



**CORPORATE & GOVERNANCE
DIRECTORATE**

APPENDICES

Items: 12.4.1 – 12.4.6

ORDINARY COUNCIL MEETING

To Be Held

**Wednesday, 28th of April 2021
Commencing at 5.00pm**

At

**Shire of Dardanup
ADMINISTRATION CENTRE EATON
1 Council Drive - EATON**

This document is available in alternative formats such as:
~ Large Print
~ Electronic Format [disk or emailed]
Upon request.

(Appendix ORD: 12.4.1A)

RISK ASSESSMENT TOOL									
OVERALL RISK EVENT: Adoption of Shire of Dardanup Standards for Local Government CEO Recruitment and Selection, Performance Review and Termination RISK THEME PROFILE: 5 - Employment Practices RISK ASSESSMENT CONTEXT: Operational									
CONSEQUENCE CATEGORY	RISK EVENT	PRIOR TO TREATMENT OR CONTROL			RISK ACTION PLAN (Treatment or controls proposed)	AFTER TREATMENT OR CONTROL			
		CONSEQUENCE	LIKELIHOOD	INHERENT RISK RATING		CONSEQUENCE	LIKELIHOOD	RESIDUAL RISK RATING	
HEALTH	No risk event identified for this category.	Not Required - No Risk Identified	N/A	N/A	Not required.	Not required.	Not required.	Not required.	Not required.
FINANCIAL IMPACT	Financial impact to organisation is significant if legal compliance is not followed.	Moderate (3)	Unlikely (2)	Moderate (5 - 11)	Adherence to legislation.	Minor (2)	Rare (1)	Low (1 - 4)	Low (1 - 4)
SERVICE INTERRUPTION	No risk event identified for this category.	Not Required - No Risk Identified	N/A	N/A	Not required.	Not required.	Not required.	Not required.	Not required.
LEGAL AND COMPLIANCE	Non-compliance with legislation can result in and possible industrial relations claims.	Moderate (3)	Possible (3)	Moderate (5 - 11)	Model Standards to be adopted by Council. Adherence to legislation.	Minor (2)	Unlikely (2)	Low (1 - 4)	Low (1 - 4)
REPUTATIONAL	The Shire's reputation would be at risk with non-compliance of legislation by not adopting the Model Standards.	Minor (2)	Unlikely (2)	Low (1 - 4)	Model Standards to be adopted by Council. Adherence to process.	Insignificant (1)	Unlikely (2)	Low (1 - 4)	Low (1 - 4)
ENVIRONMENT	No risk event identified for this category.	Not Required - No Risk Identified	N/A	N/A	Not required.	Not required.	Not required.	Not required.	Not required.

Western Australia

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Schedule 2 — Model standards for CEO recruitment, performance and termination

[r. 18FA]

[Heading inserted: SL 2021/14 r. 7.]

Division 1 — Preliminary provisions

[Heading inserted: SL 2021/14 r. 7.]

1. Citation

These are the *Shire of Dardanup Standards for CEO Recruitment, Performance and Termination*.

[Clause 1 inserted: SL 2021/14 r. 7.]

2. Terms used

- (1) In these standards —

Act means the *Local Government Act 1995*;

additional performance criteria means performance criteria agreed by the local government and the CEO under clause 16(1)(b);

applicant means a person who submits an application to the local government for the position of CEO;

contract of employment means the written contract, as referred to in section 5.39 of the Act, that governs the employment of the CEO;

contractual performance criteria means the performance criteria specified in the CEO's contract of employment as referred to in section 5.39(3)(b) of the Act;

job description form means the job description form for the position of CEO approved by the local government under clause 5(2);

local government means the Shire of Dardanup;

selection criteria means the selection criteria for the position of CEO determined by the local government under clause 5(1) and set out in the job description form;

selection panel means the selection panel established by the local government under clause 8 for the employment of a person in the position of CEO.

- (2) Other terms used in these standards that are also used in the Act have the same meaning as they have in the Act, unless the contrary intention appears.

[Clause 2 inserted: SL 2021/14 r. 7.]

Division 2 — Standards for recruitment of CEOs

[Heading inserted: SL 2021/14 r. 7.]

3. Overview of Division

This Division sets out standards to be observed by the local government in relation to the recruitment of CEOs.

[Clause 3 inserted: SL 2021/14 r. 7.]

4. Application of Division

- (1) Except as provided in subclause (2), this Division applies to any recruitment and selection process carried out by the local government for the employment of a person in the position of CEO.
- (2) This Division does not apply —
 - (a) if it is proposed that the position of CEO be filled by a person in a class prescribed for the purposes of section 5.36(5A) of the Act; or
 - (b) in relation to a renewal of the CEO's contract of employment, except in the circumstances referred to in clause 13(2).

[Clause 4 inserted: SL 2021/14 r. 7.]

5. Determination of selection criteria and approval of job description form

- (1) The local government must determine the selection criteria for the position of CEO, based on the local government's consideration of the knowledge, experience, qualifications and skills necessary to effectively perform the duties and responsibilities of the position of CEO of the local government.
- (2) The local government must, by resolution of an absolute majority of the council, approve a job description form for the position of CEO which sets out —
 - (a) the duties and responsibilities of the position; and
 - (b) the selection criteria for the position determined in accordance with subclause (1).

[Clause 5 inserted: SL 2021/14 r. 7.]

6. Advertising requirements

- (1) If the position of CEO is vacant, the local government must ensure it complies with section 5.36(4) of the Act and the *Local Government (Administration) Regulations 1996* regulation 18A.
- (2) If clause 13 applies, the local government must advertise the position of CEO in the manner referred to in the *Local Government (Administration) Regulations 1996* regulation 18A as if the position was vacant.

[Clause 6 inserted: SL 2021/14 r. 7.]

7. Job description form to be made available by local government

If a person requests the local government to provide to the person a copy of the job description form, the local government must —

- (a) inform the person of the website address referred to in the *Local Government (Administration) Regulations 1996* regulation 18A(2)(da); or
- (b) if the person advises the local government that the person is unable to access that website address —
 - (i) email a copy of the job description form to an email address provided by the person; or
 - (ii) mail a copy of the job description form to a postal address provided by the person.

[Clause 7 inserted: SL 2021/14 r. 7.]

8. Establishment of selection panel for employment of CEO

(1) In this clause —

independent person means a person other than any of the following —

- (a) a council member;
 - (b) an employee of the local government;
 - (c) a human resources consultant engaged by the local government.
- (2) The local government must establish a selection panel to conduct the recruitment and selection process for the employment of a person in the position of CEO.
- (3) The selection panel must comprise —
- (a) council members (the number of which must be determined by the local government); and
 - (b) at least 1 independent person.

[Clause 8 inserted: SL 2021/14 r. 7.]

9. Recommendation by selection panel

- (1) Each applicant’s knowledge, experience, qualifications and skills must be assessed against the selection criteria by or on behalf of the selection panel.
- (2) Following the assessment referred to in subclause (1), the selection panel must provide to the local government —
 - (a) a summary of the selection panel’s assessment of each applicant; and
 - (b) unless subclause (3) applies, the selection panel’s recommendation as to which applicant or applicants are suitable to be employed in the position of CEO.
- (3) If the selection panel considers that none of the applicants are suitable to be employed in the position of CEO, the selection panel must recommend to the local government —
 - (a) that a new recruitment and selection process for the position be carried out in accordance with these standards; and
 - (b) the changes (if any) that the selection panel considers should be made to the duties and responsibilities of the position or the selection criteria.

- (4) The selection panel must act under subclauses (1), (2) and (3) —
 - (a) in an impartial and transparent manner; and
 - (b) in accordance with the principles set out in section 5.40 of the Act.
- (5) The selection panel must not recommend an applicant to the local government under subclause (2)(b) unless the selection panel has —
 - (a) assessed the applicant as having demonstrated that the applicant’s knowledge, experience, qualifications and skills meet the selection criteria; and
 - (b) verified any academic, or other tertiary level, qualifications the applicant claims to hold; and
 - (c) whether by contacting referees provided by the applicant or making any other inquiries the selection panel considers appropriate, verified the applicant’s character, work history, skills, performance and any other claims made by the applicant.
- (6) The local government must have regard to, but is not bound to accept, a recommendation made by the selection panel under this clause.

[Clause 9 inserted: SL 2021/14 r. 7.]

10. Application of cl. 5 where new process carried out

- (1) This clause applies if the local government accepts a recommendation by the selection panel under clause 9(3)(a) that a new recruitment and selection process for the position of CEO be carried out in accordance with these standards.
- (2) Unless the local government considers that changes should be made to the duties and responsibilities of the position or the selection criteria —
 - (a) clause 5 does not apply to the new recruitment and selection process; and
 - (b) the job description form previously approved by the local government under clause 5(2) is the job description form for the purposes of the new recruitment and selection process.

[Clause 10 inserted: SL 2021/14 r. 7.]

11. Offer of employment in position of CEO

Before making an applicant an offer of employment in the position of CEO, the local government must, by resolution of an absolute majority of the council, approve —

- (a) the making of the offer of employment to the applicant; and
- (b) the proposed terms of the contract of employment to be entered into by the local government and the applicant.

[Clause 11 inserted: SL 2021/14 r. 7.]

12. Variations to proposed terms of contract of employment

- (1) This clause applies if an applicant who is made an offer of employment in the position of CEO under clause 11 negotiates with the local government a contract of employment (the *negotiated contract*) containing terms different to the proposed terms approved by the local government under clause 11(b).
- (2) Before entering into the negotiated contract with the applicant, the local government must, by resolution of an absolute majority of the council, approve the terms of the negotiated contract.

[Clause 12 inserted: SL 2021/14 r. 7.]

13. Recruitment to be undertaken on expiry of certain CEO contracts

- (1) In this clause —
commencement day means the day on which the *Local Government (Administration) Amendment Regulations 2021* regulation 6 comes into operation.
- (2) This clause applies if —
- (a) upon the expiry of the contract of employment of the person (the **incumbent CEO**) who holds the position of CEO —
 - (i) the incumbent CEO will have held the position for a period of 10 or more consecutive years, whether that period commenced before, on or after commencement day; and
 - (ii) a period of 10 or more consecutive years has elapsed since a recruitment and selection process for the position was carried out, whether that process was carried out before, on or after commencement day;
 - and
 - (b) the incumbent CEO has notified the local government that they wish to have their contract of employment renewed upon its expiry.
- (3) Before the expiry of the incumbent CEO’s contract of employment, the local government must carry out a recruitment and selection process in accordance with these standards to select a person to be employed in the position of CEO after the expiry of the incumbent CEO’s contract of employment.
- (4) This clause does not prevent the incumbent CEO’s contract of employment from being renewed upon its expiry if the incumbent CEO is selected in the recruitment and selection process referred to in subclause (3) to be employed in the position of CEO.

[Clause 13 inserted: SL 2021/14 r. 7.]

14. Confidentiality of information

The local government must ensure that information provided to, or obtained by, the local government in the course of a recruitment and selection process for the position of CEO is not disclosed, or made use of, except for the purpose of, or in connection with, that recruitment and selection process.

[Clause 14 inserted: SL 2021/14 r. 7.]

Division 3 — Standards for review of performance of CEOs

[Heading inserted: SL 2021/14 r. 7.]

15. Overview of Division

This Division sets out standards to be observed by the local government in relation to the review of the performance of CEOs.

[Clause 15 inserted: SL 2021/14 r. 7.]

16. Performance review process to be agreed between local government and CEO

- (1) The local government and the CEO must agree on —
 - (a) the process by which the CEO’s performance will be reviewed; and
 - (b) any performance criteria to be met by the CEO that are in addition to the contractual performance criteria.
- (2) Without limiting subclause (1), the process agreed under subclause (1)(a) must be consistent with clauses 17, 18 and 19.
- (3) The matters referred to in subclause (1) must be set out in a written document.

[Clause 16 inserted: SL 2021/14 r. 7.]

17. Carrying out a performance review

- (1) A review of the performance of the CEO by the local government must be carried out in an impartial and transparent manner.
- (2) The local government must —
 - (a) collect evidence regarding the CEO’s performance in respect of the contractual performance criteria and any additional performance criteria in a thorough and comprehensive manner; and
 - (b) review the CEO’s performance against the contractual performance criteria and any additional performance criteria, based on that evidence.

[Clause 17 inserted: SL 2021/14 r. 7.]

18. Endorsement of performance review by local government

Following a review of the performance of the CEO, the local government must, by resolution of an absolute majority of the council, endorse the review.

[Clause 18 inserted: SL 2021/14 r. 7.]

19. CEO to be notified of results of performance review

After the local government has endorsed a review of the performance of the CEO under clause 18, the local government must inform the CEO in writing of —

- (a) the results of the review; and
- (b) if the review identifies any issues about the performance of the CEO — how the local government proposes to address and manage those issues.

[Clause 19 inserted: SL 2021/14 r. 7.]

Division 4 — Standards for termination of employment of CEOs

[Heading inserted: SL 2021/14 r. 7.]

20. Overview of Division

This Division sets out standards to be observed by the local government in relation to the termination of the employment of CEOs.

[Clause 20 inserted: SL 2021/14 r. 7.]

21. General principles applying to any termination

- (1) The local government must make decisions relating to the termination of the employment of a CEO in an impartial and transparent manner.
- (2) The local government must accord a CEO procedural fairness in relation to the process for the termination of the CEO's employment, including —
 - (a) informing the CEO of the CEO's rights, entitlements and responsibilities in relation to the termination process; and
 - (b) notifying the CEO of any allegations against the CEO; and
 - (c) giving the CEO a reasonable opportunity to respond to the allegations; and
 - (d) genuinely considering any response given by the CEO in response to the allegations.

[Clause 21 inserted: SL 2021/14 r. 7.]

22. Additional principles applying to termination for performance-related reasons

- (1) This clause applies if the local government proposes to terminate the employment of a CEO for reasons related to the CEO's performance.
- (2) The local government must not terminate the CEO's employment unless the local government has —
 - (a) in the course of carrying out the review of the CEO's performance referred to in subclause (3) or any other review of the CEO's performance, identified any issues (the *performance issues*) related to the performance of the CEO; and
 - (b) informed the CEO of the performance issues; and
 - (c) given the CEO a reasonable opportunity to address, and implement a plan to remedy, the performance issues; and
 - (d) determined that the CEO has not remedied the performance issues to the satisfaction of the local government.
- (3) The local government must not terminate the CEO's employment unless the local government has, within the preceding 12-month period, reviewed the performance of the CEO under section 5.38(1) of the Act.

[Clause 22 inserted: SL 2021/14 r. 7.]

23. Decision to terminate

Any decision by the local government to terminate the employment of a CEO must be made by resolution of an absolute majority of the council.

[Clause 23 inserted: SL 2021/14 r. 7.]

24. Notice of termination of employment

- (1) If the local government terminates the employment of a CEO, the local government must give the CEO notice in writing of the termination.
- (2) The notice must set out the local government's reasons for terminating the employment of the CEO.


[Clause 24 inserted: SL 2021/14 r. 7.]



CEO REVIEW COMMITTEE

INSTRUMENT OF APPOINTMENT & TERMS OF REFERENCE

By Resolution of Council
Ordinary Council Meeting 27/05/2020
Resolution Number [130-20]
Updated OCM 28/04/2021
Resolution Number [???-21]



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1 INTRODUCTION

The Council of the Shire of Dardanup (the "Council") establishes this committee under the powers given in Section 5.8 of the Local Government Act 1995, the committee to be known as the CEO Review Committee, (the "Committee").

The Council appoints to the Committee those persons to be members of the committee by resolution of Council. Membership of the Committee shall, unless otherwise specified, be for a term ceasing on the day prior to local government elections being held. Council may appoint members for a further term at the next available meeting following the elections.

The Committee shall act for and on behalf of Council in accordance with provisions of the Local Government Act 1995, local laws and the policies of the Shire of Dardanup and this instrument.

2 NAME

The name of the Committee is the "CEO Review" Committee.

3 OBJECTIVES – GENERIC

The following objectives are generic to all Council committees:

- 3.1 To consider, advise and assist the local government in performing specified functions or fulfilling required responsibilities within its district;
- 3.2 Where appropriate, to liaise with relevant agencies and other persons in the development, review and testing of Council policy and strategic objectives;
- 3.3 To carry out research and other activities as directed by the Council or prescribed by the regulations; and
- 3.4 To fulfil the objectives and/or undertake the specific tasks as a Committee of Council specified in Section 4 – Functions of the Committee and Section 5 Committee Objectives - Specific.
- 3.5 To ensure that all members dealings are carried out in accordance with the Shire of Dardanup Code of Conduct.

(Details of tasks to be endorsed by Council by resolution when the committee is established or as amended from time to time).

4 FUNCTIONS OF THE CEO REVIEW COMMITTEE

The detailed functions of the Committee are set out in accordance with the Local Government Act 1995, s5.38(1)and(3).

5.38. *Annual review of employees' performance*

- (1) *A local government must review the performance of the CEO if the CEO is employed for a term of more than 1 year.*
- (2) *The CEO must ensure that the performance of each other employee who is employed for more than 1 year is reviewed.*
- (3) *A review under subsection (1) or (2) must be conducted at least once in relation to each year of the person's employment.*

[Section 5.38 inserted: No. 16 of 2019 s. 21.]

Section 5.38 of the Act provides that, for a CEO who is employed for a term of more than one year, the performance of a CEO is to be reviewed formally at least once in every year of their employment.

In addition to this minimum requirement, it is recommended that the council engages in regular discussions with the CEO regarding their performance about key result areas, progress and ways that the CEO can be supported. Any changes to the CEO's performance agreement such as changes to key result areas should also be discussed, and agreed to, between the council and the CEO, as the matter arises.

5 COMMITTEE OBJECTIVES - SPECIFIC

The standards regarding CEO performance review are based on the principles of fairness, integrity and impartiality. The CEO Review Committee shall have the following objectives:

- 5.1 In conjunction with an independent facilitator, undertake an annual assessment of the CEO's performance in accordance with the provisions of the CEO's contract of employment and key performance indicators;
- 5.2 In consultation with an independent facilitator and the CEO, develop and recommend to Council key performance indicators in order to achieve the key priorities of the Corporate Business Plan, and any other means that will be used to assess the CEO's future performance in order to meet the expectation of Council;
- 5.3 Review the CEO's employment contract and position description and make recommendations to Council as and when necessary;
- 5.4 Review the CEO's remuneration package annually and make recommendations to Council in relation to remuneration, in accordance with the CEO's contract of employment, having consideration to the CEO's performance, current level of remuneration, and the Salaries and Allowances Determination;
- 5.5 Provide guidance to Council in assessing the CEO's performance; and

- 5.6 Provide positive communication opportunities between Council and the CEO.
- 5.7 To adhere to the minimum Performance Review Standards as follows:
- Performance criteria is specific, relevant, measurable, achievable and time-based.
 - The performance criteria and the performance process are recorded in a written document, negotiated with and agreed upon by the CEO and council.
 - The CEO is informed about how their performance will be assessed and managed and the results of their performance assessment.
 - The collection of evidence regarding performance outcomes is thorough and comprehensive.
 - Assessment is made free from bias and based on the CEO's achievements against documented performance criteria, and decisions and actions are impartial and transparent.
 - The council has endorsed the performance review assessment by absolute majority.

Any variation to these objectives is not to be considered by the committee unless approved by Council.

6 MEMBERSHIP

- 6.1 The Council resolves to nominate no more than three elected members being the Shire President and Deputy Shire President as members for the Committee for a period of two years or until the next Ordinary Council election, the two elected members shall be members of the committee.
- 6.2 In addition to the above with regards to the specific membership of the CEO Review Committee the following sections in *Local Government Act 1995*, in relation to representation are also relevant:

5.10. *Committee members, appointment of*

- (1) *A committee is to have as its members —*
- (a) *persons appointed* by the local government to be members of the committee (other than those referred to in paragraph (b)); and*
 - (b) *persons who are appointed to be members of the committee under subsection (4) or (5).*
** Absolute majority required.*
- (2) *At any given time each council member is entitled to be a member of at least one committee referred to in section 5.9(2)(a) or (b) and if a council member nominates himself or herself to be a member of such a committee or committees, the local government is to include that council member in the persons appointed under subsection (1)(a) to at least one of those committees as the local government decides.*
- (3) *Section 52 of the Interpretation Act 1984 applies to appointments of committee members other than those appointed under subsection (4) or (5) but any power exercised under*

section 52(1) of that Act can only be exercised on the decision of an absolute majority of the council.

- (4) *If at a meeting of the council a local government is to make an appointment to a committee that has or could have a council member as a member and the mayor or president informs the local government of his or her wish to be a member of the committee, the local government is to appoint the mayor or president to be a member of the committee.*
- (5) *If at a meeting of the council a local government is to make an appointment to a committee that has or will have an employee as a member and the CEO informs the local government of his or her wish —*
- (a) *to be a member of the committee; or*
- (b) *that a representative of the CEO be a member of the committee,*

the local government is to appoint the CEO or the CEO's representative, as the case may be, to be a member of the committee.

[Section 5.10 amended: No. 16 of 2019 s. 18.]

5.11A. Deputy committee members

- (1) *The local government may appoint* a person to be a deputy of a member of a committee and may terminate such an appointment* at any time.*

** Absolute majority required.*

- (2) *A person who is appointed as a deputy of a member of a committee is to be —*
- (a) *if the member of the committee is a council member — a council member; or*
- (b) *if the member of the committee is an employee — an employee; or*
- (c) *if the member of the committee is not a council member or an employee — a person who is not a council member or an employee; or*
- (d) *if the member of the committee is a person appointed under section 5.10(5) — a person nominated by the CEO.*
- (3) *A deputy of a member of a committee may perform the functions of the member when the member is unable to do so by reason of illness, absence or other cause.*
- (4) *A deputy of a member of a committee, while acting as a member, has all the functions of and all the protection given to a member.*

[Section 5.11A inserted: No. 17 of 2009 s. 20.]

5.11. Committee membership, tenure of

- (1) *Where a person is appointed as a member of a committee under section 5.10(4) or (5), the person's membership of the committee continues until —*
- (a) *the person no longer holds the office by virtue of which the person became a member, or is no longer the CEO, or the CEO's representative, as the case may be; or*
- (b) *the person resigns from membership of the committee; or*
- (c) *the committee is disbanded; or*
- (d) *the next ordinary elections day,*

whichever happens first.

- (2) *Where a person is appointed as a member of a committee other than under section 5.10(4) or (5), the person’s membership of the committee continues until —*
- (a) *the term of the person’s appointment as a committee member expires; or*
 - (b) *the local government removes the person from the office of committee member or the office of committee member otherwise becomes vacant; or*
 - (c) *the committee is disbanded; or*
 - (d) *the next ordinary elections day,*
- whichever happens first.*

5.12. Presiding members and deputies, election of

- (1) *The members of a committee are to elect a presiding member from amongst themselves in accordance with Schedule 2.3, Division 1 as if the references in that Schedule —*
- (a) *to “office” were references to “office of presiding member”; and*
 - (b) *to “council” were references to “committee”; and*
 - (c) *to “councillors” were references to “committee members”.*
- (2) *The members of a committee may elect a deputy presiding member from amongst themselves but any such election is to be in accordance with Schedule 2.3, Division 2 as if the references in that Schedule —*
- (a) *to “office” were references to “office of deputy presiding member”; and*
 - (b) *to “council” were references to “committee”; and*
 - (c) *to “councillors” were references to “committee members”; and*
 - (d) *to “mayor or president” were references to “presiding member”.*

6.3 The Chief Executive Officer nominates the Manager Governance & HR to attend meetings as required to provide advice and guidance to the committee.

7 PRESIDING MEMBER

7.1 The Deputy CEO or delegated nominee will preside until the position of Presiding member is filled in accordance with Schedule 2.3 clause 3 of the *Local Government Act 1995*.

7.2 The Committee shall appoint a Presiding Member and Deputy Presiding Member to conduct its business in accordance with the following provisions of the *Local Government Act 1995*:

5.12 Presiding members and deputies, election of

- (1) *The members of a committee are to elect a presiding member from amongst themselves in accordance with Schedule 2.3, Division 1 as if the references in that Schedule —*
- (a) *to “office” were references to “office of presiding member”; and*
 - (b) *to “council” were references to “committee”; and*
 - (c) *to “councillors” were references to “committee members”.*

- (2) *The members of a committee may elect a deputy presiding member from amongst themselves but any such election is to be in accordance with Schedule 2.3, Division 2 as if the references in that Schedule —*
- (a) *to “office” were references to “office of deputy presiding member”; and*
 - (b) *to “council” were references to “committee”; and*
 - (c) *to “councillors” were references to “committee members”; and*
 - (d) *to “mayor or president” were references to “presiding member”.*

7.3 The Presiding Member shall ensure that business is conducted in accordance with the Shire of Dardanup Standing Orders and that minutes of the proceedings are kept in accordance with Section 5.22 of the Local Government Act 1995.

