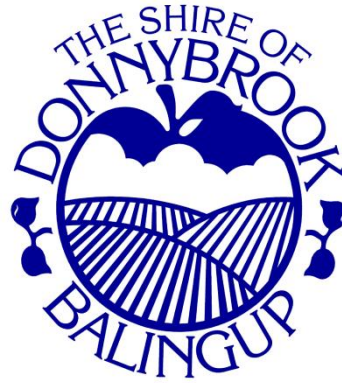




ATTACHMENTS

Ordinary Council Meeting – 28 October 2020

- 7.1(1) Minutes Ordinary Council Meeting 23 September 2020
- 7.2(1) Minutes Audit Committee Meeting 15 October 2020
- 7.3(1) Minutes Special Council Meeting 21 October 2020
- 8.1(1) Audit Committee Charter Review
- 8.1(2) Code of Conduct 2020
- 9.2.1(1) Schedule of Accounts Paid – October 2020
- 9.2.2(1) Monthly Financial Report – August 2020
- 9.2.3(1) Tuia Lodge Quarter One Report
- 9.2.4(1) COMD-CP-1 Community Grants Funding Scheme
- 9.2.4(2) COMD-CP-4 Interest Free Loans to Clubs and Organisations
- 9.3.1(1) Draft DAMA Memorandum of Understanding
- 9.3.1(2) DAMA Submission Reference Paper
- 9.3.1(3) DAR Regional Workforce Needs Survey



**MINUTES OF ORDINARY COUNCIL MEETING
23 SEPTEMBER 2020**

To be held on

Wednesday 23 September 2020

Commencing at 5.00pm

Shire of Donnybrook Balingup Council Chambers, Donnybrook

A handwritten signature in black ink, appearing to read "BGR" followed by a stylized flourish.

**Ben Rose
Chief Executive Officer**

24 September 2020

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SHIRE OF DONNYBROOK BALINGUP
MINUTES OF ORDINARY COUNCIL MEETING

Held at the Council Chambers
Wednesday 23 September at 5.00pm

1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

Shire President – Acknowledgment of Country

The Shire President acknowledged the traditional custodians of the land, the Wardandi People, paying respects to Elders, past and present and emerging.

The Shire Present declared the meeting open at 5.00pm and welcomed the public gallery

2 ATTENDANCE

MEMBERS PRESENT

COUNCILLORS	STAFF
Cr Brian Piesse (President)	Ben Rose – Chief Executive Officer
Cr Jackie Massey (Deputy President)	Steve Potter – Executive Manager Operations
Cr Shane Atherton	Paul Breman – Executive Manager Corporate and Community
Cr Anita Lindemann	Shawn Lombard – Principal Project Manager
Cr Anne Mitchell	Jaimee Earl – Minute Taker
Cr Chaz Newman	
Cr Shane Sercombe	
Cr Chris Smith	
Cr Leanne Wringe	

PUBLIC GALLERY

2 attendees

2.1 APOLOGIES

Nil.

2.2 APPROVED LEAVE OF ABSENCE

Nil.

2.3 APPLICATION FOR A LEAVE OF ABSENCE

Nil.

3 ANNOUNCEMENTS FROM PRESIDING MEMBER

Shire President Diary

03/07-SWDC Launch of Bunbury Geographe Advance Technology Hub Feasibility Study by Hon Alannah McTiernan (Bunbury)

04/07 Meeting with Cr Sercombe (Donnybrook Council Chamber)*

15/07-Hon Steve Thomas MLC (Donnybrook)*

16/07-James Jarvis - Community Committees (Rec Centre Donnybrook)

29/07-Meeting with Brad Hammersley- BGEA (Zoom)

30/07–Bunbury Budget Presentation (Bunbury)*

30/07–BGEA Board Meeting (Harvey)

01/08–Opening DBCR (Balingup)

04/08–State Government Announcement of State Government COVID Recovery Grants (Bunbury)*

04/08–Warren Blackwood Alliance of Councils (Nannup)*

27/08-Countryman Interview Re Drought Community Program (Donnybrook)*

28/08-WALGA SW Zone (Bridgetown)*

28/08-Hon Mick Murray & Jodie Hanns – Sundowner (Donnybrook Football Club)*

01/09- IGA Opening (Donnybrook)*

01/09-Meeting with Minister Stephen Dawson (DBCA), Minister Dave Kelly (DWER) and Don Punch MLA (Bunbury)

02/09-Hon Mick Murray (Collie)*

02/09-Meeting with Hon Stephen Dawson (DBCA) and Jodie Hanns ALP candidate for Collie-Preston. (Donnybrook Chamber)*

04/09 Chamber of Commerce Sundowner (Donnybrook)*

*denotes in the company of CEO

4 DECLARATION OF INTEREST

Division 6: Sub-Division 1 of the *Local Government Act 1995*. Care should be taken by all Councillors to ensure that a financial/impartiality interest is declared and that they refrain from voting on any matter, which is considered to come within the ambit of the Act.

Cr Smith declared a financial interest in item 9.1.1 as he has worked for neighbours who have an objection to the proposal. Cr Smith will leave the Chamber for the discussion and vote.

Cr Wringe declared an impartiality interest in item 9.2.3 as she is a member of the Kirup Progress Association. Cr Wringe will remain in the Chamber for the discussion and vote.

Cr Atherton declared an impartiality interest in item 9.3.1 as he is a member of the Donnybrook Football Club. Cr Atherton will remain in the Chamber for the discussion and vote.

Cr Smith declared an impartiality interest in item 9.3.1 as he is a junior football coach at the Donnybrook Football Club. Cr Smith will remain in the Chamber for the discussion and vote.

The Chief Executive Officer declares an impartiality interest in item 12.1.1 as his wife is Co-Chairperson of the Bendigo Bank Board.

Cr Piesse declared an impartiality interest in item 12.1.1 as he is a shareholder of the Bendigo Bank. Cr Piesse will remain in the Chamber for the discussion and vote.

Cr Wringe declared an impartiality interest in item 12.1.1 as she is a committee member of the Donnybrook Chamber of Commerce. Cr Wringe will remain in the Chamber for the discussion and vote.

Cr Lindemann declared an impartiality interest in item 12.1.1 as she is a committee member of the Donnybrook Chamber of Commerce. Cr Lindemann will remain in the Chamber for the discussion and vote.

5 PUBLIC QUESTION TIME

5.1 RESPONSES TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

5.2 PUBLIC QUESTION TIME

The following public questions were received in writing at the meeting, following Public Question Time. They will be addressed as questions on notice for the Ordinary Council Meeting held 28 October 2020.

Mr Simon McInnes

Currently under discussion is the largest loan and the largest project that the Shire has undertaken. There have been two meetings held with the stakeholders in the sports precinct and neither of these meetings have had minutes taken. How are the views and problems raised within these meetings conveyed to the Council accurately?

Why are the discussions between parties being kept secret as the ratepayers are stakeholders as well?

Has the Shire President indicated to the stakeholders that there will be no increase in the fees and charges levied by the Shire despite the 9 million dollar upgrade?

Could we have an update on the Shire's involvement in the Bridge Street project?

6 PRESENTATIONS

6.1 PETITIONS

6.2 PRESENTATIONS

6.3 DEPUTATIONS

ADOPTION BY EXCEPTION

COUNCIL RESOLUTION 126/20

Moved Cr Lindemann

Seconded Cr Massey

That the following items be adopted ‘en bloc’:

- 7.1 Confirmation of Minutes – 26 August 2020**
- 9.1.2 Naming of Park – Donnybrook Town Centre Revitalisation Project**
- 9.2.4 2020/21 Fees and Charges Amendment**

CARRIED 9/0

7 CONFIRMATION OF MINUTES

7.1 ORDINARY MEETING OF COUNCIL – 26 AUGUST 2020

Minutes of the Ordinary Meeting of Council held 26 August 2020 are attached (*attachment 7.1(1)*).

EXECUTIVE RECOMMENDATION

That the Minutes from the Ordinary Meeting of Council held 26 August 2020 be confirmed as a true and accurate record.

COUNCIL RESOLUTION 127/20

Moved Cr Lindemann

Seconded Cr Massey

That the Minutes from the Ordinary Meeting of Council held 26 August 2020 be confirmed as a true and accurate record.

CARRIED 9/0 by En Bloc Resolution

8 REPORTS OF COMMITTEES

Nil.

9 REPORTS OF OFFICERS

9.1 EXECUTIVE MANAGER OPERATIONS

9.1.1 PROPOSED OUTBUILDING – LOT 9 GOODWOOD ROAD, PAYNE DALE

Location	Lot 9 Goodwood Road, Paynedale
Applicant	N Gleeson and A Byrne
File Reference	P20043 / A4456
Author	Kira Strange, Principal Planner
Responsible Officer	Kira Strange, Principal Planner
Attachments	9.1.1(1) – Location Plan 9.1.1(2) – Locality Plan 9.1.1(3) – Site Plan 9.1.1(4) - Elevation and Floor Plan 9.1.1(5) – Full Copy of Submission
Voting Requirements	Simple Majority

Recommendation
<p>That Council:</p> <p>Pursuant to Schedule 2, Part 9, Clause 68 of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> approves the development of an outbuilding at Lot 9 Goodwood Road, Paynedale, subject to the following:</p> <p><u>Conditions:</u></p> <ol style="list-style-type: none"> 1. The approved development must accord with the endorsed plan(s), including any notations, and must not be altered or modified, without prior approval from the Shire. 2. The approved outbuilding shall only be used for purposes incidental to the residential or agricultural use of the property and is not to be used for habitable, commercial or industrial purposes without prior approval from the Shire. 3. All stormwater from the proposed development including building(s) and hardstand area(s) shall be managed by the landowner in accordance with the <i>Shire of Donnybrook Balingup's Policy 4.27 – Stormwater Management Private Land</i>. 4. Prior to the commencement of the development, a landscaping plan is to be submitted and approved by the Executive Manager Operations to achieve screening of the outbuilding from the adjoining property which shall include:

4.1 The location, species, number and expected size at maturity of proposed screening vegetation; and

4.2 Methods of reticulation of landscaped areas including the source of water supply.

5. All landscaping shall be installed as per the approved landscaping plan within 12 months of this approval and maintained thereafter to the satisfaction of the Executive Manager Operations.

Advice Notes:

- 1. With regards to Condition (3), written approval must first be obtained from the Shire if a landowner proposes to direct discharge of stormwater into the Shire's open or piped drainage infrastructure.**
- 2. All noise emitted from the property is required to comply with the *Environmental Protection (Noise) Regulations 1997*.**
- 3. This approval is not to be misconstrued as approval for any existing unauthorised development or use of the land not subject to the 'Description of Proposed Development' within this approval. It is recommended the applicant liaise with the Shire to ensure all relevant approvals are obtained.**
- 4. Compliance with the Building Code of Australia is required. A Building Permit Application must be submitted to, and approved by, the Shire prior to the commencement of any development. The Building Permit plans must reflect the relevant conditions and approved plans of this Development Approval. Any subsequent amendments to the plans may require additional development approval.**
- 5. Construction work is to be appropriately managed to ensure compliance with the *Environmental Protection (Noise) Regulations 1997*. In accordance with the Regulations, construction work is not permitted:**
 - outside of the hours of 7:00am to 7:00pm;**
 - on a Sunday;**
 - or on a Public Holiday.**
- 6. If the development the subject of this approval is not substantially commenced within a period of two years, the approval will lapse and be of no further effect.**
- 7. Where an approval has so lapsed, no development must be carried out without the further approval of the local government having first been sought or obtained.**
- 8. If an applicant or owner is aggrieved by this determination there is a right of review by the State Administrative Tribunal in accordance with Part 14 of the *Planning and Development Act 2005*. An application must be made within 28 days of the determination.**

STRATEGIC ALIGNMENT

The following outcomes from the *Community Strategic Plan 2017 and Corporate Business Plan 2017 – 2021* relate to this proposal:

Outcome	2.1	An attractive and maintained built environment
Strategy	2.1.2	Provide effective and efficient regulatory services
Action	2.1.2.2	Provide efficient and effective building services
Outcome	2.3	A natural environment for the benefit of current and future generations
Strategy	2.3.2	Effective planning and management policies for land use
Action	2.3.2.1	Review local planning policies

EXECUTIVE SUMMARY

- An application for development approval was received by the Shire on 16 June 2020 for an outbuilding with a 12.8 metre setback in lieu of the 20 metre requirement under the Shire's Local Planning Scheme No. 7 (LPS7).
- The outbuilding is 8 metres by 9.84 metres with a total floor area of 78.72m². The proposed wall height is 3 metres with a gabled roof height of 3.7 metres.
- Pursuant to clause 4.5.2 of LPS7, the application was advertised to surrounding landowners with one objection received.
- Upon being advised of the objection, the applicant has made an amendment to the proposed outbuilding by removing two roller doors on the western side to mitigate potential impacts associated with the proposed setback variation.
- It is recommended that Council approves the proposed development subject to the conditions contained in the officer recommendation.

BACKGROUND

On 16 June 2020, the Shire received an application for development approval for an outbuilding with a setback of 12.8m in lieu of the 20m requirement under the Shire of Donnybrook Balingup Local Planning Scheme No. 7 (LPS7).

The subject property, Lot 9 Goodwood Road, Paynedale, is approximately 23.8 hectares and zoned 'Priority Agriculture' under LPS7. The site adjoins Goodwood Road on the north-west and is bound by private rural land on the east and west. The southern boundary is unconstructed road reserve. The site is partially located within a bushfire prone area. A Location Plan is provided in [Attachment 9.1.1\(1\)](#) and a Locality Plan illustrating the local area in further detail is provided in [Attachment 9.1.1\(2\)](#).

The subject site contains an existing dwelling and machinery shed with an enclosed backyard area. A Site Plan illustrating existing development on the property is provided in [Attachment 9.1.1\(3\)](#).

The proposed outbuilding has dimensions of 8 metres by 9.84 metres with a total floor area of 78.72m², a wall height of 3 metres and a gable roof height of 3.7 metres. Elevations and floor plans for the proposed outbuilding are provided in Attachment 9.1.1(4).

The applicant has indicated that the proposed outbuilding is intended to be used for the storage of privately owned vehicles and general household items, and will be fully insulated to minimise noise impacts.

The applicant has provided the following justification for the proposed location of the outbuilding, including the reduced setback:

- It will provide privacy for the existing dwelling;
- It will act as a bushfire buffer for the existing dwelling;
- The location is the most practical in relation to the existing dwelling; and
- There are no other suitable locations as the leach drains are in front of the existing dwelling, a large machinery shed has been constructed to the south-east side and building in front to the north-east of this area would impact on the views of the occupants.

In accordance with the provisions of the Scheme, the proposal was referred to the landowner on the western side of the subject site as indicated in Attachment 9.1.1(2), with one objection received. The comments provided by the neighbor have been summarised in the following Schedule of Submissions:

Submitter Comment	Officer Comment
Has no general objection to a large outbuilding being constructed on the property.	Noted. Construction of outbuildings and sheds on agricultural land is common within the Shire.
Considers the additional structure is too close to the common boundary and the 20m setback requirement should apply.	Noted. The existing dwelling is located 15m from the boundary which in itself is a minor variation to the 20m requirement. It has also been noted that the existing retaining wall and fence are located within the setback area and technically require an application for development approval. The applicant has been made aware and will be required to submit a separate application for assessment. Notwithstanding this, each application for development approval is to be considered on its merits in relation to the context of the site and surrounding area.

<p>Considers the new outbuilding will be potentially used as an additional living area.</p>	<p>Noted.</p> <p>The proposed development is for non-habitable purposes which is included as a standard condition of approval on outbuildings and sheds. Use of non-habitable structures for habitable purposes is not permitted.</p>
<p>Considers there are other suitable locations available for the outbuilding on the property.</p>	<p>Noted.</p> <p>It is acknowledged that the site is large enough to consider alternative locations however officers consider the applicant has provided reasonable justification for the specified location with regard to the existing dwelling. It is noted the existing dwelling was constructed prior to the current applicants purchasing the property.</p>
<p>Considers the garage doors facing west towards the boundary will create land use conflict with livestock</p>	<p>Noted.</p> <p>The applicant has removed the two garage roller doors on the western side from the application to avoid use of vehicles within the setback area.</p>
<p>Noise Impact</p>	<p>The outbuilding will be insulated and is intended to be used for private use including general storage and vehicle parking.</p> <p>Use of the outbuilding for habitable or commercial/industrial purposes is not permitted.</p> <p>In addition, the nearest dwelling is approximately 200m away, therefore any impact would likely be minimal. Notwithstanding this, noise is regulated by the <i>Environmental Protection (Noise) Regulations 1997</i> and is required to comply with relevant provisions within this legislation.</p>

A full copy of the submission received is provided in [Attachment 9.1.1\(5\)](#).

Initially, the proposed outbuilding had three roller doors (two on the western side and one on the eastern side) and one standard access door on the northern side. In response to concerns raised within the objection received, the applicant has amended the application by removing

the two roller doors on the western side facing the adjoining property. The proposed outbuilding as illustrated in Attachment 9.1.1(4) is the proposal now being considered.

Subject to the proposal being amended, further consultation was undertaken with the objecting neighbor to determine if they may be willing to consider withdrawing their objection, however they indicated that they were unwilling to do so and their original concerns were reiterated. In accordance with delegation 9.2.1 *Local Planning Scheme No. 7 – Development Applications*, officers are required to bring contentious matters to Council, hence the reason for it being presented to Council for determination.

FINANCIAL IMPLICATIONS

The relevant application fee has been paid by the applicant.

POLICY COMPLIANCE

The proposed development has been assessed against the relevant provisions of *Local Planning Policy 9.4 Outbuilding Control*.

Under the policy, outbuildings in the 'Priority Agriculture' zone do not have size restrictions and therefore the proposed outbuilding is compliant in this regard.

STATUTORY COMPLIANCE

The proposed development has been assessed against all relevant statutory requirements as follows:

Local Planning Scheme No. 7

- Part 3 – Zones and the Use of Land

The property is zoned 'Priority Agriculture' under LPS7. In accordance with clause 3.6.2 of LPS7, the objectives of the zone are as follows:

- (i) require the protection of the rural infrastructure and agricultural land resources;
- (ii) require planning to avoid the introduction of land uses and subdivision not related to agriculture including rural residential proposals;
- (iii) support the improvement of resource and investment security for agricultural and allied industry production;
- (iv) require protection and enhancement of biodiversity;
- (v) encourage value-adding opportunities to agricultural products at source;
- (vi) support a wide variety of productive agricultural and rural activities;
- (vii) support subdivision; where it provides for boundary adjustments, realignments, farm restructuring and new lot creation which promotes effective land management practices, environmental and landscape enhancement and infrastructure provision;

- (viii) support sensible use and management of resources, and the proper direction and control of development;
- (ix) promote the existing intensive agricultural land use; and
- (x) encourage other similar or complementary activities.

- Part 4 – General Development Requirements

The relevant general development requirements of LPS7 have been assessed accordingly and summarised in the below table.

LPS7 Requirement	Proposal	Officer Comment
CI 4.17 General appearance of buildings and preservation of amenity	Colorbond outbuilding in cream colour.	The proposed development is consistent with the existing dwelling.
CI 4.18 Height and appearance of buildings – Maximum 12m	3.0m wall height, 3.7m roof height, 78.72m ²	Complies.
CI 4.23 Outbuildings – setbacks as per development standards in the zone (20m to side)	12.8m	Acceptable. The proposed variation to the setback requirement is assessed against clause 4.54.8.1 (ii) below.
CI 4.25 Landscaping – as required by a condition of approval is to be carried out at the time of the development and permanently maintained to the satisfaction of the local government		A condition of approval for landscaping should be required within 12 months of approval and thereafter maintained.
CI 4.55 Priority Agriculture Zone – development standards to be the same as provisions for the General Agriculture zone within clause 4.54.	Property is within the Priority Agriculture zone	The development has been assessed against the relevant standards below.
CI 4.54.8 – Development standards 4.54.8.1 Setbacks: (i) Minimum front setback – 30m	83m	Complies.

LPS7 Requirement	Proposal	Officer Comment
(ii) Minimum side setback – 20m	12.8m (western side)	A 7.2m variation is proposed. It is considered that the development will have minimal impact to the surrounding amenity in relation to existing land use. The proposed development will be visible from the adjoining property however the nearest dwelling is approximately 200m away. It is considered that the visual impact can be mitigated through the introduction of landscaping.
	374m (eastern side)	Complies.
(iii) Minimum rear setback – 20m	490m	Complies
(iv) Setback to State Forest Boundary – Minimum 100m	105m	Complies. The property is separated from the State Forest to the south by road reserve.
<p>CI 4.54.8.2 – In determining proposed setback reductions, the local government will consider:</p> <p>(i) any alternative development sites on the property</p>		<p>The property is over 23 hectares in area. Whilst the Shire acknowledges that the site is significant in size and alternative locations may be available, the applicant has expressed their preference for this location due to the location of the existing development, privacy concerns and practicality of vehicular storage adjacent to the dwelling.</p>

LPS7 Requirement	Proposal	Officer Comment
<p>(ii) possible bush fire hazards</p> <p>(iii) environmental impacts</p> <p>(iv) effluent disposal</p> <p>(v) visual impact</p> <p>(vi) servicing/infrastructure implications</p>		<p>The subject area of the proposed development is located within a bushfire prone area. The proposed development is for non-habitable development and would unlikely change the existing bushfire status of the site.</p> <p>The proposed development will have minimal impact on the existing natural environment in relation to vegetation.</p> <p>The proposed development is for non-habitable purposes and therefore effluent disposal is not applicable to this proposal.</p> <p>The proposed development may have a visual impact in so far as it will be visible from the adjoining property. The nearest dwelling is 200m away, therefore visual impact will be minimal. Notwithstanding this, landscaping will mitigate visual impact.</p> <p>The proposed development is for non-habitable purposes and therefore servicing/infrastructure is not applicable to this proposal.</p>
<p>CI 4.54.8.3 – with the exception of a single dwelling, where proposal is for non-agricultural purposes, minimum setback to existing intensive agricultural activities on any adjacent lots is to be 100m</p>	<p>Setback 12.8m</p>	<p>Not applicable.</p> <p>Development is for an outbuilding which is incidental to a single dwelling which is not subject to this setback.</p> <p>Notwithstanding this, the adjacent land is used for livestock and raising of stock which is more consistent with extensive agriculture, rather than intensive agriculture (i.e. production of fruits, vegetables, fodder, etc.). Additional impacts to the existing adjacent land use will be minimal.</p>

LPS7 Requirement	Proposal	Officer Comment
CI 4.54.8.4 – local government may consider a lesser setback where applicant can demonstrate land use conflicts may be ameliorated by appropriate management design or buffer planting	Setback 12.8m	Acceptable. Possible land use conflicts have been ameliorated by the removal of two garage doors from the western side. In addition, landscaping/buffer planting can be considered as a condition of approval to further mitigate concerns.

- Clause 4.54.10 – Reasons for Refusal

In accordance with clause 4.54.10, the local government shall refuse an application for development approval where in its opinion the proposed development will:

- (i) adversely affect the rural landscape;
- (ii) adversely impact upon the agricultural use of the land and adjacent/nearby areas;
- (iii) cause detrimental environmental impacts;
- (iv) result in unacceptable fire management risk;
- (v) place unacceptable servicing requirements which have not been appropriately addressed by the applicant;
- (vi) result in the impacts of the proposed use/development not being adequately contained on the application site;
- (vii) in the opinion of the local government, result in an undesirable planning outcome.

- Clause 4.5 – Variations to site and development standards and requirements

Clause 4.5 is relevant and states:

4.5.1 Except for development in respect of which the Residential Design Codes apply, if a development is the subject of an application for development approval and does not comply with a standard or requirement prescribed under the Scheme, the local government may, despite the non-compliance, approve the application unconditionally or subject to such conditions as the local government thinks fit.

4.5.2 In considering an application for development approval under this clause, where, in the opinion of the local government, the variation is likely to affect any owners or occupiers in the general locality or adjacent to the site which is the subject of consideration for the variation, the local government is to -

- (i) consult the affected parties by following one or more of the provisions for advertising under clause 64 of the deemed provisions; and

- (ii) have regard to any expressed views prior to making its determination to grant the variation.

4.5.3 The power conferred by this clause may only be exercised if the local government is satisfied that -

- (i) approval of the proposed development would be appropriate having regard to the matters to be considered set out in clause 67 of the deemed provisions; and
- (ii) the non-compliance will not have an adverse effect upon the occupiers or users of the development, the inhabitants of the locality or the likely future development of the locality.

Officers acknowledge that adjoining landowners use the land for livestock and keeping of animals which may have been impacted by vehicular access encroaching within the development setback area. However, the applicant has modified the proposal to remove the roller doors from the western side which will result in no vehicular access on this side, therefore officers consider the proposal as amended will not adversely impact the agricultural use of neighbouring land.

CONSULTATION

In accordance with clause 4.5 of LPS7 as outlined above, in considering an application for development approval that proposes a variation to a Scheme requirement, the local government is to form an opinion on whether the variation is likely to affect any owners or occupiers in the general locality or adjoining the site. In the case where it is considered that owners or properties may be affected, the local government must consult those parties and have regard to any expressed views prior to making its determination.

It was the opinion of officers that the proposed variation to the setback requirement warranted advertising to the adjoining landowners.

OFFICER COMMENT/CONCLUSION

In reviewing the application for the outbuilding, it was identified by officers that existing incidental development on the subject property including some minor site works, retaining walls and a Colorbond fence within the setback area do not have the relevant development or building approvals from the Shire. The applicant has been notified of this and is currently working to submit a separate retrospective application for development approval. It was suggested to the applicant that the proposal for the outbuilding be put on hold in order for all development to be considered under a single application, however they advised that they do not wish to delay the determination on the outbuilding and will continue to concurrently work on rectifying the compliance issues.

The objections raised during the advertising period were thoroughly considered and the applicant has amended the proposal in an effort to address these. By removing the two roller doors from the western side of the development, the potential impact of land use conflict with the adjoining land is significantly reduced.

Whilst there may be a visual impact to the rural landscape, insofar as the development will be visible from the adjoining property, compliance with the setback requirement would not necessarily result in an improved visual outcome. It is considered that the visual impact will be minimal as the nearest dwelling (being an ancillary dwelling) on the adjacent property is approximately 200m away, whilst the main dwelling is approximately 350m away. Notwithstanding this, the introduction of landscaping adjacent to the development will mitigate any visual impact.

