent	
Rates collection expenditure is greater than budget. Offset by income. \$14,367	(14,367)	Permanent	
Public relations, civic functions are greater than budget. Australia Day grant funded.	(10,000)	Permanent	
Several accounts are below budget year to date. Non reportable variances.		Timing	
Depreciation	(40,647)	(8.62%)	▼
Depreciation will be above budget this year due to greater plant depreciation and revaluation of assets.		Permanent	
Other expenditure	3,019	11.24%	▲
Minor variances			
Non-cash amounts excluded from operating activities	46,697	11.29%	▲
Due to depreciation variance		Permanent	
Inflows from investing activities			
Proceeds from disposal of assets	(5,909)	(16.88%)	▼
Proceeds on sale of works manager vehicle below budget (offset by purchase of new vehicle also below budget)		Permanent	
Outflows from investing activities			
Payments for property, plant and equipment	48,781	5.69%	▲
Purchase of works manager vehicle below budget \$8,699.		Permanent	
Kubota skid steer purchase below budget. Plant not traded. \$29,875			
Payments for construction of infrastructure	45,991	4.85%	▲
Reallocation of LRCI 4 funds to bridge maintenance.		Permanent	
Surplus or deficit at the start of the financial year	65,253	3.86%	▲
Variance is due to recognition of land and buildings held for resale at year end.			
Surplus or deficit after imposition of general rates	284,265	177.91%	▲
Due to variances described above			

SHIRE OF WEST ARTHUR
SUPPLEMENTARY INFORMATION
TABLE OF CONTENTS

1	Key Information	9
2	Key Information - Graphical	10
3	Cash and Financial Assets	11
4	Reserve Accounts	12
5	Capital Acquisitions	13
6	Disposal of Assets	15
7	Receivables	16
8	Other Current Assets	17
9	Payables	18
10	Rate Revenue	19
11	Borrowings	20
12	Other Current Liabilities	21
13	Grants and contributions	22
14	Capital grants and contributions	23
15	Trust Fund	24
16	Budget Amendments	25

**SHIRE OF WEST ARTHUR
SUPPLEMENTARY INFORMATION
FOR THE PERIOD ENDED 31 MARCH 2024**

1 KEY INFORMATION

Funding Surplus or Deficit Components

Funding surplus / (deficit)				
	Adopted Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)
Opening	\$1.69 M	\$1.69 M	\$1.75 M	\$0.07 M
Closing	\$0.37 M	\$0.16 M	\$0.44 M	\$0.28 M

Refer to Statement of Financial Activity

Cash and cash equivalents		
	\$3.38 M	% of total
Unrestricted Cash	\$0.54 M	15.9%
Restricted Cash	\$2.84 M	84.1%

Refer to 3 - Cash and Financial Assets

Payables		\$0.14 M	% Outstanding
Trade Payables	\$0.04 M		
0 to 30 Days			80.6%
Over 30 Days			19.4%
Over 90 Days			0.0%

Refer to 9 - Payables

Receivables		
	\$0.06 M	% Collected
Rates Receivable	\$0.22 M	86.1%
Trade Receivable	\$0.06 M	% Outstanding
Over 30 Days		96.5%
Over 90 Days		96.2%

Refer to 7 - Receivables

Key Operating Activities

Amount attributable to operating activities			
Adopted Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)
(\$0.49 M)	(\$0.28 M)	(\$0.15 M)	\$0.13 M

Refer to Statement of Financial Activity

Rates Revenue		
YTD Actual	\$2.00 M	% Variance
YTD Budget	\$2.00 M	(0.0%)

Refer to 10 - Rate Revenue

Grants and Contributions		
YTD Actual	\$0.29 M	% Variance
YTD Budget	\$0.27 M	6.9%

Refer to 13 - Grants and Contributions

Fees and Charges		
YTD Actual	\$0.26 M	% Variance
YTD Budget	\$0.27 M	(5.7%)

Refer to Statement of Financial Activity

Key Investing Activities

Amount attributable to investing activities			
Adopted Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)
(\$1.52 M)	(\$1.08 M)	(\$0.99 M)	\$0.09 M

Refer to Statement of Financial Activity

Proceeds on sale		
YTD Actual	\$0.03 M	%
Adopted Budget	\$0.13 M	23.3%

Refer to 6 - Disposal of Assets

Asset Acquisition		
YTD Actual	\$0.90 M	% Spent
Adopted Budget	\$1.56 M	57.7%

Refer to 5 - Capital Acquisitions

Capital Grants		
YTD Actual	\$0.67 M	% Received
Adopted Budget	\$1.31 M	51.3%

Refer to 5 - Capital Acquisitions

Key Financing Activities

Amount attributable to financing activities			
Adopted Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)
\$0.69 M	(\$0.17 M)	(\$0.17 M)	(\$0.00 M)

Refer to Statement of Financial Activity

Borrowings	
Principal repayments	(\$0.09 M)
Interest expense	(\$0.02 M)
Principal due	\$0.60 M

Refer to 11 - Borrowings

Reserves	
Reserves balance	\$2.84 M
Interest earned	\$0.09 M

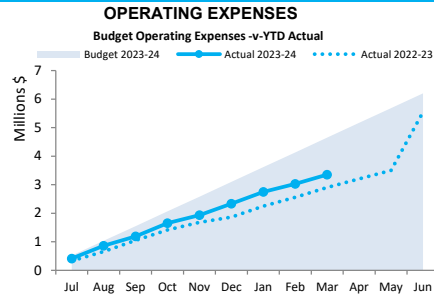
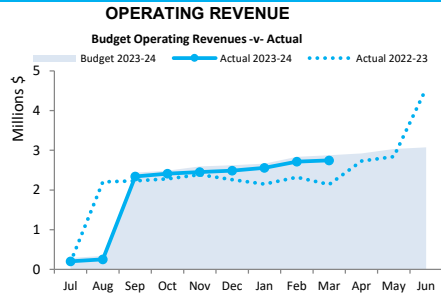
Refer to 4 - Cash Reserves

This information is to be read in conjunction with the accompanying Financial Statements and notes.

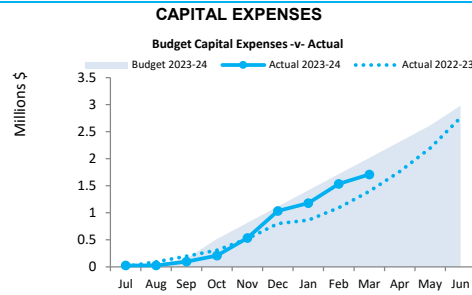
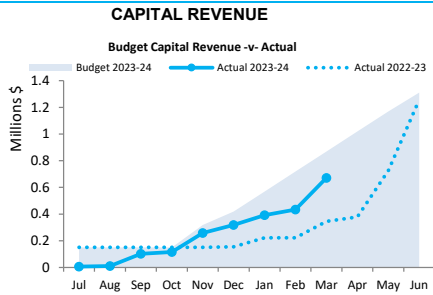
**SHIRE OF WEST ARTHUR
SUPPLEMENTARY INFORMATION
FOR THE PERIOD ENDED 31 MARCH 2024**

2 KEY INFORMATION - GRAPHICAL

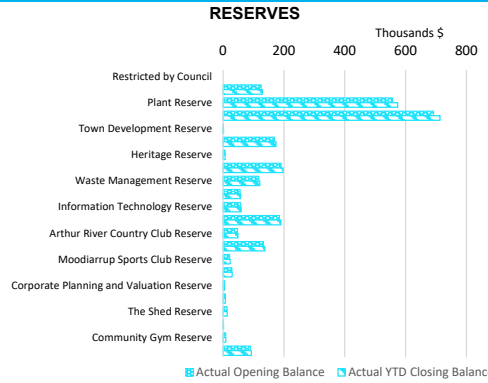
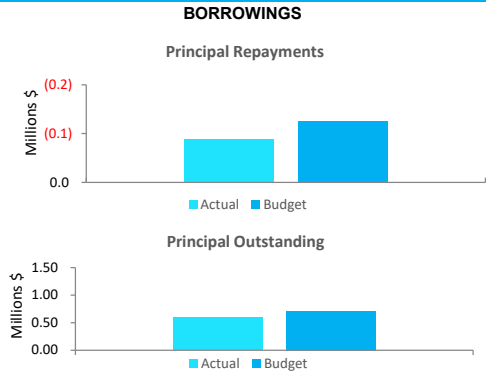
OPERATING ACTIVITIES



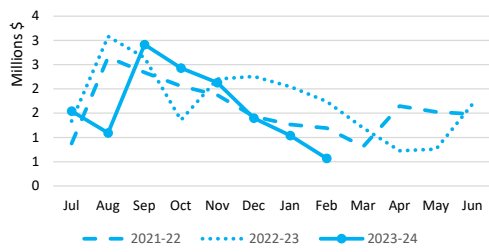
INVESTING ACTIVITIES



FINANCING ACTIVITIES



Closing funding surplus / (deficit)



This information is to be read in conjunction with the accompanying Financial Statements and Notes.

**SHIRE OF WEST ARTHUR
SUPPLEMENTARY INFORMATION
FOR THE PERIOD ENDED 31 MARCH 2024**

3 CASH AND FINANCIAL ASSETS

Description	Classification	Unrestricted \$	Restricted \$	Total Cash \$	Trust \$	Institution	Interest Rate	Maturity Date
Municipal cash at bank	Cash and cash equivalents	137,934	0	137,934	0	NAB	0.01%	N/A
Municipal cash at bank - CM	Cash and cash equivalents	400,000	0	400,000	0	NAB	2.55%	N/A
Reserve - CM	Cash and cash equivalents	35	18,717	18,752	0	NAB	2.55%	N/A
Trust	Cash and cash equivalents	0	0	0	184	NAB	0.01%	N/A
Trust - CM	Cash and cash equivalents	0	0	0	5,519	NAB	2.55%	N/A
Cash on hand	Cash and cash equivalents	100	0	100	0	CASH	0.01%	N/A
Reserve	Cash and cash equivalents	0	600,000	600,000	0	NAB	5.05%	17/5/2024
Reserve	Cash and cash equivalents	0	2,065,992	2,065,992	0	BOQ	5.00%	28/6/2024
Reserve	Cash and cash equivalents	0	155,962	155,962	0	NAB	5.10%	2/4/2024
Trust	Cash and cash equivalents	0	0	0	68,000	NAB	5.10%	2/4/2024
Total		538,069	2,840,671	3,378,740	73,703			
Comprising								
Cash and cash equivalents		538,069	2,840,671	3,378,740	73,703			
		538,069	2,840,671	3,378,740	73,703			

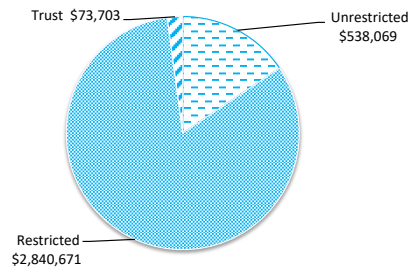
KEY INFORMATION

Cash and cash equivalents include cash on hand, cash at bank, deposits available on demand with banks and other short term highly liquid investments with original maturities of three months or less that are readily convertible to known amounts of cash and which are subject to an insignificant risk of changes in value. Bank overdrafts are reported as short term borrowings in current liabilities in the statement of net current assets.