5.22. Minutes of council and committee meetings

- (1) *The person presiding at a meeting of a council or a committee is to cause minutes to be kept of the meeting’s proceedings.*
- (2) *The minutes of a meeting of a council or a committee are to be submitted to the next ordinary meeting of the council or the committee, as the case requires, for confirmation.*
- (3) *The person presiding at the meeting at which the minutes are confirmed is to sign the minutes and certify the confirmation.*

7.4 The Deputy presiding member has the following functions as per section 5.12 of the Local Government Act 1995:

5.13. Deputy presiding members, functions of

If, in relation to the presiding member of a committee —

- (a) *the office of presiding member is vacant; or*
 - (b) *the presiding member is not available or is unable or unwilling to perform the functions of presiding member,*
- then the deputy presiding member, if any, may perform the functions of presiding member.*

7.5 A presiding member is to be chosen from the committee members present at the meeting if the presiding member or deputy presiding member are unavailable or unwilling to perform the functions of the presiding member in accordance with Section 5.14 the *Local Government Act 1995*:

5.14. Who acts if no presiding member

If, in relation to the presiding member of a committee —

- (a) *the office of presiding member and the office of deputy presiding member are vacant; or*
 - (b) *the presiding member and the deputy presiding member, if any, are not available or are unable or unwilling to perform the functions of presiding member,*
- then the committee members present at the meeting are to choose one of themselves to preside at the meeting.*

8 MEETINGS

- 8.1 As there are no power or duty delegated to the committee the meetings are not open to the public.
- 8.2 The Committee will meet at least once a year to facilitate an annual assessment of the CEO's performance.
- 8.3 Notice of meetings including an agenda shall be given to members at least **3 days** prior to each meeting.
- 8.4 The Presiding member shall ensure that detailed minutes of all meetings are kept and shall, not later than 5 days after each meeting, provide the members with a copy of such minutes.
- 8.5 The minutes of the meeting are to be included in the next available Ordinary meeting of Council agenda for consideration of recommendations or to be received by the Council.
- 8.6 All members of the Committee shall have one vote. If the vote of the members present are equally divided, the person presiding is to cast a second vote.
- 8.7 Shire of Dardanup Local Law Standing Orders apply to all Shire of Dardanup committees.

9 QUORUM

Quorum for a meeting shall be at least 50% of the number of offices, whether vacant or not. A decision of the Committee does not have effect unless it has been made by a simple majority.

(Note – Council may, at the request of the Committee, agree to set the quorum at a lesser number. However in such circumstances any recommendation on expenditure of monies or on forming policy positions that is being made to Council or the CEO, the committee must have at least 50% of the members present to make a valid recommendation/s.)

10 DELEGATED POWERS

- 10.1 The Committee has no specific powers under the Local Government Act and is to advise and make recommendations to Council only.
- 10.2 The Council reserves the right to delegate powers to the committee if circumstances require delegation. The Delegation shall be recorded in the Council minutes prior to the delegation being exercised.

11 DISPUTE

Where the CEO disagrees with the feedback he/she is entitled to request Council consider the rating.

12 TERMINATION OF COMMITTEE

Termination of the Committee shall be:

- 12.1 In accordance with the Local Government Act 1995; or
- 12.2 At the direction of Council.

13 AMENDMENT TO THE INSTRUMENT OF APPOINTMENT AND DELEGATION

- 13.1 This document may be altered at any time by the Council on the recommendation of the Committee, or by direct resolution of Council.

14 COMMITTEE DECISIONS

- 14.1 Committee decisions shall not be binding on Council in any circumstance.
- 14.2 The decisions of the CEO Review Committee is to be by simple majority in accordance with the Local Government Act 1995.

15 HISTORY OF COUNCIL RESOLUTION ESTABLISHING THE COMMITTEE

- 15.1 The CEO Review Committee was established by Resolution of the Shire of Dardanup Council on 27 May 2020 and updated by Resolution on 28 April 2021.

16 OFFICER(S) RESPONSIBLE FOR MANAGEMENT OF THE COMMITTEE

- 16.1 The Chief Executive Officer shall appoint an officer relative to the Committee's Terms of Reference to manage the committee. In normal circumstances this is the Manager Governance & HR.
- 16.2 The appointed officer shall ensure the provision of secretarial and administrative support.

(Appendix ORD: 12.4.2A)

RISK ASSESSMENT TOOL									
OVERALL RISK EVENT: Draft Bush Fire Brigade Local Law 2021									
RISK THEME PROFILE:									
3 - Failure to Fulfil Compliance Requirements (Statutory, Regulatory)			4 - Document Management Processes						
RISK ASSESSMENT CONTEXT: Operational									
CONSEQUENCE CATEGORY	RISK EVENT	PRIOR TO TREATMENT OR CONTROL			RISK ACTION PLAN (Treatment or controls proposed)	AFTER TREATMENT OR CONTROL			RESIDUAL RISK RATING
		CONSEQUENCE	LIKELIHOOD	INHERENT RISK RATING		CONSEQUENCE	LIKELIHOOD		
HEALTH	No risk event identified for this category.	Not Required - No Risk Identified	N/A	N/A	Not required.	Not required.	Not required.	Not required.	Not required.
FINANCIAL IMPACT	No risk event identified for this category.	Not Required - No Risk Identified	N/A	N/A	Not required.	Not required.	Not required.	Not required.	Not required.
SERVICE INTERRUPTION	No risk event identified for this category.	Not Required - No Risk Identified	N/A	N/A	Not required.	Not required.	Not required.	Not required.	Not required.
LEGAL AND COMPLIANCE	Failing to review in the 8 yearly cycle as stipulated in S3.16 of Local Government Act 1995.	Moderate (3)	Rare (1)	Low (1 - 4)	Not required.	Not required.	Not required.	Not required.	Not required.
REPUTATIONAL	Council would be seen in a negative light if we failed in our legislative requirements.	Minor (2)	Rare (1)	Low (1 - 4)	Not required.	Not required.	Not required.	Not required.	Not required.
ENVIRONMENT	No risk event identified for this category.	Not Required - No Risk Identified	N/A	N/A	Not required.	Not required.	Not required.	Not required.	Not required.

*Changes from 2003 BFB Local Law Highlighted
Highlights are inclusive of amendments following
advertising.*

**SHIRE OF DARDANUP
BUSH FIRE BRIGADES LOCAL LAW 2021**

BUSH FIRES ACT 1954

LOCAL GOVERNMENT ACT 1995

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BUSH FIRES ACT 1954 LOCAL GOVERNMENT ACT 1995

SHIRE OF DARDANUP

BUSH FIRE BRIGADES LOCAL LAW 2021

Under the powers conferred by the *Bush Fires Act 1954* and under all other powers enabling it, the Council of the *Shire of Dardanup* resolved on [insert date] to make the following local law.

PART 1 - PRELIMINARY

1.1 Citation

This local law may be cited as the *Shire of Dardanup Bush Fire Brigades Local Law 2021*.

1.2 Definitions

(1) In this local law unless the context otherwise requires –

“~~Act~~” *Act* means the *Bush Fires Act 1954*;

“~~brigade area~~” *brigade area* is defined in clause 2.2(1)(b);

“~~brigade member~~” *brigade member* means a fire fighting member, associate member or a cadet member of a bush fire brigade;

“~~brigade officer~~” *brigade officer* means a person holding a position referred to in clause 2.2(1)(c), whether or not he or she was appointed by the local government or elected at an annual general meeting of a bush fire brigade or otherwise appointed to the position;

“~~bush fire brigade~~” *bush fire brigade* is defined in section 7 of the Act;

“~~Bush Fire Operating Procedures~~” *Bush Fire Operating Procedures* means the Bush Fire Operating Procedures adopted by the local government as amended from time to time;

“~~CEO~~” *CEO* means the ~~chief executive officer~~ *Chief Executive Officer* of the Shire of Dardanup;

“~~Council~~” *Council* means the Council of the local government;

“~~Department~~” *Department* means the Department of Fire and Emergency Services of Western Australia;

“~~district~~” *District* means the district of the local government;

“~~fire fighting member~~” *fire fighting member* is defined in clause 4.2;

“~~local government~~” *local government* means the *Shire of Dardanup*;

“~~normal brigade activities~~” *normal brigade activities* is defined in Section 35A of the Act;

“~~Regulations~~” *Regulations* means Regulations made under the Act; and

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“**Rules**” **Rules** means the Rules Governing the Operation of Bush Fire Brigades set out in the First Schedule.

- (2) In this local law, unless the context otherwise requires, a reference to –
- (a) a Captain;
 - (b) a First Lieutenant;
 - (c) a Second Lieutenant;
 - (d) any additional Lieutenants;
 - (e) an Equipment Officer;
 - (f) a Secretary.
 - (g) a Treasurer; or
 - (h) a Secretary / Treasurer combined,

means a person holding that position in a bush fire brigade.

1.3 Repeal

~~The Shire of Dardanup Bush Fire Brigades Local Law published in the Government Gazette of 17th April 2003 and the Shire of Dardanup Bush Fire Brigades Amendment Local law published in the Government Gazette on 8th April 2008 are repealed.~~ This local law repeals the *Shire of Dardanup Bush Fire Brigade Local Law 2003* published in the *Government Gazette* on 17 April 2003 and as amended on 8 April 2008.

1.4 Application

This local law applies throughout the district.

1.5 Commencement

This local law come into operation 14 days after the date of its publication in the *Government Gazette*.

PART 2 – ESTABLISHMENT OF BUSH FIRE BRIGADES

Division 1 – Establishment of a bush fire brigade

2.1 Establishment of a bush fire brigade

- (1) The local government may establish a bush fire brigade for the purpose of carrying out normal brigade activities.
- (2) A bush fire brigade is established on the date of the local government’s decision under subclause (1).

2.2 Name and officers of bush fire brigade

- (1) On establishing a bush fire brigade under clause 2.1(1) the local government is to –
 - (a) give a name to the bush fire brigade;
 - (b) specify the area in which the bush fire brigade is primarily responsible for carrying out the normal brigade activities (the “**brigade area**”); and
 - (c) appoint –
 - (i) a Captain;

(Appendix ORD: 12.4.2B)

- (ii) a First Lieutenant;
 - (iii) a Second Lieutenant;
 - (iv) additional Lieutenants if the local government considers it necessary;
 - (v) an Equipment Officer;
 - (vi) a Secretary; and
 - (vii) a Treasurer; or
 - (viii) a Secretary/Treasurer combined;
 - (ix) a Bush Fire Control Officer; and
 - (x) ~~Any~~ any other position(s) deemed necessary for the effective management of brigade activities (eg; a Training Officer).
- (2) When considering the appointment of persons to the positions in subclause (1)(c), the local government is to have regard to the qualifications and experience which may be required to fill each position.
- (3) A person appointed to a position in subclause (1)(c) is to be taken to be a brigade member.
- (4) The appointments referred to in subclause (1)(c) expire at the completion of the first annual general meeting of the bush fire brigade.
- (5) If a position referred to in subclause (1)(c) becomes vacant prior to the completion of the first annual general meeting, then the local government is to appoint a person to fill the vacancy in accordance with subclause (2).

Division 2 – Command at a fire

2.3 Ranks within the bush fire brigade

- ~~(1) Where under the Act and Bush Fire Operating Procedures members of the bush fire brigade have command of a fire, unless a bushfire control officer is in attendance at the fire, the Captain has full control over other persons fighting the fire, and is to issue instructions as to the methods to be adopted by the firefighters. In the absence of the Captain, the first Lieutenant, and in the absence of the first, the second Lieutenant and so on, in the order of seniority determined, is to exercise all the powers and duties of the Captain.~~
- ~~(2) Where a bushfire control officer is in attendance at a fire which the members of the bush fire brigade have command of under the Act and the Bush Fire Operating Procedures, the most senior bushfire control officer has full control over other persons fighting the fire and is to issue instructions as to the methods to be adopted by the fire fighters.~~

Where, under the Act and Bush Fire Operating Procedures, members of a bush fire brigade have command of a fire –

- (a) where a bush fire control officer is in attendance at the fire, the most senior bushfire control officer has full control over all other persons fighting the fire and is to issue instructions as to methods and tactics to be adopted by the fire fighters; and
- (b) in the absence of a bush fire control officer, the Captain has full control over all other persons fighting the fire, and is to issue instructions as to the methods and tactics to be adopted by the firefighters; and
- (c) in the absence of the Captain, the first Lieutenant, and in the absence of the first, the second Lieutenant and so on, in the order of seniority determined, is to exercise all the powers and duties of the Captain.

(Appendix ORD: 12.4.2B)

Division 3 – Application of Rules to a bush fire brigade

2.4 Rules

- (1) The Rules govern the operation of a bush fire brigade.
- (2) A bush fire brigade and each brigade member is to comply with the Rules as set out in Schedule 1.

Division 4 – Transitional

2.5 Existing Bush Fire Brigades Existing bush fire brigades

- (1) Where a local government has established a bush fire brigade prior to the commencement date, then on and from the commencement day –
 - (a) the bush fire brigade is to be taken to be a bush fire brigade established under and in accordance with this local law;
 - (b) the provisions of this local law apply to the bush fire brigade save for clause 2.2; and
 - (c) any rules governing the operation of the bush fire brigade are to be taken to have been repealed and substituted with the Rules.
- (2) In this clause –
“~~commencement day~~” **commencement day** means the day on which this local law comes into operation.

Division 5 – Dissolution of bush fire brigade

2.6 Dissolution of bush fire brigade

In accordance with section 41(3) of the Act, the local government may cancel the registration of a bush fire brigade if it is of the opinion that the bush fire brigade is not complying with the Act, this local law, the Bush Fire Operating Procedures or the Rules, or is not achieving the objectives for which it was established.

2.7 New arrangement after dissolution

If a local government cancels the registration of a bush fire brigade, alternative fire control arrangements are to be made in respect of the brigade area.

PART 3 - ORGANISATION AND MAINTENANCE OF BUSH FIRE BRIGADES

Division 1 – Local government responsibility

3.1 Local government responsible for structure

The local government is to ensure that there is an appropriate structure through which the organisation of bush fire brigades is maintained.

3.2 Officers to be supplied with Act

The local government is to supply each brigade officer with a copy of the Act, the Regulations, the Bush Fire Operating Procedures, this local law, **local government code of conduct and policies** and any other

(Appendix ORD: 12.4.2B)

written laws which may be relevant to the performance of the brigade officers' functions, and any amendments which are made thereto from time to time.

Division 2 – Chief Bush Fire Control Officer

3.3 Managerial role of Chief Bush Fire Control Officer

Subject to any directions by the local government the Chief Bush Fire Control Officer has primary managerial responsibility for the organisation and maintenance of bush fire brigades.

3.4 Chief Bush Fire Control Officer may attend meetings

The Chief Bush Fire Control Officer or her or his nominee (who is to be a bush fire control officer) may attend as a non-voting representative of the local government at any meeting of a bush fire brigade.

3.5 Duties of Chief Bush Fire Control Officer

The duties of the Chief Bush Fire Control Officer include –

- (a) provide leadership to volunteer bush fire brigades;
- (b) monitor bush fire brigades' resourcing, equipment (including protective clothing) and training levels and report thereon with recommendations at least once a year to the local government;
- (c) liaise with the local government concerning fire prevention / suppression matters generally and directions to be issued by the local government to bush fire control officers (including those who issue permits to burn) bush fire brigades or brigade officers; and
- (d) ensure that bush fire brigades are registered with the local government and that lists of brigade members are maintained.

Division 3 – Annual general meetings of bush fire brigades

3.6 Holding of annual general meeting

A bush fire brigade is to hold its annual general meeting during the month of March no later than 15 April each year.

3.7 Nomination of bush fire control officers to Bush Fire Advisory Committee

At the annual general meeting of a bush fire brigade, one brigade member is to be nominated to the Bush Fire Advisory Committee to serve as the bush fire control officer for the brigade area until the next general meeting.

3.8 Nomination of bush fire control officer to the local government

If the local government has not established a Bush Fire Advisory Committee, then at the annual general meeting of a bush fire brigade, the bush fire brigade is to nominate one brigade member to the local government to serve as the bush fire control officer for the brigade area until the next annual general meeting.

3.9 Minutes to be tabled before the Bush Fire Advisory Committee

- (1) The Secretary is to forward a copy of the minutes of the annual general meeting of a bush fire brigade to the Chief Bush Fire Control Officer within one month after the meeting.
- (2) The Chief Bush Fire Control Officer is to table the minutes of a bush fire brigade's annual general meeting at the next meeting of the –

(Appendix ORD: 12.4.2B)

- (a) Bush Fire Advisory Committee; or
- (b) Council, if there is no Bush Fire Advisory Committee, following their receipt under subclause (1).

Division 4 – Bush Fire Advisory Committee

3.10 Functions of Advisory Committee

The Bush Fire Advisory Committee is to have the functions set out in section 67 of the Act and is to include such number of nominees of the bush fire brigades as is determined by the local government.

3.11 Advisory Committee to nominate bush fire control officers

As soon as practicable after the annual general meeting of each bush fire brigade in the district, the Bush Fire Advisory Committee is to nominate to the local government from the persons nominated by each bush fire brigade a person for the position of a bush fire control officer for the brigade area.

3.12 Local government to have regard to nominees

When considering persons for the position of a bush fire control officer, the local government is to have regard to those persons nominated by the Bush Fire Advisory Committee, but is not bound to appoint the persons nominated.

3.13 Advisory Committee to consider bush fire brigade motions

The Bush Fire Advisory Committee is to make recommendations to the local government on all motions received by the Bush Fire Advisory Committee from bush fire brigades.

3.14 Duties of Bush Fire Control Officer

The Bush Fire Control Officer is to –

- (a) provide leadership and direction to the Captain, Lieutenants, other Committee members and fire fighters to implement the objectives of the Brigade;
- (b) ~~Act~~ **act** as spokesperson for the Brigade, specifically at the Bush Fire Advisory Committee (BFAC), and generally on public relations and other matters, in conjunction with the Shire of Dardanup;
- (c) ~~Issue~~ **issue** permits to burn as authorised under the Act within their area of the district;
- (d) ~~Inspect~~ **inspect** and report on fire hazards within their district and in the Shire of Dardanup;
- (e) ~~Carry~~ **carry** out any duties prescribed under the Act and so authorised by the Shire of Dardanup;
- (f) ~~Take~~ **take** overall charge of fire suppression activities, and/or ensures the principles of the Incident Management System are being adhered to during wildfire suppression or during hazard reduction programs;
- (g) conduct brigade briefings and post incident analysis of any incident involving fire fighting;
- (h) to ensure members deployed for operational duties have the competencies to complete the task or duty assigned and hold currency in training to carry out the functions required, in accordance with Bush Fire Operating Procedures;
- (i) ~~to~~ **adopt** policies on behalf of the brigade as recommended by the local government;
- (j) ~~to~~ **ensure** the behaviour of members is in accordance with the Local Government's code of conduct; **and**
- (k) liaise with the local government concerning fire prevention/suppression matters generally.

(Appendix ORD: 12.4.2B)

PART 4 – TYPES OF BUSH FIRE BRIGADE MEMBERSHIP

4.1. Types of membership of bush fire brigade

The membership of a bush fire brigade consists of the following –

- (a) fire fighting (active) members;
- (b) associate (auxiliary) members;
- (c) cadet members; and
- (d) honorary life members.

4.2 4.1 Fire fighting (active) members

- (1) Fire fighting (active) members are those persons being at least 16 years of age who undertake all normal bush fire brigade activities.
- (2) Notwithstanding subclause (1), a fire fighting (active) member between the age of 16 and 18 must not attend a fire or other emergency incident unless the member has the consent of their parent or guardian and is accompanied by an appropriately trained fire fighting member over the age of 18.

4.3 4.2 Associate (auxiliary) members

Associate members are those persons who are willing to supply free vehicular transport for fire fighting members or fire fighting equipment, or who are prepared to render other assistance required by the bush fire brigade.

4.4 4.3 Cadet members

Cadet members are –

- (a) to be aged 11 to 15 years;
- (b) to be admitted to membership only with the consent of their parent or guardian;
- (c) admitted for the purpose of training and are not to attend or be in attendance at an uncontrolled fire or other emergency incident;
- (d) to be supervised by a fire fighting member when undertaking normal brigade activities as defined by paragraphs (c), (d), (e), (f) and (g) of section 35A of the Act;
- (e) ineligible to vote at bush fire brigade meetings; and
- (f) not to be assigned ranks under the Department's rank structure.

4.5 4.4 Honorary life member

- (1) The bush fire brigade may by a simple majority resolution appoint a person as an honorary life member in recognition of services by that person to the bush fire brigade.
- (2) A brigade member who has achieved 15 years active service to a brigade within the Shire of Dardanup;
- (3) No membership fees are to be payable by an honorary life member.
- (4) The Shire of Dardanup and Department of Fire & Emergency Services (DFES) is to be notified of nominees.

4.6 4.5 Notification of membership

No later than 15 April in each year, the bush fire brigade is to report to the Chief Fire Control Officer the name, contact details and type of membership of each brigade member.

(Appendix ORD: 12.4.2B)

PART 5 – APPOINTMENT DISMISSAL AND MANAGEMENT OF MEMBERS

5.1 Rules to govern

The appointment, dismissal and management of brigade members by the bush fire brigade are governed by the Rules.

PART 6 – EQUIPMENT OF BUSH FIRES BRIGADES

6.1 ~~4.1~~ Policies of local government

The local government may make policies under which it –

- (a) provides funding to bush fire brigades for the purchase of protective clothing, equipment and appliances; and
- (b) keeps bush fire brigades informed of opportunities for funding from other bodies.

6.2 ~~4.2~~ Equipment in brigade area

Not later than **15 April** in each year, the bush fire brigade is to report to the local government the nature, quantity and quality of all protective clothing, equipment and appliances of the bush fire brigade which are generally available within the brigade area (or at a station of the bush fire brigade).

6.3 ~~4.3~~ Funding from local government budget

A request to the local government from the bush fire brigade for funding of protective clothing, equipment or appliance needs is to be received by the local government by 31 March in order to be considered in the next following local government budget, and is to be accompanied by the last audited financial statement and a current statement of assets and liabilities of the bush fire brigade.

6.4 ~~4.4~~ Consideration in the local government budget

The local government may approve or refuse an application for funding depending upon the assessment of budget priorities for the year in question.

(Appendix ORD: 12.4.2B)

FIRST SCHEDULE

~~RULES GOVERNING THE OPERATION OF BUSH FIRE BRIGADES~~

SCHEDULE 1 – RULES GOVERNING THE OPERATION OF BUSH FIRE BRIGADES

[Clause 2.4]

PART 1 - PRELIMINARY

1.1 Interpretation

- (1) In these Rules, unless the context otherwise requires, where a term is used in these Rules and is defined in the local law, the Act or the Regulations, then the term is to be taken to have the meaning assigned to it in the local law, the Act or the Regulations, as the case may be.
- (2) In these Rules, unless the context otherwise requires –
 - “~~absolute majority~~” **absolute majority** means a majority of more than 50% of the number of:
 - (a) brigade members of the bush fire brigade, whether in attendance at the meeting or not, if the majority is required at a meeting of the bush fire brigade; or
 - (b) brigade officers of the bush fire brigade, whether in attendance at the meeting or not, if the majority is required at a meeting of the Committee;
 - “~~Committee~~” **Committee** means the Committee of the bush fire brigade;
 - “~~local law~~” **local law** means the ~~SHIRE OF DARDANUP Bush Fire Brigades Local Law 2021~~ **Shire of Dardanup Bush Fire Brigades Local Law 2021**; and
 - “~~normal brigade activities~~” **normal brigade activities** is defined by section 35A of the Act.
- (3) Subject to these Rules, where a decision is to be made by the bush fire brigade, then the decision may be made by a resolution passed by a simple majority of the brigade members who are present in person or by proxy at the meeting.
- (4) Subject to these Rules, where a decision is to be made by the Committee, then the decision may be made by a resolution passed by a simple majority of the brigade officers who are present in person or by proxy at the meeting.

PART 2 – OBJECTS AND MEMBERSHIP OF BUSH FIRE BRIGADE

2.1 Objects of bush fire brigade

The objects of the bush fire brigade are to carry out –

- (a) the normal brigade activities; and
- (b) the functions of the bush fire brigade which are specified in the Act, the Regulations and the local law.

2.2 Committee to determine applications

Applications for membership are to be determined by the Committee.

2.3 Conditions of membership

In relation to any type of membership, as described in Part 4 of the local law, the bush fire brigade may establish policies pertaining to –

- (a) the qualifications required;
- (b) fees payable, if any;
- (c) a requirement to serve a probationary period; **and**
- (d) procedures to be employed by the Committee prior to approval of an application for membership,

(Appendix ORD: 12.4.2B)

and the Committee is to act within the parameters of any such policy in determining applications for membership.