The proposed development is considered minor and incidental to an existing dwelling. It is considered that the proposed minor variation to the required setback will not jeopardise the objectives of the Priority Agriculture zone and will have minimal impact on the functioning of the neighbouring property. It is therefore recommended that Council resolves to approve the application for development approval, subject to the conditions contained in the officer recommendation.

OUTCOME OF MEETING

Cr Smith declared a financial interest in item1 as he has worked for neighbours who have an objection to the proposal. Cr Smith left the Chamber at 5.06pm.

COUNCIL RESOLUTION 128/20

Moved Cr Newman

Seconded Cr Mitchell

That Council:

Pursuant to Schedule 2, Part 9, Clause 68 of the *Planning and Development (Local Planning Schemes) Regulations 2015* approves the development of an outbuilding at Lot 9 Goodwood Road, Paynedale, subject to the following:

Conditions:

- 1. The approved development must accord with the endorsed plan(s), including any notations, and must not be altered or modified, without prior approval from the Shire.**
- 2. The approved outbuilding shall only be used for purposes incidental to the residential or agricultural use of the property and is not to be used for habitable, commercial or industrial purposes without prior approval from the Shire.**
- 3. All stormwater from the proposed development including building(s) and hardstand area(s) shall be managed by the landowner in accordance with the *Shire of Donnybrook Balingup's Policy 4.27 – Stormwater Management Private Land*.**
- 4. Prior to the commencement of the development, a landscaping plan is to be submitted and approved by the Executive Manager Operations to achieve screening of the outbuilding from the adjoining property which shall include:**
 - 4.1 The location, species, number and expected size at maturity of proposed screening vegetation; and**

4.2 Methods of reticulation of landscaped areas including the source of water supply.

5. All landscaping shall be installed as per the approved landscaping plan within 12 months of this approval and maintained thereafter to the satisfaction of the Executive Manager Operations.

Advice Notes:

1. With regards to Condition (3), written approval must first be obtained from the Shire if a landowner proposes to direct discharge of stormwater into the Shire's open or piped drainage infrastructure.
2. All noise emitted from the property is required to comply with the *Environmental Protection (Noise) Regulations 1997*.
3. This approval is not to be misconstrued as approval for any existing unauthorised development or use of the land not subject to the 'Description of Proposed Development' within this approval. It is recommended the applicant liaise with the Shire to ensure all relevant approvals are obtained.
4. Compliance with the Building Code of Australia is required. A Building Permit Application must be submitted to, and approved by, the Shire prior to the commencement of any development. The Building Permit plans must reflect the relevant conditions and approved plans of this Development Approval. Any subsequent amendments to the plans may require additional development approval.
5. Construction work is to be appropriately managed to ensure compliance with the *Environmental Protection (Noise) Regulations 1997*. In accordance with the Regulations, construction work is not permitted:
 - outside of the hours of 7:00am to 7:00pm;
 - on a Sunday;
 - or on a Public Holiday.
6. If the development the subject of this approval is not substantially commenced within a period of two years, the approval will lapse and be of no further effect.
7. Where an approval has so lapsed, no development must be carried out without the further approval of the local government having first been sought or obtained.

If an applicant or owner is aggrieved by this determination there is a right of review by the State Administrative Tribunal in accordance with Part 14 of the *Planning and Development Act 2005*. An application must be made within 28 days of the determination.

CARRIED 8/0

Cr Smith returned to the Chamber at 5.07pm

9.1.2 NAMING OF PARK – DONNYBROOK TOWN CENTRE REVITALISATION PROJECT

Location	Shire of Donnybrook-Balingup
Applicant	Shire of Donnybrook-Balingup
File Reference	PWF18V
Author	Steve Potter, Executive Manager Operations
Responsible Officer	Steve Potter, Executive Manager Operations
Attachments	Nil
Voting Requirements	Simple Majority

Recommendation
<p>That Council:</p> <ol style="list-style-type: none"> 1. Endorses the proposal to conduct a public competition for the naming of the park the subject of the Donnybrook Town Centre Revitalisation Project; 2. Authorises the Chief Executive Officer to undertake public advertising of the competition; 3. At the conclusion of the advertising period, instructs the Chief Executive Officer to liaise with Landgate to determine the eligibility of nominated names and bring a further report back to Council with a list of all compliant names and a recommended name for Council’s further consideration.

STRATEGIC ALIGNMENT

The following outcomes from the Corporate Business Plan relate to this proposal:

Outcome:	2.1	An attractive and maintained built environment.
Strategy:	2.1.1	Maintain, renew and improve infrastructure within allocated resources
Action:	2.1.1.2	Seek funding for the development and renewal of infrastructure.

EXECUTIVE SUMMARY

Works are currently underway on the Donnybrook Town Centre Revitalisation Project which is expected to be complete by March 2021. As part of the project, it has been identified that an appropriate new name for the park precinct be identified.

The project has attracted widespread community interest and in order to capture some of this community spirit, it is proposed that a public naming competition be held, inviting the community to put forward names for consideration.

It is recommended that Council endorse the approach as outlined in this report to enable the process to commence.

BACKGROUND

The naming of roads, parks and other public places is governed by Geographic Names (Landgate) which has the delegated authority from the Minister for Lands to administer naming actions as per the Land Administration Act.

The Geographic Names Team administer all naming actions as per the Policies and Standards for Geographical Naming in Western Australia.

Shire staff have made contact with Landgate outlining the proposed approach to identifying a new name for the park which has received in-principle support.

In accordance with Landgate requirements, proposed names will need to fall under one of the following categories:

- named after an adjoining road name (e.g. Collins Park);
- names from Aboriginal languages formerly identified with the general area;
- names of pioneers who were relevant to the area;
- names of persons who died during war service;
- names associated with historical events connected with the immediate area.

FINANCIAL IMPLICATIONS

Nil

POLICY COMPLIANCE

Nil

STATUTORY COMPLIANCE

Proposed names will need to comply with relevant requirements as outlined in the document *Policies and Standards for Geographical Naming in Western Australia*.

CONSULTATION

Subject to Council support, the competition will be advertised widely through both print and digital media.

OFFICER COMMENT/CONCLUSION

The DTCRP is an exciting project and the naming of the new park represents an opportunity for the community to become involved and generate local interest. As such, it is recommended that Council support the proposal.

COUNCIL RESOLUTION 129/20

Moved Cr Lindemann

Seconded Cr Massey

That Council:

- 1. Endorses the proposal to conduct a public competition for the naming of the park the subject of the Donnybrook Town Centre Revitalisation Project;**
- 2. Authorises the Chief Executive Officer to undertake public advertising of the competition;**
- 3. At the conclusion of the advertising period, instructs the Chief Executive Officer to liaise with Landgate to determine the eligibility of nominated names and bring a further report back to Council with a list of all compliant names and a recommended name for Council's further consideration.**

CARRIED 9/0 by En Bloc Resolution

9.2 EXECUTIVE MANAGER CORPORATE AND COMMUNITY

9.2.1 ACCOUNTS FOR PAYMENT

The Schedule of Accounts Paid (Attachment 9.2.1(1)) under Delegation (No 3.1) is presented to Council for information.

9.2.2 MONTHLY FINANCIAL REPORT – JULY 2020

The Monthly Financial Report for July 2020 is attached (Attachment 9.2.2(1)).

EXECUTIVE RECOMMENDATION

That the monthly financial report for the period ended July 2020 be received.

COUNCIL RESOLUTION 130/20

Moved Cr Atherton

Seconded Cr Wringe

That the monthly financial report for the period ended July 2020 be received.

CARRIED 9/0

9.2.3 2020/21 COMMUNITY GRANTS FUNDING SCHEME – REQUEST FOR VARIATION TO REQUESTED FUNDING FOR KIRUP PROGRESS ASSOCIATION

Location	Shire of Donnybrook Balingup
Applicant	Kirup Progress Association Inc
File Reference	FNC 08/6
Author	James Jarvis, Manager Community Development
Responsible Manager	James Jarvis, Manager Community Development
Attachments	9.2.3(1) - Community Grant Funding Guidelines 2019-20 9.2.3(2) - Application for the Kirup Community Garden 9.2.3(3) - Application to vary to the purpose of the approved grant
Voting Requirements	Simple Majority

Recommendation	
<p>That Council approve the variation in purpose in the Kirup Progress Association’s previously approved 2019/20 allocation of \$1,500 in the Community Grant Funding Scheme for the purpose of the development of the Kirup Community Garden to a new proposed purpose of the installation of a water tank, reticulation and the planting of native tress as the Kirup Mill Park project site on South Western Highway in Kirup.</p>	

STRATEGIC ALIGNMENT

The following outcomes from the Corporate Business Plan relate to this proposal:

Outcome	3.1	An engaged, supportive, and inclusive community
Strategy	3.1.1	Facilitate, encourage, and support a diverse range of festivals, community events, arts and cultural activities.
Action	3.1.1.2	Continue to encourage and support community-led events

EXECUTIVE SUMMARY

The Kirup Progress Association (KPA) applied for Major Community Grant Funding of \$2,000 in the 2019-20 budget to support the commencement works of the Kirup Community Garden. The application was successful with \$1,500 being awarded.

The proposed site for the Community Garden was the corner of South West Highway and Station Street in Kirup, adjacent to the Kirup Primary School. The land was part of the school grounds and owned by the Education Department. Negotiations between the KPA and the Education Department for the use of the land have been unsuccessful. While negotiations were taking place, the \$1500 community grant was carried forward into the 2020-21 budget.

The KPA are developing the Kirup Mill Park project in the town centre of Kirup on South Western Highway. Part of the overall project is developing a sustainable water supply, reticulation, and native tree planting.

The KPA are requesting that the funding of \$1,500 previously allocated to the Kirup Community Garden project to be re allocated to the purchase and installation of a water tank, reticulation and planting of native trees at the Kirup Mill Park project site in Kirup.

BACKGROUND

The Shire's Community Grants Funding Scheme (Scheme) was adopted by Council on 1 March 2016. The purpose of the Scheme is to provide funding to individuals, community groups, not-for-profit and commercial organisations seeking financial support to allow them to deliver projects and activities that address identified community needs.

Full details of the Scheme are outlined in the community Grants Funding Scheme Guidelines (*Attachment 9.2.3(1)*). This document includes details of eligibility, ineligibility, how to apply and the assessment criteria.

FINANCIAL IMPLICATIONS

No change to current CGFS amounts allocated in the 2020/21 budget.

POLICY COMPLIANCE

Administration Policy 2.47 – Community Grant Funding Scheme.

STATUTORY COMPLIANCE

Not applicable.

CONSULTATION

No external consultation is required for the Community Grants Funding Scheme.

OFFICER COMMENT/CONCLUSION

The assessment of the variation application rated the re-purposed concept highly and noted the request was consistent with the original proposal. The variation was discussed at length by the Kirup Progress Association Committee and unanimous support was achieved to seek the variation.

OUTCOME OF MEETING

Cr Wringe declared an impartiality interest in item 9.2.3 as she is a member of the Kirup Progress Association. Cr Wringe remained in the Chamber for the discussion and vote.

COUNCIL RESOLUTION 131/20

Moved Cr Mitchell

Seconded Cr Smith

That Council approve the variation in purpose in the Kirup Progress Association's previously approved 2019/20 allocation of \$1,500 in the Community Grant Funding Scheme for the purpose of the development of the Kirup Community Garden to a new proposed purpose of the installation of a water tank, reticulation and the planting of native tress as the Kirup Mill Park project site on South Western Highway in Kirup.

CARRIED 9/0

9.2.4 2020/21 FEES AND CHARGES AMENDMENT – STANDPIPE WATER

Location	Shire of Donnybrook Balingup
Applicant	Shire of Donnybrook Balingup
File Reference	FNC 04/1
Author	Paul Breman, Executive Manager Corporate and Community
Responsible Manager	Paul Breman, Executive Manager Corporate and Community
Attachments	
Voting Requirements	Absolute Majority

Recommendation	
<p>That Council adopt the following amended fees and charges for the sale of water from standpipes:</p>	
<u>Sale of Standpipe Water</u>	<u>2020-21 (inc GST)</u>
Up to 1,000 litres	\$7.80
Up to 5,000 litres (or part thereof)	\$28.08
Up to 10,000 litres (or part thereof)	\$56.94
ABSOLUTE MAJORITY VOTE REQUIRED	

STRATEGIC ALIGNMENT

The following outcomes from the Corporate Business Plan relate to this proposal:

Outcome	4.2	A respected, professional, and trusted organisation
Strategy	4.2.1	Effective and efficient operations and service provision
Action	4.2.1.1	Maintain effective and efficient policies, planning, operating procedures and practices

EXECUTIVE SUMMARY

Seeking an amendment to the 2020-21 Fees and Charges manual to correct an error in the level of fees and charges applied as part of the 2020-21 budget in relation to sale of water from standpipes.

The charges in relation to the sale of water from standpipes are as follows:

<u>Sale of Standpipe Water</u>	Adopted 2019-20 Inc GST	Adopted 2020-21 Inc GST	2020-21 Corrected Inc GST
Up to 1,000 litres	\$7.80	\$4.00	\$7.80
Up to 5,000 litres (or part thereof)	\$28.08	\$14.40	\$28.08
Up to 10,000 litres (or part thereof)	\$56.94	\$29.20	\$56.94

The error occurred in the setting of level of charges for three items under the heading of Sale of standpipe water item number 5.1 on the schedules of fees and charges adopted by the Council at its Ordinary Meeting held on 26 August 2020. The intention was for the levels to remain unchanged from the 2019-20 level which this correct seeks to apply.

BACKGROUND

Not applicable.

FINANCIAL IMPLICATIONS

No sale of water has occurred under the incorrect levels since adoption of the fees and charges on 26 August 2020, resulting in no loss of revenue from this circumstance.

POLICY COMPLIANCE

Not applicable.

STATUTORY COMPLIANCE

Local Government Act 1995 Part 6 – Financial management Division 5 – Financing local government activities Subdivision 2 – Fees and charges

The Local Government Act 1995 (the Act) provides local governments with the power to impose and recover a fee or charge for any goods or service it provides or proposes to provide, other than a service for which a service charge is imposed. Fees and charges are to be imposed when adopting the annual budget but may also be imposed during a financial year or amended from time to time during a financial year.

CONSULTATION

If a new fee or charge is imposed during a financial year, then local public notice is required however public notice is not required for amendments to existing fees and charges.

OFFICER COMMENT/CONCLUSION

The error is regrettable, but it is fortunate this has been identified swiftly and able to be corrected.

COUNCIL RESOLUTION 132/20

Moved Cr Lindemann Seconded Cr Massey

That Council adopt the following amended fees and charges for the sale of water from standpipes:

<u>Sale of Standpipe Water</u>	<u>2020-21 (inc GST)</u>
Up to 1,000 litres	\$7.80
Up to 5,000 litres (or part thereof)	\$28.08
Up to 10,000 litres (or part thereof)	\$56.94

**CARRIED 9/0 by En Bloc Resolution
ABSOLUTE MAJORITY VOTE ATTAINED**

9.3 CHIEF EXECUTIVE OFFICER

9.3.1 DONNYBROOK AND DISTRICTS SPORTING, RECREATION AND ENTERTAINMENT PRECINCT (VC MITCHELL PARK MASTER PLAN)

Location	Steere Street, Donnybrook
Applicant	Shire of Donnybrook
File Reference	PWT 18T
Author	Ben Rose, Chief Executive Officer
Responsible Manager	Ben Rose, Chief Executive Officer
Attachments	9.3.1 - Correspondence from DLGSCI
Voting Requirements	Simple Majority

Recommendation
<p>That Council:</p> <ol style="list-style-type: none"> 1. Authorise the Chief Executive Officer to execute a grant agreement with the State Government for the early release of up to \$250,000 of State project funds for planning and delivery of the Donnybrook and Districts Sporting, Recreation and Entertainment Precinct Project, acknowledging advice from the Department of Local Government, Sport and Cultural Industries that there is no funding co-contribution requirement from the Shire for this early release of funding. 2. Acknowledges its previous in-principle \$3m (capped) project funding decision (based on details from the Ordinary Meetings of 18 December 2019 and May 2020) and instructs the Chief Executive Officer to review the Shire’s Long Term Financial Plan, by no later than the November 2020 Ordinary Meeting of Council, with scenario modelling for provision of borrowings of up to \$3m towards the Donnybrook and Districts Sporting, Recreation and Entertainment Precinct Project. 3. Authorise the Chief Executive Officer to execute a State Financial Assistance Agreement (for \$6m minus any early release grant funds), subject to: <ol style="list-style-type: none"> a. Council approving, via resolution, a financial co-contribution (of up to \$3m) to the project. b. WA Treasury Corporation approving a loan facility for the Shire’s financial co-contribution (of up to \$3 million) to the project. c. Council approving a more detailed Concept Plan (derived from the Council-supported Master Plan), which includes project staging recommendations and stakeholder consultation and input. d. The Chief Executive Officer lodging a Project Business Case (in the required State Government format) with the Department of Local Government, Sport and Cultural Industries, if required by that Department.

- 4. Acknowledges initial community response in relation to the discussion (not decision) of relocating Vin Farley Rotary Playground to within the Donnybrook and Districts Sporting, Recreation and Entertainment Precinct and instructs the Chief Executive Officer to exclude planning for the playground relocation from any project plans until, or unless, directed otherwise by the Council.**

STRATEGIC ALIGNMENT

The following outcomes from the Corporate Business Plan relate to this proposal:

Outcome:	3.3	A safe and healthy community
Strategy:	3.3.2	Support a safe, healthy and active community
Action:	3.3.3.2	Review and implement the VC Mitchell Park and Balingup Recreation Centre Masterplans

EXECUTIVE SUMMARY

On 31 August, the Shire received formal correspondence from the Minister for Seniors and Ageing; Volunteering; Sport and Recreation (Hon. Mick Murray MLA) confirming that the Shire will receive \$6m for the Donnybrook and Districts Sporting, Recreation and Entertainment Precinct Project (the Project) as part of the State's WA COVID Recovery Plan and that grant administration will be coordinated by the Department of Local Government, Sport and Cultural Industries (DLGSCI).

This report to Council seeks to expedite planning and delivery for the Project, specifically by addressing:

- The opportunity for the Shire to access early-release partial State project funding;
- Long term financial planning associated with borrowings to support the project; and
- Authorisation for the Chief Executive Officer to execute State funding agreements, with pre-requisite conditions of Council.

BACKGROUND

At its May 2020 Ordinary Meeting, Council resolved:

“That Council:

- 1. Thank the members of the Working Group for their genuine and robust input to the Master Plan development.*
- 2. Support the Donnybrook and Districts Sports, Recreation and Events Precinct Master Plan in principle, allowing for negotiation and changes to be made that best suit all end user sporting and community groups prior to*

Request for Tender, including that Scenario B of the Master Plan be the preferred option for funding consideration;

3. *Instruct the Chief Executive Officer to seek project funding (for Stages 1 and 2) from:*
 - 3.1 *The State Government;*
 - 3.2 *Additional funding sources.*
4. *Instruct the Chief Executive Officer that, in relation to the project, any further precinct design development, grant funding contracts or requests for tender requires the pre-approval of Council.”*

At its December 2019 Ordinary Meeting, Council resolved:

That Council:

1. *Approve, in principle, loan funding towards the Donnybrook and Districts Sports, Recreation and Events Precinct Project on the basis of:*
 - 1.1 *One-third funding from the Shire of Donnybrook Balingup;*
 - 1.2 *Two-thirds funding from the State Government; and*
 - 1.3 *The Shire of Donnybrook Balingup capital contribution via loan being capped at a maximum of \$3,000,000.*
2. *Instruct the Chief Executive Officer to seek project funding from the State Government as per resolution 1, above.*
3. *Approve the addition of the in principle loan funding amount to the Shire’s Borrowings Plan 2019/20 – 2033/34 (as attached).*

DETAILS

Early project/grant communication with senior officers of the DLGSCI has identified the opportunity for early release of a portion of the \$6m State grant funding, to support project planning and delivery with the following types of activities:

- Feature/site survey (by licensed surveying company);
- Preliminaries (detailed investigation and planning for reticulated services such as power, water, sewer, telecoms);
- Legal/contract advice (for Request for Tender document development);
- Architectural services (to develop Master Plan into more detailed Concept Plan to support the Request for Tender);
- Project Management services (to supplement Shire’s resourcing on this project only).

Consultation between senior officers of DLGSCI and the Shire identify that an early release payment of up to \$250k can be provided by the State to the Shire for the abovementioned project activities. Further, written advice from a senior officer of the DLGSCI advises that:

- the Shire is not required to provide any financial co-contribution to an early release funding payment;
- in accepting the early release funding payment, the Shire is not contractually obliged to continue with the project, including a Financial Assistance Agreement for the \$6m (or residual there-of, assuming an early release draw down is undertaken);
- in accepting an early release funding payment, the Shire will have no contractual obligation for repayment of the funding if it (via OCM resolution) resolves not to proceed with the project.

FINANCIAL IMPLICATIONS

The commitment to establish a loan for \$3m is a significant decision for the Shire, and Council specifically. Whilst the Shire's present borrowings are very low (\$347,135 as at 30 June 2021, which excludes financial liabilities for Preston Retirement Village and Tuia Lodge RADs), the enterprise-wide, long term implications of these borrowings require a considered approach.

Detail in relation to the Shire's loan borrowing capacity was presented to Council as part of the December 2019 Ordinary Meeting agenda. Detail in relation to Forecast Net Additional Annual Expenditure (based on a 20-year loan scenario and a 30-year loan scenario) associated with the project was presented to Council as part of the May 2020 Ordinary Meeting agenda (albeit based on \$7.8m project expenditure, rather than \$9m).

Prior to the Council deliberating on the establishment of a loan facility to support the Project (a loan which would not need to be activated until 2021-22), it is recommended that a Long Term Financial Plan is presented to Council which includes scenario analysis with/without the Project loan funding. In the interim (before 1 July 2021), and on the assumption the Council resolves to progress the Project, any project expenditure will be drawn down from the State's grant funding.

POLICY COMPLIANCE

Nil.

STATUTORY COMPLIANCE

Nil.

CONSULTATION

Further to the consultation undertaken in development of the Project MasterPlan, additional detailed level consultation is presently underway via the Stakeholder Reference Group (who have met twice since the State's funding announcement in early August 2020).

OFFICER CONCLUSION

Access to an early release tranche of State project funding will enable the Shire to expedite project planning and delivery, with no risk to the Shire for grant funds repayment or 'locking the Shire in' to proceeding with the project.

Prior to considering / resolving a position in relation to the establishment of a loan to support the Project, the Executive recommends modelling the financial impacts into a Long Term Financial Plan in order that the Council make a fully informed decision.

OUTCOME OF MEETING

Cr Atherton declared an impartiality interest in item 9.3.1 as he is a member of the Donnybrook Football Club. Cr Atherton remained in the Chamber for the discussion and vote.

Cr Smith declared an impartiality interest in item 9.3.1 as he is a junior football coach at the Donnybrook Football Club. Cr Smith remained in the Chamber for the discussion and vote.

The Executive Recommendation was moved Cr Smith, seconded Cr Sercombe (as written). Cr Mitchell foreshadowed an Alternate Motion should the Executive Recommendation be lost, as follows:

FORESHADOWED ALTERNATE MOTION

That Council:

1. *Instructs the Chief Executive Officer to present a draft revised Long Term Financial Plan including scenario modelling with/without provision of borrowings of up to \$3m towards the Donnybrook and Districts Sporting, Recreation and Entertainment Precinct Project to the November 2020 Ordinary Meeting of Council.*
 - a. *Should additional resourcing be required to expediate the preparation of the draft revised Long Term Financial Plan, a request should be brought to Council from the Chief Executive Officer.*
2. *Acknowledges the offer and advice from the Department of Local Government, Sport and Cultural Industries that there is no funding co-contribution requirement from the Shire for early release of funding, however, respectfully declines the offer.*
3. *Instructs the Chief Executive Officer to progress works, within current staffing, to develop a more detailed Concept Plan (derived from the Council-supported Master Plan) and a Business Case which includes project staging recommendations and stakeholder consultation and input.*
4. *Acknowledges its previous in-principle \$3m (capped) project funding decision (based on details from the Ordinary Meetings of 18 December 2019 and May 2020).*
5. *Will not consider executing a State Financial Assistance Agreement (for \$6m minus any early release grant funds), until such time that the Long Term Financial Plan includes provision for the Donnybrook and Districts Sporting, Recreation and Entertainment Precinct project.*

COUNCIL RESOLUTION 133/20

Moved Cr Smith

Seconded Cr Sercombe

That Council:

- 1. Authorise the Chief Executive Officer to execute a grant agreement with the State Government for the early release of up to \$250,000 of State project funds for planning and delivery of the Donnybrook and Districts Sporting, Recreation and Entertainment Precinct Project, acknowledging advice from the Department of Local Government, Sport and Cultural Industries that there is no funding co-contribution requirement from the Shire for this early release of funding.**
- 2. Acknowledges its previous in-principle \$3m (capped) project funding decision (based on details from the Ordinary Meetings of 18 December 2019 and May 2020) and instructs the Chief Executive Officer to review the Shire’s Long Term Financial Plan, by no later than the November 2020 Ordinary Meeting of Council, with scenario modelling for provision of borrowings of up to \$3m towards the Donnybrook and Districts Sporting, Recreation and Entertainment Precinct Project.**
- 3. Authorise the Chief Executive Officer to execute a State Financial Assistance Agreement (for \$6m minus any early release grant funds), subject to:**
 - a. Council approving, via resolution, a financial co-contribution (of up to \$3m) to the project.**
 - b. WA Treasury Corporation approving a loan facility for the Shire’s financial co-contribution (of up to \$3 million) to the project.**
 - c. Council approving a more detailed Concept Plan (derived from the Council-supported Master Plan), which includes project staging recommendations and stakeholder consultation and input.**
 - d. The Chief Executive Officer lodging a Project Business Case (in the required State Government format) with the Department of Local Government, Sport and Cultural Industries, if required by that Department.**
- 4. Acknowledges initial community response in relation to the discussion (not decision) of relocating Vin Farley Rotary Playground to within the Donnybrook and Districts Sporting, Recreation and Entertainment Precinct and instructs the Chief Executive Officer to exclude planning for the playground relocation from any project plans until, or unless, directed otherwise by the Council.**

CARRIED 7/2

Cr Mitchell and Cr Sercombe requested their votes ‘against’ be recorded

10 ELECTED MEMBER MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

10.1 COUNCILLOR

Nil.