The local government classifies financial assets at amortised cost if both of the following criteria are met:

- the asset is held within a business model whose objective is to collect the contractual cashflows, and
- the contractual terms give rise to cash flows that are solely payments of principal and interest.

Financial assets at amortised cost held with registered financial institutions are listed in this note other financial assets at amortised cost are provided in Note 4 - Other a



**SHIRE OF WEST ARTHUR
SUPPLEMENTARY INFORMATION
FOR THE PERIOD ENDED 31 MARCH 2024**

4 RESERVE ACCOUNTS

Reserve name	Budget	Budget	Budget	Budget	Budget	Actual	Actual	Actual	Actual	Actual
	Opening	Interest	Transfers	Transfers	Closing	Opening	Interest	Transfers In	Transfer	YTD
	Balance	Earned	In (+)	Out (-)	Balance	Balance	Earned	(+)	s Out (-)	Closing
	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
Restricted by Council										
Leave Reserve	125,105	5,972	0	0	131,077	125,105	3,896	0	0	129,001
Plant Reserve	556,751	26,577	300,000	(376,926)	506,402	556,751	17,338	0	0	574,089
Building Reserve	691,759	33,021	0	(694,620)	30,160	691,759	21,543	0	0	713,302
Town Development Reserve	1,578	75	0	0	1,653	1,578	49	0	0	1,627
Recreation Reserve	168,617	8,049	0	0	176,666	168,617	5,251	0	0	173,868
Heritage Reserve	6,563	313	150	0	7,026	6,563	204	0	0	6,767
Community Housing Reserve	191,208	9,127	1,000	(1,000)	200,335	191,208	5,955	0	0	197,163
Waste Management Reserve	117,002	5,585	0	(35,000)	87,587	117,002	3,644	0	0	120,646
Darkan Swimming Pool Reserve	55,826	2,665	5,000	0	63,491	55,826	1,739	0	0	57,565
Information Technology Reserve	57,723	2,755	0	(25,000)	35,478	57,723	1,798	0	0	59,521
Darkan Sport and Community Centre Reserve	184,875	8,825	30,000	0	223,700	184,875	5,757	0	0	190,632
Arthur River Country Club Reserve	47,461	2,266	0	0	49,727	47,461	1,478	0	0	48,939
Museum Reserve	132,904	6,344	6,000	(5,000)	140,248	132,904	4,139	0	0	137,043
Moodiarrup Sports Club Reserve	22,156	1,058	5,000	0	28,214	22,156	690	0	0	22,846
Landcare Reserve	29,067	1,388	0	(5,000)	25,455	29,067	905	0	0	29,972
Corporate Planning and Valuation Reserve	4,596	219	0	0	4,815	4,596	143	0	0	4,739
Kids Central Reserve	7,088	338	0	(2,000)	5,426	7,088	221	0	0	7,309
The Shed Reserve	13,103	625	0	0	13,728	13,103	408	0	0	13,511
Recreation Trails Reserve	1,258	60	0	0	1,318	1,258	39	0	0	1,297
Community Gym Reserve	8,558	409	0	(2,000)	6,967	8,558	267	0	0	8,825
Economic Development Reserve	89,885	4,291	0	0	94,176	89,885	2,799	0	0	92,684
Road Reserve	241,795	11,542	0	0	253,337	241,795	7,530	0	0	249,325
	2,754,878	131,504	347,150	(1,146,546)	2,086,986	2,754,878	85,793	0	0	2,840,671

**SHIRE OF WEST ARTHUR
SUPPLEMENTARY INFORMATION
FOR THE PERIOD ENDED 31 MARCH 2024**

INVESTING ACTIVITIES

5 CAPITAL ACQUISITIONS

Capital acquisitions	Adopted		YTD Actual	YTD Actual Variance
	Budget	YTD Budget		
	\$	\$	\$	\$
Land - freehold land	120,620	36,500	35,871	(629)
Buildings - non-specialised	606,000	411,500	409,530	(1,970)
Buildings - specialised	25,000	15,070	15,070	0
Furniture and equipment	188,000	30,500	30,551	51
Plant and equipment	479,751	363,372	317,139	(46,233)
Acquisition of property, plant and equipment	1,419,371	856,942	808,161	(48,781)
Infrastructure - roads	1,153,551	862,862	865,006	2,144
Infrastructure - Other	410,694	85,277	37,142	(48,135)
Acquisition of infrastructure	1,564,245	948,139	902,148	(45,991)
Total capital acquisitions	2,983,616	1,805,081	1,710,309	(94,772)
Capital Acquisitions Funded By:				
Capital grants and contributions	1,310,628	669,916	671,744	1,828
Borrowings	150,000	0	0	0
Other (disposals & C/Fwd)	125,000	35,000	29,091	(5,909)
Reserve accounts				
Plant Reserve	376,926	0	0	0
Building Reserve	694,620	0	0	0
Community Housing Reserve	1,000	0	0	0
Waste Management Reserve	35,000	0	0	0
Information Technology Reserve	25,000	0	0	0
Museum Reserve	5,000	0	0	0
Landcare Reserve	5,000	0	0	0
Kids Central Reserve	2,000	0	0	0
Community Gym Reserve	2,000	0	0	0
Contribution - operations	251,442	1,100,165	1,009,474	(90,691)
Capital funding total	2,983,616	1,805,081	1,710,309	(94,772)

SIGNIFICANT ACCOUNTING POLICIES

Each class of fixed assets within either plant and equipment or infrastructure, is carried at cost or fair value as indicated less, where applicable, any accumulated depreciation and impairment losses.

Assets for which the fair value as at the date of acquisition is under \$5,000 are not recognised as an asset in accordance with *Financial Management Regulation 17A (5)*. These assets are expensed immediately.

Where multiple individual low value assets are purchased together as part of a larger asset or collectively forming a larger asset exceeding the threshold, the individual assets are recognised as one asset and capitalised.

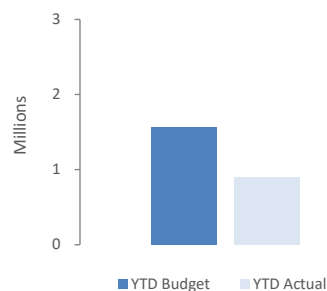
Initial recognition and measurement for assets held at cost

Plant and equipment including furniture and equipment is recognised at cost on acquisition in accordance with *Financial Management Regulation 17A*. Where acquired at no cost the asset is initially recognise at fair value. Assets held at cost are depreciated and assessed for impairment annually.

Initial recognition and measurement between mandatory revaluation dates for assets held at fair value

In relation to this initial measurement, cost is determined as the fair value of the assets given as consideration plus costs incidental to the acquisition. For assets acquired at zero cost or otherwise significantly less than fair value, cost is determined as fair value at the date of acquisition. The cost of non-current assets constructed by the Shire includes the cost of all materials used in construction, direct labour on the project and an appropriate proportion of variable and fixed overheads.

Payments for Capital Acquisitions



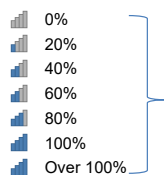
SHIRE OF WEST ARTHUR
SUPPLEMENTARY INFORMATION
FOR THE PERIOD ENDED 31 MARCH 2024

INVESTING ACTIVITIES

5 CAPITAL ACQUISITIONS - DETAILED

Capital expenditure total

Level of completion indicators



Percentage Year to Date Actual to Annual Budget expenditure where the expenditure over budget highlighted in red.

Level of completion indicator, please see table at the end of this note for further detail.

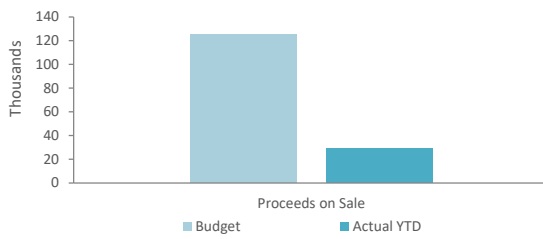
		Adopted			Variance	
		Budget	YTD Budget	YTD Actual	(Under)/Over	
	Account Description					
	E168822	New ERP and EDRMS	(175,000)	(30,500)	(30,551)	51
	E168823	CCTV System - Railway Reserve	(13,000)	0	0	0
	E168522	Burrowes Street West - subdivision	(43,500)	(25,000)	(24,073)	-927
	E168523	Land Acquisition and Development	(41,120)	(4,000)	(3,880)	-120
	E168524	4WDL Key worker housing	(6,500)	(6,500)	(6,500)	0
	E168525	Industrial Land Growden Place headworks, elec, survey	(36,000)	(7,500)	(7,919)	419
	E168519	Staff housing improvements/renovations	(90,000)	0	0	0
	E168520	New staff house	(509,500)	(405,000)	(403,030)	-1970
	E168521	Record Storage - Shire Depot	(25,000)	(15,070)	(15,070)	0
	E167940	Hillman Reserve Walk trail	(13,517)	(10,500)	(10,358)	-142
	E167941	New playground equipment	(140,000)	(11,000)	(11,000)	0
	E167942	Lake Towerrinning easement	(22,800)	0	0	0
	E167943	Access track - Hillman Reserve	(170,000)	(200)	(199)	-1
	E167944	EV charging station	(16,300)	(15,500)	(15,585)	85
		Unallocated LRCI project	(48,077)	(48,077)	0	-48077
	Plant & Equipment					
	E167835	Kubota Skid Steer	(160,000)	(160,000)	(130,125)	-29875
	E167836	Gardener's Truck	(70,000)	0	0	0
	E167837	Rotary Axe Slasher	(28,000)	(28,000)	(30,500)	2500
	E167838	2016 Holden Rodeo Grader Ute	(35,000)	0	0	0
	E167839	Works Manager Ute	(53,000)	(53,000)	(44,301)	-8699
	E167840	New compressor for workshop	(11,379)	0	0	0
	E167841	Workshop Mobile Column Hoist	(43,900)	(43,900)	(39,991)	-3909
	E167842	Workshop Scan Tools	(14,541)	(14,541)	(13,068)	-1473
	E167843	Oil Reels, Pumps and Bulk Waste Oil	(23,106)	(23,106)	(19,704)	-3402
	E167844	Depot Oil Storage	(13,000)	(13,000)	(11,625)	-1375
	E167845	3 x Fast Fill Trailer for Bush Fire Brigades	(27,825)	(27,825)	(27,825)	0
	E168908	Boyup Brook Arthur Road	(406,062)	(406,062)	(409,283)	3221
	E168909	Darkan Williams Road	(147,930)	(100,000)	(99,293)	-707
	E168910	Cordering North Road	(245,997)	(240,000)	(238,876)	-1124
	E168911	Beaufort road	(74,903)	(60,000)	(59,557)	-443
	E168912	Clarke Road	(153,329)	(8,500)	(8,655)	155
	E168913	Darkan South	(43,500)	(35,000)	(35,609)	
	Infrastructure - Other					
	E168914	Old tennis court - removal	(20,839)	(13,000)	(13,448)	448
	E168915	Caravan park intersection	(10,991)	0	0	0
	E168916	Landfill management	(35,000)	0	0	0
	E168917	Dump point - information bay	(15,000)	(300)	(285)	-15
			(2,983,616)	(1,805,081)	(1,710,310)	(95,380)

