



**CORPORATE & GOVERNANCE
DIRECTORATE**

APPENDICES

ITEMS: 12.4.1 – 12.4.7

ORDINARY COUNCIL MEETING

To Be Held

**Wednesday, 29th of September 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: Review of Terms of Reference - Committees

RISK THEME PROFILE:

4 - Document Management Processes

3 - Failure to Fulfil Compliance Requirements (Statutory, Regulatory)

RISK ASSESSMENT CONTEXT: Strategic

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.
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.
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.
LEGAL AND COMPLIANCE	The Terms of Reference provide guidance to Committee members by setting roles, responsibilities, operations, tenure and obligations, in accordance with any specific legislative requirements.	Moderate (3)	Rare (1)	Low (1 - 4)	Not required.	Not required.	Not required.	Not required.
REPUTATIONAL	The Shire has a good reputation for following best practice in Governance and Probity.	Moderate (3)	Rare (1)	Low (1 - 4)	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.

AUDIT AND RISK COMMITTEE CHARTER

INSTRUMENT OF APPOINTMENT & TERMS OF REFERENCE

2021

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1 INTRODUCTION

- 1.1 The Council of the Shire of Dardanup (the "Council") establishes this committee under the powers given in Section 7.1A of the *Local Government Act 1995*, the committee to be known as the Audit and Risk Committee, (the "Committee").
- 1.2 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.
- 1.3 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.
- 1.4 The Committee provides appropriate advice and recommendations to the Council on matters relevant to its Terms of Reference (ToR). This is in order to facilitate informed decision-making by the Council in relation to the legislative functions and duties of the local government that have not been delegated to the Chief Executive Officer ("CEO").

2 CULTURE – AUDIT AND RISK

- 2.1 The Council of the Shire of Dardanup acknowledges that forward thinking accountable authorities and Audit and Risk Committees strive to maintain a sound culture within the entity to protect it from breakdowns in controls or fraud.
- 2.2 Even though the culture of an entity cannot be seen, it is a fundamental part of strong governance.
- 2.3 The Strategic Community Plan Leadership Objective 1 states: "Strong civic leadership representing the whole of the Shire which is supported by responsible and transparent corporate governance."

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 for Elected Members.

(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 AUDIT AND RISK COMMITTEE

The detailed functions of the Committee are set out in the *Local Government (Audit) Regulations 1996*, Regulation 14, 16 and 17.

5 COMMITTEE OBJECTIVES - SPECIFIC

The Audit and Risk Committee shall have the following objectives:

- 5.1 To meet with the auditor, once in each year and provide a report to Council on the matters discussed and outcome of those discussions;
- 5.2 To meet with the auditor, at least once per year without management present (closed door session). The Committee will discuss matters relating to the conduct of the audit, including any difficulties encountered, restrictions on scope of activities or access to information, significant disagreements with management and adequacy of management responses;
- 5.3 Provide an effective means of communication between the external and internal auditors;
- 5.4 Examine the reports of the auditor to –
- i.) determine if any matters raised require action to be taken by the local government; and
 - ii.) ensure that appropriate action is taken in respect of those matters;
- 5.5 Review annually the internal audit plan, including any reports produced as part of special assignments undertaken by internal audit.
- 5.6 To consider the Financial Management Systems Review required every three years under Regulation 5 of the *Local Government (Financial Management) Regulations 1996*, and report to Council the results of that review;
- 5.7 Consider and recommend adoption of the Annual Financial Report to Council.
- 5.8 To consider the Shire of Dardanup Risk Management Governance Framework (once in every 3 years) for appropriateness and effectiveness and progress on the relevant action plans biannually.
- 5.9 To consider the CEO's triennial reviews of the appropriateness and effectiveness of the Shire's systems and procedures in regard to risk management, internal control and legislative compliance, required to be provided to the Committee, and report to the Council the results of those reviews – *Local Government (Audit) Regulations 1996* - Regulation 17.

- 5.10 Legislative Compliance - Oversee the effectiveness of the systems for monitoring compliance with relevant laws, regulations and associated government policies. This includes:
- i.) review the annual Compliance Audit Return (CAR) in accordance with section 7.13(1)(i) of the *Local Government Act 1995* and report to the Council the results of that review; and
 - ii.) receive the biannual compliance report resulting from the Compliance Manual (incorporating the annual calendar).
- 5.11 To consider the CEO's biennial Governance Health and Financial Sustainability review and report to the Council the results of that review.
- 5.12 To consider that relevant mechanisms are in place to review and implement, where appropriate, issues raised in OAG better practice guides and performance audits of other State and local government entities.
- 5.13 To consider the Information Systems Security biennial review, and report to the Council the results of that review.

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 five elected members as members for the Committee for a period of two years or until the next Ordinary Council election, the five elected members shall be members of the committee.

[Note: It is recommended that at least half of the committee members are made up of elected members that are commencing their 4 year term; with the other half being elected members that are midway through their term on Council.]

- 6.2 The members, taken collectively, will have a broad range of skills and experience relevant to the operations of the Council. At least one (1) member of the Committee should have accounting or related financial and/or risk management experience.
- 6.3 Where the desirable accounting or related financial and/or risk management experience cannot be attained from the elected members, membership to the Committee may be extended to one (1) independent external member.
- 6.4 Independent external members (if required) will be selected based on the following criteria:
- 6.4.1 A suitably qualified person with demonstrated high level of expertise and knowledge in financial management, risk management, governance and audit (internal and external);
 - 6.4.2 Understanding of the duties and responsibilities of the position; ideally with respect to local government financial reporting and auditing requirements;

- 6.4.3 Strong communication skills; and
- 6.4.4 Relevant skills and experience in providing independent expert advice.
- 6.5 An independent external member will be a person with no operating responsibilities with the Council nor will that person provide paid services to the Council either directly or indirectly.
- 6.6 Appointment and re-appointment of independent external members shall be made by Council after consideration of the CEO's recommendation. The applications of independent external members will be sought through an open and transparent Expression of Interest process. The evaluation of potential members will be reviewed by the CEO and Deputy CEO, with appointments to be approved by the Audit & Risk Committee and Council. Appointments will be for a maximum term of two (2) years and align with the biennial Council election cycle. Independent external members will not be appointed for more than three (3) consecutive terms.
- 6.7 Independent external members will be required to complete a confidentiality agreement and confirm that they will operate in accordance with the Council's Code of Conduct.
- 6.8 The Council may by resolution terminate the appointment of any independent external member prior to the expiry of his/her term if:
- 6.8.1 The Committee by majority determines that the member is not making a positive contribution to the Committee; or
- 6.8.2 The member is found to be in breach of the Council's Code of Conduct or a serious contravention of the Local Government Act 1995; or
- 6.8.3 A member's conduct, action or comments brings the Council into disrepute.
- 6.9 Reimbursement of approved expenses may be paid to the independent external member in accordance with the *Local Government Act 1995* - Section 5.100.
- 6.10 New members will receive relevant information and briefings on their appointment to assist them to meet their Committee responsibilities. The Deputy Chief Executive Officer will undertake a formal induction process for new members to the Committee at the first Committee meeting post-election.
- 6.11 Membership is prescribed by the *Local Government Act 1995* - Section 7.1A.
- 6.12 Specific membership of the Audit and Risk Committee are outlined in sections 5.10 and 5.11 of the *Local Government Act 1995*.
- 7 PRESIDING MEMBER
- 7.1 The 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 Section 5.12 of the *Local Government Act 1995*.
- 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*.
- 7.4 The Deputy presiding member has the following functions as per section 5.13 of the *Local Government Act 1995*.
- 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*.
- 7.6 The presiding member plays an important role in leading and guiding discussions at committee meetings. The presiding member shall have the right interpersonal skills to guide discussions on complex and sensitive matters.
- 7.7 To maintain independence and a Committee that is free of undue or improper influence, the presiding member shall not be the Shire President. The Shire President will Chair the Ordinary Council Meetings where the Committee meeting minutes will be confirmed.

8 MEETINGS

- 8.1 In accordance with Section 5.23 of the *Local Government Act 1995*, the meetings will be generally open to the public as the Committee has a power or duty that has been delegated by Council (refer part 10).
- 8.2 The Committee shall meet on a quarterly basis, with a minimum of 4 meetings per year, dates to be resolved by the Committee but generally March, June, September and December.
- 8.3 Notice of meetings including an agenda shall be given to members at least 5 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 and Council 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

- 9.1 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 Pursuant to section 5.17 of the Act, the Committee is delegated the power to conduct the formal meeting with the Auditor required by Section 7.12(A)(2) on behalf of the local government.
- 10.2 In all other matters, Committee recommendations shall not be binding on Council and must be endorsed by Council to take effect.
- 10.3 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 TERMINATION OF COMMITTEE

Termination of the Committee shall be:

- 11.1 In accordance with the *Local Government Act 1995*; or
- 11.2 At the direction of Council; or
- 11.3 On the specified date.

12 AMENDMENT TO THE INSTRUMENT OF APPOINTMENT AND DELEGATION

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

13 COMMITTEE DECISIONS

- 13.1 The decisions of the Audit and Risk Committee is to be by simple majority in accordance with Section 7.1C of the *Local Government Act 1995*.

14 HISTORY OF COUNCIL RESOLUTION ESTABLISHING THE COMMITTEE

- 14.1 The Audit and Risk Committee was adopted by Resolution of the Shire of Dardanup Council on 29 September 2021.

15 OFFICER(S) RESPONSIBLE FOR MANAGEMENT OF THE COMMITTEE

- 15.1 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 Deputy Chief Executive Officer / Director Corporate & Governance.
- 15.2 The appointed officer shall provide the secretarial and administrative support through his/her Directorate.

16 CONFIRMATION OF RESPONSIBILITIES AND REVIEW OF ToR's

- 16.1 The Committee will confirm annually that all responsibilities outlined in this ToR have been carried out. The annual confirmation will be reported through to Council and will include information about the Committee and the outcomes delivered during the period.
- 16.2 Every two (2) years the Terms of Reference shall be reviewed by the Committee.

17 BIENNIAL INDEPENDENT ASSESSMENT OF COMMITTEE PERFORMANCE

- 17.1 An independent external assessment of the Committee is undertaken at least once in every two (2) years. This assessment may be included in the scope of audit for the Governance Health and Financial Sustainability Review.

18 ANNUAL WORK PLAN

- 18.1 A forward annual work plan will be agreed by the Committee each year. The forward annual work plan will cover all Committee responsibilities as detailed in this ToR.
- 18.2 An example of the Annual Work Plan is provided in Appendix A.

APPENDIX A

AUDIT AND RISK COMMITTEE – XXXX ANNUAL WORK PLAN				
FUNCTIONS, RESPONSIBILITIES & ASSOCIATED ACTIVITIES	XX XX	XX XX	XX XX	XX XX
1. Committee Operation				
Biennial review of the Charter (Terms of Reference)				
Agree on the annual work plan; and set priority areas for the coming year				
Annual confirmation that all responsibilities outlined in the Charter have been carried out. The annual confirmation will be reported through to Council and will include information about the Committee and the outcomes delivered during the period				
New members are briefed on their appointment to assist them to meet their Committee responsibilities.				
Appointment of Presiding Member and Deputy Presiding Member				
2. Risk Management				
To consider the Risk Management Governance Framework (once in every 3 years) for appropriateness and effectiveness (report next Due: XX-XX-XXXX)				
Receive the biannual dashboard report				
3. Legislative Compliance				
Review the annual Compliance Audit Return (CAR) and report to the Council the results of that review				
Receive the biannual compliance report resulting from the Compliance Manual (incorporating the annual calendar)				
4. Internal Audit				
Review annually the internal audit annual work plan, including any reports produced as part of special assignments undertaken by internal audit				
5. Financial Reporting				
Consider and recommend adoption of the Annual Financial Report to Council				
6. External Audit (OAG)				
Audit Entrance Meeting with Chair and Deputy Chair as representatives of the Audit and Risk Committee, Management and Council Auditors.				

AUDIT AND RISK COMMITTEE – XXXX ANNUAL WORK PLAN				
FUNCTIONS, RESPONSIBILITIES & ASSOCIATED ACTIVITIES	XX XX	XX XX	XX XX	XX XX
To meet with the auditor, at least once per year without management present (closed door session). The Committee will discuss matters relating to the conduct of the audit, including any difficulties encountered, restrictions on scope of activities or access to information, significant disagreements with management and adequacy of management responses				
Examine the reports of the auditor to – i.) determine if any matters raised require action to be taken by the local government; and ii.) ensure that appropriate action is taken in respect of those matters				
Audit Exit Meeting with Audit and Risk Committee, Management and Council Auditors. To meet with the auditor, once in each year and provide a report to Council on the matters discussed and the outcome of those directions.				
To consider that relevant mechanisms are in place to review and implement, where appropriate, issues raised in OAG better practice guides and performance audits of other State and local government entities.				
7. Regulation 17 Triennial Review (report next Due: XX-XX-XXXX)				
To consider the CEO's triennial review on risk management, internal control and legislative compliance				
Set the action plan arising from auditor recommendations from the Regulation 17 review				
Receive an update on the action plan arising from auditor recommendations from the Regulation 17 review				
8. Financial Management Systems Triennial Review (report next Due: XX-XX-XXXX)				
To consider the Financial Management Systems Review required every three years under Regulation 5 of the Local Government (Financial Management) Regulations 1996, and report to Council the results of that review				
Set the action plan arising from auditor recommendations from the Financial Management Systems Review				
Receive an update on the action plan arising from auditor recommendations from the Financial Management Systems Review				
9. Governance Health and Financial Sustainability Biennial Review (report next Due: XX-XX-XXXX)				

(Appendix ORD: 12.4.1B)

AUDIT AND RISK COMMITTEE – XXXX ANNUAL WORK PLAN				
FUNCTIONS, RESPONSIBILITIES & ASSOCIATED ACTIVITIES	XX XX	XX XX	XX XX	XX XX
To consider the CEO's biennial Governance Health and Financial Sustainability Review, and report to the Council the results of that review				
Set the action plan arising from auditor recommendations from the Governance Health and Financial Sustainability Review				
Receive an update on the action plan arising from auditor recommendations from the Governance Health and Financial Sustainability Review				
Undertake an independent external assessment of the Committee at least once in every three years. This assessment may be included in the scope of audit for the Governance Health and Financial Sustainability Review				
10. Information Systems Security Audit (report next Due: XX-XX-XXXX)				
Receive the audit report arising from the 2 yearly Information Systems Security Audit				
Set the action plan arising from the recommendations from the Information Systems Security Audit				
Receive an update on the action plan arising from the recommendations from the Information Systems Security Audit				

BUSHFIRE ADVISORY COMMITTEE

INSTRUMENT OF APPOINTMENT & TERMS OF REFERENCE

2021

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1. INTRODUCTION

The Council of the Shire of Dardanup (the "Council") establishes this committee under the powers given in Section 7.1A of the Local Government Act 1995, the committee to be known as the Bushfire Advisory 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 Bush Fires Act 1954, 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 "Bushfire Advisory" 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 for Council Members, Committee Members & Candidates.

(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 BUSHFIRE ADVISORY COMMITTEE

The detailed functions of the Committee are set out in Bushfire Act 19954, Section 67 as follows:

67. Advisory committees

- (1) *A local government may at any time appoint such persons as it thinks fit as a bush fire advisory committee for the purpose of advising the local government regarding all matters relating to the preventing, controlling and extinguishing of bush fires, the planning of the layout of fire-breaks in the district, prosecutions for breaches of this Act, the formation of bush fire brigades and the grouping thereof under group brigade officers, the ensuring of co-operation and co-ordination of bush fire brigades in their efforts and activities, and any other matter relating to bush fire control whether of the same kind as, or a different kind from, those specified in this subsection.*

5. COMMITTEE OBJECTIVES - SPECIFIC

The Bushfire Advisory Committee shall have the following objectives:

- 5.1 To advise Council on all matters relevant to the Bush Fires Act 1954 (As amended) in relation to the preventing, controlling and extinguishing of bush fires, the planning of the layout of fire breaks in the district, the formation of bush fire brigades and the grouping thereof under group brigade officers, the ensuring of co operation and co ordination of bush fire brigades in their efforts and activities, and any other matter relating to bush fire control.
- 5.2 Provide endorsement of Bushfire Control Officers, Fire Weather Officer and implement the election of Chief Bush Fire Control and Deputy Chief Bush Fire Control Officers.
- 5.3 Review and endorsement of the Shire of Dardanup Fire Prevention Order in accordance with Section 33(1) of the Bush Fire Act 1954
- 5.4 Review and endorsement of Firebreak Exemptions/Variations in accordance with the Shire of Dardanup Fire Prevention Order

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

6. MEMBERSHIP

- 6.1 The President of the Shire of Dardanup indicates an intention to be a member of the committee under section 5.10 (4) of the Local Government Act 1995, then he/she will be a member of the committee.
- 6.2 In accordance with Section 67(2) of the Bush Fire Act 1954 an Elected Member of Council will be appointed.
- 6.2 The CEO and employees are not members of the committee. The CEO and/or his/her nominee is to attend all meetings to provide advice and guidance to the committee.
- 6.3 In accordance with Section 67(2) of the Bush Fire Act 1954 an Elected Member of Council will be appointed to the Committee.

- (2) *A committee appointed under this section shall include a member of the council of the local government nominated by it for that purpose as a member of the committee, and the committee shall elect one of their number to be chairman thereof.*

- 6.3 The Council resolves to nominate no more than three elected members as members for the Committee for a period of two years or until the next Ordinary Council election, the three elected members shall be members of the committee.
- 6.4 The Council requires representatives from state or federal government agencies to be on the Committee then the organisations shall nominate their representatives and they shall be endorsed by Council as members of the committee.
- 6.5 The Council requires representation of Bush Fire Brigades on the Committee then the brigades are to nominate their representatives for the Committee and Council shall endorse the members so nominated for the Committee.
- 6.6 Membership as prescribed by the *Local Government Act 1995* Section 5.10 is outlined below:

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.

5.11 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.

7. PRESIDING MEMBER

7.1 The 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 5.13 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 The Committee shall meet as business relevant to the committee dictates or as resolved by the Committee.
- 8.2 Notice of meetings including an agenda shall be given to members at least **5 days** prior to each meeting.
- 8.3 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 and Council with a copy of such minutes.
- 8.4 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.
- 8.5 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.
- 8.6 Shire of Dardanup Local Law Standing Orders apply to all Shire of Dardanup committees.

9. QUORUM

- 9.1 The Quorum for the meeting shall be fixed as in accordance with the Bushfire Act 1954, Section 67 (3). The Quorum for this meeting will be 9.

- (3) *In respect to a committee so appointed, the local government shall fix the quorum for the transaction of business at meetings of the committee and may —*
- (a) *make rules for the guidance of the committee; and*
 - (b) *accept the resignation in writing of, or remove, any member of the committee; and*
 - (c) *where for any reason a vacancy occurs in the office of a member of the committee, appoint a person to fill that vacancy.*
- (4) *A committee appointed under this section —*
- (a) *may from time to time meet and adjourn as the committee thinks fit;*
 - (b) *shall not transact business at a meeting unless the quorum fixed by the local government is present;*
 - (c) *is answerable to the local government and shall, as and when required by the local government, report fully on its activities.*

(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 the power to endorse Firebreak Exemptions/Variations in accordance with the Shire of Dardanup Fire Prevention Order.

10.2 Specific Powers

The Committee has no specific powers under the Local Government Act and is to advise and make recommendations to Council only.

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. TERMINATION OF COMMITTEE

Termination of the Committee shall be:

- 11.1 In accordance with the Local Government Act 1995; or
- 11.2 At the direction of Council; or
- 11.3 On the specified date.

12. AMENDMENT TO THE INSTRUMENT OF APPOINTMENT AND DELEGATION

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

13. COMMITTEE DECISIONS

- 13.1 Committee decisions shall not be binding on Council in any circumstance.

14. COUNCIL RESOLUTION ESTABLISHING THE COMMITTEE

- 14.1 The Bushfire Advisory Committee was established by Resolution of the Shire of Dardanup Council on 29 September 2021.

15. OFFICER(S) RESPONSIBLE FOR MANAGEMENT OF THE COMMITTEE

- 15.1 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 Director Sustainable Development.
- 15.2 The appointed officer shall provide the secretarial and administrative support through his/her Directorate.

CEO REVIEW COMMITTEE

**INSTRUMENT OF APPOINTMENT
&
TERMS OF REFERENCE**

2021

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(Appendix ORD: 12.4.1B)

Note: Refer - [2021 - Model standards for CEO recruitment performance and termination](#)

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).

(Appendix ORD: 12.4.1B)**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.

(Appendix ORD: 12.4.1B)

- 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.*

(Appendix ORD: 12.4.1B)

- (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*

(Appendix ORD: 12.4.1B)

- (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”.*

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*.

(Appendix ORD: 12.4.1B)**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.*

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.*

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.

(Appendix ORD: 12.4.1B)

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.

(Appendix ORD: 12.4.1B)

- 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.

**LOCAL EMERGENCY MANAGEMENT
COMMITTEE**

**INSTRUMENT OF APPOINTMENT
&
TERMS OF REFERENCE**

2021

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1. INTRODUCTION

The Council of the Shire of Dardanup (the "Council") establishes this committee under the powers given in Section 38 of the Emergency Management Act 2005, the committee to be known as the Local Emergency Management 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 Emergency Management Act 2005, Emergency Management Regulations 2006, local laws and the policies of the Shire of Dardanup and this instrument.

2. NAME

The name of the Committee is the "Local Emergency Management 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 for Council Members, Committee Members & Candidates.

(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 LOCAL AREA MANAGEMENT COMMITTEE

The functions of the Local Emergency Management Committee are set out in accordance with the Emergency Management Act 2005

38. *Local emergency management committees*

- (1) *A local government is to establish one or more local emergency management committees for the local government's district.*
- (2) *If more than one local emergency management committee is established, the local government is to specify the area in respect of which the committee is to exercise its functions.*
- (3) *A local emergency management committee consists of—*
 - (a) *a chairman and other members appointed by the relevant local government in accordance with subsection (4); and*
 - (b) *if the local emergency coordinator is not appointed as chairman of the committee, the local emergency coordinator for the local government district.*
- (4) *Subject to this section, the constitution and procedures of a local emergency management committee, and the terms and conditions of appointment of members, are to be determined by the SEMC.*

39. Functions of local emergency management committees

The functions of a local emergency management committee are, in relation to its district or the area for which it is established —

- (a) *to advise and assist the local government in ensuring that local emergency management arrangements are established for its district; and*
- (b) *to liaise with public authorities and other persons in the development, review and testing of local emergency management arrangements; and*
- (c) *to carry out other emergency management activities as directed by the SEMC or prescribed by the regulations.*

40. Annual report of local emergency management committee

- (1) *After the end of each financial year each local emergency management committee is to prepare and submit to the district emergency management committee for the district an annual report on activities undertaken by it during the financial year.*
- (2) *The annual report is to be prepared within such reasonable time, and in the manner, as is directed in writing by the SEMC.*

5. COMMITTEE OBJECTIVES - SPECIFIC

The Local Emergency Management Committee shall have the following objectives:

- 5.1 To advise and assist the local government in ensuring that local emergency management arrangements are established for its district;
- 5.2 To liaise with emergency management agencies and other persons in the development, review and testing of local emergency management arrangements;
- 5.3 To carry out other emergency management activities as directed by the State Emergency Management Committee or prescribed by the Emergency Management Regulations 2006.
- 5.4 At the end of each financial year each local emergency management committee is to prepare and submit to the district emergency management committee for the district an annual report on activities undertaken by it during the financial year.

- 5.5 The annual report is to be prepared within such reasonable time, and in the manner, as is directed in writing by the SEMC.
- 5.6 To exercise the Local Emergency Management Arrangements on an annual basis, and to test their effectiveness in practical applications.
- 5.7 To assist in the preparation and review of the Local Emergency Risk Register and provide guidance in the treatment strategies to reduce the risk to the community.

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 as members for the Committee for a period of two years or until the next Ordinary Council election, the three elected members shall be members of the committee.
- 6.2 The Council resolves to nominate the Chief Executive Officer as a member of the committee.
- 6.3 The following procedures for membership to the Committee from the State EM Preparedness Procedures are provided below:

LEMC Membership

- *the Chair should be an elected member of council;*
- *the Local Emergency Coordinator should be appointed as Deputy Chair;*
- *an Executive Officer, who should be an officer of the relevant local government, and should be appointed to coordinate the business of the committee and/or provide administrative support;*
- *the Local Recovery Coordinator, being the person nominated in the Local Recovery Plan (s. 41(4) of the EM Act), should be appointed a member of the committee;*
- *consideration should be given to appointing local government officers engaged in key roles and functions affecting EM (for example, community services, engineering services, corporate services or planning);*
- *membership should include representatives from Emergency Management Agencies (EMAs) in the local government district (for example, the Department of Fire and Emergency Services); welfare support agencies or non-government organisations (for example, the Department of Communities, the Red Cross or Salvation Army), industry representatives (especially the owners or operators of hazardous facilities located within the local government district);*
- *consideration should be given to appointment of persons able to represent or advise on the interests of Culturally and Linguistically Diverse (CaLD) community members or community members with special needs; and*
- *LEMCs should, where possible include representatives of local Aboriginal community organisations to provide advice and guidance to the LEMC and to promote appropriate engagement with the local Aboriginal communities.*

Where the local government identifies the need for representation from a sector for which there is no local representative, an appropriate alternative representative may be identified from existing community members. For example, specific arrangements may be made in which a local general practitioner attends the LEMC meetings as a representative of the medical services in the district, if the Director of Nursing from the nearest hospital cannot attend. The term of appointment of LEMC members shall be as determined by the local government in consultation with the parent organisation of the members. During the drafting process, the District Emergency Management Advisor responsible for the region may be consulted to provide advice on all facets of the process (i.e. structure, process and legislation).

6.4 The Council requires representatives from state or federal government agencies to be on the Committee then the organisations shall nominate their representatives and they shall be endorsed by Council as members of the committee.

6.5 A member retains membership of the committee until; the person no longer holds office by virtue of which the person became a member, the person resigns, the committee is disbanded, the local government removes the person from office; or the next election date.

7. PRESIDING MEMBER

7.1 In accordance with the State EM Preparedness Procedures, the Committee shall appoint an Elected Member, that being the Shire President as Chair and the Local Emergency Coordinator (OIC - Local Police) will be appointed as Deputy Chair.

7.2 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.

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 shall meet on a quarterly basis, with a minimum of 4 meetings per year, dates to be resolved by the Committee.

8.3 Notice of meetings including an agenda shall be given to members at least 5 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 and Council 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

- 9.1 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. TERMINATION OF COMMITTEE

Termination of the Committee shall be:

- 11.1 In accordance with the Local Government Act 1995; or
- 11.2 At the direction of Council; or
- 11.3 On the specified date.

12. AMENDMENT TO THE INSTRUMENT OF APPOINTMENT AND DELEGATION

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

13. COMMITTEE DECISIONS

13.1 Committee decisions shall not be binding on Council in any circumstance.

14. COUNCIL RESOLUTION ESTABLISHING THE COMMITTEE

14.1 The Local Emergency Management Committee and terms of reference was adopted by resolution of the Shire of Dardanup Council on 29 September 2021.

15. OFFICER(S) RESPONSIBLE FOR MANAGEMENT OF THE COMMITTEE

15.1 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 Director of Sustainable Development.

15.2 The appointed officer shall provide the secretarial and administrative support through his/her Directorate.

INTEGRATED PLANNING COMMITTEE

INSTRUMENT OF APPOINTMENT & TERMS OF REFERENCE

2021

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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 Integrated Planning 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 "Integrated Planning 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 for Council Members, Committee Members & Candidates.

(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 INTEGRATED PLANNING COMMITTEE

The functions of the Integrated Planning Committee are set out in accordance with the *Local Government Act 1995*, as follows:

5.56. Planning for the future

- (1) A local government is to plan for the future of the district.
- (2) A local government is to ensure that plans made under subsection (1) are in accordance with any regulations made about planning for the future of the district.

Local Government (Administration) Regulations 1996
19C. Strategic community plans, requirements for (Act s. 5.56)

- (1) A local government is to ensure that **a strategic community plan is made for its district** in accordance with this regulation in respect of each financial year after the financial year ending 30 June 2013.
- (2) A strategic community plan for a district is to cover the period specified in the plan, which is to be at least 10 financial years.
- (3) A strategic community plan for a district is to set out the vision, aspirations and objectives of the community in the district.
- (4) A local government is to review the current strategic community plan for its district at least once every 4 years.
- (5) In making or reviewing a strategic community plan, a local government is to have regard to —
 - (a) the capacity of its current resources and the anticipated capacity of its future resources; and
 - (b) strategic performance indicators and the ways of measuring its strategic performance by the application of those indicators; and
 - (c) demographic trends.
- (6) Subject to subregulation (9), a local government may modify its strategic community plan, including extending the period the plan is made in respect of.
- (7) A council is to consider a strategic community plan, or modifications of such a plan, submitted to it and is to determine* whether or not to adopt the plan or the modifications.

*Absolute majority required.

- (8) If a strategic community plan is, or modifications of a strategic community plan are, adopted by the council, the plan or modified plan applies to the district for the period specified in the plan.
- (9) A local government is to ensure that the electors and ratepayers of its district are consulted during the development of a strategic community plan and when preparing modifications of a strategic community plan.
- (10) A strategic community plan for a district is to contain a description of the involvement of the electors and ratepayers of the district in the development of the plan or the preparation of modifications of the plan.

[Regulation 19C inserted: Gazette 26 Aug 2011 p. 3483-4.]

19DA. Corporate business plans, requirements for (Act s. 5.56)

- (1) A local government is to ensure that **a corporate business plan is made for its district** in accordance with this regulation in respect of each financial year after the financial year ending 30 June 2013.
- (2) A corporate business plan for a district is to cover the period specified in the plan, which is to be at least 4 financial years.

- (3) *A corporate business plan for a district is to —*
- (a) *set out, consistently with any relevant priorities set out in the strategic community plan for the district, a local government’s priorities for dealing with the objectives and aspirations of the community in the district; and*
 - (b) *govern a local government’s internal business planning by expressing a local government’s priorities by reference to operations that are within the capacity of the local government’s resources; and*
 - (c) **develop and integrate matters relating to resources, including asset management, workforce planning and long-term financial planning.**
- (4) *A local government is to review the current corporate business plan for its district every year.*
- (5) *A local government may modify a corporate business plan, including extending the period the plan is made in respect of and modifying the plan if required because of modification of the local government’s strategic community plan.*
- (6) *A council is to consider a corporate business plan, or modifications of such a plan, submitted to it and is to determine* whether or not to adopt the plan or the modifications.*
- *Absolute majority required.*
- (7) *If a corporate business plan is, or modifications of a corporate business plan are, adopted by the council, the plan or modified plan applies to the district for the period specified in the plan.*

5. COMMITTEE OBJECTIVES - SPECIFIC

The Integrated Planning Committee shall have the following objectives:

- 5.1 To consider and advise Council on the development of policy relevant to the strategic direction of the Shire;
- 5.2 To consider and advise Council on the Integrated Planning and Reporting Framework strategies and plans, including the:
- Strategic Community Plan (10 year)
 - Corporate Business Plan (4 year)
 - Strategic Financial Plan (10 year)
 - Debt Management Plan
 - Reserve Funds Plan
 - Rating Strategy
 - Workforce Plan
 - Long Term Financial Plan
 - Community, Councillor and Staff Budget Requests
 - Elected Member Fees and Allowances
 - Annual Fees & Charges
 - Asset Management Plans (10 year)
 - Buildings Asset Management Plan

- Plant & Vehicle Asset Management Plan
 - Executive & Compliance Vehicles Asset Management Plan
 - Information Technology Asset Management Plan
 - Eaton Recreation Centre Equipment Asset Management Plan
 - Roads Asset Management Plan
 - Pathways Asset Management Plan
 - Parks & Reserves Asset Management Plan
 - Storm Water Asset Management Plan
- Other Informing Strategies
- ICT Strategic Plan 2020 - 2030
 - Disability Access and Inclusion Plan
 - Community Safety & Crime Prevention Plan
 - Local Emergency Management Plan
 - Business Continuity Plan
 - Sport & Recreation Plan 2020 – 2030
 - Place & Community Plans
 - Regional & State Town Planning Schemes and Land Use Strategies

5.3 To consider and advise Council on the financial elements which together comprise the annual budget;

5.4 To consider and advise Council on the mid-year budget review;

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 nine elected members as members for the Committee for a period of two years or until the next Ordinary Council election, the nine elected members shall be members of the Committee.