2.4 Applications for membership

~~An application for membership is to be in writing and is to be submitted to the Secretary and in the case of—~~

- ~~(a) an application for firefighting membership is to be accompanied by a completed form in the form of that in Appendix I.~~
- ~~(b) an application for associate membership is to be accompanied by a completed form in the form of that in Appendix II.~~
- ~~(c) an application for cadet membership is to be accompanied by a completed form in the form of that in Appendix III.~~

An application for membership is to be in writing and is to be submitted to the Secretary and is to be accompanied by a completed form in the form of that in Appendix I, as prescribed by the local government from time to time.

2.5 Decision on application for membership

- (1) The Committee may –
 - (a) approve an application for membership unconditionally or subject to any conditions; or
 - (b) refuse to approve an application for membership.
- (2) If the Committee refuses to approve an application for membership, it is to give written reasons for the refusal, as soon as practicable after the decision is made, to the applicant and the advice that the applicant has the right to object to the local government.

2.6 FESA DFES and Local Government to be notified of registrations

If any application for membership is approved, the Secretary of the bush fire brigade is to supply registration details to the Department and Local Government within 14 days of a person being admitted to membership in the form required by the Department from time to time.

2.7 Termination of membership

- (1) Membership of the bush fire brigade terminates if the member –
 - (a) dies;
 - (b) gives written notice of resignation to the Secretary;
 - (c) is, in the opinion of the Committee, permanently incapacitated by mental or physical ill-health;
 - (d) is dismissed by the Committee; or
 - (e) ceases to be a member or is taken to have resigned under subclause (2).
- (2) A brigade member whose membership fees are more than one year in arrears is to be taken to have resigned from the bush fire brigade.

2.8 Suspension of membership

- (1) Membership of the bush fire brigade may be suspended at any time if, in the opinion of the Committee, circumstances warrant suspending the member.
- (2) The period of suspension shall be at the discretion of the Committee.
- (3) Upon the expiry of the period of suspension the Committee may:
 - (a) extend the period of suspension;
 - (b) terminate the membership; or

(Appendix ORD: 12.4.2B)

- (c) reinstate the membership.

2.9 Existing liabilities to continue

(↔)The resignation, or dismissal of a member under clause 2.7 does not affect any liability of the brigade member arising prior to the date of resignation or dismissal.

2.10 Member has right of defence

A brigade member is not to be dismissed under clause 2.7(1)(d) without being given the opportunity to meet with the Committee and answer any charges which might give grounds for dismissal.

2.11 Objection Rights **rights**

A person whose -

- (a) application for membership is refused under clause 2.5(1)(b);
- (b) membership is terminated under clause 2.7(1)(c), clause 2.7(1)(d) or clause 2.8(3)(b); or
- (c) membership is suspended under clause 2.8(1) or clause 2.8(3)(a),

has the right of objection to the local government which may dispose of the objection by –

- (d) dismissing the objection;
- (e) varying the decision objected to; or
- (f) revoking the decision objected to, with or without –
 - (i) substituting for it another decision; or
 - (ii) referring the matter, with or without directions, for another decision by the Committee.

(Appendix ORD: 12.4.2B)

PART 3 – FUNCTIONS OF BRIGADE OFFICERS

3.1 Chain of command during fire fighting activities

Subject to the Act and the local law, the command procedures to apply during fire fighting activities are as detailed in ~~the local government's Bush Fire Operating Procedures.~~ **Bush Fires Act 1954** and **Shire of Dardanup Bush Fire Response Plan.**

3.2 Duties ~~Of~~ **of** Captain

~~Subject to subclauses (2) and (3) below, the Captain is to preside at all meetings.~~

~~In the absence of the Captain, the meeting may elect another person to preside at the meeting.~~

The Captain is to –

- (a) preside over all Brigade meetings and ensure meeting procedures are followed at all times;
- (b) promote the objectives of the Brigade;
- (c) demonstrate positive leadership and mentors members;
- (d) attend meetings as requested by the local government;
- (e) in the absence of a Bush Fire Control Officer **may** take overall charge of fire suppression activities, and/or ensures the principles of the Incident Management System are being adhered to during wildfire suppression or during hazard reduction programs;
- (f) provide leadership for the Brigade and related administration;
- (g) ultimately ~~undertakes~~ **undertake** responsibility for the proper management and maintenance of Brigade property and equipment;
- (h) ~~is to~~ deputise for the Bush Fire Control Officer at Bushfire Advisory Committee meetings when required;
- (i) advise the brigade on administrative matters;
- (j) ~~ensures~~ **ensure** Brigade members are adequately trained to carry out their functions, in accordance with Bush Fire Operating Procedures (BFOP) and Brigade standards;
- (k) in the absence of a Bush Fire Control Officer conduct brigade briefings and post incident analysis of any incident involving fire fighting;
- (l)** conduct brigade briefings and post incident analysis of any management issues; **and**
- (m) ~~to~~ ensure the behaviour of members is in accordance with the Local Government's code of conduct.

3.3 Lieutenants

- (1) The Brigade may increase or decrease the number of Lieutenants to meet their specific operational requirements, up to a maximum of four Lieutenants.
- (2) All Lieutenants must be ranked in seniority as follows -
 - (a) the Captain and Lieutenants of the brigade, in consultation with the Chief Bush Fire Control Officer, determine this seniority; **and**
 - (b) in the event that a resolution cannot be found, the Chief Bush Fire Control Officer shall have the final say.
- (3) In the absence of the brigade Captain the most senior Lieutenant present assumes the responsibilities and duties of that officer and takes ultimate responsibility for the successful performance of all Brigade activities;
- (4) The duties of the Lieutenant is **are** to –
 - ~~(a) in the absence of the brigade Captain the most senior Lieutenant present assumes the responsibilities and duties of that officer and takes ultimate responsibility for the successful performance of all Brigade activities;~~
 - (b) provide support to the Captain;

(Appendix ORD: 12.4.2B)

- (c) command and manage members during emergencies and other Brigade related activities;
- (d) demonstrate positive leadership and mentor members;
- (e) maintain open lines of communications. ~~Encourage~~ and encourage positive interaction and teamwork between members;
- (f) ensure Bush Fire Operating Procedures are adhered to at brigade activities;
- (g) ensure members engaged in fire-fighting activities hold competencies relevant to the task;
- (h) work cohesively with the brigade Training Officer and conduct training activities for members; and
- (i) ~~to~~ ensure the behaviour of members is in accordance with the Local Government's code of conduct.

3.4 ~~3.3~~ Secretary

(1) The Secretary is to –

- (a) be in attendance at all meetings and keep a correct minute and account of the proceedings of the bush fire brigade in a book which shall be open for inspection by brigade members at any reasonable time;
 - (b) answer all correspondence or direct it appropriately, and keep a record of the same;
 - (c) prepare and send out all necessary notices of meetings;
 - (d) receive membership fees, donations and other monies on behalf of the bush fire brigade, and remit them to the Treasurer upon receipt;
 - (e) complete and forward an incident report form in the form required by the Department to the Chief Bush Fire Control Officer and the Department within 14 days after attendance by the bush fire brigade at an incident. ;
 - (f) maintain a register of all current brigade members which includes each brigade member's contact details and type of membership- ; and
 - (g) provide no later than 31 May in each year, a report to the Chief Bush Fire Control Officer detailing the name, contact details and type of membership of each brigade member.
- (2) Where a bush fire brigade attends an incident on more than one day, the incident report form is to be completed and forwarded under subclause (1)(e) within 14 days after the last day of attendance.

3.5 ~~3.4~~ Treasurer

The Treasurer is to –

- (a) receive donations and deposits from the Secretary, and deposit all monies to the credit of the bush fire brigade's bank account;
- (b) pay accounts as authorized by the Committee;
- (c) keep a record of all monies received and payments made, maintain the accounts and prepare the balance sheet for each financial year;
- (d) be the custodian of all monies of the bush fire brigade; and
- (e) regularly inform the Secretary of the names of those brigade members who have paid their membership fees- ;
- (f) report on the financial position at meetings of the bush fire brigade or Committee- ; and
- (g) submit a copy of the audit report to the Chief Bush Fire Control Officer by 15 April each year.

3.6 ~~3.5~~ Equipment Officer

The Equipment Officer is responsible for the custody and maintenance in good order and condition of all protective clothing, equipment and appliances provided by the local government to the bush fire brigade (or of the bush fire brigade).

(Appendix ORD: 12.4.2B)

(1) The Equipment Officer is to –

- (a) be responsible for the custody and maintenance in good order and condition of all protective clothing, equipment and appliances provided by the local government to the bush fire brigade (or of the bush fire brigade);
- (b) provide, no later than 15 April of each year, a report to the local government and bush fire brigade captain describing the nature, quantity and quality of all protective clothing, equipment and appliances of the bush fire brigade which are generally available within the bush fire brigade area (or at a station of the bush fire brigade); and
- (c) ensure all of the equipment of the bush fire brigade is stored at a place approved by the Captain (the “station”).

(2) If there is to be more than one station in the brigade area, the Equipment Officer is to appoint in respect of each station a person who is responsible for the custody and maintenance in good order and condition of all equipment and appliances at the station, subject to any direction of the Equipment Officer.

~~3.7 — Equipment Officer to report~~

~~The Equipment Officer is to provide, no later than 31 May of each year, a report to the local government and bush fire brigade captain describing the nature, quantity and quality of all protective clothing, equipment and appliances of the bush fire brigade which are generally available within the bush fire brigade area (or at a station of the bush fire brigade).~~

3.7 Training Officer

The Training Officer is to –

- (a) ensure brigade members maintain necessary skill levels equivalent to the competency standards required as recommended by the Department and the Shire of Dardanup;
- (b) ensure regular training sessions are conducted within the brigade to maintain currency of qualifications and skills;
- (c) maintain accurate records of training undertaken by members and ensure that qualification and training updates are forwarded to the local government;
- (d) provide mentoring for members who express an interest in training to encourage future facilitators;
- (e) represent the brigade at training committee meetings; and
- (f) ~~The Training Officer is to~~ provide, no later than 30 November of each year, a report to the local government of any identified training needs of the bush fire brigade.

(Appendix ORD: 12.4.2B)

PART 4 – COMMITTEE

4.1 Management of bush fire brigade

- (1) Subject to the provisions of these Rules, the administration and management of the affairs of the bush fire brigade are vested in the Committee.
- (2) Without limiting the generality of subclause (1), the Committee is to have the following functions –
 - (a) to recommend to the local government amendments to these Rules;
 - (b) to draft the annual budget for the bush fire brigade and present it at the annual general meeting of the bush fire brigade;
 - (c) to propose a motion for consideration at any meeting of the bush fire brigade;
 - (d) to recommend to the local government equipment which needs to be supplied by the local government to the bush fire brigade;
 - (e) to invest or place on deposit any of the funds of the bush fire brigade not immediately required to perform the normal brigade activities;
 - (f) to delegate to a person, as from time to time thought fit, any functions (being less than the total functions of the Committee) on any conditions it thinks fit;
 - (g) to do all things necessary or convenient in order to perform any of its functions and to secure the performance of the normal brigade activities by the bush fire brigade; and
 - (h) deal with membership applications, grievances, disputes and disciplinary matters.

4.2 Constitution of Committee

- (1) The Committee of the bush fire brigade is to consist of the brigade officers being the Captain, Secretary, Treasurer, Equipment Officer, Training Officer, Bush Fire Control Officers and the Lieutenants of the bush fire brigade.
- (2) The brigade officers are to -
 - (a) be elected at the annual general meeting of the bush fire brigade;
 - (b) hold office until the next annual general meeting; and
 - (c) be eligible for re-election at the next annual general meeting.
- (3) Any brigade officer may be removed from office by an absolute majority decision of the brigade members present in person or by proxy at a special meeting called for such a purpose.
- (4) The Committee may appoint a brigade member to fill a vacancy in any office arising from a resolution under subclause (3) or which has arisen for any other reason.

PART 5 – MEETINGS OF BUSH FIRE BRIGADE

5.1 Ordinary meetings

- (1) Ordinary meetings may be called at any time by the Secretary by giving at least 7 days' notice to all brigade members and to the Chief Fire Control Officer, for the purpose of –
 - (a) organising and checking equipment;
 - (b) requisitioning new or replacement equipment;
 - (c) organising field excursions, training sessions, hazard reduction programs, and the preparation of fire-breaks;
 - (d) establishing new procedures in respect of any of the normal brigade activities; and
 - (e) dealing with any general business.
- (2) In a notice given under subclause (1), the Secretary is to specify the business which is to be conducted at the meeting.
- (3) Business may be conducted at an ordinary meeting of the bush fire brigade notwithstanding that it was not specified in a notice given under subclause (1) in relation to that meeting.

(Appendix ORD: 12.4.2B)

5.2 Special meetings

- (1) The Secretary is to call a special meeting when 5 or more brigade members request one in writing.
- (2) At least 2 days' notice of a special meeting is to be given by the Secretary, to all brigade members and to the Chief Bush Fire Control Officer.
- (3) In a notice given under subclause (2) the Secretary is to specify the business which is to be conducted at the meeting.
- (4) No business is to be conducted at a special meeting beyond that specified in a notice given under subclause (2) in relation to that meeting.

5.3 Annual general meeting

- (1) At least 7 days' notice of the annual general meeting is to be given by the Secretary to all brigade members and to the Chief Bush Fire Control Officer.
- (2) At the annual general meeting the bush fire brigade is to –
 - (a) elect the brigade officers from among the brigade members;
 - (b) consider the Captain's report on the year's activities;
 - (c) adopt the annual financial statements;
 - (d) appoint an Auditor for the ensuing financial year in accordance with clause 5.6; and
 - (e) deal with any general business.
- (3) In a notice given under subclause (1), the Secretary is to specify the business which is to be conducted at the meeting.
- (4) Business may be conducted at an annual general meeting notwithstanding that it was not specified in a notice given under subclause (1) in relation to that meeting.

5.4 Quorum

- (1) The quorum for a meeting of the bush fire brigade is at least 50% of the number of offices (whether vacant or not) of member of the bush fire brigade.
- (2) No business is to be transacted at a meeting of the bush fire brigade unless a quorum of brigade members is present in person or by proxy.

5.5 Voting

Each brigade member is to have one vote, however in the event of an equality of votes, the Captain (or person presiding) may exercise a casting vote.

5.6 Auditor

- (1) At the annual general meeting a person, not being a brigade member, is to be appointed as the Auditor of the bush fire brigade for the ensuing financial year.
- (2) The Auditor is to audit the accounts of the bush fire brigade not less than 7 days before the annual general meeting and is to certify to their correctness or otherwise and present a report at the annual general meeting.

(Appendix ORD: 12.4.2B)

PART 6 – MEETINGS OF COMMITTEE

6.1 Meetings ~~Of~~ of Committee

- (1) The Committee is to meet for the despatch of business, adjourn and otherwise regulate its meeting as it thinks fit.
- (2) The Captain or Secretary may convene a meeting of the Committee at any time.

6.2 Quorum

No business is to be transacted at a meeting of the Committee unless a quorum of 3 brigade officers are present in person.

6.3 Voting

Each brigade officer is to have one vote, however in the case of an equality of votes, the Captain (or person presiding) may exercise a casting vote.

PART 7 – GENERAL ADMINISTRATION MATTERS

7.1 Fees

- (1) The membership fees, if any, for each type of member for the ensuing 12 months are to be determined by the bush fire brigade at the annual general meeting.
- (2) Subject to subclause (3), a member is to pay the membership fees for her or his type of membership on or before 1 May.
- (3) The bush fire brigade may exempt a brigade member, or a class of membership, from the payment of membership fees, for such period and on such conditions as the bush fire brigade may determine.

7.2 Funds

The funds of the bush fire brigade are to be used solely for the purpose of promoting the objects of the bush fire brigade.

7.3 Financial year

The financial year of the bush fire brigade is to commence on 1 July and is to end on 30 June of the following year.

7.4 Banking

- (1) The funds of the bush fire brigade are to be placed in a bank account and are to be drawn on only by cheques signed jointly by any 2 of the Captain, Secretary or Treasurer.
- (2) If the Secretary/Treasurer is a combined position, the Captain and Secretary/Treasurer are to sign the cheques referred to in subclause (1).

(Appendix ORD: 12.4.2B)

7.5 Disclosure of interests

- (1) A brigade member shall disclose to the bush fire brigade or Committee any financial interest (whether direct or indirect) he or she may have in any matter being considered by the bush fire brigade or Committee, as appropriate.
- (2) If a financial interest has been disclosed under subclause (1), then the bush fire brigade or Committee, as appropriate, is to decide, in the absence of the brigade member who disclosed that interest, whether or not the brigade member is to be permitted to vote on that matter.
- (3) Where the bush fire brigade or Committee, as appropriate, decides under subclause (2), that a brigade member is not to be permitted to vote on a matter, and the brigade member votes on the matter, then her or his vote is to be taken to have no effect and is not to be counted.

7.6 Disagreements

- (1) Any disagreement between brigade members may be referred to either the Captain or to the Committee.
- (2) Where a disagreement in subclause (1) is considered by the Captain or the Committee to be of importance to the interests of the bush fire brigade, then the Captain or the Committee, as the case may be, is to refer the disagreement to the annual general meeting, an ordinary meeting or a special meeting of the bush fire brigade.
- (3) The local government is the final authority on matters affecting the bush fire brigade, and may resolve any disagreement which is not resolved under subclause (1) or (2).

PART 8 – NOTICES AND PROXIES

8.1 Notices

- (1) Notices of meetings of the bush fire brigade are to be in writing and sent by ordinary post to the registered address of each brigade member.
- (2) Notices of meetings of the Committee may be given in writing in accordance with subclause (1) or by such other means as the Committee may decide (by an absolute majority) at a meeting of the Committee.
- (3) Any accidental omission to give notice of a meeting to, or non-receipt by a person entitled to receive such notice, is not to invalidate the meeting the subject of the notice or any resolutions passed at the meeting.
- (4) Where any notice other than a notice of meeting is to be given under these Rules, the notice is to be –
 - (a) in writing;
 - (b) unless otherwise specified, given to or by the Secretary;
 - (c) given by –
 - (i) personal delivery;
 - (ii) post;
 - (iii) facsimile transmission; or
 - (iv) email.
 - (d) taken to have been received, as the case may be –
 - (i) at the time of personal delivery;
 - (ii) 2 business days after posting; or
 - (iii) on the printing of the sender's email or transmission report.

(Appendix ORD: 12.4.2B)

8.2 Proxies

- (1) Where under these Rules a brigade member may vote by proxy, in order for the proxy to so vote, the brigade member or the proxy shall give a notice in the form of that appearing in this clause, to the Secretary or the person presiding at the meeting before the start of the meeting at which the proxy is to be used.
- (2) A proxy is to be valid for the meeting for which it is given and for any adjournments of that meeting.
- (3) A proxy shall be valid for the number of votes to which the brigade member is entitled.
- (4) If the donor of the proxy does not give any indication of the manner in which the proxy is to vote, the proxy shall be entitled to vote or not vote as he or she thinks fit.
- (5) A proxy shall be entitled to speak on behalf of the donor of the proxy.
- (6) All forms appointing proxies deposited under subclause (1) are to be retained by the Secretary for not less than 28 days after the conclusion of the meeting to which they relate but if there is any objection to the validity of any vote at the meeting, they are to be retained until the determination of that objection.
- (7) The form appointing a proxy shall be in writing and signed by the brigade member appointing the proxy and shall be in or substantially in the form set out below -

(Appendix ORD: 12.4.2B)

“PROXY

[INSERT NAME] BUSH FIRE BRIGADE

**[ANNUAL] [EXTRAORDINARY] GENERAL MEETING
TO BE HELD ON [DATE]**

I, _____,

Being a brigade member appoint _____ to
be my proxy and vote on my behalf at the meeting of the
bush fire brigade to be held on [insert date] and at any
adjournment of it. The proxy shall vote as follows:

MOTION FOR AGAINST ABSTAIN

1.
2.

If there is no instruction to the proxy as to the way to vote,
the proxy shall exercise her or his discretion as to how to vote
or whether to vote at all. In respect of any vote taken at the
meeting on a matter which does not appear on the agenda, the
proxy shall exercise her or his discretion as to the way he or
she casts the vote or whether it is cast at all.

Date: _____

Signed: _____

NOTE: To be valid this proxy must be completed and
returned to the Secretary of the bush fire brigade (or the
presiding member) prior to the commencement of the
meeting for which the proxy is valid.

Dated this day of 20

(Appendix ORD: 12.4.2B)

APPENDIX I

APPLICATION TO JOIN A BUSH FIRE BRIGADE

1. Brigade Name..... Local Government.....

2. Mr..... Mrs..... Miss..... Ms.....

3. Surname.....

4. Given Names.....

5. Date of Birth..... Female..... Male..... Other.....

6 Home Address.....

Postal Address.....

7. Contact No: (Home).....(Work)..... Mobile..... Pager.....
Email.....

8. Membership Type (please tick):
Active (a person who will become involved in the operational work of the brigade)
Auxiliary (a person involved only in a support role [eg. Communications/Admin]).....
Cadet (an enrollee who is under 16 years of age).....

9.. Next of Kin Details:
Full Name.....
Address.....
Telephone..... Relationship.....

10. Brigade Training Carried Out (if known).
Course Title:
Location:.....
Date of Course:.....

I certify that the above particular are true and correct:

11. Applicant Signature:..... Date:.....
Parent / Guardian Signature (if under 18 years of age):..... Date:.....

12. Authorised: Brigade Captain/Secretary:..... Date:.....

***PROPOSED DRAFT NEW 2021 LOCAL LAW FOR ADVERTISING
ALL AMENDMENTS INCLUDED***

**SHIRE OF DARDANUP
BUSH FIRE BRIGADES LOCAL LAW 2021**

BUSH FIRES ACT 1954

LOCAL GOVERNMENT ACT 1995

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(Appendix ORD: 12.4.2C)

BUSH FIRES ACT 1954 LOCAL GOVERNMENT ACT 1995

SHIRE OF DARDANUP

BUSH FIRE BRIGADES LOCAL LAW 2021

Under the powers conferred by the *Bush Fires Act 1954* and under all other powers enabling it, the Council of the *SHIRE OF DARDANUP* resolved on *[insert date]* to make the following local law.

PART 1 - PRELIMINARY

1.1 Citation

This local law may be cited as the *Shire of Dardanup Bush Fire Brigades Local Law 2021*.

1.2 Definitions

(1) In this local law unless the context otherwise requires –

Act means the *Bush Fires Act 1954*;

brigade area is defined in clause 2.2(1)(b);

brigade member means a fire fighting member, associate member or a cadet member of a bush fire brigade;

brigade officer means a person holding a position referred to in clause 2.2 (1)(c), whether or not he or she was appointed by the local government or elected at an annual general meeting of a bush fire brigade or otherwise appointed to the position;

bush fire brigade is defined in section 7 of the Act;

Bush Fire Operating Procedures means the Bush Fire Operating Procedures adopted by the local government as amended from time to time;

CEO means the Chief Executive Officer of the Shire of Dardanup;

Council means the Council of the local government;

Department means the Department of Fire and Emergency Services of Western Australia;

district means the district of the local government;

fire fighting member is defined in clause 4.2;

local government means the *Shire of Dardanup*;

normal brigade activities is defined in Section 35A of the Act;

Regulations means Regulations made under the Act; and

Rules means the Rules Governing the Operation of Bush Fire Brigades set out in Schedule 1.

(Appendix ORD: 12.4.2C)

- (2) In this local law, unless the context otherwise requires, a reference to –
- (a) a Captain;
 - (b) a First Lieutenant;
 - (c) a Second Lieutenant;
 - (d) any additional Lieutenants;
 - (e) an Equipment Officer;
 - (f) a Secretary.
 - (g) a Treasurer; or
 - (h) a Secretary / Treasurer combined,

means a person holding that position in a bush fire brigade.

1.3 Repeal

This local law repeals the *Shire of Dardanup Bush Fire Brigade Local Law 2003* published in the *Government Gazette* on 17 April 2003 and as amended on 8 April 2008.

1.4 Application

This local law applies throughout the district.

1.5 Commencement

This local law come into operation 14 days after the date of its publication in the *Government Gazette*.

PART 2 – ESTABLISHMENT OF BUSH FIRE BRIGADES

Division 1 – Establishment of a bush fire brigade

2.1 Establishment of a bush fire brigade

- (1) The local government may establish a bush fire brigade for the purpose of carrying out normal brigade activities.
- (2) A bush fire brigade is established on the date of the local government’s decision under subclause (1).

2.2 Name and officers of bush fire brigade

- (1) On establishing a bush fire brigade under clause 2.1(1) the local government is to –
 - (a) give a name to the bush fire brigade;
 - (b) specify the area in which the bush fire brigade is primarily responsible for carrying out the normal brigade activities (the **brigade area**); and
 - (c) appoint –
 - (i) a Captain;
 - (ii) a First Lieutenant;
 - (iii) a Second Lieutenant;
 - (iv) additional Lieutenants if the local government considers it necessary;
 - (v) an Equipment Officer;

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- (vi) a Secretary; and
 - (vii) a Treasurer; or
 - (viii) a Secretary/Treasurer combined.
 - (ix) a Bush Fire Control Officer; and
 - (x) any other position(s) deemed necessary for the effective management of brigade activities (eg; a Training Officer).
- (2) When considering the appointment of persons to the positions in subclause (1)(c), the local government is to have regard to the qualifications and experience which may be required to fill each position.
- (3) A person appointed to a position in subclause (1)(c) is to be taken to be a brigade member.
- (4) The appointments referred to in subclause (1)(c) expire at the completion of the first annual general meeting of the bush fire brigade.
- (5) If a position referred to in subclause (1)(c) becomes vacant prior to the completion of the first annual general meeting, then the local government is to appoint a person to fill the vacancy in accordance with subclause (2).