**SHIRE OF WEST ARTHUR
SUPPLEMENTARY INFORMATION
FOR THE PERIOD ENDED 31 MARCH 2024**

OPERATING ACTIVITIES

6 DISPOSAL OF ASSETS

Asset Ref.	Asset description	Budget				YTD Actual			
		Net Book Value	Proceeds	Profit	(Loss)	Net Book Value	Proceeds	Profit	(Loss)
		\$	\$	\$	\$	\$	\$	\$	\$
Land - freehold land									
	Industrial land Growden Place	46,000	50,000	4,000	0	0	0	0	0
Plant and equipment									
	Kubota Skid Steer	35,034	30,000	0	(5,034)	0	0	0	0
	Gardeners Truck	4,360	5,000	640	0	0	0	0	0
	Holden Rodeo	1,050	5,000	3,950	0	0	0	0	0
	Works Manager Vehicle	32,466	35,000	2,534	0	32,607	29,091	0	(3,516)
		118,910	125,000	11,124	(5,034)	32,607	29,091	0	(3,516)



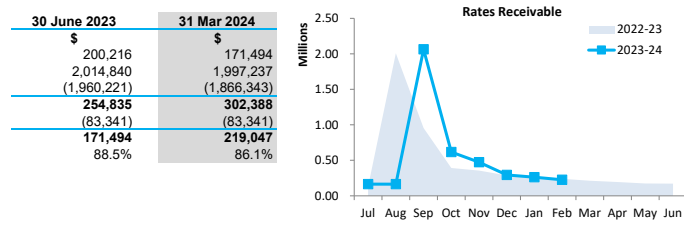
**SHIRE OF WEST ARTHUR
SUPPLEMENTARY INFORMATION
FOR THE PERIOD ENDED 31 MARCH 2024**

OPERATING ACTIVITIES

7 RECEIVABLES

Rates receivable

	30 June 2023	31 Mar 2024
	\$	\$
Opening arrears previous years	200,216	171,494
Levied this year	2,014,840	1,997,237
Less - collections to date	(1,960,221)	(1,866,343)
Gross rates collectable	254,835	302,388
Allowance for impairment of rates receivable	(83,341)	(83,341)
Net rates collectable	171,494	219,047
% Collected	88.5%	86.1%



Receivables - general

	Credit	Current	30 Days	60 Days	90+ Days	Total
	\$	\$	\$	\$	\$	\$
Receivables - general	0	1,761	0	136	48,213	50,110
Percentage	0.0%	3.5%	0.0%	0.3%	96.2%	
Balance per trial balance						50,110
Trade receivables						50,110
GST receivable						13,131
Total receivables general outstanding						63,241

Amounts shown above include GST (where applicable)

KEY INFORMATION

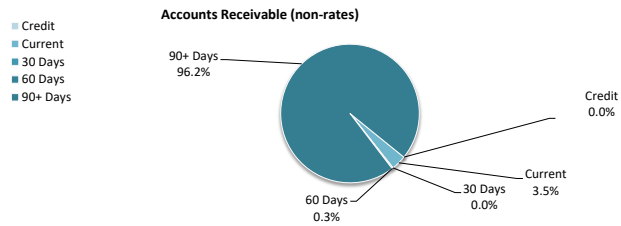
Trade and other receivables include amounts due from ratepayers for unpaid rates and service charges and other amounts due from third parties for goods sold and services performed in the ordinary course of business.

Trade receivables are recognised at original invoice amount less any allowances for uncollectable amounts (i.e. impairment). The carrying amount of net trade receivables is equivalent to fair value as it is due for settlement within 30 days.

Classification and subsequent measurement

Receivables which are generally due for settlement within 30 days except rates receivables which are expected to be collected within 12 months are classified as current assets. All other receivables such as, deferred pensioner rates receivable after the end of the reporting period are classified as non-current assets.

Trade and other receivables are held with the objective to collect the contractual cashflows and therefore the Shire measures them subsequently at amortised cost using the effective interest rate method.



**SHIRE OF WEST ARTHUR
SUPPLEMENTARY INFORMATION
FOR THE PERIOD ENDED 31 MARCH 2024**

OPERATING ACTIVITIES

8 OTHER CURRENT ASSETS

Other current assets	Opening Balance 1 July 2023	Asset Increase	Asset Reduction	Closing Balance 31 March 2024
	\$	\$	\$	\$
Other financial assets at amortised cost				
Financial assets at amortised cost - self supporting loans	30,007		(22,475)	7,532
Inventory				
Fuel and materials	14,985		0	14,985
Land held for resale	70,000			70,000
Total other current assets	114,992	0	(22,475)	92,517

Amounts shown above include GST (where applicable)

KEY INFORMATION

Other financial assets at amortised cost

The Shire classifies financial assets at amortised cost if both of the following criteria are met:

- the asset is held within a business model whose objective is to collect the contractual cashflows, and
- the contractual terms give rise to cash flows that are solely payments of principal and interest.

Inventory

Inventories are measured at the lower of cost and net realisable value.
Net realisable value is the estimated selling price in the ordinary course of business less the estimated costs of completion and the estimated costs necessary to make the sale.

**SHIRE OF WEST ARTHUR
SUPPLEMENTARY INFORMATION
FOR THE PERIOD ENDED 31 MARCH 2024**

OPERATING ACTIVITIES

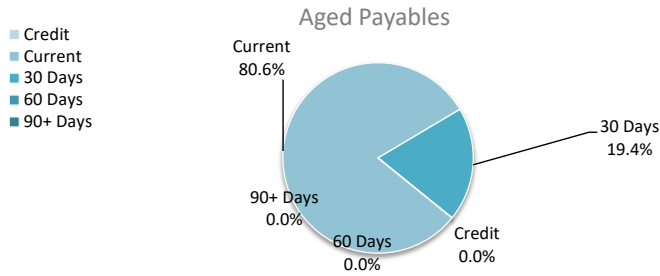
9 PAYABLES

Payables - general	Credit	Current	30 Days	60 Days	90+ Days	Total
	\$	\$	\$	\$	\$	\$
Payables - general	0	83,341	20,000	0	0	103,341
Percentage	0.0%	80.6%	19.4%	0.0%	0.0%	
Balance per trial balance						
Sundry creditors						37,078
Other payables						17,801
Accrued expenditure						20,000
Payroll deductions						53,750
Collections						10,658
Total payables general outstanding						139,287

Amounts shown above include GST (where applicable)

KEY INFORMATION

Trade and other payables represent liabilities for goods and services provided to the Shire prior to the end of the period that are unpaid and arise when the Shire becomes obliged to make future payments in respect of the purchase of these goods and services. The amounts are unsecured, are recognised as a current liability and are normally paid within 30 days of recognition. The carrying amounts of trade and other payables are considered to be the same as their fair values, due to their short-term nature.



**SHIRE OF WEST ARTHUR
SUPPLEMENTARY INFORMATION
FOR THE PERIOD ENDED 31 MARCH 2024**

OPERATING ACTIVITIES

10 RATE REVENUE

General rate revenue

RATE TYPE	Rate in \$ (cents)	Number of Properties	Rateable Value	Rate Revenue \$	Budget		YTD Actual		Total Revenue \$
					Interim Rate Revenue \$	Total Revenue \$	Rate Revenue \$	Interim Rate Revenue \$	
Gross rental value									
GRV Townsite	0.083280	85	744,156	61,973	0	61,973	61,973	0	61,973
GRV Commercial	0.083280	13	239,564	19,951	0	19,951	19,951	0	19,951
GRV Industrial	0.083280	7	112,580	9,376	0	9,376	9,376	0	9,376
GRV Other Townsite	0.083280	15	95,888	7,986	0	7,986	7,986	0	7,986
Unimproved value									
UV Rural	0.003954	371	455,842,000	1,802,399	0	1,802,399	1,802,399	(297)	1,802,102
Sub-Total		491	457,034,188	1,901,685	0	1,901,685	1,901,685	(297)	1,901,388
Minimum payment									
Gross rental value									
GRV Townsite	597	47	179,632	28,059	0	28,059	28,059	0	28,059
GRV Commercial	597	9	22,440	5,373	0	5,373	5,373	0	5,373
GRV Industrial	597	3	9,690	1,791	0	1,791	1,791	0	1,791
GRV Other Townsite	417	19	20,820	7,923	0	7,923	7,923	0	7,923
UV Rural	597	83	7,091,434	49,551	0	49,551	49,551	(778)	48,773
Sub-total		161	7,324,016	92,697	0	92,697	92,697	(778)	91,919
Amount from general rates						1,994,382			1,993,307
Ex-gratia rates						3,774			3,930
Total general rates						1,998,156			1,997,237