11 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF THE MEETING

Nil.

12 MEETINGS CLOSED TO THE PUBLIC

12.1 MATTERS FOR WHICH THE MEETING MAY BE CLOSED

The following confidential reports and recommendations have been distributed separately and are not for circulation:

12.1.1 CONFIDENTIAL – REQUEST TO SUB-LEASE PORTION OF 70 SOUTH WESTERN HIGHWAY, DONNYBROOK

This report is confidential in accordance with Section 5.23(2) of the *Local Government Act 1995*, which permits the meeting to be closed to the public for business relating to the following:

- (c) *a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting.*
- (e) *a matter that if disclosed, would reveal — (i) a trade secret; or (ii) information that has a commercial value to a person; or (iii) information about the business, professional, commercial or financial affairs of a person, where the trade secret or information is held by, or is about, a person other than the local government; and*

12.1.2 CONFIDENTIAL – RECALL CONFIDENTIAL RESOLUTIONS 2019-2020

This report is confidential in accordance with Section 5.23(2) of the *Local Government Act 1995*, which permits the meeting to be closed to the public.

EXECUTIVE RECOMMENDATION

That the meeting be closed in accordance with section 5.23(2) of the *Local Government Act 1995* to discuss the following confidential items:

- 12.1.1 CONFIDENTIAL – REQUEST TO SUB-LEASE PORTION OF 70 SOUTH WESTERN HIGHWAY, DONNYBROOK**
- 12.1.2 CONFIDENTIAL – RECALL CONFIDENTIAL RESOLUTIONS 2019-2020**

COUNCIL RESOLUTION 134/20

Moved Cr Newman Seconded Cr Wringe

That the meeting be closed in accordance with section 5.23(2) of the *Local Government Act 1995* to discuss the following confidential items:

- 12.1.1 CONFIDENTIAL – REQUEST TO SUB-LEASE PORTION OF 70 SOUTH WESERN HIGHWAY, DONNYBROOK**
- 12.1.2 CONFIDENTIAL – RECALL CONFIDENTIAL RESOLUTIONS 2019-2020**

CARRIED 9/0

The meeting was closed to the public at 5.34pm.

COUNCIL RESOLUTION 137/20

Moved Cr Lindemann Seconded Cr Wringe

That the meeting be re-opened to the public.

CARRIED 9/0

The meeting was re-opened to the public at 5.44pm.

12.2 PUBLIC READING OF RESOLUTIONS THAT MAY BE MADE PUBLIC

- 12.1.2 CONFIDENTIAL – RECALL CONFIDENTIAL RESOLUTIONS 2019-2020**

COUNCIL RESOLUTION 136/20

That Council release the following Confidential Resolutions that are no longer confidential in accordance with Section 5.23(2) of the Local Government Act 1995, and instruct the Chief Executive Officer to print the Resolutions in the Minutes of the September 2020 Ordinary Council Meeting:

- 13.1.2 CONFIDENTIAL ITEM UNIT 9 PRESTON RETIREMENT VILLAGE RE-LEASE**

COUNCIL DECISION 44/19 – APRIL 2019 ORDINARY COUNCIL MEETING

That Council grant approval for Unit 9 Preston Retirement Village to be marketed for lease with an asking price of \$285,000.

13.1.1 CONFIDENTIAL – 2019/2020 COMMUNITY GRANTS FUNDING SCHEME

COUNCIL DECISION 63/19 – MAY 2019 ORDINARY COUNCIL MEETING

That Council:

1. *Endorse the Chief Executive Officer's recommendation to fund the Major Community Grants, Major Event Sponsorships and Recurrent Funding applications in accordance with Summary of Applications 2019/2020 – Major Funding (attachment 13.1.1(2)).*
2. *Instruct the Chief Executive Officer to incorporate these recommendations for consideration for endorsement in the 2019/2020 Financial Year Budget.*
3. *Acknowledge that, in order to achieve a maximum cap of 3% increase in rates for the 2019/20 financial year, the Chief Executive Officer may have to review the extent of community grant recommendations for presentation to Council within the Draft 2019/20 Budget.*
4. *In the event that reductions are required within the budget, that grants for groups that have consistently received support over multiple years shall be reduced prior to grants for groups that have not applied previously or have only received funding once prior, excluding recurrent funding grants.*

13.1.2 CONFIDENTIAL – AWARD OF REQUEST FOR TENDER RFT 02/1819 – TRAFFIC MANAGEMENT SERVICES

COUNCIL RESOLUTION 64/19 – APRIL 2019 ORDINARY COUNCIL MEETING

That Council:

1. *Award RFT 02/1819 - Traffic Management Services to the following tenderers for a contract period of three years:*
 - 1.1 *Allen's Traffic Management; and*
 - 1.2 *AW Roadworks.*
2. *Authorises the Chief Executive Officer to prepare and sign contractual documentation to facilitate Council's decision.*

13.1.4 RFT 03/1819 – MANAGEMENT OF THE DONNYBROOK WASTE MANAGEMENT FACILITY

COUNCIL RESOLUTION 67/19 – APRIL 2019 ORDINARY COUNCIL MEETING

That Council:

1. *Accepts RFT 03-18/19 - Management of the Donnybrook Waste Management Facility from Hastie Waste Pty Ltd for:*
 - 1.1 *Item 1 - \$239,745 per annum (exc. GST) for Management of the Donnybrook Waste Management Facility; and*
 - 1.2 *Item 2 - \$10.40 per m³ (exc. GST) for processed Green Waste.*
2. *Authorises the Chief Executive Officer to execute a Contract with Hastie Waste Pty Ltd in accordance with Point 1, subject to:*
 - 2.1 *The Contract being valid for a period of four years with two x two year extension options (maximum of 8 years).*

13.1.1 CONFIDENTIAL ITEM – RFT 4/1819 CONSTRUCTION OF BEELERUP BUSH FIRE STATION

COUNCIL DECISION 131/19 – AUGUST 2019 ORDINARY COUNCIL MEETING

That Council accepts RFT 4/1819 – Construction of the Beelerup Volunteer Bush Fire Station from BRC Building Solutions for a lump sum contract price of \$378,935.91 (Ex GST).

13.1.2 CONFIDENTIAL ITEM – REQUEST TO PURCHASE LOT 58 (70) SOUTH WESTERN IGHWAY, DONNYBROOK (BENDIGO BANK)

COUNCIL DECISION 132/19 – AUGUST 2019 ORDINARY COUNCIL MEETING

That Council:

1. *Acknowledges the request by the Bendigo Bank for the offer to purchase Lot 58 South Western Highway, Donnybrook;*
2. *Advises the Bendigo Bank that Council respectfully declines to accept the offer at this time.*

13.1.3 CONFIDENTIAL ITEM UNIT 11 PRESTON RETIREMENT VILLAGE

COUNCIL DECISION 133/19 – AUGUST 2019 ORDINARY COUNCIL MEETING

That Council instructs the Chief Executive Officer to suspend the marketing of Unit 11 Preston Retirement Village until Council has reviewed the revised Preston Retirement Village Scheme in September 2019.

13.1.5 *CONFIDENTIAL – LICENCE TO USE AND OCCUPY RAILWAY CORRIDOR
LAND – MELDENE ESTATE PATHWAY LINK*

COUNCIL DECISION 146/19 – SEPTEMBER 2019 ORDINARY COUNCIL MEETING

That Council:

- 1. Support in principle the draft Licence to Use and Occupy Railway Corridor Land Agreement between Shire of Donnybrook Balingup and Arc Infrastructure Pty Ltd;*
- 2. Agree to the costs and expenses attached to the draft Licence being \$1,000 ex GST for the preparation of the Agreement; and*
- 3. Give delegation to the Chief Executive Officer to finalise negotiations with Arc Infrastructure Pty Ltd, and execute the Licence and Sponsorship Agreement.*

13.1.1 *CONFIDENTIAL – RFQ 228 SUPPLY OF BITUMINOUS PRODUCTS 2019-20*

COUNCIL DECISION 172/19 – OCTOBER 2019 ORDINARY COUNCIL MEETING

That Council instructs the Chief Executive Officer to award the contract for RFQ 228 Bituminous Products 2019-20 to Malatesta Road Paving and Hot Mix.

13.1.2 *CONFIDENTIAL – RFQ 230 – WIN, CRUSH AND STOCKPILE GRAVEL
MATERIAL*

COUNCIL DECISION 173/19 – OCTOBER 2019 ORDINARY COUNCIL MEETING

That Council instructs the Chief Executive Officer to award the contract for “RFQ 230 Win Crush and Stockpile Gravel Material” to Cowara Contractors Pty Ltd.

13.1.4 *UNIT 9 PRESTON RETIREMENT VILLAGE*

COUNCIL DECISION 175/19 – OCTOBER 2019 ORDINARY COUNCIL MEETING

That Council:

Accept the cash offer of \$285,000 for Unit 9, Preston Retirement Village from Mr. & Mrs. McTaggart.

13.1.5 UNIT 11 PRESTON RETIREMENT VILLAGE

COUNCIL DECISION 176/19 – OCTOBER 2019 ORDINARY COUNCIL MEETING

That Council:

Accept the cash offer of \$275,000 for Unit 11, Preston Retirement Village from Mr. Glenn Cumming.

13.1.1 CONFIDENTIAL – RFQ 231 SUPPLY OF GRADER

COUNCIL RESOLUTION 202/19 – NOVEMBER 2019 ORDINARY COUNCIL MEETING

That Council:

1. *Awards RFQ231 – Supply of Grader to AFGRI Equipment for the:*
 - *Supply of a John Deere 620GP Grader, including optional extras, for \$356,419 ex GST.*
 - *Purchase of the Shire’s existing Caterpillar 120M grader for \$125,000 ex GST.*
2. *Instruct the Chief Executive Officer to make this Council Resolution public in the minutes of the 27 November 2019 Ordinary Meeting of Council.*

13.1.2 UNIT 8 PRESTON RETIREMENT VILLAGE – MARKETING

COUNCIL RESOLUTION 18/20 – FEBRUARY 2020 ORDINARY COUNCIL MEETING

That Council instruct the Chief Executive Officer to offer Unit 8, Preston Retirement Village to the market at a price of \$275,000.

7.1.1 CONFIDENTIAL – AGED CARE SERVICES REVIEW

COUNCIL RESOLUTION 43/20 – 6 APRIL SPECIAL COUNCIL MEETING

Moved Cr Mitchell

Seconded Cr Smith

That Council acknowledges the Aged Care Services Review Financial Report and refers it to the Aged Care Community Reference Group for consideration.

CARRIED 8/1

12.1.4 CONFIDENTIAL – AGED CARE SERVICES REVIEW

COUNCIL RESOLUTION 60/20 – APRIL 2020 ORDINARY COUNCIL MEETING

1. *That Council receive the:*

- 1.1 *Shire of Donnybrook Balingup Aged Care Services Review Stage Two (Incorporating Findings from Stage One) Final Report, as attached.*

1.2 *Aged Care Services Review Financial Report - March 2020, as attached.*

2. *That Council instruct the Chief Executive Officer to:*

2.1 *Seek to outsource operation and management of the Tuia Lodge Residential Aged Care Facility, without disposal of the underlying capital (building and land) asset/s.*

2.2 *Call for Expressions of Interest from suitably qualified and experienced residential aged care providers to operate and manage the Tuia Lodge Residential Aged Care Facility, without disposal of the underlying capital (building and land) asset/s.*

3. *That the basis for Council's recommendation 2, above, is as per the findings of the Donnybrook Balingup Aged Care Services Review Stage Two (Incorporating Findings from Stage One) Final Report and the Aged Care Services Review Financial Report - March 2020, both as attached.*

4. *That Council instruct the Chief Executive officer to release the following from confidentiality as at midday 24 April 2020:*

4.1 *Shire of Donnybrook Balingup Aged Care Services Review Stage Two (Incorporating Findings from Stage One) Final Report, as attached.*

4.2 *Aged Care Services Review Financial Report - March 2020, as attached.*

4.3 *This resolution of Council.*

5. *That Council instruct the Chief Executive Officer and Shire President to prepare and release a media statement on this matter following its release from confidentiality.*

12.1.1 **CONFIDENTIAL – RFT 03/1920 DONNYBROOK TOWN CENTRE
REVITALISATION PROJECT**

COUNCIL RESOLUTION 80/20 – MAY 2020 ORDINARY COUNCIL MEETING

That Council:

1. *Accepts RFT 03/1920 – Donnybrook Town Centre Revitalisation Project from Perkins WA Pty Ltd for a lump sum contract price of \$1,699,987 (Ex GST).*
2. *Delegates to the Chief Executive Officer to lodge and issue the Development Approval for the Donnybrook Town Centre Revitalisation Project.*
3. *Authorise the Chief Executive Officer to use the contingency contained within budget for the Donnybrook Town Centre Revitalisation Project for scope changes, variations and managing project risks subject to these issues remaining within the scope of the Financial Assistance Agreement with the State and any previous resolutions from Council on this project.*
4. *Advise the Department of Primary Industries and Regional Development that the accepted tender from Perkins WA Pty Ltd will deliver all of the elements required as per the Milestones from the Financial Assistance Agreement (appointing services for design works*

and capital works contractors) to release the balance of the funding totaling \$1,800,000 (Ex GST).

- 5. Reject Tenders received from Earthcare Pty Ltd and Byte Construct Pty Ltd as these tenders are deemed to be non-compliant as their price exceeded the maximum budget amount of \$1,700,000 (Ex GST).*
- 6. Delegates to the Chief Executive Officer to execute an ARC Infrastructure lease agreement relating to the scope of works proposed for this project.*
- 7. Adjust the project budget allocation by shifting the allowance of \$120,000 for Public Art into heritage curation / interpretation costs and contingency.*
- 8. Instructs the Chief Executive Officer that project plans prepared at the detailed design stage are be workshopped with Councillors in a Concept Forum prior to the successful Contractor commencing capital works on the project.*

12.1.3 CONFIDENTIAL – DRAFT 2020-21 BUDGET PREPARATION

COUNCIL RESOLUTION 111/20 – JULY 2020 ORDINARY COUNCIL MEETING

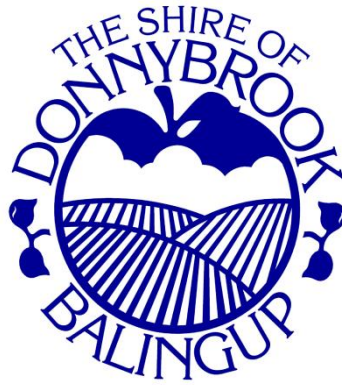
That Council:

- 1. Receive the 2020-21:*
 - 1.1 Draft Budget Overview;*
 - 1.2 Draft Budget Works and Projects Summary; and*
 - 1.3 The 2020-21 Draft Workforce Plan.*
- 2. Instructs the Chief Executive Officer to prepare the 2020-21 Draft Budget in accordance with the information contained therein (items 1.1 – 1.3, above) for presentation to the Council.*

13 CLOSURE

The Shire President advised that the next Ordinary Council Meeting will be held on 28 October 2020 commencing at 5.00pm in the Balingup Hall.

The Shire President closed the meeting at 5.44pm.



AUDIT AND RISK MANAGEMENT COMMITTEE MEETING MINUTES

Held on

Thursday 15 October 2020

Commencing at 5.00pm

Shire of Donnybrook Balingup Council Chambers, Donnybrook

A handwritten signature in black ink, appearing to read 'BGR' followed by a flourish.

Ben Rose
Chief Executive Officer

16 October 2020

Disclaimer

Please note the items and recommendations in this document are not final and are subject to change or withdrawal.

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SHIRE OF DONNYBROOK BALINGUP
AUDIT AND RISK MANAGEMENT COMMITTEE MINUTES

Held at the Council Chambers
Thursday 15 October at 5.00pm

1 DECLARATION OF OPENING

Chairperson – Acknowledgment of Country

The Chairperson acknowledged the traditional custodians of the land, the Wardandi People, paying respects to Elders, past and present and emerging.

The Chairperson declared the meeting open at 5:00PM and welcomed the members of the committee.

2 ATTENDANCE

MEMBERS PRESENT

COUNCILLORS	STAFF
Cr Jackie Massey (Deputy Shire President) Cr Leanne Wringe Cr Chaz Newman	Ben Rose – CEO Paul Breman – EMCC Maureen Keegan – MES
EXTERNAL MEMBERS	GUEST
Mr Ian Telfer – Chairperson Ms Carly Anderson	Cr Brian Piesse – Shire President (ex-officio)

2.1 APOLOGIES

Nil

2.2 APPROVED LEAVE OF ABSENCE

Nil

3 ANNOUNCEMENTS FROM CHAIRPERSON

Nil

4 DECLARATION OF INTEREST

Division 6: Sub-Division 1 of the *Local Government Act 1995*. Care should be taken by all Committee Members to ensure that a financial/impartiality interest is declared and that they refrain from voting on any matter, which is considered to come within the ambit of the Act.

5 CONFIRMATION OF MINUTES

Minutes of the Audit and Risk Management Committee meeting held 17 April 2020 (E-meeting) are attached (Attachment 5).

EXECUTIVE RECOMMENDATION

That the Minutes of the Audit and Risk Management Committee meeting held 17 April 2020 (E-meeting) be confirmed as a true and correct record.

COMMITTEE RECOMMENDATION

Moved: Cr Newman

Seconded: Cr Wringe

That the Minutes of the Audit and Risk Management Committee meeting held 17 April 2020 (E-meeting) be confirmed as a true and correct record.

CARRIED: 5/0

6 REPORTS OF OFFICERS

6.1 SHIRE RISK MANAGEMENT FRAMEWORK

Location	Shire of Donnybrook Balingup
Applicant	Shire of Donnybrook Balingup
File Reference	N/A
Author	Maureen Keegan – Manager Executive Services
Responsible Manager	Paul Breman – Executive Manager Corporate and Community
Attachments	6.1 (1) Draft Risk Management Framework
Voting Requirements	Simple Majority

Recommendation
That the Committee note the status of the development of the Shire of Donnybrook Balingup Risk Management Framework document.

STRATEGIC ALIGNMENT

The following outcomes from the Corporate Business Plan relate to this proposal:

Outcome	4.1	A strategically focused, open and accountable government
Strategy	4.1.1	Provide accountable and strategic leadership
Action	4.1.1.3	Review Council, Committee and Working Group governance structures and meeting programs

REPORT DETAILS

This report provides an update to the Committee of the status of the development of the Shire's Risk Management Framework.

Risk is defined in the *AS ISO 31000:2018 Standards* (Australian Standard) as 'effect of uncertainty on objectives' and Risk Management as 'coordinated activities to direct and control an organisation with regard to risk'.

The Shire's Risk Management Framework is currently being developed in reference to the Australian Standard with key focus areas being:

- Strategic Risks – relate to external events beyond the Shires control to influence.
- Enterprise Risk – Operational risks that generally affect the whole of Shire operations.
- Department Risks – Operational risks that can be managed at a department level.
- Project Risks – Risks in relation to projects.

The Framework is comprised of 6 main components each with various subcomponents.

1. Leadership and Commitment
2. Integration
3. Design
4. Implementation
5. Evaluation
6. Improvement

The draft Framework has been developed and is attached for the Committee's information; however, it is a high-level approach to risk and requires additional input throughout the organisation to develop the integration, design, implementation, and evaluation sectors.

To reach a final stage of completion of the Framework, workshops with managers and relevant staff to develop the risk register and matrix must occur.

Current Shire resources do not provide for a dedicated approach development of the Risk Management Framework and progress will be made over time for final presentation to the Committee in mid-2021.

FINANCIAL IMPLICATIONS

Not applicable.

POLICY COMPLIANCE

Not applicable.

STATUTORY COMPLIANCE

ASO ISO 31000:2018 Standards

CONSULTATION

Not applicable.

OFFICER COMMENT/CONCLUSION

The Risk Management Framework is an important tool for the Shire and Audit and Risk Management Committee when managing risk it is imperative this is completed to a thorough and high standard prior to presentation to the Committee in mid-2021.

COMMITTEE RECOMMENDATION

Moved: C Anderson

Seconded: Cr Massey

That the Committee note the status of the development of the Shire of Donnybrook Balingup Risk Management Framework document.

CARRIED: 5/0

6.2 AUDIT AND RISK MANAGEMENT COMMITTEE CHARTER REVIEW

Location	Shire of Donnybrook Balingup
Applicant	Shire of Donnybrook Balingup
File Reference	N/A
Author	Maureen Keegan – Manager Executive Services
Responsible Manager	Paul Breman – Executive Manager Corporate and Community
Attachments	6.2 (1) Audit Committee Charter July 2019 6.2 (2) Shire Code of Conduct
Voting Requirements	Simple Majority

Recommendation
<p>That the Committee:</p> <ol style="list-style-type: none"> 1. Review and accept the amendments to the Audit and Risk Management Committee Charter July 2019 in accordance with the attached reviewed Charter; and 2. Recommend to Council to adopt the reviewed Audit and Risk Management Committee Charter.

STRATEGIC ALIGNMENT

The following outcomes from the Corporate Business Plan relate to this proposal:

Outcome	4.1	A strategically focused, open and accountable government
Strategy	4.1.1	Provide accountable and strategic leadership
Action	4.1.1.3	Review Council, Committee and Working Group governance structures and meeting programs

REPORT DETAILS

An Audit Committee is required to be established by Council under the provisions of Section 7.1A of the *Local Government Act 1995*.

The objective of the audit committee is to accept responsibility for the annual external audit and liaise with the Shire’s auditor so that Council can be satisfied with the performance of the Shire in managing its financial affairs.(DLGSC Audit in Local Government)

To assist the Audit and Risk Management Committee in the function of its duties an Audit and Risk Management Committee Charter was developed using the DLGSC Model Terms of Reference and adopted by Council in July 2019. The Committee at the time was not involved in the development of the Charter nor engaged in training in the governance of Audit and Risk Management

At the request of the Committee, the Charter has undergone a review by the Executive Manager Corporate and Community. The review document with comments is attached and outlined within this report.

The recommended amendments are highlighted throughout the Committee Charter as follows:

- Some suggested word changes are highlighted in red text and text to be removed identified by a font strikethrough.
- The content of the Charter was identified as being either a Shire inclusion or direct copy from the Model Terms of Reference these are noted in green text.
- Commentary relating to clauses which include recommendations for improvements, deletion and or further discussion are numbered in blue text through the Charter and listed below for ease of interpretation by the Committee.

Table of Comments	
1.Committee Vision	Remove as the committee is a requirement under the <i>LG Act 1995</i> and does not require a Vision Statement.
2 Internal Audit	Remove any reference to the internal audit function as this is not undertaken at the Shire, at this time.
3. Seek external advice	Remove this clause from the Membership section as it is covered in the Terms of Reference (n)
4. Meetings	Remove the last paragraph as all items put forward will require a vote.
5. Terms of Reference – Clause J	Remove clause J as this refers to an internal auditor.
6. Ethical Practices	Remove in its entirety. The Shire Code of Conduct applies to Committee Members.
7. Evaluation	Remove, as this is not relevant or required.
8. Review	Remove. The Document Control box contains the adoption and review information
9. Approval of the Chair	Remove as the Chairperson and CEO will sign the document once endorsed by Council.

FINANCIAL IMPLICATIONS

Not applicable.

POLICY COMPLIANCE

Council Policy 1.15 – Committee Membership

STATUTORY COMPLIANCE

Local Government Act 1995 (S7.1(A))

CONSULTATION

Not applicable.

OFFICER COMMENT/CONCLUSION

Developing an inclusive process to review the Audit and Risk Management Committee Charter will provide the Committee with knowledge and ownership of the Charter.

External training to assist Committee Members to understand the Charter, Governance of risk management relating to the Audit and Risk function at the Shire is imperative to a well-functioning Committee. Training providers are currently being sourced.

COMMITTEE RECOMMENDATION

Moved: Cr Wringe

Seconded: C Anderson

That the Committee:

- 1. Review and accept the amendments to the Audit and Risk Management Committee Charter July 2019 in accordance with the attached reviewed Charter; and**
- 2. Recommend to Council to adopt the reviewed Audit and Risk Management Committee Charter, with amendments agreed at the Audit and Risk Management Meeting of 15 October 2020.**

CARRIED: 5/0

6.3 INTERIM AUDIT FINDINGS YEAR ENDING 30 JUNE 2020

Location	Shire of Donnybrook Balingup
Applicant	Shire of Donnybrook Balingup
File Reference	
Author	Paul Breman, Executive Manager Corporate and Community
Responsible Manager	Paul Breman, Executive Manager Corporate and Community
Attachments	6.3 (1) Findings identified during the Interim Audit 6.3 (2) Letter and Report from the Office of Auditor General
Voting Requirements	Simple Majority

Recommendation
<p>That the Committee:</p> <ol style="list-style-type: none"> 1. Receive the interim audit results and recommendation for the year ending 30 June 2020, as contained in a letter from the Office of the Auditor General dated 25 September 2020; and 2. Instructs the CEO to ensure that the recommendations from the Office of the Auditor General, as contained in the interim audit results, are implemented as soon as possible and that the Audit and Risk Management Committee be kept informed of the progress of the implementation.

STRATEGIC ALIGNMENT

The following outcomes from the Corporate Business Plan relate to this proposal:

Outcome	4.2	A respected, professional, and trusted organisation
Strategy	4.2.1	Effective and efficient operations and service provision
Action	4.2.1.4	Demonstrate sound financial planning and management

REPORT DETAILS

In accordance with legislation, the Shire has its financial information independently audited. In addition to an end of financial year audit, the Auditors contracted by the Office of the Auditor General (OAG) conduct an Interim Audit to ensure financial systems, controls and procedures are in place and ready for the final Audit.

If there are areas for improvement or non-compliance these matters are reported as interim audit findings and recommendations.

The Interim Audit was conducted from 9 and 10 June 2020 by two staff from AMD. The annual audit is now being undertaken by the OAG who has contracted AMD to undertake the procedures under their supervision.

The draft interim audit findings were provided to the Shire on 10 August 2020 for an initial response. The Management responded on 28 August 2020, to the draft findings with comments and the final report and findings were received on the 30th September 2020.

FINANCIAL IMPLICATIONS

Not Applicable.

POLICY COMPLIANCE

Not Applicable.