6.2 The following sections in *Local Government Act 1995*, in relation to representation are 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.*

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.*

6.3 A member retains membership of the Committee until; the person no longer holds office by virtue of which the person became a member, the person resigns, the committee is disbanded, the local government removes the person from office; or the next election date.

7. PRESIDING MEMBER

7.1 The 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 5.13 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

As there are no power or duty delegated to the committee the meetings are not open to the public.

- 8.1 The Committee shall meet on an as needs basis as part of the annual Integrated Planning & Reporting and budget development cycle.
- 8.2 Notice of meetings including an agenda shall be given to members at least **5 days** prior to each meeting.
- 8.3 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 and Council with a copy of such minutes.
- 8.4 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.
- 8.5 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.
- 8.6 Shire of Dardanup Local Law Standing Orders apply to all Shire of Dardanup committees.

9. QUORUM

- 9.1 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. TERMINATION OF COMMITTEE

Termination of the Committee shall be:

- 11.1 In accordance with the Local Government Act 1995; or
- 11.2 At the direction of Council; or
- 11.3 On the specified date.

12. AMENDMENT TO THE INSTRUMENT OF APPOINTMENT AND DELEGATION

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

13. COMMITTEE DECISIONS

- 13.1 Committee decisions shall not be binding on Council in any circumstance.

14. COUNCIL RESOLUTION ESTABLISHING THE COMMITTEE

- 14.1 The Integrated Planning Committee was established by Resolution of the Shire of Dardanup Council on 29 September 2021.

15. OFFICER(S) RESPONSIBLE FOR MANAGEMENT OF THE COMMITTEE

- 15.1 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 Deputy Chief Executive Officer / Director Corporate & Governance.
- 15.2 The appointed officer shall provide the secretarial and administrative support through his/her Directorate.

**SHIRE OF HARVEY & SHIRE OF DARDANUP
JOINT TOWN PLANNING SCHEME NO.1
COMMITTEE**

**INSTRUMENT OF APPOINTMENT
&
TERMS OF REFERENCE**

2021

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15. OFFICER(S) RESPONSIBLE FOR MANAGEMENT OF THE COMMITTEE	6

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 Shire of Harvey & Shire of Dardanup Joint Town Planning Scheme No.1 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 "Shire of Harvey & Shire of Dardanup Joint Town Planning Scheme No.1" 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 for Council Members, Committee Members & Candidates.

(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 SHIRE OF HARVEY & SHIRE OF DARDANUP JOINT TOWN PLANNING SCHEME NO.1 COMMITTEE

The functions of the Shire of Harvey & Shire of Dardanup Joint Town Planning Scheme No.1 are set out in accordance with the Planning and Development Act 2005.

70. Scheme may be made for land outside scheme or be concurrent with another scheme

- (1) Nothing in this Act prevents —
- (a) a local planning scheme from being made with respect to land comprised in another local planning scheme; or
 - (b) subject to subsection (2), 2 or more local planning schemes from having force and effect concurrently with respect to any land.
- (2) The zoning of land in an area to which a local planning scheme applies is not to be provided for in more than one local planning scheme applicable to that area.

71. Scheme not to apply to redevelopment area

A local planning scheme must not be made or amended under this Act —

- (a) except as provided in the Metropolitan Redevelopment Authority Act 2011 sections 57 and 58 and without limiting section 51 of that Act, to make any provision in respect of any land to which an approved redevelopment scheme that is in operation under that Act applies; or
- (b) without limiting the Hope Valley-Wattleup Redevelopment Act 2000 section 23, to make any provision in respect of land in the redevelopment area as defined in that Act.

[Section 71 inserted: No. 45 of 2011 s. 141(5).]

72. Local government may prepare or adopt scheme

- (1) Subject to section 71, a local government may —
- (a) prepare a local planning scheme with reference to any land within its district, or with reference to land within its district and other land within any adjacent district; or
 - (b) adopt, with or without modifications, a local planning scheme proposed by all or any of the owners of any land with respect to which the local government might itself have prepared a scheme.
- (2) A local government and another local government may —
- (a) jointly prepare a local planning scheme with respect to land that is partly in the district of the first-mentioned local government and partly in the district of the other local government; or
 - (b) jointly adopt, with or without modifications, a local planning scheme proposed by all or any of the owners of any land with respect to which the local governments might themselves have prepared a scheme.
- (3) Where a local planning scheme is prepared or adopted under subsection (2) a reference in this Act to the local government or responsible authority that is preparing or has prepared the scheme is to be read as a reference to the local governments that join in the preparation or adoption of the scheme.

5. COMMITTEE OBJECTIVES - SPECIFIC

The Shire of Harvey & Shire of Dardanup Joint Town Planning Scheme No.1 Committee shall have the following objectives:

- 5.1 To consider and advise Council on the Shire of Harvey & Shire of Dardanup Joint Town Planning Scheme No.1.

6. MEMBERSHIP

- 6.1 The Council resolves to nominate no more than three elected members as members for the Committee for a period of two years or until the next Ordinary Council election, the elected members shall be members of the committee.
- 6.2 The following sections in *Local Government Act 1995*, in relation to representation are 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.*

5.11 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.

- 6.3 A member retains membership of the committee until; the person no longer holds office by virtue of which the person became a member, the person resigns, the committee is disbanded, the local government removes the person from office; or the next election date.

7. **PRESIDING MEMBER**

- 7.1 The 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 5.13 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

As there are no power or duty delegated to the committee the meetings are not open to the public.

- 8.1 The Committee shall meet as business relevant to the committee dictates or as resolved by the Committee.
- 8.2 Notice of meetings including an agenda shall be given to members at least **5 days** prior to each meeting.
- 8.3 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 and Council with a copy of such minutes.
- 8.4 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.
- 8.5 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.
- 8.6 Shire of Dardanup Local Law Standing Orders apply to all Shire of Dardanup committees.

9. QUORUM

- 9.1 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. TERMINATION OF COMMITTEE

Termination of the Committee shall be:

- 11.1 In accordance with the Local Government Act 1995; or
- 11.2 At the direction of Council; or
- 11.3 On the specified date.

12. AMENDMENT TO THE INSTRUMENT OF APPOINTMENT AND DELEGATION

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

13. COMMITTEE DECISIONS

- 13.1 Committee decisions shall not be binding on Council in any circumstance.

14. COUNCIL RESOLUTION ESTABLISHING THE COMMITTEE

- 14.1 The Shire Of Harvey & Shire Of Dardanup Joint Town Planning Scheme No.1 Committee was endorsed by Resolution of the Shire of Dardanup Council on 29 September 2021.

15. OFFICER(S) RESPONSIBLE FOR MANAGEMENT OF THE COMMITTEE

- 15.1 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 Director Sustainable Development.
- 15.2 The appointed officer shall provide the secretarial and administrative support through his/her Directorate.

WALGA Policy Development Framework

Code of Conduct Behaviour

Complaints Management Policy

WALGA Note:

WALGA recognises and shares Local Government concerns regarding the complaints mechanism introduced in the *Local Government (Model Code of Conduct) Regulations 2021*. In particular, the role of Council in deciding complaints and a lack of mechanisms for managing conflicts of interest are problematic.

At its meeting on [2 December 2020](#), State Council resolved that WALGA:

- ***Does not support the inclusion of local level complaints about alleged behavioural breaches and Local Governments dealing with complaints provisions in Division 3, Clauses 10 and 11; and***
- ***Supports an external oversight body to manage local level complaints involving council members as prefaced in the Local Government Review Panel Report, City of Perth Inquiry Report and Select Committee into Local Government Report, to be considered in a future Local Government Act.***

Therefore, this Framework is drafted on the basis of minimising both actual and perceived bias due to conflict of interests. Our aim is to recommend processes that minimise Council involvement and remove opportunities for conflicts to arise through the use of external parties.

WALGA recognises that some Local Governments may not be willing or able to incur the expense of using external parties, and some Local Governments may simply prefer a different approach. Therefore, this Framework identifies some points at which a Local Government may consider whether to refer a complaint to an external party (rather than referring all complaints). WALGA can provide further advice on how this may be achieved, as well as an option for handling a complaint wholly internally.

(Appendix ORD: 12.4.1D)

DLGSCI has produced [Guidelines on the Model Code of Conduct for Council Members, Committee Members and Candidates](#). These Guidelines confirm that Council Members who have made a complaint, or are the subject of a complaint, would have an impartiality interest, however this does not require them to leave a meeting for debate or decision. WALGA's view, based on the sector's advocacy position, is that the presence and participation of Council Members directly involved in the complaint creates a clear apprehension of bias and is incompatible with the principles of procedural fairness. Therefore, this Framework proposes the option of establishing a Complaints Committee with delegated authority that can only be exercised in the absence of Council Members who are parties to the complaint. Local Governments may identify other arrangements suitable for their circumstances.

Section 2.7(2)(b) of the Local Government Act sets the policy-making role of a Council, therefore it is strongly recommended that Local Governments provide opportunities for Council to contribute to this development of a Complaints policy.

Instructions for use:

This Framework includes suggested wording only and Local Governments should review the content and consider, develop and implement policy suitable to their operational requirements. This Framework also includes extensive WALGA Notes identifying further considerations for Local Governments. These Notes should be deleted from the adopted Complaints Policy. Local Governments should ensure they review the final result to confirm that there are no omissions or inconsistencies and that numbering and internal references are correct.

Remember:

Policy implementation is given effect through induction, ongoing training and operational procedures which evidence that Council Members, Committee Members and Candidates have been made aware of and are accountable for their obligations under the Local Government's adopted Code of Conduct and Complaints Policy.

Feedback:

WALGA welcomes feedback on the content of this document, particularly if your Local Government has identified issues, opportunities or improved practices in relation to the *Local Government (Model Code of Conduct) Regulations 2021*. Your suggestions will inform the continuous improvement and updates of this document for the assistance of all Western Australian Local Governments. Your feedback will also inform WALGA's advocacy where legislative amendment is deemed necessary. Please provide any comments to WALGA's Governance and Procurement team - governance@walga.asn.au or call 9213 2514.

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Policy Objective

To establish, in accordance with Clause 15(2) of the *Local Government (Model Code of Conduct) Regulations 2021* and <<Shire/ Town / City of XXX>> Code of Conduct for Council Members, the procedure for dealing with complaints about alleged breaches of the behaviour requirements included in Division 3 of the <<Shire/ Town / City of XXX>> Code of Conduct for Council Members, Committee Members and Candidates.

To give effect to the <<Shire/ Town / City>>'s commitment to an effective, transparent, fair and accessible complaints handling process that supports high standards of behaviour of Council Members, Committee Members and Candidates.

Policy Scope

This Policy applies to complaints made in accordance with Clause 11 of the <<Shire/ Town / City of XXX>> Code of Conduct for Council Members, Committee Members and Candidates.

This Policy applies to Council Members, Committee Members, Candidates and any person who submits a complaint in accordance with this Policy.

Definitions

Act means the *Local Government Act 1995*.

Behaviour Complaints Committee means the Committee established by the Council in accordance with s.5.8 of the Act for the purpose of dealing with Complaints. The role of the Behaviour Complaints Committee is outlined in Part 2.3 of this Policy.

WALGA Note:

For further discussion of the role of a Behaviour Complaints Committee see the WALGA Note at Part 2.3 of this Policy.

Behaviour Complaints Officer means a person authorised in writing [*by Council resolution or by the CEO exercising delegated authority*] under clause 11(3) of the Code of Conduct to receive complaints and withdrawals of complaints. The role of the Behaviour Complaints Officer is addressed in Part 2.1 of this Policy.

WALGA Note:

A delegation from Council to the CEO, providing authority to authorise persons to receive complaints and withdrawal of complaints, may provide flexibility. This would allow the CEO to make authorisations as necessary, to address staff changes, provide backup coverage, and make subsequent appointments based on better understanding of the Behaviour Complaints Officer role as the Local Government develops its complaints management procedure.

A delegation may not be appropriate for all Local Governments, as the Council may wish to retain the decision making function to authorise Behaviour Complaints Officers, dependent on the functions that the Council has assigned to this role through its adopted Policy for Code of Conduct Behaviour Complaints Management.

For further discussion of the role of the Behaviour Complaints Officer see the WALGA Note at Part 2.1 of this Policy.

Breach means a breach of Division 3 of the <<Shire/ Town / City of XXX>> Code of Conduct for Council Members, Committee Members and Candidates.

Candidate means a candidate for election as a Council Member, whose nomination has been accepted by the Returning Officer under s.4.49 of the Act, but does not include a Council Member who has nominated for re-election. A person is a Candidate from the date on which their nomination is accepted, until the Returning Officer declares the election result in accordance with s.4.77 of the Act.

Candidate Complaint means a Complaint alleging a Breach by a Candidate. Candidate Complaints are dealt with in Part 3.2 of this Policy.

Code of Conduct means the <<Shire/ Town / City of XXX>> Code of Conduct for Council Members, Committee Members and Candidates.

Committee means a committee of Council, established in accordance with s.5.8 of the Act.

Committee Member means a Council Member, employee of the <<Shire/ Town / City of XXX>> or other person who has been appointed by the Council to be a member of a Committee, in accordance with s.5.10(1) of the Act. A person is a Committee Member from the date on which they are appointed, until their appointment expires or is terminated by Council resolution.

Complaint means a complaint submitted under Clause 11 of the Code of Conduct.

Complainant means a person who has submitted a Complaint in accordance with this Policy.

Complaint Assessor means a person appointed by the Behaviour Complaints Officer in accordance with Part 2.2 and Part 3.8 of this Policy.

WALGA Note:

For further discussion on the role of the Complaint Assessor see the WALGA Note at Part 2.2 of this Policy.

(Appendix ORD: 12.4.1D)

Complaint Documents means the Complaint Form and any supporting information, evidence, or attachments provided by the Complainant.

Complaint Form means the form approved under clause 11(2)(a) of the Code of Conduct [by Council resolution or by the CEO exercising delegated authority].

Council means the Council of the <<Shire/ Town / City of XXX>>.

Council or Committee Meeting means a formal meeting of the Council or a Committee that is called and convened in accordance with the Act. It does not include informal meetings, such as workshops or briefings.

Council Member means a person who is currently serving a term of office as an elected member of the Council in accordance with the Act.

Finding means a finding made in accordance with clause 12(1) of the Code of Conduct as to whether the alleged Breach has or has not occurred.

Plan means a Plan that may be prepared and implemented under clause 12(4)(b) of the Code of Conduct, to address the behaviour of the person to whom the complaint relates (the Respondent), if a Finding has been made that a Breach has occurred.

Response Documents means the response provided by the Respondent to the Complaint, and includes any supporting information or evidence that is supplied.

Policy Statement

1. Principles

1.1. Procedural fairness

The principles of procedural fairness, or natural justice, will apply when dealing with a Complaint under this Policy. In particular:

- the Respondent will be afforded a reasonable opportunity to be heard before any findings are made, or a plan implemented;
- the decision maker should be objective and impartial, with an absence of bias or the perception of bias; and
- any findings made will be based on proper and genuine consideration of the evidence.

WALGA Note:

Local Governments may wish to refer to the Ombudsman WA Guidelines: [Procedural fairness \(natural justice\)](#) for detailed commentary on these principles.

1.2. Consistency

The application of this Policy should lead to consistency in process and outcomes. While each Complainant and Respondent will be dealt with according to their circumstances, and each Complaint considered and determined on its merits, similar circumstances will result in similar decisions.

1.3. Confidentiality

The <<Shire/ Town / City of XXX>> will take all reasonable steps to maintain confidentiality when dealing with the Complaint, in order to protect both the Complainant and Respondent.

Council Members, Local Government employees and contractors who have a role in handling a specific complaint will be provided with sufficient information to fulfil their role. They must manage this information securely, and must not disclose or inappropriately use this information.

Complainants will be advised of the level of confidentiality they can expect, and that breaches of confidentiality on their part may prejudice the progress of their Complaint.

WALGA Note:

There is no direct statutory provision for confidentiality of behaviour breach allegations under the Act or Local Government (Model Code of Conduct) Regulations 2021. Local Governments may therefore wish to include in this Policy specific steps they will take to maintain confidentiality, and any limits on confidentiality. This information could be included in the Complaint Form and any internal procedures. For example:

- In order to allow the Respondent to understand and respond to the complaint against them, the name of the Complainant will be provided to the Respondent, unless the Complainant provides reasons this should not occur.*
- The Complainant's contact information will not be provided to the Respondent.*
- The Complainant's name and contact information will not be included in any publicly available documents such as meeting agenda or minutes.*
- The Complainant should be aware that Complaint Documents may be subject to an FOI request, noting that they must be consulted before any documents are released, and exemptions may apply.*

In accordance with Local Government (Administration) Regulations 1996, r.11(d) the details of decisions made at Council or Committee meetings must be included in the minutes. Local Governments should consider how resolutions are drafted to ensure that they are suitable for inclusion in the public record.

A breach of confidentiality by Council Members or Committee Members under an adopted Complaints Policy would breach the Code of Conduct clause 8(2)(b) requirement to comply with all Local Government Policies. In the case of Council Members, this may also be a breach of Rule of Conduct 18(1).

1.4. Accessibility

The <<Shire/ Town / City of XXX>> will ensure that information on how to make a complaint, including this Policy, is available at the <<Shire/ Town / City>>'s Administration Building and on the <<Shire/ Town / City>>'s website. The <<Shire/ Town / City>> will make information available in alternative formats if requested.

Any person wishing to make a complaint may contact the Behaviour Complaints Officer if they require assistance in completing the complaint form or otherwise navigating the complaints process.

WALGA Note:

Local Governments may wish to include the contact information for the Behaviour Complaints Officer under Part 1.4. If the contact information changes more frequently than the Policy is reviewed, the information could be inserted as an administrative note to the administrative/working versions of the Policy, or otherwise made publicly available when publishing the Policy on the Local Government's website.

2. Roles

2.1. Behaviour Complaints Officer

The Behaviour Complaints Officer is authorised in accordance with clause 11(3) of the Code of Conduct to accept complaints and withdrawal of complaints.

The Behaviour Complaints Officer is not an advocate for the complainant or the respondent. The Behaviour Complaints Officer provides procedural information and assistance to both Complainant and Respondent.

The Behaviour Complaints Officer will liaise with and provide administrative support to a Complaint Assessor appointed under this Policy.

The Behaviour Complaints Officer will liaise with the Local Government to facilitate the calling and convening of Council or Behaviour Complaints Committee meetings if required.

In undertaking their functions, the Behaviour Complaints Officer will apply the Principles of this Policy.

WALGA Note:

This framework is drafted on the basis that the Behaviour Complaints Officer is a Local Government employee. Local Governments should review the functions that are allocated to the Behaviour Complaints Officer under this Policy and consider the skills, knowledge and training required.

External Behaviour Complaints Officer

Local Governments may authorise an external party as the Behaviour Complaints Officer. Local Governments would need to consider:

- *What role the Behaviour Complaints Officer would play under their Policy and therefore the scope of services to be provided;*
- *What would be the necessary qualities in an external party;*
- *How that external party would be selected (procurement process);*
- *How a contract/performance would be managed;*
- *How the external party would receive complaints and withdrawals of complaints;*
- *How the external party would ensure they have available capacity to receive complaints and fulfil their role within the scope of services defined by the Local Government;*
- *How the external party would liaise with the Local Government;*
- *How the external party would keep and manage records in accordance with the Local Governments Recordkeeping Plan;*
- *How the external party would access Local Government records;*
- *Which Local Government employee would prepare reports to the Council or Behaviour Complaints Committee?*

2.2. Complaint Assessor

The Complaint Assessor is appointed by the Behaviour Complaints Officer in accordance with Part 3.8 of this Policy.

The Complaint Assessor is an impartial third party who will undertake the functions specified in this Policy. In undertaking their functions, the Complaint Assessor will apply the Principles of this Policy.

The Complaint Assessor will liaise with the Behaviour Complaints Officer to manage the administrative requirements of dealing with the Complaint in accordance with this Policy.

WALGA Note:

Local Governments should give serious consideration to the role of the Complaint Assessor, and the scope of their activities under this Policy. Local Governments should decide whether the Complaint Assessor may undertake an investigation, and if so the scope of the investigation, or whether they should simply request a written response from the Respondent and review all documents provided (the Complaint Documents, any Local Government Records identified by the Behaviour Complaints Officer, and Response Documents).

Based on this decision, Local Governments may wish to develop specifications for the assessment process which may form the basis for a procurement process when appointing the Assessor. Local Governments could choose to be very detailed in this consideration, for example by identifying criteria by which Complaints can be categorised (minor/major etc.) and developing corresponding specifications for each category. Some or all of these specifications could be included in this Policy.

As a minimum, Local Governments should ensure that they have sufficient oversight and control of the work that will be undertaken by the Complaint Assessor to be satisfied that the process will be reasonable and proportionate in scope and cost and align with the Principles set out in Part 1. Consider contract management, performance and value for money.

2.3. Behaviour Complaints Committee

The Behaviour Complaints Committee is a Committee of Council established in accordance with s.5.8 of the Act for the purpose of dealing with Complaints.

The Behaviour Complaints Committee is a Committee of Council Members only. The membership and purpose of the Behaviour Complaints Committee is outlined in Council Policy <XXX> Behaviour Complaints Committee Terms of Reference.

WALGA Resources:

WALGA has developed a template Behaviour Complaints Committee Terms of Reference and template Behaviour Complaints Committee Delegation to assist the implementation of Part 2.3 of this Policy.

The Behaviour Complaints Committee is proposed to operate under delegated authority in accordance with s.5.16 of the Act with a critical condition prohibiting the Behaviour Complaints Committee from exercising its delegated authority if the Complainant or Respondent attend a meeting as a Behaviour Complaints Committee Member.

The Terms of Reference for the Behaviour Complaints Committee provides that it is a requirement before the Committee can exercise delegated authority that a Committee Member will submit an apology for any meeting of the Behaviour Complaints Committee that will consider a Complaint in which they are either the Complainant or Respondent.

3. Procedure

3.1. Making a complaint

Any person may make a Complaint alleging that a Council Member, Committee Member or Candidate has behaved in a way that constitutes a breach of Division 3 of the Code of Conduct [clause 11(1) of the Code of Conduct].

A Complaint must be made within one (1) month after the alleged Breach [clause 11(2)(c) of the Code of Conduct].

A Complaint must be made by completing the Behaviour Complaint Form in full and providing the completed forms to the Behaviour Complaints Officer.

WALGA Resources:

WALGA has developed a Template Behaviour Complaint Form incorporating requirements from specific details that will assist the Behaviour Complaints Officer deal with a Complaint, including the option to direct a Complaint for Alternative Dispute Resolution.

WALGA can assist Local Governments that may wish to incorporate a Statutory Declaration as a Behaviour Complaint Form document, that requires a Complainant to attest to the truthfulness and accuracy of the information provided.

A Complaint must be made in accordance with the Behaviour Complaint Form and specify which requirement(s) of the Code of Conduct is alleged to have been breached.

(Appendix ORD: 12.4.1D)

A Complaint is required to include the name and contact details of the Complainant therefore anonymous complaints cannot be accepted.

Where a Complaint Form omits required details, the Behaviour Complaints Officer will invite the Complainant to provide this information in order for the Complaint to be progressed.

Where a Complaint is made more than 1 month after the alleged breach, the Behaviour Complaints Officer will give the Complainant written notice that the Complaint cannot be made *[clause 11(2)(c) of the Code of Conduct]*.

3.2. Candidate Complaints

A Complaint in relation to a Candidate must be made in accordance with 3.1, above, but cannot be dealt with unless the Candidate is subsequently declared elected as a Council Member.

Within 7 days after receiving a Candidate Complaint, the Behaviour Complaints Officer will provide written notice:

- To the Complainant confirming receipt, and advising of the procedure for candidate complaints; and
- To the Respondent, including a summary of the complaint, and advising of the procedure for candidate complaints.

No action will be taken until the results of the election are declared by the Returning Officer. If the respondent is elected, then the complaint will be dealt with in accordance with this Policy. Timeframes that would otherwise commence on the receipt of a Complaint will be taken to commence on the election date.

If the Respondent is not elected, the Behaviour Complaints Officer will provide the Complainant with notice that the Respondent has not been elected and that the Complaint cannot be dealt with *[clause 15(1) of the Code of Conduct]*.

3.3. Withdrawing a Complaint

A Complainant may withdraw their Complaint at any time before a Finding has been made in relation to the Complaint *[clause 14 of the Code of Conduct]*.

A Complainant may withdraw a Complaint by advising the Behaviour Complaints Officer in writing that they wish to do so.

After receiving a written withdrawal of the Complaint, the Behaviour Complaints Officer will take all necessary steps to terminate the process commenced under this Policy.

WALGA Note:

Certain Parts of this Framework require the Behaviour Complaints Officer to undertake particular functions. Local Governments wishing to reduce officer involvement even further could choose to bring forward Part 3.8 Appointment of a Complaints Assessor, so that a Complaint Assessor is appointed on receipt of a Complaint. Part 3.4 Notice to Complainant, Part 3.5 Notice to Respondent, and Part 3.6 Alternative Dispute Resolution, could then be re-drafted to allocate Behaviour Complaints Officer functions to the Complaint Assessor. Timeframes may need to be reviewed if an external appointment is made.

3.4. Notice to Complainant

Within 7 days after receiving a Complaint, the Behaviour Complaints Officer will provide written notice to the Complainant that:

- confirms receipt of the Complaint;
- outlines the process that will be followed and possible outcomes;
- explains the application of confidentiality to the complaint;
- includes a copy of this Policy; and
- if necessary, seeks clarifications or additional information.

If the Complaint Form indicates that the Complainant agrees to participate in Alternative Dispute Resolution, the Behaviour Complaints Officer will advise the Complainant of the process in accordance with Part 3.6 of this Policy.

3.5. Notice to Respondent

Within 14 days after receiving a Complaint, the Behaviour Complaints Officer will provide written notice to the Respondent that:

- advises that a Complaint has been made in accordance with the Code of Conduct and this Policy;
- includes a copy of the Complaint Documents;
- outlines the process that will be followed, the opportunities that will be afforded to the Respondent to be heard and the possible outcomes;
- includes a copy of this Policy; and
- if applicable, advises that further information has been requested from the Complainant and will be provided in due course.

If the Complainant has agreed to participate in Alternative Dispute Resolution, the Behaviour Complaints Officer will ask the Respondent if they are also willing to participate in accordance with Part 3.6 of this Policy.

3.6. Alternative Dispute Resolution

The <<Shire/ Town / City of XXX>> recognises that Alternative Dispute Resolution may support both parties reach a mutually satisfactory outcome that resolves the issues giving rise to the Complaint. Alternative Dispute Resolution requires the consent of both parties to the Complaint and may not be appropriate in all circumstances.

To commence the process, the Behaviour Complaints Officer will, as the first course of action upon receiving a complaint, offer the Complainant and the Respondent the option of Alternative Dispute Resolution. If both parties agree to participate in Alternative Dispute Resolution, the Behaviour Complaints Officer will pause the formal process.

The objective of Alternative Dispute Resolution will be to reach an agreed resolution that satisfies the Complainant that the formal process is no longer required, allowing them to withdraw the Complaint, in accordance with Part 3.3 of this Policy. For example, an offer by a Respondent to issue a voluntary apology in response to a Complaint, even in the absence of a request from the Complainant, qualifies for consideration as Alternative Dispute Resolution.

If Alternative Dispute Resolution is commenced, both the Complainant and Respondent may decline to proceed with the process at any time. The process may also be terminated on the advice of a third party who is providing assistance to the Local Government, such as a facilitator or mediator.

If Alternative Dispute Resolution is terminated or does not achieve an agreed outcome that results in the withdrawal of the Complaint, the Behaviour Complaints Officer will resume the formal process required under this Policy.

WALGA Note:

Local Governments may wish to modify this section to specify the available option(s) for Alternative Dispute Resolution. For example:

- negotiation with the assistance of the Behaviour Complaints Officer or other appropriate person as intermediary;*
- facilitation with a contracted service provider.*

If engaging an external service provider, consider procurement and contract management issues. Some Local Governments may already have arrangements with the Citizens Advice Bureau or other community organisation. It may be appropriate when engaging a supplier to specify a time/cost threshold, for example if no agreement between the parties within a reasonable timeframe, then Alternative Dispute Resolution will be deemed as unsuccessful, and the formal complaints procedure resumed.

Local Governments should remove this section and subsequent references if they do not wish, or are not able, to make Alternative Dispute Resolution available.

3.7. Order of Complaints

Complaints will normally be dealt with in the order in which they are received.

If more than one Complaint is received that relates to the same alleged behaviour, the Behaviour Complaints Officer may decide to progress those Complaints concurrently.

3.8. Appointment of Complaints Assessor

If Alternative Dispute Resolution is not commenced, is terminated or does not achieve an agreed outcome resulting in the withdrawal of the Complaint, the Behaviour Complaints Officer will appoint a suitably qualified and experienced Complaint Assessor, in accordance with the <<Shire/ Town / City of XXX>>'s Purchasing Policy.

The Behaviour Complaints Officer will endeavour to appoint a Complaint Assessor within a reasonable period. The Behaviour Complaints Officer will provide written notice of the appointment to the Complainant and the Respondent.

WALGA Note:

Local Governments should consider their preferred method of selection and appointment. Some options include:

- *The Behaviour Complaints Officer undertakes procurement in accordance with the Local Government's Purchasing Policy, based on sufficiently detailed guidance on suitable qualifications and experience.*
- *Local Governments may choose to carry out an RFQ, or other appropriate procurement process, to identify and appoint a standing Complaint Assessor for a period of time, rather than waiting for a Complaint.*
- *Local Governments could formally establish a Complaints Assessors Panel as a panel of pre-qualified suppliers, in accordance with Division 3 of the Local Government (Functions and General) Regulations 1996.*

Local Governments may also wish to consider criteria by which a Behaviour Complaints Officer could identify Complaints which may not require external assessment. This could include the substance of the Complaint; whether it is capable of being assessed; and whether or not the Complaint includes complex allegations. This mechanism could be limited, to allow Local Governments to deal with Complaints that lack substance, without the expenditure of resources on a Complaint Assessor.

3.9. Search of Local Government Records

The Complaint Assessor may request the Behaviour Complaints Officer to search for any relevant records in the <<Shire/ Town / City>>'s Record Management System.

In particular, if the behaviour is alleged to have occurred at a Council or Committee Meeting, the Behaviour Complaints Officer will be requested to identify any Local Government records that provide evidence that may support a decision as to whether:

(Appendix ORD: 12.4.1D)

- the behaviour occurred at a Council or Committee Meeting,
- the behaviour was dealt with by the person presiding at the meeting, and/or
- the Respondent has taken remedial action in accordance with the <<Shire/ Town / City of XXX>> <Meeting Procedures/Standing Orders Local Law YYYY>.