SHIRE OF WEST ARTHUR
SUPPLEMENTARY INFORMATION
FOR THE PERIOD ENDED 31 MARCH 2024

FINANCING ACTIVITIES

11 BORROWINGS

Repayments - borrowings

Information on borrowings	Loan No.	New Loans			Principal Repayments		Principal Outstanding		Interest Repayments	
		1 July 2023	Actual	Budget	Actual	Budget	Actual	Budget	Actual	Budget
Particulars		\$	\$	\$	\$	\$	\$	\$	\$	
GROH Housing	70	96,078	0	0	(40,062)	(53,558)	56,016	42,520	(3,859)	(5,003)
Industrial Land	72	28,058	0	0	(8,201)	(10,950)	19,857	17,108	(600)	(784)
ERP	75	0	0	150,000	0	(6,781)	0	143,219	0	(1,571)
Loader	74	252,745	0	0	(17,777)	(23,823)	234,968	228,922	(7,408)	(9,758)
		376,881	0	150,000	(66,040)	(95,112)	310,841	431,769	(11,867)	(17,116)
Self supporting loans										
WA Cottage Homes		309,375	0	0	(22,475)	(30,007)	286,900	279,368	(7,456)	(9,900)
		309,375	0	0	(22,475)	(30,007)	286,900	279,368	(7,456)	(9,900)
Total		686,256	0	150,000	(88,515)	(125,119)	597,741	711,137	(19,323)	(27,016)
Current borrowings		125,119					36,604			
Non-current borrowings		561,137					561,137			
		686,256					597,741			

All debenture repayments were financed by general purpose revenue.
Self supporting loans are financed by repayments from third parties.

New borrowings 2023-24

Particulars	Amount Borrowed		Institution	Loan Type	Term Years	Total Interest & Charges	Interest Rate	Amount (Used)		Balance Unspent
	Actual	Budget						Actual	Budget	
	\$	\$				\$	%	\$	\$	\$
ERP and EDRMS Software	0	150,000	WATC	Fixed	5	17,042	4	0	0	0
	0	150,000				17,042		0	0	0

KEY INFORMATION

Borrowing costs are recognised as an expense when incurred except where they are directly attributable to the acquisition, construction or production of a qualifying asset. Where this is the case, they are capitalised as part of the cost of the particular asset until such time as the asset is substantially ready for its intended use or sale.

Fair values of borrowings are not materially different to their carrying amounts, since the interest payable on those borrowings is either close to current market rates or the borrowings are of a short term nature. Non-current borrowings fair values are based on discounted cash flows using a current borrowing rate.

**SHIRE OF WEST ARTHUR
SUPPLEMENTARY INFORMATION
FOR THE PERIOD ENDED 31 MARCH 2024**

OPERATING ACTIVITIES

12 OTHER CURRENT LIABILITIES

	Note	Opening Balance 1 July 2023	Liability transferred from/(to) non current	Liability Increase	Liability Reduction	Closing Balance 31 March 2024
		\$	\$	\$	\$	\$
Other current liabilities						
Other liabilities						
Contract liabilities		586	0	161,868	(85,239)	77,215
Capital grant/contributions liabilities		6,750	0	904,891	(671,744)	239,897
Total other liabilities		7,336	0	1,066,759	(756,983)	317,112
Employee Related Provisions						
Provision for annual leave		122,354	0	0	0	122,354
Provision for long service leave		188,072	0	0	0	188,072
Total Provisions		310,426	0	0	0	310,426
Total other current liabilities		317,762	0	1,066,759	(756,983)	627,538

Amounts shown above include GST (where applicable)

A breakdown of contract liabilities and associated movements is provided on the following pages at Note 13 and 14

KEY INFORMATION

Provisions

Provisions are recognised when the Shire has a present legal or constructive obligation, as a result of past events, for which it is probable that an outflow of economic benefits will result and that outflow can be reliably measured. Provisions are measured using the best estimate of the amounts required to settle the obligation at the end of the reporting period.

Employee Related Provisions

Short-term employee benefits

Provision is made for the Shire's obligations for short-term employee benefits. Short-term employee benefits are benefits (other than termination benefits) that are expected to be settled wholly before 12 months after the end of the annual reporting period in which the employees render the related service, including wages, salaries and sick leave. Short-term employee benefits are measured at the (undiscounted) amounts expected to be paid when the obligation is settled.

The Shire's obligations for short-term employee benefits such as wages, salaries and sick leave are recognised as a part of current trade and other payables in the calculation of net current assets.

Other long-term employee benefits

The Shire's obligations for employees' annual leave and long service leave entitlements are recognised as employee related provisions in the statement of financial position.

Long-term employee benefits are measured at the present value of the expected future payments to be made to employees. Expected future payments incorporate anticipated future wage and salary levels, durations of service and employee departures and are discounted at rates determined by reference to market yields at the end of the reporting period on government bonds that have maturity dates that approximate the terms of the obligations. Any remeasurements for changes in assumptions of obligations for other long-term employee benefits are recognised in profit or loss in the periods in which the changes occur. The Shire's obligations for long-term employee benefits are presented as non-current provisions in its statement of financial position, except where the Shire does not have an unconditional right to defer settlement for at least 12 months after the end of the reporting period, in which case the obligations are presented as current provisions.

Contract liabilities

An entity's obligation to transfer goods or services to a customer for which the entity has received consideration (or the amount is due) from the customer.

Capital grant/contribution liabilities

Grants to acquire or construct recognisable non-financial assets to identified specifications be constructed to be controlled by the Shire are recognised as a liability until such time as the Shire satisfies its obligations under the agreement.

SHIRE OF WEST ARTHUR
SUPPLEMENTARY INFORMATION
FOR THE PERIOD ENDED 31 MARCH 2024

OPERATING ACTIVITIES

13 GRANTS, SUBSIDIES AND CONTRIBUTIONS

Provider	Unspent grant, subsidies and contributions liability					Grants, subsidies and contributions revenue					YTD Revenue Actual
	Liability 1 July 2023	Increase in Liability	Decrease in Liability (As revenue)	Liability 31 Mar 2024	Current Liability 31 Mar 2024	Adopted Budget Revenue	YTD Budget	Annual Budget	Budget Variations	Expected	
	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
Grants and subsidies											
Grants Commission - General (WALGGC)	0	0	0	0	0	30,911	23,184	30,911	0	30,911	23,183
Grants Commission - Roads (WALGGC)	0	0	0	0	0	32,595	24,447	32,595	0	32,595	24,446
Governance											
National Australia Day Grant	0	10,000	(10,000)	0	0	0	0	0	10,000	10,000	10,000
DFES Grant - Operating	0	44,334	(44,334)	0	0	51,112	38,334	51,112	0	51,112	44,334
Education & Welfare											
Council on the Ageing	0	1,000	(1,000)	0	0	0	0	0	1,000	1,000	1,000
Health											
Disability Grant	0	1,000	(1,000)	0	0	0	0	0	1,000	1,000	1,000
Community Amenities											
Protection of the Environment	0	15,727	0	15,727	15,727	0	0	0	20,400	20,400	0
Recreation & Culture Grants	0	465	(465)	0	0	1,000	1,000	1,000	0	1,000	465
LRCI - Swimming Pool	0	0	0	0	0	34,644	0	34,644	0	34,644	0
Library Income	586	0	(586)	0	0	0	0	0	0	0	586
Community Events	0	1,000	(1,000)	0	0	1,600	1,600	1,600	0	1,600	1,000
Direct Road Grant	0	0	0	0	0	158,376	158,376	158,376	0	158,376	158,376
FRRR Grant Income	0	88,342	(26,854)	61,488	61,488	106,437	27,000	106,437	0	106,437	26,854
	586	161,868	(85,239)	77,215	77,215	416,675	273,941	416,675	32,400	449,075	291,244
Contributions											
Contributions Minor	0	0	0	0	0	540	0	540	0	540	1,493
	0	0	0	0	0	540	0	540	0	540	1,493
TOTALS	586	161,868	(85,239)	77,215	77,215	417,215	273,941	417,215	32,400	449,615	292,737

**SHIRE OF WEST ARTHUR
SUPPLEMENTARY INFORMATION
FOR THE PERIOD ENDED 31 MARCH 2024**

INVESTING ACTIVITIES

14 CAPITAL GRANTS, SUBSIDIES AND CONTRIBUTIONS

Provider	Capital grant/contribution liabilities					Capital grants, subsidies and contributions revenue					
	Liability	Increase in Liability	Decrease in Liability	Liability	Current Liability	Adopted Budget	YTD	Annual	Budget	YTD Revenue	
	1 July 2023	(As revenue)		31 Mar 2024	31 Mar 2024	Revenue	Budget	Budget	Variations	Expected	Actual
	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
Capital grants and subsidies											
DFES Grant	0	27,825	(27,825)	0	0	27,825	27,825			0	27,825
LRCIP Phase 4 - CCTV	0	0	0	0	0	10,000	0			0	0
DLGSC - Hillman Reserve Walk Trail	6,750	0	(6,750)	0	0	6,750	6,750			0	6,750
Heritage Grant - Darkan townsite		7,649	0	7,649	7,649	0	0	7,649	7,649	0	0
LRCIP Phase 4 Playground	0	11,000	(11,000)	0	0	140,000	11,000			0	11,000
LRCIP Phase 4 Hillman Reserve Access	0	90,039	(10,357)	79,682	79,682	170,000	10,000			0	10,357
LRCIP Phase 4 Dump Point	0	0	0	0	0	13,305	0			0	0
LRCIP - allocated to bridge maintenance	0	49,059	(49,059)	0	0	48,077	48,077			0	49,059
Dump point grant	0	0	0	0	0	1,695	0			0	0
Roads to Recovery	0	227,226	(227,226)	0	0	320,264	227,000			0	227,226
Regional Road Group	0	295,264	(295,264)	0	0	368,788	295,264			0	295,264
LRCIP Phase 4	0	196,829	(44,263)	152,566	152,566	196,829	44,000			0	44,263
EV Charging	0	0	0	0	0	7,095	0			0	0
	6,750	904,891	(671,744)	239,897.00	239,897.00	1,310,628	669,916	0	7,649	7,649	671,744