STATUTORY COMPLIANCE

Local Government Act 1995 Division 5 — Annual reports and planning 5.53. Annual reports

- (1) The local government is to prepare an annual report for each financial year.
- (2) The annual report is to contain —
 - (a) a report from the mayor or president; and
 - (b) a report from the CEO; and [(c), (d) deleted]
 - (e) an overview of the plan for the future of the district made in accordance with section 5.56, including major initiatives that are proposed to commence or to continue in the next financial year; and
 - (f) the financial report for the financial year; and
 - (g) such information as may be prescribed in relation to the payments made to employees; and
 - (h) the auditor's report prepared under section 7.9(1) or 7.12AD(1) for the financial year; and

Division 3 — Conduct of audit 7.9. Audit to be conducted

- (1) An auditor is required to examine the accounts and annual financial report submitted for audit and, by the 31 December next following the financial year to which the accounts and report relate or such later date as may be prescribed, to prepare a report thereon and forward a copy of that report to —
 - (a) the mayor or president; and
 - (b) the CEO of the local government; and
 - (c) the Minister.

7.12AD. Reporting on a financial audit

- (1) The auditor must prepare and sign a report on a financial audit. Local Government (Audit) Regulations 1996 16.

Functions of audit committee

An audit committee has the following functions —

- (a) to guide and assist the local government in carrying out —
- (i) its functions under Part 6 of the Act; and
 - (ii) its functions relating to other audits and other matters related to financial management;
- (b) to guide and assist the local government in carrying out the local government's functions in relation to audits conducted under Part 7 of the Act;
- (c) to review a report given to it by the CEO under regulation 17(3) (the CEO's report) and is to —
- (i) report to the council the results of that review; and
 - (ii) give a copy of the CEO's report to the council;
- (d) to monitor and advise the CEO when the CEO is carrying out functions in relation to a review under —
- (i) regulation 17(1); and
 - (ii) the Local Government (Financial Management) Regulations 1996 regulation 5(2)(c);
- (e) to support the auditor of the local government to conduct an audit and carry out the auditor's other duties under the Act in respect of the local government;
- (f) to oversee the implementation of any action that the local government —
- (i) is required to take by section 7.12A(3); and
 - (ii) has stated it has taken or intends to take in a report prepared under section 7.12A(4)(a); and
 - (iii) has accepted should be taken following receipt of a report of a review conducted under regulation 17(1); and
 - (iv) has accepted should be taken following receipt of a report of a review conducted under the Local Government (Financial Management) Regulations 1996 regulation 5(2)(c);
- (g) to perform any other function conferred on the audit committee by these regulations or another written law.

CONSULTATION

Not applicable.

OFFICER COMMENT/CONCLUSION

The report received from the Office of Auditor General along with comments as to the progress made to date on implementing the recommendations in the 2019-20 interim audit findings, is attached as information.

COMMITTEE RECOMMENDATION

Moved: Cr Newman

Seconded: Cr Massey

That the Committee:

- 1. Receive the interim audit results and recommendation for the year ending 30 June 2020, as contained in a letter from the Office of the Auditor General dated 25 September 2020; and**
- 2. Instructs the CEO to ensure that the recommendations from the Office of the Auditor General, as contained in the interim audit results, are implemented as soon as possible and that the Audit and Risk Management Committee be kept informed of the progress of the implementation.**

CARRIED: 5/0

6.4 EXTENSION OF TIME TO PRESENT ANNUAL FINANCIAL REPORT TO THE AUDITOR

Location	Shire of Donnybrook Balingup
Applicant	Shire of Donnybrook Balingup
File Reference	n/a
Author	Paul Breman, Executive Manager Corporate and Community
Responsible Manager	Paul Breman, Executive Manager Corporate and Community
Attachments	6.4 (1) Letter from DLGSCI
Voting Requirements	Simple Majority

Recommendation
<p>That the Committee acknowledge receipt of approval from the Minister for Local Government for an extension of time up to 31 October 2020 to present to the Auditor the draft copy of the annual financial report for the year ending 30 June 2020.</p>

STRATEGIC ALIGNMENT

The following outcomes from the Corporate Business Plan relate to this proposal:

Outcome	4.2	A respected, professional, and trusted organisation
Strategy	4.2.1	Effective and efficient operations and service provision
Action	4.2.1.4	Demonstrate sound financial planning and management

EXECUTIVE SUMMARY

Application was made to the Minister of Local Government for approval to defer the provision of the draft annual financial report to the Auditor until 30 October 2020, rather than the statutory timeline of 30 September 2020.

Originally the onsite Audit was planned for 27-29 October 2020 however as a result of the approval for a delay no later than 31 October 2020, the onsite audit was moved back two weeks and is now scheduled for the 10-12 November 2020.

There is no change to the expected signoff date by the OAG, being mid December 2020.

BACKGROUND

The deferral was requested to provide Shire Staff more time to prepare the draft financial report which this year is impacted by additional disclosure relating to the new accounting standards and the need to concurrently prepare a long term financial plan.

FINANCIAL IMPLICATIONS

Not Applicable.

POLICY COMPLIANCE

Not Applicable.

STATUTORY COMPLIANCE

Local Government Act 1995 Division 5 — Annual reports and planning 5.53. Annual reports

- (1) The local government is to prepare an annual report for each financial year.
- (2) The annual report is to contain —
 - (a) a report from the mayor or president; and
 - (b) a report from the CEO; and [(c), (d) deleted]
 - (e) an overview of the plan for the future of the district made in accordance with section 5.56, including major initiatives that are proposed to commence or to continue in the next financial year; and
 - (f) the financial report for the financial year; and
 - (g) such information as may be prescribed in relation to the payments made to employees; and
 - (h) the auditor's report prepared under section 7.9(1) or 7.12AD(1) for the financial year; and

Division 3 — Conduct of audit 7.9. Audit to be conducted

- (1) An auditor is required to examine the accounts and annual financial report submitted for audit and, by the 31 December next following the financial year to which the accounts and report relate or such later date as may be prescribed, to prepare a report thereon and forward a copy of that report to —
 - (a) the mayor or president; and
 - (b) the CEO of the local government; and
 - (c) the Minister.

7.12AD. Reporting on a financial audit

- (1) The auditor must prepare and sign a report on a financial audit. Local Government (Audit) Regulations 1996 16.

Functions of audit committee

An audit committee has the following functions —

- (a) to guide and assist the local government in carrying out —
 - (i) its functions under Part 6 of the Act; and
 - (ii) its functions relating to other audits and other matters related to financial management;
- (b) to guide and assist the local government in carrying out the local government's functions in relation to audits conducted under Part 7 of the Act;

- (c) to review a report given to it by the CEO under regulation 17(3) (the CEO's report) and is to —
 - (i) report to the council the results of that review; and
 - (ii) give a copy of the CEO's report to the council;
- (d) to monitor and advise the CEO when the CEO is carrying out functions in relation to a review under —
 - (i) regulation 17(1); and
 - (ii) the Local Government (Financial Management) Regulations 1996 regulation 5(2)(c);
- (e) to support the auditor of the local government to conduct an audit and carry out the auditor's other duties under the Act in respect of the local government;
- (f) to oversee the implementation of any action that the local government —
 - (i) is required to take by section 7.12A(3); and
 - (ii) has stated it has taken or intends to take in a report prepared under section 7.12A(4)(a); and
 - (iii) has accepted should be taken following receipt of a report of a review conducted under regulation 17(1); and
 - (iv) has accepted should be taken following receipt of a report of a review conducted under the Local Government (Financial Management) Regulations 1996 regulation 5(2)(c);
- (g) to perform any other function conferred on the audit committee by these regulations or another written law.

CONSULTATION

Our assigned Auditor Mahmoud Salahat from the Office of the Auditor General was consulted for comment prior to submission to the Minister for Local Government, Sport and Cultural Industries, and also consulted to ascertain the expected impact on the timing for finalisation of the 2019-20 Audit.

Mr. Salahat advised that the OAG had no objections to the application and that the finalisation of the Audit is likely to remain mid December 2020 as was the previous planned.

The contract Auditor, AMD, was also consulted prior to the application being submitted

OFFICER COMMENT/CONCLUSION

This time of year is always very busy and demanding for the Finance Staff as it contains many reporting requirements and also rate collection. This year has been particularly busy with added disclosure in the annual financial report and systems setup caused by the implementation of new accounting standards. Added to this work, the Executive Manager Corporate Community is busy development of a Long-Term Financial Plan and outsourcing of Tuia Lodge which is consuming time and departmental resources.

COMMITTEE RECOMMENDATION

Moved: C Anderson

Seconded: Cr Massey

That the Committee acknowledge receipt of approval from the Minister for Local Government for an extension of time up to 31 October 2020 to present to the Auditor the draft copy of the annual financial report for the year ending 30 June 2020.

CARRIED: 5/0

7 CLOSURE

The Chairperson declared the meeting closed at 6:12pm and advised the next Audit and Risk Management Committee Meeting will be held 12 November 2020 commencing at 5.00pm in the Shire of Donnybrook Balingup Council Chamber.



Audit and Risk Management Committee Minutes

Held on

Friday 17 April 2020

Commencing at 3:30pm

Shire of Donnybrook Balingup Council Chambers, Donnybrook

A handwritten signature in black ink, appearing to read "Ben Rose", with a long horizontal flourish extending to the right.

**Ben Rose
Chief Executive Officer**

17 April 2020

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SHIRE OF DONNYBROOK BALINGUP

AUDIT AND RISK MANAGEMENT COMMITTEE MINUTES

Held in Shire of Donnybrook Balingup Council Chamber
Friday 17 April 2020, 3:30pm

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

Chairperson – Acknowledgment of Country

The Chairperson acknowledged the traditional custodians of the land, the Noongar People, paying respects to Elders, past and present.

Chairperson – Notification of eMeeting Procedures

The *Local Government (Administration) Regulations* have been amended to allow eMeetings to be held during the COVID-19 pandemic situation and in accordance with Government guidelines.

In accordance with Regulation 14E(b), the unconfirmed minutes of the meeting will be available for public inspection immediately following the meeting.

The Chairperson declared the meeting open at 3:59pm, welcomed the members and advised them of the meeting procedures.

2. ATTENDANCE

MEMBERS PRESENT

COUNCILLORS	STAFF
Cr Massey (Deputy President)	Ben Rose - Chief Executive Officer
Cr Wringe	Paul Breman – Executive Manager Corporate and Community
Cr Newman	Loren Clifford – Corporate Planning and Governance Officer
EXTERNAL MEMBERS	GUESTS
Ian Telfer (Chairperson)	Cr Brian Piesse – Shire President (Ex officio)
Carly Anderson - Phone	

APOLOGIES

Nil.

3. ANNOUNCEMENTS FROM PRESIDING MEMBER

Nil

4. DECLARATION OF FINANCIAL/IMPARTIALITY INTEREST

Division 6: Sub-Division 1 of the *Local Government Act 1995*. Care should be taken by all Committee members to ensure that a financial/impartiality interest is declared and that they refrain from voting on any matter, which is considered to come within the ambit of the Act.

5. PETITIONS/DEPUTATIONS/PRESENTATIONS

Nil

6. CONFIRMATION OF MINUTES

Minutes of the Audit and Risk Management Committee meeting held 20 February 2020 are attached (Attachment 6.0).

COMMITTEE RECOMMENDATION

Moved: Cr Chaz Newman Seconded: Cr Jackie Massey

That the Minutes of the Audit and Risk Management Committee meeting held on 20 February 2020 be confirmed as a true and correct record.

CARRIED: 5/0

7. REPORTS OF OFFICERS

7.1 CORPORATE PLANNING AND GOVERNANCE OFFICER

7.1.1 Annual Review of Delegations Register 2019/2020

Location	Donnybrook Balingup
Applicant	Not applicable
File Reference	Not applicable
Author	Loren Clifford – Corporate Planning and Governance Officer
Responsible Officer	Loren Clifford – Corporate Planning and Governance Officer
Manager	Maureen Keegan – Manager Executive Services
Attachments	7.1.1 Attachment 1- Delegations Register 7.1.1 Attachment 2 – Delegations to be Rescinded
Voting Requirements	Absolute majority

Recommendation
<p>That the Audit and Risk Management Committee recommends to the Council that:</p> <ol style="list-style-type: none"> 1. Council NOTES completion by Council as the Delegator, of the 2019/20 annual statutory review of the Delegations Register, in accordance with s.5.18 and 5.46 of the <i>Local Government Act 1995</i>, s.47(2) of the <i>Cat Act 2011</i> and s.10AB of the <i>Dog Act 1976</i>. 2. RESCINDMENT of the following listed delegations as detailed in Attachment 2, under the Local Government Act 1995. <ul style="list-style-type: none"> • 4.13 Appointment of Staff 3. RESCINDMENT of, the following listed delegations as detailed in Attachment 2, because there is no head of power to delegate the power/duty in legislation. <ul style="list-style-type: none"> • 7.12 Certificate of Local Planning Authority • 8.4 Certificate of Local Health Authority 4. RESCINDMENT of the following listed delegations as detailed in Attachment 2, because it is not a power or duty that can be delegated. <ul style="list-style-type: none"> • 1.1 Council Spokesperson • 1.2 Council Representatives • 1.3 Expenses – Approval and Payment of Expenses and Reimbursements • 2.3 Camping Reserves • 2.4 Arbitration and Industrial Dispute • 2.5 Swimming Pool Hours • 2.6 CEO - Acting Chief Executive Officer

- 2.7 Staff Appointments
- 2.8 Vehicles - Use of Vehicles
- 2.9 Walkathons, Car Rallies, Bicycle Rides and Processions
- 2.14 Study Leave - Payment of Study Leave
- 2.15 Community Bus - Hiring Council Community Bus
- 2.19 Council Orders - Signing of Council Orders
- 2.20 Volunteers - Engagement of Volunteers
- 2.21 Event Applications by Donnybrook Recreation Centre
- 2.22 Community Grants Program Funding Scheme
- 2.25 Long Service Leave - The Taking of Long Service Leave
- 2.27 Camping Sites – Balingup Oval and Transit Park (Special Events)
- 2.29 Common Seal - Authority to Affix Common Seal
- 2.31 Waste Management Exemption
- 3.4 Donations
- 3.6 Insurance – Public Liability Claims
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- 4.5 Timber Royalties
- 4.6 Trees Fallen on Roads
- 4.7 School Aid by Council Works Department
- 4.8 Sand Removal
- 4.9 Extra Mass Vehicle Permits
- 5.3 Building - Site Levels / Foundation Requirements
- 6.1 Expenses - Incur Expenses on Behalf of Council
- 6.5 Burning on Road Verges
- 7.1 Legal Advice
- 7.9 Road Closure and Road Dedication
- 7.10 Department of Land Administration Leases
- 7.11 Department of Land Administration Licenses to Occupy
- 9.1 Tuia Lodge Administration
- 9.3 Tuia Lodge Refundable Accommodation Deposits

5. **APPROVAL** of the following listed delegations, inclusive of amendments and as detailed in Attachment No.2 -Delegation Register, in accordance with s.5.17 and 5.42 of the *Local Government Act 1995*, s.44 of the *Cat Act 2011*, s.10AA of the *Dog Act 1976* and s.16 of the *Graffiti Vandalism Act 2016*, s.127 of the *Building Act 2011*, s.48 of the *Bush Fires Act 1954*, s.118 of the *Food Act 2008*, s.21 of the *Public Health Act 2016* and s.16(3)(e), s. 82(1), s.83(1) of the *Planning and Development Act 2005*:

- 1.1.1 Audit and Risk Committee
- 1.2.1 Appoint Authorised Persons
- 1.2.2 Performing Functions Outside the District
- 1.2.3 Compensation for Damage Incurred when Performing Executive Functions
- 1.2.4 Powers of Entry

- **1.2.5 Declare Vehicle is Abandoned Vehicle Wreck**
- **1.2.6 Confiscated or Uncollected Goods**
- **1.2.7 Disposal of Sick or Injured Animals**
- **1.2.8 Close Thoroughfares to Vehicles**
- **1.2.9 Control Reserves and Certain Unvested Facilities**
- **1.2.10 Obstruction of Footpaths and Thoroughfares**
- **1.2.11 Gates Across Public Thoroughfares**
- **1.2.12 Public Thoroughfare – Dangerous Excavations**
- **1.2.13 Crossing – Construction, Repair and Removal**
- **1.2.14 Private Works on, over or under Public Places**
- **1.2.15 Expressions of Interest for Goods and Services**
- **1.2.16 Tenders for Goods and Services**
- **1.2.17 Panels of Pre-Qualified Suppliers for Goods and Services**
- **1.2.18 Application of Regional Price Preference Policy**
- **1.2.19 Disposing of Property**
- **1.2.20 Payments from the Municipal or Trust Funds**
- **1.2.21 Defer, Grant Discounts, Waive or Write Off Debts**
- **1.2.22 Power to Invest and Manage Investments**
- **1.2.23 Rate Record Amendment**
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- **1.2.25 Determine Due Date for Rates or Service Charges**
- **1.2.26 Recovery of Rates or Service Charges**
- **1.2.27 Recovery of Rates Debts – Require Lessee to Pay Rent**
- **1.2.28 Recovery of Rates Debts - Actions to Take Possession of the Land**
- **1.2.29 Rate Record – Objections**
- **1.2.30 Notices to Owners**
- **1.4.1 Activities on Thoroughfares & Trading in Thoroughfares & Public Places Local Law**
- **1.4.2 Animals, Environment and Nuisance Local Law 2017**
- **1.4.3 Bushfire Brigades Local Law (Consolidated 2017)**
- **1.4.4 Cat Local Law (Consolidated to include 2017 amendment)**
- **1.4.5 Cemeteries Local Law 2008**
- **1.4.6 Dogs Local Law (Consolidated 2017)**
- **1.4.7 Extractive Industries Local Law (Consolidated 2016)**
- **1.4.8 Fencing Local Law (Consolidated 2016)**
- **1.4.9 Health Local Laws 1999**
- **1.4.10 Meeting Procedures Local Law 2017**
- **1.4.11 Outdoor Eating Areas Local Law 2013**
- **1.4.12 Parking and Parking Facilities Local Law 2017**
- **1.4.13 Local Government Property Local Law 2015**
- **1.4.14 Waste Local Law 2017**
- **2.1.1 Grant a Building Permit**
- **2.1.2 Demolition Permits**
- **2.1.3 Occupancy Permits or Building Approval Certificates**
- **2.1.4 Designate Employees as Authorised Persons**
- **2.1.5 Building Orders**
- **2.1.6 Inspection and Copies of Building Records**

- **2.1.7 Referrals and Issuing Certificates**
- **2.1.8 Private Pool Barrier – Alternative and Performance Solutions**
- **2.1.9 Smoke Alarms – Alternative Solutions**
- **3.1.1 Make Request to FES Commissioner – Control of Fire**
- **3.1.2 Prohibited Burning Times – Vary**
- **3.1.3 Prohibited Burning Times – Control Activities**
- **3.1.4 Restricted Burning Times – Vary and Control Activities**
- **3.1.5 Control of Operations Likely to Create Bush Fire Danger**
- **3.1.6 Burning Garden Refuse / Open Air Fires**
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- **3.1.11 Recovery of Expenses Incurred through Contraventions of this Act**
- **3.1.12 Prosecution of Offences**
- **4.1.1 Cat Registrations**
- **4.1.2 Cat Control Notices**
- **4.1.3 Approval to Breed Cats**
- **4.1.4 Appoint Authorised Persons**
- **4.1.5 Recovery of Costs – Destruction of Cats**
- **4.1.6 Applications to Keep Additional Cats**
- **4.1.7 Reduce or Waiver Registration Fee**
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- **5.1.2 Part Payment of Sterilisation Costs / Directions to Veterinary Surgeons**
- **5.1.3 Refuse or Cancel Registration**
- **5.1.4 Kennel Establishments**
- **5.1.5 Appoint Authorised Persons**
- **5.1.6 Recovery of Moneys Due Under this Act**
- **5.1.7 Dispose of or Sell Dogs Liable to be Destroyed**
- **5.1.8 Declare Dangerous Dog**
- **5.1.9 Dangerous Dog Declared or Seized – Deal with Objections and Determine when to Revoke**
- **5.1.10 Deal with Objection to Notice to Revoke Dangerous Dog Declaration or Destruction Notice**
- **5.1.11 Determine Recoverable Expenses for Dangerous Dog Declaration**
- **6.1.1 Determine Compensation**
- **6.1.2 Prohibition Orders**
- **6.1.3 Food Business Registrations**
- **6.1.4 Appoint Authorised Officers and Designated Officers**
- **6.1.5 Debt Recovery and Prosecutions**
- **6.1.6 Abattoir Inspections and Fees**
- **6.1.7 Food Businesses List – Public Access**
- **7.1.1 Give Notice Requiring Obliteration of Graffiti**

- **7.1.2 Notices – Deal with Objections and Give Effect to Notices**
- **7.1.3 Obliterate Graffiti on Private Property**
- **7.1.4 Powers of Entry**
- **8.1.1 Appoint Authorised Officer or Approved Officer (Asbestos Regs.)**
- **8.1.2 Authorised Officer – *Health (Miscellaneous Provisions) Act 1911***
- **8.1.3 Enforcement Agency Reports to the Chief Health Officer**
- **8.1.4 Designate Authorised Officers**
- **8.1.5 Determine Compensation for Seized Items**
- **8.1.6 Commence Proceedings**
- **9.1.1 Illegal Development**
- **9.2.1 Local Planning Scheme No. 7- Development Applications**
- **9.2.2 Planning and Development (Local Planning Schemes) Regulations 2015 - Strata Applications**

STRATEGIC ALIGNMENT

The following outcomes from the Corporate Business Plan relate to this proposal:

Outcome:	4.2	A respected, professional and trusted organisation
Strategy:	4.2.1	Effective and efficient operations and service provision
Action:	4.2.1.2	Seek a high level of legislative compliance and effective internal controls

EXECUTIVE SUMMARY

The purpose of this report is for Council to receive the annual statutory review of the Delegations Register, in accordance with s.5.18 and 5.46 of the *Local Government Act 1995*, s.47(2) of the *Cat Act 2011* and s.10AB of the *Dog Act 1976*.

BACKGROUND

Council last reviewed its delegations register on 26 April 2017, this was a desktop review which was undertaken with the only changes being; minor typographical errors, editing policy numbering and increasing the rates book write off minor balances from \$500 to \$1,000.

FINANCIAL IMPLICATIONS

Not applicable

POLICY COMPLIANCE

Not applicable

STATUTORY COMPLIANCE

- section 5.42(1) of the *Local Government Act 1995*;
- section 45 of the *Cat Act 2011*;
- section 10AA of the *Dog Act 1976*;
- section 16 of the *Graffiti Vandalism Act 2016*;
- section 127 (1) and (3) of the *Building Act 2011*;
- section 48 and 59(3) of the *Bush Fires Act 1954*;
- section 118 of the *Food Act 2008*;
- section 26 of the *Health (Miscellaneous Provisions) Act 1911*;
- schedule 2, Clause 82 of the *Planning and Development (Local Planning Schemes) Regulations 2015*;
- section 21 of the *Public Health Act 2016*; and
- Regulation 15D(7) of the *Health (Asbestos Regulations 1992)*

CONSULTATION

No statutory external consultation is required.

OFFICER COMMENT/CONCLUSION

In July 2017 WALGA released a Decision Making in Practice Toolkit. The kit was developed as a best practice manual in consultation with WA local governments', and provides a comprehensive overview and understanding of the legislative framework that informs the mandatory and discretionary decision making roles undertaken by local government, including how legislation assigns decision making to local governments and statutory offices and provides statutory processes that enable local governments to pass on decision making powers and duties to others.

Using this manual, an analysis of the legislation and local laws listed below has been undertaken to identify and determine opportunities for delegations from Council to Committees, Council to CEO, and delegations or sub-delegation from the CEO to employee.

- *Local Government Act 1995*;
- *Building Act 2011*;
- *Building Regulations 2012*;
- *Bush Fires Act 1954*;
- *Cat Act 2011*;
- *Dog Act 1976*;
- *Food Act 2008*;
- *Graffiti Vandalism Act 2016*;
- *Planning and Development Act 2005*;
- *Public Health Act 2016*;
- *Health (Miscellaneous Provisions) Act 1911*;
- *Health (Asbestos) Regulations 1992*;
- *Planning and Development (Local Planning Schemes) Regulations 2015*;
- *Activities on Thoroughfares & Trading in Thoroughfares & Public Places Local Law*;
- *Animals, Environment and Nuisance Local Law 2017*;
- *Bushfire Brigades Local Law 2017*;
- *Cat Local Law 2017*;

- Cemeteries Local Law 2008;
- Dogs Local Law 2017;
- Extractive Industries Local Law 2017;
- Fencing Local Law 2016;
- Health Local Laws 1999;
- Meeting Procedures Local Law 2017;
- Outdoor Eating Areas Local Law 2013;
- Parking and Parking Facilities Local Law 2017;
- Local Government Property Local Law 2015; and
- Waste Local Law 2017.

The analysis has considered changes to legislation, the organisational structure, individual position roles and responsibilities, continuity of service, the risks and sensitivities of the decisions and the Shire's operational requirements.

Delegation of power from the Council to the CEO is multifaceted, and there has historically been little consistency between local governments as to what powers may be, or should be, delegated. There has also been little consistency as to how these powers are articulated within an instrument of delegation (Delegation Register), and specifically whether a "broad" power should be delegated that incorporates many sections/subsections of the relevant Act/Regulations, or whether each power should be identified and referenced independently. There have also been many instances where delegations have been provided but are not required (can be dealt with via authorisation), or on the contrary where it was believed that a delegation was not required to undertake a task, but has now been identified as being necessary.

The validity of a Delegation and the legal standing of decisions made under it are reliant on the Delegation being accurate. The new layout of the Delegation Register now clearly fulfils council's statutory obligation for delegations to be in writing, and it's also a useful management and communication tool for Elected Members to better understand the power or duty they are delegating, for staff it's a ready reference to the extent of delegated authority assigned to them, and it informs the community as to who makes decisions in what circumstances.