Division 2 – Command at a fire

2.3 Ranks within the bush fire brigade

Where, under the Act and Bush Fire Operating Procedures, members of a bush fire brigade have command of a fire –

- (a) where a bush fire control officer is in attendance at the fire, the most senior bushfire control officer has full control over all other persons fighting the fire and is to issue instructions as to methods and tactics to be adopted by the fire fighters; and
- (b) in the absence of a bush fire control officer, the Captain has full control over all other persons fighting the fire, and is to issue instructions as to the methods and tactics to be adopted by the firefighters; and
- (c) in the absence of the Captain, the first Lieutenant, and in the absence of the first, the second Lieutenant and so on, in the order of seniority determined, is to exercise all the powers and duties of the Captain.

Division 3 – Application of Rules to a bush fire brigade

2.4 Rules

- (1) The Rules govern the operation of a bush fire brigade.
- (2) A bush fire brigade and each brigade member is to comply with the Rules as set out in Schedule 1.

Division 4 – Transitional

2.5 Existing Bush Fire Brigades

- (1) Where a local government has established a bush fire brigade prior to the commencement date, then on and from the commencement day –
 - (a) the bush fire brigade is to be taken to be a bush fire brigade established under and in accordance with this local law;

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- (b) the provisions of this local law apply to the bush fire brigade save for clause 2.2; and
 - (c) any rules governing the operation of the bush fire brigade are to be taken to have been repealed and substituted with the Rules.
- (2) In this clause –
commencement day means the day on which this local law comes into operation.

Division 5 – Dissolution of bush fire brigade

2.6 Dissolution of bush fire brigade

In accordance with section 41(3) of the Act, the local government may cancel the registration of a bush fire brigade if it is of the opinion that the bush fire brigade is not complying with the Act, this local law, the Bush Fire Operating Procedures or the Rules, or is not achieving the objectives for which it was established.

2.7 New arrangement after dissolution

If a local government cancels the registration of a bush fire brigade, alternative fire control arrangements are to be made in respect of the brigade area.

PART 3 - ORGANISATION AND MAINTENANCE OF BUSH FIRE BRIGADES

Division 1 – Local government responsibility

3.1 Local government responsible for structure

The local government is to ensure that there is an appropriate structure through which the organisation of bush fire brigades is maintained.

3.2 Officers to be supplied with Act

The local government is to supply each brigade officer with a copy of the Act, the Regulations, the Bush Fire Operating Procedures, this local law, local government code of conduct and polices and any other written laws which may be relevant to the performance of the brigade officers' functions, and any amendments which are made thereto from time to time.

Division 2 – Chief Bush Fire Control Officer

3.3 Managerial role of Chief Bush Fire Control Officer

Subject to any directions by the local government the Chief Bush Fire Control Officer has primary managerial responsibility for the organisation and maintenance of bush fire brigades.

3.4 Chief Bush Fire Control Officer may attend meetings

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The Chief Bush Fire Control Officer or her or his nominee (who is to be a bush fire control officer) may attend as a non-voting representative of the local government at any meeting of a bush fire brigade.

3.5 Duties of Chief Bush Fire Control Officer

The duties of the Chief Bush Fire Control Officer include –

- (a) provide leadership to volunteer bush fire brigades;
- (b) monitor bush fire brigades' resourcing, equipment (including protective clothing) and training levels and report thereon with recommendations at least once a year to the local government;
- (c) liaise with the local government concerning fire prevention / suppression matters generally and directions to be issued by the local government to bush fire control officers (including those who issue permits to burn) bush fire brigades or brigade officers; and
- (d) ensure that bush fire brigades are registered with the local government and that lists of brigade members are maintained.

Division 3 – Annual general meetings of bush fire brigades

3.6 Holding of annual general meeting

A bush fire brigade is to hold its annual general meeting no later than 15 April each year.

3.7 Nomination of bush fire control officers to Bush Fire Advisory Committee

At the annual general meeting of a bush fire brigade, one brigade member is to be nominated to the Bush Fire Advisory Committee to serve as the bush fire control officer for the brigade area until the next general meeting.

3.8 Nomination of bush fire control officer to the local government

If the local government has not established a Bush Fire Advisory Committee, then at the annual general meeting of a bush fire brigade, the bush fire brigade is to nominate one brigade member to the local government to serve as the bush fire control officer for the brigade area until the next annual general meeting.

3.9 Minutes to be tabled before the Bush Fire Advisory Committee

- (1) The Secretary is to forward a copy of the minutes of the annual general meeting of a bush fire brigade to the Chief Bush Fire Control Officer within one month after the meeting.
- (2) The Chief Bush Fire Control Officer is to table the minutes of a bush fire brigade's annual general meeting at the next meeting of the –
 - (a) Bush Fire Advisory Committee; or
 - (b) Council, if there is no Bush Fire Advisory Committee, following their receipt under subclause (1).

Division 4 – Bush Fire Advisory Committee

3.10 Functions of Advisory Committee

The Bush Fire Advisory Committee is to have the functions set out in section 67 of the Act and is to include such number of nominees of the bush fire brigades as is determined by the local government.

3.11 Advisory Committee to nominate bush fire control officers

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As soon as practicable after the annual general meeting of each bush fire brigade in the district, the Bush Fire Advisory Committee is to nominate to the local government from the persons nominated by each bush fire brigade a person for the position of a bush fire control officer for the brigade area.

3.12 Local government to have regard to nominees

When considering persons for the position of a bush fire control officer, the local government is to have regard to those persons nominated by the Bush Fire Advisory Committee, but is not bound to appoint the persons nominated.

3.13 Advisory Committee to consider bush fire brigade motions

The Bush Fire Advisory Committee is to make recommendations to the local government on all motions received by the Bush Fire Advisory Committee from bush fire brigades.

3.14 Duties of Bush Fire Control Officer

The Bush Fire Control Officer is to –

- (a) provide leadership and direction to the Captain, Lieutenants, other Committee members and fire fighters to implement the objectives of the Brigade;
- (b) act as spokesperson for the Brigade, specifically at the Bush Fire Advisory Committee (BFAC), and generally on public relations and other matters, in conjunction with the Shire of Dardanup;
- (c) issue permits to burn as authorised under the Act within their area of the district;
- (d) inspect and report on fire hazards within their district and in the Shire of Dardanup;
- (e) carry out any duties prescribed under the Act and so authorised by the Shire of Dardanup;
- (f) take overall charge of fire suppression activities, and/or ensure the principles of the Incident Management System are being adhered to during wildfire suppression or during hazard reduction programs;
- (g) conduct brigade briefings and post incident analysis of any incident involving fire fighting;
- (h) ensure members deployed for operational duties have the competencies to complete the task or duty assigned and hold currency in training to carry out the functions required, in accordance with Bush Fire Operating Procedures;
- (i) adopt policies on behalf of the brigade as recommended by the local government;
- (j) ensure the behaviour of members is in accordance with the Local Government's code of conduct; and
- (k) liaise with the local government concerning fire prevention/suppression matters generally.

PART 4 – TYPES OF BUSH FIRE BRIGADE MEMBERSHIP

4.1. Types of membership of bush fire brigade

The membership of a bush fire brigade consists of the following –

- (a) fire fighting (active) members;
- (b) associate (auxiliary) members;
- (c) cadet members; and
- (d) honorary life members.

4.2 Fire fighting (active) members

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- (1) Fire fighting (active) members are those persons being at least 16 years of age who undertake all normal bush fire brigade activities.
- (2) Notwithstanding subclause (1), a fire fighting (active) member between the age of 16 and 18 must not attend a fire or other emergency incident unless the member has the consent of their parent or guardian and is accompanied by an appropriately trained fire fighting member over the age of 18.

4.3 Associate (auxiliary) members

Associate members are those persons who are willing to supply free vehicular transport for fire fighting members or fire fighting equipment, or who are prepared to render other assistance required by the bush fire brigade.

4.4 Cadet members

Cadet members are –

- (a) to be aged 11 to 15 years;
- (b) to be admitted to membership only with the consent of their parent or guardian;
- (c) admitted for the purpose of training and are not to attend or be in attendance at an uncontrolled fire or other emergency incident;
- (d) to be supervised by a fire fighting member when undertaking normal brigade activities as defined by paragraphs (c), (d), (e), (f) and (g) of section 35A of the Act;
- (e) ineligible to vote at bush fire brigade meetings; and
- (f) not to be assigned ranks under the Department's rank structure.

4.5 Honorary life member

- (1) The bush fire brigade may by a simple majority resolution appoint a person as an honorary life member in recognition of services by that person to the bush fire brigade.
- (2) A brigade member who has achieved 15 years active service to a brigade within the Shire of Dardanup;
- (3) No membership fees are to be payable by an honorary life member.
- (4) The Shire of Dardanup and Department of Fire & Emergency Services (DFES) to be notified of nominees.

4.6 Notification of membership

No later than 15 April in each year, the bush fire brigade is to report to the Chief Fire Control Officer the name, contact details and type of membership of each brigade member.

PART 5 – APPOINTMENT DISMISSAL AND MANAGEMENT OF MEMBERS

5.1 Rules to govern

The appointment, dismissal and management of brigade members by the bush fire brigade are governed by the Rules.

PART 6 – EQUIPMENT OF BUSH FIRES BRIGADES

(Appendix ORD: 12.4.2C)

6.1 Policies of local government

The local government may make policies under which it –

- (a) provides funding to bush fire brigades for the purchase of protective clothing, equipment and appliances; and
- (b) keeps bush fire brigades informed of opportunities for funding from other bodies.

6.2 Equipment in brigade area

Not later than 15 April in each year, the bush fire brigade is to report to the local government the nature, quantity and quality of all protective clothing, equipment and appliances of the bush fire brigade which are generally available within the brigade area (or at a station of the bush fire brigade).

6.3 Funding from local government budget

A request to the local government from the bush fire brigade for funding of protective clothing, equipment or appliance needs is to be received by the local government by 31 March in order to be considered in the next following local government budget, and is to be accompanied by the last audited financial statement and a current statement of assets and liabilities of the bush fire brigade.

6.4 Consideration in the local government budget

The local government may approve or refuse an application for funding depending upon the assessment of budget priorities for the year in question.

(Appendix ORD: 12.4.2C)

SCHEDULE 1 – RULES GOVERNING THE OPERATION OF BUSH FIRE BRIGADES [Clause 2.4]

PART 1 - PRELIMINARY

1.1 Interpretation

- (1) In these Rules, unless the context otherwise requires, where a term is used in these Rules and is defined in the local law, the Act or the Regulations, then the term is to be taken to have the meaning assigned to it in the local law, the Act or the Regulations, as the case may be.
- (2) In these Rules, unless the context otherwise requires –
absolute majority means a majority of more than 50% of the number of:
 - (a) brigade members of the bush fire brigade, whether in attendance at the meeting or not, if the majority is required at a meeting of the bush fire brigade; or
 - (b) brigade officers of the bush fire brigade, whether in attendance at the meeting or not, if the majority is required at a meeting of the Committee;*Committee* means the Committee of the bush fire brigade;
local law means the *Shire of Dardanup Bush Fire Brigades Local Law 2021*; and
normal brigade activities is defined by section 35A of the Act.
- (3) Subject to these Rules, where a decision is to be made by the bush fire brigade, then the decision may be made by a resolution passed by a simple majority of the brigade members who are present in person or by proxy at the meeting.
- (4) Subject to these Rules, where a decision is to be made by the Committee, then the decision may be made by a resolution passed by a simple majority of the brigade officers who are present in person or by proxy at the meeting.

PART 2 – OBJECTS AND MEMBERSHIP OF BUSH FIRE BRIGADE

2.1 Objects of bush fire brigade

The objects of the bush fire brigade are to carry out –

- (a) the normal brigade activities; and
- (b) the functions of the bush fire brigade which are specified in the Act, the Regulations and the local law.

2.2 Committee to determine applications

Applications for membership are to be determined by the Committee.

2.3 Conditions of membership

In relation to any type of membership, as described in Part 4 of the local law, the bush fire brigade may establish policies pertaining to –

- (a) the qualifications required;
- (b) fees payable, if any;
- (c) a requirement to serve a probationary period; and
- (d) procedures to be employed by the Committee prior to approval of an application for membership, and the Committee is to act within the parameters of any such policy in determining applications for membership.

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2.4 Applications for membership

An application for membership is to be in writing and is to be submitted to the Secretary and is to be accompanied by a completed form as prescribed by the local government from time to time.

2.5 Decision on application for membership

- (1) The Committee may –
 - (a) approve an application for membership unconditionally or subject to any conditions; or
 - (b) refuse to approve an application for membership.
- (2) If the Committee refuses to approve an application for membership, it is to give written reasons for the refusal, as soon as practicable after the decision is made, to the applicant and the advice that the applicant has the right to object to the local government.

2.6 DFES and Local Government to be notified of registrations

If any application for membership is approved, the Secretary of the bush fire brigade is to supply registration details to the Department and local government within 14 days of a person being admitted to membership in the form required by the Department from time to time.

2.7 Termination of membership

- (1) Membership of the bush fire brigade terminates if the member –
 - (a) dies;
 - (b) gives written notice of resignation to the Secretary;
 - (c) is, in the opinion of the Committee, permanently incapacitated by mental or physical ill-health;
 - (d) is dismissed by the Committee; or
 - (e) ceases to be a member or is taken to have resigned under subclause (2).
- (2) A brigade member whose membership fees are more than one year in arrears is to be taken to have resigned from the bush fire brigade.

2.8 Suspension of membership

- (1) Membership of the bush fire brigade may be suspended at any time if, in the opinion of the Committee, circumstances warrant suspending the member.
- (2) The period of suspension shall be at the discretion of the Committee.
- (3) Upon the expiry of the period of suspension the Committee may:
 - (a) extend the period of suspension;
 - (b) terminate the membership; or
 - (c) reinstate the membership.

2.9 Existing liabilities to continue

The resignation, or dismissal of a member under clause 2.7 does not affect any liability of the brigade member arising prior to the date of resignation or dismissal.

2.10 Member has right of defence

A brigade member is not to be dismissed under clause 2.7(1)(d) without being given the opportunity to meet with the Committee and answer any charges which might give grounds for dismissal.

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2.11 Objection rights

A person whose -

- (a) application for membership is refused under clause 2.5(1)(b);
- (b) membership is terminated under clause 2.7(1)(c), clause 2.7(1)(d) or clause 2.8(3)(b); or
- (c) membership is suspended under clause 2.8(1) or clause 2.8(3)(a),

has the right of objection to the local government which may dispose of the objection by –

- (a) dismissing the objection;
- (b) varying the decision objected to; or
- (c) revoking the decision objected to, with or without –
 - (i) substituting for it another decision; or
 - (ii) referring the matter, with or without directions, for another decision by the Committee.

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PART 3 – FUNCTIONS OF BRIGADE OFFICERS

3.1 Chain of command during fire fighting activities

Subject to the Act and the local law, the command procedures to apply during fire fighting activities are as detailed in the *Bush Fires Act 1954* and Shire of Dardanup Bush Fire Response Plan.

3.2 Duties of Captain

The Captain is to –

- (a) preside over all Brigade meetings and ensure meeting procedures are followed at all times;
- (b) promote the objectives of the Brigade;
- (c) demonstrate positive leadership and mentor members;
- (d) attend meetings as requested by the local government;
- (e) in the absence of a Bush Fire Control Officer take overall charge of fire suppression activities, and/or ensure the principles of the Incident Management System are being adhered to during wildfire suppression or during hazard reduction programs;
- (f) provide leadership for the Brigade and related administration;
- (g) ultimately undertake responsibility for the proper management and maintenance of Brigade property and equipment;
- (h) deputise for the Bush Fire Control Officer at Bushfire Advisory Committee meetings when required;
- (i) advise the brigade on administrative matters;
- (j) ensure Brigade members are adequately trained to carry out their functions, in accordance with Bush Fire Operating Procedures (BFOP) and Brigade standards;
- (k) in the absence of a Bush Fire Control Officer conduct brigade briefings and post incident analysis of any incident involving fire fighting;
- (l) conduct brigade briefings and post incident analysis of any management issues; and
- (m) ensure the behaviour of members is in accordance with the Local Government's code of conduct.

3.3 Lieutenants

- (1) The Brigade may increase or decrease the number of Lieutenants to meet their specific operational requirements, up to a maximum of four Lieutenants.
- (2) All Lieutenants must be ranked in seniority as follows -
 - (a) the Captain and Lieutenants of the brigade, in consultation with the Chief Bush Fire Control Officer, determine this seniority; and
 - (b) in the event that a resolution cannot be found, the Chief Bush Fire Control Officer shall have the final say.
- (3) In the absence of the brigade Captain the most senior Lieutenant present assumes the responsibilities and duties of that office and takes ultimate responsibility for the performance of all Brigade activities.
- (4) The duties of the Lieutenant are to –
 - (a) provide support to the Captain;
 - (b) command and manage members during emergencies and other Brigade related activities;
 - (c) demonstrate positive leadership and mentor members;
 - (d) maintain open lines of communication and encourage positive interaction and teamwork between members;
 - (e) ensure Bush Fire Operating Procedures are adhered to during brigade activities;
 - (f) ensure members engaged in fire fighting activities hold competencies relevant to the task;
 - (g) work cohesively with the brigade Training Officer and conduct training activities for members; and

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- (h) ensure the behaviour of members is in accordance with the Local Government's code of conduct.

3.4 Secretary

- (1) The Secretary is to –
 - (a) be in attendance at all meetings and keep a correct minute and account of the proceedings of the bush fire brigade in a book which shall be open for inspection by brigade members at any reasonable time;
 - (b) answer all correspondence or direct it appropriately, and keep a record of the same;
 - (c) prepare and send out all necessary notices of meetings;
 - (d) receive membership fees, donations and other monies on behalf of the bush fire brigade, and remit them to the Treasurer upon receipt;
 - (e) complete and forward an incident report form in the form required by the Department to the Chief Bush Fire Control Officer and the Department within 14 days after attendance by the bush fire brigade at an incident;
 - (f) maintain a register of all current brigade members which includes each brigade member's contact details and type of membership; and
 - (g) provide no later than 31 May in each year, a report to the Chief Bush Fire Control Officer detailing the name, contact details and type of membership of each brigade member.
- (2) Where a bush fire brigade attends an incident on more than one day, the incident report form is to be completed and forwarded under subclause (1)(e) within 14 days after the last day of attendance.

3.5 Treasurer

The Treasurer is to –

- (a) receive donations and deposits from the Secretary, and deposit all monies to the credit of the bush fire brigade's bank account;
- (b) pay accounts as authorized by the Committee;
- (c) keep a record of all monies received and payments made, maintain the accounts and prepare the balance sheet for each financial year;
- (d) be the custodian of all monies of the bush fire brigade;
- (e) regularly inform the Secretary of the names of those brigade members who have paid their membership fees;
- (f) report on the financial position at meetings of the bush fire brigade or Committee; and
- (g) submit a copy of the audit report to the Chief Bush Fire Control Officer by 15 April each year.

3.6 Equipment Officer

- (1) The Equipment Officer is to –
 - (a) be responsible for the custody and maintenance in good order and condition of all protective clothing, equipment and appliances of, or provided by the local government to, the bush fire brigade;
 - (b) provide, no later than 15 April of each year, a report to the local government and bush fire brigade captain describing the nature, quantity and quality of all protective clothing, equipment and appliances of the bush fire brigade which are generally available within the bush fire brigade area (or at a station of the bush fire brigade); and
 - (c) ensure all of the equipment of the bush fire brigade is stored at a place approved by the Captain (*the station*).

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- (2) If there is to be more than one station in the brigade area, the Equipment Officer is to appoint in respect of each station a person who is responsible for the custody and maintenance in good order and condition of all equipment and appliances at the station, subject to any direction of the Equipment Officer.

3.7 Training Officer

The Training Officer is to –

- (a) ensure brigade members maintain necessary skill levels equivalent to the competency standards required as recommended by the Department and the Shire of Dardanup;
- (b) ensure regular training sessions are conducted within the brigade to maintain currency of qualifications and skills;
- (c) maintain accurate records of training undertaken by members and ensure that qualification and training updates are forwarded to the local government;
- (d) provide mentoring for members who express an interest in training to encourage future facilitators;
- (e) represent the brigade at training committee meetings; and
- (f) provide, no later than 30 November of each year, a report to the local government of any identified training needs of the bush fire brigade.

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PART 4 – COMMITTEE

4.1 Management of bush fire brigade

- (1) Subject to the provisions of these Rules, the administration and management of the affairs of the bush fire brigade are vested in the Committee.
- (2) Without limiting the generality of subclause (1), the Committee is to have the following functions –
 - (a) to recommend to the local government amendments to these Rules;
 - (b) to draft the annual budget for the bush fire brigade and present it at the annual general meeting of the bush fire brigade;
 - (c) to propose a motion for consideration at any meeting of the bush fire brigade;
 - (d) to recommend to the local government equipment which needs to be supplied by the local government to the bush fire brigade;
 - (e) to invest or place on deposit any of the funds of the bush fire brigade not immediately required to perform the normal brigade activities;
 - (f) to delegate to a person, as from time to time thought fit, any functions (being less than the total functions of the Committee) on any conditions it thinks fit;
 - (g) to do all things necessary or convenient in order to perform any of its functions and to secure the performance of the normal brigade activities by the bush fire brigade; and
 - (h) deal with membership applications, grievances, disputes and disciplinary matters.

4.2 Constitution of Committee

- (1) The Committee of the bush fire brigade is to consist of the brigade officers being the Captain, Secretary, Treasurer, Equipment Officer, Training Officer, Bush Fire Control Officers and the Lieutenants of the bush fire brigade.
- (2) The brigade officers are to -
 - (a) be elected at the annual general meeting of the bush fire brigade;
 - (b) hold office until the next annual general meeting; and
 - (c) be eligible for re-election at the next annual general meeting.
- (3) Any brigade officer may be removed from office by an absolute majority decision of the brigade members present in person or by proxy at a special meeting called for such a purpose.
- (4) The Committee may appoint a brigade member to fill a vacancy in any office arising from a resolution under subclause (3) or which has arisen for any other reason.

PART 5 – MEETINGS OF BUSH FIRE BRIGADE

5.1 Ordinary meetings

- (1) Ordinary meetings may be called at any time by the Secretary by giving at least 7 days' notice to all brigade members and to the Chief Fire Control Officer, for the purpose of –
 - (a) organising and checking equipment;
 - (b) requisitioning new or replacement equipment;
 - (c) organising field excursions, training sessions, hazard reduction programs, and the preparation of fire-breaks;
 - (d) establishing new procedures in respect of any of the normal brigade activities; and
 - (e) dealing with any general business.
- (2) In a notice given under subclause (1), the Secretary is to specify the business which is to be conducted at the meeting.
- (3) Business may be conducted at an ordinary meeting of the bush fire brigade notwithstanding that it was not specified in a notice given under subclause (1) in relation to that meeting.

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5.2 Special meetings

- (1) The Secretary is to call a special meeting when 5 or more brigade members request one in writing.
- (2) At least 2 days' notice of a special meeting is to be given by the Secretary, to all brigade members and to the Chief Bush Fire Control Officer.
- (3) In a notice given under subclause (2) the Secretary is to specify the business which is to be conducted at the meeting.
- (4) No business is to be conducted at a special meeting beyond that specified in a notice given under subclause (2) in relation to that meeting.

5.3 Annual general meeting

- (1) At least 7 days' notice of the annual general meeting is to be given by the Secretary to all brigade members and to the Chief Bush Fire Control Officer.
- (2) At the annual general meeting the bush fire brigade is to –
 - (a) elect the brigade officers from among the brigade members;
 - (b) consider the Captain's report on the year's activities;
 - (c) adopt the annual financial statements;
 - (d) appoint an Auditor for the ensuing financial year in accordance with clause 5.6; and
 - (e) deal with any general business.
- (3) In a notice given under subclause (1), the Secretary is to specify the business which is to be conducted at the meeting.
- (4) Business may be conducted at an annual general meeting notwithstanding that it was not specified in a notice given under subclause (1) in relation to that meeting.

5.4 Quorum

- (1) The quorum for a meeting of the bush fire brigade is at least 50% of the number of offices (whether vacant or not) of member of the bush fire brigade.
- (2) No business is to be transacted at a meeting of the bush fire brigade unless a quorum of brigade members is present in person or by proxy.

5.5 Voting

Each brigade member is to have one vote, however in the event of an equality of votes, the Captain (or person presiding) may exercise a casting vote.