The Complaints Assessor must provide the Respondent with a copy of any records that are identified. In addition, where a clarification or additional information has been sought from the Complainant by either the Behaviour Complaints Officer or the Complaint Assessor, copies must also be provided to the Respondent.

3.10. Assessment of the Complaint

The Complaint Assessor will undertake an assessment of the Complaint in accordance with the process outlined in the Notices given under Part 3.4 and Part 3.5 of this Policy.

The Complaint Assessor must ensure that the Respondent is provided with a reasonable opportunity to be heard before forming any opinions, or drafting the Complaint Report or recommendations.

WALGA Note:

As outlined in the WALGA Note at Part 2.2, Local Governments may wish to include details of their assessment process in their Policy. This may empower the Complaint Assessor to undertake an investigation within defined parameters. Alternatively, the Policy may require that Complaint Assessor to request that the Respondent provide a written response, including any evidence or information that the Respondent considers relevant. The assessment would then be conducted purely on the basis of all documents provided (the Complaint Documents, any Local Government Records identified by the Behaviour Complaints Officer, and Response Documents).

The Code of Conduct requires that a Respondent is provided with a reasonable opportunity to be heard. What may be considered reasonable may depend on the process that is followed, and on the circumstances. For example, if the Complaints Assessor is empowered to gather additional evidence or information, the Respondent must be presented with this information, and have an opportunity to respond. If a Respondent is asked for a written response, the Complaint Assessor should ensure they are given a reasonable period in which to respond. It may also be reasonable to accept responses in other formats. Given this variation, Local Governments may wish to specify minimum requirements, and/or direct the Complaint Assessor to exercise their professional skill and judgment.

3.11. Complaint Report

WALGA Note:

Local Governments that do not wish to refer all complaints to a standing Complaints Committee with delegated authority should remove all references to 'Behaviour Complaints Committee' in the following sections, and replace with 'Council'.

The Complaint Assessor will prepare a Complaint Report that will:

- outline the process followed, including how the Respondent was provided with an opportunity to be heard;
- include the Complaint Documents, the Response Documents and any relevant Local Government Records as attachments; and
- include recommendations on each decision that may be made by the Complaints Committee; and
- include reasons for each recommendation, with reference to Part 4 of this Policy.

If the Complaint Report recommends that a Plan is prepared and implemented in accordance with clause 12(4)(b) of the Code of Conduct and Part 4.4 of this Policy, the Complaint Report must include a Proposed Plan.

The Complaint Assessor will liaise with the Behaviour Complaints Officer to include the Complaint Report in the Agenda for a meeting of the Complaints Committee. The Behaviour Complaints Officer will be responsible for preparation of an Officer Report with the Complaint Report provided as a confidential attachment. The recommendations of the Complaint Report will be provided as the Officer Recommendations.

WALGA Note:

Local Governments may wish to include in their Policy a requirement that the Respondent is provided with a draft copy of the Complaint Report, and an opportunity to make submissions, before the Complaint Assessor finalises the Complaint Report.

If the Complaint Report includes a Proposed Plan, this may contribute to consultation in accordance with clause 12(5) of the Code of Conduct.

3.12. Complaints Committee Meeting

The Agenda will be prepared on the basis that the part of the meeting that deals with the Complaint Report will be held behind closed doors in accordance with s.5.23(2) of the Act.

The Behaviour Complaints Committee will consider the Complaint Report and attachments and give due regard to the recommendations.

In accordance with Regulation 11(d)(a) of the *Local Government (Administration) Regulations 1996*, reasons for any decision that is significantly different from the Officer Recommendation must be recorded in the meeting minutes.

WALGA Note:

The Local Government is required to include reasons when providing notice of its decisions under clauses 12(4), 12(7) and 13 of the Code of Conduct. The Complaint Report is required to provide reasons for each of its recommendations, which become the Officer Recommendations.

If the behaviour that is the subject of the Complaint is alleged to have occurred at a Council or Committee Meeting, the Behaviour Complaints Committee will determine whether or not to dismiss the Complaint in accordance with Clause 13 of the Code of Conduct and Part 4.2 of this Policy.

If the Behaviour Complaints Committee dismisses a Complaint, the Behaviour Complaints Officer must give the Complainant and the Respondent written notice of the decision and the reasons for the decision in accordance with clause 13(2) of the Code of Conduct. This concludes the process for this Complaint.

If the Complaint is not dismissed, the Behaviour Complaints Committee will consider the Complaint and make a Finding as to whether the alleged Breach that is the subject of the Complaint has or has not occurred, in accordance with clause 12 of the Code of Conduct and Part 4.3 of this Policy.

If the Behaviour Complaints Committee finds that the alleged Breach **did not** occur, the Behaviour Complaints Officer must give the Complainant and the Respondent written notice of the Finding and the reasons for the Finding in accordance with clause 12(7)(a) of the Code of Conduct. This concludes the process for this Complaint.

If the Behaviour Complaints Committee finds that the alleged breach **did** occur, the Committee will decide whether to take no further action in accordance with clause 12(4)(a) of the Code of Conduct or prepare a plan to address the behaviour in accordance with clause 12(4)(b) of the Code of Conduct and Part 4.4 of this Policy.

If the Behaviour Complaints Committee decides to take no further action, the Behaviour Complaints Officer must give the Complainant and the Respondent written notice of this decision and the reasons for the Finding in accordance with clause 12(7)(a) of the Code of Conduct. This concludes the process for this Complaint.

If the Behaviour Complaints Committee decides to prepare a Plan, the Committee will first consult with the Respondent in accordance with clause 12(5)* of the Code of Conduct. The Behaviour Complaints Committee will consider any submissions made by the Respondent before preparing and implementing a Plan.

WALGA Note:

**In actioning clause 12(5) of the Code of Conduct, the Respondent may be invited to make an oral submission or provide a written response. If the final decision to implement a Plan is referred to a subsequent meeting of the Committee, the Complaints Assessor or Behavioural Complaints Officer may provide a report attaching the written response and potentially make an associated recommendation as to the effect of a Plan.*

3.13. Compliance with Plan Requirement

The Behaviour Complaints Officer will monitor the actions in timeframes set out in a Plan.

Failure to comply with a requirement included in a Plan is a minor breach under section 5.105(1) of the Act and clause 23 of the Code of Conduct.

The Behaviour Complaints Officer must provide a report advising Council of any failure to comply with a requirement included in a Plan.

4. Decision Making

4.1. Objective and Principles

All decisions made under this Policy will reflect the Policy Objectives and the Principles included in Part 1 of this Policy.

4.2. Dismissal

The Behaviour Complaints Committee must dismiss a Complaint in accordance with clause 13(1)(a) and (b) of the Code of Conduct if it is satisfied that -

- (a) the behaviour to which the Complaint relates occurred at a Council or Committee Meeting; and
- (b) either —
 - (i) the behaviour was dealt with by the person presiding at the meeting; or
 - (ii) the Respondent has taken remedial action in accordance with the <<Shire/ Town / City of XXX>> <Meeting Procedures/Standing Orders Local Law YYYY>.

4.3. Finding

A Finding that the alleged breach has occurred must be based on evidence from which it may be concluded that it is more likely that the breach occurred than that it did not occur [*clause 12(3) of the Code of Conduct*].

This may involve first considering whether the behaviour occurred, on the balance of probabilities, and then whether that behaviour constituted a breach of a requirement of Division 3 of the Code of Conduct.

4.4. Action

In deciding whether to take no further action, or prepare and implement a Plan, the Complaints Committee may consider:

- the nature and seriousness of the breach(es);
- the Respondent's submission in relation to the contravention;
- whether the Respondent has breached the Code of Conduct knowingly or carelessly;

(Appendix ORD: 12.4.1D)

- whether the Respondent has breached the Code of Conduct on previous occasions;
- likelihood or not of the Respondent committing further breaches of the Code of Conduct;
- personal circumstances at the time of conduct;
- need to protect the public through general deterrence and maintain public confidence in Local Government; and
- any other matters which may be regarded as contributing to or the conduct or mitigating its seriousness.

4.5. Plan Requirements

The Proposed Plan may include requirements for the Respondent to do one (1) or more of the following:

- engage in mediation;
- undertake counselling;
- undertake training;
- take other action the Complaints Committee considers appropriate (e.g. an apology).

The Proposed Plan should be designed to provide the Respondent with the opportunity and support to demonstrate the professional and ethical behaviour expected of elected representatives expressed in the Code of Conduct.

The Proposed Plan may also outline:

- the actions to be taken to address the behaviour(s);
- who is responsible for the actions;
- any assistance the Local Government will provide to assist achieve the intent of the Plan; and
- a reasonable timeframe for the Plan action(s) to be addressed by the Respondent.

WALGA Note:

Local Governments have broad discretion in deciding whether to take no further action or prepare and implement a Plan. Local Governments may wish to modify this Part to reflect Council's position on when it may be appropriate to impose a Plan, and the requirements that may be included.

The Local Government will be responsible for the cost of the Plan requirements. Local Governments may wish to consider how any activities will be arranged, booked and paid for. Local Governments may choose to specify that the administrative arrangements will be managed, for example in accordance with their Continuing Professional Development Policy.

(Appendix ORD: 12.4.1D)

Document Control Box							
Document Responsibilities:							
Owner:	[insert Position Title]	Owner Business Unit:	[insert Unit Title]				
Reviewer:	[insert Position Title]	Decision Maker:	Council				
Compliance Requirements:							
Legislation:	Local Government Act 1995 Local Government (Model Code of Conduct) Regulations 2021						
Other:							
Organisational:							
Document Management:							
Risk Rating:	[low / med / high]	Review Frequency:	[annaul / biennial / triennial]	Next Due:	[20##]	Records Ref:	[CP####]
Version #	Decision Reference:	Synopsis:					
1.	[decision date / TRIM Ref]	[brief description of the adoption / changes approved]					
2.							

WALGA Template

Behaviour Complaints Committee

Terms of Reference

WALGA Note:

This Template is to be read in conjunction with WALGA's Policy Development Framework – Code of Conduct Behaviour Complaint Policy.

The WALGA Template – Behaviour Complaints Committee Terms of Reference has been developed with the intention of providing Local Governments with a decision-making mechanism that minimises the potential for conflicts of interest and apprehended bias. This is proposed to be achieved by establishing a Committee of Council, with delegated authority, to manage complaints received under Division 3 of the Local Government's adopted Code of Conduct.

When developing a Behaviour Complaints Committee Terms of Reference, please consider:

- *The guidance and advice included in the WALGA Policy Development Framework for Code of Conduct Behaviour Complaint Management Policy and the subsequent Policy proposed for adoption by your Local Government.*
- *The WALGA Template Delegation for Behaviour Complaints Committee and the subsequent delegation proposed for adoption by your Local Government.*

The Behaviour Complaints Committee Terms of Reference should be developed to be consistent with the protocols specified by each Local Government in its Code of Conduct Behaviour Complaint Management Policy and any delegated authority to the Behaviour Complaints Committee.

Please contact WALGA Governance for further advice and guidance on implementing a Behaviour Complaints Committee – governance@walga.asn.au or call 9213 2514.

Policy Title: Behaviour Complaints Committee Terms of Reference

Policy Objective

To establish Terms of Reference for the Behaviour Complaints Committee of the [insert LG name].

Policy Scope

This Policy applies exclusively to the [insert LG name]'s Behaviour Complaints Committee.

Committee Function

The Behaviour Complaints Committee is a Committee of Council established in accordance with s.5.8 of the *Local Government Act 1995* (the Act) for the purpose of dealing with Behaviour Complaints made under Division 3 of the [insert LG name]'s Code of Conduct for Council Members, Committee Members and Candidates (Code of Conduct).

The extent of authority provided to the Behaviour Complaints Committee is specified in the relevant Delegated Authority, and includes:

- Dismissing a behaviour complaint in accordance with clause 13 of the Code of Conduct and providing reasons for any such dismissal.
- Making a Finding as to whether an alleged complaint has or has not occurred, based upon evidence from which it may be concluded that it is more likely that the breach occurred than it did not occur *[clause 12(3) of the Code of Conduct]*.
- Determining reasons for such a Finding.
- Where a Finding is made that a breach has occurred, determining:
 - To take no further action; or
 - Prepare and implement a plan to address the behaviour of the person to whom the complaint relates.

The extent of authority of the Behaviour Complaints Committee is limited by Condition of the Delegated Authority.

Membership

The Complaints Committee is a Committee of Council Members only in accordance with s.5.9(2)(a) of the Act.

Membership of the Behaviour Complaints Committee will comprise of **[min of 3 members - s.5.8]** Council Members, appointed by Council in accordance with s.5.10 of the Act.

In addition, at least **[insert number]** Council Members will be appointed as Deputy Committee Members in accordance with s.5.11A of the Act.

(Appendix ORD: 12.4.1D)

The Delegated Authority Condition prescribes that if an appointed Committee Member is identified in the Complaint as either the Complainant or the Respondent, they are to recuse themselves from the Committee's Function by providing an apology. They are to be replaced for the duration of the handling of the subject Complaint by a Deputy Committee Member, selected by the Presiding Member of the Committee.

Meeting Schedule

Meetings are to be scheduled as required by the CEO or Behaviour Complaints Officer in consultation with the Committee Presiding Member.

Delegated Authority

The Behaviour Complaints Committee will act under Delegated Authority in accordance with s.5.16 of the Act. The delegation is recorded in the <<Shire/ Town / City of XXX>> Register of Delegations.

It is a Condition of Delegated Authority that the Behaviour Complaints Committee will be unable to exercise delegated authority if the Complainant or Respondent attend as a Complaints Committee Member.

Committee Governance

Complaints Behaviour Committee meetings are required to:

- be called and convened by the CEO, as required, in consultation with the Committee's Presiding Member;
- include public question time *[Admin.r.5]*
- make the Committee Notice Papers and Agenda publicly available *[s.5.94(p), s.5.96A(f)]*, with the exception of agenda content that relates to that part of the meeting which will be closed to members of the public under s.5.23(2) *[Admin.r.14]*; and
- make Committee minutes publicly available *[s.5.94(n), s.5.96A(h)]*, with the exception of Minutes content that relates to that part of the meeting which was closed to the public or was determined as confidential under s.5.23(2).

(Appendix ORD: 12.4.1D)

Document Control Box							
Document Responsibilities:							
Owner:	[insert Position Title]	Owner Business Unit:	[insert Unit Title]				
Reviewer:	[insert Position Title]	Decision Maker:	Council				
Compliance Requirements:							
Legislation:	Local Government Act 1995 Local Government (Model Code of Conduct) Regulations 2021						
Other:							
Organisational:	Council Policy XXX Code of Conduct Behaviour Complaints Management Delegated Authority XXX Behaviour Complaints Committee						
Document Management:							
Risk Rating:	[low / med / high]	Review Frequency:	[annaul / biennial / triennial]	Next Due:	[20##]	Records Ref:	[CP####]
Version #	Decision Reference:	Synopsis:					
1.	[decision date / TRIM Ref]	[brief description of the adoption / changes approved]					
2.							

WALGA Template

Behaviour Complaint Form

Division 3 of the Code of Conduct for Council Members, Committee Members and Candidates

WALGA Note: WALGA provides this template to assist Local Governments develop and adopt a Behaviour Complaint Form. This template aligns with the WALGA Development Framework 'Code of Conduct Behaviour Complaints Policy'.

Using this Template: Local Governments that have already resolved to approve a Complaint Form will need to make a new decision to approve a revised Complaint Form based on this template. The decision should clearly identify that this replaces the previously approved version. Local Governments should take reasonable steps to remove outdated forms from circulation.

Before using this template, be mindful that all WALGA branding is to be substituted with your Local Government's branding and details as [highlighted] throughout. If publishing the Complaint form online, consider inserting hyperlinks to relevant documents and options for providing the form for online submission without need for complainants to print, sign and send.

(Appendix ORD: 12.4.1D)

Instructions for: Making a complaint about an alleged breach of the [insert LG name] Code of Conduct for Council Members, Committee Members and Candidates

Behaviour Complaint

Please read the [insert LG name]'s Code of Conduct Behaviour Complaints Policy on our website [insert hyperlink] before submitting a complaint. This Policy details:

- How the [insert LG name] will process and determine a Behaviour Complaint; and
- How confidentiality of the complaint will be handled.

To make a valid **Behaviour Complaint**:

-
- The allegation must relate to a breach of the behaviour standards in Division 3 of the [insert LG name]'s Code of Conduct for Council Members, Committee Members and Candidates.
-
- Complete all sections of the Behaviour Complaint Form attached, including any additional information that will support assessment of the complaint. *The Behaviour Complaints Officer may contact you to clarify or ask for more information.*
-
- The completed Behaviour Complaint Form **MUST** be lodged with the [insert LG name] Behaviour Complaints Officer within one (1) month of the alleged behaviour breach.
-

Rules of Conduct Complaint

A **Rules of Conduct Complaint** refers to a breach of the Rules of Conduct outlined in Division 4 of the [insert LG name]'s Code of Conduct for Council Members and Candidates, including Council Members when acting as a Committee Member. This type of complaint is determined by the Local Government Standards Panel, administered through the Department of Local Government, Sport and Cultural Industries. Further information about Rules of Conduct Complaints may be obtained from:

- Department of Local Government, Sport and Cultural Industries: (08) 6552 7300 or www.dlgsc.wa.gov.au; OR
- The [insert LG name]'s Rules of Conduct Complaints Officer: (08) XXXX XXXX or [insert email address]

Need Advice?

If you require advice in making a Behaviour Complaint, please contact the [insert LG name]'s Behaviour Complaints Officer on (08) XXXX XXXX or by email [insert email address]

(Appendix ORD: 12.4.1D)

Behaviour Complaint Form

[insert LG name] Code of Conduct for Council Members, Committee Members and Candidates

Name of Person Making the Complaint				
Complainant Name: <i>Given Name/s and Family Name</i>				
Contact Details				
Residential Address:				
Postal Address:				
Phone:	Day-time:		Mobile:	
Email:				

Complaint Details:			
1.	Insert Name of Person alleged to have committed a behavior breach:		
2.	Select the position that the person was fulfilling at the time the person committed the alleged behaviour breach:	Council Member of the [insert LG name]	<input type="checkbox"/>
		Member of a Committee of the [insert LG name]	<input type="checkbox"/>
		Candidate for election at the [insert LG name]	<input type="checkbox"/>
3.	Date that the alleged behaviour breach occurred:		
4.	Location where the alleged behaviour breach occurred:		

(Appendix ORD: 12.4.1D)

5.	Which of the behaviours prescribed in Division 3 of the [insert LG name]'s Code of Conduct do you allege this person has breached?	
Clause 8. Personal integrity		
(1) A council member, committee member or candidate —		
(a)	must ensure that their use of social media and other forms of communication complies with this code; and	<input type="checkbox"/>
(b)	must only publish material that is factually correct	<input type="checkbox"/>
(2) A council member or committee member —		
(a)	must not be impaired by alcohol or drugs in the performance of their official duties; and	<input type="checkbox"/>
(b)	must comply with all policies, procedures and resolutions of the local government.	<input type="checkbox"/>
Clause 9. Relationship with others		
A council member, committee member or candidate —		
(a)	must not bully or harass another person in any way; and	<input type="checkbox"/>
(b)	must deal with the media in a positive and appropriate manner and in accordance with any relevant policy of the local government; and	<input type="checkbox"/>
(c)	must not use offensive or derogatory language when referring to another person; and	<input type="checkbox"/>
(d)	must not disparage the character of another council member, committee member or candidate or a local government employee in connection with the performance of their official duties; and	<input type="checkbox"/>
(e)	must not impute dishonest or unethical motives to another council member, committee member or candidate or a local government employee in connection with the performance of their official duties.	<input type="checkbox"/>
Clause 10. Council or committee meetings		
When attending a council or committee meeting, a council member, committee member or candidate —		
(a)	must not act in an abusive or threatening manner towards another person; and	<input type="checkbox"/>
(b)	must not make a statement that the member or candidate knows, or could reasonably be expected to know, is false or misleading; and	<input type="checkbox"/>
(c)	must not repeatedly disrupt the meeting; and	<input type="checkbox"/>
(d)	must comply with any requirements of a local law of the local government relating to the procedures and conduct of council or committee meetings; and	<input type="checkbox"/>
(e)	must comply with any direction given by the person presiding at the meeting; and	<input type="checkbox"/>
(f)	must immediately cease to engage in any conduct that has been ruled out of order by the person presiding at the meeting.	<input type="checkbox"/>

(Appendix ORD: 12.4.1D)

6.	State the full details of the alleged breach.

7	List any additional information you have provided as part of this complaint: <i>Please ensure all information relevant to the alleged breach has been attached. This information will be the basis on which the complaint is considered.</i>

9	Have you made any efforts to resolve the complaint with the Respondent? <i>Please note, you MUST complete this section</i>	
YES	<input type="checkbox"/>	<i>If yes, please describe the efforts that you have made.</i>
NO	<input type="checkbox"/>	<i>If no, please include a brief statement explaining why you have not made any efforts to resolve the issue with the person complained about.</i>

(Appendix ORD: 12.4.1D)

10	<p>The [insert LG name] has a policy that the Complainant and the Respondent be offered the opportunity to participate in an Alternative Dispute Resolution process, that if agreed to by BOTH parties, will be undertaken before the complaint is dealt with.</p> <p>The objective is to support both parties to reach a mutually satisfactory outcome that resolves the issues and restores the relationship between them. An outcome may be that as the Complainant, you will have absolute discretion to withdraw or continue with this Complaint.</p> <p>Please contact the Behaviour Complaints Officer if you would like more information.</p>		
Would you agree to participate in an Alternative Dispute Resolution process?		YES	<input type="checkbox"/>
		NO	<input type="checkbox"/>

11	<p>Desired outcome of the Complaint</p> <p>Please explain what you would like to happen as a result of lodging this complaint, including the opportunity to participate in Alternative Dispute Resolution.</p>

COMPLAINANT <i>please sign and date</i>	
Signature:	
Date:	

Please submit completed Behaviour Complaint to:

The **[insert Local Government name]**'s Behaviour Complaints Officer:

Mailing Address: **[insert mailing address]**

In person: **[insert LG office address]**

OFFICE USE ONLY: <i>Received by the Council appointed Behaviour Complaints Officer</i>	
Authorised Officer's Name:	
Authorised Officer's Signature:	
Date received:	

(Appendix ORD: 12.4.2A)

RISK ASSESSMENT TOOL								
OVERALL RISK EVENT: Advisory Groups Terms of Reference Review								
RISK THEME PROFILE:								
4 - Document Management Processes								
3 - Failure to Fulfil Compliance Requirements (Statutory, Regulatory)								
RISK ASSESSMENT CONTEXT: Strategic								
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.
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.
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.
LEGAL AND COMPLIANCE	Non-compliance with meeting procedures could lead to penalties being imposed on the Shire.	Moderate (3)	Rare (1)	Low (1 - 4)	Not required.	Not required.	Not required.	Not required.
REPUTATIONAL	Non-compliance will impact on the Shires business reputation.	Moderate (3)	Rare (1)	Low (1 - 4)	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.

BUREKUP ADVISORY GROUP

INSTRUMENT OF APPOINTMENT & TERMS OF REFERENCE

2021

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1 AIMS

The Burekup Advisory Group aims to provide advice on the development of the, **facilities, activities, character, technology and services** within Burekup and the surrounding area, through initiatives, policies and processes that deliver on the Shire of Dardanup Strategic Community Plan.

2 OBJECTIVES

The Objectives of the Advisory Group are to:

- 2.1 Provide a means of participation and communication between the community of Burekup, the surrounding areas and the Shire of Dardanup.
- 2.2 Act in an advisory capacity on matters relating to the facilities, activities, character, technology, and services within Burekup and the surrounding area, with a specific focus on:
 - Developing a distinctive place that is based on identity and connected with the community;
 - Coordinating community priorities, with regards to community facilities;
 - Activating facilities, parks and local areas to support community connection and provide safe spaces; and
 - Working with partners and the community to identify and address service gaps.
- 2.3 Provide advice and make recommendations relating to:
 - The formulation of a community and Council vision for Burekup; and
 - The development and implementation of relevant initiatives and programs, and where possible grant applications.

3 MEMBERSHIP

- 3.1 The term of appointment for membership will be a period of two (2) years.
- 3.2 *Community Representation:* Membership will be sought from the Shire of Dardanup Community. A maximum of twelve (12) community representatives will be appointed.
- 3.3 *Elected Members:* Council will nominate three (3) Elected Members to the Burekup Advisory Group. All other Elected Members will be notified of all meetings and may attend Group meetings at will, but are not entitled to vote on matters.
- 3.4 *Shire Officers:* The Chief Executive Officer shall appoint an officer to manage the Advisory Group. In normal circumstances this is the **Director Infrastructure**. Shire staff attending the Advisory Group will table papers for discussion and participate in the discussion. Shire Officers are not members of the Advisory Group and shall not vote.
- 3.5 *Chair and Deputy Chair:* One of the elected Members will be appointed by Council as the Chair and another as the Deputy Chair of the Advisory Group. The Chairperson shall ensure that the Advisory Group operates in accordance with the Terms of Reference at all times.

(Appendix ORD: 12.4.2B)

- 3.6 *Advisory Group Support:* The relevant Director will arrange for administrative support. Such support will include the preparation and distribution of the agenda, notice of meetings, and recording and distribution of meeting notes. The Advisory Group secretariat is also responsible for arranging the meeting venue, refreshments and coordinating any presentations.
- 3.7 *Specialist Advice:* Individuals and groups may be invited to attend Advisory Group meetings to provide specialist advice. They must not be involved in the decision making process and cannot vote on any issue.

4 MEETINGS

- 4.1 Advisory Groups will meet at least bi-annually, with a minimum of 2 meetings per year, dates to be resolved by Council. Extraordinary meetings may be called by the Chair in consultation with the relevant Director or Chief Executive Officer.
- 4.2 As there are no powers or duty delegated to the Advisory Group the meetings are not open to the public.
- 4.3 Notice of meetings including an agenda shall be given to members at least **5 days** prior to each meeting.
- 4.4 The Director shall ensure that detailed meeting notes of all meetings are kept and shall, not later than **5 days** after each meeting, provide the members with a copy of such meeting notes.
- 4.5 All members of the Advisory Group shall have one vote. If the vote of the members present are equally divided, the Chairperson is to cast a second vote.
- 4.6 Advisory Group members may list matters for consideration by tabling matters at least ten **(10) days** prior to the next meeting with the relevant Director. The Director will be responsible for preparing the Advisory Group Agenda, researching and reporting on those matters tabled for discussion. It is at the discretion of the Chief Executive Officer as to whether a matter will be included in the Agenda.
- 4.7 Meeting notes will form a record for the Shire of Dardanup, but will not require endorsement by Council. Matters requiring Council consideration will be subject to a separate specific report to be prepared by the appropriate Officer and taken to the next Council meeting. The meeting notes will be presented to Council through the Information Bulletin and also made available on the Shire's website.

5 QUORUM

- 5.1 Quorum for a meeting shall be at least 50% of the number of offices, whether vacant or not.

6 DELEGATIONS

- 6.1 The Advisory Group performs an advisory function and does not have any delegated authority.

7 CONFLICTS OF INTEREST

- 7.1 All members need to be aware that any conflict of interest needs to be disclosed in writing, to ensure probity is maintained at all times. All previous disclosures of interest will remain listed in the Agenda and will be acknowledged at the start of a meeting, thereby negating to disclose it in writing again.
- 7.2 If a Member discloses a financial or proximity interest in a matter under consideration by the Group, the member should disclose the nature of their interest, and also the extent of that interest.
- 7.3 If a Member discloses a financial or proximity interest in a matter under consideration by the Group and wishes to remain and participate in the meeting, the Member is to inform the Chairperson that the Member intends to remain and participate in the meeting.
- 7.4 The meeting notes shall record the members' disclosure of interests and the extent of the interests. They shall also record the times a Disclosing Member has departed and/or re-entered the meeting and/or is absent from the meeting during the item of interest, or whether they remained and participated in the meeting when considering the matter to which an interest was declared.
- 7.5 If a member is unsure whether they have an interest in a matter, they are encouraged to raise the issue with the relevant Director in attendance at the meeting.

8 CONFIDENTIALITY AND PRIVACY

- 8.1 Members of the Advisory Group may have exposure to confidential or personal information and if so they are required to maintain the security of any confidential information and not access, use or remove any information, unless the member is authorised to do so.
- 8.2 Members of the Advisory Group will be advised when matters are deemed Confidential by the Chair. Documents provided at the meeting will be identified as Confidential and all confidential documents will be returned to the Chair following the meeting.
- 8.3 Should a member become aware of any unauthorised release or misuse of confidential or personal information, they are advised to contact the relevant Director.
- 8.4 Should a breach of Confidentiality be made by an Advisory Group member, the Chief Executive Officer will remove the respective member from the Advisory Group.
- 8.5 Members are not to speak to the media in their capacity as Advisory Group Members and any comments on social media are to be in their personal capacity and not in their capacity as an Advisory Group Member.

9 CODE OF CONDUCT

- 9.1 The relevant Shire of Dardanup Code of Conduct applies to members of the Advisory Group and shall be adhered to during meetings and interactions with Elected Members, staff and the community when acting in the capacity of an Advisory Group member.

COMMUNITY ADVISORY GROUP

INSTRUMENT OF APPOINTMENT
&
TERMS OF REFERENCE

2021

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1 AIMS

The Community Advisory Group aims to provide advice on developing and implementing community and cultural programmes, events and services in the Shire of Dardanup through initiatives, policies and processes that deliver the Shire of Dardanup Strategic Community Plan.

2 OBJECTIVES

The Objectives of the Advisory Group are to:

2.1 Act in an advisory capacity on matters relating to community and cultural services, with specific focus on:

- Events and Festivals;
- Community Programmes;
- Aged and Health Care Services;
- Art programmes:
 - Performing Art
 - Public Art
 - Events
- Youth Programmes
- Community Safety and Neighbourhood Watch

2.2 Provide advice and make recommendations relating to:

2.2.1 The formulation of a community and Council vision with regards to community services and culture; and

2.2.2 The development and implementation of relevant initiatives and programs.

3 MEMBERSHIP

3.1 The term of appointment for membership will be a period of two (2) years.

3.2 Community Representation: Membership will be sought from the Shire of Dardanup Community. A maximum of six (6) community representatives will be appointed from across the Shire with one (1) representative from the Artisans community to make up this number.

3.3 Participating Organisational Representation: Membership will be sought from the following Organisations:

- Bunbury Repertory Club
- Eaton Foreshore Festival Committee
- Bull and Barrel Festival Committee
- Bethanies Aged Care
- St. John of Gods Hospital
- Neighbourhood Watch
- Ferguson Valley Marketing
- Eaton Community College

- Eaton Senior Citizens
- Dardanup Senior Citizens
- Eaton & Millbridge Lions Club
- Dardanup Lions Club

- 3.4 Elected Members: Council will nominate three (3) Elected Members to the Community Advisory Group. All other Elected Members will be notified of all meetings and may attend Advisory Group meetings at will, but are not entitled to vote on matters.
- 3.5 Shire Officers: The Chief Executive Officer shall appoint an officer to manage the Advisory Group. In normal circumstances this is the Director Sustainable Development. Shire staff attending the Advisory Group will table papers for discussion and participate in the discussion. Shire Officers are not members of the Advisory Group and shall not vote.
- 3.6 Chair and Deputy Chair: One of the elected Members will be appointed by Council as the Chair and another as the Deputy Chair of the Advisory Group. The Chairperson shall ensure that the Advisory Group operates in accordance with the Terms of Reference at all times.
- 3.7 Advisory Group Support: The relevant Director will arrange for administrative support. Such support will include the preparation and distribution of the agenda, notice of meetings, and recording and distribution of meeting notes. The Advisory Group secretariat is also responsible for arranging the meeting venue, refreshments and coordinating any presentations.
- 3.8 Specialist Advice: Individuals and groups may be invited to attend Advisory Group meetings to provide specialist advice. They must not be involved in the decision making process and cannot vote on any issue.