COMMITTEE RESOLUTION

Moved: Cr Newman Seconded: Cr Wringe

That the Audit and Risk Management Committee recommends to the Council that:

- 1. Council NOTES completion by Council as the Delegator, of the 2019/20 annual statutory review of the Delegations Register, in accordance with s.5.18 and 5.46 of the *Local Government Act 1995*, s.47(2) of the *Cat Act 2011* and s.10AB of the *Dog Act 1976*.**
- 2. RESCINDMENT of the following listed delegations as detailed in Attachment 2, under the Local Government Act 1995.**
 - **4.13 Appointment of Staff**

- 3. RESCINDMENT of, the following listed delegations as detailed in Attachment 2, because there is no head of power to delegate the power/duty in legislation.**
- **7.12 Certificate of Local Planning Authority**
 - **8.4 Certificate of Local Health Authority**
- 4. RESCINDMENT of the following listed delegations as detailed in Attachment 2, because it is not a power or duty that can be delegated.**
- **1.1 Council Spokesperson**
 - **1.2 Council Representatives**
 - **1.3 Expenses – Approval and Payment of Expenses and Reimbursements**
 - **2.3 Camping Reserves**
 - **2.4 Arbitration and Industrial Dispute**
 - **2.5 Swimming Pool Hours**
 - **2.6 CEO - Acting Chief Executive Officer**
 - **2.7 Staff Appointments**
 - **2.8 Vehicles - Use of Vehicles**
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 - **7.11 Department of Land Administration Licenses to Occupy**
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 - **9.3 Tuia Lodge Refundable Accommodation Deposits**

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- 1.1.1 Audit and Risk Committee
- 1.2.1 Appoint Authorised Persons
- 1.2.2 Performing Functions Outside the District
- 1.2.3 Compensation for Damage Incurred when Performing Executive Functions
- 1.2.4 Powers of Entry
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- 1.2.14 Private Works on, over or under Public Places
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- **1.4.4 Cat Local Law (Consolidated to include 2017 amendment)**
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- **2.1.9 Smoke Alarms – Alternative Solutions**
- **3.1.1 Make Request to FES Commissioner – Control of Fire**
- **3.1.2 Prohibited Burning Times – Vary**
- **3.1.3 Prohibited Burning Times – Control Activities**
- **3.1.4 Restricted Burning Times – Vary and Control Activities**
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- **3.1.6 Burning Garden Refuse / Open Air Fires**
- **3.1.7 Firebreaks**
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- **3.1.10 Apply for Declaration as an Approved Area**
- **3.1.11 Recovery of Expenses Incurred through Contraventions of this Act**
- **3.1.12 Prosecution of Offences**
- **4.1.1 Cat Registrations**
- **4.1.2 Cat Control Notices**
- **4.1.3 Approval to Breed Cats**
- **4.1.4 Appoint Authorised Persons**
- **4.1.5 Recovery of Costs – Destruction of Cats**
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- **5.1.2 Part Payment of Sterilisation Costs / Directions to Veterinary Surgeons**
- **5.1.3 Refuse or Cancel Registration**

- **5.1.4 Kennel Establishments**
- **5.1.5 Appoint Authorised Persons**
- **5.1.6 Recovery of Moneys Due Under this Act**
- **5.1.7 Dispose of or Sell Dogs Liable to be Destroyed**
- **5.1.8 Declare Dangerous Dog**
- **5.1.9 Dangerous Dog Declared or Seized – Deal with Objections and Determine when to Revoke**
- **5.1.10 Deal with Objection to Notice to Revoke Dangerous Dog Declaration or Destruction Notice**
- **5.1.11 Determine Recoverable Expenses for Dangerous Dog Declaration**
- **6.1.1 Determine Compensation**
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- **6.1.5 Debt Recovery and Prosecutions**
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- **7.1.3 Obliterate Graffiti on Private Property**
- **7.1.4 Powers of Entry**
- **8.1.1 Appoint Authorised Officer or Approved Officer (Asbestos Regs.)**
- **8.1.2 Authorised Officer – *Health (Miscellaneous Provisions) Act 1911***
- **8.1.3 Enforcement Agency Reports to the Chief Health Officer**
- **8.1.4 Designate Authorised Officers**
- **8.1.5 Determine Compensation for Seized Items**
- **8.1.6 Commence Proceedings**
- **9.1.1 Illegal Development**
- **9.2.1 Local Planning Scheme No. 7- Development Applications**
- **9.2.2 Planning and Development (Local Planning Schemes) Regulations 2015 - Strata Applications**

Carried 5/0

8. QUESTIONS FROM MEMBERS

Nil

9. GENERAL BUSINESS

With permission from the Chair, the Executive Manager Corporate and Community (EMCC) provided the members with an overview of the result of the recent 2019-20 budget review presented to the Council, including an explanation of the predicted deficit and the major influences on the budget review outcome.

The EMCC also provided the Committee with a verbal summary of a presentation made to Councillors at a recent concept forum relating to the improvements required to the Shire's chart of accounts structure and financial reporting systems to achieve more timely, relevant and transparent financial information for senior staff with financial management responsibilities and the Council in their oversight role.

The CEO and EMCC provided an overview to the Committee of the recently completed financial analysis of Tuia Lodge, noting that the Committee will likely have a future role in advising/recommending to Council certain courses of action in relation to its aged care portfolio.

COMMITTEE RESOLUTION

Moved: Cr Newman Seconded: Cr Massey

That the Audit and Risk Management Committee acknowledge the Shire's substantial financial risk and ongoing financial liability in the operation of Tuia Lodge and recommends that the Council give serious consideration (based on the financial analysis undertaken by the Shire) to material actions to mitigate those risks.

Carried 5/0

10. CLOSURE OF MEETING

Chairperson declared the meeting closed at 5.47pm.



— Shire of —
Donnybrook Balingup

RISK MANAGEMENT FRAMEWORK 2020

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INTRODUCTION

The Shire of Donnybrook Balingup Vision is:

A proud community enjoying our rural lifestyle, cultural heritage and natural environment.

The Strategic Community Plan identifies the community's expectation that the Shire will be a respected, professional and trusted organisation, through effective and efficient operations and service provisions whilst seeking a high level of legislative compliance and effective internal controls. The Risk Management Framework (Framework) delivers on this objective through alignment with AS ISO 31000:2018 Standard.

Risk Management Guidelines

The Shire of Donnybrook Balingup Risk Management Framework is one component of the overall Risk Management Guidelines that identifies three components in the application of risk management.

Framework

The Framework assists the Shire to integrate the governance of the operations.

Principles

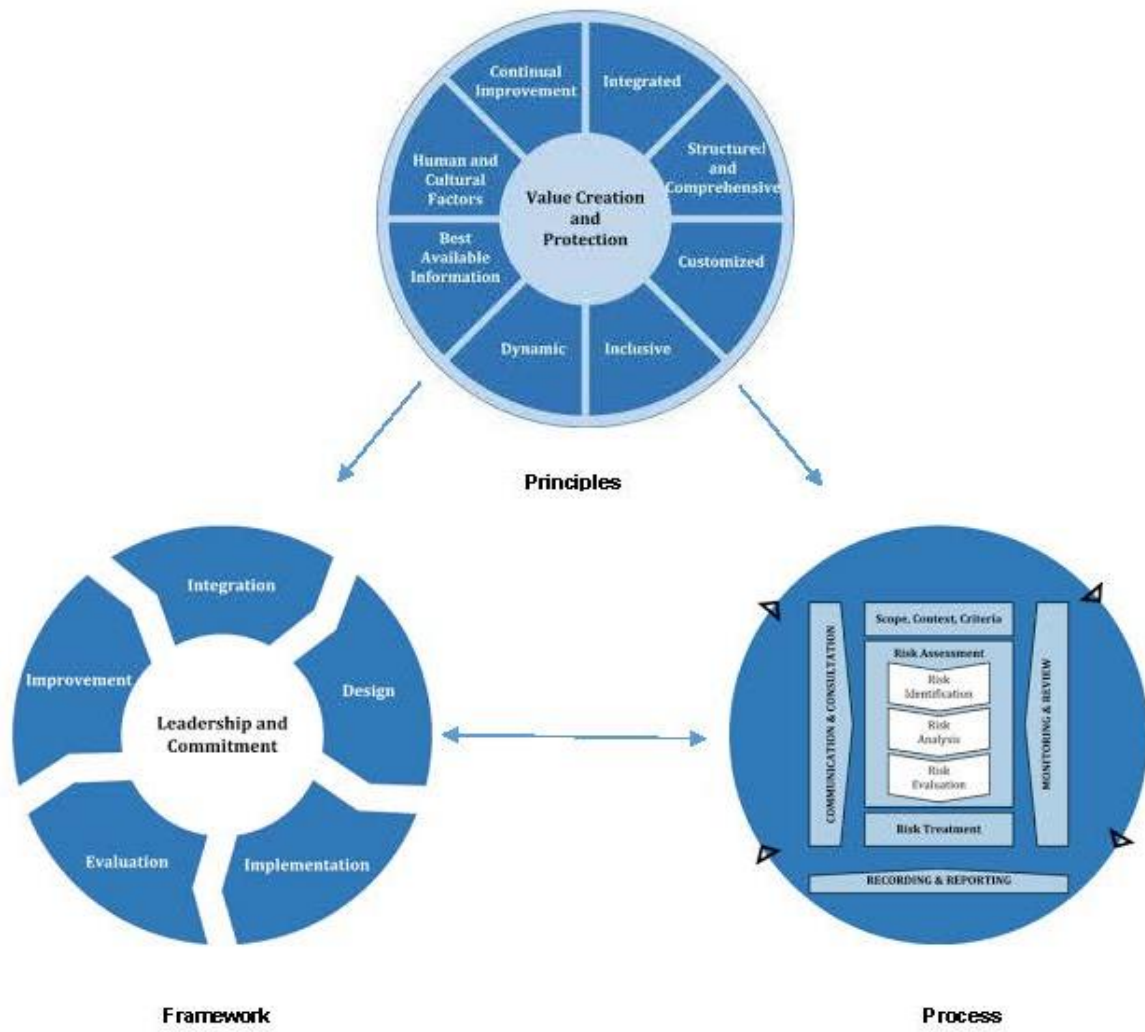
The Principles provide guidance on the characteristics of effective and efficient risk management and form the base of the Risk Management Policy, to ensure Value Creation and Protection.

Process

The Risk Management Procedure is based on the Process outlined in the AS ISO 31000:2018 and should be integrated into the structure, operations, and processes of the organisation.

AS ISO 31000:2018

Risk Management Guideline



RISK MANAGEMENT FRAMEWORK

ISO 31000:2018 defines a Risk Management Framework as:

“a set of components that support and sustain risk management throughout an organisation”.
(ISO 31000:2018)

More specifically, the Standard defines six distinct areas that make up the total “Framework” for risk management:

1. **Leadership and Commitment** – Risk Governance provides oversight to risk management and identifies the ‘Three Lines of Defence’ and the Shires ‘Risk Appetite’.
2. **Integration** – Risk Management is integrated into structure of the organisation.
3. **Design** – Establishes the context of both internal and external parameters to be considered, communication with key stakeholders and the roles and responsibilities within the organisation.
4. **Implementation** – Defines how risk management will be implemented within the Shire.
5. **Evaluation** – How the Framework will be periodically measured against Shire objectives.
6. **Improvement** – Continuously improve the suitability adequacy and effectiveness of the Framework

AS ISO 31000:2018 Risk Management Framework



1. Leadership and commitment

Organisational Risk Governance

Risk Governance is the formal structure used to support risk-based decision making and oversight across the organisation.

The Chief Executive Officer has the ultimate responsibility and accountability for ensuring that risk is managed across the Council supported by the Executive Team.

The Executive Team provides governance leadership, agrees the strategic direction and risk appetite, whilst promoting the culture and tone from the top to ensure the best outcome for Council, staff, and the community.

The Council will actively consider risks during strategic and tactical decision-making processes alongside the Leadership Group and will determine the level of residual risk/appetite they are willing to accept. Council will take a risk-based approach to managing internal and external projects, operational and strategic risks: i.e. risk will be managed and monitored according to severity.

Key direction over a four-year period is set through the adoption of the Corporate Business Plan which is reviewed annually to ensure it continually reflects the community priorities from the Strategic Community Plan. Council is dependent on the Framework applied at a strategic and departmental business level to improve performance by the organisation in the achievement of Council's strategies and actions as detailed in the Corporate Business Plan.

Three Lines of Defence

The three lines of defence of the risk management and assurance model defines risk ownership responsibilities with functionally oversight and assurances.

First Line of Defence

- Each Department is responsible for the ownership and management of their risks. They are also responsible for implementing corrective actions to address process deficiencies and naturally serves as the 1st line as controls are designed into systems and processes under their guidance, with adequate managerial and supervisory controls in place to ensure compliance and to highlight control breakdown, inadequate processes and unexpected events.

Second Line of Defence

- The Executive Team are the second line of defence and ensure the risk management and compliance functions of the Framework is fully embedded, operational and monitor the 1st line controls to ensure that risks are being effectively managed. It is a risk management function that facilitates and monitors the implementation of effective risk management practices by management and assist risk owners in defining the target risk exposure and risk-related information throughout the organisation. Each of these functions has some degree of independence from the first line of defence.

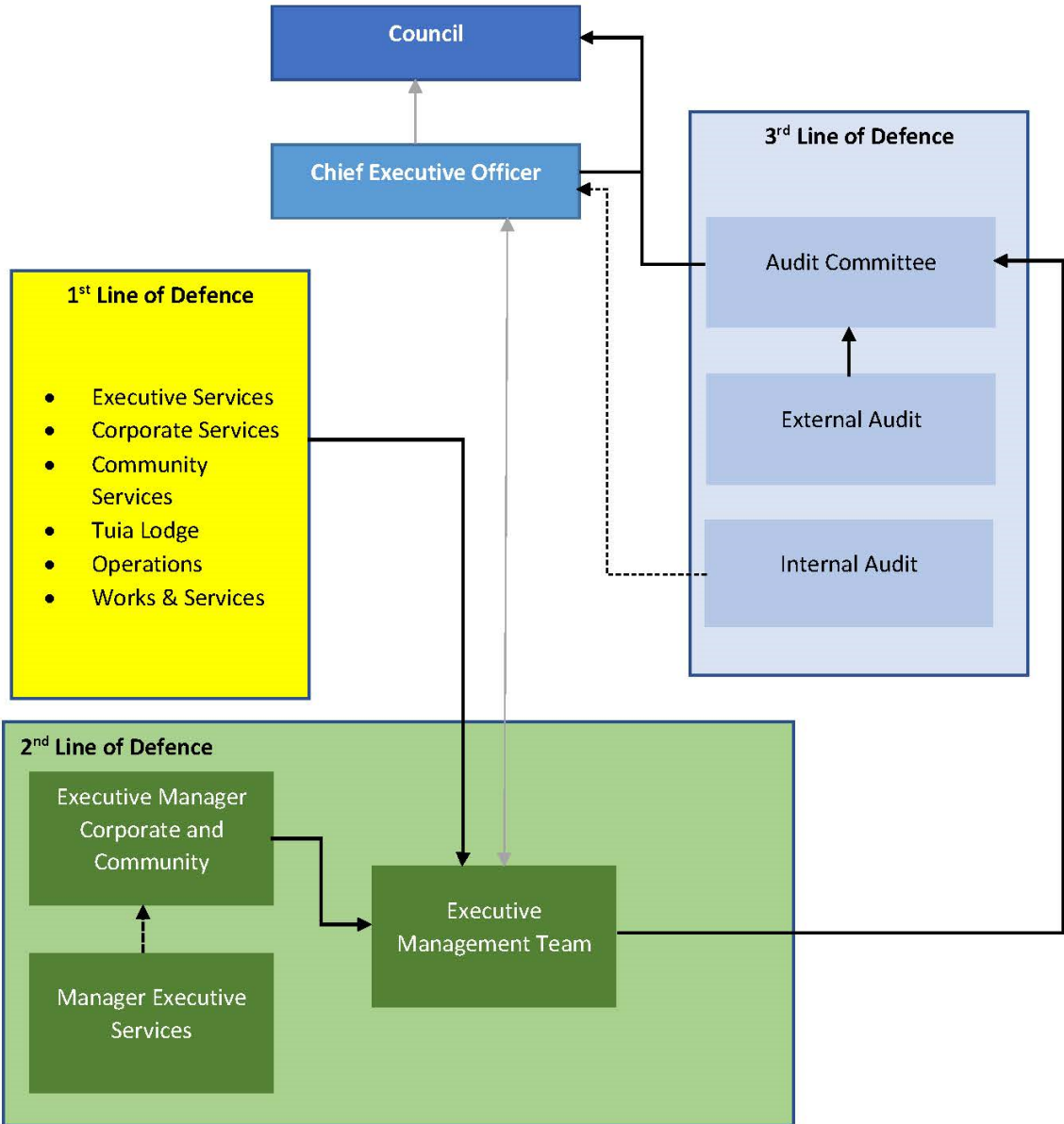
Third Line of Defence

- Internal & External Audit are the third line of defence, providing independent assurance to the Council, Audit & Risk Committee and Executive Management on the effectiveness of business operations and oversight frameworks (1st & 2nd Line).

Internal Audit – Appointed by the CEO to report on the adequacy and effectiveness of internal control processes and procedures. The scope of will be determined by the CEO with input from the Audit and Risk Committee.

External Audit – Appointed by the Council on the recommendation of the Audit and Risk Committee to report independently to the Council and CEO on the annual financial statements, and the review of the effectiveness of operational controls required by Local Government Audit Regulation 17.

THREE LINES OF DEFENCE MODEL – Shire of Donnybrook Balingup



Risk Appetite

Risk appetite is the amount of risk exposure, or potential adverse impact from an event, that the Shire is willing to accept in pursuit of its objectives. Once the risk appetite threshold has been breached, risk management controls and actions are required to bring the exposure level back within the accepted range by considering:

- Emerging risks,
- Risks that might be outside the Council's control (political change),
- Where best to allocate scarce resources; and
- Where Council might want to take on additional risk to pursue a strategic objective or expectation of above average returns.

Risk appetite should be set for each individual strategic risk, and tolerance levels agreed using relevant performance indicators.

Council's risk appetite will inform the annual risk process, controls and assurance activities and is generally defined as follows:

Risk Rank	Description	Criteria for Risk Acceptance	Responsibility
LOW	Acceptable	Risk acceptable with adequate controls, managed by routine procedures and subject to annual monitoring	Manager
MODERATE	Monitor	Risk acceptable with adequate controls, managed by specific procedures and subject to semi-annual monitoring	Manager
HIGH	Urgent Attention Required	Risk acceptable with excellent controls, managed by Senior Management and subject to monthly monitoring.	Executive Group
EXTREME	Unacceptable	Risk only acceptable with excellent controls and all treatment plans to explored and implemented where possible, managed by highest level of authority and subject to continuous monitoring.	CEO/Council

2. INTEGRATION

To embed risk management as an integral part of the Shires operations it is necessary to:

- Ensure risk management processes are included in, and seen as integral to, the Shire's corporate business planning, budgeting, and reporting processes,
- Ensure risk management is integrated with other governance practices such as audit, legal and regulatory compliance, disaster management and business continuity,
- Incorporate risk management into continuous improvement programs,
- Tie risk management objectives to each relevant project, activity, or work groups,
- Include the outcome of risk management activities in reporting of programs, reviews and evaluation processes; and
- Incorporate risk management into performance appraisals of employees.

3. DESIGN

This defines the context of both internal and external parameters to be considered when managing risk. In this regard the Shire utilises a qualitative assessment, combining consequence and likelihood to determine risk levels from which high-level management approaches are to be implemented.

The risk context is then categorised into four (4) main groups:

1. Strategic Risks – Associated with achieving the Shire's long-term objectives. Strategic risks generally relate to external events beyond the Shire's control to influence, for example legislation changes, loss of government funding and climate change etc. Strategic risks are identified and managed at an Executive Team level.
2. Enterprise Risks – Operational, day to day activities, functions, infrastructure, and services. Enterprise risks generally affect the whole of Shire operations and are within the Shire's ability to influence and control. Enterprise risks are identified and managed at Executive Team and Manager level.
3. Departmental Risks - Operational, day to day activities, functions, infrastructure, and services. Departmental risks are identified and managed at Manager level.

4. Project Risks – Captures risks associated with potential impacts to operational activities and those associated with the delivery of the project itself. Project risks may include a mix of strategic (risks outside Shire control) and operational risks. Project Risks are identified and managed by the Principal Project Manager.

**See Appendix 2 (still to be developed to SoDB risk)*

Communication and Consultation

Communication and consultation with internal and external stakeholders are important elements at each step of the risk management process. Effective communication is essential to ensure that those responsible for implementing risk management and those with a vested interest understand the basis upon which risk management decisions are made and why particular actions are required.

Roles & Responsibilities

Council

- Adopt and review the Shire's Risk Management Framework, and Risk Policy
- Establish and maintain an Audit and Risk Management Committee in terms of the Local Government Act.
- Ensure responsible and effective decision making through the delegated authority framework.
- Appoint / Engage External Auditors to report on financial statements annually.
- Be satisfied that risks are identified, managed & controlled appropriately to achieve Council's Strategic Objectives.
- Provide adequate budgetary provision for the financing of risk management including approved risk mitigation activities.

Audit and Risk Management Committee (ARMC)

- Monitor and review the appropriateness and effectiveness of the Risk Management Framework and improvement strategies.
- Establish and monitor changes to Shire's risk profile and highlight material changes to Council.
- Support Council to drive effective corporate governance.

Chief Executive Officer (CEO)

- Own, promote and drive the effective implementation of the Risk Management Framework for all functions across Shire operations.
- Provide the Audit and Risk Management Committee (ARMC) and Council with regular reports on the risks being managed by the Shire.
- Review the appropriateness and effectiveness of the Risk Management Framework and provide a written report to the ARMC (at least biennially).
- Drive consistent embedding of a risk management culture by encouraging openness and honesty in the reporting and escalation of risks.
- Ensuring resources are appropriately allocated throughout the organisation to meet the Shire's risk management requirements.
- Ensure risk is considered in the decision-making process.
- Liaise with Council in relation to risk acceptance requirements.

Executive Management Team

- Support the CEO in promoting and driving the effective implementation of the Risk Management Framework for all functions across Shire operations.
- Act as the overarching 'Risk Committee' for the Shire:
- Drive appropriate activities through the ARMC.
- Monitor and review the regular risk reports and Framework implementation activities from the ARMC.
- Ensure risk is considered in the decision-making process.
- Ensure the appropriate delegation, risk appetite and tolerance and the broader risk acceptance criteria are implemented.
- Identify, manage, and / or escalate strategic risks as appropriate.

Leadership Group (Managers)

- Promote and drive the effective implementation of the Framework for all areas under their control.
- Support the risk management process by ensuring risks are identified, recorded, and managed.
- Incorporate 'risk management' into team activities / meetings by openly discussing the following:
 - New or emerging risks
 - Review existing risks
 - Control adequacy
 - Outstanding issues and actions
- Drive consistent embedding of a risk management culture by encouraging openness and honesty in the reporting and escalation of risks within their Departments.
- Ensure resources are appropriately allocated throughout Departments to manage operational (and where necessary strategic, enterprise and project) risks in line with the Shire's risk appetite and tolerance.
- Ensure risk treatment and action plans are current.

Principal Project Manager

- Ensure risk management is applied to all projects.
- Identify, record, report and manage risks throughout the lifecycle of the project.
- For projects classified as Major Projects ensure that all risks, treatments, and actions are recorded.
- In conjunction with the Executive Manager undertake risk assessments related to 3rd party liability risk and implement prioritised mitigation strategies.
- Ensure that when Contractor insurance is required for a project that the insurance is maintained for the life of the project.
- Undertake risk management plans for all proposed projects in consultation with the relevant stakeholders.
- Ensure design and construction includes agreed features to minimise future risk.
- Ensure risk treatment and action plans are current.

Employees & Contractors

- Report to management on risks that exist within their area, without fear of recrimination.
- Adopt the Shire's principles of risk management and comply with all policies, procedures and practices relating to risk management.
- Perform duties in a manner that is within an acceptable level of risk to their health and safety, and that of other employees and the community.
- Comply with quality assurance procedures where applicable.
- Make risk control and prevention a priority when undertaking tasks.
- Report any hazard or incidents as detected to their Manager or the Shire Responsible Officer (for contractors).

DRAFT

4. IMPLEMENTATION

The Framework is supported by the Risk Management Procedure that includes timeframes and resource requirements to ensure risk is aligned with Shire operational plans. (to be developed)

5. EVALUATION

It is essential to monitor and review the management of risks as changing circumstances may result in risks increasing or decreasing in significance. It also ensures that new risks are identified as appropriate.

The Executive Team will review the appropriateness and effectiveness of the Risk Management Framework against the Integrated Planning documents and provide a written report to the Audit and Risk Management Committee annually.

6. IMPROVEMENT

Outcomes from the evaluation and continuous risk monitoring through the Operational and Strategic Risk Register by the Executive Team will drive continuous improvement of risk management at the Shire.

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APPENDIX 1

RISK ASSESSMENT AND ACCEPTANCE CRITERIA – MEASURES OF LIKELIHOOD

LEVEL	RATING	DESCRIPTION	FREQUENCY
5	Almost Certain	The event is expected to occur in most circumstances	More than once per year
4	Likely	The event will probably occur in most circumstances	At least once per year
3	Possible	The event should occur at some time	At least once in 3 years
2	Unlikely	The event could occur at some time	At least once in 10 years
1	Rare	The event may only occur in exceptional circumstances	Less than once in 15 years

RISK MATRIX

Consequence		Insignificant	Minor	Moderate	Major	Catastrophic
Likelihood		1	2	3	4	5
Almost Certain	5	MODERATE (5)	HIGH (10)	HIGH (15)	EXTREME (20)	EXTREME (25)
Likely	4	LOW (4)	MODERATE (8)	HIGH (12)	HIGH (16)	EXTREME (20)
Possible	3	LOW (3)	MODERATE (6)	MODERATE (9)	HIGH (12)	HIGH (15)
Unlikely	2	LOW (2)	LOW (4)	MODERATE (6)	MODERATE (8)	HIGH (10)
Rare	1	LOW (1)	LOW (2)	LOW (3)	LOW (4)	MODERATE (5)

RISK ACCEPTANCE CRITERIA

RISK RANK	DESCRIPTION	CRITERIA FOR RISK ACCEPTANCE	RESPONSIBILITY
LOW	Acceptable	Risk acceptable with adequate controls, managed by routine procedures and subject to annual monitoring	Operational Manager
MODERATE	Monitor	Risk acceptable with adequate controls, managed by specific procedures and subject to semi-annual monitoring	Operational Manager
HIGH	Urgent Attention Required	Risk acceptable with excellent controls, managed by senior management / executive and subject to monthly monitoring	Director / CEO
EXTREME	Unacceptable	Risk only acceptable with excellent controls and all treatment plans to be explored and implemented where possible, managed by highest level of authority and subject to continuous monitoring	CEO / Council

APPENDIX 2

Operational and Strategic Risk Register

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SHIRE OF DONNYBROOK-BALINGUP

AUDIT **AND RISK MANAGEMENT** COMMITTEE

CHARTER

Responsible Department:	Corporate and Community	Reviewer:	Executive Manager Corporate & Community
Initial Adoption Date:	24 July 2019	Review Frequency:	Biannually
		Next Due:	2022
Review Version 1.00	Decision Reference:	Synopsis:	
[Link to saved doc in PDF]	[OCM Date & Resolution number]	[brief description of the adoption/changes approved]	
Date Live:	[Date document saved as .pdf & loaded on Shire website]	Synergy #	[Record No.]