5.6 Auditor

- (1) At the annual general meeting a person, not being a brigade member, is to be appointed as the Auditor of the bush fire brigade for the ensuing financial year.
- (2) The Auditor is to audit the accounts of the bush fire brigade not less than 7 days before the annual general meeting and is to certify to their correctness or otherwise and present a report at the annual general meeting.

(Appendix ORD: 12.4.2C)

PART 6 – MEETINGS OF COMMITTEE

6.1 Meetings of Committee

- (1) The Committee is to meet for the despatch of business, adjourn and otherwise regulate its meeting as it thinks fit.
- (2) The Captain or Secretary may convene a meeting of the Committee at any time.

6.2 Quorum

No business is to be transacted at a meeting of the Committee unless a quorum of 3 brigade officers are present in person.

6.3 Voting

Each brigade officer is to have one vote, however in the case of an equality of votes, the Captain (or person presiding) may exercise a casting vote.

PART 7 – GENERAL ADMINISTRATION MATTERS

7.1 Fees

- (1) The membership fees, if any, for each type of member for the ensuing 12 months are to be determined by the bush fire brigade at the annual general meeting.
- (2) Subject to subclause (3), a member is to pay the membership fees for her or his type of membership on or before 1 May.
- (3) The bush fire brigade may exempt a brigade member, or a class of membership, from the payment of membership fees, for such period and on such conditions as the bush fire brigade may determine.

7.2 Funds

The funds of the bush fire brigade are to be used solely for the purpose of promoting the objects of the bush fire brigade.

7.3 Financial year

The financial year of the bush fire brigade is to commence on 1 July and is to end on 30 June of the following year.

7.4 Banking

- (1) The funds of the bush fire brigade are to be placed in a bank account and are to be drawn on only by cheques signed jointly by any 2 of the Captain, Secretary or Treasurer.
- (2) If the Secretary/Treasurer is a combined position, the Captain and Secretary/Treasurer are to sign the cheques referred to in subclause (1).

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7.5 Disclosure of interests

- (1) A brigade member shall disclose to the bush fire brigade or Committee any financial interest (whether direct or indirect) he or she may have in any matter being considered by the bush fire brigade or Committee, as appropriate.
- (2) If a financial interest has been disclosed under subclause (1), then the bush fire brigade or Committee, as appropriate, is to decide, in the absence of the brigade member who disclosed that interest, whether or not the brigade member is to be permitted to vote on that matter.
- (3) Where the bush fire brigade or Committee, as appropriate, decides under subclause (2), that a brigade member is not to be permitted to vote on a matter, and the brigade member votes on the matter, then her or his vote is to be taken to have no effect and is not to be counted.

7.6 Disagreements

- (1) Any disagreement between brigade members may be referred to either the Captain or to the Committee.
- (2) Where a disagreement in subclause (1) is considered by the Captain or the Committee to be of importance to the interests of the bush fire brigade, then the Captain or the Committee, as the case may be, is to refer the disagreement to the annual general meeting, an ordinary meeting or a special meeting of the bush fire brigade.
- (3) The local government is the final authority on matters affecting the bush fire brigade, and may resolve any disagreement which is not resolved under subclause (1) or (2).

PART 8 – NOTICES AND PROXIES

8.1 Notices

- (1) Notices of meetings of the bush fire brigade are to be in writing and sent by ordinary post to the registered address of each brigade member.
- (2) Notices of meetings of the Committee may be given in writing in accordance with subclause (1) or by such other means as the Committee may decide (by an absolute majority) at a meeting of the Committee.
- (3) Any accidental omission to give notice of a meeting to, or non-receipt by a person entitled to receive such notice, is not to invalidate the meeting the subject of the notice or any resolutions passed at the meeting.
- (4) Where any notice other than a notice of meeting is to be given under these Rules, the notice is to be –
 - (a) in writing;
 - (b) unless otherwise specified, given to or by the Secretary;
 - (c) given by –
 - (i) personal delivery;
 - (ii) post;
 - (iii) facsimile transmission; or
 - (iv) email.
 - (d) taken to have been received, as the case may be –
 - (i) at the time of personal delivery;
 - (ii) 2 business days after posting; or
 - (iii) on the printing of the sender's email or transmission report.

(Appendix ORD: 12.4.2C)

8.2 Proxies

- (1) Where under these Rules a brigade member may vote by proxy, in order for the proxy to so vote, the brigade member or the proxy shall give a notice in the form of that appearing in this clause, to the Secretary or the person presiding at the meeting before the start of the meeting at which the proxy is to be used.
- (2) A proxy is to be valid for the meeting for which it is given and for any adjournments of that meeting.
- (3) A proxy shall be valid for the number of votes to which the brigade member is entitled.
- (4) If the donor of the proxy does not give any indication of the manner in which the proxy is to vote, the proxy shall be entitled to vote or not vote as he or she thinks fit.
- (5) A proxy shall be entitled to speak on behalf of the donor of the proxy.
- (6) All forms appointing proxies deposited under subclause (1) are to be retained by the Secretary for not less than 28 days after the conclusion of the meeting to which they relate but if there is any objection to the validity of any vote at the meeting, they are to be retained until the determination of that objection.
- (7) The form appointing a proxy shall be in writing and signed by the brigade member appointing the proxy and shall be in or substantially in the form set out below -

(Appendix ORD: 12.4.2C)

PROXY

[INSERT NAME] BUSH FIRE BRIGADE

[ANNUAL] [EXTRAORDINARY] GENERAL MEETING
TO BE HELD ON [DATE]

I, _____,

Being a brigade member appoint _____ to
be my proxy and vote on my behalf at the meeting of the
bush fire brigade to be held on [insert date] and at any
adjournment of it. The proxy shall vote as follows:

MOTION FOR AGAINST ABSTAIN

1.
2.

If there is no instruction to the proxy as to the way to vote,
the proxy shall exercise her or his discretion as to how to vote
or whether to vote at all. In respect of any vote taken at the
meeting on a matter which does not appear on the agenda, the
proxy shall exercise her or his discretion as to the way he or
she casts the vote or whether it is cast at all.

Date: _____

Signed: _____

NOTE: To be valid this proxy must be completed and
returned to the Secretary of the bush fire brigade (or the
presiding member) prior to the commencement of the
meeting for which the proxy is valid.

Dated this day of 20

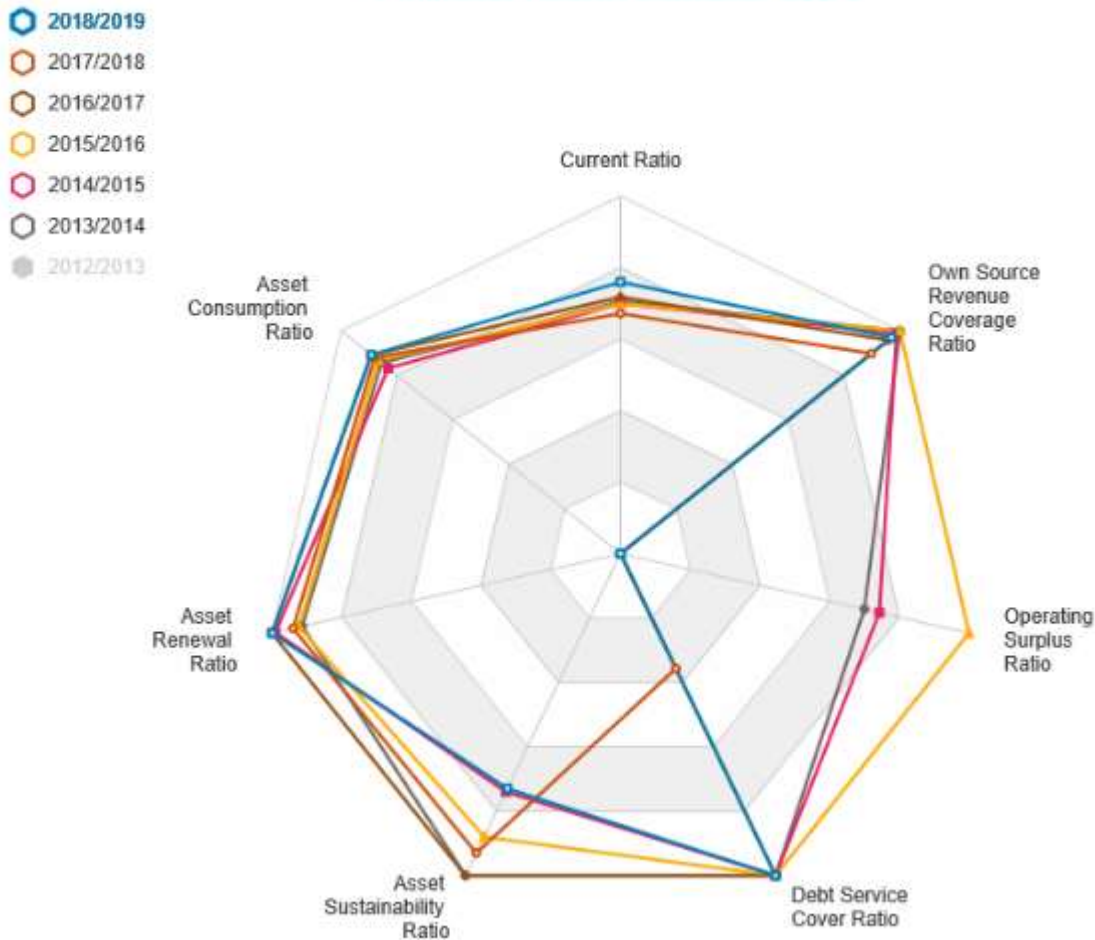
(Appendix ORD: 12.4.3B)

RISK ASSESSMENT TOOL									
OVERALL RISK EVENT:		Draft Corporate Business Plan 2021/22 – 2024/25							
RISK THEME PROFILE:		3 - Failure to Fulfil Compliance Requirements (Statutory, Regulatory)							
RISK ASSESSMENT CONTEXT:		Operational							
CONSEQUENCE CATEGORY	RISK EVENT	PRIOR TO TREATMENT OR CONTROL			RISK ACTION PLAN (Treatment or controls proposed)	AFTER TREATMENT OR CONTROL			RESIDUAL RISK RATING
		CONSEQUENCE	LIKELIHOOD	INHERENT RISK RATING		CONSEQUENCE	LIKELIHOOD	RESIDUAL RISK RATING	
HEALTH	No risk event identified for this category.	Not Required - No Risk Identified	N/A	N/A	Not required.	Not required.	Not required.	Not required.	Not required.
FINANCIAL IMPACT	The financial implications associated within the elements of the Corporate Business Plan can affect the financial sustainability of Council.	Minor (2)	Possible (3)	Moderate (5 - 11)	Not required.	Not required.	Not required.	Not required.	Not required.
SERVICE INTERRUPTION	No risk event identified for this category.	Not Required - No Risk Identified	N/A	N/A	Not required.	Not required.	Not Required - No Risk Identified	N/A	N/A
LEGAL AND COMPLIANCE	Legislative requirements and compliance determine the need for the production of Corporate Business Plan	Minor (2)	Possible (3)	Moderate (5 - 11)	Not required.	Not required.	Not Required - No Risk Identified	N/A	N/A
REPUTATIONAL	Legislative requirements and compliance determine the need for the production of Corporate Business Plan.	Minor (2)	Possible (3)	Moderate (5 - 11)	Not required.	Not required.	Not Required - No Risk Identified	N/A	N/A
ENVIRONMENT	No risk event identified for this category.	Not Required - No Risk Identified	N/A	N/A	Not required.	Not required.	Not Required - No Risk Identified	N/A	N/A

(Appendix ORD: 12.4.4B)

Shire of Dardanup

Financial Health Indicator Score



Current Ratio

A measure of the ability of a local government to meet its short-term financial obligations with funds it can access quickly (also known as 'liquidity').

Asset Consumption Ratio

A measure of the condition of a local government's physical assets, by comparing their age with their replacement cost. The ratio highlights the aged condition of a local government's stock of physical assets.

Asset Renewal Ratio

A measure of a local government's ability to fund asset renewal and replacements in the future.

Asset Sustainability Ratio

A measure of the extent to which assets managed by a local government are being replaced as they reach the end of their useful lives.

Debt Service Cover Ratio

A measure of a local government's ability to repay its debt based on how much cash it can access compared to the total of its debt obligations.

Operating Surplus Ratio

A measure of a local government's ability to cover its operational costs and have money left for capital projects and other purposes.

Own Source Revenue Coverage Ratio

A measure of a local government's ability to cover its operating costs through revenue it generates itself.

RISK ASSESSMENT TOOL									
OVERALL RISK EVENT:		Long Term Financial Plan 2021/22 – 2030/31							
RISK THEME PROFILE:		2 - Business and Community Disruption 4 - Document Management Processes							
RISK ASSESSMENT CONTEXT:		Strategic							
CONSEQUENCE CATEGORY	RISK EVENT	PRIOR TO TREATMENT OR CONTROL			RISK ACTION PLAN (Treatment or controls proposed)	AFTER TREATMENT OR CONTROL			RESIDUAL RISK RATING
		CONSEQUENCE	LIKELIHOOD	INHERENT RISK RATING		CONSEQUENCE	LIKELIHOOD	RESIDUAL RISK RATING	
HEALTH	No risk event identified for this category.	Not Required - No Risk Identified	N/A	N/A	Not required.	Not required.	Not required.	Not required.	Not required.
FINANCIAL IMPACT	The financial implications associated within the elements of the LTFP can affect the financial sustainability of Council.	Minor (2)	Possible (3)	Moderate (5 - 11)	Not required.	Not required.	Not required.	Not required.	Not required.
SERVICE INTERRUPTION	No risk event identified for this category.	Not Required - No Risk Identified	N/A	N/A	Not required.	Not required.	Not required.	Not required.	Not required.
LEGAL AND COMPLIANCE	Legislative requirements and compliance determine the need for the production of a Long Term Financial Plan.	Minor (2)	Possible (3)	Moderate (5 - 11)	Not required.	Not required.	Not required.	Not required.	Not required.
REPUTATIONAL	The inclusion of projects and works within the various plans within the LTFP build community expectation	Minor (2)	Possible (3)	Moderate (5 - 11)	Not required.	Not required.	Not required.	Not required.	Not required.
ENVIRONMENT	No risk event identified for this category.	Not Required - No Risk Identified	N/A	N/A	Not required.	Not required.	Not required.	Not required.	Not required.

**MEMORANDUM
OF
UNDERSTANDING**

BETWEEN THE FOLLOWING PARTIES

EATON BOWLING & SOCIAL CLUB INC

PRATT ROAD, EATON 6232

ABN 65 634 667 792

AND

EATON SENIOR CITIZENS ASSOCIATION INC

2 SANFORD WAY, EATON WA 6232

ABN 94 463 966 573

(Appendix ORD: 12.4.5A)

MEMORANDUM OF UNDERSTANDING – EATON BOWLING & SOCIAL CLUB INC AND EATON SENIOR CITIZENS ASSOCIATION INC

(Appendix ORD: 12.4.5A)

This **MEMORANDUM OF UNDERSTANDING (MOU)** is made

on the day of 2019

BETWEEN

EATON BOWLING & SOCIAL CLUB INC of Pratt Road, Eaton, Western Australia

AND

EATON SENIOR CITIZENS ASSOCIATION INC of 2 Sanford Way, Eaton, Western Australia

RECITALS

1. TERMS USED

ABN – means Australian Business Number.

CEO – means the Chief Executive Officer of the Shire of Dardanup.

Club Facilities – means the Eaton Bowling Club located at Lot 510, (R 27516) Pratt Road, Eaton

MoU – means this Memorandum of Understanding

Parties – means the Eaton Bowling & Social Club Inc and the Eaton Senior Citizens Association Inc

Council – means the Shire of Dardanup

Executive Group – means the Executive members of each respective Association, that being:

- President;
- Vice President;
- Secretary; and
- Treasurer.

2. TERMS OF MOU

2.1 This Memorandum of Understanding (MoU) commences on the date it is signed by both Parties and continues until either party terminates this MoU by the giving of notice in writing.

(Appendix ORD: 12.4.5A)

3. LEGAL EFFECT OF MOU

- 3.1 This MoU is a non-exclusive arrangement and is not intended to create legally binding obligations on any of the parties, but is intended to outline the agreed objectives of both parties.

4. OBJECTIVES

- 4.1 The objectives of this MoU are:

- to establish the framework, the commitment, communication and collaboration between the Parties;
- to enable the Parties to permanently share access and use the Club Facilities which are owned by the Shire of Dardanup and leased to the Eaton Bowling Club Inc for various activities; and
- to recognise and abide by the terms and conditions that are consistent with the principles as set out in this MoU.

5. PRINCIPLES

- 5.1 The parties agree to give effect to this MoU in accordance with the following principles:

- a) Their collaborative relationship is based on mutual respect, trust, accountability and a commitment to cooperating to achieve the objectives of this MoU;
- b) Abide by any relevant legislation together with any Business Rules, Constitutions which will inform and guide the actions of the Parties under this MoU; and
- c) In conducting any activities under this MoU both Parties will seek to build and maintain a cohesive, cooperative and harmonious environment for all members.

6. AGREEMENT

- 6.1 The parties agree to work collaboratively together to:

- a) Identify and agree to Club Facilities that are suitable for each Parties use;
- b) Develop a process for identifying and notifying the availability from time to time of Club Facilities to each other and to other community groups and for public hire and use;
- c) Develop communication channels through their respective printed, Internet and social media presence to reach and inform the community about Club Facilities that are available for activities and events in accordance with this MoU;
- d) Acknowledge, communicate and promote the role that the Parties play in working with each other and with other members of the community;

(Appendix ORD: 12.4.5A)

- e) Provide to each other such information and assistance as reasonably necessary to give effect to this MoU and to support the other Parties contribution under this MoU; and
- f) Mutually agree from time to time to provide formal recognition of the support provided by others including the WA Government, the Council and other sponsors and supporters.

7. RESPECTIVE MANAGEMENT, ROLES, ACKNOWLEDGEMENTS AND OBLIGATIONS

7.1 The Parties agree that the respective roles of the Parties are as facilitators, to bring together members of each of the Parties to meet the objectives of this MoU.

7.2. The Parties acknowledges and agrees that:

- a) Members of the Parties undertake their activities under their own constituting instruments and governance documentation;
- b) Each of the Parties do not have any role in the regulation or control of each other's members beyond any conditions of membership that each of the Parties may apply to their membership from time to time;
- c) Members of the Parties undertake that their business activities will be under their own management and neither will be accountable or in control of each other's business. The Eaton Senior Citizens Association Inc will not be involved in the running of the TAB, bar or care of the outside bowling greens.

7.3 The Parties acknowledge and agree that they:

- a) Will not undertake any investigations or any checks on the other Parties organisation, business, activities or members; and
- b) Provide no insurance or warranties for the other Party in respect of their organisation, members or activities.

7.4. It is the responsibility of both Parties to communicate to their respective members:

- a) The existence of this MoU, its purpose and objectives; and
- b) That the Executive Group for each of the Parties act as facilitators to bring together members of each of the Parties to meet the objectives of this MoU;

7.5 The Parties agree:

- a) To determine and to make available representatives of their respective organisation's in the establishment of a Joint Management Committee in accordance with the structure as attached to this MoU at *Appendix 1*.
- b) The established Joint Management Committee will have equal representatives from both the Eaton Senior Citizens Association Inc and the Eaton Bowling & Social Club Inc with equal voting rights.

(Appendix ORD: 12.4.5A)

- c) To determine the operating procedures relating to the Joint Management Committee which will include –
 - i) The number of representatives from each of the Parties
 - ii) Appointment of committee chairperson and proxy;
 - iii) Committee meeting content, business and agenda
 - iv) Voting rights;
 - v) Quorum of the committee; and
 - vi) Any other such operating procedures as required.
- d) Each Parties representatives on the Joint Management Committee will have sufficient authority to make decisions on behalf of that Party.
- e) The Joint Management Committee will meet one (1) month following the signing of this MoU and thereafter as mutually agreed, to review progress in meeting the objectives of this MoU and to manage the activities associated with each of the Parties in the establishment and use of the Club Facilities.
- f) Agree to give effect to this MoU in accordance with the principles set out in Clause 5;
- g) Agree that the basis upon which Club Facilities will be made available will be in accordance with Clause 8;
- h) That access to Club Facilities is on legal and commercial terms as agreed between both Parties for the use and hire of Club Facilities;
- i) The Eaton Senior Citizens Association Inc will not be a party to any agreement between facility users, hirers and the provider of Club Facilities;
- j) The expectations of both Parties is that users and hirers of Club Facilities must adhere to principles that are consistent with those in Clause 5 in the provision and use of Club Facilities;
- k) That each Party will not use the other Party's trademarks, trade names, designs, logos, slogans or emblems (whether or not the use is related to the objectives of this MoU) for any purpose without the other Party's prior written consent which may be given subject to conditions;
- l) That each Party will bear their own costs of conducting and participating in any activities associated with this MoU unless otherwise agreed in writing;
- m) That in giving effect to this MoU, each must comply with all relevant laws, regulations and relevant policies.

8. PROVISION OF CLUB FACILITIES

8.1 The Parties agree that:

- a) It will be the intent of this MoU that Club Facilities will be made available to either of the Parties for any purpose in accordance with this MoU;

(Appendix ORD: 12.4.5A)

- b) From time to time the Joint Management Committee can determine the terms and conditions of entry to and use of Club Facilities to suit and facilitate the needs of each of the Parties; and
- c) The Joint Management Committee will determine the:
 - Activity and function programming schedule;
 - Distribution of utility, maintenance and lease costs;
 - Hiring of the premises for functions and events;
 - Allocation of operational and maintenance task responsibilities; and
 - Any future capital works or development plans.

8.2 The Parties acknowledge and agree:

- a) That each of the Parties may conduct a range of activities including sporting and social activities, events, gatherings and meetings.
- b) Undertake their own inquiries about the nature of the activities that each Party may wish to conduct in Club Facilities;
- c) To make their own determinations on whether their facilities are suitable for the type of activity contemplated and the conditions that should apply to their use;
- d) Every endeavor will be made to charge concessional rates or waive rates for venue hire or use, for facilities made available for each party in accordance with this MoU.

Clause 8.2(d) does not limit the right of the Eaton Bowling & Social Club to apply their usual charges for any services such as the supply of food and beverages, catering for events, hiring of equipment or furniture, or provision of security or other personnel in accordance with their lease of the Club Facilities;

- e) To provide for dissemination to their members in agreed formats and mediums, information about conditions of entry and use (including any hire fees or other charges) of Club Facilities as and when updated from time to time;
- f) That any media release, publicity or other public announcement concerning the subject matter of this MoU, must have the prior written consent of both Parties; and
- g) That in providing Club Facilities they must comply with all relevant laws and relevant policies.

9. CONFIDENTIALITY, PUBLICITY & RECOGNITION OF SUPPORT

9.1 Each of the Parties must keep the information of the other Party that is designated as confidential or that it knows or ought to know is confidential, in strict confidence and must not disclose or cause the disclosure of such information except:

- a) As is necessary for the parties to perform their obligations under this MoU;
- b) With the other party's prior written consent; or

(Appendix ORD: 12.4.5A)

- c) As required by law.
- 9.2 The Parties acknowledge and agree that they will consult with each other and to the extent possible in the circumstances, mutually agree any media release, publicity or other public announcement concerning the subject matter of this MoU.

10 TERMINATION

- 10.1 It is acknowledge that this MoU has been formed to enable the redevelopment of the existing Club Facilities, which has involved the commitment of State Government funding and Council resources, including considerable planning, design and development costs. This long term commitment of funds and resources requires the long term commitment of both the Eaton Bowling & Social Club Inc and the Eaton Senior Citizens Association Inc.
- 10.2 While acknowledging the long term commitment of the State Government, Council and the Eaton Bowling & Social Club Inc and the Eaton Senior Citizens Association Inc, either Party may still withdraw from this agreement at any time and without reason should it wish to do so, provided due notice is given to the other Party and the Council. The Party intending to withdraw must advise the other party/ies and Council in writing, giving at least twelve-month's notice of its intention to do so.

11. GENERAL

- 11.1. This MoU may only be varied by agreement in writing signed by both parties.
- 11.2. As this MoU serves only as a record of the intentions of the parties any issue, dispute, controversy or claim which arises out of the interpretation or application of this MoU will be dealt with pragmatically through amicable consultations and negotiations as the only method of settling the issue, dispute, controversy, or claim.