**SHIRE OF WEST ARTHUR
SUPPLEMENTARY INFORMATION
FOR THE PERIOD ENDED 31 MARCH 2024**

15 TRUST FUND

Funds held at balance date which are required by legislation to be credited to the trust fund and which are not included in the financial statements are as follows:

Description	Opening	Amount	Amount	Closing
	Balance			Received
	1 July 2023			31 Mar 2024
	\$	\$	\$	\$
Westcare	43,822	0	0	43,822
Seniors Luncheon	1,512	0	(411)	1,101
Arthur River Development	2,769	0	0	2,769
RSL Trust Fund	4,141	0	0	4,141
Darkan Arts Council	8,004	0	0	8,004
Arthur River Hall	2,840	250	0	3,090
Arthur River Restoration	10,622	0	0	10,622
Trust Fund Interest	0	154	0	154
	73,710	404	(411)	73,703

SHIRE OF WEST ARTHUR
SUPPLEMENTARY INFORMATION
FOR THE PERIOD ENDED 31 MARCH 2024

16 BUDGET AMENDMENTS

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

Description	Council Resolution	Classification	Non Cash Adjustment	Increase in Available Cash	Decrease in Available Cash	Amended Budget Running Balance
			\$	\$	\$	\$
Budget adoption						372,259
Allocation of LRCI funds to be used for Glenorchy Bridge repair - Sep 23	CO-2023-116		0	48,077	(48,077)	372,259
Bike Month grant - August 23	CO-2023-101	Operating revenue	0	2,000	0	374,259
Bike month expenditure - august 23	CO-2023-101	Operating expenses	0	0	(2,000)	372,259
Thank a volunteer - \$1,000 approved Nov 23	CO-2023-127	Operating revenue		1,000		373,259
Thank a volunteer - \$1,000 approved Nov 23	CO-2023-127	Operating expenses			(1,000)	372,259
WA seniors week - \$1,000 approved Nov 23	CO-2023-127	Operating revenue		1,000		373,259
WA seniors week - \$1,000 approved Nov 23	CO-2023-127	Operating expenses			(1,000)	372,259
International Day of People with Disability \$1,000 Approved Nov 23	CO-2023-127	Operating revenue		1,000		373,259
International Day of People with Disability \$1,000 Approved Nov 23	CO-2023-127	Operating expenses			(1,000)	372,259
Australia Day - \$10,000 approved Nov 23	CO-2023-127	Operating revenue		10,000		382,259
Australia Day - \$10,000 approved Nov 23	CO-2023-127	Operating expenses			(10,000)	372,259
WALGA local biodiversity strategy	CO-2023-159	Operating revenue		23,000		395,259
WALGA local biodiversity strategy	CO-2023-159	Operating expenses			(23,000)	372,259
State National Resource Management Program - Regenerative and sustainable farming p	CO-2023-159	Operating revenue		20,400		392,659
State National Resource Management Program - Regenerative and sustainable farming	CO-2023-159	Operating expenses			(20,400)	372,259
Heritage council - Heritage trail project	CO-2024-011	Capital revenue		19,123		391,382
Heritage council - Heritage trail project materials	CO-2024-011	Capital expenses			(27,306)	364,076
				125,600	(133,783)	(8,183)

12.2 ACCOUNTS FOR PAYMENT LISTING - MARCH 2024

File Reference:	ADM338
Location:	N/A
Applicant:	N/A
Author:	Kylie Whitaker, Finance Officer
Authorising Officer:	Rajinder Sunner, Manager Corporate Services
Date:	11/04/2024
Disclosure of Interest:	Nil
Attachments:	1. Accounts for Payment Listing - March 2024 2. Corporate Card Summary - 30 January 2024 to 28 February 2024

SUMMARY:

Council is requested to endorse payments of accounts for March 2024 as listed and note the attached credit card transactions.

BACKGROUND:

The schedule of accounts for payment is included as an attachment for Council information.

COMMENT:

If you have any questions regarding payments in the listing, don't hesitate to contact the office before the Council meeting.

CONSULTATION:

No consultation is required.

STATUTORY ENVIRONMENT:

Local Government (Financial Management) Regulations 1996

12. Payments from municipal fund or trust fund, restrictions on making

- (1) A payment may only be made from the municipal fund or the trust fund —
 - (a) if the local government has delegated to the CEO the exercise of its power to make payments from those funds — by the CEO; or
 - (b) otherwise, if the payment is authorised in advance by a resolution of the council.
- (2) The council must not authorise a payment from those funds until a list prepared under regulation 13(2) containing details of the accounts to be paid has been presented to the council.

13. Payments from municipal fund or trust fund by CEO, CEO's duties as to etc.

- (1) If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared —
 - (a) the payee's name; and
 - (b) the amount of the payment; and
 - (c) the date of the payment; and
 - (d) sufficient information to identify the transaction.

- (2) A list of accounts for approval to be paid is to be prepared each month showing —
 - (a) for each account which requires council authorisation in that month —
 - (i) the payee's name; and
 - (ii) the amount of the payment; and
 - (iii) sufficient information to identify the transaction;
and
 - (b) the date of the meeting of the council to which the list is to be presented.
- (3) A list prepared under sub regulation (1) or (2) is to be —
 - (a) presented to the council at the next ordinary meeting of the council after the list is prepared; and
 - (b) recorded in the minutes of that meeting.

POLICY IMPLICATIONS:

Policy F29 – Purchasing Policy

Policy F2 – Corporate Transaction Cards Policy

FINANCIAL IMPLICATIONS:

There are no financial implications. Reported expenditure is assessed by management as being consistent with the adopted Annual Budget.

STRATEGIC IMPLICATIONS:

West Arthur Towards 2031

Theme: Leadership and Management

Outcome: Establish and maintain sound business and governance structures

Strategy: Comply with regulations and best practice standards to drive good decision making by Council and Staff

RISK IMPLICATIONS:

Risk management is the removal of uncertainty from business decisions. Risk is expressed in terms of likelihood it may occur and the consequences that may flow from it. The consequences may be positive or negative or simply a deviation from the expected. The risk or consequence may be related to health and safety; financial; business or service interruption; compliance; reputation; or the environment. ***Reference to the risk matrix below will generate a risk rating by assessing the likelihood and consequence and multiplying these scores by each other.*** The greater the risk rating, the greater the risk and the higher the need for specific plans to be developed. All items with a risk rating greater than 10 should be added to the Risk Register and specific controls developed.

Risk Themes:

A risk theme is the categorising of risk. For example, the collection of risks that represent compliance failure. The risk themes in the shire Risk Register include:

- Business Disruption
- Community Disruption
- IT or Communications Failure
- External Threat or Fraud
- Misconduct
- Inadequate safety or security practices
- Inadequate project or change management
- Errors Omissions or Delays
- Inadequate Document Management Processes
- Inadequate supplier / contract management

- Providing inaccurate advice / information
- Ineffective Employment practices
- Compliance failure
- Inadequate asset management
- Inadequate engagement practices
- Ineffective facility or event management
- Inadequate environmental management

Risk Matrix:

Consequence		Insignificant	Minor	Moderate	Major	Catastrophic
Likelihood		1	2	3	4	5
Almost Certain	5	Medium (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Medium (8)	High (12)	High (16)	Extreme (25)
Possible	3	Low (3)	Medium (6)	Medium (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Medium (6)	Medium (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Medium (5)

Description of Key Risk	Unauthorised (or incorrectly authorised) payments being made
Risk Likelihood (based on history and with existing controls)	Rare (1)
Risk Consequence	Major (4)
Risk Rating (Prior to Treatment or Control): Likelihood x Consequence	Low (4)
Principal Risk Theme	Misconduct
Risk Action Plan (Controls or Treatment Proposed)	Payments listing provided to Council each month

VOTING REQUIREMENTS:

Simple Majority

OFFICER RECOMMENDATION:

That Council;

1. in accordance with section 13 of the Financial Management Regulations of the Local Government Act 1995 and in accordance with delegation, note Municipal Fund vouchers 07032024.1, 08032024.1-08032024.16, 15032024.1-15032024.53, 26032024.1-26032024.34, 27032024.1-27032024.4, Licensing, Salaries and Wages, EFT Transfers and Direct Debits totalling \$710,124.86 listed (attached) as approved for payment; and
2. note the attached Corporate Credit Card facility transaction summary from 30 January 2024 to 28 February 2024.

**Shire of West Arthur
Cheque Detail
March 2024**

Date	Num	Name	Original Amount
21/03/2024	BPAY	ATO	30,000.00
		BAS FEB 24	
26/03/2024	BPAY	NAB CREDIT CARD	565.60
		STARLINK DEPOT, RECKON TRAINING, REPAIR WINDSCREEN, PARKING, MEDIA PLAYER, FOAM MATS, ACCIDENTAL USE THAT HAS BEEN REIMBURSED BY RAJ	
14/03/2024	DIRECTDEBIT	ASGARD SUPER	263.27
		FORTNIGHTLY SUPERANNUATION CONTRIBUTIONS	
14/03/2024	DIRECTDEBIT	AUSTRALIAN ETHICAL SUPER FUND	152.75
		FORTNIGHTLY SUPERANNUATION CONTRIBUTIONS	
14/03/2024	DIRECTDEBIT	AUSTRALIAN RETIREMENT TRUST	281.17
		FORTNIGHTLY SUPERANNUATION CONTRIBUTIONS	
14/03/2024	DIRECTDEBIT	AUSTRALIAN SUPER	2,656.66
		FORTNIGHTLY SUPERANNUATION CONTRIBUTIONS	
14/03/2024	DIRECTDEBIT	AWARE SUPER	7,534.64
		FORTNIGHTLY SUPERANNUATION CONTRIBUTIONS	
14/03/2024	DIRECTDEBIT	COLONIAL FIRST STATE	867.22
		FORTNIGHTLY SUPERANNUATION CONTRIBUTIONS	
14/03/2024	DIRECTDEBIT	D AND K MELBOURNE SUPERANNUATION FUND	302.46
		FORTNIGHTLY SUPERANNUATION CONTRIBUTIONS	
14/03/2024	DIRECTDEBIT	HOSTPLUS	64.07
		FORTNIGHTLY SUPERANNUATION CONTRIBUTIONS	
14/03/2024	DIRECTDEBIT	PRIME SUPER	166.41
		FORTNIGHTLY SUPERANNUATION CONTRIBUTIONS	
15/03/2024	DIRECTDEBIT	SYNERGY	8,224.09
		USAGE AND SUPPLY CHARGE FOR SHIRE PROPERTIES	
15/03/2024	DIRECTDEBIT	TELSTRA	2,855.33
		USAGE AND SERVICE CHARGE FOR SHIRE PROPERTIES	
15/03/2024	DIRECTDEBIT	WATER CORPORATION	1,585.45
		WATER USAGE FROM 30/11/23-31/1/24 FOR HORWOOD STANDPIPE	
26/03/2024	DIRECTDEBIT	RENTFIND TECHNOLOGIES PTY LTD	22.00
		2023/2024 MARCH - STAFF HOUSING AND JOINT VENTURE HOUSING UNITS	
28/03/2024	DIRECTDEBIT	NATIONAL AUSTRALIA BANK	10.00
		ACCOUNT FEES	
28/03/2024	DIRECTDEBIT	NATIONAL AUSTRALIA BANK	25.00
		ACCOUNT FEES	
28/03/2024	DIRECTDEBIT	NATIONAL AUSTRALIA BANK	44.74
		NAB CONNECT FEES	
28/03/2024	DIRECTDEBIT	NATIONAL AUSTRALIA BANK	168.43
		MERCHANT FEE	
14/03/2024	EFT	SALARIES AND WAGES	66,325.51
		PAYROLL	
28/03/2024	EFT	SALARIES AND WAGES	69,064.98
		PAYROLL	