4 MEETINGS

- 4.1 Advisory Groups will meet at least bi-annually, with a minimum of 2 meetings per year, dates to be resolved by Council. Extraordinary meetings may be called by the Chair in consultation with the relevant Director or Chief Executive Officer.
- 4.2 As there are no powers or duty delegated to the Advisory Group the meetings are not open to the public.
- 4.3 Notice of meetings including an agenda shall be given to members at least 5 days prior to each meeting.
- 4.4 The Director shall ensure that detailed meeting notes of all meetings are kept and shall, not later than 5 days after each meeting, provide the members with a copy of such meeting notes.
- 4.5 All members of the Advisory Group shall have one vote. If the vote of the members present are equally divided, the Chairperson is to cast a second vote.
- 4.6 Advisory Group members may list matters for consideration by tabling matters at least ten (10) days prior to the next meeting with the relevant Director. The Director will be responsible for preparing the Advisory Group Agenda, researching and reporting on those

matters tabled for discussion. It is at the discretion of the Chief Executive Officer as to whether a matter will be included in the Agenda.

- 4.7 Meeting notes will form a record for the Shire of Dardanup, but will not require endorsement by Council. Matters requiring Council consideration will be subject to a separate specific report to be prepared by the appropriate Officer and taken to the next Council meeting. The meeting notes will be presented to Council through the Information Bulletin.

5 QUORUM

- 5.1 Quorum for a meeting shall be at least 50% of the number of offices, whether vacant or not.

6 DELEGATIONS

- 6.1 The Advisory Group performs an advisory function and does not have any delegated authority.


7 CONFLICTS OF INTEREST

- 7.1 All members need to be aware that any conflict of interest needs to be disclosed in writing, to ensure probity is maintained at all times. All previous disclosures of interest will remain listed in the Agenda and will be acknowledged at the start of a meeting, thereby negating to disclose it in writing again.
- 7.2 If a Member discloses a financial or proximity interest in a matter under consideration by the Group, the member should disclose the nature of their interest, and also the extent of that interest.
- 7.3 If a Member discloses a financial or proximity interest in a matter under consideration by the Group and wishes to remain and participate in the meeting, the Member is to inform the Chairperson that the Member intends to remain and participate in the meeting.
- 7.4 The meeting notes shall record the members' disclosure of interests and the extent of the interests. They shall also record the times a Disclosing Member has departed and/or re-entered the meeting and/or is absent from the meeting during the item of interest, or whether they remained and participated in the meeting when considering the matter to which an interest was declared.
- 7.5 If a member is unsure whether they have an interest in a matter, they are encouraged to raise the issue with the relevant Director in attendance at the meeting.

8 CONFIDENTIALITY AND PRIVACY

- 8.1 Members of the Advisory Group may have exposure to confidential or personal information and if so they are required to maintain the security of any confidential information and not access, use or remove any information, unless the member is authorised to do so.

- 8.2 At the first meeting of the Advisory Group, a Confidential Agreement will be provided to members for their review and execution.
- 8.3 Members of the Advisory Group will be advised when matters are deemed Confidential by the Chair. Documents provided at the meeting will be identified as Confidential and all confidential documents will be returned to the Chair following the meeting.
- 8.4 Should a member become aware of any unauthorised release or misuse of confidential or personal information, they are advised to contact the relevant Director.
- 8.5 Should a breach of Confidentiality be made by an Advisory Group member, the Chief Executive Officer will remove the respective member from the Advisory Group.
- 8.6 Members are not to speak to the media in their capacity as Advisory Group Members and any comments on social media are to be in their personal capacity and not in their capacity as an Advisory Group Member.
- 9 CODE OF CONDUCT
- 9.1 The relevant Shire of Dardanup Code of Conduct applies to members of the Advisory Group and shall be adhered to during meetings and interactions with Elected Members, staff and the community when acting in the capacity of an Advisory Group member.

A large, thick, green decorative graphic that starts as a wavy line on the left and curves into a large, stylized 'S' or 'Z' shape on the right side of the page.

DARDANUP ADVISORY GROUP

**INSTRUMENT OF APPOINTMENT
&
TERMS OF REFERENCE**

2021

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1 AIMS

The Dardanup Advisory Group aims to provide advice on the development of the **facilities, activities, character, technology and services** within Dardanup and the surrounding area, through initiatives, policies and processes that deliver on the Shire of Dardanup Strategic Community Plan.

2 OBJECTIVES

The Objectives of the Advisory Group are to:

- 2.1 Provide a means of participation and communication between the community of Dardanup, the surrounding areas and the Shire of Dardanup.
- 2.2 Act in an advisory capacity on matters relating to the facilities, activities, character, technology and services within Dardanup and the surrounding area, with a specific focus on:
 - Developing a distinctive place that is based on identity and connected with the community;
 - Coordinating community priorities, with regards to community facilities;
 - Activating facilities, parks and local areas to support community connection and provide safe spaces; and
 - Working with partners and the community to identify and address service gaps.
- 2.3 Provide advice and make recommendations relating to:
 - The formulation of a community and Council vision for Dardanup; and
 - The development and implementation of relevant initiatives and programs, and where possible grant applications.

3 MEMBERSHIP

- 3.1 The term of appointment for membership will be a period of two (2) years.
- 3.2 *Community Representation:* Membership will be sought from the Shire of Dardanup Community. A maximum of twelve (12) community representatives will be appointed.
- 3.3 *Elected Members:* Council will nominate three (3) Elected Members to the Dardanup Advisory Group. All other Elected Members will be notified of all meetings and may attend Group meetings at will, but are not entitled to vote on matters.
- 3.4 *Shire Officers:* The Chief Executive Officer shall appoint an officer to manage the Advisory Group. In normal circumstances this is the **Director Infrastructure**. Shire staff attending the Advisory Group will table papers for discussion and participate in the discussion. Shire Officers are not members of the Advisory Group and shall not vote.
- 3.5 *Chair and Deputy Chair:* One of the elected Members will be appointed by Council as the Chair and another as the Deputy Chair of the Advisory Group. The Chairperson shall ensure that the Advisory Group operates in accordance with the Terms of Reference at all times.

(Appendix ORD: 12.4.2B)

- 3.6 *Advisory Group Support:* The relevant Director will arrange for administrative support. Such support will include the preparation and distribution of the agenda, notice of meetings, and recording and distribution of meeting notes. The Advisory Group secretariat is also responsible for arranging the meeting venue, refreshments and coordinating any presentations.
- 3.7 *Specialist Advice:* Individuals and groups may be invited to attend Advisory Group meetings to provide specialist advice. They must not be involved in the decision making process and cannot vote on any issue.

4 MEETINGS

- 4.1 Advisory Groups will meet at least bi-annually, with a minimum of 2 meetings per year, dates to be resolved by Council. Extraordinary meetings may be called by the Chair in consultation with the relevant Director or Chief Executive Officer.
- 4.2 As there are no powers or duty delegated to the Advisory Group the meetings are not open to the public.
- 4.3 Notice of meetings including an agenda shall be given to members at least **5 days** prior to each meeting.
- 4.4 The Director shall ensure that detailed meeting notes of all meetings are kept and shall, not later than **5 days** after each meeting, provide the members with a copy of such meeting notes.
- 4.5 All members of the Advisory Group shall have one vote. If the vote of the members present are equally divided, the Chairperson is to cast a second vote.
- 4.6 Advisory Group members may list matters for consideration by tabling matters at least ten **(10) days** prior to the next meeting with the relevant Director. The Director will be responsible for preparing the Advisory Group Agenda, researching and reporting on those matters tabled for discussion. It is at the discretion of the Chief Executive Officer as to whether a matter will be included in the Agenda.
- 4.7 Meeting notes will form a record for the Shire of Dardanup, but will not require endorsement by Council. Matters requiring Council consideration will be subject to a separate specific report to be prepared by the appropriate Officer and taken to the next Council meeting. The meeting notes will be presented to Council through the Information Bulletin and also made available to the Shire's website.

5 QUORUM

- 5.1 Quorum for a meeting shall be at least 50% of the number of offices, whether vacant or not.

6 DELEGATIONS

(Appendix ORD: 12.4.2B)

- 6.1 The Advisory Group performs an advisory function and does not have any delegated authority.

7 CONFLICTS OF INTEREST

- 7.1 All members need to be aware that any conflict of interest needs to be disclosed in writing, to ensure probity is maintained at all times. All previous disclosures of interest will remain listed in the Agenda and will be acknowledged at the start of a meeting, thereby negating to disclose it in writing again.
- 7.2 If a Member discloses a financial or proximity interest in a matter under consideration by the Group, the member should disclose the nature of their interest, and also the extent of that interest.
- 7.3 If a Member discloses a financial or proximity interest in a matter under consideration by the Group and wishes to remain and participate in the meeting, the Member is to inform the Chairperson that the Member intends to remain and participate in the meeting.
- 7.4 The meeting notes shall record the members' disclosure of interests and the extent of the interests. They shall also record the times a Disclosing Member has departed and/or re-entered the meeting and/or is absent from the meeting during the item of interest, or whether they remained and participated in the meeting when considering the matter to which an interest was declared.
- 7.5 If a member is unsure whether they have an interest in a matter, they are encouraged to raise the issue with the relevant Director in attendance at the meeting.

8 CONFIDENTIALITY AND PRIVACY

- 8.1 Members of the Advisory Group may have exposure to confidential or personal information and if so they are required to maintain the security of any confidential information and not access, use or remove any information, unless the member is authorised to do so.
- 8.2 Members of the Advisory Group will be advised when matters are deemed Confidential by the Chair. Documents provided at the meeting will be identified as Confidential and all confidential documents will be returned to the Chair following the meeting.
- 8.3 Should a member become aware of any unauthorised release or misuse of confidential or personal information, they are advised to contact the relevant Director.
- 8.4 Should a breach of Confidentially be made by an Advisory Group member, the Chief Executive Officer will remove the respective member from the Advisory Group.
- 8.5 Members are not to speak to the media in their capacity as Advisory Group Members and any comments on social media are to be in their personal capacity and not in their capacity as an Advisory Group Member.

9 CODE OF CONDUCT

- 9.1 The relevant Shire of Dardanup Code of Conduct applies to members of the Advisory Group and shall be adhered to during meetings and interactions with Elected Members, staff and the community when acting in the capacity of an Advisory Group member.

EATON ADVISORY GROUP

INSTRUMENT OF APPOINTMENT & TERMS OF REFERENCE

2021

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1 AIMS

The Eaton Advisory Group aims to provide advice on the development of the **facilities, activities, character, technology and services** within Eaton and the surrounding area, through initiatives, policies and processes that deliver on the Shire of Dardanup Strategic Community Plan.

2 OBJECTIVES

The Objectives of the Advisory Group are to:

- 2.1 Provide a means of participation and communication between the community of Eaton, surrounding areas and the Shire of Dardanup.
- 2.2 Act in an advisory capacity on matters relating to the facilities, activities, character, technology and services within Eaton and the surrounding area, with a specific focus on:
 - Developing a distinctive place that is based on identity and connected with the community;
 - Coordinating community priorities, with regards to community facilities;
 - Activating facilities, parks and local areas to support community connection and provide safe spaces; and
 - Working with partners and the community to identify and address service gaps.
- 2.3 Provide advice and make recommendations relating to:
 - The formulation of a community and Council vision for Eaton; and
 - The development and implementation of relevant initiatives and programs, and where possible grant applications.

3 MEMBERSHIP

- 3.1 The term of appointment for membership will be a period of two (2) years.
- 3.2 *Community Representation:* Membership will be sought from the Shire of Dardanup Community. A maximum of twelve (12) community representatives will be appointed.
- 3.3 *Elected Members:* Council will nominate three (3) Elected Members to the Eaton Advisory Group. All other Elected Members will be notified of all meetings and may attend Group meetings at will, but are not entitled to vote on matters.
- 3.4 *Shire Officers:* The Chief Executive Officer shall appoint an officer to manage the Advisory Group. In normal circumstances this is the **Director Infrastructure**. Shire staff attending the Advisory Group will table papers for discussion and participate in the discussion. Shire Officers are not members of the Advisory Group and shall not vote.
- 3.5 *Chair and Deputy Chair:* One of the elected Members will be appointed by Council as the Chair and another as the Deputy Chair of the Advisory Group. The Chairperson shall ensure that the Advisory Group operates in accordance with the Terms of Reference at all times.

(Appendix ORD: 12.4.2B)

- 3.6 *Advisory Group Support:* The relevant Director will arrange for administrative support. Such support will include the preparation and distribution of the agenda, notice of meetings, and recording and distribution of meeting notes. The Advisory Group secretariat is also responsible for arranging the meeting venue, refreshments and coordinating any presentations.
- 3.7 *Specialist Advice:* Individuals and groups may be invited to attend Advisory Group meetings to provide specialist advice. They must not be involved in the decision making process and cannot vote on any issue.

4 MEETINGS

- 4.1 Advisory Groups will meet at least bi-annually, with a minimum of 2 meetings per year, dates to be resolved by Council. Extraordinary meetings may be called by the Chair in consultation with the relevant Director or Chief Executive Officer.
- 4.2 As there are no powers or duty delegated to the Advisory Group the meetings are not open to the public.
- 4.3 Notice of meetings including an agenda shall be given to members at least **5 days** prior to each meeting.
- 4.4 The Chairperson shall ensure that detailed meeting notes of all meetings are kept and shall, not later than **5 days** after each meeting, provide the members with a copy of such meeting notes.
- 4.5 All members of the Advisory Group shall have one vote. If the vote of the members present are equally divided, the Chairperson is to cast a second vote.
- 4.6 Advisory Group members may list matters for consideration by tabling matters at least ten **(10) days** prior to the next meeting with the relevant Director. The Director will be responsible for preparing the Advisory Group Agenda, researching and reporting on those matters tabled for discussion. It is at the discretion of the Chief Executive Officer as to whether a matter will be included in the Agenda.
- 4.7 Meeting notes will form a record for the Shire of Dardanup, but will not require endorsement by Council. Matters requiring Council consideration will be subject to a separate specific report to be prepared by the appropriate Officer and taken to the next Council meeting. The meeting notes will be presented to Council through the Information Bulletin and also be made available on the Shire's website.

5 QUORUM

Quorum for a meeting shall be at least 50% of the number of offices, whether vacant or not. A decision of the Advisory Group will be made by a show of hands.

6 DELEGATIONS

- 6.1 The Advisory Group performs an advisory function and does not have any delegated authority.

7 CONFLICTS OF INTEREST

- 7.1 All members need to be aware that any conflict of interest needs to be disclosed in writing, to ensure probity is maintained at all times. All previous disclosures of interest will remain listed in the Agenda and will be acknowledged at the start of a meeting, thereby negating to disclose it in writing again.
- 7.2 If a Member discloses a financial or proximity interest in a matter under consideration by the Group, the member should disclose the nature of their interest, and also the extent of that interest.
- 7.3 If a Member discloses a financial or proximity interest in a matter under consideration by the Group and wishes to remain and participate in the meeting, the Member is to inform the Chairperson that the Member intends to remain and participate in the meeting.
- 7.4 The meeting notes shall record the members' disclosure of interests and the extent of the interests. They shall also record the times a Disclosing Member has departed and/or re-entered the meeting and/or is absent from the meeting during the item of interest, or whether they remained and participated in the meeting when considering the matter to which an interest was declared.
- 7.5 If a member is unsure whether they have an interest in a matter, they are encouraged to raise the issue with the relevant Director in attendance at the meeting.

8 CONFIDENTIALITY AND PRIVACY

- 8.1 Members of the Advisory Group may have exposure to confidential or personal information and if so they are required to maintain the security of any confidential information and not access, use or remove any information, unless the member is authorised to do so.
- 8.2 Members of the Advisory Group will be advised when matters are deemed Confidential by the Chair. Documents provided at the meeting will be identified as Confidential and all confidential documents will be returned to the Chair following the meeting.
- 8.3 Should a member become aware of any unauthorised release or misuse of confidential or personal information, they are advised to contact the relevant Director.
- 8.4 Should a breach of Confidentiality be made by an Advisory Group member, the Chief Executive Officer will remove the respective member from the Advisory Group.
- 8.5 Members are not to speak to the media in their capacity as Advisory Group Members and any comments on social media are to be in their personal capacity and not in their capacity as an Advisory Group Member.

9 CODE OF CONDUCT

- 9.1 The relevant Shire of Dardanup Code of Conduct applies to members of the Advisory Group and shall be adhered to during meetings and interactions with Elected Members, staff and the community when acting in the capacity of an Advisory Group member.

**ECONOMIC AND DEVELOPMENT
ADVISORY GROUP**

**INSTRUMENT OF APPOINTMENT
&
TERMS OF REFERENCE**

2021

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1 AIMS

The Economic and Development Advisory Group aims to provide advice on economic development within the Shire of Dardanup through initiatives, policies and processes that deliver the Shire of Dardanup Strategic Community Plan.

2 OBJECTIVES

The Objectives of the Advisory Group are to:

- 2.1 Provide a forum for the Shire to engage with the business community in order to enhance investment, employment and economic prosperity in the Shire of Dardanup.
- 2.2 Act in an advisory capacity on matters relating to economic development, tourism and promotion of the Shire of Dardanup, with specific focus on:
 - Development, implementation and review of the Shire's Economic Development Plan;
 - Opportunities to improve the Shire's policies, practices and processes to make it easier for businesses to interact with the Shire;
 - Partnerships and relationships that can enhance economic development, tourism and promotion within the region;
 - Fostering support, collaboration and networking among businesses in the region;
 - Opportunities to capitalise on, connect and support diversity and growth in local employment, the local economy and training and development in the region; and
 - Opportunities to attract, retain and grow local independent business, including retail, in Town Centres and other activity centres within the area.

- 2.3 Provide advice and make recommendations relating to:

The formulation of a community and Council vision with regards to economic development;
and

The development and implementation of relevant initiatives and programs.

3 MEMBERSHIP

- 3.1 The term of appointment for membership will be a period of two (2) years.
- 3.2 *Community Representation:* Economic Development Forums may be hosted that will be open to the Community at large. This may include a business breakfast, sundowners or similar event where guest speakers will be invited to present to the forum.
- 3.3 *Participating Organisational Representation:* Membership will be sought from the following Organisations:
 - Bunbury Geographe Economic Alliance
 - Bunbury Chamber of Commerce
 - South West Development Commission
 - Regional Development Australia

- Bunbury Geographe Tourism Partnership
- South West Timber Hub
- Ferguson Valley Marketing
- Edith Cowan University
- South West TAFE
- Department of Primary Industries and Regional Development
- Department of Jobs, Tourism, Science and Innovation
- Eaton Community College

- 3.4 *Elected Members:* Council will nominate three (3) Elected Members to the Economic & Development Advisory Group. All other Elected Members will be notified of all meetings and may attend Group meetings at will, but are not entitled to vote on matters.
- 3.5 *Shire Officers:* The Chief Executive Officer shall manage the Advisory Group. Shire staff attending the Advisory Group will table papers for discussion and participate in the discussion. Shire Officers are not members of the Advisory Group and shall not vote.
- 3.6 *Chair and Deputy Chair:* One of the elected Members will be appointed by Council as the Chair and another as the Deputy Chair of the Advisory Group. The Chairperson shall ensure that the Advisory Group operates in accordance with the Terms of Reference at all times.
- 3.7 *Advisory Group Support:* The Chief Executive Officer will arrange for administrative support. Such support will include the preparation and distribution of the agenda, notice of meetings, and recording and distribution of minutes. The Advisory Group secretariat is also responsible for arranging the meeting venue, refreshments and coordinating any presentations.
- 3.8 *Specialist Advice:* Individuals and groups may be invited to attend Advisory Group meetings to provide specialist advice. They must not be involved in the decision making process and cannot vote on any issue.

4 MEETINGS

- 4.1 Advisory Groups will meet at least bi-annually, with a minimum of 2 meetings per year, dates to be resolved by Council. Extraordinary meetings may be called by the Chair in consultation with the Chief Executive Officer.
- 4.2 As there are no powers or duty delegated to the Advisory Group the meetings are not open to the public.
- 4.3 Notice of meetings including an agenda shall be given to members at least **5 days** prior to each meeting.
- 4.4 The Chief Executive Officer 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.
- 4.5 All members of the Advisory Group shall have one vote. If the vote of the members present are equally divided, the Chairperson is to cast a second vote.

- 4.6 Advisory Group members may list matters for consideration by tabling matters at least ten **(10) days** prior to the next meeting with the relevant Director. The Director will be responsible for preparing the Advisory Group Agenda, researching and reporting on those matters tabled for discussion. It is at the discretion of the Chief Executive Officer as to whether a matter will be included in the Agenda.
- 4.7 Meeting notes will form a record for the Shire of Dardanup, but will not require endorsement by Council. Matters requiring Council consideration will be subject to a separate specific report to be prepared by the appropriate Officer and taken to the next Council meeting. The meeting notes will be presented to Council through the Information Bulletin.
- 5 QUORUM
- 5.1 Quorum for a meeting shall be at least 50% of the number of offices, whether vacant or not.
- 6 DELEGATIONS
- 6.1 The Advisory Group performs an advisory function and does not have any delegated authority.
- 7 CONFLICTS OF INTEREST
- 7.1 All members need to be aware that any conflict of interest needs to be disclosed in writing, to ensure probity is maintained at all times. All previous disclosures of interest will remain listed in the Agenda and will be acknowledged at the start of a meeting, thereby negating to disclose it in writing again.
- 7.2 If a Member discloses a financial or proximity interest in a matter under consideration by the Group, the member should disclose the nature of their interest, and also the extent of that interest.
- 7.3 If a Member discloses a financial or proximity interest in a matter under consideration by the Group and wishes to remain and participate in the meeting, the Member is to inform the Chairperson that the Member intends to remain and participate in the meeting.
- 7.4 The meeting notes shall record the members' disclosure of interests and the extent of the interests. They shall also record the times a Disclosing Member has departed and/or re-entered the meeting and/or is absent from the meeting during the item of interest, or whether they remained and participated in the meeting when considering the matter to which an interest was declared.
- 7.5 If a member is unsure whether they have an interest in a matter, they are encouraged to raise the issue with the relevant Director in attendance at the meeting.

8 CONFIDENTIALITY AND PRIVACY

- 8.1 Members of the Advisory Group may have exposure to confidential or personal information and if so they are required to maintain the security of any confidential information and not access, use or remove any information, unless the member is authorised to do so.
- 8.2 At the first meeting of the Advisory Group, a Confidential Agreement will be provided to members for their review and execution.
- 8.3 Members of the Advisory Group will be advised when matters are deemed Confidential by the Chair. Documents provided at the meeting will be identified as Confidential and all confidential documents will be returned to the Chair following the meeting.
- 8.4 Should a member become aware of any unauthorised release or misuse of confidential or personal information, they are advised to contact the relevant Director.
- 8.5 Should a breach of Confidentiality be made by an Advisory Group member, the Chief Executive Officer will remove the respective member from the Advisory Group.
- 8.6 Members are not to speak to the media in their capacity as Advisory Group Members and any comments on social media are to be in their personal capacity and not in their capacity as an Advisory Group Member.

9 CODE OF CONDUCT

- 9.1 The relevant Shire of Dardanup Code of Conduct applies to members of the Advisory Group and shall be adhered to during meetings and interactions with Elected Members, staff and the community when acting in the capacity of an Advisory Group member.

**FERGUSON VALLEY
ADVISORY GROUP**

**INSTRUMENT OF APPOINTMENT
&
TERMS OF REFERENCE**

2021

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1 AIMS

The Ferguson Valley Advisory Group aims to provide advice on the development of the facilities, activities, character, technology and services within Ferguson Valley, Crooked Brook and the surrounding area, through initiatives, policies and processes that deliver on the Shire of Dardanup Strategic Community Plan.

2 OBJECTIVES

The Objectives of the Advisory Group are to:

- 2.1 Provide a means of participation and communication between the community of Ferguson Valley, Crooked Brook, the surrounding areas and the Shire of Dardanup.
- 2.2 Act in an advisory capacity on matters relating to the facilities, activities, character, technology and services within Ferguson Valley, Crooked Brook and the surrounding area, with a specific focus on:
 - Developing a distinctive place that is based on identity and connected with the community;
 - Coordinating community priorities, with regards to community facilities;
 - Activating facilities, parks and local areas to support community connection and provide safe spaces; and
 - Working with partners and the community to identify and address service gaps.
- 2.3 Provide advice and make recommendations relating to:
 - The formulation of a community and Council vision for Ferguson Valley, Crooked Brook; and
 - The development and implementation of relevant initiatives and programs, and where possible grant applications.

3 MEMBERSHIP

- 3.1 The term of appointment for membership will be a period of two (2) years.
- 3.2 Community Representation: Membership will be sought from the Shire of Dardanup Community. A maximum of twelve (12) community representatives will be appointed.
- 3.3 Elected Members: Council will nominate three (3) Elected Members to the Ferguson Valley Advisory Group. All other Elected Members will be notified of all meetings and may attend Group meetings at will, but are not entitled to vote on matters.
- 3.4 Shire Officers: The Chief Executive Officer shall appoint an officer to manage the Advisory Group. In normal circumstances this is the Director Infrastructure. Shire staff attending the Advisory Group will table papers for discussion and participate in the discussion. Shire Officers are not members of the Advisory Group and shall not vote.

(Appendix ORD: 12.4.2B)

- 3.5 Chair and Deputy Chair: One of the elected Members will be appointed by Council as the Chair and another as the Deputy Chair of the Advisory Group. The Chairperson shall ensure that the Advisory Group operates in accordance with the Terms of Reference at all times.
- 3.6 Advisory Group Support: The relevant Director will arrange for administrative support. Such support will include the preparation and distribution of the agenda, notice of meetings, and recording and distribution of meeting notes. The Advisory Group secretariat is also responsible for arranging the meeting venue, refreshments and coordinating any presentations.
- 3.7 Specialist Advice: Individuals and groups may be invited to attend Advisory Group meetings to provide specialist advice. They must not be involved in the decision making process and cannot vote on any issue.

4 MEETINGS

- 4.1 Advisory Groups will meet at least bi-annually, with a minimum of 2 meetings per year, dates to be resolved by Council. Extraordinary meetings may be called by the Chair in consultation with the relevant Director or Chief Executive Officer.
- 4.2 As there are no powers or duty delegated to the Advisory Group the meetings are not open to the public.
- 4.3 Notice of meetings including an agenda shall be given to members at least 5 days prior to each meeting.
- 4.4 The Director shall ensure that detailed meeting notes of all meetings are kept and shall, not later than 5 days after each meeting, provide the members with a copy of such meeting notes.
- 4.5 All members of the Advisory Group shall have one vote. If the vote of the members present are equally divided, the Chairperson is to cast a second vote.
- 4.6 Advisory Group members may list matters for consideration by tabling matters at least ten (10) days prior to the next meeting with the relevant Director. The Director will be responsible for preparing the Advisory Group Agenda, researching and reporting on those matters tabled for discussion. It is at the discretion of the Chief Executive Officer as to whether a matter will be included in the Agenda.
- 4.7 Meeting notes will form a record for the Shire of Dardanup, but will not require endorsement by Council. Matters requiring Council consideration will be subject to a separate specific report to be prepared by the appropriate Officer and taken to the next Council meeting. The meeting notes will be presented to Council through the Information Bulletin and also made available on the Shire's website.

5 QUORUM

- 5.1 Quorum for a meeting shall be at least 50% of the number of offices, whether vacant or not.

6 DELEGATIONS

- 6.1 The Advisory Group performs an advisory function and does not have any delegated authority.

7 CONFLICTS OF INTEREST

- 7.1 All members need to be aware that any conflict of interest needs to be disclosed in writing, to ensure probity is maintained at all times. All previous disclosures of interest will remain listed in the Agenda and will be acknowledged at the start of a meeting, thereby negating to disclose it in writing again.
- 7.2 If a Member discloses a financial or proximity interest in a matter under consideration by the Group, the member should disclose the nature of their interest, and also the extent of that interest.
- 7.3 If a Member discloses a financial or proximity interest in a matter under consideration by the Group and wishes to remain and participate in the meeting, the Member is to inform the Chairperson that the Member intends to remain and participate in the meeting.
- 7.4 The meeting notes shall record the members' disclosure of interests and the extent of the interests. They shall also record the times a Disclosing Member has departed and/or re-entered the meeting and/or is absent from the meeting during the item of interest, or whether they remained and participated in the meeting when considering the matter to which an interest was declared.
- 7.5 If a member is unsure whether they have an interest in a matter, they are encouraged to raise the issue with the relevant Director in attendance at the meeting.

8 CONFIDENTIALITY AND PRIVACY

- 8.1 Members of the Advisory Group may have exposure to confidential or personal information and if so they are required to maintain the security of any confidential information and not access, use or remove any information, unless the member is authorised to do so.
- 8.2 Members of the Advisory Group will be advised when matters are deemed Confidential by the Chair. Documents provided at the meeting will be identified as Confidential and all confidential documents will be returned to the Chair following the meeting.
- 8.3 Should a member become aware of any unauthorised release or misuse of confidential or personal information, they are advised to contact the relevant Director.
- 8.4 Should a breach of Confidentiality be made by an Advisory Group member, the Chief Executive Officer will remove the respective member from the Advisory Group.

(Appendix ORD: 12.4.2B)

- 8.5 Members are not to speak to the media in their capacity as Advisory Group Members and any comments on social media are to be in their personal capacity and not in their capacity as an Advisory Group Member.

9 CODE OF CONDUCT

- 9.1 The relevant Shire of Dardanup Code of Conduct applies to members of the Advisory Group and shall be adhered to during meetings and interactions with Elected Members, staff and the community when acting in the capacity of an Advisory Group member.

ROADWISE ADVISORY GROUP

**INSTRUMENT OF APPOINTMENT
&
TERMS OF REFERENCE**

2021

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1 AIMS

The Roadwise Advisory Group aims to be aware of existing and potential road safety issues and to address these by developing, implementing and evaluating appropriate strategies. The Advisory group also aims to engage and foster community involvement in traffic safety matters.

2 OBJECTIVES

The objectives of the Advisory Group are to:

- 2.1 Provide a means of participation and communication between the community and the Shire of Dardanup on matters pertaining to road safety.
- 2.2 Raise community awareness of road safety issues and initiatives for local communities.
- 2.3 Facilitate community planning, development and implementation of road safety programs and promotions.
- 2.4 Identify road safety issues, and pursue and review road safety strategies that can be adopted by the Shire, WALGA Roadwise, Main Roads WA and WA Police service.
- 2.5 Provide feedback on relevant issues to organisations such as WALGA Roadwise, the Road Safety Commission and WA Police services.

3 MEMBERSHIP

- 3.1 The term of appointment for membership will be a period of two (2) years.
- 3.2 *Community Representation:* Membership will be sought from the Shire of Dardanup Community. A maximum of four (4) community representatives will be appointed.
- 3.3 *Participating Organisational Representation:* Membership will be sought from the following Organisations:
 - WALGA Roadwise – Road Safety Adviser South West;
 - Main Roads WA;
 - WA Police;
 - Department of Transport; and
 - Three (3) representatives from local schools.
- 3.4 *Elected Members:* Council will nominate three (3) Elected Members to the Roadwise Advisory Group. All other Elected Members will be notified of all meetings and may attend Group meetings at will, but are not entitled to vote on matters.
- 3.5 *Shire Officers:* The Chief Executive Officer shall appoint an officer to manage the Advisory Group. In normal circumstances this is the **Director Infrastructure**. Shire staff attending the Advisory Group will table papers for discussion and participate in the discussion. Shire Officers are not members of the Advisory Group and shall not vote.