(Appendix ORD: 12.4.5A)

MEMORANDUM OF UNDERSTANDING – EATON BOWLING & SOCIAL CLUB INC AND EATON SENIOR CITIZENS ASSOCIATION INC

EXECUTION

SIGNED FOR AND ON BEHALF OF EATON BOWLING & SOCIAL CLUB INC


President 
(Mr Les Brook)

Date 18/12/19

Secretary 
(Mr Kerry Edwards)

Date 18/12/19

SIGNED FOR AND ON BEHALF OF EATON SENIOR CITIZENS ASSOCIATION INC

President 
(Mr Menno de Vries)

Date 18/12/19

Secretary 
(Ms Valerie von Willisen)

Date 18/12/19

Appendix 1

JOINT MANAGEMENT COMMITTEE STRUCTURE



RISK ASSESSMENT TOOL									
OVERALL RISK EVENT:		Eaton Bowling Club and Eaton Senior Citizens Club Joint Management Committee – Council Representative/Independent Party							
RISK THEME PROFILE:		10 - Management of Facilities, Venues and Events							
RISK ASSESSMENT CONTEXT:		Project							
CONSEQUENCE CATEGORY	RISK EVENT	PRIOR TO TREATMENT OR CONTROL			RISK ACTION PLAN (Treatment or controls proposed)	AFTER TREATMENT OR CONTROL			RESIDUAL RISK RATING
		CONSEQUENCE	LIKELIHOOD	INHERENT RISK RATING		CONSEQUENCE	LIKELIHOOD	RESIDUAL RISK RATING	
HEALTH	No risk event identified for this category.	Not Required - No Risk Identified	N/A	N/A	Not required.	Not required.	Not required.	Not required.	Not required.
FINANCIAL IMPACT	No risk event identified for this category.	Not Required - No Risk Identified	N/A	N/A	Not required.	Not required.	Not required.	Not required.	Not required.
SERVICE INTERRUPTION	No risk event identified for this category.	Not Required - No Risk Identified	N/A	N/A	Not required.	Not required.	Not required.	Not required.	Not required.
LEGAL AND COMPLIANCE	No risk event identified for this category.	Not Required - No Risk Identified	N/A	N/A	Not required.	Not required.	Not required.	Not required.	Not required.
REPUTATIONAL	No risk event identified for this category.	Not Required - No Risk Identified	N/A	N/A	Not required.	Not required.	Not required.	Not required.	Not required.
ENVIRONMENT	No risk event identified for this category.	Not Required - No Risk Identified	N/A	N/A	Not required.	Not required.	Not required.	Not required.	Not required.

(Appendix ORD: 12.4.6A)

RISK ASSESSMENT TOOL									
OVERALL RISK EVENT: Failing to monitor the financial performance can increase the risk of a negative impact on the Shire's financial position. Non-compliance with legislative requirement could result in a qualified audit.									
RISK THEME PROFILE:									
3 - Failure to Fulfil Compliance Requirements (Statutory, Regulatory)									
RISK ASSESSMENT CONTEXT: Operational									
CONSEQUENCE CATEGORY	RISK EVENT	PRIOR TO TREATMENT OR CONTROL			RISK ACTION PLAN (Treatment or controls proposed)	AFTER TREATMENT OR CONTROL			RESIDUAL RISK RATING
		CONSEQUENCE	LIKELIHOOD	INHERENT RISK RATING		CONSEQUENCE	LIKELIHOOD		
HEALTH	No risk event identified for this category.	Not Required - No Risk Identified	N/A	N/A	Not required.	Not required.	Not required.	Not required.	Not required.
FINANCIAL IMPACT	Not monitoring ongoing financial performance would increase the risk of a negative impact on the financial position.	Moderate (3)	Unlikely (2)	Moderate (5 - 11)	Not required.	Not required.	Not required.	Not required.	Not required.
SERVICE INTERRUPTION	No risk event identified for this category.	Not Required - No Risk Identified	N/A	N/A	Not required.	Not required.	Not required.	Not required.	Not required.
LEGAL AND COMPLIANCE	Non-compliance with the legislative requirements that results in a qualified audit.	Minor (2)	Unlikely (2)	Low (1 - 4)	Not required.	Not required.	Not required.	Not required.	Not required.
REPUTATIONAL	Non-compliance that results in a qualified audit can lead stakeholders to question the Council's ability to manage finances effectively.	Insignificant (1)	Unlikely (2)	Low (1 - 4)	Not required.	Not required.	Not required.	Not required.	Not required.
ENVIRONMENT	No risk event identified for this category.	Not Required - No Risk Identified	N/A	N/A	Not required.	Not required.	Not required.	Not required.	Not required.

(Appendix ORD: 12.4.6B)



Monthly Financial Report

For the Period

1 July 2020 to 31 March 2021

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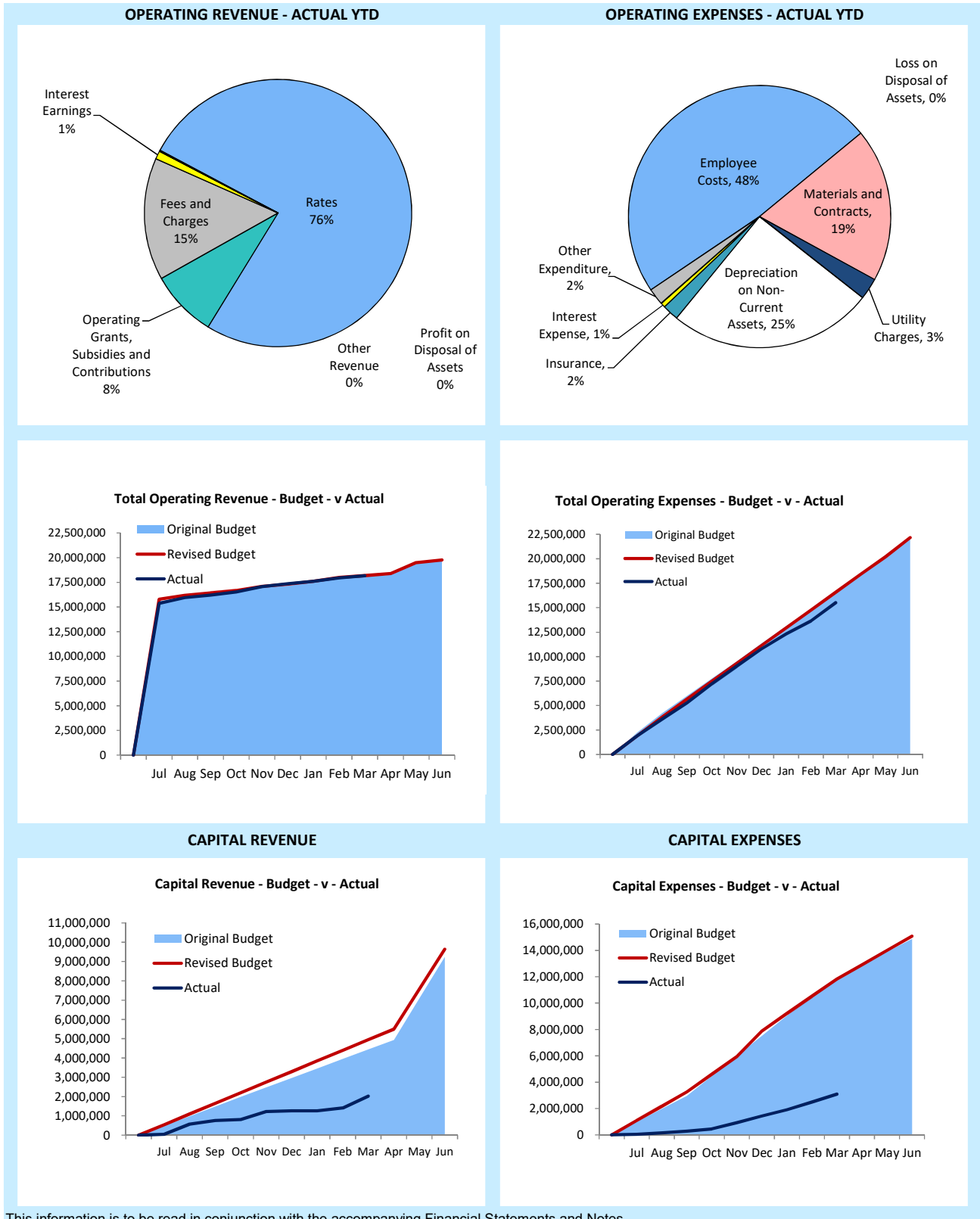
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(Appendix ORD: 12.4.6B)



Monthly Financial Report For the Period Ended 31 March 2021

SUMMARY GRAPHS



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

(Appendix ORD: 12.4.6B)



Statement of Financial Activity by Program For the Period Ended 31 March 2021 (Covering 9 months or 75% of the year)

Sch	2020/21	2020/21	2020/21	2020/21	Variance Y-T-D	Variance Y-T-D	2020/21	2019/20	
	Adopted Budget \$	Revised Budget \$	Y-T-D Revised Budget \$	Y-T-D Actual \$	Actual to Revised Budget \$	Actual to Revised Budget %	Forecast \$	Last Year Actual \$	
OPERATING ACTIVITIES									
Revenue									
Governance	4	28,800	28,900	21,663	3,109	(18,554)	(85.7%)	28,900	5,720
General Purpose Funding	3	15,659,482	15,361,243	14,354,102	14,315,579	(38,523)	(0.3%)	15,361,243	15,495,427
Law, Order, Public Safety	5	474,905	669,522	621,264	632,814	11,550	1.9%	658,522	596,148
Health	7	2,150	5,150	3,852	4,754	902	23.4%	5,150	27,713
Education and Welfare	8	6,000	11,017	10,764	10,017	(747)	(6.9%)	11,017	7,205
Community Amenities	10	1,484,654	1,578,671	1,524,025	1,573,773	49,748	3.3%	1,578,671	1,526,710
Recreation and Culture	11	1,374,782	1,595,318	1,231,800	1,184,475	(47,325)	(3.8%)	1,595,318	2,404,911
Transport	12	396,841	156,474	147,842	146,219	(1,623)	(1.1%)	156,474	173,095
Economic Services	13	97,348	198,950	149,175	124,150	(25,025)	(16.8%)	198,950	94,232
Other Property and Services	14	173,800	213,555	160,128	192,609	32,481	20.3%	213,555	1,387,070
Total Operating Revenue		19,698,762	19,818,801	18,224,615	18,187,500	(37,115)	(0.2%)	19,807,801	21,718,231
Operating Expenses									
Governance	4	(1,210,103)	(1,168,813)	(894,175)	(831,623)	62,552	7.0%	(1,168,813)	(1,186,604)
General Purpose Funding	3	(511,688)	(380,026)	(273,531)	(282,092)	(8,561)	(3.1%)	(380,026)	(331,323)
Law, Order, Public Safety	5	(1,619,329)	(1,822,722)	(1,395,823)	(1,165,743)	230,080	16.5%	(1,797,143)	(1,710,879)
Health	7	(540,920)	(523,820)	(397,711)	(371,332)	26,379	6.6%	(523,820)	(547,380)
Education and Welfare	8	(784,183)	(892,690)	(695,363)	(592,455)	102,908	14.8%	(891,230)	(750,714)
Community Amenities	10	(2,845,397)	(2,795,360)	(2,028,663)	(1,869,973)	158,690	7.8%	(2,786,208)	(2,641,373)
Recreation & Culture	11	(7,597,856)	(7,539,882)	(5,673,823)	(5,433,897)	239,926	4.2%	(7,529,746)	(7,739,832)
Transport	12	(6,218,251)	(6,227,805)	(4,664,601)	(4,561,251)	103,350	2.2%	(6,212,820)	(5,878,151)
Economic Services	13	(513,473)	(569,364)	(426,933)	(359,540)	67,393	15.8%	(569,364)	(469,137)
Other Property and Services	14	(233,368)	(272,894)	(235,791)	(83,040)	152,751	64.8%	(276,820)	(237,410)
Total Operating Expenditure		(22,074,568)	(22,193,376)	(16,686,414)	(15,550,946)	1,135,468	6.8%	(22,135,991)	(21,492,803)
Net Operating Activities		(2,375,806)	(2,374,575)	1,538,201	2,636,554	1,098,353	(71.4%)	(2,328,190)	225,428

(continued next page)

(Appendix ORD: 12.4.6B)



Statement of Financial Activity by Program For the Period Ended 31 March 2021 (Covering 9 months or 75% of the year)

	2020/21 Adopted Budget \$	2020/21 Revised Budget \$	2020/21 Y-T-D Revised Budget \$	2020/21 Y-T-D Actual \$	Variance Y-T-D Actual to Revised Budget \$	Variance Y-T-D Actual to Revised Budget %	2020/21 Forecast \$	2019/20 Last Year Actual \$
Net Operating Activities (from previous page)	(2,375,806)	(2,374,575)	1,538,201	2,636,554	1,098,353	71.4%	(2,328,190)	225,428
ADJUSTMENTS OF NON CASH ITEMS								
(Profit)/Loss on Asset Disposals	0	2,727	2,043	4,383	2,340	100.0%	2,727	(1,048,762)
Accruals	0	(6,540)	0	0	0	0.0%	(6,540)	41,521
Fair value adjustment to financial assets	0	0	0	0	0	0.0%	0	(1,153)
Movement in contract liabilities associated with restricted cash	(2,310,010)	(2,316,935)	0	0	0	0.0%	(2,316,935)	2,411,684
Contra Repayment of Prefunded Infrastructure	0	0	0	0	0	0.0%	0	0
Depreciation on Assets	5,289,647	5,241,787	3,931,281	3,929,070	(2,211)	(0.1%)	5,241,787	5,253,788
Adjusted Net Operating Activities	A 603,831	546,464	5,471,525	6,570,007	1,098,482	20.1%	592,849	6,882,507
INVESTING ACTIVITIES								
Revenue								
Non-operating grants, subsidies & contributions	9,243,071	9,634,092	4,945,518	2,022,701	(2,922,817)	(59.1%) ▼	9,634,092	2,242,144
Proceeds from Disposal of Assets	257,969	360,868	270,639	39,545	(231,094)	(85.4%) ▼	360,868	1,333,892
Total Capital Revenue	9,501,040	9,994,960	5,216,157	2,062,247	(3,153,910)	(60.5%)	9,994,960	3,576,036
Expenditure								
Land & Buildings	(5,430,586)	(5,946,832)	(4,611,127)	(630,270)	3,980,857	86.3% ▲	(5,946,832)	(212,472)
Infrastructure Assets - Road / Bridges / Paths	(7,717,902)	(6,935,004)	(5,561,832)	(2,175,374)	3,386,458	60.9% ▲	(6,935,004)	(3,072,051)
Infrastructure Assets - Parks & Gardens	(677,156)	(896,718)	(672,498)	(199,156)	473,342	70.4% ▲	(896,718)	(426,819)
Vehicles	(940,438)	(1,235,320)	(926,487)	(76,683)	849,804	91.7% ▲	(1,235,320)	(325,321)
Furniture & Fittings	(112,993)	(78,405)	(58,779)	(13,555)	45,224	76.9% ▲	(78,405)	(130,794)
Total Capital Expenditure	(14,879,075)	(15,092,279)	(11,830,723)	(3,095,038)	8,735,685	73.8%	(15,092,279)	(4,167,458)
Net Capital Activities	B (5,378,035)	(5,097,319)	(6,614,566)	(1,032,791)	5,581,775	84.4%	(5,097,319)	(591,422)
FINANCING ACTIVITIES								
Revenue								
Proceeds from New Loans	750,000	750,000	0	0	0	0.0%	750,000	0
Transfers from Reserves	8,659,832	8,285,164	5,301,552	838,565	(4,462,987)	(84.2%) ▼	8,263,751	3,827,660
Total Financing Revenue	9,409,832	9,035,164	5,301,552	838,565	(4,462,987)	84.2%	9,013,751	3,827,660
Expenditure								
Repayment of Loans	(250,116)	(250,116)	(197,464)	(237,980)	(40,516)	(20.5%) ▼	(250,116)	(279,748)
Principal element of finance lease payments	(119,658)	(215,506)	(161,604)	(192,389)	(30,785)	(19.0%) ▼	(221,574)	(148,176)
Transfers to Reserves	(4,428,917)	(4,342,533)	(3,256,758)	(213,783)	3,042,975	93.4% ▲	(4,342,533)	(9,621,071)
Total Financing Expenditure	(4,798,691)	(4,808,154)	(3,615,826)	(644,153)	2,971,674	82.2%	(4,814,223)	(10,048,995)
Net Financing Activities	C 4,611,141	4,227,009	1,685,726	194,412	(1,491,314)	88.5%	4,199,528	(6,221,335)
FUNDING SOURCES								
Surplus/(Deficit) July 1 B/Fwd	D 382,052	474,501	474,501	474,501	0	0.0%	474,501	404,751
CLOSING FUNDS (A+B+C+D)	218,987	150,655	1,017,186	6,206,128	5,188,942	(510.1%)	169,558	474,501

KEY INFORMATION

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

▲ indicates a positive impact on the surplus/deficit position. ▼ indicates a negative impact on the surplus/deficit position.

Refer to Note 2 for an explanation of the reasons for the variance.

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

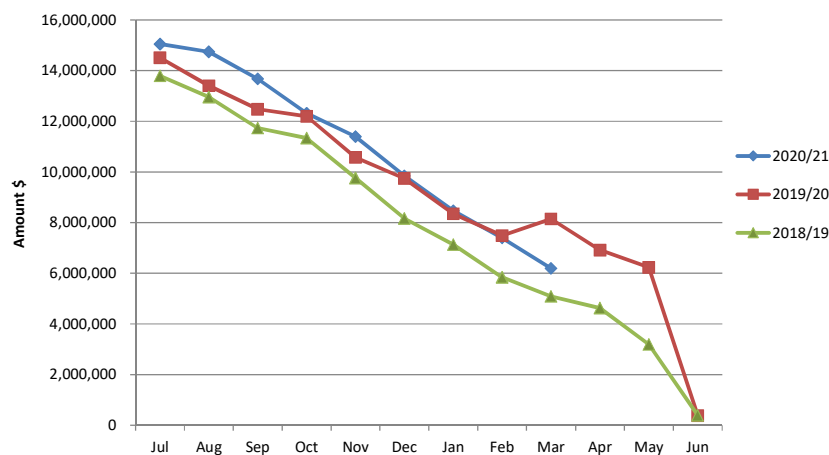
(Appendix ORD: 12.4.6B)



Statement of Financial Activity by Program For the Period Ended 31 March 2021 NET CURRENT ASSETS

Note	Year to Date Actual 31-Mar-2021 \$	Same Time Last Year Actual 31-Mar-2020	Last Year Closing 30 June 2020 \$
Represented By:			
CURRENT ASSETS			
Cash and Cash Equivalents	29,365,656	24,859,412	25,645,523
Rates Debtors Outstanding	817,992	837,336	396,109
Pensioner Rates Rebate	177,412	8,848	5,998
Sundry Debtors	69,635	1,154,794	781,928
Accrued Revenue	63,098	55,463	42,807
Prepaid Expenses	0	0	7,446
Goods & Services Tax / BAS Refund	182,261	36,186	280,631
Other Receivables	0	(200)	0
Inventories - Materials	11,917	5,047	11,917
Inventories- Trading Stock - Recreation Centre	7,310	8,430	7,310
Current Assets	30,695,280	26,965,316	27,179,669
LESS CURRENT LIABILITIES			
Payables:			
Sundry Creditors	(310,565)	(345,827)	(1,049,612)
Goods & Services Tax / BAS Payable	0	0	
Other Payables	(78,355)	(69,733)	(446,392)
Municipal Bonded Liabilities	(782,836)	(777,970)	(741,314)
Contract Liabilities	(4,598,895)	0	(4,862,896)
Prepaid Revenue - Rates / PPL	(489,588)	(327,108)	(685,142)
Accrued Interest on Debentures	(33,404)	(37,523)	(33,404)
Accrued Salaries & Wages	0	0	(96,114)
Other Accrued Expenses	0	0	(10,768)
Borrowings - Debentures	(12,135)	(64,437)	(250,116)
Provisions:			
Staff Leave Provisions	(1,437,008)	(1,272,697)	(1,437,008)
Current Liabilities	(7,742,788)	(2,895,295)	(9,612,764)
Net Current Assets	22,952,492	24,070,021	17,566,905
Less: Restricted Assets / Reserve Funds	(21,621,395)	(15,988,492)	(22,205,416)
Add: Current - Borrowings	12,135	64,437	250,116
Add: Current - Contract Liabilities held in Reserve accounts	4,862,895		4,719,271
Add: Current - Contract Liabilities - Leases			143,625
CLOSING FUNDS / NET CURRENT ASSETS (per previous page)	6,206,128	8,145,966	474,501

Liquidity Over The Year



(Appendix ORD: 12.4.6B)



**Statement of Comprehensive Income by Nature or Type
For the Period Ended 31 March 2021
(Covering 9 months or 75% of the year)**

	2020/21 Adopted Budget \$	2020/21 Revised Budget \$	2020/21 Y-T-D Revised Budget \$	2020/21 Y-T-D Actual \$	Variance Y-T-D Actual to Revised Budget \$	Variance Y-T-D Actual to Revised Budget %	2020/21 Forecast \$	2019/20 Last Year Actual \$
Revenue								
Rates	13,839,284	13,833,966	13,813,968	13,802,584	(11,384)	0.1%	13,833,966	13,716,704
Grants, Subsidies & Contributions	2,680,137	2,665,090	1,547,221	1,472,376	(74,845)	4.8%	2,665,090	3,496,488
Fees and Charges	2,730,279	3,001,323	2,609,288	2,686,690	77,402	(3.0%)	2,990,323	2,866,180
Interest Earnings	420,971	235,331	191,831	180,069	(11,762)	6.1%	235,331	512,789
Other Revenue	28,091	28,091	21,060	21,657	597	0.0%	28,091	24,685
	<u>19,698,762</u>	<u>19,763,801</u>	<u>18,183,368</u>	<u>18,163,375</u>	<u>(19,993)</u>	<u>0.1%</u>	<u>19,752,801</u>	<u>20,616,846</u>
Expenses								
Employee Costs	(10,505,383)	(10,504,934)	(7,876,368)	(7,527,985)	348,383	4.4%	(10,511,373)	(10,592,989)
Materials and Contracts	(4,891,097)	(4,938,008)	(3,610,082)	(2,937,890)	672,192	18.6%	(4,880,982)	(4,175,275)
Utility Charges	(552,620)	(573,128)	(429,654)	(411,927)	17,727	4.1%	(573,128)	(574,897)
Depreciation on Non-current Assets	(5,289,647)	(5,241,787)	(3,931,281)	(3,929,070)	2,211	0.1%	(5,241,787)	(5,253,788)
Interest Expense	(97,965)	(97,965)	(79,228)	(89,433)	(10,205)	(12.9%)	(97,965)	(117,813)
Insurance	(310,774)	(305,439)	(259,947)	(310,162)	(50,215)	(19.3%)	(305,439)	(316,060)
Other	(403,066)	(502,968)	(398,744)	(315,971)	82,773	20.8%	(502,968)	(333,679)
	<u>(22,050,552)</u>	<u>(22,164,228)</u>	<u>(16,585,304)</u>	<u>(15,522,438)</u>	<u>1,062,866</u>	<u>6.4%</u>	<u>(22,113,641)</u>	<u>(21,364,501)</u>
Operational Surplus / (Deficit)	(2,351,790)	(2,400,427)	1,598,064	2,640,937	1,042,873	(65.3%)	(2,360,840)	(747,655)
Grants & Contributions for the Development of Assets	9,243,072	9,508,875	4,851,612	2,022,701	(2,828,911)	(58.3%)	9,508,875	2,647,334
Profit on Asset Disposals	0	0	0	0	0	0.0%	(2,727)	1,048,762
Loss on Asset Disposals	0	(2,727)	(2,043)	(4,383)	(2,340)	0.0%	0	0
Fair Value Adjustment to Financial Assets	0	0	0	0	0	0.0%	0	0
	<u>9,243,072</u>	<u>9,506,148</u>	<u>4,849,569</u>	<u>2,018,318</u>	<u>(2,831,251)</u>	<u>58.4%</u>	<u>9,506,148</u>	<u>3,696,096</u>
NET RESULT	6,891,282	7,105,721	6,447,633	4,659,255	(1,788,378)	27.7%	7,145,308	2,948,441
Other Comprehensive Income								
Changes on Revaluation of Non-Current Assets	0	0	0	0	0	0.0%	0	0
TOTAL COMPREHENSIVE INCOME	6,891,282	7,105,721	6,447,633	4,659,255	(1,788,378)	27.7%	7,145,308	2,948,441

(Appendix ORD: 12.4.6B)



Notes to the Statement of Financial Activity For the Period Ended 31 March 2021

1. PROGRAMS / ACTIVITIES

In order to discharge its responsibilities to the community, the Shire has developed a set of operational and financial objectives. These objectives have been established both on an overall basis, reflected by the Shire's Community Vision and for each of its broad activities/programs.

COMMUNITY VISION

Provide effective leadership in encouraging balanced growth and development of the Shire while recognising the diverse needs of the community.