**Shire of West Arthur
Cheque Detail
March 2024**

Date	Num	Name	Original Amount
07/03/2024	07032024.1	SOURCE MACHINERY PTY LTD	143,137.50
		KUBOTA SKID STEER SUPPLY AND DELIVERY	
08/03/2024	08032024.1	BELL, SHARON LEIGH	86.40
		REIMBURSEMENT FOR GROCERIES FOR SENIORS MEALS	
08/03/2024	08032024.2	COUNTRY ROAD CONTRACTING PTY LTD	4,147.00
		BEAUFORT ROAD R2R GRAVEL PUSH 1300M3 AND DOZER HIRE	
08/03/2024	08032024.3	DEPARTMENT OF FIRE AND EMERGENCY SERVICES	18,933.60
		ESL QUARTER 3 CONTRIBUTIONS YEAR 2023/2024	
08/03/2024	08032024.4	FUEL DISTRIBUTORS OF WA	16,207.81
		8500L DIESEL FUEL SHIRE DEPOT, FUEL FOR RAJ AND VIN'S CAR, STARCARD FEES JAN24	
08/03/2024	08032024.5	PEDERICK ENGINEERING	33.00
		1M OF 50X50X4 DURAGAL ANGLE PER JIM PO 533	
08/03/2024	08032024.6	PHOENIX GLASS	2,421.00
		HEALTH & RESOURCE CENTRE SUPPLY AND INSTALL REGLAZE	
08/03/2024	08032024.7	PROCARE LOCKSMITHS	1,810.90
		DARKAN REFUSE SITE - EVVA AIRKEY TAG + POSTAGE, COMMUNITY GYM, DARKAN REFUSE SITE AND OFFICE	
08/03/2024	08032024.8	PUTLAND MOTORS	1,014.90
		PARTS AND REPAIRS - C5 AND T3	
08/03/2024	08032024.9	SAUNDERS, PAUL	70.93
		REIMBURSEMENT FOR FIRE VOLUNTEERS	
08/03/2024	08032024.10	SPRYS MEAT MARKET	71.59
		MEAT FOR SENIORS AND MEALS	
08/03/2024	08032024.11	TEAM GLOBAL EXPRESS	430.36
		CORSIGN, POOL WATER EXAM, LAKE WATER EXAM, THINKWATER FREIGHT	
08/03/2024	08032024.12	THINKWATER BUNBURY	195.63
		DIGITAL HAND HELD METER PER JIM PO 520	
08/03/2024	08032024.13	TR HOMES & CO	72,766.00
		NEW STAFF HOUSE - 10 KING STREET - TILING PROGRESS PAYMENT	
08/03/2024	08032024.14	VALLEY OF PLENTY.	2,975.40
		CATERING FOR TRAINING SESSION, COUNCIL MEETING AND INDUSTRY ATTRACTION FUND WORKSHOP	
08/03/2024	08032024.15	WA CONTRACT RANGER SERVICES PTY LTD	627.00
		RANGER SERVICES 13 AND 22 FEBRUARY 2024	
08/03/2024	08032024.16	WEST SOIL AND WATER	4,268.00
		LAND ACQUISITION AND DEVELOPMENT - BURROWES STREET WEST	
15/03/2024	15032024.1	AIR LIQUIDE	49.28
		FACILITY FEE ON "G" AND "D" SIZE CYLINDERS	
15/03/2024	15032024.2	ALLIED FORKLIFTS PTY LTD	60.17
		ELETRIC SEATBELT - FORKLIFT	
15/03/2024	15032024.3	AMPAC DEBT RECOVERY (WA)	170.50
		GENERAL PROCEDURE CLAIM A975 AND A2595	
15/03/2024	15032024.4	ASTRID VOLZKE PHOTOGRAPHY	200.00
		RIGHTS TO DIGITAL IMAGES	

**Shire of West Arthur
Cheque Detail
March 2024**

Date	Num	Name	Original Amount
15/03/2024	15032024.5	AUSTRALIA POST	135.50
		A4 EXPRESS ENVELOPE AND ANNUAL MAILBOX RENTAL	
15/03/2024	15032024.6	AVALON SURVEYS	500.35
		INDUSTRIAL LAND GROWDEN PLACE - WESTERN POWER SERVICING APPLICATION PREPAYMENT	
15/03/2024	15032024.7	AVERY, MIKE	48.82
		CARAVAN PARK CANCELLATION. IN 23/2 OUT 25/2	
15/03/2024	15032024.8	BELL, SHARON LEIGH	306.65
		REIMBURSEMENT FOR OFFICE REFURBISHMENT ITEMS, OFFICE CLEANING SUPPLIES, SENIORS MEALS GROCERIES	
15/03/2024	15032024.9	BLACKWOOD BASIN GROUP (INC)	3,514.10
		LANDCARE SUPPORT FOR THE PERIOD 2, 9, 16, 30 JANUARY 2024, 6, 13, 20 AND 27 FEBRUARY 2024 AND TRAVEL	
15/03/2024	15032024.10	BUNBURY MACHINERY	1,392.76
		PULLEYS FOR MOWER AND BEARINGS, VSS BOBCAT L17 V131134522 GLASS (FRONT WINDOW, SEAL AND RUBBER SEAL)	
15/03/2024	15032024.11	BUNBURY TRUCKS	704.93
		PARTS AND REPAIRS - T12	
15/03/2024	15032024.12	BUNCE, GEOFF	34.20
		REIMBURSEMENT FOR BATHROOM TREAD TAPE	
15/03/2024	15032024.13	CORSIGN	148.50
		CUSTOM SIGN. 900*1200MM AS PER QUOTE 83159.	
15/03/2024	15032024.14	CREATIVE SPACES	6,726.50
		CWA 100 YEARS EXHIBITION (STAGE 1 - DESIGN)	
15/03/2024	15032024.15	DARKAN AGRI SERVICES	3,912.35
		THERMO WATER BOTTLE, DOOR SEALS, PADLOCK, DOOR, PAINT, RATBAIT, SLIDE WALL SET	
		PRIVACY KNOB SET, SCREWS, INSECT SPRAY, PLANT AND POT, PLAYGROUND EQUIPMENT, CEMENT	
		WORK PANTS, DUCT TAPE, FERTILIZER, TAPE MEASURE, TURPS AND PAINT BRUSHES	
15/03/2024	15032024.16	E W & R J PUGH	918.00
		ARTHUR RIVER TOILETS EXTRACTION OF SEWAGE FROM THE SEPTIC TANKS	
15/03/2024	15032024.17	EVANS, JASON	97.95
		REIMBURSEMENT FOR CARAVAN PARK CANCELLATION IN 15/3 OUT 17/3 - 12738671/12738672	
15/03/2024	15032024.18	EXURBAN RURAL AND REGIONAL PLANNING	3,286.40
		GENERAL TOWN PLANNING CONSULTANCY SERVICES PTOVIDE DURING FEB 24.	
15/03/2024	15032024.19	FITONIA PTY LTD ATF SILVERSPRING TRUST	8,676.58
		140M3 BUSHLAND MULCH \$56.17M3 + GST AND DELIVERY	
15/03/2024	15032024.20	FLEAYS STORE	71.90
		OFFICE REFRESHMENTS FEB 24	
15/03/2024	15032024.21	FUEL DISTRIBUTORS OF WA	26,528.63
		MOTORPASS SURCHARGE, FUEL FOR VIN AND RAJ/S CAR	