(Appendix ORD: 12.4.2B)

- 3.6 *Chair and Deputy Chair:* One of the elected Members will be appointed by Council as the Chair and another as the Deputy Chair of the Advisory Group. The Chairperson shall ensure that the Advisory Group operates in accordance with the Terms of Reference at all times.
- 3.7 *Advisory Group Support:* The relevant Director will arrange for administrative support. Such support will include the preparation and distribution of the agenda, notice of meetings, and recording and distribution of meeting notes. The Advisory Group secretariat is also responsible for arranging the meeting venue, refreshments and coordinating any presentations.
- 3.8 *Specialist Advice:* Individuals and groups may be invited to attend Advisory Group meetings to provide specialist advice. They must not be involved in the decision making process and cannot vote on any issue.

4 MEETINGS

- 4.1 Advisory Groups will meet at least bi-annually, with a minimum of 2 meetings per year, dates to be resolved by the Advisory Group. Extraordinary meetings may be called by the Chair in consultation with the relevant Director or Chief Executive Officer.
- 4.2 As there are no powers or duty delegated to the Advisory Group the meetings are not open to the public.
- 4.3 Notice of meetings including an agenda shall be given to members at least **5 days** prior to each meeting.
- 4.4 The Director shall ensure that detailed meeting notes of all meetings are kept and shall, not later than **5 days** after each meeting, provide the members with a copy of such meeting notes.
- 4.5 All members of the Advisory Group shall have one vote. If the vote of the members present are equally divided, the Chairperson is to cast a second vote.
- 4.6 Advisory Group members may list matters for consideration by tabling matters at least ten **(10) days** prior to the next meeting with the relevant Director. The Director will be responsible for preparing the Advisory Group Agenda, researching and reporting on those matters tabled for discussion. It is at the discretion of the Chief Executive Officer as to whether a matter will be included in the Agenda.

(Appendix ORD: 12.4.2B)

- 4.7 Meeting notes will form a record for the Shire of Dardanup, but will not require endorsement by Council. Matters requiring Council consideration will be subject to a separate specific report to be prepared by the appropriate Officer and taken to the next Council meeting. The meeting notes will be presented to Council through the Information Bulletin.

5 QUORUM

Quorum for a meeting shall be at least 50% of the number of offices, whether vacant or not.

6 DELEGATIONS

- 6.1 The Advisory Group performs an advisory function and does not have any delegated authority.

7. CONFLICTS OF INTEREST

- 7.1 All members need to be aware that any conflict of interest needs to be disclosed in writing, to ensure probity is maintained at all times. All previous disclosures of interest will remain listed in the Agenda and will be acknowledged at the start of a meeting, thereby negating to disclose it in writing again.
- 7.2 If a Member discloses a financial or proximity interest in a matter under consideration by the Group, the member should disclose the nature of their interest, and also the extent of that interest.
- 7.3 If a Member discloses a financial or proximity interest in a matter under consideration by the Group and wishes to remain and participate in the meeting, the Member is to inform the Chairperson that the Member intends to remain and participate in the meeting.
- 7.4 The meeting notes shall record the members' disclosure of interests and the extent of the interests. They shall also record the times a Disclosing Member has departed and/or re-entered the meeting and/or is absent from the meeting during the item of interest, or whether they remained and participated in the meeting when considering the matter to which an interest was declared.
- 7.5 If a member is unsure whether they have an interest in a matter, they are encouraged to raise the issue with the relevant Director in attendance at the meeting.

8 CONFIDENTIALITY AND PRIVACY

- 8.1 Members of the Advisory Group may have exposure to confidential or personal information and if so they are required to maintain the security of any confidential information and not access, use or remove any information, unless the member is authorised to do so.
- 8.2 At the first meeting of the Advisory Group, a Confidential Agreement will be provided to members for their review and execution.

(Appendix ORD: 12.4.2B)

- 8.3 Members of the Advisory Group will be advised when matters are deemed Confidential by the Chair. Documents provided at the meeting will be identified as Confidential and all confidential documents will be returned to the Chair following the meeting.
- 8.4 Should a member become aware of any unauthorised release or misuse of confidential or personal information, they are advised to contact the relevant Director.
- 8.5 Should a breach of Confidentially be made by an Advisory Group member, the Chief Executive Officer will remove the respective member from the Advisory Group.
- 8.6 Members are not to speak to the media in their capacity as Advisory Group Members and any comments on social media are to be in their personal capacity and not in their capacity as an Advisory Group Member.

9 CODE OF CONDUCT

- 9.1 The relevant Shire of Dardanup Code of Conduct applies to members of the Advisory Group and shall be adhered to during meetings and interactions with Elected Members, staff and the community when acting in the capacity of an Advisory Group member.

**SPORT AND RECREATION
ADVISORY GROUP**

**INSTRUMENT OF APPOINTMENT
&
TERMS OF REFERENCE**

2021

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1 AIMS

The Sport and Recreation Advisory Group aims to advise on the provision of sport and recreation facilities and services within the Shire of Dardanup and to provide a forum for the dissemination and consideration of information regarding sport and recreation issues.

2 OBJECTIVES

The Objectives of the Advisory Group are to:

- 2.1 Provide a means of participation and communication between the Sporting and Recreation groups and the Shire of Dardanup on matters pertaining to sporting and recreation.
- 2.2 Provide advice and make recommendations relating to:
 - 2.2.1 The formulation of a community and Council vision with regards to sport and recreation matters; and
 - 2.2.2 The development and implementation of relevant initiatives and programs.

3 MEMBERSHIP

- 3.1 The term of appointment for membership will be a period of two (2) years.
- 3.2 *Participating Organisational Representation:* Membership will be sought from the following Organisations:
 - Department of Sport & Recreation - Representative
 - Eaton Basketball Association - Representative
 - Eaton Cricket Club - Representative
 - Eaton Junior Football Club - Representative
 - Eaton Dardanup Soccer Club- Representative
 - Basketball Southwest - Representative
 - Eaton Boomers Football Club - Representative
 - Bunbury & Districts Softball Association – Representative
 - Eaton Tennis Club - Representative
 - Eaton Bowling Club - Representative
 - Burekup Cricket Club - Representative
 - Eaton Netball Association - Representative
 - WA iSport - Representative
- 3.3 *Elected Members:* Council will nominate three (3) Elected Members to the Sport and Recreation Advisory Group. All other Elected Members will be notified of all meetings and may attend Group meetings at will, but are not entitled to vote on matters.
- 3.3 *Shire Officers:* The Chief Executive Officer shall appoint an officer to manage the Advisory Group. In normal circumstances this is the **Director Sustainable Development**. Shire staff attending the Advisory Group will table papers for discussion and participate in the discussion. Shire Officers are not members of the Advisory Group and shall not vote.

- 3.4 *Chair and Deputy Chair:* One of the elected Members will be appointed by Council as the Chair and another as the Deputy Chair of the Advisory Group. The Chairperson shall ensure that the Advisory Group operates in accordance with the Terms of Reference at all times.
- 3.5 *Advisory Group Support:* The relevant Director will arrange for administrative support. Such support will include the preparation and distribution of the agenda, notice of meetings, and recording and distribution of meeting notes. The Advisory Group secretariat is also responsible for arranging meeting venue, refreshments and coordinating any presentations.
- 3.6 *Specialist Advice:* Individuals and groups may be invited to attend Advisory Group meetings to provide specialist advice. They must not be involved in the decision making process and cannot vote on any issue.

4 MEETINGS

- 4.1 Advisory Groups will meet at least bi-annually, with a minimum of 2 meetings, dates to be resolved by the Advisory Group. Extraordinary meetings may be called by the Chair in consultation with the relevant Director or Chief Executive Officer.
- 4.2 As there are no powers or duty delegated to the Advisory Group the meetings are not open to the public.
- 4.3 Notice of meetings including an agenda shall be given to members at least **5 days** prior to each meeting.
- 4.4 The Director shall ensure that detailed meeting notes of all meetings are kept and shall, not later than **5 days** after each meeting, provide the members with a copy of such meeting notes.
- 4.5 All members of the Advisory Group shall have one vote. If the vote of the members present are equally divided, the Chairperson is to cast a second vote.
- 4.6 Advisory Group members may list matters for consideration by tabling matters at least ten **(10) days** prior to the next meeting with the relevant Director. The Director will be responsible for preparing the Advisory Group Agenda, researching and reporting on those matters tabled for discussion. It is at the discretion of the Chief Executive Officer as to whether a matter will be included in the Agenda.
- 4.7 Meeting notes will form a record for the Shire of Dardanup, but will not require endorsement by Council. Matters requiring Council consideration will be subject to a separate specific report to be prepared by the appropriate Officer and taken to the next Council meeting. The meeting notes will be presented to Council through the Information Bulletin.

5 QUORUM

- 5.1 Quorum for a meeting shall be at least 50% of the number of offices, whether vacant or not.

6 DELEGATIONS

- 6.1 The Advisory Group performs an advisory function and does not have any delegated authority.

7 CONFLICTS OF INTEREST

- 7.1 All members need to be aware that any conflict of interest needs to be disclosed in writing, to ensure probity is maintained at all times. All previous disclosures of interest will remain listed in the Agenda and will be acknowledged at the start of a meeting, thereby negating to disclose it in writing again.
- 7.2 If a Member discloses a financial or proximity interest in a matter under consideration by the Group, the member should disclose the nature of their interest, and also the extent of that interest.
- 7.3 If a Member discloses a financial or proximity interest in a matter under consideration by the Group and wishes to remain and participate in the meeting, the Member is to inform the Chairperson that the Member intends to remain and participate in the meeting.
- 7.4 The meeting notes shall record the members' disclosure of interests and the extent of the interests. They shall also record the times a Disclosing Member has departed and/or re-entered the meeting and/or is absent from the meeting during the item of interest, or whether they remained and participated in the meeting when considering the matter to which an interest was declared.
- 7.5 If a member is unsure whether they have an interest in a matter, they are encouraged to raise the issue with the relevant Director in attendance at the meeting.

8 CONFIDENTIALITY AND PRIVACY

- 8.1 Members of the Advisory Group may have exposure to confidential or personal information and if so they are required to maintain the security of any confidential information and not access, use or remove any information, unless the member is authorised to do so.
- 8.2 At the first meeting of the Advisory Group, a Confidential Agreement will be provided to members for their review and execution.
- 8.3 Members of the Advisory Group will be advised when matters are deemed Confidential by the Chair. Documents provided at the meeting will be identified as Confidential and all confidential documents will be returned to the Chair following the meeting.
- 8.4 Should a member become aware of any unauthorised release or misuse of confidential or personal information, they are advised to contact the relevant Director.
- 8.5 Should a breach of Confidentiality be made by an Advisory Group member, the Chief Executive Officer will remove the respective member from the Advisory Group.

- 8.6 Members are not to speak to the media in their capacity as Advisory Group Members and any comments on social media are to be in their personal capacity and not in their capacity as an Advisory Group Member.

9 CODE OF CONDUCT

- 9.1 The relevant Shire of Dardanup Code of Conduct applies to members of the Advisory Group and shall be adhered to during meetings and interactions with Elected Members, staff and the community when acting in the capacity of an Advisory Group member.

**SUSTAINABLE DEVELOPMENT
ADVISORY GROUP**

**INSTRUMENT OF APPOINTMENT
&
TERMS OF REFERENCE**

2021

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1 AIMS

The Sustainable Development Advisory Group aims to provide advice on developing and implementing more sustainable practices in the Shire of Dardanup through initiatives, policies and processes that deliver the Shire of Dardanup Strategic Community Plan.

2 OBJECTIVES

The Objectives of the Advisory Group are to:

2.1 Act in an advisory capacity on matters relating to the natural and built environment, with specific focus on:

- Water use and efficiency;
- Energy efficiency and renewable energy;
- Environmentally sustainable building design;
- Green spaces, urban vegetation and biodiversity;
- Water in the environment (water quality and natural water sources); and
- Waste minimisation and management.

2.2 Provide advice and make recommendations relating to:

- The formulation of a community and Council vision with regards to sustainability; and
- The development and implementation of relevant initiatives and programs.

3 MEMBERSHIP

3.1 The term of appointment for membership will be a period of two (2) years.

3.2 *Community Representation:* Membership will be sought from the Shire of Dardanup Community. A maximum of six (6) community representatives will be appointed.

3.3 *Participating Organisational Representation:* Membership will be sought from the following Organisations:

- Department of Biosecurity Conservation and Attractions;
- Department of Water and Environmental Regulation;
- Leschenault Catchment Council;
- Leschenault Biosecurity Group;
- Bunbury Harvey Regional Council; and
- 1 representative from a University / Research Institute.

3.4 *Elected Members:* Council will nominate three (3) Elected Members to the Sustainable Development Advisory Group. All other Elected Members will be notified of all meetings and may attend Group meetings at will, but are not entitled to vote on matters.

3.5 *Shire Officers:* The Chief Executive Officer shall appoint an officer to manage the Advisory Group. In normal circumstances this is the **Director Sustainable Development**. Shire staff

(Appendix ORD: 12.4.2B)

attending the Advisory Group will table papers for discussion and participate in the discussion. Shire Officers are not members of the Advisory Group and shall not vote.

- 3.6 *Chair and Deputy Chair:* One of the elected Members will be appointed by Council as the Chair and another as the Deputy Chair of the Advisory Group. The Chairperson shall ensure that the Advisory Group operates in accordance with the Terms of Reference at all times..
- 3.7 *Advisory Group Support:* The relevant Director will arrange for administrative support. Such support will include the preparation and distribution of the agenda, notice of meetings, and recording and distribution of meeting notes. The Advisory Group secretariat is also responsible for arranging meeting venue, refreshments and coordinating any presentations.
- 3.8 *Specialist Advice:* Individuals and groups may be invited to attend Advisory Group meetings to provide specialist advice. They must not be involved in the decision making process and cannot vote on any issue.

4 MEETINGS

- 4.1 Advisory Groups will meet at least bi-annually, with a minimum of 2 meetings per year, dates to be resolved by Council. Extraordinary meetings may be called by the Chair in consultation with the relevant Director or Chief Executive Officer.
- 4.2 As there are no powers or duty delegated to the Advisory Group the meetings are not open to the public.
- 4.3 Notice of meetings including an agenda shall be given to members at least **5 days** prior to each meeting.
- 4.4 The Director shall ensure that detailed meeting notes of all meetings are kept and shall, not later than **5 days** after each meeting, provide the members with a copy of such meeting notes.
- 4.5 All members of the Advisory Group shall have one vote. If the vote of the members present are equally divided, the Chairperson is to cast a second vote.
- 4.6 Advisory Group members may list matters for consideration by tabling matters at least ten **(10) days** prior to the next meeting with the relevant Director. The Director will be responsible for preparing the Advisory Group Agenda, researching and reporting on those matters tabled for discussion. It is at the discretion of the Chief Executive Officer as to whether a matter will be included in the Agenda.
- 4.7 Meeting notes will form a record for the Shire of Dardanup, but will not require endorsement by Council. Matters requiring Council consideration will be subject to a separate specific report to be prepared by the appropriate Officer and taken to the next Council meeting. The meeting notes will be presented to Council through the Information Bulletin and also made available on the Shire's website.

5 QUORUM

- 5.1 Quorum for a meeting shall be at least 50% of the number of offices, whether vacant or not.

6 DELEGATIONS

- 6.1 The Advisory Group performs an advisory function and does not have any delegated authority.

7 CONFLICTS OF INTEREST

- 7.1 All members need to be aware that any conflict of interest needs to be disclosed in writing, to ensure probity is maintained at all times. All previous disclosures of interest will remain listed in the Agenda and will be acknowledged at the start of a meeting, thereby negating to disclose it in writing again.
- 7.2 If a Member discloses a financial or proximity interest in a matter under consideration by the Group, the member should disclose the nature of their interest, and also the extent of that interest.
- 7.3 If a Member discloses a financial or proximity interest in a matter under consideration by the Group and wishes to remain and participate in the meeting, the Member is to inform the Chairperson that the Member intends to remain and participate in the meeting.
- 7.4 The meeting notes shall record the members' disclosure of interests and the extent of the interests. They shall also record the times a Disclosing Member has departed and/or re-entered the meeting and/or is absent from the meeting during the item of interest, or whether they remained and participated in the meeting when considering the matter to which an interest was declared.
- 7.5 If a member is unsure whether they have an interest in a matter, they are encouraged to raise the issue with the relevant Director in attendance at the meeting.

8 CONFIDENTIALITY AND PRIVACY

- 8.1 Members of the Advisory Group may have exposure to confidential or personal information and if so they are required to maintain the security of any confidential information and not access, use or remove any information, unless the member is authorised to do so.
- 8.2 At the first meeting of the Advisory Group, a Confidential Agreement will be provided to members for their review and execution.
- 8.3 Members of the Advisory Group will be advised when matters are deemed Confidential by the Chair. Documents provided at the meeting will be identified as Confidential and all confidential documents will be returned to the Chair following the meeting.
- 8.4 Should a member become aware of any unauthorised release or misuse of confidential or personal information, they are advised to contact the relevant Director.

(Appendix ORD: 12.4.2B)

- 8.5 Should a breach of Confidentially be made by an Advisory Group member, the Chief Executive Officer will remove the respective member from the Advisory Group.
- 8.6 Members are not to speak to the media in their capacity as Advisory Group Members and any comments on social media are to be in their personal capacity and not in their capacity as an Advisory Group Member.

9 CODE OF CONDUCT

- 9.1 The relevant Shire of Dardanup Code of Conduct applies to members of the Advisory Group and shall be adhered to during meetings and interactions with Elected Members, staff and the community when acting in the capacity of an Advisory Group member.

**WANJU AND WATERLOO
ADVISORY GROUP**

**INSTRUMENT OF APPOINTMENT
&
TERMS OF REFERENCE**

2021

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1 AIMS

The Wanju and Waterloo Advisory Group aims to provide participation and communication with relevant stakeholders in the implementation of the Wanju and Waterloo projects.

2 OBJECTIVES

The Objectives of the Advisory Group are to:

2.1 Provide a means of participation and communication between the community and the Shire of Dardanup on the following matters pertaining to the Wanju and Waterloo Projects.

- Detailed Planning;
- Development Contributions; and
- Promotion of Wanju & Waterloo.

2.2 Provide advice and make recommendations relating to:

2.2.1 The formulation of a community and Council vision with regards to the Wanju & Waterloo Project; and

2.2.2 The development and implementation of relevant initiatives and programs.

3 MEMBERSHIP

3.1 The term of appointment for membership will be for as long as a person remains the owner of land within the Wanju & Waterloo areas.

3.2 Community Representation: Membership will be from the landowners within the area identified as Wanju & Waterloo under the relevant Structure Plans.

3.3 Participating Organisational Representation: Membership will be sought from the following Organisations:

- Department of Planning, Lands & Heritage;
- ATCO
- Western Power;
- Main Roads;
- Department of Water & Environmental Regulation;
- Water Corporation; and
- Harvey Water.

3.4 Elected Members: Council will nominate three (3) Elected Members to the Wanju and Waterloo Advisory Group. All other Elected Members will be notified of all meetings and may attend Group meetings at will, but are not entitled to vote on matters.

3.5 Shire Officers: The Chief Executive Officer shall appoint an officer to manage the Advisory Group. In normal circumstances this is the Director Sustainable Development. Shire staff

attending the Advisory Group will table papers for discussion and participate in the discussion. Shire Officers are not members of the Advisory Group and shall not vote.

- 3.6 Chair and Deputy Chair: The Shire President will be the Chairperson and an Elected Member will be Deputy Chair of the Advisory Group. The Chairperson shall ensure that the Advisory Group operates in accordance with the Terms of Reference at all times.
- 3.7 Advisory Group Support: The relevant Director will arrange for administrative support. Such support will include the preparation and distribution of the agenda, notice of meetings, and recording and distribution of meeting notes. The Advisory Group secretariat is also responsible for arranging the meeting venue, refreshments and coordinating any presentations.
- 3.8 Specialist Advice: Other Government Agencies, Individuals and groups may be invited to attend Advisory Group meetings to provide specialist advice. They must not be involved in the decision making process and cannot vote on any issue.

4 MEETINGS

- 4.1 Advisory Groups will meet at least bi-annually, with a minimum of 2 meetings per year, dates to be resolved by Council. Extraordinary meetings may be called by the Chair in consultation with the relevant Director or Chief Executive Officer.
- 4.2 As there are no powers or duty delegated to the Advisory Group the meetings are not open to the public.
- 4.3 Notice of meetings including an agenda shall be given to members at least 5 days prior to each meeting.
- 4.4 The Chairperson shall ensure that detailed meeting notes of all meetings are kept and shall, not later than 5 days after each meeting, provide the members with a copy of such meeting notes.
- 4.5 All members of the Advisory Group shall have one vote. If the vote of the members present are equally divided, the Chairperson is to cast a second vote.
- 4.6 Advisory Group members may list matters for consideration by tabling matters at least ten (10) days prior to the next meeting with the relevant Director. The Director will be responsible for preparing the Advisory Group Agenda, researching and reporting on those matters tabled for discussion. It is at the discretion of the Chief Executive Officer as to whether a matter will be included in the Agenda.
- 4.7 Meeting notes will form a record for the Shire of Dardanup, but will not require endorsement by Council. Matters requiring Council consideration will be subject to a separate specific report to be prepared by the appropriate Officer and taken to the next Council meeting. The meeting notes will be presented to Council through the Information Bulletin and also made available on the Shire's website.

5 QUORUM

- 5.1 Quorum for a meeting shall be at least 50% of the number of offices, whether vacant or not. A decision of the Advisory Group will be made by a show of hands.

6 DELEGATIONS

- 6.1 The Advisory Group performs an advisory function and does not have any delegated authority.

7 CONFLICTS OF INTEREST

- 7.1 All members need to be aware that any conflict of interest needs to be disclosed in writing, to ensure probity is maintained at all times. All previous disclosures of interest will remain listed in the Agenda and will be acknowledged at the start of a meeting, thereby negating to disclose it in writing again.
- 7.2 If a Member discloses a financial or proximity interest in a matter under consideration by the Group, the member should disclose the nature of their interest, and also the extent of that interest.
- 7.3 If a Member discloses a financial or proximity interest in a matter under consideration by the Group and wishes to remain and participate in the meeting, the Member is to inform the Chairperson that the Member intends to remain and participate in the meeting.
- 7.4 The meeting notes shall record the members' disclosure of interests and the extent of the interests. They shall also record the times a Disclosing Member has departed and/or re-entered the meeting and/or is absent from the meeting during the item of interest, or whether they remained and participated in the meeting when considering the matter to which an interest was declared.
- 7.5 If a member is unsure whether they have an interest in a matter, they are encouraged to raise the issue with the relevant Director in attendance at the meeting.

8 CONFIDENTIALITY AND PRIVACY

- 8.1 Members of the Advisory Group may have exposure to confidential or personal information and if so they are required to maintain the security of any confidential information and not access, use or remove any information, unless the member is authorised to do so.
- 8.2 Members of the Advisory Group will be advised when matters are deemed Confidential by the Chair. Documents provided at the meeting will be identified as Confidential and all confidential documents will be returned to the Chair following the meeting.
- 8.3 Should a member become aware of any unauthorised release or misuse of confidential or personal information, they are advised to contact the relevant Director.

- 8.4 Should a breach of Confidentiality be made by an Advisory Group member, the Chief Executive Officer will remove the respective member from the Advisory Group.
- 8.5 Members are not to speak to the media in their capacity as Advisory Group Members and any comments on social media are to be in their personal capacity and not in their capacity as an Advisory Group Member.
- 9 CODE OF CONDUCT
- 9.1 The relevant Shire of Dardanup Code of Conduct applies to members of the Advisory Group and shall be adhered to during meetings and interactions with Elected Members, staff and the community when acting in the capacity of an Advisory Group member.

(Appendix ORD: 12.4.3)

RISK ASSESSMENT TOOL								
OVERALL RISK EVENT:		Draft Council Meeting Framework Policy and Setting of OCM Meeting Dates for 2022						
RISK THEME PROFILE:		4 - Document Management Processes 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		
		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.
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.
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.
LEGAL AND COMPLIANCE	Non-compliance with meeting procedures could lead to penalties being imposed on the Shire.	Minor (2)	Rare (1)	Low (1 - 4)	Not required.	Not required.	Not required.	Not required.
REPUTATIONAL	If decisions are made without full information being available and considered, it can result in considerable reputational loss. Non-compliance of advertising OCM dates will impact on the Shire's business reputation.	Minor (2)	Unlikely (2)	Low (1 - 4)	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.

(Appendix ORD: 12.4.4)

RISK ASSESSMENT TOOL								
OVERALL RISK EVENT: Rating Concession – Assessment A2192 - Eaton Bowling Club Inc. RISK THEME PROFILE: 3 - Failure to Fulfil Compliance Requirements (Statutory, Regulatory) 8 - Errors, Omissions and Delays 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.
FINANCIAL IMPACT	Granting a concession will increase the overall expenses beyond that budgeted for 2021/2022.	Insignificant (1)	Almost Certain (5)	Moderate (5 - 11)	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.
LEGAL AND COMPLIANCE	Refusing to grant a concession will not be in accordance with the terms and conditions of the lease.	Minor (2)	Likely (4)	Moderate (5 - 11)	Not required.	Not required.	Not required.	Not required.
REPUTATIONAL	Council would be seen in a negative light if we failed to meet our contractual and legislative requirements.	Moderate (3)	Possible (3)	Moderate (5 - 11)	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.

(Appendix ORD: 12.4.5A)

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		
		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.
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.
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.
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.
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.
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.

(Appendix ORD: 12.4.5B)



Monthly Financial Report

For the Period

1 July 2021 to 31 July 2021

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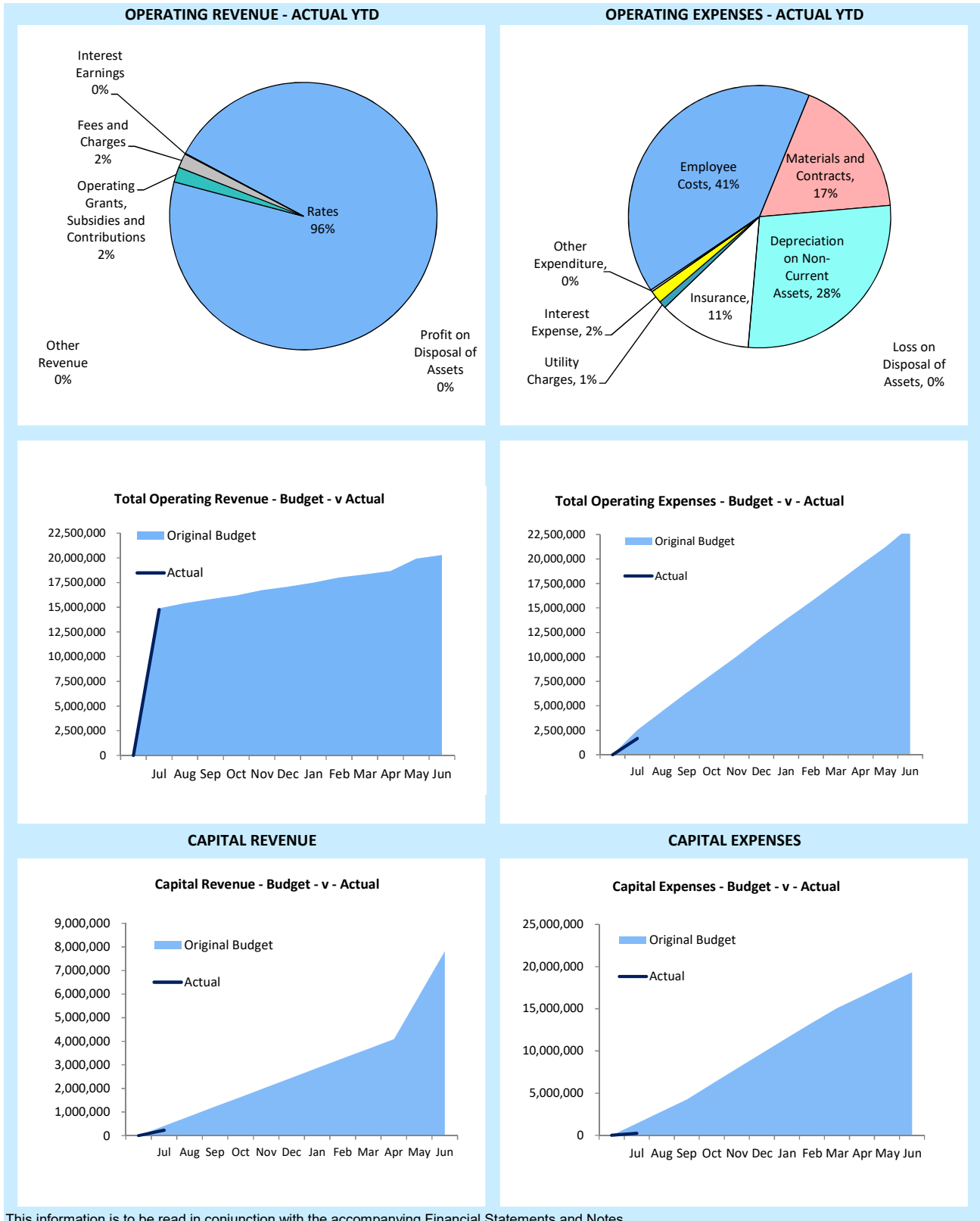
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Appendix ORD: 12.4.5B



Monthly Financial Report For the Period Ended 31 July 2021

SUMMARY GRAPHS



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

(Appendix ORD: 12.4.5B)



Statement of Financial Activity by Program For the Period Ended 31 July 2021 (Covering 1 month or 8.5% of the year)

Sch	2021/22	2021/22	2021/22	2021/22	Variance Y-T-D	Variance Y-T-D	2021/22	2020/21	
	Adopted Budget \$	Revised Budget \$	Revised Budget \$	Y-T-D Actual \$	Actual to Revised Budget \$	Actual to Revised Budget %	Forecast \$	Last Year Estimated Actual \$	
OPERATING ACTIVITIES									
Revenue									
Governance	4	800	800	65	31	(34)	(52.6%)	800	23,979
General Purpose Funding	3	15,793,559	15,793,559	13,900,719	13,911,577	10,858	0.1%	15,763,438	15,328,126
Law, Order, Public Safety	5	513,681	850,976	78,086	7,189	(70,897)	(90.8%) ▼	1,028,340	647,418
Health	7	16,650	16,650	1,387	1,143	(244)	(17.6%)	16,650	5,489
Education and Welfare	8	6,000	6,000	83	0	(83)	(100.0%)	6,000	10,017
Community Amenities	10	1,770,752	1,770,752	242,631	243,385	754	0.3%	1,770,752	1,592,566
Recreation and Culture	11	1,687,284	1,711,284	370,437	447,870	77,433	20.9% ▲	1,711,284	1,633,968
Transport	12	157,524	157,524	124,836	135,595	10,759	8.6%	157,524	153,523
Economic Services	13	189,980	189,980	16,744	9,595	(7,149)	(42.7%)	189,980	156,347
Other Property and Services	14	3,815,130	3,815,130	317,924	28,450	(289,474)	(91.1%) ▲	3,815,130	270,536
Total Operating Revenue		23,951,359	24,312,655	15,052,912	14,784,836	(268,076)	(1.8%)	24,459,897	19,821,969
Operating Expenses									
Governance	4	(1,272,496)	(1,272,496)	(155,322)	(92,738)	62,584	40.3% ▲	(1,255,796)	(1,082,607)
General Purpose Funding	3	(530,474)	(530,474)	(54,970)	(30,634)	24,336	44.3%	(530,474)	(366,360)
Law, Order, Public Safety	5	(1,666,216)	(2,003,511)	(272,063)	(151,747)	120,316	44.2% ▲	(2,180,875)	(1,741,240)
Health	7	(552,143)	(552,143)	(62,062)	(43,693)	18,369	29.6%	(552,144)	(512,485)
Education and Welfare	8	(878,754)	(878,754)	(102,918)	(52,805)	50,113	48.7% ▲	(878,754)	(841,337)
Community Amenities	10	(3,385,649)	(3,385,649)	(224,336)	(120,502)	103,834	46.3%	(3,402,349)	(2,811,850)
Recreation & Culture	11	(8,026,956)	(8,050,956)	(768,632)	(573,409)	195,223	25.4% ▲	(8,050,955)	(7,557,812)
Transport	12	(6,443,340)	(6,443,340)	(543,762)	(485,318)	58,444	10.7% ▲	(6,443,340)	(6,062,923)
Economic Services	13	(563,127)	(563,127)	(63,703)	(41,333)	22,370	35.1% ▲	(563,127)	(483,057)
Other Property and Services	14	(408,728)	(408,728)	(292,306)	(99,059)	193,247	66.1% ▲	(408,728)	(219,770)
Total Operating Expenditure		(23,727,883)	(24,089,178)	(2,540,074)	(1,691,238)	848,836	33.4%	(24,266,542)	(21,679,440)
Net Operating Activities		223,477	223,477	12,512,838	13,093,598	580,760	(4.6%)	193,356	(1,857,471)