PROGRAM NAME	OBJECTIVE	ACTIVITIES
GENERAL PURPOSE FUNDING	To collect revenue to allow for the provision of services	Rates, general purpose government grants and interest revenue.
GOVERNANCE	To provide a decision making process for the efficient allocation of scarce resources.	Includes the activities of members of Council and the administration support available to Council for the provision of governance of the District. Other costs relate to the task of assisting elected members and ratepayers on matters which do not concern specific Council services.
LAW, ORDER, PUBLIC SAFETY	To provide services to help ensure a safer and environmentally conscious community.	Supervision and enforcement of various local-laws relating to the fire prevention, animal control and protection of the environment, and other aspects of public safety including emergency services.
HEALTH	To provide services to achieve community and environmental health.	Maternal and infant health facilities, immunisation, meat inspection services, inspection of food outlets, noise control and pest control services.
EDUCATION AND WELFARE	To provide services to children, youth, the elderly and disadvantaged persons.	Pre-school and other education services, child minding facilities, playgroups, senior citizens' centres.
COMMUNITY AMENITIES	To provide services required by the community.	Rubbish collection services, operation of refuse site, litter control, construction and maintenance of urban storm water drains, protection of the environment and administration of town planning schemes, cemeteries and public conveniences.
RECREATION AND CULTURE	To establish and effectively manage infrastructure and resources which help the social well being of the community.	Maintenance of halls, civic buildings, river banks, recreation centre and various sporting facilities. Provision and maintenance of parks, gardens and playgrounds. Operation of library and other cultural facilities.
TRANSPORT	To promote safe, effective and efficient transport services to the community.	Construction and maintenance of streets, roads, bridges, footpaths, cycle ways, parking facilities, traffic control and depot. Cleaning of streets and maintenance of street trees, street lighting, etc.
ECONOMIC SERVICES	To help promote the shire and its economic wellbeing.	Tourism and area promotion, building control, provision of rural services including weed control and vermin control, standpipes.
OTHER PROPERTY & SERVICES	To monitor and control Council's overheads operating accounts.	Private works operations, plant repairs and operations costs, engineering operation costs.



Notes to the Statement of Financial Activity
For the Period Ended 31 March 2021

2. EXPLANATION OF MATERIAL VARIANCES IN THE STATEMENT OF FINANCIAL ACTIVITY BY PROGRAM

The material variances adopted by the Shire of Dardanup for reporting in the 2020/21 year is 5% or \$25,000, whichever is the greater. All variances are between Year-to-Date Actual and Year-to-Date Revised Budget values.

	Sch	2020/21 Y-T-D Revised Budget \$	2020/21 Y-T-D Actual \$	Variance to Y-T-D Revised Budget \$	Variance to Y-T-D Revised Budget %	Timing / Permanent	Material Variance - Explanation
OPERATING ACTIVITIES							
Revenue							
Governance	4	21,663	3,109	(18,554)	(85.7%)		
General Purpose Funding	3	14,354,102	14,315,579	(38,523)	(0.3%)		
Law, Order, Public Safety	5	621,264	632,814	11,550	1.9%		
Health	7	3,852	4,754	902	23.4%		
Education and Welfare	8	10,764	10,017	(747)	(6.9%)		
Community Amenities	10	1,524,025	1,573,773	49,748	3.3%		
Recreation and Culture	11	1,231,800	1,184,475	(47,325)	(3.8%)		
Transport	12	147,842	146,219	(1,623)	(1.1%)		
Economic Services	13	149,175	124,150	(25,025)	(16.8%)	Timing	\$41,000 for contributions to economic development project not yet received, \$14,000 higher building licence revenue.
Other Property and Services	14	160,128	192,609	32,481	20.3%	Timing	Contribution for insurance assistance package \$11,000, public works supervision & verge inspection fees \$13,000, reimbursements for workers compensation and paid parental leave \$9,300.
Total Operating Revenue		18,224,615	18,187,500	(37,115)	(0.2%)		
Operating Expenses							
Governance	4	(894,175)	(831,623)	62,552	7.0%	Timing	Lower costs to date for: elected members fees and admin \$34,000, public relations & receptions \$21,000, regional resource sharing \$8,000 and general governance \$28,000. Higher costs \$30,000 for consultants.
General Purpose Funding	3	(273,531)	(282,092)	(8,561)	(3.1%)		
Law, Order, Public Safety	5	(1,395,823)	(1,165,743)	230,080	16.5%	Timing	\$177,000 lower costs to date for fire control, mitigation & prevention activities (grant funded), \$58,000 for animal control and \$10,800 for other law, order and public safety activities. \$22,700 higher costs to date for bushfire brigade ESL operating expenses.
Health	7	(397,711)	(371,332)	26,379	6.6%	Timing	Lower costs to date for administration of preventative health and inspections.
Education and Welfare	8	(695,363)	(592,455)	102,908	14.8%	Timing	Lower costs to date for Community Service administration \$78,000, community programs \$24,000.
Community Amenities	10	(2,028,663)	(1,869,973)	158,690	7.8%	Timing	Lower operating costs to date - \$16,000 household sanitation, \$9,000 bulk waste collections, \$18,000 environmental expenses, \$22,000 public facility maintenance, \$52,000 town planning administration & consultants, \$39,000 land development expenses.
Recreation & Culture	11	(5,673,823)	(5,433,897)	239,926	4.2%		
Transport	12	(4,664,601)	(4,561,251)	103,350	2.2%		
Economic Services	13	(426,933)	(359,540)	67,393	15.8%	Timing	Lower costs to date for building control \$21,000 and economic development alliances & initiatives \$48,000.
Other Property and Services	14	(235,791)	(83,040)	152,751	64.8%	Timing	Lower costs to date for software purchased \$38,300, wages allocated to works but not yet paid \$66,000, public works consultants \$19,000, plant operating costs \$7,400, other general administration costs \$22,000.
Total Operating Expenditure		(16,686,414)	(15,550,946)	1,135,468	(6.8%)		
Net Operating Activities		1,538,201	2,636,554	1,098,353	71.4%		

(continued next page)



Notes to the Statement of Financial Activity
For the Period Ended 31 March 2021

2. EXPLANATION OF MATERIAL VARIANCES IN THE STATEMENT OF FINANCIAL ACTIVITY BY PROGRAM (continued)

	2020/21 Y-T-D Revised Budget \$	2020/21 Y-T-D Actual \$	Variance to Y-T-D Revised Budget \$	Variance to Y-T-D Revised Budget %	Timing / Permanent	Material Variance - Explanation
Net Operating Activities (from previous page)	1,538,201	2,636,554	1,098,353	71.4%		
ADJUSTMENTS OF NON CASH ITEMS						
(Profit)/Loss on Asset Disposals	2,043	4,383	2,340	0.0%		
Depreciation on Assets	3,931,281	3,929,070	(2,211)	(0.1%)		
Adjusted Net Operating Activities	5,471,525	6,570,007	1,098,482	20.1%		
INVESTING ACTIVITIES						
Revenue						
Non-operating grants, subsidies & contributions	4,945,518	2,022,701	(2,922,817)	(59.1%)	▼ Timing	Grants and contributions not yet claimed for 2020/21 capital projects including - \$790,000 fire brigade stations; \$290,000 for Parks & Reserves projects - new Eaton skate park, Glen Huon Reserve development, Gnomesville improvements, Millars Creek lighting & Peninsula Lakes Park upgrade; \$322,000 MRWA RRG projects, \$1,208,500 Eaton Drive (JTPS funds), \$187,500 Heritage Walk Trail project, \$125,000 Local Regional Community Infrastructure program.
Proceeds from Disposal of Assets	270,639	39,545	(231,094)	(85.4%)	▼ Timing	Only 2 vehicles traded as at the reporting date due to delays in supply of new vehicles. Procurement is in progress with trade-in of a truck, tractor, loader and several works utilities.
Total Capital Revenue	5,216,157	2,062,247	(3,153,910)	(60.5%)		
Expenditure						
Land & Buildings	(4,611,127)	(630,270)	3,980,857	86.3%	▲ Timing	No significant construction to date on many of 2020/21 building projects including BFB stations, Eaton skate park, Eaton administration/library building, public toilets at Gnomesville & Dardanup & minor projects at Eaton Oval clubrooms, Dardanup & Waterloo halls, Eaton Recreation Centre, Eaton Bowling Club construction commenced in December 2020 and is ongoing.
Infrastructure Assets - Road / Bridges / Paths	(5,561,832)	(2,175,374)	3,386,458	60.9%	▲ Timing	Substantial works not yet commenced on most road upgrade and renewal projects. Pile Road upgrade is nearing completion and Eaton Drive dual carriageway approximately 50% complete.
Infrastructure Assets - Parks & Gardens	(672,498)	(199,156)	473,342	70.4%	▲ Timing	Eaton boat ramp is completed but no significant works to date on other 20/21 parks and reserve improvement projects including Peninsula Lakes Park, Watson Reserve, Millars Creek, Glen Huon Reserve and Gnomesville.
Vehicles	(926,487)	(76,683)	849,804	91.7%	▲ Timing	Two cars have been purchased to date. Procurement of remaining machinery including tractor, loader and works utilities is in progress, with delays in vehicle delivery extending the timeline.
Furniture & Fittings	(58,779)	(13,555)	45,224	76.9%	▲ Timing	\$26,000 administration office furniture & IT equipment and \$19,000 Council chambers audio-visual equipment not yet acquired.
Total Capital Expenditure	(11,830,723)	(3,095,038)	8,735,685	(73.8%)		
Net Investing Activities	(6,614,566)	(1,032,791)	5,581,775	(84.4%)		

(continued next page)



2. EXPLANATION OF MATERIAL VARIANCES IN THE STATEMENT OF FINANCIAL ACTIVITY BY PROGRAM (continued)

	2020/21 Y-T-D Revised Budget \$	2020/21 Y-T-D Actual \$	Variance to Y-T-D Revised Budget \$	Variance to Y-T-D Revised Budget %	Timing / Permanent	Material Variance - Explanation
FINANCING ACTIVITIES						
Revenue						
Proceeds from New Loans	0	0	0	0.0%		
Transfers from Reserves	5,301,552	838,565	(4,462,987)	(84.2%)	▼ Timing	Budget was for even spread over the year, whereas most transfer will occur at financial year end.
Total Financing Revenue	5,301,552	838,565	(4,462,987)	(84.2%)		
Expenditure						
Repayment of Loans	(197,464)	(237,980)	(40,516)	(20.5%)	▼ Timing	Repayment instalment for loan 59 due in early April but paid by 31 March
Donated Assets	0	0	0	0.0%		
Advance to community groups	0	0	0	0.0%		
Contra Repayment of Prefunded Infrastructure	0	0	0	0.0%		
Principal element of finance lease payments	(161,604)	(192,389)	(30,785)	(19.0%)	▼ Timing	Lease payments usually paid quarterly or monthly in advance, while budget is for even spread. Transfers made to date are for interest received on Reserve investments and for developer contributions to works received from new subdivision approvals (offset by corresponding revenue).
Transfers to Reserves	(3,256,758)	(213,783)	3,042,975	93.4%	▲ Timing	Remaining reserve transfers planned to occur at the end of the financial year.
Total Financing Expenditure	(3,615,826)	(644,153)	2,971,674	(82.2%)		
Net Financing Activities	1,685,726	194,412	(1,491,314)	(88.5%)		
FUNDING SOURCES						
Surplus/(Deficit) July 1 B/Fwd	474,501	474,501	0	0.0%		
CLOSING FUNDS (A+B+C+D)	1,017,186	6,206,128	5,188,942	510.1%		

(Appendix ORD: 12.4.6B)



Notes to the Statement of Financial Activity For the Period Ended 31 March 2021

3. TRUST FUNDS

Funds held at reporting date over which the Shire has no control and which are not included in the financial statements are as follows:

NAME	BALANCE 1 JULY	RECEIPTS	INTEREST	PAYMENTS	ADJUSTMENTS (TRANSFERS)	CLOSING BALANCE
	\$	\$	\$	\$	\$	\$
Tourism WA for Ferguson Valley Project	172,736.03	0.00	0.00	(82,587.50)	0.00	90,148.53
Ross & Deborah bevan	0.00	40,000.00	0.00	0.00	0.00	40,000.00
Public Open Space	786,192.56	72,500.00	0.00	0.00	0.00	858,692.56
Accrued Interest	0.00	0.00	220.43	0.00	0.00	220.43
Plus: Outstanding Creditors	0.00	0.00	0.00	0.00	0.00	0.00
Less: Outstanding Debtors	0.00	(56,000.00)	0.00	0.00	0.00	(56,000.00)
TOTAL	958,928.59	56,500.00	220.43	(82,587.50)	0.00	933,061.52

4. MUNICIPAL LIABILITIES

Funds held at reporting date for bonds and deposits not required to be held in the Trust Fund and classified as restricted to recognise that they are owed to developers/hirers and others. These are now classified as Municipal Liabilities as follows:

	BALANCE 1 JULY	RECEIPTS	INTEREST	PAYMENTS	ADJUSTMENTS (TRANSFERS)	CLOSING BALANCE
	\$	\$	\$	\$	\$	\$
Retention Bonds						
Ardross Estate Pty Ltd	45,590.02	0.00	0.00	0.00	0.00	45,590.02
Parkridge Group	51,384.53	0.00	0.00	0.00	0.00	51,384.53
South West Waste	10,777.36	0.00	0.00	0.00	0.00	10,777.36
Henty Brooke Estate	9,699.37	0.00	0.00	0.00	0.00	9,699.37
D Maher	8,186.85	0.00	0.00	0.00	0.00	8,186.85
Clifton Partners	347.34	0.00	0.00	0.00	0.00	347.34
Cristopher West Consultants	9,998.04	0.00	0.00	0.00	0.00	9,998.04
Burra98 Unit Trust	11,214.04	0.00	0.00	0.00	0.00	11,214.04
NTC Pty Ltd	779.33	0.00	0.00	0.00	0.00	779.33
Dale Thompson	2,078.72	0.00	0.00	0.00	0.00	2,078.72
Barry Garvey	3,540.62	0.00	0.00	0.00	0.00	3,540.62
Civil Tech	32,158.31	0.00	0.00	0.00	0.00	32,158.31
Westgate Property Group	18,375.50	0.00	0.00	0.00	0.00	18,375.50
Cleary Estate	3,132.42	0.00	0.00	0.00	0.00	3,132.42
Little Meadow Pty Ltd	15,631.53	0.00	0.00	0.00	0.00	15,631.53
Winterfall Nominees Pty Ltd	4,111.16	0.00	0.00	0.00	0.00	4,111.16
Thomas Fields Pty Ltd	30,868.39	0.00	0.00	0.00	0.00	30,868.39
Holland Loop Pty Ltd	17,644.12	0.00	0.00	0.00	0.00	17,644.12
Terrence J Coman	8,384.63	0.00	0.00	0.00	0.00	8,384.63
Garvey Road Pty Ltd	36,393.21	0.00	0.00	0.00	0.00	36,393.21
Burekup Developments Pty Ltd	4,700.36	0.00	0.00	0.00	0.00	4,700.36
Ardross Group of Companies		9,705.66	0.00	(9,705.66)	0.00	0.00
Total - Retention Bonds	324,995.85	9,705.66	0.00	(9,705.66)	0.00	324,995.85
Extractive Industry Rehabilitation Bonds						
L G Davidson	1,290.20	0.00	0.00	0.00	0.00	1,290.20
M Denholm	845.24	0.00	0.00	0.00	0.00	845.24
S Catalano	1,340.36	0.00	0.00	0.00	0.00	1,340.36
Bunbury Agricultural Society	2,387.88	0.00	0.00	0.00	0.00	2,387.88
D Busher	1,282.84	0.00	0.00	0.00	0.00	1,282.84
Valli & Co	2,600.14	0.00	0.00	0.00	0.00	2,600.14
Charles Hull Contracting	7,603.41	0.00	0.00	0.00	0.00	7,603.41
J & P Group	135,809.01	0.00	0.00	0.00	0.00	135,809.01
Total - Extractive Industries Bonds	153,159.08	0.00	0.00	0.00	0.00	153,159.08
Specified Projects						
Dardanup Central Bushfire Station Refurbishment - Red Cross - A Poad Bequest	93,776.15	0.00	0.00	0.00	0.00	93,776.15
Wells Recreation Ground Refurbishment/Expansion - Red Cross - A Poad Bequest	53,139.81	0.00	0.00	0.00	0.00	53,139.81
Total - Specified Projects	146,915.96	0.00	0.00	0.00	0.00	146,915.96
Sundry Deposits						
Unclaimed Monies	1,683.92	0.00	0.00	0.00	0.00	1,683.92
Bunbury Wellington Group of Councils	37,164.30	3,500.00	0.00	0.00	0.00	40,664.30
Cristal - Paint the Shire REAd project	5,030.01	0.00	0.00	(5,030.01)	0.00	0.00
Total - Sundry Deposits	43,878.23	3,500.00	0.00	(5,030.01)	0.00	42,348.22
Key Bonds	272.68	360.00	0.00	(320.00)	0.00	312.68
Hire Bonds	2,330.00	4,750.00	0.00	(4,400.00)	0.00	2,680.00
Kerb Bonds	75,041.91	0.00	0.00	0.00	0.00	75,041.91
TOTAL	746,593.71	18,315.66	0.00	(19,455.67)	0.00	745,453.70

(Appendix ORD: 12.4.6B)



Notes to the Statement of Financial Activity For the Period Ended 31 March 2021

5. RESERVES - CASH BACKED

All reserves are supported by cash and cash equivalents and are restricted within equity as Reserves - cash backed.

NAME	BALANCE 1 JULY	RECEIPTS	INTEREST	PAYMENTS	ADJUSTMENTS (TRANSFERS)	CLOSING BALANCE
	\$	\$	\$	\$	\$	\$
Council Restricted						
Executive & Compliance Vehicles Reserve	243,184.02	0.00	0.00	0.00	0.00	243,184.02
Plant & Engineering Equipment Reserve	924,036.04	0.00	0.00	0.00	0.00	924,036.04
Eaton Recreation Centre - Equipment Reserve	280,102.25	0.00	0.00	0.00	0.00	280,102.25
Building Maintenance Reserve	1,783,239.12	0.00	0.00	0.00	0.00	1,783,239.12
Employee Relief Reserve	234,383.81	0.00	0.00	0.00	0.00	234,383.81
Employee Leave Entitlements Reserve	21,186.62	0.00	0.00	0.00	0.00	21,186.62
Refuse Site Environmental Works Reserve	83,833.42	0.00	0.00	0.00	0.00	83,833.42
Information Technology Reserve	504,179.04	0.00	0.00	0.00	0.00	504,179.04
Roadwork Construction & Major Maintenance Reserve	587,710.55	0.00	0.00	0.00	0.00	587,710.55
Accrued Salaries Reserve	433,352.06	0.00	0.00	0.00	0.00	433,352.06
Tourism Reserve	11,718.35	0.00	0.00	0.00	0.00	11,718.35
Recycling Education Reserve	61,264.57	0.00	0.00	0.00	0.00	61,264.57
Road Safety Programs Reserve	26,644.63	0.00	0.00	0.00	0.00	26,644.63
Council Land Development Reserve	21,057.89	0.00	0.00	0.00	0.00	21,057.89
Carried Forward Projects Reserve	3,291,189.81	0.00	0.00	0.00	0.00	3,291,189.81
Election Expenses Reserve	7,017.23	0.00	0.00	0.00	0.00	7,017.23
Town Planning Consultancy Reserve	97,705.92	0.00	0.00	0.00	0.00	97,705.92
Parks & Reserves Upgrades Reserve	676,804.61	0.00	0.00	0.00	0.00	676,804.61
Strategic Planning Studies Reserve	128,885.07	0.00	0.00	0.00	0.00	128,885.07
Pathways Reserve	315,889.37	0.00	0.00	0.00	0.00	315,889.37
Asset / Rates Revaluation Reserve	328,666.34	0.00	0.00	0.00	0.00	328,666.34
Refuse & Recycling Bin Replacement Reserve	54,644.89	0.00	0.00	0.00	0.00	54,644.89
Sale of Land Reserve	4,566,488.23	0.00	0.00	0.00	0.00	4,566,488.23
Storm Water Reserve	157,848.01	0.00	0.00	0.00	0.00	157,848.01
	14,841,031.85	0.00	0.00	0.00	0.00	14,841,031.85
Statute Restricted						
Contribution to Works Reserve	670,642.44	67,257.55	0.00	0.00	0.00	737,899.99
Eaton Drive - Access Construction Reserve	154,824.78	42,970.91	0.00	0.00	0.00	197,795.69
Eaton Drive - Scheme Construction Reserve	914,153.40	33,009.10	0.00	0.00	0.00	947,162.50
Fire Control Reserve	11,535.50	0.00	0.00	0.00	0.00	11,535.50
Collie River (Eaton Drive) Bridge Construction Reserve	1,564,304.17	15,439.52	0.00	0.00	0.00	1,579,743.69
Unspent Grants Reserve	3,795,446.83	0.00	0.00	838,564.75	0.00	2,956,882.08
Swimming Pool Inspection Reserve	4,488.00	0.00	0.00	0.00	0.00	4,488.00
Unspent Specified Area Rate - Bulk Waste Collection Reserve	80,609.91	0.00	0.00	0.00	0.00	80,609.91
Unspent Specified Area Rate - Eaton Landscaping Reserve	127,172.20	0.00	0.00	0.00	0.00	127,172.20
Wanju Developer Contribution Plan Unspent Loan Reserve	0.00	0.00	0.00	0.00	0.00	0.00
Dardanup Expansion Developer Contribution Plan Reserve	41,206.57	0.00	0.00	0.00	0.00	41,206.57
	7,364,383.80	158,677.08	0.00	838,564.75	0.00	6,684,496.13
Interest	0.00	0.00	100,091.92	0.00	0.00	100,091.92
Less: Outstanding Debtors	0.00	(4,225.00)	0.00	0.00	0.00	(4,225.00)
TOTAL	22,205,415.65	154,452.08	100,091.92	838,564.75	0.00	21,621,394.90

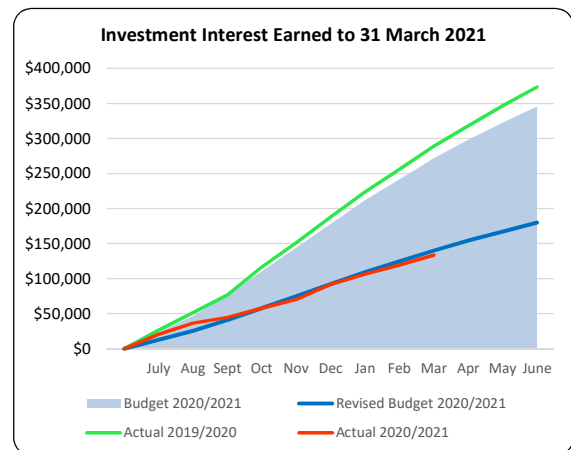
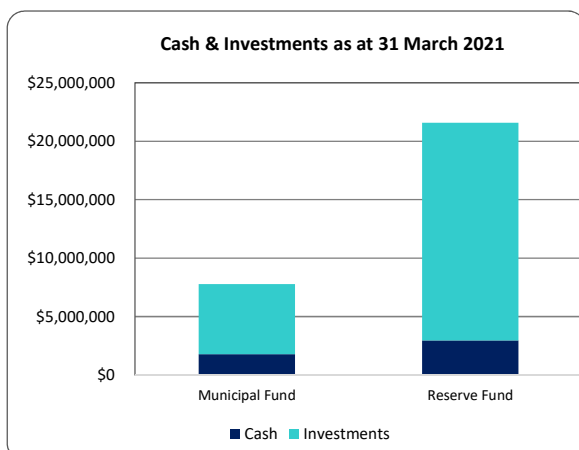
(Appendix ORD: 12.4.6B)



Notes to the Statement of Financial Activity For the Period Ended 31 March 2021

6. STATEMENT OF INVESTMENTS

BANK	TYPE	AMOUNT	RATE	DAYS	COMMENCEMENT	MATURITY	ESTIMATED INTEREST	INTEREST CREDITED 2020-2021
MUNICIPAL FUND								
CBA	Municipal Fund Bank Account	\$ 1,781,161.52	0.05%					\$1,104.64
NAB	Term Deposit	\$ 1,000,000.00	0.67%	273	9/2020	6/2021	\$5,011.23	
WBC	Term Deposit	\$ 1,000,000.00	0.31%	120	2/2021	6/2021	\$1,021.55	\$2,325.21
WBC	Term Deposit	\$ 1,000,000.00	0.68%	212	10/2020	5/2021	\$3,949.59	
Macquaire	Term Deposit	\$ 1,000,000.00	0.65%	182	1/2021	7/2021	\$3,241.10	
ANZ	Term Deposit	\$ 1,000,000.00	0.76%	183	10/2020	4/2021	\$3,810.41	
NAB	Term Deposit	\$ 1,000,000.00	0.30%	97	4/2020	6/2021	\$797.26	
	Interest received on matured deposits							\$6,164.47
		<u>\$ 7,781,161.52</u>					<u>\$17,831.14</u>	<u>\$9,594.32</u>
TRUST FUND								
CBA	Trust Fund Bank Account	\$ 933,061.52	0.05%				\$38.88	\$220.43
		<u>\$ 933,061.52</u>					<u>\$38.88</u>	<u>\$220.43</u>
RESERVE FUND								
CBA	Reserve Bank Account	\$ 2,980,338.36	0.05%					\$1,372.95
AMP	Term Deposit	\$ 1,100,000.00	0.80%	365	8/2020	8/2021	\$8,800.00	
NAB	Term Deposit	\$ 1,500,295.89	0.80%	356	8/2020	8/2021	\$11,706.42	
NAB	Term Deposit	\$ 1,000,000.00	0.62%	273	9/2020	6/2021	\$4,637.26	
NAB	Term Deposit	\$ 1,000,000.00	0.72%	365	9/2020	9/2021	\$7,200.00	
NAB	Term Deposit	\$ 1,000,000.00	0.30%	91	3/2021	6/2021	\$747.95	\$3,074.53
WBC	Tailored Term Deposit	\$ 4,000,000.00	0.80%	365	8/2020	8/2021	\$32,000.00	\$16,043.83
WBC	Term Deposit	\$ 1,000,000.00	0.68%	243	10/2020	6/2021	\$4,527.12	
WBC	Term Deposit	\$ 1,000,000.00	0.31%	148	2/2021	6/2021	\$1,256.99	\$2,325.21
ANZ	Term Deposit	\$ 3,000,000.00	0.82%	367	10/2020	10/2021	\$24,734.79	
ANZ	Term Deposit	\$ 3,000,000.00	0.76%	183	10/2020	4/2021	\$11,431.23	
ME Bank	Term Deposit	\$ 1,000,000.00	0.45%	181	3/2021	9/2021	\$2,231.51	
	Interest received on matured deposits							\$77,275.40
		<u>\$ 21,580,634.25</u>					<u>\$109,273.27</u>	<u>\$100,091.92</u>
Total Interest Received								<u><u>\$109,906.67</u></u>



(Appendix ORD: 12.4.6B)



Notes to the Statement of Financial Activity For the Period Ended 31 March 2021

6. STATEMENT OF INVESTMENTS (continued)

Total Funds Invested

Total Funds Invested as at Reporting Date -

Municipal Fund Investment Portfolio	\$	6,000,000.00
Trust Fund Investment Portfolio	\$	-
Reserve Fund Investment Portfolio	\$	18,600,295.89
	\$	<u>24,600,295.89</u>

Investment Policy - Portfolio Risk Exposure

Council's investment policy provides a framework to manage the risks associated with financial investments.