**Shire of West Arthur
Cheque Detail
March 2024**

Date	Num	Name	Original Amount
15/03/2024	15032024.22	HORTON, PATRICIA	48.82
		REIMBURSE CARAVAN PARK CANCELLATION IN 9/3 OUT 11/3/24 ID 12144959	
15/03/2024	15032024.23	INFINITUM TECHNOLOGIES PTY LTD	2,695.00
		LENOVO THINKPAD 15 GEN 4 15.6IN AND DOCK	
15/03/2024	15032024.24	IRIS CONSULTING	480.00
		1X IRIS DIGITISATION MANUAL	
15/03/2024	15032024.25	JASON SIGNMAKERS	370.70
		VINYL LOGOS FOR VEHICLES	
15/03/2024	15032024.26	LOCAL GOVERNMENT PROFESSIONALS AUS WA	1,570.00
		FINANCE PROFESSIONALS CONFERENCE ATTENDANCE TO FULL CONFERENCE FOR RAJINDER SUNNER AND CONFERENCE DINNER	
15/03/2024	15032024.27	LUSH FIRE & PLANNING	1,787.50
		GENERAL TOWN PLANNING CONSULTANCY SERVICES PROVIDED DURING FEB 24 AND 1/3/24.	
15/03/2024	15032024.28	MCLEODS BARRISTERS AND SOLICITORS	4,408.80
		PREPARATION OF TEMPLATE EASEMENT DOCUMENT FOR LAKE TOWERINNING, GOVERNANCE ADVICE	
15/03/2024	15032024.29	MCLUCKIE, BRIAN	24.26
		REIMBURSE OF CARAVAN PARK CANCELLATION IN 29/2 OUT 1/3	
15/03/2024	15032024.30	MORRELL, NICKI	389.80
		TRAVEL FOR WORKERS COMP ACT SEMINAR	
15/03/2024	15032024.31	NARROGIN AUTO ELECTRICS	507.50
		PARTS AND REPAIRS - T22	
15/03/2024	15032024.32	OFFICEWORKS	375.53
		MECHANICAL PENCILS, ERASER, FILE DIVIDERS, NOTEBOOK, SUSPENSION FILES AND FREIGHT, TORO DESK AND FREIGHT	
15/03/2024	15032024.33	P & S GRIGGS PLUMBING	895.00
		CARAVAN PARK, LOT 2 GROWDEN PLACE, LOT 3 REAR OF GROWDEN PLACE, HORWOOD STREET BACKFLOW TESTING AND TRAVEL	
15/03/2024	15032024.34	PUTLAND MOTORS	6,637.76
		PARTS AND REPAIRS - C5, C29, L1, C22	
15/03/2024	15032024.35	PUTLAND, STACEY	20.00
		ANTI BACTERIAL WIPES FOR GYM	
15/03/2024	15032024.36	QHSE INTEGRATED SOLUTIONS PTY LTD T/AS SK	218.90
		SKYTRUST MONTHLY SUBSCRIPTION MARCH 2024	
15/03/2024	15032024.37	RESONLINE PTY LTD	220.00
		CARAVAN PARK ROOM MANAGER SUPPORT SERVICES 23/24	
15/03/2024	15032024.38	ROBINSON, BEN & STACEY	1,000.00
		ALLOWANCE FOR FIRE CHIEF FOR 23/24	
15/03/2024	15032024.39	SCHINZIG, RENEE.	213.90
		REIMBURSEMENT FOR SEPTEMBER 23 COUNCIL CATERING	
15/03/2024	15032024.40	SHIRE OF COLLIE	1,848.12
		REIMBURSEMENT OF COMMUNITY EMERGENCY SERVICES OFFICER	
15/03/2024	15032024.41	SOS OFFICE EQUIPMENT	232.30
		PHOTOCOPIER BILLING FEB 2024 XEROX APEOSPORT C4570	
15/03/2024	15032024.42	SPRYS MEAT MARKET	251.09
		SENIORS MEALS MEAT	

**Shire of West Arthur
Cheque Detail
March 2024**

Date	Num	Name	Original Amount
15/03/2024	15032024.43	STATEWIDE BEARINGS	2,617.84
		PARTS AND REPAIRS - G10	
15/03/2024	15032024.44	STRETTLE PTY LTD	880.00
		POLICY & DELEGATION AMENDMENTS IN RELATION TO SHIRE LOCAL LAWS, LEGISLATION - APPOINTMENT OF AUTHORISED PERSONS	
15/03/2024	15032024.45	TEAM GLOBAL EXPRESS	70.82
		M&B SALES FREIGHT	
15/03/2024	15032024.46	TRUCKLINE	284.33
		PARTS AND REPAIRS - SP112	
15/03/2024	15032024.47	WA CONTRACT RANGER SERVICES PTY LTD	748.00
		RANGER SERVICES 27 FEB AND 5 MARCH 2024	
15/03/2024	15032024.48	WALGA BUSINESS SOLUTIONS	5,544.00
		COUNCIL MEMBER ESSENTIALS COURSES 10/1/24-31/10/24	
15/03/2024	15032024.49	WARRAGULL ATF P & J SOUTH TRUST	4,000.00
		2000M3 GRAVEL @ \$2 PER M3	
15/03/2024	15032024.50	WARREN BLACKWOOD WASTE	2,924.05
		DOMESTIC WASTE, COMMERCIAL WASTE AND RECYLING BINS FEBRUARY 2024	
15/03/2024	15032024.51	WEST ARTHUR COMMUNITY RESOURCE CENTRE	1,220.08
		A3 LAMINATION, THUMB DRIVE FOR FOYER PRESENTATION, MEDICAL HOURS 26/1, 2/2, 9/2 AND 23/2	
15/03/2024	15032024.52	WESTRAC BUNBURY	161.60
		PARTS AND REPAIRS - G10	
15/03/2024	15032024.53	WOOTTONLEA FARMS.	25.00
		REIMBURSE FOR STANDPIPE KEY PURCHASED IN ERROR	
26/03/2024	26032024.1	ABCO PRODUCTS	216.05
		TERRACYCLIC SANITARY BIN BASE WHITE 13L AND FREIGHT	
26/03/2024	26032024.2	AMPAC DEBT RECOVERY (WA)	905.28
		PROBATE SEARCH ASSESSMENT 984, GPC AND TRAVEL ASS 2595, GPC AND TRAVEL ASS 984, SKIP TRACE 727	
26/03/2024	26032024.3	APEX RADIOLOGY	90.05
		XRAY RIGHT ELBOW - RYAN FOWLES	
26/03/2024	26032024.4	BELL, SHARON LEIGH	140.15
		REIMBURSEMENT FOR SENIORS MEALS GROCERIES	
26/03/2024	26032024.5	CAMPBELL CURNOW PARTNERSHIP.	14,080.00
		GRAVEL EXTRACTION 4000M3 @ \$2M3, GRAVEL EXTRACTION 2400M3 @ \$2M3	
26/03/2024	26032024.6	CEMETERIES AND CREMATORIA ASSOCIATION WA	155.00
		TRAINING & DEVELOPMENT - WHEN HELLO TURNS TO GOODBYE SEMINAR (TAHNEE)	
26/03/2024	26032024.7	COALFIELDS BUS SERVICE	660.00
		BUS HIRE FOR AUSTRALIA DAY	
26/03/2024	26032024.8	COALFIELDS WEARPARTS	1,656.40
		PARTS AND REPAIRS - G12	
26/03/2024	26032024.9	CR (PRES) NEIL MORRELL	3,265.49
		SITTING FEES, TRAVEL FEES, COMMUNICATIONS AND PRESIDENT ALLOWANCE - 3RD QTR 23/24	

**Shire of West Arthur
Cheque Detail
March 2024**

Date	Num	Name	Original Amount
26/03/2024	26032024.10	DUFF ELECTRICAL CONTRACTING	4,268.00
		ARCHIVE BUILDING - LABOUR INSTALL NEW SUBMAIN FROM WORKSHOP SWITCHBOARD	
26/03/2024	26032024.11	FORDHAM LAMONT, V	90.00
		HOME INTERNET BILL AS PER CEO CONTRACT BILLING PERIOD 15/3-14/4/24	
26/03/2024	26032024.12	FUEL DISTRIBUTORS OF WA	25,258.50
		DIESEL 13500L @ \$1.87100	
26/03/2024	26032024.13	FULTON HOGAN	70,201.30
		CORDERING NORTH ROAD - 2 COAT SEAL CORDERING ROAD	
26/03/2024	26032024.14	GRANTS EMPIRE	2,376.00
		BURROWES ST - WEST - LAND RELEASE - PREPARATION OF BUSINESS CASE SUBMISSION	
26/03/2024	26032024.15	GROW PHOTOGRAPHY	200.00
		HIGH RESOLUTION DIGITAL IMAGES FOR PRINTING ON CANVAS	
26/03/2024	26032024.16	HITACHI CONSTRUCTION MACHINERY PTY LTD	1,355.85
		PARTS AND REPAIRS - L15	
26/03/2024	26032024.17	INFINITUM TECHNOLOGIES PTY LTD	7,627.95
		MEDICAL COMPUTER, PRINTER, SCREENS, STAND AND DELIVERY, MANAGED SERVICE AGREEMENT GOLD - 1/3-31/3/24	
26/03/2024	26032024.18	INSTANT RACKING AND STEEL SHELVING	2,314.00
		RECORD ROOM - LONGSPAN SHELVING WITH MESH SHELVES (QUOTE 00068184)	
26/03/2024	26032024.19	JASON SIGNMAKERS	93.67
		HEALTH & RESOURCE CENTRE FRONT DOOR TRADING HOURS	
26/03/2024	26032024.20	LANDGATE	91.60
		RURAL UV INTERIM VALUATIION SHARED	
26/03/2024	26032024.21	MATHWIN TRANSPORT	196.35
		DARKAN SWIMMING POOL PALLET 20/2 CHEMICALS, 21/2 CHEMICALS 13 EMPTY DRUMS AND FUEL LEVY	
26/03/2024	26032024.22	MIDALIA STEEL PTY LTD	525.69
		PATIO TUBE, DURAGALPLUS, SQUARE EDGE FLATS, GALVANISED ENGLE GALFORCE AND DELIVERY PER JIM PO 535	
26/03/2024	26032024.23	MOORE AUSTRALIA (WA) PTY LTD	1,320.00
		BUDGET WORKSHOP AND TEMPLATE	
26/03/2024	26032024.24	PEDERICK ENGINEERING	1,260.38
		ROLLER - 1ST ASSEMBLY AND 2ND ASSEMBLY, REPAIR DAMAGED THREAD, SUPPLY BOLTS AND WASHERS	
26/03/2024	26032024.25	PRICES FABRICATION AND STEEL	40.11
		CTF REFUND AS THEY PAID IT ON OUR BEHALF FOR THE SHIRE TANK THEY ARE BUILDING.	
26/03/2024	26032024.26	SIGMA CHEMICALS	397.94
		POOL CHEMICALS PER JIM PO 537	
26/03/2024	26032024.27	STATEWIDE BEARINGS	41.25
		PUSH ON NEEDLE COUPLER	
26/03/2024	26032024.28	STRETTLE PTY LTD	1,045.00
		PROFESSIONAL SERVICES NOV 23-MARCH 24	