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- The Objectives of Audit and Risk Management Committee 3
- Powers of the Audit and Risk Management Committee 4
- Membership 4
- Meetings 5
- Reporting 5
- Terms of Reference 5
- ~~Ethical Practices 8~~
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- ~~Review of the Charter 9~~
- Approval of the Charter 9

Introduction

The Shire of Donnybrook-Balingup Audit and **Risk Management** Committee (the Committee) **was** established by Council pursuant to *Division 1A, Section 7.1A of the Local Government Act 1995* and *Local Government (Audit) Regulations 1996* regulation 16.

This Charter sets out the Committee's authority and independence, objectives, duties and responsibilities, membership, ethical practices, meetings, and performance management.

~~Committee Vision~~

~~The Committee's vision is for the Shire of Donnybrook-Balingup (the Shire) to have consistently clear audits and accurate, meaningful Annual Financial Statements.~~

1. ~~The committee is required under the LG Act and does not require a Vision.~~

The Objectives of Audit **and Risk Management** Committee

1. Accept responsibility for the annual external audit and liaise with the Shire's auditor so that Council can be satisfied with the performance of the Shire in managing its financial affairs.
2. Oversee the development, implementation and review of the Shire's risk management framework and monitor ongoing risk management practices across the organisation including the consideration of identified significant risks and the associated risk mitigation measures.

Reports from the Committee will assist Council in discharging its legislative responsibilities of controlling the Shire's affairs, determining the Shire's policies, and overseeing the allocation of the Shire's finances and resources. The Committee will **ensure encourage** openness in the Shire's financial reporting and will liaise with the CEO to ensure the effective and efficient management of the Shire's financial accounting systems and compliance with legislation.

The Committee is to facilitate:

- the enhancement of the credibility and objectivity of internal and external financial reporting.
- effective management of financial and other risks and the protection of Council assets.
- compliance with laws and regulations as well as use of best practice guidelines relative to audit, risk management, internal control and legislative compliance.

- ~~• the co-ordination of the internal audit function with the external audit; and~~
- the provision of an effective means of communication between the external auditor, ~~internal auditor (if appointed)~~, the CEO and Council.

2. Remove reference to the internal audit function

Powers of the Audit and Risk Management Committee

The Committee is a formally appointed committee of Council and is responsible to that body.

The Committee does not have executive powers or authority to implement actions in areas over which the CEO has legislative responsibility and does not have any delegated financial responsibility. The Committee does not have any management functions and cannot involve itself in management processes or procedures.

The Committee is to report to Council and provide appropriate advice and recommendations on matters relevant to its Terms of Reference (section 8) in order to facilitate informed decision-making by Council in relation to the legislative functions and duties of the Shire that have not been delegated to the CEO.

Membership

The Committee will consist of three (3) Elected Members plus two (2) external members and the Shire President as Ex-Officio. All members shall have full voting rights.

External persons appointed to the Committee will have business or financial management / reporting knowledge and experience and be conversant with financial and other reporting requirements.

Appointment of external persons shall be made by Council by way of a public advertisement and be for a maximum term of two (2) years. The terms of the appointment shall be arranged to ensure an orderly rotation and continuity of membership despite changes to Council's elected representatives.

Reimbursement of approved expenses will be paid to each external person who is a member of the Committee.

~~The Committee can seek advice from external sources when required.~~

3. Remove from membership as this is included in the Terms of Reference.

The CEO and employees are not members of the Committee.

The CEO or his/her nominee is to be available to attend all meetings to provide advice and guidance to the Committee.

The Shire of Donnybrook-Balingup shall provide secretarial and administrative support to the Committee.

Meetings

The Committee shall meet as often as it determines, quarterly or not. ~~desirably quarterly but no less than four times per year.~~ In addition, the Committee Chairperson (or presiding person) may call such additional meetings as may be necessary to address any matters referred to the Committee or in respect of matters that the Committee wishes to pursue.

In the setting of the Committee agenda, there will be ~~an emphasis~~ included a report on the most significant risk and threats to Council and the ongoing evaluation of what is being done to mitigate such risks.

A quorum shall consist of at least three members.

~~As far as practicable, decisions of the Committee shall be regarded as its collective decision or advice. However, where there is material dissension to a decision, a minority view may be placed before Council.~~

4. Remove this paragraph as votes will be taken on all items

Reporting

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

The Committee shall report annually to the Council summarising its activities during the previous financial year.

Terms of Reference

The Audit **and Risk Management** Committee has the following duties and responsibilities:

- a) Provide guidance and assistance to Council as to carrying out the functions of the Shire in relation to audits and matters related to financial management.
- b) Meet with the auditor at least once in each year and provide a report to Council on the matters discussed and outcome of those discussions.

- c) Liaise with the CEO to ensure that the Shire does everything in its power to:
 - assist the auditor to conduct the audit and carry out his or her other duties under the Local Government Act 1995; and
 - ensure that audits are conducted successfully and expeditiously.
- d) Examine the reports of the auditor after receiving a report from the CEO on the matters and:
 - determine if any matters raised require action to be taken by the Shire; and,
 - ensure the CEO implements any action so determined in respect of those matters.
- e) Review the report prepared by the CEO on any actions taken in respect of any matters raised in the report of the auditor and present the report to Council for adoption prior to the end of the next financial year or 6 months after the last report prepared by the auditor is received, whichever is the latest in time.
- f) Review the scope of any internal audit plan and program and its effectiveness.
- g) Review the appropriateness of special internal audit assignments undertaken by internal audit at the request of Council or the CEO.
- h) Review the level of resources allocated to internal audit and the scope of its authority.
- i) Review reports of internal audits monitor the implementation of recommendations made by the auditor and review the extent to which Council and management reacts to matters raised.
- ~~j) Facilitate liaison between the internal auditor (if appointed) and external auditor to promote compatibility, to the extent appropriate, between their audit programs.~~

5. Remove – refers to internal auditor

- k) Review the Shire's annual financial report, focusing on:
 - accounting policies and practices.
 - changes to accounting policies and practices.
 - the process used in making significant accounting estimates.

- significant adjustments to the financial report (if any) arising from the audit process.
 - compliance with accounting standards and other reporting requirements; and
 - significant variances from prior years.
- l) Consider and recommend adoption of the annual financial report to Council. Review any significant changes that may arise subsequent to any such recommendation but before the annual financial report is signed.
- m) Address issues brought to the attention of the Committee, including responding to requests from Council for advice that ~~we~~ are within the parameters of the Committee's Terms of Reference.
- n) Seek information or obtain expert advice through the CEO on matters of concern within the scope of the Committee's Terms of Reference following authorisation from the Council.
- o) Review the Annual Statutory Compliance Return and report to Council on the results of that review.
- p) Having regard to the culture and capability of the organisation, consider the CEO's 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.
- q) Monitor and advise the CEO when the CEO is carrying out functions in relation to a review of the appropriateness and effectiveness of the Shire's system and procedures in regard to risk management, internal control and legislative compliance.
- r) Oversee the implementation of any action required following receipt of the review of the appropriateness and effectiveness of the Shire's system and procedures regarding risk management, internal control and legislative compliance.
- s) Monitor and advise the CEO when the CEO is carrying out functions in relation to a review of the appropriateness and effectiveness of the financial management systems and procedures.
- t) Oversee the implementation of any action required following receipt of a review of the appropriateness and effectiveness of the financial management systems and procedures.

~~Ethical Practices~~

~~Members of the Committee will, at all times in the discharge of their duties and responsibilities, exercise honesty, objectivity and probity and not engage knowingly in acts or activities that have the potential to bring discredit to Council.~~

~~Members also must refrain from entering into any activity that may prejudice their ability to carry out their duties and responsibilities objectively and must at all times act in a proper and prudent manner in the use of information acquired in the course of their duties.~~

~~Members must not use Council information for any personal gain for themselves or their immediate families or in any manner that would be contrary to law or detrimental to the welfare and goodwill of Council.~~

~~Further, members must not publicly comment on matters relative to activities of the Committee other than as authorised by Council.~~

~~Members who become aware of a conflict of interest or issues which may affect their objectivity on matters raised within the Committee should advise the Chairperson immediately.~~

~~Should the Chair experience such a conflict he / she is to advise the Chief Executive Officer.~~

6. Remove as the Shire Code of Conduct relates to Committee Members

~~Evaluation of Committee Activities~~

~~The Committee will assess its performance and achievements against this Charter on an annual basis. All committee members will be asked to individually and anonymously complete a self-assessment questionnaire to assist the Committee to identify its strengths and weaknesses and recognise areas for future improvement. The Committee shall take appropriate action in respect of areas where there is a perceived need for enhancement of its role, operational processes or membership.~~

~~Annually, the Committee Chair will provide each individual member of the Committee with feedback on that person's work performance and professional contributions to the Committee's activities for the year.~~

~~Membership of the Committee will be reviewed by Council following each local government Election with the aim of ensuring appropriate balance between continuity of membership, the contribution of fresh perspectives and a suitable mix of skills, knowledge and experience.~~

7. Remove

~~Review of the Charter~~

~~This Charter will be reviewed annually by the Committee to ensure it remains consistent with the Committee's authority, objectives and responsibilities.~~

8. Remove (control box on the first page lists the review requirements)

~~Approval of the Charter~~

~~The Charter is endorsed by the Chair of the Committee and approved by Council.~~

8. Remove and include a signature section for the Chairperson and CEO.

Shire of Donnybrook Balingup



Code of Conduct

for

Elected Members, Committee Members and Employees

Reviewed July 2017
Amendments adopted August 23, 2017
Next Review Date July 2018

CODE OF CONDUCT

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PREAMBLE

The Code of Conduct (the Code) provides Elected Members, Committee Members and Employees in the Shire of Donnybrook Balingup with consistent guidelines for an acceptable standard of professional conduct. The Code addresses, in a concise manner, the broader issue of ethical responsibility and encourages greater transparency and accountability.

The Code is complementary to the principles adopted in the *Local Government Act 1995* and regulations which incorporate four fundamental aims, to result in:

- (1) Better decision-making by local governments;
- (2) Greater community participation in the decisions and affairs of local governments;
- (3) Greater accountability of local governments to their communities; and
- (4) More efficient and effective local government.

The Code provides a guide and a basis of expectations for elected members and employees. It encourages a commitment to ethical and professional behaviour and outlines principles in which individual and collective local government responsibilities may be based.

STATUTORY ENVIRONMENT

The Code of Conduct observes statutory requirements of the *Local Government Act 1995* (s.5.103 – Codes of Conduct) and *Local Government (Administration) Regulations 1996* (Regs 34B and 34C).

RULES OF CONDUCT

Council Members acknowledge their activities, behaviour and statutory compliance obligations may be scrutinised in accordance with prescribed rules of conduct as described in the *Local Government Act 1995* and *Local Government (Rules of Conduct) Regulations 2007*.

IMPORTANT MESSAGE FOR ELECTED MEMBERS

Councillors should be aware of the obligations placed on them under the *Local Government (Official Conduct) Amendment Act 2007* and the *Local Government (Rules of Conduct) Regulations 2007* and the penalties for non-compliance.

The Rules of Conduct - which apply only to elected members - deal with:

- disclosure of confidential information;
- improper use of the position of councillor to gain a personal advantage or cause detriment to the local government or others;
- the misuse of local government resources;
- unauthorised involvement in administration matters;
- improperly directing, influencing or making offensive or objectionable statements about a local government employee;
- disclosure of “impartiality” interests; and
- notifiable and prohibited gifts.

1 ROLES

1.1 Role of Elected Member

An Elected Member's primary role is to represent the community, and the effective translation of the community's needs and aspirations into a strategic direction and future planning for the Local Government will be the focus of the Elected Member's role and public life.

The Role of Council Members is set out in S 2.10 of the *Local Government Act 1995*:

"A Councillor —

(a) represents the interests of electors, ratepayers and residents of the district;

(b) provides leadership and guidance to the community in the district;

(c) facilitates communication between the community and the council;

(d) participates in the local government's decision-making processes at council and committee meetings; and

(e) performs such other functions as are given to a Councillor by this Act or any other written law."

An Elected Member is part of the team in which the community has placed its trust to make decisions on its behalf and the community is therefore entitled to expect high standards of conduct from its elected representatives. In fulfilling the various roles, Elected Members will focus on:

- (1) Achieving a balance in the diversity of community views to develop an overall strategy for the future of the community;
- (2) Achieving sound financial management and accountability in relation to the Local Government's finances;
- (3) Ensuring that appropriate mechanisms are in place to deal with the prompt handling of residents' concerns;
- (4) Working with other governments and organisations to achieve benefits for the community at both a local and regional level; and
- (5) Having an awareness of the statutory obligations imposed on Elected Members and on Local Governments.

1.2 Role of Employees

The role of employees is determined by the functions of the CEO as set out in S 5.41 of the *Local Government Act 1995*: -

"The CEO's functions are to —

(a) advise the council in relation to the functions of a local government under this Act and other written laws;

(b) ensure that advice and information is available to the council so that informed decisions can be made;

- (c) cause council decisions to be implemented;*
- (d) manage the day to day operations of the local government;*
- (e) liaise with the mayor or president on the local government's affairs and the performance of the local government's functions;*
- (f) speak on behalf of the local government if the mayor or president agrees;*
- (g) be responsible for the employment, management supervision, direction and dismissal of other employees (subject to S 5.37(2) in relation to senior employees);*
- (h) ensure that records and documents of the local government are properly kept for the purposes of this Act and any other written law; and*
- (i) perform any other function specified or delegated by the local government or imposed under this Act or any other written law as a function to be performed by the CEO."*

1.3 Role of Council

The Role of the Council is in accordance with S 2.7 of the *Local Government Act 1995*:

"(1) The Council —

- (a) governs the local government's affairs; and*
- (b) is responsible for the performance of the local government's functions.*

(2) Without limiting subsection (1), the council is to —

- (a) oversee the allocation of the local government's finances and resources; and*
- (b) determine the local government's policies."*

1.4 Principles affecting the employment of employees by the Shire

The following principles, set out in section 5.40 of the Act, apply to the employment of the Shire's employees:

- (a) employees are to be selected and promoted in accordance with the principles of merit and equity; and*
- (b) no power with regard to matters affecting employees is to be exercised on the basis of nepotism or patronage; and*
- (c) employees are to be treated fairly and consistently; and*
- (d) there is to be no unlawful discrimination against employees or persons seeking employment by the Shire on a ground referred to in the Equal Opportunity Act 1984 or on any other ground; and*
- (e) employees are to be provided with safe and healthy working conditions in*

accordance with the Occupational Safety and Health Act 1984; and
(f) such other principles, not inconsistent with this Division, as may be prescribed.

1.5 Relationships between Council Members and Employees

An effective Councillor will work as part of the Council team with the Chief Executive Officer and other members of staff. That teamwork will only occur if Council Members and employees have a mutual respect and co-operate with each other to achieve the Council's corporate goals and implement the Council's strategies. To achieve that position, Council Members need to observe their statutory obligations which include, but are not limited to, the following –

- accept that their role is a leadership, not a management or administrative one;
- acknowledge that they have no capacity to individually direct members of staff to carry out particular functions;
- refrain from publicly criticising employees in a way that casts aspersions on their professional competence and credibility.

2 CONFLICT AND DISCLOSURE OF INTEREST

2.1 Conflict of Interest

- (1) Elected Members, Committee Members and Staff will ensure that there is no actual (or perceived) conflict of interest between their personal interests and the impartial fulfilment of their professional duties.
- (2) Employees will not engage in private work with or for any person or body with an interest in a proposed or current contract with the Local Government, without first making disclosure to the Chief Executive Officer. In this respect, it does not matter whether advantage is in fact obtained, as any appearance that private dealings could conflict with performance of duties must be scrupulously avoided.
- (3) Elected Members, Committee Members and Employees will lodge written notice with the Chief Executive Officer, before any meeting, describing an intention to undertake a dealing in land within the municipality or which may otherwise be in conflict with the Council's functions (other than purchasing the principal place of residence).
- (4) Elected Members, Committee Members and Employees who exercise a recruitment or other discretionary function will make disclosure before dealing with relatives or close friends and will disqualify themselves from dealing with those persons.
- (5) Employees will refrain from partisan political activities which could cast doubt on their neutrality and impartiality in acting in their professional capacity. An individual's rights to maintain their own political convictions are not impinged upon by this clause. It is recognised that such convictions cannot be a basis for discrimination and this is supported by anti-discrimination legislation.

2.2 Financial Interest

Elected Members, Committee Members and Staff will adopt the principles of disclosure of financial interest as contained within the *Local Government Act 1995*.

2.3 Disclosure of Interest

Definition :

In this clause, and in accordance with Regulation 34C of the Local Government (Administration) Regulations 1996 -

“interest” means an interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person having the interest and includes an interest arising from kinship, friendship or membership of an association.

- (1) A person who is an Employee and who has an interest in any matter to be discussed at a Council or Committee meeting attended by an Elected Member, Committee Member or Employee must disclose the nature of the interest –
 - (a) in a written notice to the Chief Executive Officer before the meeting; or
 - (b) at the meeting immediately before the matter is discussed.

- (2) Subregulation (1) does not apply if –
 - (a) a person who is an Employee fails to disclose an interest because the person did not know he or she had an interest in the matter; or
 - (b) a person who is an employee fails to disclose an interest because the person did not know the matter in which he or she had an interest would be discussed at the meeting and the person disclosed the interest as soon as possible after the discussion began.

- (3) If, under subregulation (1)(a) , a person who is an Employee discloses an interest in a written notice given to the Chief Executive Officer before a meeting then –
 - (a) before the meeting the Chief Executive Officer is to cause the notice to be given to the person who is to preside at the meeting; and
 - (b) at the meeting the person presiding is to bring the notice and its contents to the attention of the persons present immediately before a matter to which the disclosure relates is discussed.

- (4) If –
 - (a) under subregulation (1)(b) or (4)(b) a person’s interest in a matter is disclosed at a meeting; or
 - (b) under subregulation (4)(b) notice of a person’s interest in a matter is brought to the attention of the persons present at a meeting,the nature of the interest is to be recorded in the minutes of the meeting.

Any disclosure is to be made on the prescribed form and handed to the Chief Executive Officer prior to the meeting and declared by the Chief Executive Officer at the agenda item on Declaration of Interest.

3 PERSONAL BENEFIT

3.1 Use of Confidential Information

Elected Members, Committee Members and employees will not use confidential information to gain improper advantage for themselves or for any other person or body, in ways which are inconsistent with their obligation to act impartially, or to improperly cause harm or detriment to any person or organisation.

Due discretion shall be exercised by all those who have access to confidential or sensitive information. Every matter dealt with by, or brought before, a meeting sitting behind closed doors, shall be treated as strictly confidential, and shall not without the authority of the Council be disclosed to any person other than the Council members and/or employees of the Shire (and in the case of employees only so far as may be necessary for the performance of their duties) prior to the discussion of the matter at a meeting of the Council held with open doors.

Nothing in this section prevents a Council member or officer from disclosing confidential information:

- to a legal practitioner for the purpose of obtaining legal advice; or
- if the disclosure is permitted by law.

3.2 Intellectual Property

The title to Intellectual Property in all duties relating to contracts of employment will be assigned to the Local Government upon its creation unless otherwise agreed by separate contract.

3.3 Improper or Undue Influence

Elected Members, Committee Members and employees shall not take advantage of their position to improperly influence any other person in order to gain undue or improper (direct or indirect) advantage or gain, pecuniary or otherwise, for themselves or for any other person or body. Similarly, Council members, committee members and employees shall not take advantage of their positions to improperly disadvantage or cause detriment to the local government or any other person.

3.4 Misuse of Local Government Resources

A person who is an Elected Member, Committee Member or Employees member must not either directly or indirectly use the resources of a Local Government –

- (a) for the purpose of persuading electors to vote in a particular way at an election, referendum or other poll held under the Act, the *Electoral Act 1907* or the *Commonwealth Electoral Act 1918*; or
- (b) for any other purpose,

unless authorised under the *Local Government Act 1995*, or authorised by the Council or the Chief Executive Officer, to use the resources for that purpose.

3.5 Gifts - Employees

Definitions :

In this clause, and in accordance with Regulation 34B of the Local Government (Administration) Regulations 1996 -

“activity involving a local government discretion” means an activity -

- (a) that cannot be undertaken without an authorisation from the local government; or*
- (b) by way of a commercial dealing with the local government;*

“gift” has the meaning given to that term in S 5.82(4) except that it does not include -

- (a) a gift from a relative as defined in S 5.74(1); or*
- (b) a gift that must be disclosed under Regulation 30B of the Local Government (Elections) Regulations 1997; or*
- (c) a gift from a statutory authority, government instrumentality or non-profit association for professional training;*

“notifiable gift”, in relation to a person who is an employee, means -

- (a) a gift worth between \$50 and \$300; or*
- (b) a gift that is one of 2 or more gifts given to the employee by the same person*

within

a period of 6 months that are in total worth between \$50 and \$300;

“prohibited gift”, in relation to a person who is an employee, means -

- (a) a gift worth \$300 or more; or*
- (b) a gift that is one of 2 or more gifts given to the employee by the same person within a period of 6 months that are in total worth \$300 or more.*

(a) A person who is an employee is to refrain from accepting a prohibited gift from a person who -

- (i) is undertaking or seeking to undertake an activity involving a local government discretion; or
- (ii) it is reasonable to believe is intending to undertake an activity involving a local government discretion.

(b) A person who is an employee and who accepts a notifiable gift from a person who -

- (i) is undertaking or seeking to undertake an activity involving a local government discretion; or
- (ii) it is reasonable to believe is intending to undertake an activity involving a local government discretion,

is to notify the CEO, in accordance with item (c) and within 10 days of accepting the gift, of the acceptance.

(c) The notification of the acceptance of a notifiable gift must be in writing and include -

- (i) the name of the person who gave the gift; and
- (ii) the date on which the gift was accepted; and
- (iii) a description, and the estimated value, of the gift; and
- (iv) the nature of the relationship between the person who is an employee and the person who gave the gift; and
- (v) if the gift is a notifiable gift under paragraph (b) of the definition of “notifiable

gift” (whether or not it is also a notifiable gift under paragraph (a) of that definition) –

- (1) a description; and
- (2) the estimated value; and
- (3) the date of acceptance,

of each other gift accepted within the 6 month period.

- (d) The CEO is to maintain a register of notifiable gifts and record in it details of notifications given to comply with a requirement made under item (c).
- (e) This clause does not apply to gifts received from a relative (as defined in S 5.74(1) of the *Local Government Act*) or an electoral gift (to which other disclosure provisions apply).
- (f) This clause does not prevent the acceptance of a gift on behalf of the local government in the course of performing professional or ceremonial duties in circumstances where the gift is presented in whole to the CEO, entered into the Register of Notifiable Gifts and used or retained exclusively for the benefit of the local government.

4 CONDUCT OF ELECTED MEMBERS, COMMITTEE MEMBERS AND EMPLOYEES

4.1 Personal Behaviour

- (1) Elected Members, Committee Members and Employees will:
 - (a) act, and be seen to act, properly and in accordance with the requirements of the law and the terms of this Code;
 - (b) perform their duties impartially and in the best interests of the Local Government uninfluenced by fear or favour;
 - (c) act in good faith (i.e. honestly, for the proper purpose, and without exceeding their powers) in the interests of the Local Government and the community;
 - (d) make no allegations which are improper or derogatory (unless true and in public interest) and refrain from any form of conduct, in the performance of their official or professional duties, which may cause any reasonable person unwarranted offence or embarrassment; and
 - (e) always act in accordance with their obligation of fidelity to the Local Government.
- (2) Elected Members and Committee Members will represent and promote the interests of the Local Government, while recognising their special duty to their own constituents.

4.2 Honesty and Integrity

Elected Members, Committee Members and Staff will:

- (a) observe the highest standards of honesty and integrity and avoid conduct which might suggest any departure from these standards;
- (b) bring to the notice of the President any dishonesty or possible dishonesty on the part of any other Elected Member or Committee Member, and in the case of an employee to the Chief Executive Officer; and
- (c) be frank and honest in their official dealing with each other.

4.3 Performance of Duties

- (1) While on duty, Employees will give their whole time and attention to the Local Government's business and ensure that their work is carried out efficiently, economically and effectively, and that their standard of work reflects favourably both on them and on the Local Government.
- (2) Elected Members and Committee Members will at all times exercise reasonable care and diligence in the performance of their duties, being consistent in their decision making and treating all matters on individual merits.
- (3) In respect to defined activities and roles, Elected Members will be as informed as possible about the functions of the Council, and treat all members of the community honestly and fairly.

4.4 Compliance with Lawful Orders

- (a) Elected Members, Committee Members and Employees will comply with any lawful order given by any person having authority to make or give such an order, with any doubts as to the propriety of any such order being taken up with the superior of the person who gave the order and, if resolution cannot be achieved, with the Chief Executive Officer.
- (b) Elected Members, Committee Members and Employees will give effect to the lawful policies of the Local Government, whether or not they agree with or approve of them.

4.5 Administrative and Management Practices

Elected Members, Committee Members and Staff will ensure compliance with proper and reasonable administrative practices and conduct, and professional and responsible management practices.

4.6 Corporate Obligations

(a) Standard of Dress

Elected Members, Committee Members and Employees are expected to comply with neat and responsible dress standards at all times. Accordingly –

- (i) Elected Members and Committee Members will dress in a manner appropriate to their position, in particular when attending meetings or representing the Local Government in an official capacity.
- (ii) Management reserves the right to adopt policies relating to corporate dress and to raise the issue of dress with individual employees.