Portfolio - Terms of Maturity

Limits are placed on the term to maturity thereby reducing the impact of any significant change in interest rate markets and to provide liquidity.

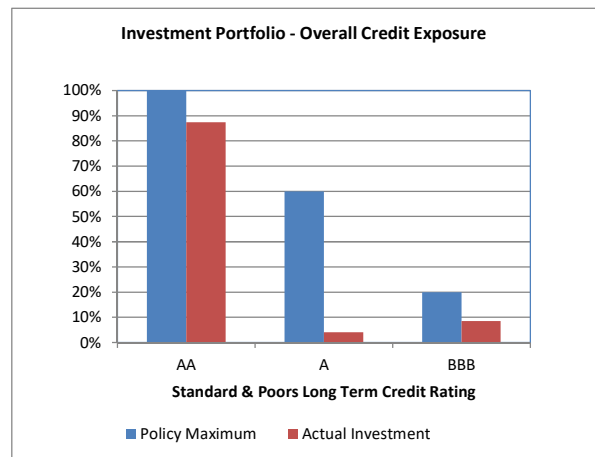
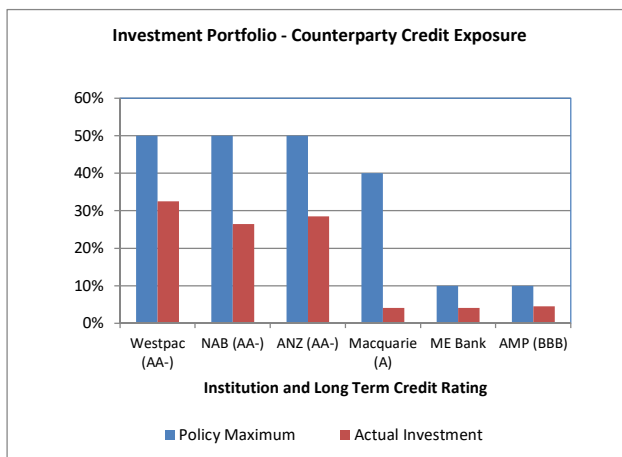
Counterparty Credit Exposure

Exposure to an individual authorised deposit-taking institution (ADI) counterparty will be restricted by their credit rating so that single entity exposure is limited.

Overall Credit Exposure

To control the credit quality on the entire portfolio, limits are placed on the percentage exposed to any particular credit rating category.

The following charts demonstrate the current portfolio diversity and risk compliance with the policy framework.



(Appendix ORD: 12.4.6B)



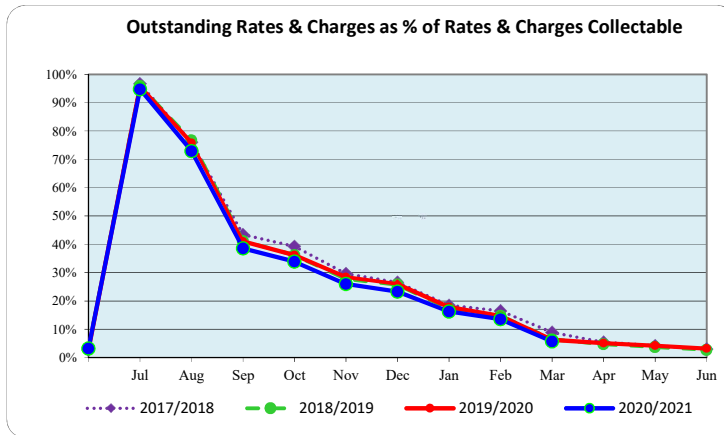
Notes to the Statement of Financial Activity For the Period Ended 31 March 2021

7. Accounts Receivable as at 31 March 2021

Rates and Charges Outstanding

2020/21 annual rates were raised on 16 July 2020 and were due for by 10 September 2020 for payment in full or for the first of four instalments. The final instalment was due by 18 March 2021.

As at the reporting date, total outstanding rates and charges (including pensioner deferred rates) is \$936,054. This equates to 5.7% of rates and charges collectable. It is the objective of management to achieve less than 4% of rates and charges outstanding by 30 June.

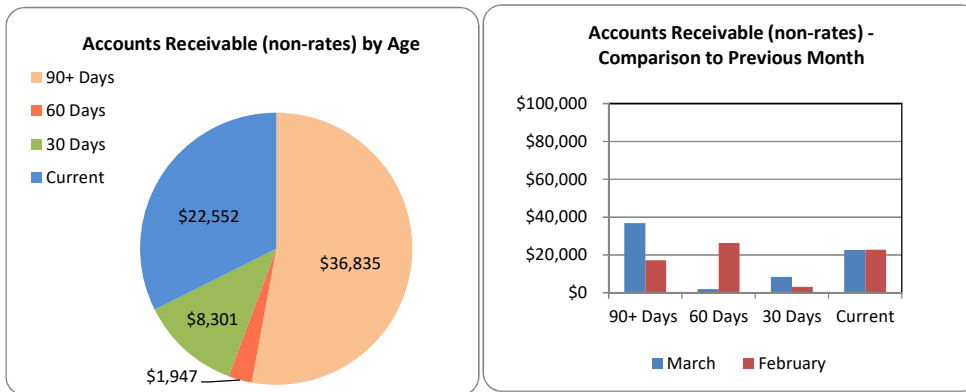


Sundry Debtors Outstanding (non-rates)

As at the reporting date, the total outstanding Sundry Debtors amount to \$69,351.

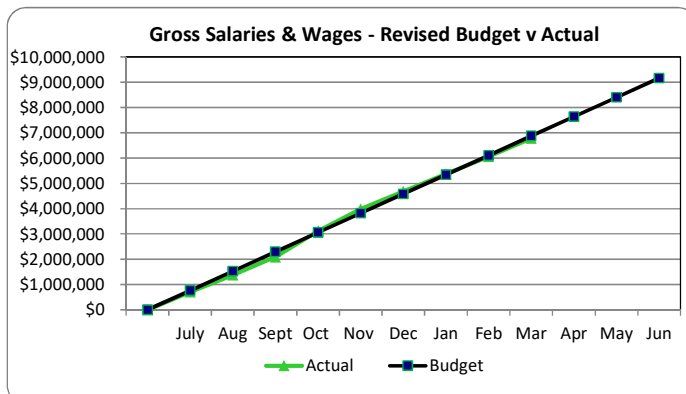
The only significant individual amount outstanding in excess of 30 days is \$22,000 for a government grant that is anticipated to be received in May 2021.

Other debts outstanding in excess of 90 days are currently under review and may result in legal actions being instigated against these default debtors to recover the debts in the Court.



8. Salaries and Wages to 31 March 2021

At the reporting date, total salaries and wages expenditure is \$6,775,639 (73.9%) of the revised annual budget of \$9,163,754 for the 2020/21 financial year.





Notes to the Statement of Financial Activity
For the Period Ended 31 March 2021

9. RATING INFORMATION

RATE TYPE	Rate in \$	Number of properties	Rateable value \$	2020/21 Revised Budget rate	2020/21 Revised Budget interim rates	2020/21 Revised Budget back rates	2020/21 Revised Budget total revenue	2020/21 Actual total revenue	2019/20 Actual total revenue	2019/20 Budget total revenue
Differential general rate or general rate										
Gross rental valuations										
General Rates - GRV: Residential	0.100662	3,152	56,779,220	5,746,655	0	0	5,746,655	5,715,510	5,620,662	5,620,662
General Rates - GRV: Commercial	0.100662	59	14,495,740	1,428,025	0	0	1,428,025	1,459,170	1,369,549	1,369,549
General Rates - GRV: Industrial	0.100662	68	7,586,727	763,695	0	0	763,695	763,695	757,975	757,975
General Rates - GRV: Small Holding	0.100662	336	7,599,124	765,545	0	0	765,545	764,943	806,389	806,389
General Rates - GRV: Interim and Back Rates	0.100662	0	0	85,000	0	0	85,000	76,083	91,938	124,249
Unimproved valuations										
General Rates - UV: Broad Acre Rural	0.006259	491	274,608,000	1,718,765	0	0	1,718,765	1,718,315	1,709,026	1,709,026
General Rates - UV: Mining	0.006259	0	0	0	0	0	0	0	0	0
General Rates - UV: Interim and Back Rates	0.006259	0	0	0	0	0	0	0	0	0
Sub-Totals		4,106	361,068,811	10,422,685	85,000	0	10,507,685	10,497,716	10,355,539	10,387,850
Minimum payment										
Gross rental valuations										
General Rates - GRV: Residential	1,547.50	1,651	21,331,732	2,554,923	0	0	2,554,923	2,554,923	2,571,945	2,571,945
General Rates - GRV: Commercial	1,547.50	7	61,400	10,833	0	0	10,833	10,833	10,833	10,833
General Rates - GRV: Industrial	1,547.50	47	590,450	72,733	0	0	72,733	72,732	80,470	80,470
General Rates - GRV: Small Holding	1,547.50	85	682,270	131,538	0	0	131,538	131,538	111,420	111,420
General Rates - GRV: Interim and Back Rates	1,547.50	0	0	0	0	0	0	0	0	0
Unimproved valuations										
General Rates - UV: Broad Acre Rural	1,547.50	119	17,457,460	184,153	0	0	184,153	184,152	208,913	208,913
General Rates - UV: Mining	1,547.50	18	399,256	27,855	0	0	27,855	27,855	30,950	30,950
General Rates - UV: Interim and Back Rates	1,547.50	0	0	0	0	0	0	0	0	0
Sub-Totals		1,927	40,522,568	2,982,035	0	0	2,982,035	2,982,033	3,014,531	3,014,531
Discounts/concessions/write-off										
Total amount raised from general rates		6,033	401,591,379	13,404,720	85,000	0	13,489,720	13,479,749	13,370,070	13,402,381
Specified area rates							(5,000)	(27,182)	(1,016)	(5,000)
Total rates							13,484,720	13,452,567	13,369,054	13,397,381
							350,000	350,018	347,651	344,800
							13,834,720	13,802,584	13,716,705	13,742,181



Notes to the Statement of Financial Activity
For the Period Ended 31 March 2021

10. INFORMATION ON BORROWINGS

Debtenture Repayments

Particulars	Loan No.	Principal Opening Balance 01 July 2020	New Loans 2020/21		Principal Repayments 2020/21		Interest Repayments 2020/21		Principal Outstanding 30 June 2021	
			Actual \$	Revised Budget \$	Actual \$	Revised Budget \$	Actual \$	Revised Budget \$	Actual \$	Revised Budget \$
Community Amenities										
Wanju/Waterloo Industrial Park Developer Contribution Plans	New	0	0	750,000	0	0	0	0	0	750,000
Recreation and Culture										
Eaton Recreation Centre	59	280,690	(88,117)	(88,117)	(16,239)	(16,870)	(16,239)	(16,870)	192,573	192,573
Glen Huon Oval Club Rooms	69	965,470	(41,174)	(41,174)	(40,021)	(43,234)	(40,021)	(43,234)	924,296	924,296
Transport										
Depot Land	66	503,104	(58,628)	(58,628)	(21,586)	(23,169)	(21,586)	(23,169)	444,476	444,476
Economic Services										
Gravel Pit Land - Panizza Road	61	90,549	(11,765)	(11,765)	(3,108)	(5,805)	(3,108)	(5,805)	78,784	66,648
Other Property and Services										
Administration Building Extensions	65	123,303	(38,296)	(38,296)	(4,807)	(8,887)	(4,807)	(8,887)	85,007	85,007
		1,963,116	(237,980)	(250,116)	(85,761)	(97,965)	(85,761)	(97,965)	1,725,136	2,463,000

All debtenture repayments are financed by general purpose revenue.



**Notes to the Statement of Financial Activity
For the Period Ended 31 March 2021**

11. BUDGET AMENDMENTS

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

GL/JOB Code	Description	Council Resolution	Classification	Non Cash Adjustment	Increase in Available Cash	Decrease in Available Cash	Revised Budget Running Balance
Budget Adoption							
Permanent Changes							
	Opening surplus adjustment		Opening Surplus	\$	\$	\$	218,988
0521502	DFES Mitigation Activity Fund grant to reduce bushfire risk	29/07/20 - 212-20	Operating Revenue		92,449		311,437
0511503	Bushfire Risk Management Plan - treatments to mitigate bushfire	29/07/20 - 212-20	Operating Expense		189,440	(189,440)	500,877
J11221	Pratt Road Reserve maintenance - erosion repairs	26/08/20 - 231-20	Operating Expense			(38,707)	311,437
1221507	Disaster Recovery Grant	26/08/20 - 231-20	Operating Revenue		38,707		311,437
0522501	LGGS capital grant to replace Dardanup Central BFB station	30/09/20 - 261-20	Non-operating Revenue		450,000		761,437
0522503	Donation of bequeathed estate for Dardanup Central BFB	30/09/20 - 261-20	Non-operating Revenue		90,000		851,437
J05022	Building construction - Dardanup Central BFB station	30/09/20 - 261-20	Asset Acquisition			(540,000)	311,437
1318004	Economic Development - Designated Area Migration Agreement	30/09/20 - 267-20	Operating Expense		55,000	(55,000)	256,437
1328501	Contributions to Designated Area Migration Agreement	30/09/20 - 267-20	Operating Revenue				311,437
J12306	Renewal - Bridge 3678 - Pile Road	30/09/20 - 274-20	Asset Acquisition			(250,000)	61,437
J12303	Renewal - Bridge 3658 - Ferguson Road	30/09/20 - 274-20	Asset Acquisition			(276,000)	(214,563)
J12310	Renewal - Bridge 4821 - Martin Pelusey Road	30/09/20 - 274-20	Asset Acquisition			(136,000)	(350,563)
1221504	Grant revenue Transport - Special Projects	30/09/20 - 274-20	Non-operating Revenue		526,000		175,437
0341003	Transfer from Reserve - Unspent Grants	30/09/20 - 274-20	Reserve Transfer		136,000		311,437
J12909	Ferguson Road Survey and Design	30/09/20 - 275-20	Asset Acquisition			(52,500)	258,937
J12907	Project preliminaries expenditure - reduced budget	30/09/20 - 275-20	Asset Acquisition		17,500		276,437
1221503	Grant revenue - Regional Road Group	30/09/20 - 275-20	Non-operating Revenue		35,000		311,437
0523502	Grant revenue - Animal Welfare Plan	28/10/20 - 288-20	Operating Revenue		10,000		321,437
0513503	Grant expenditure - animal control	28/10/20 - 288-20	Operating Expense			(10,000)	311,437
1021501	Grant revenue - waste management	12/11/20 - 308-20	Operating Revenue		59,051		370,488
0331003	Transfer to Reserve - Unspent Grants	12/11/20 - 308-20	Reserve Transfer		20,000	(59,051)	311,437
1124003	Fees & Charges Rec Centre - Admissions	25/11/20 - 312-20	Operating Revenue			(20,000)	331,437
1114013	Advertising - Rec Centre	25/11/20 - 312-20	Operating Expense		982		311,437
1123003	Fees & Charges - Lease of Reserves (Lot 101 Martin Pelusey Rd)	25/11/20 - 313-20	Operating Revenue			(30,000)	312,419
0522503	Capital Contributions - Fire Prevention (Poad bequest)	25/11/20 - 320-20	Non-operating Revenue		20,000		282,419
1121501	Grant revenue - CSFFF for skate park pump track	25/11/20 - 315-20	Non-operating Revenue		40,000		302,419
1141001	Transfer from Reserve - Building Maint. - skate park pump track	25/11/20 - 315-20	Reserve Transfer				342,419

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**Notes to the Statement of Financial Activity
For the Period Ended 31 March 2021**

11. BUDGET AMENDMENTS (continued)

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

GL/JOB Code	Description	Council Resolution	Classification	Non Cash Adjustment	Increase in Available Cash	Decrease in Available Cash	Revised Budget Running Balance
				\$	\$	\$	\$
	Balance brought forward from previous page						342,419
J11644	Pump Track (Eaton Skate park)	25/11/20 - 315-20	Asset Acquisition			(60,000)	282,419
J221504	Grant revenue Transport - Special projects	25/11/20 - 325-20	Non-operating Revenue	834			283,253
J12678	2020/21 Grant funded - Local Roads and Community Infrastructure Program (LRCI)						
J12678	Burekup parking bay	25/11/20 - 325-20	Asset Acquisition		360,000		643,253
J12680	Murdoch Crescent / Margaret Circle Pathway	25/11/20 - 325-20	Asset Acquisition			(34,659)	608,594
J12681	Leicester Reserve Wetlands / Watson Reserve Pathway	25/11/20 - 325-20	Asset Acquisition			(47,312)	561,282
J12605	Clarke / Crampton / Shier reserve Pathway	25/11/20 - 325-20	Asset Acquisition			(120,134)	441,148
J12602	Peppermint Way Pathway	25/11/20 - 325-20	Asset Acquisition			(65,663)	375,485
J12629	Collie River Heritage Trail	25/11/20 - 325-20	Asset Acquisition			(52,438)	323,047
J121501	Grant revenue - LRCI - Sporting Buildings (Eaton Skate Park)	25/11/20 - 325-20	Non-operating Revenue	230,000		(40,000)	513,047
J11576	Skateparks - Upgrade	25/11/20 - 325-20	Asset Acquisition			(230,000)	283,047
J123501	Grant revenue - LRCI - Parks & Reserves Capital	25/11/20 - 325-20	Non-operating Revenue	245,041			528,088
J11573	Glen Huon Reserve - Development Works	25/11/20 - 325-20	Asset Acquisition			(118,500)	409,588
J11636	Gnomesville Master Plan - pathways and boardwalks	25/11/20 - 325-20	Asset Acquisition			(75,000)	334,588
J11625	Millars Creek Lighting	25/11/20 - 325-20	Asset Acquisition			(54,637)	279,951
J221504	Grant revenue Transport - Special projects	25/11/20 - 325-20	Non-operating Revenue	40,000			319,951
J12602	Peppermint Way Pathway	25/11/20 - 325-20	Asset Acquisition			(40,000)	279,951
1027501	Grant revenue - Other Community Amenities	25/11/20 - 325-20	Non-operating Revenue	100,000			379,951
J10308	Charlotte Street Toilets (and Rail Crossing)	25/11/20 - 325-20	Asset Acquisition			(100,000)	279,951
J221508	Contributions to Works - Roads	16/12/20 - 340-20	Non-operating Revenue	14,600			294,551
J241002	Transfer from Reserve - Road Construction Reserve	16/12/20 - 340-20	Reserve Transfer	11,930			306,481
J12910	Orchard Road Upgrade	16/12/20 - 340-20	Asset Acquisition			(26,530)	279,951
0522501	Grant revenue - DFES for installation of bushfire water tanks	20/01/21 - 07-21	Non-operating Revenue	102,335			382,286
J05022	Dardanup Central BFB - new fire station	20/01/21 - 07-21	Asset Acquisition			(20,467)	361,819
J05024	Burekup BFB - new water tank	20/01/21 - 07-21	Asset Acquisition			(20,467)	341,352
J05025	Joshua/Crooked Brook BFB - new water tank	20/01/21 - 07-21	Asset Acquisition			(20,467)	320,885
J05006	Waterloo BFB - fire station upgrade	20/01/21 - 07-21	Asset Acquisition			(20,467)	300,418
J05023	Wellington Mills BFB - fire station upgrade	20/01/21 - 07-21	Asset Acquisition			(20,467)	279,951

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Notes to the Statement of Financial Activity
For the Period Ended 31 March 2021

11. BUDGET AMENDMENTS (continued)

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

GL/JOB Code	Description	Council Resolution	Classification	Non Cash Adjustment	Increase in Available Cash	Decrease in Available Cash	Revised Budget Running Balance
				\$	\$	\$	\$
	Balance brought forward from previous page						279,951
1016506	Land Development Expenses - Reserve 49275 - Kerr Rd, Picton East	24/02/21 - 24-21	Operating Expense			(50,000)	229,951
1026501	Contributions - Sale of land - Reserve 49275 Kerr Rd, Picton East	24/02/21 - 24-21	Operating Revenue	50,000			279,951
J11710	Burekup Hall - installation of roller shutters	24/02/21 - 26-21	Asset Acquisition		5,400		274,551
0412507	Other Governance - minor assets	24/02/21 - 26-21	Operating Expense	5,400			279,951
J08717	Diggers Club remembrance wall	24/02/21 - 37-21	Operating Expense		5,000		274,951
0827001	Contribution - Diggers Club remembrance wall	24/02/21 - 37-21	Operating Revenue	5,000			279,951
	Mid-year budget review - various amendments	31/03/21 - 76-21	Various		(129,296)		150,655
				2,852,820	(3,013,602)		

RISK ASSESSMENT TOOL									
OVERALL RISK EVENT: Failing to monitor the financial performance can increase the risk of a negative impact on the Shire's financial position. Non-compliance with legislative requirement could result in a qualified audit.									
RISK THEME PROFILE: 3 - Failure to Fulfil Compliance Requirements (Statutory, Regulatory)									
RISK ASSESSMENT CONTEXT: Operational									
CONSEQUENCE CATEGORY	RISK EVENT	PRIOR TO TREATMENT OR CONTROL			RISK ACTION PLAN (Treatment or controls proposed)	AFTER TREATMENT OR CONTROL			RESIDUAL RISK RATING
		CONSEQUENCE	LIKELIHOOD	INHERENT RISK RATING		CONSEQUENCE	LIKELIHOOD	RESIDUAL RISK RATING	
HEALTH	No risk event identified for this category.	Not Required - No Risk Identified	N/A	N/A	Not required.	Not required.	Not required.	Not required.	Not required.
FINANCIAL IMPACT	Not monitoring ongoing financial performance would increase the risk of a negative impact on the financial position.	Moderate (3)	Unlikely (2)	Moderate (5 - 11)	Not required.	Not required.	Not required.	Not required.	Not required.
SERVICE INTERRUPTION	No risk event identified for this category.	Not Required - No Risk Identified	N/A	N/A	Not required.	Not required.	Not required.	Not required.	Not required.
LEGAL AND COMPLIANCE	Non-compliance with the legislative requirements that results in a qualified audit.	Minor (2)	Unlikely (2)	Low (1 - 4)	Not required.	Not required.	Not required.	Not required.	Not required.
REPUTATIONAL	Non-compliance that results in a qualified audit can lead stakeholders to question the Council's ability to manage finances effectively.	Insignificant (1)	Unlikely (2)	Low (1 - 4)	Not required.	Not required.	Not required.	Not required.	Not required.
ENVIRONMENT	No risk event identified for this category.	Not Required - No Risk Identified	N/A	N/A	Not required.	Not required.	Not required.	Not required.	Not required.