(continued next page)

(Appendix ORD: 12.4.5B)



Statement of Financial Activity by Program For the Period Ended 31 July 2021 (Covering 1 month or 8.5% of the year)

	2021/22 Adopted Budget \$	2021/22 Revised Budget \$	2021/22 Y-T-D Revised Budget \$	2021/22 Y-T-D Actual \$	Variance Y-T-D Actual to Revised Budget \$	Variance Y-T-D Actual to Revised Budget %	2021/22 Forecast \$	2020/21 Last Year Estimated Actual \$
Net Operating Activities (from previous page)	223,477	223,477	12,512,838	13,093,598	580,760	4.6%	193,356	(1,857,471)
ADJUSTMENTS OF NON CASH ITEMS								
(Profit)/Loss on Asset Disposals	(3,637,796)	(3,637,796)	(303,150)	0	303,150	100.0% ▲	(3,637,796)	(13,579)
Accruals	0	0	0	0	0	0.0%	0	(47,412)
Fair value adjustment to financial assets	0	0	0	0	0	0.0%	0	0
Movement in contract liabilities associated with restricted cash	(3,053,776)	(3,053,776)	(259,362)	(226,675)	32,687	(12.6%) ▼	(3,053,775)	(2,109,196)
Contra Repayment of Prefunded Infrastructure	0	0	0	0	0	0.0%	0	0
Depreciation on Assets	5,635,083	5,635,083	469,583	469,591	8	0.0%	5,635,083	5,191,074
Adjusted Net Operating Activities	A (833,012)	(833,012)	12,419,909	13,336,514	916,604	7.4%	(863,132)	1,163,416
INVESTING ACTIVITIES								
Revenue								
Non-operating grants, subsidies & contributions	7,805,595	7,805,595	409,130	227,025	(182,105)	(44.5%) ▼	8,451,595	5,262,066
Proceeds from Disposal of Assets	5,170,384	5,170,384	430,864	0	(430,864)	(100.0%) ▼	5,170,384	229,045
Total Capital Revenue	12,975,979	12,975,979	839,994	227,025	(612,969)	(73.0%)	13,621,979	5,491,111
Expenditure								
Land & Buildings	(11,269,366)	(11,269,366)	(939,101)	(50,881)	888,220	94.6% ▲	(11,269,366)	(2,076,318)
Infrastructure Assets - Road / Bridges / Paths	(5,843,154)	(5,843,154)	(295,333)	(64,542)	230,791	78.1% ▲	(6,489,154)	(3,989,335)
Infrastructure Assets - Parks & Gardens	(1,041,348)	(1,041,348)	(86,773)	(124,058)	(37,285)	(43.0%) ▼	(1,041,348)	(363,538)
Vehicles	(600,054)	(600,054)	(50,004)	0	50,004	100.0% ▲	(600,054)	(531,430)
Furniture & Fittings	(90,315)	(90,315)	(7,524)	0	7,524	100.0%	(90,315)	(24,754)
Total Capital Expenditure	(19,343,237)	(19,343,237)	(1,420,318)	(239,482)	1,180,836	83.1%	(19,989,237)	(6,985,375)
Net Capital Activities	B (6,367,258)	(6,367,258)	(580,324)	(12,457)	567,867	97.9%	(6,367,258)	(1,494,264)
FINANCING ACTIVITIES								
Revenue								
Proceeds from New Loans	320,000	320,000	0	0	0	(100.0%) ▼	320,000	750,000
Transfers from Reserves	17,937,355	17,937,355	3,768,217	1,052,880	(2,715,337)	(72.1%) ▼	17,964,751	7,607,708
Total Financing Revenue	18,257,355	18,257,355	3,768,217	1,052,880	(2,715,337)	72.1%	18,284,751	8,357,708
Expenditure								
Repayment of Loans	(349,517)	(349,517)	(60,273)	(51,394)	8,879	14.7%	(349,517)	(250,116)
Principal element of finance lease payments	(334,246)	(334,246)	(30,283)	(36,313)	(6,030)	(19.9%)	(334,246)	(213,304)
Transfers to Reserves	(10,526,326)	(10,526,326)	0	(3,661)	(3,661)	(100.0%)	(10,526,326)	(7,241,183)
Total Financing Expenditure	(11,210,089)	(11,210,089)	(90,556)	(91,369)	(813)	(0.9%)	(11,210,089)	(7,704,603)
Net Financing Activities	C 7,047,266	7,047,266	3,677,661	961,511	(2,716,150)	73.9%	7,074,662	653,105
FUNDING SOURCES								
Surplus/(Deficit) July 1 B/Fwd	D 169,557	795,659	795,659	796,759	1,100	0.1% ▲	796,759	474,501
CLOSING FUNDS (A+B+C+D)	16,552	642,654	16,312,905	15,082,327	(1,230,578)	7.5%	641,030	796,759

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

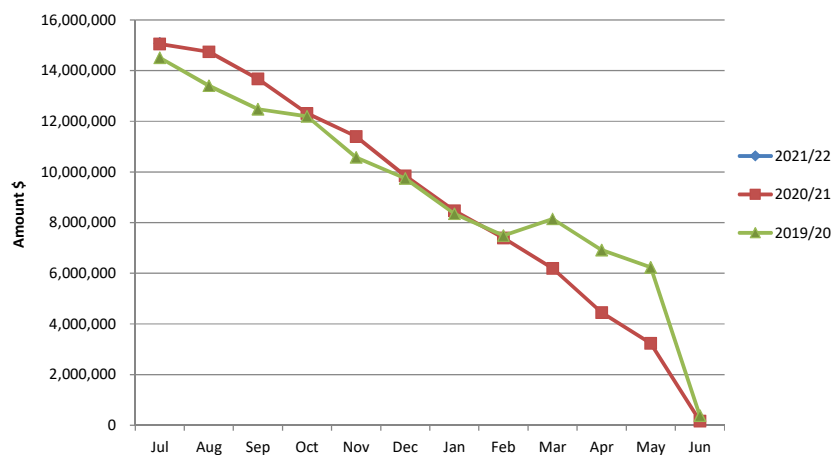
(Appendix ORD: 12.4.5B)



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

Note	Year to Date Actual 31-Jul-2021 \$	Same Time Last Year Actual 31-Jul-2020	Last Year Closing 30 June 2021 \$
Represented By:			
CURRENT ASSETS			
Cash and Cash Equivalents	24,017,253	23,940,467	27,043,356
Rates Debtors Outstanding	15,655,493	15,232,586	309,045
Pensioner Rates Rebate	10,811	20,643	46,375
Sundry Debtors	436,501	284,837	170,111
Accrued Revenue	55,015	59,534	119,951
Prepaid Expenses	0	0	39,520
Goods & Services Tax / BAS Refund	417,323	0	351,138
Other Receivables	143	0	0
Inventories - Materials	6,318	5,047	6,318
Inventories- Trading Stock - Recreation Centre	5,842	7,310	5,842
Current Assets	40,604,699	39,550,424	28,091,657
LESS CURRENT LIABILITIES			
Payables:			
Sundry Creditors	(69)	(60,498)	(1,798,946)
Goods & Services Tax / BAS Payable	0	(93,885)	0
Other Payables	(751,004)	(686,777)	(24,697)
Municipal Bonded Liabilities	(652,668)	(798,232)	(675,602)
Contract Liabilities	(3,871,585)	0	(2,615,839)
Prepaid Revenue - Rates / PPL	(95,207)	(83,508)	(782,454)
Accrued Interest on Debentures	(30,331)	(33,404)	(30,331)
Accrued Salaries & Wages	0	0	(300,795)
Other Accrued Expenses	0	0	(122,181)
Borrowings - Debentures	(212,334)	(229,724)	(333,977)
Provisions:			
Staff Leave Provisions	(1,693,713)	(1,430,786)	(1,693,713)
Current Liabilities	(7,306,910)	(3,416,814)	(8,378,535)
Net Current Assets	33,297,789	36,133,611	19,713,122
Less: Restricted Assets / Reserve Funds	(20,789,672)	(19,468,406)	(21,838,890)
Add: Current - Borrowings	212,334	229,724	333,977
Add: Current - Contract Liabilities held in Reserve accounts	2,218,249	0	2,444,924
Add: Current - Contract Liabilities - Leases	143,625		143,625
CLOSING FUNDS / NET CURRENT ASSETS (per previous page)	15,082,326	16,894,929	796,759

Liquidity Over The Year



(Appendix ORD: 12.4.5B)



Statement of Comprehensive Income by Nature or Type
For the Period Ended 31 July 2021
(Covering 1 month or 8.5% of the year)

	2021/22 Adopted Budget \$	2021/22 Revised Budget \$	2021/22 Y-T-D Revised Budget \$	2021/22 Y-T-D Actual \$	Variance Y-T-D Actual to Revised Budget \$	Variance Y-T-D Actual to Revised Budget %	2021/22 Forecast \$	2020/21 Last Year Estimated Actual \$
Revenue								
Rates	14,336,433	14,336,433	14,255,215	14,244,607	(10,608)	0.1%	14,336,433	13,716,704
Grants, Subsidies & Contributions	2,656,447	2,993,742	209,989	269,495	59,506	(28.3%)	2,803,690	3,496,488
Fees and Charges	3,110,375	3,110,375	268,745	260,262	(8,483)	3.2%	3,110,375	2,866,180
Interest Earnings	196,149	196,149	11,855	10,472	(1,383)	11.7%	196,149	512,789
Other Revenue	28,653	28,653	0	0	0	0.0%	28,653	24,685
	<u>20,328,056</u>	<u>20,665,351</u>	<u>14,745,804</u>	<u>14,784,836</u>	<u>39,032</u>	<u>(0.3%)</u>	<u>20,475,299</u>	<u>20,616,846</u>
Expenses								
Employee Costs	(10,841,458)	(10,841,458)	(1,042,358)	(687,094)	355,264	34.1%	(10,707,625)	(10,592,989)
Materials and Contracts	(5,395,854)	(5,733,149)	(694,391)	(295,020)	399,371	57.5%	(5,706,702)	(4,175,275)
Utility Charges	(563,170)	(563,170)	(47,086)	(15,091)	31,995	67.9%	(563,170)	(574,897)
Depreciation on Non-current Assets	(5,635,083)	(5,635,083)	(469,583)	(469,591)	(8)	(0.0%)	(5,635,083)	(5,253,788)
Interest Expense	(118,951)	(118,951)	(29,695)	(26,792)	2,903	9.8%	(118,951)	(117,813)
Insurance	(337,242)	(337,242)	(154,827)	(193,651)	(38,824)	(25.1%)	(337,591)	(316,060)
Other	(431,605)	(431,605)	(62,621)	(4,000)	58,621	93.6%	(431,605)	(333,679)
	<u>(23,323,364)</u>	<u>(23,660,659)</u>	<u>(2,500,561)</u>	<u>(1,691,238)</u>	<u>809,323</u>	<u>32.4%</u>	<u>(23,500,728)</u>	<u>(21,364,501)</u>
Operational Surplus / (Deficit)	(2,995,308)	(2,995,308)	12,245,243	13,093,598	848,355	(6.9%)	(3,025,429)	(747,655)
Grants & Contributions for the Development of Assets	7,805,596	7,805,595	409,130	227,025	(182,105)	(44.5%)	8,451,595	2,647,334
Profit on Asset Disposals	3,637,796	0	0	0	0	0.0%	3,637,796	1,048,762
Loss on Asset Disposals	0	3,637,796	303,150	0	(303,150)	0.0%	0	0
Fair Value Adjustment to Financial Assets	0	0	0	0	0	0.0%	0	0
	<u>11,443,392</u>	<u>11,443,391</u>	<u>712,280</u>	<u>227,025</u>	<u>(485,255)</u>	<u>68.1%</u>	<u>12,089,391</u>	<u>3,696,096</u>
NET RESULT	8,448,084	8,448,083	12,957,523	13,320,623	363,100	(2.8%)	9,063,962	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	8,448,084	8,448,083	12,957,523	13,320,623	363,100	(2.8%)	9,063,962	2,948,441

(Appendix ORD: 12.4.5B)



Notes to the Statement of Financial Activity For the Period Ended 31 July 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.

(Appendix ORD: 12.4.5B)



Notes to the Statement of Financial Activity For the Period Ended 31 July 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	2021/22 Y-T-D Revised Budget \$	2021/22 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	65	31	(34)	(52.6%)		
General Purpose Funding	3	13,900,719	13,911,577	10,858	0.1%		
Law, Order, Public Safety	5	78,086	7,189	(70,897)	(90.8%)	▼ Timing	No grant revenue recognised to date for fire prevention project Bushfire Risk Management Planning. Budget is for an even spread over the year.
Health	7	1,387	1,143	(244)	(17.6%)		
Education and Welfare	8	83	0	(83)	(100.0%)		
Community Amenities	10	242,631	243,385	754	0.3%		
Recreation and Culture	11	370,437	447,870	77,433	20.9%	▲ Permanent	Additional revenue from DFES Disaster Recovery Grant for May 2020 storm damage claim.
Transport	12	124,836	135,595	10,759	8.6%		
Economic Services	13	16,744	9,595	(7,149)	(42.7%)		
Other Property and Services	14	317,924	28,450	(289,474)	(91.1%)	▼ Timing	Variance is for recognition of profit on sale of land. It will be recognised upon completion of the sale of Council land. Budget value is for an even spread over the year.
Total Operating Revenue		15,052,912	14,784,836	(268,076)	(1.8%)		
Operating Expenses							
Governance	4	(155,322)	(92,738)	62,584	40.3%	▲ Timing	Lower costs to date for: councillors' fees and expenses \$11,000, other governance - consultants and administration \$46,000.
General Purpose Funding	3	(54,970)	(30,634)	24,336	44.3%		
Law, Order, Public Safety	5	(272,063)	(151,747)	120,316	44.2%	▲ Timing	Lower costs to date for: fire prevention projects \$43,000, bushfire brigade recurrent costs \$8,000, animal control \$20,000, other law, order and public safety costs \$21,000.
Health	7	(62,062)	(43,693)	18,369	29.6%		
Education and Welfare	8	(102,918)	(52,805)	50,113	48.7%	▲ Timing	Lower costs to date for Place and Community department costs for salaries, community donations and administration.
Community Amenities	10	(224,336)	(120,502)	103,834	46.3%	▲ Timing	Lower costs to date for: household sanitation \$17,000, town planning expenses for salaries, consultants and land development \$79,000.
Recreation & Culture	11	(768,632)	(573,409)	195,223	25.4%	▲ Timing	Lower costs to date for: Parks and Gardens maintenance \$89,000, Eaton Recreation Centre administration \$56,000, Library \$25,000, Community projects and donations \$20,000.
Transport	12	(543,762)	(485,318)	58,444	10.7%	▲ Timing	Lower road maintenance costs to date.
Economic Services	13	(63,703)	(41,333)	22,370	35.1%	▲ Timing	Lower costs to date for Building Control administration \$16,500, Economic Development \$4,500.
Other Property and Services	14	(292,306)	(99,059)	193,247	66.1%	▲ Timing	Lower costs to date for administration overheads 137,000 including salaries, software expenses and insurance, Public Works overheads \$17,000, Plant operating costs \$11,000, wages allocated to works but not yet paid \$24,000.
Total Operating Expenditure		(2,540,074)	(1,691,238)	848,836	(33.4%)		
Net Operating Activities		12,512,838	13,093,598	580,760	4.6%		

(continued next page)



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

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

	2021/22 Y-T-D Revised Budget \$	2021/22 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)	12,512,838	13,093,598	580,760	4.6%		
ADJUSTMENTS OF NON CASH ITEMS						
(Profit)/Loss on Asset Disposals	(303,150)	0	303,150	100.0%		
Accruals	0	0	0	0.0%		
Donated Assets Adjustments	0	0	0	0.0%		
Movement in Contract Liabilities	(259,362)	(226,675)	32,687	12.6%	▲ Timing	Less grant revenue allocated to date for specific grant funded projects due to lower costs to date.
Depreciation on Assets	469,583	469,591	8	0.0%		
Adjusted Net Operating Activities	12,419,909	13,336,514	916,604	7.4%		
INVESTING ACTIVITIES						
Revenue						
Non-operating grants, subsidies & contributions	409,130	227,025	(182,105)	(44.5%)	▼ Timing	Grant revenue for capital works is recognised concurrent with related project expenditure - which is below budget estimates for July.
Proceeds from Disposal of Assets	430,864	0	(430,864)	(100.0%)	▼ Timing	No asset disposal activity to date. Budget is for an even spread over the year
Total Capital Revenue	839,994	227,025	(612,969)	(73.0%)		
Expenditure						
Land & Buildings	(939,101)	(50,881)	888,220	94.6%	▲ Timing	The budget is for an even spread of expenditure over the year. Costs to date on most building projects are lower than budget including Bushfire Brigade facilities \$101,000, sports buildings \$425,000 and new administrative offices/library building \$367,000.
Infrastructure Assets - Road / Bridges / Paths	(295,333)	(64,542)	230,791	78.1%	▲ Timing	Road upgrade and renewal projects have lower costs to date due to delays for wet winter conditions and cost escalation. Most costs to date have been for ongoing projects including Eaton Drive extension, Harris Road renewal and grant funded pathway expansion in Eaton.
Infrastructure Assets - Parks & Gardens	(86,773)	(124,058)	(37,285)	(43.0%)	▼ Timing	The budget is for an even spread of expenses across the year. Higher costs to date due to completion of ongoing projects with Gnomesville Master Plan and Millars Creek lighting. Remaining projects are yet to commence construction.
Vehicles	(50,004)	0	50,004	100.0%	▲ Timing	No vehicles purchased to date. Budget is for an even spread over the year.
Furniture & Fittings	(7,524)	0	7,524	100.0%		
Total Capital Expenditure	(1,420,318)	(239,482)	1,180,836	(83.1%)		
Net Investing Activities	(580,324)	(12,457)	567,867	(97.9%)		

(continued next page)

(Appendix ORD: 12.4.5B)



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

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

	2021/22 Y-T-D Revised Budget \$	2021/22 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	3,768,217	1,052,880	(2,715,337)	(72.1%)	▼ Timing	Most Reserve account transfers will occur as related projects are completed. Budget is for an even spread over the year.
Total Financing Revenue	3,768,217	1,052,880	(2,715,337)	(72.1%)		
Expenditure						
Repayment of Loans	(60,273)	(51,394)	8,879	14.7%		
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	(30,283)	(36,313)	(6,030)	(19.9%)		
Transfers to Reserves	0	(3,661)	(3,661)	(100.0%)		
Total Financing Expenditure	(90,556)	(91,369)	(813)	0.9%		
Net Financing Activities	3,677,661	961,511	(2,716,150)	(73.9%)		
FUNDING SOURCES						
Surplus/(Deficit) July 1 B/Fwd	795,659	796,759	1,100	0.1%	▲ Permanent	Surplus from 2020/21 operations exceeded the estimate at the time of budget preparation.
CLOSING FUNDS (A+B+C+D)	16,312,905	15,082,327	(1,230,578)	(7.5%)		

(Appendix ORD: 12.4.5B)



Notes to the Statement of Financial Activity For the Period Ended 31 July 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	90,188.24	0.00	0.00	0.00	0.00	90,188.24
Ross & Deborah bevan	40,000.00	0.00	0.00	0.00	0.00	40,000.00
Public Open Space	772,623.28	0.00	0.00	0.00	0.00	772,623.28
Accrued Interest	0.00	0.00	0.00	0.00	0.00	0.00
Plus: Outstanding Creditors	0.00	0.00	0.00	0.00	0.00	0.00
Less: Outstanding Debtors	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL	902,811.52	0.00	0.00	0.00	0.00	902,811.52

4. 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
	\$	\$	\$	\$	\$	\$
<i>Council Restricted</i>						
Executive & Compliance Vehicles Reserve	202,279.74	0.00	0.00	0.00	0.00	202,279.74
Plant & Engineering Equipment Reserve	871,486.80	0.00	0.00	0.00	0.00	871,486.80
Eaton Recreation Centre - Equipment Reserve	276,753.48	0.00	0.00	0.00	0.00	276,753.48
Building Maintenance Reserve	1,659,484.10	0.00	0.00	0.00	0.00	1,659,484.10
Employee Relief Reserve	265,072.67	0.00	0.00	0.00	0.00	265,072.67
Employee Leave Entitlements Reserve	37,705.89	0.00	0.00	0.00	0.00	37,705.89
Refuse Site Environmental Works Reserve	84,079.81	0.00	0.00	0.00	0.00	84,079.81
Information Technology Reserve	667,851.83	0.00	0.00	0.00	0.00	667,851.83
Roadwork Construction & Major Maintenance Reserve	1,133,127.85	0.00	0.00	0.00	0.00	1,133,127.85
Accrued Salaries Reserve	499,625.69	0.00	0.00	0.00	0.00	499,625.69
Tourism Reserve	11,752.79	0.00	0.00	0.00	0.00	11,752.79
Recycling Education Reserve	39,129.63	0.00	0.00	0.00	0.00	39,129.63
Road Safety Programs Reserve	26,722.94	0.00	0.00	0.00	0.00	26,722.94
Council Land Development Reserve	22,633.78	0.00	0.00	0.00	0.00	22,633.78
Carried Forward Projects Reserve	3,532,648.72	0.00	0.00	0.00	0.00	3,532,648.72
Election Expenses Reserve	32,037.85	0.00	0.00	0.00	0.00	32,037.85
Town Planning Consultancy Reserve	37,993.08	0.00	0.00	0.00	0.00	37,993.08
Parks & Reserves Upgrades Reserve	608,347.76	0.00	0.00	0.00	0.00	608,347.76
Strategic Planning Studies Reserve	116,763.87	0.00	0.00	0.00	0.00	116,763.87
Pathways Reserve	308,065.78	0.00	0.00	0.00	0.00	308,065.78
Asset / Rates Revaluation Reserve	284,307.30	0.00	0.00	0.00	0.00	284,307.30
Refuse & Recycling Bin Replacement Reserve	54,805.49	0.00	0.00	0.00	0.00	54,805.49
Sale of Land Reserve	4,579,909.25	0.00	0.00	0.00	0.00	4,579,909.25
Storm Water Reserve	158,311.93	0.00	0.00	0.00	0.00	158,311.93
	15,510,898.03	0.00	0.00	0.00	0.00	15,510,898.03
<i>Statute Restricted</i>						
Contribution to Works Reserve	756,143.02	0.00	1,258.94	0.00	0.00	757,401.96
Eaton Drive - Access Construction Reserve	0.00	0.00	0.00	0.00	0.00	0.00
Eaton Drive - Scheme Construction Reserve	11,332.08	0.00	0.00	11,332.08	0.00	0.00
Fire Control Reserve	11,569.40	0.00	0.00	0.00	0.00	11,569.40
Collie River (Eaton Drive) Bridge Construction Reserve	1,290,499.74	0.00	0.00	59,168.00	0.00	1,231,331.74
Unspent Grants Reserve	3,161,706.49	0.00	0.00	982,380.00	0.00	2,179,326.49
Swimming Pool Inspection Reserve	4,501.19	0.00	0.00	0.00	0.00	4,501.19
Burekup - Public Open Space	72,500.00	0.00	0.00	0.00	0.00	72,500.00
Unspent Specified Area Rate - Bulk Waste Collection Reserve	87,646.82	0.00	0.00	0.00	0.00	87,646.82
Unspent Specified Area Rate - Eaton Landscaping Reserve	140,765.96	0.00	0.00	0.00	0.00	140,765.96
Wanju Developer Contribution Plan Unspent Loan Reserve	750,000.00	0.00	0.00	0.00	0.00	750,000.00
Dardanup Expansion Developer Contribution Plan Reserve	41,327.68	0.00	0.00	0.00	0.00	41,327.68
	6,327,992.38	0.00	1,258.94	1,052,880.08	0.00	5,276,371.24
Interest	0.00	0.00	2,402.49	0.00	0.00	2,402.49
Less: Outstanding Debtors	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL	21,838,890.41	0.00	3,661.43	1,052,880.08	0.00	20,789,671.76

(Appendix ORD: 12.4.5B)



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

5. 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	0.00	0.00	0.00	0.00	0.00	0.00
Parkridge Group	86,067.06	0.00	0.00	0.00	0.00	86,067.06
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	22,763.74	0.00	0.00	(22,763.74)	0.00	0.00
Holland Loop Pty Ltd	19,370.00	0.00	0.00	0.00	0.00	19,370.00
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	(2,870.61)	0.00	33,522.60
Burekup Developments Pty Ltd	7,250.91	0.00	0.00	0.00	0.00	7,250.91
Universal Marina Systems	4,123.29	0.00	0.00	0.00	0.00	4,123.29
Total - Retention Bonds	314,383.43	0.00	0.00	(25,634.35)	0.00	288,749.08
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	33,776.15	0.00	0.00	0.00	0.00	33,776.15
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	86,915.96	0.00	0.00	0.00	0.00	86,915.96
Sundry Deposits						
Unclaimed Monies	1,704.60	0.00	0.00	0.00	0.00	1,704.60
Bunbury Wellington Group of Councils	40,664.30	3,000.00	0.00	0.00	0.00	43,664.30
Total - Sundry Deposits	42,368.90	3,000.00	0.00	0.00	0.00	45,368.90
Key Bonds	352.68	40.00	0.00	(40.00)	0.00	352.68
Hire Bonds	3,380.00	800.00	0.00	(1,100.00)	0.00	3,080.00
Kerb Bonds	75,041.91	0.00	0.00	0.00	0.00	75,041.91
Construction Training Fund	1,024.08	1,762.79	0.00	0.00	0.00	2,786.87
Building Services Levy	12,517.62	0.00	0.00	(3,309.59)	0.00	9,208.03
Development Assessment Panel	9,411.00	165.00	0.00	0.00	0.00	9,576.00
Less Outstanding Debtors	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL	698,554.66	5,767.79	0.00	(30,083.94)	0.00	674,238.51

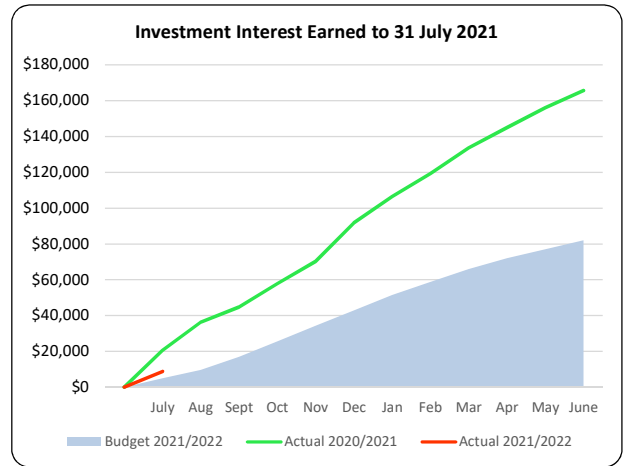
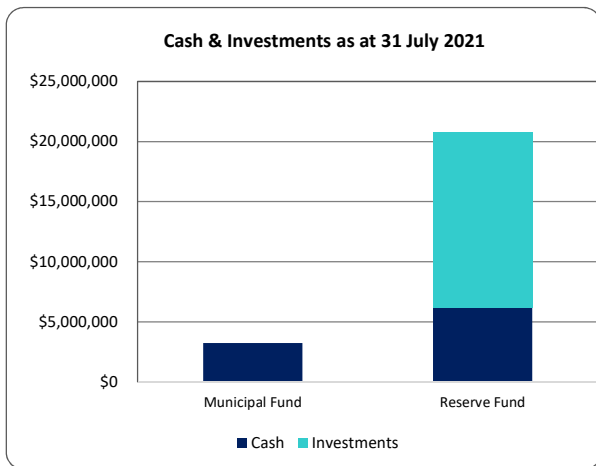
(Appendix ORD: 12.4.5B)



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

6. STATEMENT OF INVESTMENTS

BANK	TYPE	AMOUNT	RATE	DAYS	COMMENCEMENT	MATURITY	ESTIMATED INTEREST	INTEREST CREDITED 2021-2022
MUNICIPAL FUND								
CBA	Municipal Fund Bank Account	\$ 3,224,120.85	0.00%					\$0.00
	Interest received on matured deposits							\$3,241.10
		<u>\$ 3,224,120.85</u>					<u>\$0.00</u>	<u>\$3,241.10</u>
TRUST FUND								
CBA	Trust Fund Bank Account	\$ 902,811.52	0.00%				\$0.00	\$0.00
		<u>\$ 902,811.52</u>					<u>\$0.00</u>	<u>\$0.00</u>
RESERVE FUND								
CBA	Reserve Bank Account	\$ 6,175,604.62	0.00%				\$0.00	\$0.00
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	0.72%	365	9/2020	9/2021	\$7,200.00	
WBC	Tailored Term Deposit	\$ 4,000,000.00	0.80%	365	8/2020	8/2021	\$32,000.00	\$23,934.24
ANZ	Term Deposit	\$ 3,000,000.00	0.82%	367	10/2020	10/2021	\$24,734.79	
ANZ	Term Deposit - 2402.49 Compounded	\$ 3,013,771.25	0.39%	276	7/2021	10/2021	\$8,887.74	
ME Bank	Term Deposit	\$ 1,000,000.00	0.45%	181	3/2021	9/2021	\$2,231.51	
	Interest received on matured deposits							\$3,241.10
		<u>\$ 20,789,671.76</u>					<u>\$95,560.45</u>	<u>\$27,175.34</u>
								\$3,241.10
								<u>\$27,175.34</u>
								<u>\$30,416.44</u>
	Total Interest Received							<u>\$30,416.44</u>
								\$ 14,614,067.14



(Appendix ORD: 12.4.5B)



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

6. STATEMENT OF INVESTMENTS (continued)

Total Funds Invested

Total Funds Invested as at Reporting Date -

Municipal Fund Investment Portfolio	\$	-
Trust Fund Investment Portfolio	\$	-
Reserve Fund Investment Portfolio	\$	14,614,067.14
	\$	<u>14,614,067.14</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.