**Shire of West Arthur
Cheque Detail
March 2024**

Date	Num	Name	Original Amount
26/03/2024	26032024.29	TELFER, BONNIE1	116.40
		FRRR ECONOMIC DEVELOPMENT - REFRESHMENTS	
26/03/2024	26032024.30	TOTAL TOOLS BUNBURY	659.00
		COMBO KIT DRILL AND DRIVER SET PER JIM PO 534	
26/03/2024	26032024.31	VALLEY OF PLENTY.	480.00
		BUSINESS NETWORKING SUNDOWNER (11 MARCH), IDEATION WORKSHOP (12 MARCH)	
26/03/2024	26032024.32	WA CONTRACT RANGER SERVICES PTY LTD	584.37
		RANGER SERVICES 12 AND 19 MAR 24	
26/03/2024	26032024.33	WATT, BRENNA	75.00
		CARAVAN PARK CANCELLATION IN 16/3 OUT 18/3 WAS BOOKED TILL 23/3.	
26/03/2024	26032024.34	WHITE, AMY	403.18
		TRAVEL FOR TECHVISION CONFERENCE (420KM AT \$0.9554 PER KM)	
27/03/2024	27032024.1	CR ROBYN LUBCKE	1,093.14
		SITTING FEES, TRAVEL FEES, COMMUNICATIONS AND PRESIDENT ALLOWANCE - 3RD QTR 23/24	
27/03/2024	27032024.2	MATHWIN TRANSPORT	163.35
		DARKAN SWIMMING POOL 13/3 EMPTY DRUMS, CHEMICALS, FUEL LEVY SURCHARGE	
27/03/2024	27032024.3	TRUCKLINE	333.38
		PARTS AND REPAIRS - SP112	
27/03/2024	27032024.4	WREN OIL	16.50
		ADMIN AND COMPLIANCE FEES	
		VOUCHERS	AMOUNT
MUNICIPAL FUND			
		BPAY	30,565.60
		DIRECT DEBIT	25,223.69
		SALARIES AND WAGES - EFT	135,390.49
		07032024.1	143,137.50
		08032024.1-08032024.16	126,059.52
		15032024.1-15032024.53	100,154.77
		26032024.1-26032024.34	142,189.96
		27032024.1-27032024.4	1,606.37
		LICENSING MARCH 2024 TRANSFERS	5796.96
		TOTAL	710,124.86



SHIRE OF WEST ARTHUR
PAYMENTS OF ACCOUNTS BY NAB VISA CARD
FOR THE STATEMENT PERIOD: 30 January 2024 - 28 February 2024

DATE	PAYEE	DESCRIPTION	1. CARD NUMBER 4336-XXXX-XXXX-5951	SOWA EXPENSE CODE	EXPENSE DESCRIPTION	AMOUNT
29-Jan-24	SP166 Railway Parade West Leederville	Parking at WALGA	E142070		OTHER PROPERTY & SERVICES:Administration Overheads:Other Adm	\$3.00
07-Feb-24	Reckon Limited	Advanced Payroll training	E143020		OTHER PROPERTY & SERVICES:Works Overheads:Training & Develop	\$95.00
12-Feb-24	Williams Woolshed	Incorrect use of company card - reimbursement receipt attached	L01217		#N/A	\$15.20
14-Feb-24	Starlink Australia	Wifi for new depot building	E122085		TRANSPORT:;Maintenance Rural:Depot Maintenance	\$139.00
26-Feb-24	Iaycar	Media player with remote for office refurb	E142065		OTHER PROPERTY & SERVICES:Administration Overheads:Building MA	\$79.95
CARD 1 PAYMENTS						
	RAJINDER SUNNER	<i>[Signature]</i>		VINCENT FORDHAM LAMONT	Authorised By CEO	
	Cardholder Name	Cardholder Signed			Authorised By	
15-Feb-24	Bunnings	Darkan Pool mats for ablutions	E112002		RECREATION & CULTURE:;Swimming Areas:Darkan Swimming Pool	\$109.45
CARD 2 PAYMENTS						
	GARY RASMUSSEN	<i>[Signature]</i>		VINCENT FORDHAM LAMONT	Authorised By CEO	
	Cardholder Name	Cardholder Signed			Authorised By	
31-Jan-24	INGSW Pty Ltd	Repair windscreen	E144006		OTHER PROPERTY & SERVICES:;Plant Cost Overheads:Parts & Repairs	\$120.00
CARD 3 PAYMENTS						
	VINCENT FORDHAM LAMONT	<i>[Signature]</i>		NEIL MORRELL, SHIRE PRESIDENT	Authorised By Shire President	
	Cardholder Name	Cardholder Signed			Authorised By	
TOTAL NAB VISA CARD PAYMENTS 4336-XXXX-XXXX-7507						\$565.60
Date Due for Payment						25-Mar-24

Kylie Whitaker, Finance Officer have reviewed the NAB visa card payments and confirm that from the descriptions on the documentation provided that:

- all transactions are expenses incurred by the Shire of West Arthur;
- all purchases have been made in accordance with the Shire of West Arthur policies and procedures;
- all purchases are in accordance with the Local Government Act 1995 and associated regulations;
- no misuse of the corporate card is evident.

Kylie Whitaker *[Signature]* DATE: 21/3/24



13 WORKS AND SERVICES

13.1 DISPOSAL OF UNUTILISED PLANT BY AUCTION

File Reference: ADM 867
Location: NA
Applicant: NA
Author: Gary Rasmussen, Manager Works and Services
Authorising Officer: Vin Fordham Lamont, Chief Executive Officer
Date: 4/04/2024
Disclosure of Interest: Nil
Attachments: Nil

SUMMARY:

Council is requested to approve the disposal of unutilised Shire operational plant below via a private auction house.

BACKGROUND:

T22 Isuzu Giga 2008. This prime mover is only used occasionally and mainly sits in the depot yard.

D3 Caterpillar D6t xl Dozer. It is more economical to have gravel pushed by a contactor. Sale of this item will assist towards revolutionising into a 20 Ton Excavator in 2024/2025 budget.

T15 Hino 500 2004 truck. Is used solely for patching works and towing the small bobcat trailer; will be replaced with the **T12** old gardens truck.

Bobcat trailer. As the trailer is not legal, a new trailer will need to be considered in 2024/2025 budget.

T21 Hino crew cab. This truck has a blown motor, as per conversation in last year’s council meetings.

C22 Toyota Hilux 2006. No longer required and the kms are suitably high.

S2 Bandit mulcher. No longer used and not a viable item.

Old McDonald's 3-point. Old 10 Ton roller relic which stays in the depot yard.

Old McDonald 3-ton. Old roller relic which stays in the depot yard.

Old Forklift. No longer used and not a viable item, due to purchasing a new forklift.

Other smaller items: Rock spreading box, fuel pumps.

COMMENT:

All the mentioned equipment and plant is either not being fully utilised or is just sitting in the yard not being used at all.

I would recommend putting a sales reserve on the following plant items:

- D6t Caterpillar dozer with Tree Arm, Stick Rake and Blade - a reserve of \$230,000.00
- T22 Isuzu Giga 2008 - a reserve of \$40,000.00
- T15 Hino 500 2004 - a reserve of \$30,000.00

CONSULTATION:

Nil

STATUTORY ENVIRONMENT:

Local Government Act 1995
s3.58 Disposing of property

POLICY IMPLICATIONS:

Nil

FINANCIAL IMPLICATIONS:

The total estimated sale proceeds are expected to be from around \$300,000.00 up to \$450,000.00, all of which are to be placed in the plant reserve.

STRATEGIC IMPLICATIONS:

West Arthur's Shire Plant is an important part of our community's Strategic Plan heading towards 2031.

Outcome: Replace utilised and outdated operational plant and equipment to more modern and streamlined operative outfit which will increase output and production.

RISK IMPLICATIONS:

Risk management is the removal of uncertainty from business decisions. Risk is expressed in terms of likelihood it may occur and the consequences that may flow from it. The consequences may be positive or negative or simply a deviation from the expected. The risk or consequence may be related to health and safety; financial; business or service interruption; compliance; reputation; or the environment. ***Reference to the risk matrix below will generate a risk rating by assessing the likelihood and consequence and multiplying these scores by each other.*** The greater the risk rating, the greater the risk and the higher the need for specific plans to be developed. All items with a risk rating greater than ten should be added to the Risk Register and specific controls developed.

Risk Themes:

A risk theme is the categorising of risk. For example, the collection of risks that represent compliance failure. The risk themes in the shire Risk Register include:

- Business Disruption
- Community Disruption
- IT or Communications Failure
- External Threat or Fraud
- Misconduct
- Inadequate safety or security practices
- Inadequate project or change management.
- Errors Omissions or Delays
- Inadequate Document Management Processes
- Inadequate supplier / contract management
- Providing inaccurate advice / information
- Ineffective Employment practices
- Compliance failure
- Inadequate asset management
- Inadequate engagement practices
- Ineffective facility or event management
- Inadequate environmental management

Risk Matrix:

Consequence Likelihood		Insignificant	Minor	Moderate	Major	Catastrophic
		1	2	3	4	5
Almost Certain	5	Medium (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Medium (8)	High (12)	High (16)	Extreme (25)
Possible	3	Low (3)	Medium (6)	Medium (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Medium (6)	Medium (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Medium (5)

Description of Key Risk	Nil
Risk Likelihood (based on history and with existing controls)	N/A
Risk Consequence	N/A
Risk Rating (Prior to Treatment or Control): Likelihood x Consequence	N/A
Principal Risk Theme	N/A
Risk Action Plan (Controls or Treatment Proposed)	N/A

VOTING REQUIREMENTS:

Simple Majority

OFFICER RECOMMENDATION:

That Council:

1. Pursuant to s3.58(2)(a), approve the disposal of the following unutilised operational plant via a private auction house:
 - **T22 Isuzu Giga 2008 prime mover.**
 - **D3 Caterpillar D6t xl Dozer.**
 - **T15 Hino 500 2004 truck.**
 - **Bobcat trailer.**
 - **T21 Hino crew cab truck.**
 - **C22 Toyota Hilux 2006.**
 - **S2 Bandit mulcher.**
 - **Old McDonald's 3-point roller.**
 - **Old McDonald 3-ton roller.**
 - **Old Forklift.**
 - **Other smaller items: Rock spreading box, fuel pumps.**

and

2. Approve the transfer of the sale proceeds for these items to Council’s Plant Reserve.

14 REGULATORY SERVICES

Nil

15 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

16 NEW OR URGENT BUSINESS INTRODUCED BY DECISION OF THE MEETING

New business of an urgent nature introduced by decision of the meeting. Best practice provides that Council should only consider items that have been included on the Agenda (to allow ample time for Councillors to research prior to the meeting) and which have an Officer Report (to provide the background to the issue and a recommended decision).

17 MATTERS BEHIND CLOSED DOORS

Nil

18 CLOSURE OF MEETING

The Presiding Member to declare the meeting closed.