(b) *Communication and Public Relations*

- (i) All aspects of communication by employees (including verbal, written or personal), involving Local Government's activities should reflect the status and objectives of the Shire of Donnybrook Balingup. Communications should be accurate, polite and professional.
- (ii) As a representative of the community, Elected Members need to be not only responsive to community views, but to adequately and accurately communicate the decisions of the Council. In doing so, Elected Members must acknowledge that:
 - as a member of the Council there is respect for the decision-making processes of the Council which are based on a decision of the majority of the Council;
 - information of a confidential nature shall not be communicated until it is no longer treated as confidential;
 - information relating to decisions of the Council on approvals, permits etcetera ought only be communicated in an official capacity by a designated officer of the Council; and
 - information concerning adopted policies, procedures and decisions of the Council is conveyed accurately.
- (iii) Committee Members accept and acknowledge it is their responsibility to observe any direction the Local Government may adopt in terms of advancing and promoting the objectives of the Committee to which they have been appointed.

4.7 Appointments to Committees

As part of their representative role Council Members are often asked to represent the Council on external organisations. It is important that Council Members :

- clearly understand the basis of their appointment; and
- provide regular reports on the activities of the organisation.

5 DEALING WITH COUNCIL PROPERTY

5.1 Use of Local Government Resources

Elected Members, Committee Members and employees will:

- (a) be scrupulously honest in their use of the Local Government's resources and shall not misuse them or permit their misuse (or the appearance of misuse) by any other person or body;
- (b) use the Local Government resources entrusted to them effectively and economically in the course of their duties; and

- (c) not use the Local Government's resources (including the services of Council employees) for private purposes (other than when supplied as part of a contract of employment), unless properly authorised to do so, and appropriate payments are made (as determined by the Chief Executive Officer).

5.2 Travelling and Sustenance Expenses

Elected Members, Committee Members and Staff will only claim or accept travelling and sustenance expenses arising out of travel related matters which have a direct bearing on the services, policies or business of the Local Government in accordance with Local Government policy and the provision of the *Local Government Act 1995*.

5.3 Access to Information

- (a) Employees will ensure that Elected Members and Committee Members are given access to information necessary for them to properly perform their functions and comply with their responsibilities as Elected Members and Committee Members.
- (b) Members will ensure that information provided will be used properly and to assist in the process of making reasonable and informed decisions on matters before the Council.

Code of Conduct:

Adopted	24/02/2010
Reviewed	2011, 2012, 2013, 2014, 2015, 2016, 2017
Amended	23/08/2017
Next review due	July 2018

FINDINGS IDENTIFIED DURING THE INTERIM AUDIT

Item No	Item	Findings	Recommendations	Management Comment	Progress
1	User access and master file changes Risk Rating: Significant	We noted the following during our review of the user access and master file changes: <ul style="list-style-type: none"> • An independent review of all changes and adjustments made to the payroll or accounts receivable master file is not completed. In particular there is no review for timeliness of changes made, errors, or any other unauthorised changes; and • There are a high number of employees with “Super User” access to the Synergy software and a review of user access levels has not been completed. 	We recommend: <ul style="list-style-type: none"> • An independent review of all changes made to master-files be conducted periodically; and • A review of Synergy user access be completed to ensure access is appropriate based on employee position. 	An independent review of the changes to the accounts payable Masterfile occurs as part of the process for the approval of each payment run. A similar review process will be applied to changes to the Accounts Receivable and Payroll Master files with a completion date expected to be the end of 30 September 2020 A review of the user Synergysoft user access rights is currently underway and is scheduled for completion by the end of 30 November 2020.	Discussions with payroll to establish what reports can be generated to review relevant amendments to the Masterfile without all changes (such as leave balances) causing clutter. IT Vision user group consulted for assistance. Approval and review process to commence from 8/10/2020.
2	Independent review and approval Risk Rating: Moderate	<ul style="list-style-type: none"> • Monthly management finance review checklists and the corresponding reconciliations for the months of September, October, November and December 2019 have not been subject to independent review; • During our payroll testing on a sample basis, we noted the termination spreadsheet for a former employee had not been signed to evidence independent review and approval; 	We recommend: <ul style="list-style-type: none"> • Monthly management finance review checklists and the corresponding reconciliations are independently reviewed; • Termination calculation spreadsheets are subject to independent review and sign off; • Sundry debtor invoices and credit notes be independently reviewed / approved to ensure that the fees and charges are accurate prior to issuing to the customer; and 	The period relevant to the above finding regarding finance review checklists and a termination spreadsheet occurred during a time of staff upheaval restructure and redundancy relevant to the then Manager of Corporate Services. The review of month end checklists and termination payments are currently undertaken by the EMCC and are completed and up to date. A process of review of sundry debtor invoices currently prepared by the Finance Officer will be developed which will see the Accountant review the invoices prior to them being	No action taken for the current EMCC to go back and review those items identified for a period of time the review role was vacant. A review process is being developed for the review of debtor’s invoice batches by the Accountant. The timing has been delayed slightly as

Item No	Item	Findings	Recommendations	Management Comment	Progress
		<ul style="list-style-type: none"> Whilst we acknowledge relevant correspondence are attached to sundry debtor invoices and credit notes, our testing indicated no evidence that sundry debtor invoices and credit notes are reviewed prior to issuance; and Our enquiries indicate the Accountant continues to upload and authorise payment runs whilst on leave. 	<ul style="list-style-type: none"> The Shire ensure there is backup personnel available to upload and authorise payments, when individuals are on leave. 	<p>issued.</p> <p>Expected completion date 30 September 2020.</p> <p>The Accountant has informed that on one occasion during the period under review did the Accountant undertake an approval process while on leave, during the Christmas period in 2019. The Accountant have undertaken offsite approval processes while working from home which occurs regularly on a Wednesday.</p>	<p>the debtor's clerk is on annual leave. ETA end of October.</p> <p>The approval of payroll while on leave will likely occur again over the Christmas break as all staff will be on leave at this time. When staff are on general leave backup personnel are nominated.</p>
3	Rate debtors Risk Rating: Moderate	Whilst rateable value reconciliations have been completed during the year these reconciliations are not subject to independent review and the rates debtor reconciliation has a recurring variance since June 2018.	Rateable value reconciliations be independently reviewed and signed, and the variance in the rates debtor reconciliation be investigated and corrected.	A process for independent review of these rate value and rate debtor reconciliations will be developed and implemented by 30 September 2020.	A formal review process is being developed for the review of rate valuation changes by the EMCC is being developed. The timing has been delayed slightly as the debtor's clerk is on annual leave. ETA end of October
4	Purchase orders dated after invoice Risk Rating:	During our sample testing of payments made throughout the year, we identified nine out of twenty five payments sampled where the authorised purchase order was dated after the corresponding supplier invoice.	We recommend purchase orders be completed prior to incurring the expenditure in accordance with purchasing policy requirements.	The majority of these events in relation to the finding appear to be the result of procurement by an offsite operation. Management will issue instructions for adherence to purchasing policy monitor the outcome and encourage compliance	General memo circulated to staff of the need to follow established procurement processes to obtain an authorised

Item No	Item	Findings	Recommendations	Management Comment	Progress
	Moderate			in the future.	purchase order prior to purchase.
5	Compliance with legislative changes Risk Rating: Moderate	The Shire has not completed sufficient preparation and assessment for the implementation of the new accounting standards including adjustments to 1 July 2019 opening balances, in respect to: <ul style="list-style-type: none"> - Revenue AASB 15; - Income for Not For Profits AASB 1058; and - Leases AASB 16. 	To facilitate timely preparation of annual financial report and to ensure compliance with Australian Accounting Standards relating to revenue, income for not for profits and leases, the Shire should complete a detailed assessment for these new standards. In addition, the Shire should also measure the impact of the application of AASB 15, AASB 16 and AASB 1058 as at 1 July 2019 and process appropriate adjustments where required in the accounts, as well as considering the required disclosures in the 30 June 2020 financial report.	The above recommendation includes that 'the Shire should complete a detailed assessment for these new standards.' At the time of the interim audit visit the Shire had completed its assessment of these standards and had responded as follows: <ol style="list-style-type: none"> 1. Developed a detailed internal procedure for the recognition and treatment of revenue in relation to AASB 15 and AASB 1058. 2. Modified the current revenue chart of accounts creating new general ledger account and income and expense codes with sympathetic descriptions to the revenue categories required for disclosure in the annual financial statements. 3. Development of a grant register to capture and classify revenue in accordance with AASB 15 and AASB 1058. 4. Developed an ongoing reconciliation process for impacted revenue as at 1 July 2019 and subsequent revenue in preparation for adjusting journals to be undertaken at 30 June 2020. 5. Maintained a lease register that would inform the calculation of right of use assets and lease 	A full assessment was undertaken, and implementation is complete to reflect changes to the Accounting Standards. It is envisaged an assessment will be made by the Auditor to determine if they consider that this is sufficient at the annual audit visit.

Item No	Item	Findings	Recommendations	Management Comment	Progress
				<p>liability calculation although these calculations had yet to be undertaken.</p> <p>It is acknowledged that adjusting journal entries as at 1 July 2019 had not occurred at the time of the interim audit however substantial work had occurred at this time on assessing and responding to the fundamental changes required to account for these changes from 1 July 2020.</p>	
6	<p>Timeliness of recording additions</p> <p>Risk Rating: Minor</p>	<p>Discussions with management indicate infrastructure and building additions totalling \$2,446,349 during the year have not been recorded in the asset register to date.</p>	<p>We recommend all additions are recorded in the asset register in a timely manner.</p>	<p>Timing the addition to the asset register of building and infrastructure assets for the end of the financial year has been the practice for as long as current staff can ascertain.</p> <p>Entry into the asset register will occur in the future when the asset is available for service and when all the transactions in relation to the establishment of the asset have been recorded.</p>	<p>This is considered a minor issue and a low priority. When available, resources will be applied to ensure that assets with a long construction cycle are entered in the register when complete.</p>



Our Ref: 8296

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Dear Mr Rose

**ANNUAL FINANCIAL REPORT
INTERIM AUDIT RESULTS FOR THE YEAR ENDING 30 JUNE 2020**

We have completed the interim audit for the year ending 30 June 2020. We performed this phase of the audit in accordance with our audit plan. The focus of our interim audit was to evaluate your overall control environment, but not for the purpose of expressing an opinion on the effectiveness of internal control, and to obtain an understanding of the key business processes, risks and internal controls relevant to our audit of the annual financial report.

Management Control Issues

I would like to draw your attention to the attached listing of deficiencies in internal control and other matters that were identified during the course of the interim audit. These matters have been discussed with management and their comments have been included on the attachment. The matters reported are limited to those deficiencies that were identified during the interim audit that we have concluded are of sufficient importance to merit being reported to management. Some of the matters may be included in our auditor's report in accordance with section 7.9(2) of the *Local Government Act 1995* or regulation 10(3) (a) and (b) of the *Local Government (Audit) Regulations 1996*. If so, we will inform you before we finalise the report.

An audit is not designed to identify all internal control deficiencies that may require management attention. It is possible that other irregularities and deficiencies may have occurred and not been identified as a result of our audit.

This letter has been provided for the purposes of your local government and may not be suitable for other purposes.

We have forwarded a copy of this letter to the President. A copy will also be forwarded to the Minister for Local Government when we forward our auditor's report on the annual financial report to the Minister on completion of the audit.

Feel free to contact me on 6557 7581 if you would like to discuss these matters further.

Yours faithfully

MAHMOUD SALAHAT
ASSISTANT DIRECTOR
FINANCIAL AUDIT
25 September 2020

Attach

SHIRE OF DONNYBROOK-BALINGUP

PERIOD OF AUDIT: YEAR ENDED 30 JUNE 2020

FINDINGS IDENTIFIED DURING THE INTERIM AUDIT

INDEX OF FINDINGS	RATING		
	Significant	Moderate	Minor
1. User Access and Master File Changes	✓		
2. Independent Review and Approval		✓	
3. Rate Debtors		✓	
4. Purchase Orders Dated After Invoice		✓	
5. Compliance with Legislative Changes		✓	
6. Timeliness of Recording Additions			✓

KEY TO RATINGS

The ratings in this management letter are based on the audit team's assessment of risks and concerns with respect to the probability and/or consequence of adverse outcomes if action is not taken. We give consideration to these potential adverse outcomes in the context of both quantitative impact (for example financial loss) and qualitative impact (for example inefficiency, non-compliance, poor service to the public or loss of public confidence).

- Significant** - Those findings where there is potentially a significant risk to the entity should the finding not be addressed by the entity promptly.
- Moderate** - Those findings which are of sufficient concern to warrant action being taken by the entity as soon as practicable.
- Minor** - Those findings that are not of primary concern but still warrant action being taken.

SHIRE OF DONNYBROOK-BALINGUP

PERIOD OF AUDIT: YEAR ENDED 30 JUNE 2020

FINDINGS IDENTIFIED DURING THE INTERIM AUDIT

1. User Access and Master File Changes

Finding

We noted the following during our review of the user access and master file changes:

- An independent review of all changes and adjustments made to the payroll or accounts receivable master file is not completed. In particular there is no review for timeliness of changes made, errors, or any other unauthorised changes; and
- There are a high number of employees with “Super User” access to the Synergy software and a review of user access levels has not been completed.

Rating: Significant

Implication

- Without independent review, there is an increased risk that errors or fraud may not be detected; and
- Increased risk of unauthorised access and confidential information.

Recommendation

We recommend:

- An independent review of all changes made to master-files be conducted periodically; and
- A review of Synergy user access be completed to ensure access is appropriate based on employee position.

Management Comment

An independent review of the changes to the accounts payable Masterfile occurs as part of the process for the approval of each payment run.

A similar review process will be applied to changes to the Accounts Receivable and Payroll Master files with a completion date expected to be the end of 30 September 2020

A review of the user Synergysoft user access rights is currently underway and is scheduled for completion by the end of 30 November 2020.

Responsible Officer: Executive Manager Corporate and Community (EMCC)

Completion Date: As above

SHIRE OF DONNYBROOK-BALINGUP**PERIOD OF AUDIT: YEAR ENDED 30 JUNE 2020****FINDINGS IDENTIFIED DURING THE INTERIM AUDIT****2. Independent Review and Approval****Finding**

- Monthly management finance review checklists and the corresponding reconciliations for the months of September, October, November and December 2019 have not been subject to independent review.
- During our payroll testing on a sample basis, we noted the termination spreadsheet for a former employee had not been signed to evidence independent review and approval.
- Whilst we acknowledge relevant correspondence are attached to sundry debtor invoices and credit notes, our testing indicated no evidence that sundry debtor invoices and credit notes are reviewed prior to issuance; and
- Our enquiries indicate the Accountant continues to upload and authorise payment runs whilst on leave.

Rating: Moderate**Implication**

- Risk of errors not being detected and misstatement in the financial report.
- Risk that termination calculations have not been independently reviewed and verified prior to payment.
- Risk that fees and charges are not being correctly invoiced/credited to customers; and
- Risk that the Shire does not have adequate backup capabilities for key finance functions.

Recommendation

We recommend:

- Monthly management finance review checklists and the corresponding reconciliations are independently reviewed.
- Termination calculation spreadsheets are subject to independent review and sign off.
- Sundry debtor invoices and credit notes be independently reviewed / approved to ensure that the fees and charges are accurate prior to issuing to the customer; and
- The Shire ensure there is backup personnel available to upload and authorise payments, when individuals are on leave.

Management Comment

The period relevant to the above finding regarding finance review checklists and a termination spreadsheet occurred during a time of staff upheaval restructure and redundancy relevant to the then Manager of Corporate Services. The review of month end checklists and termination payments are currently undertaken by the EMCC and are completed and up to date.

A process of review of sundry debtor invoices currently prepared by the Finance Officer will be developed which will see the Accountant review the invoices prior to them being issued. Expected completion date 30 September 2020.

The Accountant has informed that on one occasion during the period under review did the Accountant undertake an approval process while on leave, during the Christmas period in 2019. The Accountant have undertaken offsite approval processes while working from home which occurs regularly on a Wednesday.

Responsible Officer: Accountant
Completion Date: 30 September 2020

SHIRE OF DONNYBROOK-BALINGUP

PERIOD OF AUDIT: YEAR ENDED 30 JUNE 2020

FINDINGS IDENTIFIED DURING THE INTERIM AUDIT

3. Rate Debtors

Finding

Whilst rateable value reconciliations have been completed during the year these reconciliations are not subject to independent review and the rates debtor reconciliation has a recurring variance since June 2018.

Rating: Moderate

Implication

There is an Increased risk of error if rateable value reconciliations are not reviewed and rate debtor variances continue to be carried forward to future reconciliations.

Recommendation

Rateable value reconciliations be independently reviewed and signed, and the variance in the rates debtor reconciliation be investigated and corrected.

Management Comment

A process for independent review of these rate value and rate debtor reconciliations will be developed and implemented by 30 September 2020.

Responsible Officer: Accountant
Completion Date: 30 September 2020

SHIRE OF DONNYBROOK-BALINGUP

PERIOD OF AUDIT: YEAR ENDED 30 JUNE 2020

FINDINGS IDENTIFIED DURING THE INTERIM AUDIT

4. Purchase Orders Dated After Invoice

Finding

During our sample testing of payments made throughout the year, we identified nine out of twenty-five payments sampled where the authorised purchase order was dated after the corresponding supplier invoice.

Rating: Moderate

Implication

By raising purchase orders after the invoice is received there is an increased risk of unauthorised purchases, and non-compliance with Council's purchasing policy.

Recommendation

We recommend purchase orders be completed prior to incurring the expenditure in accordance with purchasing policy requirements.

Management Comment

The majority of these events in relation to the finding appear to be the result of procurement by an offsite operation. Management will issue instructions for adherence to purchasing policy monitor the outcome and encourage compliance in the future.

Responsible Officer: EMCC

Completion Date: 30 November 2020

SHIRE OF DONNYBROOK-BALINGUP**PERIOD OF AUDIT: YEAR ENDED 30 JUNE 2020****FINDINGS IDENTIFIED DURING THE INTERIM AUDIT****5. Compliance with Legislative Changes****Finding**

At the time of our June 2020 interim visit, the Shire has not finalised the assessment for the implementation of the new accounting standards, including the posting of adjustments to 1 July 2019 opening balances, in respect to:

- Revenue AASB 15.
- Income for Not for Profits AASB 1058; and
- Leases AASB 16.

Rating: Moderate**Implication**

There is an increased risk of non-compliance with the new accounting standards. Consequently, the annual report may be misstated.

Recommendation

To facilitate timely preparation of annual financial report and to ensure compliance with Australian Accounting Standards relating to revenue, income for not for profits and leases, the Shire should complete a detailed assessment for these new standards.

In addition, the Shire should also measure the impact of the application of AASB 15, AASB 16 and AASB 1058 as at 1 July 2019 and process appropriate adjustments where required in the accounts, as well as considering the required disclosures in the 30 June 2020 financial report.

Management Comment

The above recommendation includes that 'the Shire should complete a detailed assessment for these new standards.'

At the time of the interim audit visit the Shire had completed its assessment of these standards and had responded as follows:

1. Developed a detailed internal procedure for the recognition and treatment of revenue in relation to AASB 15 and AASB 1058.
2. Modified the current revenue chart of accounts creating new general ledger account and income and expense codes with sympathetic descriptions to the revenue categories required for disclosure in the annual financial statements.
3. Development of a grant register to capture and classify revenue in accordance with AASB 15 and AASB 1058.
4. Developed an ongoing reconciliation process for impacted revenue as at 1 July 2019 and subsequent revenue in preparation for adjusting journals to be undertaken at 30 June 2020.
5. Maintained a lease register that would inform the calculation of right of use assets and lease liability calculation although these calculations had yet to be undertaken.

It is acknowledged that adjusting journal entries as at 1 July 2019 had not occurred at the time of the interim audit however substantial work had occurred at this time on assessing and responding to the fundamental changes required to account for these changes from 1 July 2020.

Responsible Officer: EMCC
Completion Date: Completed

SHIRE OF DONNYBROOK-BALINGUP

PERIOD OF AUDIT: YEAR ENDED 30 JUNE 2020

FINDINGS IDENTIFIED DURING THE INTERIM AUDIT

6. Timeliness of Recording Additions

Finding

Discussions with management indicate infrastructure and building additions totalling \$2,446,349 during the year have not been recorded in the asset register to date.

Rating: Minor

Implication

Incomplete records in respect to assets and depreciation.

Recommendation

We recommend all additions are recorded in the asset register in a timely manner.

Management Comment

Timing the addition to the asset register of building and infrastructure assets for the end of the financial year has been the practice for as long as current staff can ascertain.

Entry into the asset register will occur in the future when the asset is available for service and when all the transactions in relation to the establishment of the asset have been recorded.

Responsible Officer:

EMCC

Completion Date:

Next year end (30 June 2021)



Department of
**Local Government, Sport
and Cultural Industries**

Our ref DB3-3#07; E2038467
Enquiries Carmen Chia
Phone (08) 6552 1405
Email legislation@dlgsc.wa.gov.au

Mr Ben Rose
Chief Executive Officer
Shire of Donnybrook-Balingup

E: Ben.Rose@donnybrook.wa.gov.au

Dear Mr Rose

**SHIRE OF DONNYBROOK-BALINGUP – REQUEST FOR EXTENSION OF TIME
TO SUBMIT 2019/20 ANNUAL FINANCIAL REPORT**

Thank you for your application seeking an extension of time to complete and submit to your Auditor the Annual Financial Report for the 2019/20 financial year.

I advise that in accordance with the authority delegated by the Minister, I have approved an extension of time to 31 October 2020 to submit to your Auditor, the balanced accounts and Annual Financial Report for 2019/20.

If you wish to discuss this matter, please contact Carmen Chia, Acting Senior Legislation Officer, at the Department of Local Government, Sport and Cultural Industries via the details listed above.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'G MacMile'.

Gordon MacMile
A/EXECUTIVE DIRECTOR – LOCAL GOVERNMENT

1 October 2020

Gordon Stephenson House, 140 William Street
PO Box 8349 Perth Business Centre, WA 6849
Telephone (08) 6552 7300
Email info@dlgsc.wa.gov.au
Web www.dlgsc.wa.gov.au



**MINUTES
SPECIAL MEETING OF COUNCIL**

Purpose: For Council to consider seeking legal advice

Held on

Wednesday 21 October 2020

Commencing at 4.00pm

Shire of Donnybrook Balingup Council Chambers, Donnybrook

A handwritten signature in black ink, appearing to read 'Ben Rose'.

**Ben Rose
Chief Executive Officer**

23 October 2020

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SHIRE OF DONNYBROOK BALINGUP
MINUTES SPECIAL MEETING OF COUNCIL

Held at the Council Chambers
Wednesday, 21 October at 4.00pm

1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

Shire President – Acknowledgment of Country

The Shire President acknowledged the traditional custodians of the land, the Wardandi People, paying respects to Elders, past and present and emerging.

The Shire President declared the meeting open at 4.04pm.

2 ATTENDANCE

MEMBERS PRESENT

COUNCILLORS	STAFF
Cr Brian Piesse (President)	Ben Rose, Chief Executive Officer
Cr Jackie Massey (Deputy President)	Paul Breman – Executive Manager Corporate and Community
Cr Shane Atherton	Steve Potter – Executive Manager Operations
Cr Anita Lindemann	Jaimee Earl – Administration Officer Executive Services (Minutes)
Cr Anne Mitchell	
Cr Chaz Newman	
Cr Chris Smith	
Cr Leanne Wringe	

PUBLIC GALLERY

Nil.

2.1 APOLOGIES

Cr Shane Sercombe

2.2 APPROVED LEAVE OF ABSENCE

Nil

2.3 APPLICATION FOR A LEAVE OF ABSENCE

Nil

3 ANNOUNCEMENTS FROM PRESIDING MEMBER

Nil.

4 DECLARATION OF INTEREST

Division 6: Sub-Division 1 of the *Local Government Act 1995*. Care should be taken by all Councillors to ensure that a financial/impartiality interest is declared and that they refrain from voting on any matter, which is considered to come within the ambit of the Act.

Ben Rose, Chief Executive Officer declared a financial interest in item 6.1.1 and left the Chamber for the duration of the item.

Paul Breman, Executive Manager Corporate and Community declared an impartiality interest in item 6.1.1.

5 REPORTS OF OFFICERS

Nil

6 MEETINGS CLOSED TO THE PUBLIC

6.1 MATTERS FOR WHICH THE MEETING MAY BE CLOSED

6.1.1 APPLICATION TO SEEK LEGAL ADVICE

This report is confidential in accordance with Section 5.23(2)(a) of the *Local Government Act 1995*, which permits the meeting to be closed to the public for business relating to the following:

- (a) *a matter affecting an employee or employees.*
- (d) *legal advice obtained, or which may be obtained by the local government and which relates to a matter to be discussed at the meeting.*

EXECUTIVE RECOMMENDATION

That the meeting be closed to the public in accordance with section 5.23(2)(a) of the *Local Government Act 1995* to discuss confidential item 6.1.1.

COUNCIL RESOLUTION 138/20

Moved Cr Lindemann Seconded Cr Smith

That the meeting be closed to the public in accordance with section 5.23(2)(a) of the *Local Government Act 1995* to discuss confidential item 6.1.1.

CARRIED 8/0

The meeting was closed to the public at 4.06pm.

The Chief Executive Officer left the Chamber at 4.06pm.

COUNCIL RESOLUTION 142/20

Moved Cr Wringe Seconded Cr Massey

That the meeting re-opened to the public.

CARRIED 8/0

The meeting was re-opened to the public at 5.13pm

6.2 *PUBLIC READING OF RESOLUTIONS THAT MAY BE MADE PUBLIC*

RESOLUTION 141/20

That Council endorses the recommendations outlined in the Confidential Report.

13 CLOSURE

The Shire President declared the meeting closed at 5.13pm.



SHIRE OF DONNYBROOK-BALINGUP

AUDIT AND RISK MANAGEMENT COMMITTEE

CHARTER

Responsible Department:	Corporate and Community	Reviewer:	Executive Manager Corporate & Community
Initial Adoption Date:	24 July 2019	Review Frequency:	Biannually
		Next Due:	2022
Review Version 1.00	Decision Reference:	Synopsis:	
[Link to saved doc in PDF]	[OCM Date & Resolution number]	[brief description of the adoption/changes approved]	
Date Live:	[Date document saved as .pdf & loaded on Shire website]	Synergy #	[Record No.]

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Introduction

The Shire of Donnybrook-Balingup Audit and **Risk Management** Committee (the Committee) **was** established by Council pursuant to *Division 1A, Section 7.1A of the Local Government Act 1995* and *Local Government (Audit) Regulations 1996* regulation 16.

This Charter sets out the Committee's authority and independence, objectives, duties and responsibilities, membership, ethical practices, meetings, and performance management.