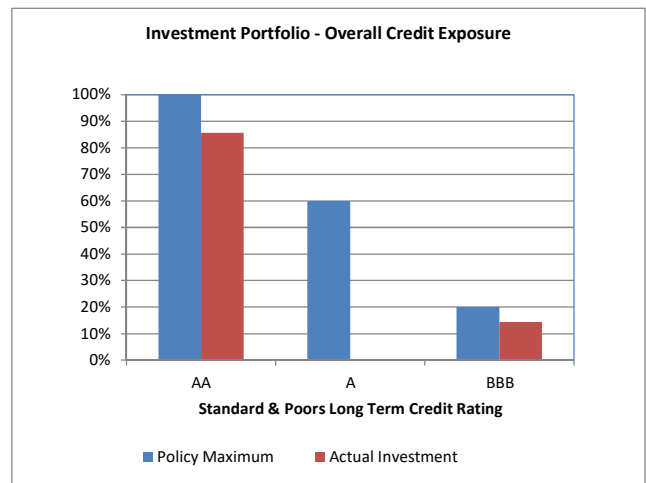
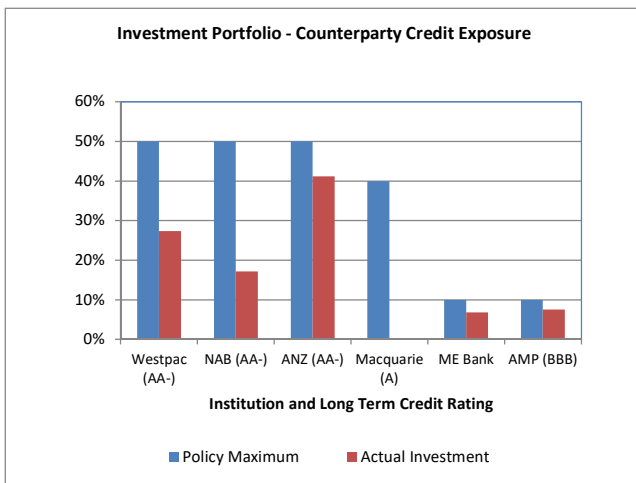
Counterparty Credit Exposure

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: 12.4.5B)



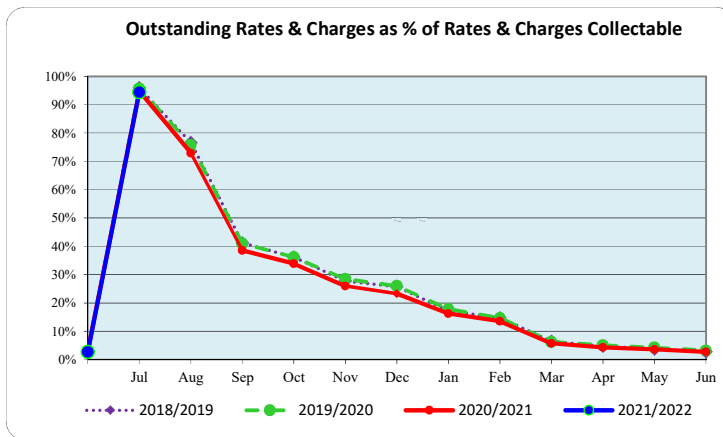
Notes to the Statement of Financial Activity For the Period Ended 31 July 2021

7. Accounts Receivable as at 31 July 2021

Rates and Charges Outstanding

2021/22 annual rates were raised on 23 July 2021 and are due by 8 September 2021 for payment in full or for the first of four instalments. The final instalment was due by 14 March 2022.

As at the reporting date, total outstanding rates and charges (including pensioner deferred rates) is \$15,790,056. This equates to 94% of rates and charges collectable and is similar to previous years. It is the objective of management to achieve less than 4% of rates and charges outstanding by 30 June.

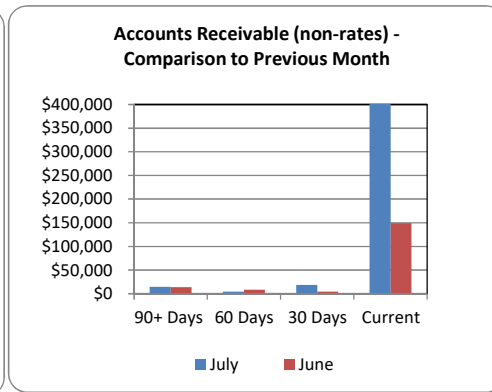
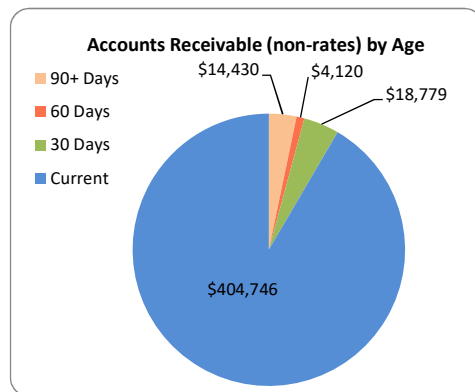


Sundry Debtors Outstanding (non-rates)

As at the reporting date, the total outstanding Sundry Debtors amount to \$442,075.

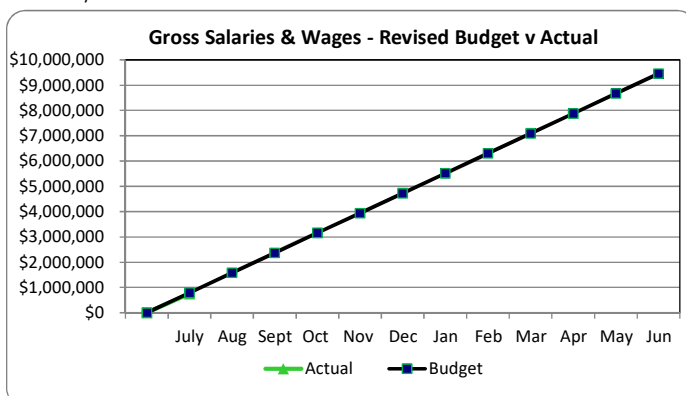
The significant invoices outstanding are \$304,052 for government grants, \$75,000 for state government contribution to expenses at Eaton Recreation centre and Glen Huon Oval, which are all expected to be paid within 30 days.

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 July 2021

At the reporting date, total salaries and wages expenditure is \$749,426 (7.9%) of the annual budget of \$9,456,708 for the 2020/21 financial year.



(Appendix ORD: 12.4.5B)



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

9. RATING INFORMATION

RATE TYPE	Rate in	Number of properties	Rateable value	2021/22 Budget rate revenue	2021/22 Budget interim rates	2021/22 Budget back rates	2021/22 Budget total revenue	2021/22 Actual total revenue	2020/21 Actual total revenue	2020/21 Budget total revenue
	\$		\$	\$	\$	\$	\$	\$	\$	\$
<u>Differential general rate or general rate</u>										
Gross rental valuations										
General Rates - GRV: Residential	0.104016	3,452	61,450,723	6,391,858	0	0	6,391,858	6,391,940	5,715,510	5,746,655
General Rates - GRV: Commercial	0.104016	60	14,621,830	1,520,904	0	0	1,520,904	1,523,068	1,459,170	1,428,025
General Rates - GRV: Industrial	0.104016	73	7,983,546	830,416	0	0	830,416	830,416	763,695	763,695
General Rates - GRV: Small Holding	0.104016	348	7,859,124	817,475	0	0	817,475	815,230	764,943	765,545
General Rates - GRV: Interim and Back Rates	0.104016	0	0	0	92,600	0	92,600	0	86,122	91,144
Unimproved valuations										
General Rates - UV: Broad Acre Rural	0.006468	474	259,287,000	1,677,068	0	0	1,677,068	1,677,068	1,718,315	1,718,765
General Rates - UV: Mining	0.006468	0	0	0	0	0	0	0	0	0
General Rates - UV: Interim and Back Rates	0.006468	0	0	0	0	0	0	0	0	0
Sub-Totals		4,407	351,202,223	11,237,721	92,600	0	11,330,321	11,237,722	10,507,755	10,513,829
Minimum	\$									
<u>Minimum payment</u>										
Gross rental valuations										
General Rates - GRV: Residential	1,547.50	1,446	17,681,209	2,237,685	0	0	2,237,685	2,220,662	2,554,923	2,554,923
General Rates - GRV: Commercial	1,547.50	7	61,400	10,833	0	0	10,833	13,928	10,833	10,833
General Rates - GRV: Industrial	1,547.50	44	542,200	68,090	0	0	68,090	68,090	72,732	72,733
General Rates - GRV: Small Holding	1,547.50	79	616,920	122,253	0	0	122,253	136,180	131,538	131,538
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	126	17,828,600	194,985	0	0	194,985	194,985	184,152	184,153
General Rates - UV: Mining	1,547.50	14	212,885	21,665	0	0	21,665	21,665	27,855	27,855
General Rates - UV: Interim and Back Rates	1,547.50	0	0	0	0	0	0	0	0	0
Sub-Totals		1,716	36,943,214	2,655,511	0	0	2,655,511	2,655,510	2,982,033	2,982,035
		6,123	388,145,437	13,893,232	92,600	0	13,985,832	13,893,232	13,489,788	13,495,864
Discounts/concessions/write-off							(29,027)	0	(27,482)	(5,000)
Total amount raised from general rates							13,956,805	13,893,232	13,462,306	13,490,864
Specified area rates							354,600	351,375	350,178	350,000
Total rates							14,311,405	14,244,607	13,812,484	13,840,864



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

10. INFORMATION ON BORROWINGS

Debenture Repayments

Particulars	Loan No.	Principal	New		Principal		Interest		Principal	
		Opening Balance 01 July 2021	Loans	Adopted	Repayments	Adopted	Repayments	Adopted	Outstanding	Adopted
		\$	Actual	Budget	Actual	Budget	Actual	Budget	Actual	Budget
			\$	\$	\$	\$	\$	\$	\$	\$
Community Amenities										
Wanju/Waterloo Industrial Park										
Developer Contribution Plans	70	750,000	0	0	0	(64,443)	0	(29,743)	750,000	685,557
Waste Bins (3 Bin System)	New	0		320,000	0	(21,345)	0	(4,467)	0	298,655
Recreation and Culture										
Eaton Recreation Centre	59	192,573	0	0	0	(93,456)	0	(10,983)	192,573	99,117
Glen Huon Oval Club Rooms	69	924,296	0	0	(21,182)	(42,771)	(17,746)	(41,340)	903,114	881,525
Transport										
Depot Land	66	444,476	0	0	(30,212)	(61,039)	(9,045)	(20,396)	414,264	383,437
Economic Services										
Gravel Pit Land - Panizza Road	61	66,648	0	0	0	(25,428)	0	(4,130)	66,648	41,220
Other Property and Services										
Administration Building Extensions	65	85,007	0	0	0	(41,035)	0	(5,908)	85,007	43,972
		2,463,000	0	320,000	(51,394)	(349,517)	(26,792)	(116,967)	2,411,606	2,433,483

All debenture repayments are financed by general purpose revenue.

(Appendix ORD: 12.4.5B)



Notes to the Statement of Financial Activity For the Period Ended 31 July 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		Opening Surplus				16,552
	Permanent Changes						
0827501	Covid-19 Youth Recovery Grant	28/07/21 - 231-21	Operating Revenue		5,000		21,552
J08712	Youth Development Program - Bush Adventure Learning Camp	28/07/21 - 231-21	Operating Expense			(4,000)	17,552
J08712	Youth Development Program - Innovate Youth Program	28/07/21 - 231-21	Operating Expense			(1,000)	16,552
0521502	DFES Mitigation Activity Fund grant to reduce bushfire risk	28/07/21 - 232-21	Operating Revenue		337,295		353,847
J05021	Bushfire Risk Management - treatments to mitigate bushfire risk	28/07/21 - 232-21	Operating Expense			(337,295)	16,552
1124003	Fees & Charges Recreation Centre - Admissions	28/07/21 - 240-21	Operating Revenue		24,000		40,552
1114013	Advertising / Promotions Recreation Centre (Wildcats Fixture)	28/07/21 - 240-21	Operating Expense			(24,000)	16,552
					366,295	(366,295)	16,552

(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		
		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.
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.
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.
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.
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.
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.

(Appendix ORD: 12.4.6B)



Monthly Financial Report

For the Period

1 July 2021 to 31 August 2021

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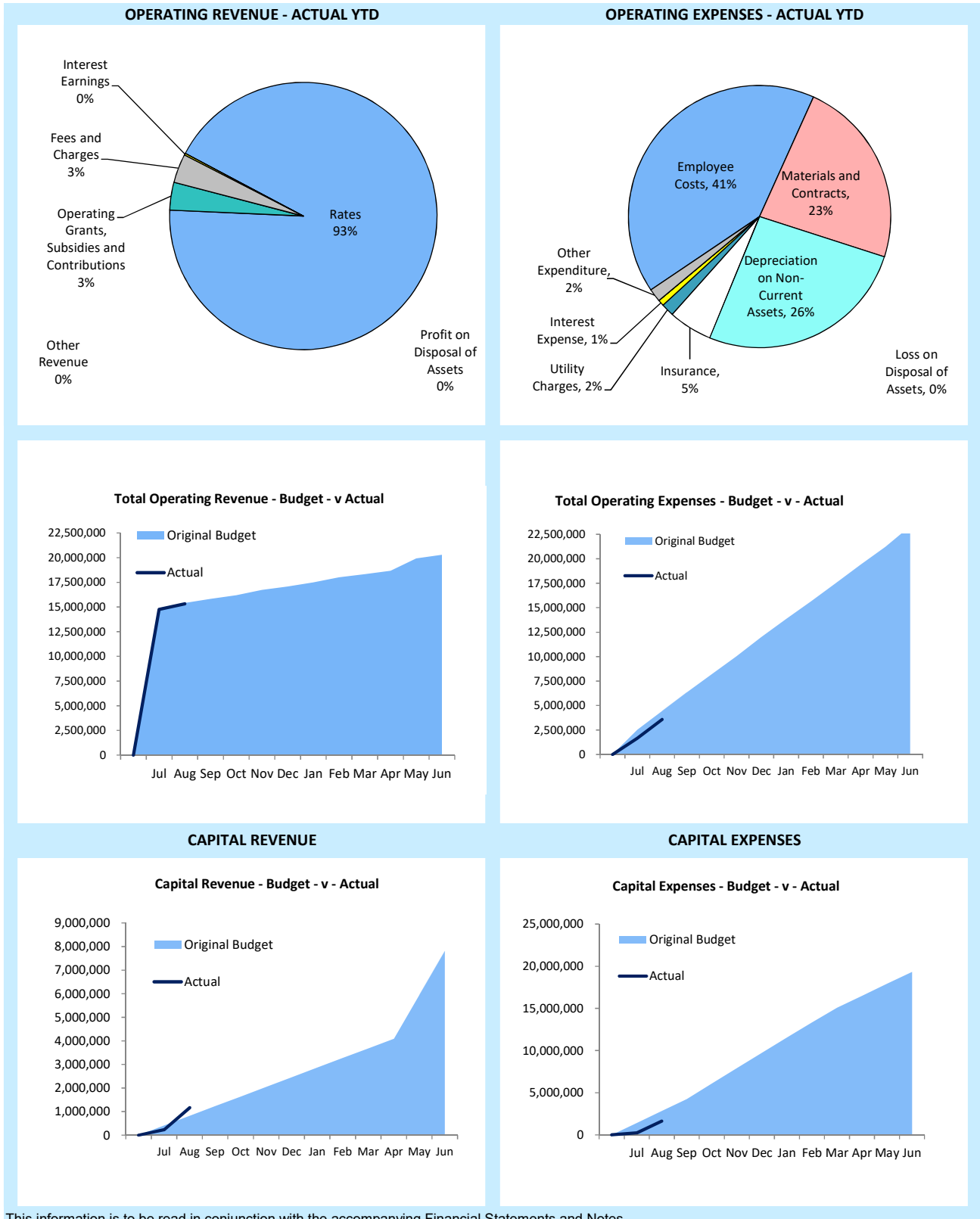
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(Appendix ORD: 12.4.6B)



Monthly Financial Report For the Period Ended 31 August 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 August 2021 (Covering 2 months or 17% of the year)

Sch	2021/22	2021/22	2021/22	2021/22	Variance Y-T-D	Variance Y-T-D	2021/22	2020/21	
	Adopted Budget \$	Revised Budget \$	Y-T-D Revised Budget \$	Y-T-D Actual \$	Actual to Revised Budget \$	Actual to Revised Budget %	Forecast \$	Last Year Estimated Actual \$	
OPERATING ACTIVITIES									
Revenue									
Governance	4	800	800	130	74	(56)	(43.0%)	800	23,979
General Purpose Funding	3	15,793,559	15,793,559	14,128,044	14,133,520	5,476	0.0%	15,763,438	15,328,126
Law, Order, Public Safety	5	513,681	850,976	128,064	27,899	(100,165)	(78.2%) ▼	691,045	647,418
Health	7	16,650	16,650	2,774	2,352	(422)	(15.2%)	16,650	5,489
Education and Welfare	8	6,000	11,000	1,000	0	(1,000)	(100.0%)	11,000	10,017
Community Amenities	10	1,770,752	1,770,752	381,544	364,579	(16,965)	(4.4%)	1,770,752	1,592,566
Recreation and Culture	11	1,687,284	1,735,284	472,870	575,769	102,899	21.8% ▲	1,735,284	1,633,968
Transport	12	157,524	157,524	125,201	136,349	11,148	8.9%	157,524	153,523
Economic Services	13	189,980	189,980	32,488	24,815	(7,673)	(23.6%)	189,980	156,347
Other Property and Services	14	3,815,130	3,815,130	635,848	62,478	(573,370)	(90.2%) ▼	3,815,130	270,536
Total Operating Revenue		23,951,359	24,341,655	15,907,963	15,327,835	(580,128)	(3.6%)	24,151,602	19,821,969
Operating Expenses									
Governance	4	(1,272,496)	(1,272,496)	(269,572)	(205,206)	64,366	23.9% ▲	(1,255,796)	(1,082,607)
General Purpose Funding	3	(530,474)	(530,474)	(88,274)	(54,562)	33,712	38.2% ▲	(530,474)	(366,360)
Law, Order, Public Safety	5	(1,666,216)	(2,003,511)	(441,300)	(281,632)	159,668	36.2% ▲	(1,843,580)	(1,741,240)
Health	7	(552,143)	(552,143)	(116,458)	(89,488)	26,970	23.2% ▲	(552,144)	(512,485)
Education and Welfare	8	(878,754)	(883,754)	(187,521)	(117,211)	70,310	37.5% ▲	(883,754)	(841,337)
Community Amenities	10	(3,385,649)	(3,385,649)	(529,165)	(335,269)	193,896	36.6% ▲	(3,402,349)	(2,811,850)
Recreation & Culture	11	(8,026,956)	(8,074,956)	(1,451,032)	(1,187,707)	263,325	18.1% ▲	(8,074,955)	(7,557,812)
Transport	12	(6,443,340)	(6,443,340)	(1,078,437)	(994,154)	84,283	7.8% ▲	(6,443,340)	(6,062,923)
Economic Services	13	(563,127)	(563,127)	(116,240)	(98,641)	17,599	15.1%	(563,127)	(483,057)
Other Property and Services	14	(408,728)	(408,728)	(238,862)	(215,319)	23,543	9.9%	(408,728)	(219,770)
Total Operating Expenditure		(23,727,883)	(24,118,178)	(4,516,861)	(3,579,187)	937,674	20.8%	(23,958,247)	(21,679,440)
Net Operating Activities		223,477	223,477	11,391,102	11,748,648	357,546	(3.1%)	193,356	(1,857,471)

(continued next page)

(Appendix ORD: 12.4.6B)



Statement of Financial Activity by Program For the Period Ended 31 August 2021 (Covering 2 months or 17% of the year)

	2021/22 Adopted Budget \$	2021/22 Revised Budget \$	2021/22 Y-T-D Revised Budget \$	2021/22 Y-T-D Actual \$	Variance Y-T-D Actual to Revised Budget \$	Variance Y-T-D Actual to Revised Budget %	2021/22 Forecast \$	2020/21 Last Year Estimated Actual \$
Net Operating Activities (from previous page)	223,477	223,477	11,391,102	11,748,648	357,546	3.1%	193,356	(1,857,471)
ADJUSTMENTS OF NON CASH ITEMS								
(Profit)/Loss on Asset Disposals	(3,637,796)	(3,637,796)	(606,300)	0	606,300	100.0% ▲	(3,637,796)	(13,579)
Accruals	0	0	0	0	0	0.0%	0	(47,412)
Fair value adjustment to financial assets	0	0	0	0	0	0.0%	0	0
Movement in contract liabilities associated with restricted cash	(3,053,776)	(3,053,776)	(518,724)	166,105	684,828	(132.0%) ▲	(3,053,775)	(2,109,196)
Contra Repayment of Prefunded Infrastructure	0	0	0	0	0	0.0%	0	0
Depreciation on Assets	5,635,083	5,635,083	939,166	939,182	16	0.0%	5,635,083	5,191,074
Adjusted Net Operating Activities	A (833,012)	(833,012)	11,205,244	12,853,934	1,648,690	14.7%	(863,132)	1,163,416
INVESTING ACTIVITIES								
Revenue								
Non-operating grants, subsidies & contributions	7,805,595	7,805,595	818,260	1,163,542	345,282	42.2% ▲	8,451,595	5,262,066
Proceeds from Disposal of Assets	5,170,384	5,170,384	861,728	45,455	(816,273)	(94.7%) ▼	5,170,384	229,045
Total Capital Revenue	12,975,979	12,975,979	1,679,988	1,208,996	(470,992)	(28.0%)	13,621,979	5,491,111
Expenditure								
Land & Buildings	(11,269,366)	(11,269,366)	(1,878,202)	(820,151)	1,058,051	56.3% ▲	(11,269,366)	(2,076,318)
Infrastructure Assets - Road / Bridges / Paths	(5,843,154)	(5,843,154)	(590,666)	(385,452)	205,214	34.7% ▲	(6,489,154)	(3,989,335)
Infrastructure Assets - Parks & Gardens	(1,041,348)	(1,041,348)	(173,546)	(155,768)	17,778	10.2%	(1,041,348)	(363,538)
Vehicles	(600,054)	(600,054)	(100,008)	(271,616)	(171,608)	(171.6%) ▲	(600,054)	(531,430)
Furniture & Fittings	(90,315)	(90,315)	(15,048)	0	15,048	100.0%	(90,315)	(24,754)
Total Capital Expenditure	(19,343,237)	(19,343,237)	(2,840,636)	(1,632,988)	1,207,648	42.5%	(19,989,237)	(6,985,375)
Net Capital Activities	B (6,367,258)	(6,367,258)	(1,160,648)	(423,992)	736,656	63.5%	(6,367,258)	(1,494,264)
FINANCING ACTIVITIES								
Revenue								
Proceeds from New Loans	320,000	320,000	0	0	0	0.0%	320,000	750,000
Transfers from Reserves	17,937,355	17,937,355	3,768,217	1,907,741	(1,860,476)	(49.4%) ▼	17,964,751	7,607,708
Total Financing Revenue	18,257,355	18,257,355	3,768,217	1,907,741	(1,860,476)	49.4%	18,284,751	8,357,708
Expenditure								
Repayment of Loans	(349,517)	(349,517)	(67,421)	(51,394)	16,027	23.8%	(349,517)	(250,116)
Principal element of finance lease payments	(334,246)	(334,246)	(56,918)	(71,121)	(14,203)	(25.0%)	(334,246)	(213,304)
Transfers to Reserves	(10,526,326)	(10,526,326)	0	(1,279,381)	(1,279,381)	(100.0%) ▼	(10,526,326)	(7,241,183)
Total Financing Expenditure	(11,210,089)	(11,210,089)	(124,339)	(1,401,896)	(1,277,557)	(1027.5%)	(11,210,089)	(7,704,603)
Net Financing Activities	C 7,047,266	7,047,266	3,643,878	505,845	(3,138,033)	86.1%	7,074,662	653,105
FUNDING SOURCES								
Surplus/(Deficit) July 1 B/Fwd	D 169,557	169,557	169,557	796,759	627,202	369.9% ▲	796,759	474,501
CLOSING FUNDS (A+B+C+D)	16,552	16,552	13,858,031	13,732,546	(125,485)	0.9%	641,030	796,759

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

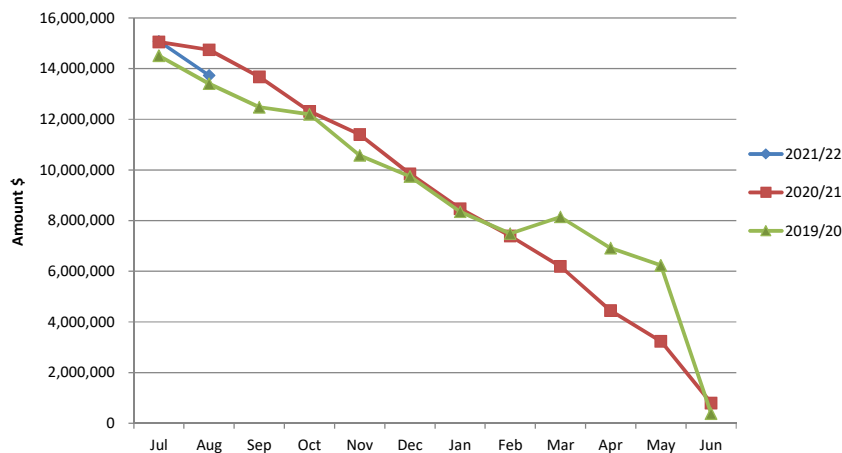
(Appendix ORD: 12.4.6B)



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

Note	Year to Date Actual 31-Aug-2021 \$	Same Time Last Year Actual 31-Jul-2020	Last Year Closing 30 June 2021 \$
Represented By:			
CURRENT ASSETS			
Cash and Cash Equivalents	26,456,757	23,940,467	27,043,356
Rates Debtors Outstanding	11,740,722	15,232,586	309,045
Pensioner Rates Rebate	46,906	20,643	46,375
Sundry Debtors	1,058,997	284,837	170,111
Accrued Revenue	34,349	59,534	119,951
Prepaid Expenses	0	0	39,520
Goods & Services Tax / BAS Refund	146,053	0	351,138
Other Receivables	2,680	0	0
Inventories - Materials	6,318	5,047	6,318
Inventories- Trading Stock - Recreation Centre	5,842	7,310	5,842
Current Assets	39,498,626	39,550,424	28,091,657
LESS CURRENT LIABILITIES			
Payables:			
Sundry Creditors	(140,261)	(60,498)	(1,798,946)
Goods & Services Tax / BAS Payable	0	(93,885)	0
Other Payables	(741,581)	(686,777)	(24,697)
Municipal Bonded Liabilities	(652,818)	(798,232)	(675,602)
Contract Liabilities	(3,904,218)	0	(2,615,839)
Prepaid Revenue - Rates / PPL	(146,789)	(83,508)	(782,454)
Accrued Interest on Debentures	(30,331)	(33,404)	(30,331)
Accrued Salaries & Wages	0	0	(300,795)
Other Accrued Expenses	0	0	(122,181)
Borrowings - Debentures	(212,334)	(229,724)	(333,977)
Provisions:			
Staff Leave Provisions	(1,693,713)	(1,430,786)	(1,693,713)
Current Liabilities	(7,522,044)	(3,416,814)	(8,378,535)
Net Current Assets	31,976,582	36,133,611	19,713,122
Less: Restricted Assets / Reserve Funds	(21,210,531)	(19,468,406)	(21,838,890)
Add: Current - Borrowings	212,334	229,724	333,977
Add: Current - Contract Liabilities held in Reserve accounts	2,610,536	0	2,444,924
Add: Current - Contract Liabilities - Leases	143,625		143,625
CLOSING FUNDS / NET CURRENT ASSETS (per previous page)	13,732,546	16,894,929	796,759

Liquidity Over The Year



(Appendix ORD: 12.4.6B)



**Statement of Comprehensive Income by Nature or Type
For the Period Ended 31 August 2021
(Covering 2 months or 17% of the year)**

	2021/22 Adopted Budget \$	2021/22 Revised Budget \$	2021/22 Y-T-D Revised Budget \$	2021/22 Y-T-D Actual \$	Variance Y-T-D Actual to Revised Budget \$	Variance Y-T-D Actual to Revised Budget %	2021/22 Forecast \$	2020/21 Last Year Estimated Actual \$
Revenue								
Rates	14,311,406	14,311,406	14,262,598	14,245,246	(17,352)	0.1%	14,311,406	13,716,704
Grants, Subsidies & Contributions	2,656,447	2,998,742	483,512	515,421	31,909	(6.6%)	2,808,690	3,496,488
Fees and Charges	3,110,375	3,134,375	523,502	535,518	12,016	(2.3%)	3,134,375	2,866,180
Interest Earnings	196,149	196,149	27,216	31,650	4,434	(16.3%)	196,149	512,789
Other Revenue	28,653	28,653	0	0	0	0.0%	28,653	24,685
	<u>20,303,029</u>	<u>20,669,324</u>	<u>15,296,828</u>	<u>15,327,835</u>	<u>31,007</u>	<u>(0.2%)</u>	<u>20,479,272</u>	<u>20,616,846</u>
Expenses								
Employee Costs	(10,840,096)	(10,841,458)	(1,920,172)	(1,474,028)	446,144	23.2%	(10,707,625)	(10,592,989)
Materials and Contracts	(5,791,985)	(6,156,133)	(1,257,128)	(831,385)	425,743	33.9%	(6,129,686)	(4,175,275)
Utility Charges	(563,170)	(563,170)	(93,921)	(56,176)	37,745	40.2%	(563,170)	(574,897)
Depreciation on Non-current Assets	(5,635,083)	(5,635,083)	(939,166)	(939,182)	(16)	(0.0%)	(5,635,083)	(5,253,788)
Interest Expense	(123,418)	(118,951)	(32,760)	(26,792)	5,968	18.2%	(118,951)	(117,813)
Insurance	(337,242)	(337,242)	(169,198)	(193,769)	(24,571)	(14.5%)	(337,591)	(316,060)
Other	(426,355)	(431,605)	(99,681)	(57,856)	41,825	42.0%	(431,605)	(333,679)
	<u>(23,717,350)</u>	<u>(24,083,643)</u>	<u>(4,512,026)</u>	<u>(3,579,187)</u>	<u>932,839</u>	<u>20.7%</u>	<u>(23,923,712)</u>	<u>(21,364,501)</u>
Operational Surplus / (Deficit)	(3,414,321)	(3,414,319)	10,784,802	11,748,648	963,846	(8.9%)	(3,444,440)	(747,655)
Grants & Contributions for the Development of Assets	7,805,596	7,805,595	818,260	1,163,542	345,282	42.2%	8,451,595	2,647,334
Profit on Asset Disposals	3,648,330	3,648,330	606,300	0	(606,300)	0.0%	3,648,330	1,048,762
Loss on Asset Disposals	(10,534)	(10,534)	0	0	0	0.0%	(10,534)	0
Fair Value Adjustment to Financial Assets	0	0	0	0	0	0.0%	0	0
	<u>11,443,392</u>	<u>11,443,391</u>	<u>1,424,560</u>	<u>1,163,542</u>	<u>(261,018)</u>	<u>18.3%</u>	<u>12,089,391</u>	<u>3,696,096</u>
NET RESULT	8,029,071	8,029,072	12,209,362	12,912,189	702,827	(5.8%)	8,644,951	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	8,029,071	8,029,072	12,209,362	12,912,189	702,827	(5.8%)	8,644,951	2,948,441

(Appendix ORD: 12.4.6B)



Notes to the Statement of Financial Activity For the Period Ended 31 August 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.

(Appendix ORD: 12.4.6B)



Notes to the Statement of Financial Activity For the Period Ended 31 August 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	2021/22 Y-T-D Revised Budget \$	2021/22 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	130	74	(56)	(43.0%)		
General Purpose Funding	3	14,128,044	14,133,520	5,476	0.0%		
Law, Order, Public Safety	5	128,064	27,899	(100,165)	(78.2%)	▼ Timing	Less grant revenue recognised to date for fire prevention project Bushfire Risk Management Planning. Budget is for an even spread over the year.
Health	7	2,774	2,352	(422)	(15.2%)		
Education and Welfare	8	1,000	0	(1,000)	(100.0%)		
Community Amenities	10	381,544	364,579	(16,965)	(4.4%)		
Recreation and Culture	11	472,870	575,769	102,899	21.8%	▲ Permanent / Timing	Permanent :- \$80,000 additional revenue from DFES Disaster Recovery Grant for May 2020 storm damage claim, \$10,000 corporate sponsorship of community event. Timing :- \$10,000 increased income from Eaton Recreation Centre operations.
Transport	12	125,201	136,349	11,148	8.9%		
Economic Services	13	32,488	24,815	(7,673)	(23.6%)		
Other Property and Services	14	635,848	62,478	(573,370)	(90.2%)	▼ Timing	Variance is for recognition of profit on sale of land. It will be recognised upon completion of the sale of Council land. Budget amount is for an even spread over the year.
Total Operating Revenue		15,907,963	15,327,835	(580,128)	(3.6%)		
Operating Expenses							
Governance	4	(269,572)	(205,206)	64,366	23.9%	▲ Timing	Lower costs to date for: Elected members administration costs \$22,000, Other Governance including legal costs, receptions, public relation & general administration \$42,000.
General Purpose Funding	3	(88,274)	(54,562)	33,712	38.2%		Lower costs to date for Rates section - notice printing and administration.
Law, Order, Public Safety	5	(441,300)	(281,632)	159,668	36.2%	▲ Timing	Lower costs to date for: fire prevention projects & administration \$102,000, bushfire brigade recurrent costs \$8,000, animal control administration \$18,000, other law, order and public safety costs \$30,000.
Health	7	(116,458)	(89,488)	26,970	23.2%	▲ Timing	Lower costs of health administration and inspections
Education and Welfare	8	(187,521)	(117,211)	70,310	37.5%	▲ Timing	Lower costs to date for School donations \$7,000, Place & Community donations and administration \$65,000
Community Amenities	10	(529,165)	(335,269)	193,896	36.6%	▲ Timing	Lower costs to date for: household sanitation \$51,000, town planning salaries, consultants and land development \$129,000.
Recreation & Culture	11	(1,451,032)	(1,187,707)	263,325	18.1%	▲ Timing	Lower costs to date for: Parks and Gardens maintenance \$123,500, Eaton Recreation Centre administration \$71,000, Library \$37,000, Community projects and donations \$29,000.
Transport	12	(1,078,437)	(994,154)	84,283	7.8%	▲ Timing	Lower roads, bridges & paths maintenance costs to date.
Economic Services	13	(116,240)	(98,641)	17,599	15.1%		
Other Property and Services	14	(238,862)	(215,319)	23,543	9.9%		
Total Operating Expenditure		(4,516,861)	(3,579,187)	937,674	(20.8%)		
Net Operating Activities		11,391,102	11,748,648	357,546	3.1%		

(continued next page)

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

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

	2021/22 Y-T-D Revised Budget \$	2021/22 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)	11,391,102	11,748,648	357,546	3.1%		
ADJUSTMENTS OF NON CASH ITEMS						
(Profit)/Loss on Asset Disposals	(606,300)	0	606,300	100.0%	▲ Timing	Variance is for recognition of profit on sale of land, which will occur upon completion of the sale of Council land. Budget is for an even spread over the year.
Accruals	0	0	0	0.0%		
Donated Assets Adjustments	0	0	0	0.0%		
Movement in Contract Liabilities	(518,724)	166,105	684,828	132.0%	▲ Timing	Increase in early receipt of Contract Liability grants for capital projects not yet constructed - greater than the amount used on existing grant funded projects.
Depreciation on Assets	939,166	939,182	16	0.0%		
Adjusted Net Operating Activities	11,205,244	12,853,934	1,648,690	14.7%		
INVESTING ACTIVITIES						
Revenue						
Non-operating grants, subsidies & contributions	818,260	1,163,542	345,282	42.2%	▲ Timing	Grant revenue for capital works is recognised concurrent with related project expenditure. Grant for Eaton Bowling Club redevelopment substantially recognised as the project nears completion.
Proceeds from Disposal of Assets	861,728	45,455	(816,273)	(94.7%)	▼ Timing	Two utilities have been disposed of to date. Major variance is due to timing of sale of land on Council Drive.
Total Capital Revenue	1,679,988	1,208,996	(470,992)	(28.0%)		
Expenditure						
Land & Buildings	(1,878,202)	(820,151)	1,058,051	56.3%	▲ Timing	The budget is for an even spread of expenditure over the year. Costs to date are lower than budget for several projects including Bushfire Brigade facilities \$200,000, Wells Recreation facilities \$158,000 and new administrative offices/library building \$692,000.
Infrastructure Assets - Road / Bridges / Paths	(590,666)	(385,452)	205,214	34.7%	▲ Timing	Whilst expenditure on road renewals is less than the year-to-date budget estimate by \$267,000, overall costs attributed to upgrade of paths exceed the estimate by \$65,000 but within specific job total budgets.
Infrastructure Assets - Parks & Gardens	(173,546)	(155,768)	17,778	10.2%		
Vehicles	(100,008)	(271,616)	(171,608)	(171.6%)	▼ Timing	Two utilities and a backhoe loader purchased to date. Replacement tip truck and four works utilities not yet purchased. Budget is for an even spread over the year.
Furniture & Fittings	(15,048)	0	15,048	100.0%		
Total Capital Expenditure	(2,840,636)	(1,632,988)	1,207,648	(42.5%)		
Net Investing Activities	(1,160,648)	(423,992)	736,656	(63.5%)		

(continued next page)

(Appendix ORD: 12.4.6B)



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

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

	2021/22 Y-T-D Revised Budget \$	2021/22 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	3,768,217	1,907,741	(1,860,476)	(49.4%)	▼ Timing	Due to capital works expenditure being lower than estimated to date, Reserve Account funds required are similarly lower at year to date. Budget is for an even spread over the year.
Total Financing Revenue	3,768,217	1,907,741	(1,860,476)	(49.4%)		
Expenditure						
Repayment of Loans	(67,421)	(51,394)	16,027	23.8%		
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	(56,918)	(71,121)	(14,203)	(25.0%)		
Transfers to Reserves	0	(1,279,381)	(1,279,381)	(100.0%)	▼ Timing	Grant funds received this year but not yet spent are transferred to Unspent Grants Reserve until used. Budget was for all transfers to reserves to occur at year end.
Total Financing Expenditure	(124,339)	(1,401,896)	(1,277,557)	1027.5%		
Net Financing Activities	3,643,878	505,845	(3,138,033)	(86.1%)		
FUNDING SOURCES						
Surplus/(Deficit) July 1 B/Fwd	169,557	796,759	627,202	100.0%	▲ Permanent	Surplus from 2020/21 operations exceeded the estimate at the time of budget preparation.
CLOSING FUNDS (A+B+C+D)	13,858,031	13,732,546	(125,485)	(0.9%)		

(Appendix ORD: 12.4.6B)



Notes to the Statement of Financial Activity For the Period Ended 31 August 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	90,188.24	0.00	0.00	0.00	0.00	90,188.24
Ross & Deborah bevan	40,000.00	0.00	0.00	0.00	0.00	40,000.00
Public Open Space	772,623.28	0.00	0.00	0.00	0.00	772,623.28
Accrued Interest	0.00	0.00	0.00	0.00	0.00	0.00
Plus: Outstanding Creditors	0.00	0.00	0.00	0.00	0.00	0.00
Less: Outstanding Debtors	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL	902,811.52	0.00	0.00	0.00	0.00	902,811.52

4. 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
	\$	\$	\$	\$	\$	\$
<i>Council Restricted</i>						
Executive & Compliance Vehicles Reserve	202,279.74	0.00	0.00	0.00	0.00	202,279.74
Plant & Engineering Equipment Reserve	871,486.80	0.00	0.00	0.00	0.00	871,486.80
Eaton Recreation Centre - Equipment Reserve	276,753.48	0.00	0.00	0.00	0.00	276,753.48
Building Maintenance Reserve	1,659,484.10	0.00	0.00	0.00	0.00	1,659,484.10
Employee Relief Reserve	265,072.67	0.00	0.00	0.00	0.00	265,072.67
Employee Leave Entitlements Reserve	37,705.89	0.00	0.00	0.00	0.00	37,705.89
Refuse Site Environmental Works Reserve	84,079.81	0.00	0.00	0.00	0.00	84,079.81
Information Technology Reserve	667,851.83	0.00	0.00	0.00	0.00	667,851.83
Roadwork Construction & Major Maintenance Reserve	1,133,127.85	0.00	0.00	0.00	0.00	1,133,127.85
Accrued Salaries Reserve	499,625.69	0.00	0.00	0.00	0.00	499,625.69
Tourism Reserve	11,752.79	0.00	0.00	0.00	0.00	11,752.79
Recycling Education Reserve	39,129.63	0.00	0.00	0.00	0.00	39,129.63
Road Safety Programs Reserve	26,722.94	0.00	0.00	0.00	0.00	26,722.94
Council Land Development Reserve	22,633.78	0.00	0.00	0.00	0.00	22,633.78
Carried Forward Projects Reserve	3,532,648.72	0.00	0.00	0.00	0.00	3,532,648.72
Election Expenses Reserve	32,037.85	0.00	0.00	0.00	0.00	32,037.85
Town Planning Consultancy Reserve	37,993.08	0.00	0.00	0.00	0.00	37,993.08
Parks & Reserves Upgrades Reserve	608,347.76	0.00	0.00	0.00	0.00	608,347.76
Strategic Planning Studies Reserve	116,763.87	0.00	0.00	0.00	0.00	116,763.87
Pathways Reserve	308,065.78	0.00	0.00	0.00	0.00	308,065.78
Asset / Rates Revaluation Reserve	284,307.30	0.00	0.00	0.00	0.00	284,307.30
Refuse & Recycling Bin Replacement Reserve	54,805.49	0.00	0.00	0.00	0.00	54,805.49
Sale of Land Reserve	4,579,909.25	0.00	0.00	0.00	0.00	4,579,909.25
Storm Water Reserve	158,311.93	0.00	0.00	0.00	0.00	158,311.93
	15,510,898.03	0.00	0.00	0.00	0.00	15,510,898.03
<i>Statute Restricted</i>						
Contribution to Works Reserve	756,143.02	0.00	1,258.94	0.00	0.00	757,401.96
Eaton Drive - Access Construction Reserve	0.00	0.00	0.00	0.00	0.00	0.00
Eaton Drive - Scheme Construction Reserve	11,332.08	0.00	0.00	11,332.08	0.00	0.00
Fire Control Reserve	11,569.40	0.00	0.00	0.00	0.00	11,569.40
Collie River (Eaton Drive) Bridge Construction Reserve	1,290,499.74	0.00	0.00	187,901.29	0.00	1,102,598.45
Unspent Grants Reserve	3,161,706.49	1,247,147.50	0.00	1,708,507.48	0.00	2,700,346.51
Swimming Pool Inspection Reserve	4,501.19	0.00	0.00	0.00	0.00	4,501.19
Burekup - Public Open Space	72,500.00	0.00	0.00	0.00	0.00	72,500.00
Unspent Specified Area Rate - Bulk Waste Collection Reserve	87,646.82	0.00	0.00	0.00	0.00	87,646.82
Unspent Specified Area Rate - Eaton Landscaping Reserve	140,765.96	0.00	0.00	0.00	0.00	140,765.96
Wanju Developer Contribution Plan Unspent Loan Reserve	750,000.00	0.00	0.00	0.00	0.00	750,000.00
Dardanup Expansion Developer Contribution Plan Reserve	41,327.68	0.00	0.00	0.00	0.00	41,327.68
	6,327,992.38	1,247,147.50	1,258.94	1,907,740.85	0.00	5,668,657.97
Interest	0.00	0.00	30,974.66	0.00	0.00	30,974.66
Less: Outstanding Debtors	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL	21,838,890.41	1,247,147.50	32,233.60	1,907,740.85	0.00	21,210,530.66

(Appendix ORD: 12.4.6B)



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

5. 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	0.00	0.00	0.00	0.00	0.00	0.00
Parkridge Group	86,067.06	0.00	0.00	0.00	0.00	86,067.06
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	22,763.74	0.00	0.00	(22,763.74)	0.00	0.00
Holland Loop Pty Ltd	19,370.00	0.00	0.00	0.00	0.00	19,370.00
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	(2,870.61)	0.00	33,522.60
Burekup Developments Pty Ltd	7,250.91	0.00	0.00	0.00	0.00	7,250.91
Universal Marina Systems	4,123.29	0.00	0.00	0.00	0.00	4,123.29
Total - Retention Bonds	314,383.43	0.00	0.00	(25,634.35)	0.00	288,749.08
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	33,776.15	0.00	0.00	0.00	0.00	33,776.15
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	86,915.96	0.00	0.00	0.00	0.00	86,915.96
Sundry Deposits						
Unclaimed Monies	1,704.60	0.00	0.00	0.00	0.00	1,704.60
Bunbury Wellington Group of Councils	40,664.30	3,000.00	0.00	0.00	0.00	43,664.30
Total - Sundry Deposits	42,368.90	3,000.00	0.00	0.00	0.00	45,368.90
Key Bonds	352.68	40.00	0.00	(40.00)	0.00	352.68
Hire Bonds	3,380.00	1,550.00	0.00	(1,700.00)	0.00	3,230.00
Kerb Bonds	75,041.91	0.00	0.00	0.00	0.00	75,041.91
Construction Training Fund	1,024.08	3,240.40	0.00	(3,207.41)	0.00	1,057.07
Building Services Levy	12,517.62	1,877.65	0.00	(3,309.59)	0.00	11,085.68
Development Assessment Panel	9,411.00	165.00	0.00	(9,576.00)	0.00	0.00
Less Outstanding Debtors	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL	698,554.66	9,873.05	0.00	(43,467.35)	0.00	664,960.36

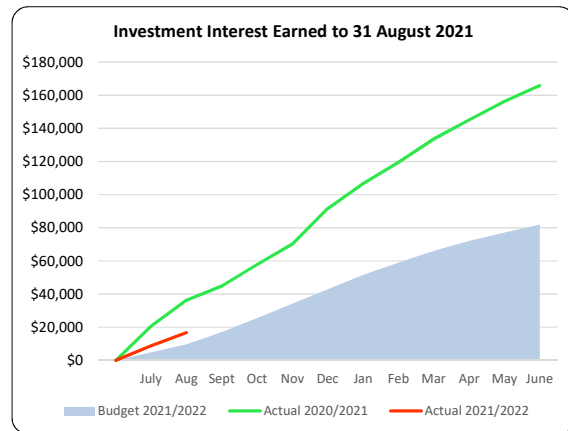
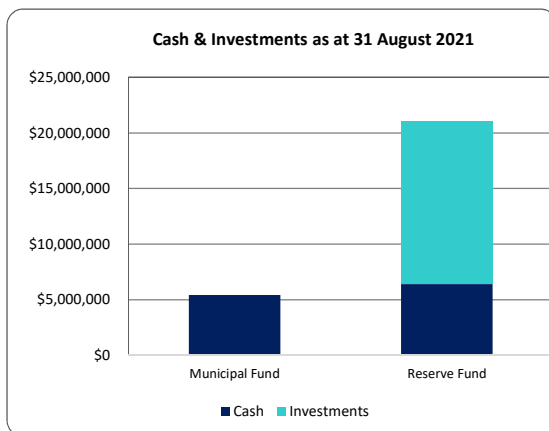
(Appendix ORD: 12.4.6B)



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

6. STATEMENT OF INVESTMENTS

BANK	TYPE	AMOUNT	RATE	DAYS	COMMENCEMENT	MATURITY	ESTIMATED INTEREST	INTEREST CREDITED 2021-2022
MUNICIPAL FUND								
CBA	Municipal Fund Bank Account	\$ 5,438,184.53	0.00%					\$0.00
	Interest received on matured deposits							\$3,241.10
		<u>\$ 5,438,184.53</u>					<u>\$0.00</u>	<u>\$3,241.10</u>
TRUST FUND								
CBA	Trust Fund Bank Account	\$ 902,811.52	0.00%				\$0.00	\$0.00
		<u>\$ 902,811.52</u>					<u>\$0.00</u>	<u>\$0.00</u>
RESERVE FUND								
CBA	Reserve Bank Account	\$ 6,401,340.76	0.00%				\$0.00	\$0.00
AMP	Term Deposit	\$ 1,100,000.00	0.75%	330	8/2021	7/2022	\$7,458.90	\$8,800.00
NAB	Term Deposit	\$ 1,500,000.00	0.32%	302	8/2021	6/2022	\$3,971.51	\$11,706.42
NAB	Term Deposit	\$ 1,000,000.00	0.72%	365	9/2020	9/2021	\$7,200.00	
ANZ	Term Deposit	\$ 3,000,000.00	0.82%	367	10/2020	10/2021	\$24,734.79	
ANZ	Term Deposit - 2402.49 Compounded	\$ 3,013,771.25	0.39%	276	7/2021	10/2021	\$8,887.74	\$2,402.49
ME Bank	Term Deposit	\$ 1,000,000.00	0.45%	181	3/2021	9/2021	\$2,231.51	
NAB	Term Deposit	\$ 4,000,000.00	0.33%	304	8/2021	6/2022	\$10,993.97	
	Interest received on matured deposits							\$8,065.75
		<u>\$ 21,015,112.01</u>					<u>\$65,478.42</u>	<u>\$30,974.66</u>
Total Interest Received				\$ 10,613,771.25				<u>\$34,215.76</u>



(Appendix ORD: 12.4.6B)



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

6. STATEMENT OF INVESTMENTS (continued)

Total Funds Invested

Total Funds Invested as at Reporting Date -

Municipal Fund Investment Portfolio	\$ -
Trust Fund Investment Portfolio	\$ -
Reserve Fund Investment Portfolio	\$ 14,613,771.25
	<u>\$ 14,613,771.25</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.

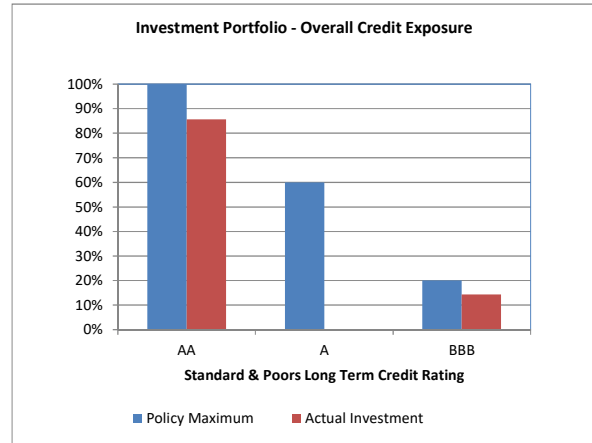
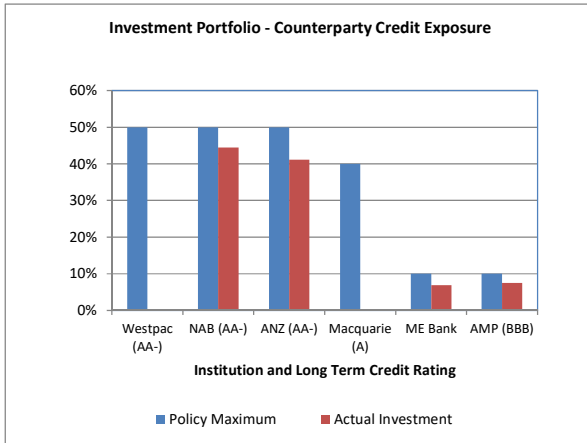
Counterparty Credit Exposure

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)



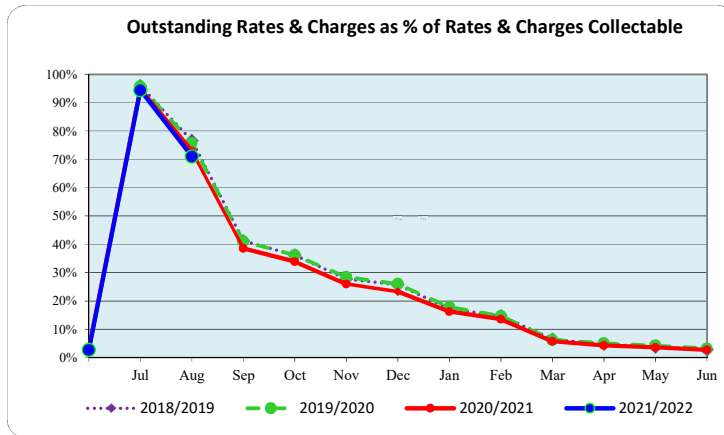
Notes to the Statement of Financial Activity For the Period Ended 31 August 2021

7. Accounts Receivable as at 31 August 2021

Rates and Charges Outstanding

2021/22 annual rates were raised on 23 July 2021 and are due by 8 September 2021 for payment in full or for the first of four instalments. The final instalment was due by 14 March 2022.

As at the reporting date, total outstanding rates and charges (including pensioner deferred rates) is \$11,887,940. This equates to 71% of rates and charges collectable and is similar to previous years. It is the objective of management to achieve less than 4% of rates and charges outstanding by 30 June.

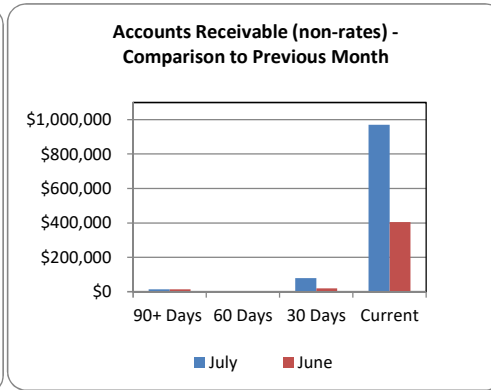
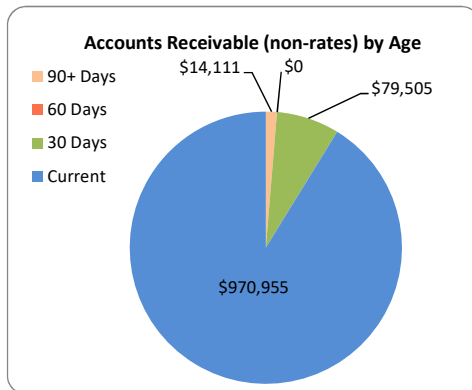


Sundry Debtors Outstanding (non-rates)

As at the reporting date, the total outstanding Sundry Debtors amount to \$1,064,571.

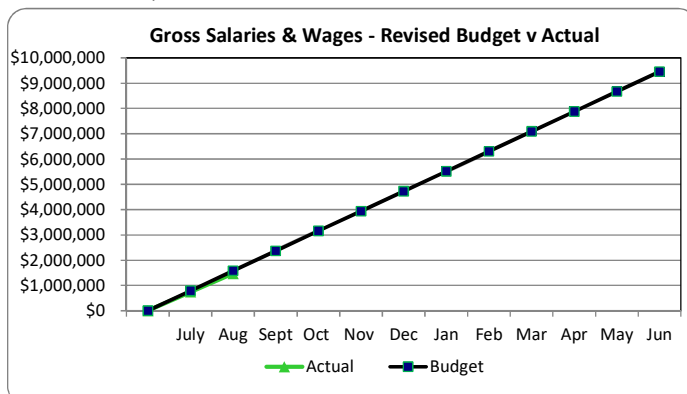
The significant invoices outstanding are for government grants raised during August for a total value of \$921,800. These grants are expected to be paid within 30 days.

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 August 2021

At the reporting date, total salaries and wages expenditure is \$1,473,610 (15.6%) of the annual budget of \$9,456,708 for the 2020/21 financial year.



(Appendix ORD: 12.4.6B)



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

9. RATING INFORMATION

RATE TYPE	Rate in	Number of properties	Rateable value	2021/22 Budget rate revenue	2021/22 Budget interim rates	2021/22 Budget back rates	2021/22 Budget total revenue	2021/22 Actual total revenue	2020/21 Actual total revenue	2020/21 Budget total revenue
	\$		\$	\$	\$	\$	\$	\$	\$	\$
<u>Differential general rate or general rate</u>										
Gross rental valuations										
General Rates - GRV: Residential	0.104016	3,452	61,450,723	6,391,858	0	0	6,391,858	6,391,940	5,715,510	5,746,655
General Rates - GRV: Commercial	0.104016	60	14,621,830	1,520,904	0	0	1,520,904	1,523,068	1,459,170	1,428,025
General Rates - GRV: Industrial	0.104016	73	7,983,546	830,416	0	0	830,416	830,416	763,695	763,695
General Rates - GRV: Small Holding	0.104016	348	7,859,124	817,475	0	0	817,475	815,230	764,943	765,545
General Rates - GRV: Interim and Back Rates	0.104016	0	0	0	92,600	0	92,600	513	86,122	91,144
Unimproved valuations										
General Rates - UV: Broad Acre Rural	0.006468	474	259,287,000	1,677,068	0	0	1,677,068	1,677,068	1,718,315	1,718,765
General Rates - UV: Mining	0.006468	0	0	0	0	0	0	0	0	0
General Rates - UV: Interim and Back Rates	0.006468	0	0	0	0	0	0	0	0	0
Sub-Totals		4,407	351,202,223	11,237,721	92,600	0	11,330,321	11,238,235	10,507,755	10,513,829
Minimum	\$									
<u>Minimum payment</u>										
Gross rental valuations										
General Rates - GRV: Residential	1,547.50	1,446	17,681,209	2,237,685	0	0	2,237,685	2,220,662	2,554,923	2,554,923
General Rates - GRV: Commercial	1,547.50	7	61,400	10,833	0	0	10,833	13,928	10,833	10,833
General Rates - GRV: Industrial	1,547.50	44	542,200	68,090	0	0	68,090	68,090	72,732	72,733
General Rates - GRV: Small Holding	1,547.50	79	616,920	122,253	0	0	122,253	136,180	131,538	131,538
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	126	17,828,600	194,985	0	0	194,985	194,985	184,152	184,153
General Rates - UV: Mining	1,547.50	14	212,885	21,665	0	0	21,665	21,665	27,855	27,855
General Rates - UV: Interim and Back Rates	1,547.50	0	0	0	0	0	0	0	0	0
Sub-Totals		1,716	36,943,214	2,655,511	0	0	2,655,511	2,655,510	2,982,033	2,982,035
		6,123	388,145,437	13,893,232	92,600	0	13,985,832	13,893,745	13,489,788	13,495,864
Discounts/concessions/write-off							(29,027)	0	(27,482)	(5,000)
Total amount raised from general rates							13,956,805	13,893,745	13,462,306	13,490,864
Specified area rates							354,600	351,501	350,178	350,000
Total rates							14,311,405	14,245,246	13,812,484	13,840,864



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

10. INFORMATION ON BORROWINGS

Debenture Repayments

Particulars	Loan No.	Principal	New		Principal		Interest		Principal	
		Opening Balance 01 July 2021	Loans	Adopted	Repayments	Adopted	Repayments	Adopted	Outstanding	Adopted
		\$	Actual	Budget	Actual	Budget	Actual	Budget	Actual	Budget
			\$	\$	\$	\$	\$	\$	\$	\$
Community Amenities										
Wanju/Waterloo Industrial Park										
Developer Contribution Plans	70	750,000	0	0	0	(64,443)	0	(29,743)	750,000	685,557
Waste Bins (3 Bin System)	New	0		320,000	0	(21,345)	0	(4,467)	0	298,655
Recreation and Culture										
Eaton Recreation Centre	59	192,573	0	0	0	(93,456)	0	(10,983)	192,573	99,117
Glen Huon Oval Club Rooms	69	924,296	0	0	(21,182)	(42,771)	(17,746)	(41,340)	903,114	881,525
Transport										
Depot Land	66	444,476	0	0	(30,212)	(61,039)	(9,045)	(20,396)	414,264	383,437
Economic Services										
Gravel Pit Land - Panizza Road	61	66,648	0	0	0	(25,428)	0	(4,130)	66,648	41,220
Other Property and Services										
Administration Building Extensions	65	85,007	0	0	0	(41,035)	0	(5,908)	85,007	43,972
		2,463,000	0	320,000	(51,394)	(349,517)	(26,792)	(116,967)	2,411,606	2,433,483

All debenture repayments are financed by general purpose revenue.



**Notes to the Statement of Financial Activity
For the Period Ended 31 August 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		Opening Surplus				16,552
	Permanent Changes						
	Amendment to B/Fwd surplus 01/07/2021 (subject to audit)				627,202		643,754
0827501	Covid-19 Youth Recovery Grant	28/07/21 - 231-21	Operating Revenue		5,000		648,754
J08712	Youth Development Program - Bush Adventure Learning Camp	28/07/21 - 231-21	Operating Expense			(4,000)	644,754
J08712	Youth Development Program - Innovate Youth Program	28/07/21 - 231-21	Operating Expense			(1,000)	643,754
0521502	DFES Mitigation Activity Fund grant to reduce bushfire risk	28/07/21 - 232-21	Operating Revenue		337,295		981,049
J05021	Bushfire Risk Management - treatments to mitigate bushfire risk	28/07/21 - 232-21	Operating Expense			(337,295)	643,754
1124003	Fees & Charges Recreation Centre - Admissions	28/07/21 - 240-21	Operating Revenue		24,000		667,754
1114013	Advertising / Promotions Recreation Centre (Wildcats Fixture)	28/07/21 - 240-21	Operating Expense			(24,000)	643,754
1123501	State Government Grant for Eaton Boat Ramp Washdown	25-08-21 - 255-21	Non-Operating Grant		18,000		661,754
J11632	Eaton Boat Ramp Washdown	25-08-21 - 255-21	Asset Acquisition			(18,000)	643,754
1123501	State Government Grant for East Millbridge POS	25-08-21 - 255-21	Non-Operating Grant		75,000		718,754
J11650	East Millbridge POS - Stage 1 - Upgrade / Expansion	25-08-21 - 255-21	Asset Acquisition			(75,000)	643,754
1123501	State Government grant for Heritage Interpretive Signs	25-08-21 - 255-21	Non-Operating Grant		30,000		673,754
1123501	Heritage Council of WA grant for Heritage Interpretive Signs	25-08-21 - 255-21	Non-Operating Grant		16,593		690,347
J11654	Heritage Interpretive Signs - Dardanup Townsite	25-08-21 - 255-21	Asset Acquisition			(46,593)	643,754
1123501	State Government grant for Dardanup Memorial Statue	25-08-21 - 255-21	Non-Operating Grant				643,754
J11652	Dardanup War Memorial statue	25-08-21 - 255-21	Asset Acquisition				643,754
1129502	Contribution - Other Culture for Spring-Out Festival	25-08-21 - 256-21	Operating Revenue		10,000		653,754
J11901	Community projects - Events & Festivals	25-08-21 - 256-21	Operating Expense			(10,000)	643,754
0523502	DPIRD & WALGA grants for Animal Welfare in Emergencies training	25-08-21 - 257-21	Operating Revenue		10,350		654,104
0513503	Grant Expenditure - Animal Welfare in Emergencies training	25-08-21 - 257-21	Operating Income			(10,350)	643,754
					1,153,440	(526,238)	643,754

(Appendix ORD: 12.4.7)

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		
		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.
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.
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.
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.
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.
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.