~~Committee Vision~~

~~The Committee's vision is for the Shire of Donnybrook-Balingup (the Shire) to have consistently clear audits and accurate, meaningful Annual Financial Statements.~~

1. ~~The committee is required under the LG Act and does not require a Vision.~~

The Objectives of Audit **and Risk Management** Committee

1. Accept responsibility for the annual external audit and liaise with the Shire's auditor so that Council can be satisfied with the performance of the Shire in managing its financial affairs.
2. Oversee the development, implementation and review of the Shire's risk management framework and monitor ongoing risk management practices across the organisation including the consideration of identified significant risks and the associated risk mitigation measures.

Reports from the Committee will assist Council in discharging its legislative responsibilities of controlling the Shire's affairs, determining the Shire's policies, and overseeing the allocation of the Shire's finances and resources. The Committee will **ensure encourage** openness in the Shire's financial reporting and will liaise with the CEO to ensure the effective and efficient management of the Shire's financial accounting systems and compliance with legislation.

The Committee is to facilitate:

- the enhancement of the credibility and objectivity of internal and external financial reporting.
- effective management of financial and other risks and the protection of Council assets.
- compliance with laws and regulations as well as use of best practice guidelines relative to audit, risk management, internal control and legislative compliance.

- ~~• the co-ordination of the internal audit function with the external audit; and~~
- the provision of an effective means of communication between the external auditor, ~~internal auditor (if appointed)~~, the CEO and Council.

2. Remove reference to the internal audit function

Powers of the Audit and Risk Management Committee

The Committee is a formally appointed committee of Council and is responsible to that body.

The Committee does not have executive powers or authority to implement actions in areas over which the CEO has legislative responsibility and does not have any delegated financial responsibility. The Committee does not have any management functions and cannot involve itself in management processes or procedures.

The Committee is to report to Council and provide appropriate advice and recommendations on matters relevant to its Terms of Reference (section 8) in order to facilitate informed decision-making by Council in relation to the legislative functions and duties of the Shire that have not been delegated to the CEO.

Membership

The Committee will consist of three (3) Elected Members plus two (2) external members and the Shire President as Ex-Officio. All members shall have full voting rights.

External persons appointed to the Committee will have business or financial management / reporting knowledge and experience and be conversant with financial and other reporting requirements.

Appointment of external persons shall be made by Council by way of a public advertisement and be for a maximum term of two (2) years. The terms of the appointment shall be arranged to ensure an orderly rotation and continuity of membership despite changes to Council's elected representatives.

Reimbursement of approved expenses will be paid to each external person who is a member of the Committee.

~~The Committee can seek advice from external sources when required.~~

3. Remove from membership as this is included in the Terms of Reference.

The CEO and employees are not members of the Committee.

The CEO or his/her nominee is to be available to attend all meetings to provide advice and guidance to the Committee.

The Shire of Donnybrook-Balingup shall provide secretarial and administrative support to the Committee.

Meetings

The Committee shall meet as often as it determines, quarterly or not. ~~desirably quarterly but no less than four times per year.~~ In addition, the Committee Chairperson (or presiding person) may call such additional meetings as may be necessary to address any matters referred to the Committee or in respect of matters that the Committee wishes to pursue.

In the setting of the Committee agenda, there will be ~~an emphasis~~ included a report on the most significant risk and threats to Council and the ongoing evaluation of what is being done to mitigate such risks.

A quorum shall consist of at least three members.

~~As far as practicable, decisions of the Committee shall be regarded as its collective decision or advice. However, where there is material dissension to a decision, a minority view may be placed before Council.~~

4. Remove this paragraph as votes will be taken on all items

Reporting

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

The Committee shall report annually to the Council summarising its activities during the previous financial year.

Terms of Reference

The Audit **and Risk Management** Committee has the following duties and responsibilities:

- a) Provide guidance and assistance to Council as to carrying out the functions of the Shire in relation to audits and matters related to financial management.
- b) Meet with the auditor at least once in each year and provide a report to Council on the matters discussed and outcome of those discussions.

- c) Liaise with the CEO to ensure that the Shire does everything in its power to:
 - assist the auditor to conduct the audit and carry out his or her other duties under the Local Government Act 1995; and
 - ensure that audits are conducted successfully and expeditiously.
- d) Examine the reports of the auditor after receiving a report from the CEO on the matters and:
 - determine if any matters raised require action to be taken by the Shire; and,
 - ensure the CEO implements any action so determined in respect of those matters.
- e) Review the report prepared by the CEO on any actions taken in respect of any matters raised in the report of the auditor and present the report to Council for adoption prior to the end of the next financial year or 6 months after the last report prepared by the auditor is received, whichever is the latest in time.
- f) Review the scope of any internal audit plan and program and its effectiveness.
- g) Review the appropriateness of special internal audit assignments undertaken by internal audit at the request of Council or the CEO.
- h) Review the level of resources allocated to internal audit and the scope of its authority.
- i) Review reports of internal audits monitor the implementation of recommendations made by the auditor and review the extent to which Council and management reacts to matters raised.
- ~~j) Facilitate liaison between the internal auditor (if appointed) and external auditor to promote compatibility, to the extent appropriate, between their audit programs.~~

5. Remove – refers to internal auditor

- k) Review the Shire's annual financial report, focusing on:
 - accounting policies and practices.
 - changes to accounting policies and practices.
 - the process used in making significant accounting estimates.

- significant adjustments to the financial report (if any) arising from the audit process.
 - compliance with accounting standards and other reporting requirements; and
 - significant variances from prior years.
- l) Consider and recommend adoption of the annual financial report to Council. Review any significant changes that may arise subsequent to any such recommendation but before the annual financial report is signed.
- m) Address issues brought to the attention of the Committee, including responding to requests from Council for advice that ~~we~~ are within the parameters of the Committee's Terms of Reference.
- n) Seek information or obtain expert advice through the CEO on matters of concern within the scope of the Committee's Terms of Reference following authorisation from the Council.
- o) Review the Annual Statutory Compliance Return and report to Council on the results of that review.
- p) Having regard to the culture and capability of the organisation, consider the CEO's 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.
- q) Monitor and advise the CEO when the CEO is carrying out functions in relation to a review of the appropriateness and effectiveness of the Shire's system and procedures in regard to risk management, internal control and legislative compliance.
- r) Oversee the implementation of any action required following receipt of the review of the appropriateness and effectiveness of the Shire's system and procedures regarding risk management, internal control and legislative compliance.
- s) Monitor and advise the CEO when the CEO is carrying out functions in relation to a review of the appropriateness and effectiveness of the financial management systems and procedures.
- t) Oversee the implementation of any action required following receipt of a review of the appropriateness and effectiveness of the financial management systems and procedures.

~~Ethical Practices~~

~~Members of the Committee will, at all times in the discharge of their duties and responsibilities, exercise honesty, objectivity and probity and not engage knowingly in acts or activities that have the potential to bring discredit to Council.~~

~~Members also must refrain from entering into any activity that may prejudice their ability to carry out their duties and responsibilities objectively and must at all times act in a proper and prudent manner in the use of information acquired in the course of their duties.~~

~~Members must not use Council information for any personal gain for themselves or their immediate families or in any manner that would be contrary to law or detrimental to the welfare and goodwill of Council.~~

~~Further, members must not publicly comment on matters relative to activities of the Committee other than as authorised by Council.~~

~~Members who become aware of a conflict of interest or issues which may affect their objectivity on matters raised within the Committee should advise the Chairperson immediately.~~

~~Should the Chair experience such a conflict he / she is to advise the Chief Executive Officer.~~

6. Remove as the Shire Code of Conduct relates to Committee Members

~~Evaluation of Committee Activities~~

~~The Committee will assess its performance and achievements against this Charter on an annual basis. All committee members will be asked to individually and anonymously complete a self-assessment questionnaire to assist the Committee to identify its strengths and weaknesses and recognise areas for future improvement. The Committee shall take appropriate action in respect of areas where there is a perceived need for enhancement of its role, operational processes or membership.~~

~~Annually, the Committee Chair will provide each individual member of the Committee with feedback on that person's work performance and professional contributions to the Committee's activities for the year.~~

~~Membership of the Committee will be reviewed by Council following each local government Election with the aim of ensuring appropriate balance between continuity of membership, the contribution of fresh perspectives and a suitable mix of skills, knowledge and experience.~~

7. Remove

~~Review of the Charter~~

~~This Charter will be reviewed annually by the Committee to ensure it remains consistent with the Committee's authority, objectives and responsibilities.~~

8. Remove (control box on the first page lists the review requirements)

~~Approval of the Charter~~

~~The Charter is endorsed by the Chair of the Committee and approved by Council.~~

8. Remove and include a signature section for the Chairperson and CEO.

Shire of Donnybrook Balingup



Code of Conduct

for

Elected Members, Committee Members and Employees

Reviewed July 2017
Amendments adopted August 23, 2017
Next Review Date July 2018

CODE OF CONDUCT

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PREAMBLE

The Code of Conduct (the Code) provides Elected Members, Committee Members and Employees in the Shire of Donnybrook Balingup with consistent guidelines for an acceptable standard of professional conduct. The Code addresses, in a concise manner, the broader issue of ethical responsibility and encourages greater transparency and accountability.

The Code is complementary to the principles adopted in the *Local Government Act 1995* and regulations which incorporate four fundamental aims, to result in:

- (1) Better decision-making by local governments;
- (2) Greater community participation in the decisions and affairs of local governments;
- (3) Greater accountability of local governments to their communities; and
- (4) More efficient and effective local government.

The Code provides a guide and a basis of expectations for elected members and employees. It encourages a commitment to ethical and professional behaviour and outlines principles in which individual and collective local government responsibilities may be based.

STATUTORY ENVIRONMENT

The Code of Conduct observes statutory requirements of the *Local Government Act 1995* (s.5.103 – Codes of Conduct) and *Local Government (Administration) Regulations 1996* (Regs 34B and 34C).

RULES OF CONDUCT

Council Members acknowledge their activities, behaviour and statutory compliance obligations may be scrutinised in accordance with prescribed rules of conduct as described in the *Local Government Act 1995* and *Local Government (Rules of Conduct) Regulations 2007*.

IMPORTANT MESSAGE FOR ELECTED MEMBERS

Councillors should be aware of the obligations placed on them under the *Local Government (Official Conduct) Amendment Act 2007* and the *Local Government (Rules of Conduct) Regulations 2007* and the penalties for non-compliance.

The Rules of Conduct - which apply only to elected members - deal with:

- disclosure of confidential information;
- improper use of the position of councillor to gain a personal advantage or cause detriment to the local government or others;
- the misuse of local government resources;
- unauthorised involvement in administration matters;
- improperly directing, influencing or making offensive or objectionable statements about a local government employee;
- disclosure of “impartiality” interests; and
- notifiable and prohibited gifts.

1 ROLES

1.1 Role of Elected Member

An Elected Member's primary role is to represent the community, and the effective translation of the community's needs and aspirations into a strategic direction and future planning for the Local Government will be the focus of the Elected Member's role and public life.

The Role of Council Members is set out in S 2.10 of the *Local Government Act 1995*:

"A Councillor —

(a) represents the interests of electors, ratepayers and residents of the district;

(b) provides leadership and guidance to the community in the district;

(c) facilitates communication between the community and the council;

(d) participates in the local government's decision-making processes at council and committee meetings; and

(e) performs such other functions as are given to a Councillor by this Act or any other written law."

An Elected Member is part of the team in which the community has placed its trust to make decisions on its behalf and the community is therefore entitled to expect high standards of conduct from its elected representatives. In fulfilling the various roles, Elected Members will focus on:

- (1) Achieving a balance in the diversity of community views to develop an overall strategy for the future of the community;
- (2) Achieving sound financial management and accountability in relation to the Local Government's finances;
- (3) Ensuring that appropriate mechanisms are in place to deal with the prompt handling of residents' concerns;
- (4) Working with other governments and organisations to achieve benefits for the community at both a local and regional level; and
- (5) Having an awareness of the statutory obligations imposed on Elected Members and on Local Governments.

1.2 Role of Employees

The role of employees is determined by the functions of the CEO as set out in S 5.41 of the *Local Government Act 1995*: -

"The CEO's functions are to —

(a) advise the council in relation to the functions of a local government under this Act and other written laws;

(b) ensure that advice and information is available to the council so that informed decisions can be made;

- (c) cause council decisions to be implemented;*
- (d) manage the day to day operations of the local government;*
- (e) liaise with the mayor or president on the local government's affairs and the performance of the local government's functions;*
- (f) speak on behalf of the local government if the mayor or president agrees;*
- (g) be responsible for the employment, management supervision, direction and dismissal of other employees (subject to S 5.37(2) in relation to senior employees);*
- (h) ensure that records and documents of the local government are properly kept for the purposes of this Act and any other written law; and*
- (i) perform any other function specified or delegated by the local government or imposed under this Act or any other written law as a function to be performed by the CEO."*

1.3 Role of Council

The Role of the Council is in accordance with S 2.7 of the *Local Government Act 1995*:

"(1) The Council —

- (a) governs the local government's affairs; and*
- (b) is responsible for the performance of the local government's functions.*

(2) Without limiting subsection (1), the council is to —

- (a) oversee the allocation of the local government's finances and resources; and*
- (b) determine the local government's policies."*

1.4 Principles affecting the employment of employees by the Shire

The following principles, set out in section 5.40 of the Act, apply to the employment of the Shire's employees:

- (a) employees are to be selected and promoted in accordance with the principles of merit and equity; and*
- (b) no power with regard to matters affecting employees is to be exercised on the basis of nepotism or patronage; and*
- (c) employees are to be treated fairly and consistently; and*
- (d) there is to be no unlawful discrimination against employees or persons seeking employment by the Shire on a ground referred to in the Equal Opportunity Act 1984 or on any other ground; and*
- (e) employees are to be provided with safe and healthy working conditions in*

accordance with the Occupational Safety and Health Act 1984; and
(f) such other principles, not inconsistent with this Division, as may be prescribed.

1.5 Relationships between Council Members and Employees

An effective Councillor will work as part of the Council team with the Chief Executive Officer and other members of staff. That teamwork will only occur if Council Members and employees have a mutual respect and co-operate with each other to achieve the Council's corporate goals and implement the Council's strategies. To achieve that position, Council Members need to observe their statutory obligations which include, but are not limited to, the following –

- accept that their role is a leadership, not a management or administrative one;
- acknowledge that they have no capacity to individually direct members of staff to carry out particular functions;
- refrain from publicly criticising employees in a way that casts aspersions on their professional competence and credibility.

2 CONFLICT AND DISCLOSURE OF INTEREST

2.1 Conflict of Interest

- (1) Elected Members, Committee Members and Staff will ensure that there is no actual (or perceived) conflict of interest between their personal interests and the impartial fulfilment of their professional duties.
- (2) Employees will not engage in private work with or for any person or body with an interest in a proposed or current contract with the Local Government, without first making disclosure to the Chief Executive Officer. In this respect, it does not matter whether advantage is in fact obtained, as any appearance that private dealings could conflict with performance of duties must be scrupulously avoided.
- (3) Elected Members, Committee Members and Employees will lodge written notice with the Chief Executive Officer, before any meeting, describing an intention to undertake a dealing in land within the municipality or which may otherwise be in conflict with the Council's functions (other than purchasing the principal place of residence).
- (4) Elected Members, Committee Members and Employees who exercise a recruitment or other discretionary function will make disclosure before dealing with relatives or close friends and will disqualify themselves from dealing with those persons.
- (5) Employees will refrain from partisan political activities which could cast doubt on their neutrality and impartiality in acting in their professional capacity. An individual's rights to maintain their own political convictions are not impinged upon by this clause. It is recognised that such convictions cannot be a basis for discrimination and this is supported by anti-discrimination legislation.

2.2 Financial Interest

Elected Members, Committee Members and Staff will adopt the principles of disclosure of financial interest as contained within the *Local Government Act 1995*.

2.3 Disclosure of Interest

Definition :

In this clause, and in accordance with Regulation 34C of the Local Government (Administration) Regulations 1996 -

“interest” means an interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person having the interest and includes an interest arising from kinship, friendship or membership of an association.

- (1) A person who is an Employee and who has an interest in any matter to be discussed at a Council or Committee meeting attended by an Elected Member, Committee Member or Employee must disclose the nature of the interest –
 - (a) in a written notice to the Chief Executive Officer before the meeting; or
 - (b) at the meeting immediately before the matter is discussed.

- (2) Subregulation (1) does not apply if –
 - (a) a person who is an Employee fails to disclose an interest because the person did not know he or she had an interest in the matter; or
 - (b) a person who is an employee fails to disclose an interest because the person did not know the matter in which he or she had an interest would be discussed at the meeting and the person disclosed the interest as soon as possible after the discussion began.

- (3) If, under subregulation (1)(a) , a person who is an Employee discloses an interest in a written notice given to the Chief Executive Officer before a meeting then –
 - (a) before the meeting the Chief Executive Officer is to cause the notice to be given to the person who is to preside at the meeting; and
 - (b) at the meeting the person presiding is to bring the notice and its contents to the attention of the persons present immediately before a matter to which the disclosure relates is discussed.

- (4) If –
 - (a) under subregulation (1)(b) or (4)(b) a person’s interest in a matter is disclosed at a meeting; or
 - (b) under subregulation (4)(b) notice of a person’s interest in a matter is brought to the attention of the persons present at a meeting,the nature of the interest is to be recorded in the minutes of the meeting.

Any disclosure is to be made on the prescribed form and handed to the Chief Executive Officer prior to the meeting and declared by the Chief Executive Officer at the agenda item on Declaration of Interest.

3 PERSONAL BENEFIT

3.1 Use of Confidential Information

Elected Members, Committee Members and employees will not use confidential information to gain improper advantage for themselves or for any other person or body, in ways which are inconsistent with their obligation to act impartially, or to improperly cause harm or detriment to any person or organisation.

Due discretion shall be exercised by all those who have access to confidential or sensitive information. Every matter dealt with by, or brought before, a meeting sitting behind closed doors, shall be treated as strictly confidential, and shall not without the authority of the Council be disclosed to any person other than the Council members and/or employees of the Shire (and in the case of employees only so far as may be necessary for the performance of their duties) prior to the discussion of the matter at a meeting of the Council held with open doors.

Nothing in this section prevents a Council member or officer from disclosing confidential information:

- to a legal practitioner for the purpose of obtaining legal advice; or
- if the disclosure is permitted by law.

3.2 Intellectual Property

The title to Intellectual Property in all duties relating to contracts of employment will be assigned to the Local Government upon its creation unless otherwise agreed by separate contract.

3.3 Improper or Undue Influence

Elected Members, Committee Members and employees shall not take advantage of their position to improperly influence any other person in order to gain undue or improper (direct or indirect) advantage or gain, pecuniary or otherwise, for themselves or for any other person or body. Similarly, Council members, committee members and employees shall not take advantage of their positions to improperly disadvantage or cause detriment to the local government or any other person.

3.4 Misuse of Local Government Resources

A person who is an Elected Member, Committee Member or Employees member must not either directly or indirectly use the resources of a Local Government –

- (a) for the purpose of persuading electors to vote in a particular way at an election, referendum or other poll held under the Act, the *Electoral Act 1907* or the *Commonwealth Electoral Act 1918*; or
- (b) for any other purpose,

unless authorised under the *Local Government Act 1995*, or authorised by the Council or the Chief Executive Officer, to use the resources for that purpose.

3.5 Gifts - Employees

Definitions :

In this clause, and in accordance with Regulation 34B of the Local Government (Administration) Regulations 1996 -

“activity involving a local government discretion” means an activity -

- (a) that cannot be undertaken without an authorisation from the local government; or*
- (b) by way of a commercial dealing with the local government;*

“gift” has the meaning given to that term in S 5.82(4) except that it does not include -

- (a) a gift from a relative as defined in S 5.74(1); or*
- (b) a gift that must be disclosed under Regulation 30B of the Local Government (Elections) Regulations 1997; or*
- (c) a gift from a statutory authority, government instrumentality or non-profit association for professional training;*

“notifiable gift”, in relation to a person who is an employee, means -

- (a) a gift worth between \$50 and \$300; or*
- (b) a gift that is one of 2 or more gifts given to the employee by the same person*

within

a period of 6 months that are in total worth between \$50 and \$300;

“prohibited gift”, in relation to a person who is an employee, means -

- (a) a gift worth \$300 or more; or*
- (b) a gift that is one of 2 or more gifts given to the employee by the same person*

within a period of 6 months that are in total worth \$300 or more.

(a) A person who is an employee is to refrain from accepting a prohibited gift from a person who -

- (i) is undertaking or seeking to undertake an activity involving a local government discretion; or
- (ii) it is reasonable to believe is intending to undertake an activity involving a local government discretion.

(b) A person who is an employee and who accepts a notifiable gift from a person who -

- (i) is undertaking or seeking to undertake an activity involving a local government discretion; or
- (ii) it is reasonable to believe is intending to undertake an activity involving a local government discretion,

is to notify the CEO, in accordance with item (c) and within 10 days of accepting the gift, of the acceptance.

(c) The notification of the acceptance of a notifiable gift must be in writing and include -

- (i) the name of the person who gave the gift; and
- (ii) the date on which the gift was accepted; and
- (iii) a description, and the estimated value, of the gift; and
- (iv) the nature of the relationship between the person who is an employee and the person who gave the gift; and
- (v) if the gift is a notifiable gift under paragraph (b) of the definition of “notifiable

gift” (whether or not it is also a notifiable gift under paragraph (a) of that definition) –

- (1) a description; and
- (2) the estimated value; and
- (3) the date of acceptance,

of each other gift accepted within the 6 month period.

- (d) The CEO is to maintain a register of notifiable gifts and record in it details of notifications given to comply with a requirement made under item (c).
- (e) This clause does not apply to gifts received from a relative (as defined in S 5.74(1) of the *Local Government Act*) or an electoral gift (to which other disclosure provisions apply).
- (f) This clause does not prevent the acceptance of a gift on behalf of the local government in the course of performing professional or ceremonial duties in circumstances where the gift is presented in whole to the CEO, entered into the Register of Notifiable Gifts and used or retained exclusively for the benefit of the local government.

4 CONDUCT OF ELECTED MEMBERS, COMMITTEE MEMBERS AND EMPLOYEES

4.1 Personal Behaviour

- (1) Elected Members, Committee Members and Employees will:
 - (a) act, and be seen to act, properly and in accordance with the requirements of the law and the terms of this Code;
 - (b) perform their duties impartially and in the best interests of the Local Government uninfluenced by fear or favour;
 - (c) act in good faith (i.e. honestly, for the proper purpose, and without exceeding their powers) in the interests of the Local Government and the community;
 - (d) make no allegations which are improper or derogatory (unless true and in public interest) and refrain from any form of conduct, in the performance of their official or professional duties, which may cause any reasonable person unwarranted offence or embarrassment; and
 - (e) always act in accordance with their obligation of fidelity to the Local Government.
- (2) Elected Members and Committee Members will represent and promote the interests of the Local Government, while recognising their special duty to their own constituents.

4.2 Honesty and Integrity

Elected Members, Committee Members and Staff will:

- (a) observe the highest standards of honesty and integrity and avoid conduct which might suggest any departure from these standards;
- (b) bring to the notice of the President any dishonesty or possible dishonesty on the part of any other Elected Member or Committee Member, and in the case of an employee to the Chief Executive Officer; and
- (c) be frank and honest in their official dealing with each other.

4.3 Performance of Duties

- (1) While on duty, Employees will give their whole time and attention to the Local Government's business and ensure that their work is carried out efficiently, economically and effectively, and that their standard of work reflects favourably both on them and on the Local Government.
- (2) Elected Members and Committee Members will at all times exercise reasonable care and diligence in the performance of their duties, being consistent in their decision making and treating all matters on individual merits.
- (3) In respect to defined activities and roles, Elected Members will be as informed as possible about the functions of the Council, and treat all members of the community honestly and fairly.

4.4 Compliance with Lawful Orders

- (a) Elected Members, Committee Members and Employees will comply with any lawful order given by any person having authority to make or give such an order, with any doubts as to the propriety of any such order being taken up with the superior of the person who gave the order and, if resolution cannot be achieved, with the Chief Executive Officer.
- (b) Elected Members, Committee Members and Employees will give effect to the lawful policies of the Local Government, whether or not they agree with or approve of them.

4.5 Administrative and Management Practices

Elected Members, Committee Members and Staff will ensure compliance with proper and reasonable administrative practices and conduct, and professional and responsible management practices.

4.6 Corporate Obligations

(a) Standard of Dress

Elected Members, Committee Members and Employees are expected to comply with neat and responsible dress standards at all times. Accordingly –

- (i) Elected Members and Committee Members will dress in a manner appropriate to their position, in particular when attending meetings or representing the Local Government in an official capacity.
- (ii) Management reserves the right to adopt policies relating to corporate dress and to raise the issue of dress with individual employees.

(b) *Communication and Public Relations*

- (i) All aspects of communication by employees (including verbal, written or personal), involving Local Government's activities should reflect the status and objectives of the Shire of Donnybrook Balingup. Communications should be accurate, polite and professional.
- (ii) As a representative of the community, Elected Members need to be not only responsive to community views, but to adequately and accurately communicate the decisions of the Council. In doing so, Elected Members must acknowledge that:
 - as a member of the Council there is respect for the decision-making processes of the Council which are based on a decision of the majority of the Council;
 - information of a confidential nature shall not be communicated until it is no longer treated as confidential;
 - information relating to decisions of the Council on approvals, permits etcetera ought only be communicated in an official capacity by a designated officer of the Council; and
 - information concerning adopted policies, procedures and decisions of the Council is conveyed accurately.
- (iii) Committee Members accept and acknowledge it is their responsibility to observe any direction the Local Government may adopt in terms of advancing and promoting the objectives of the Committee to which they have been appointed.

4.7 Appointments to Committees

As part of their representative role Council Members are often asked to represent the Council on external organisations. It is important that Council Members :

- clearly understand the basis of their appointment; and
- provide regular reports on the activities of the organisation.

5 DEALING WITH COUNCIL PROPERTY

5.1 Use of Local Government Resources

Elected Members, Committee Members and employees will:

- (a) be scrupulously honest in their use of the Local Government's resources and shall not misuse them or permit their misuse (or the appearance of misuse) by any other person or body;
- (b) use the Local Government resources entrusted to them effectively and economically in the course of their duties; and

- (c) not use the Local Government's resources (including the services of Council employees) for private purposes (other than when supplied as part of a contract of employment), unless properly authorised to do so, and appropriate payments are made (as determined by the Chief Executive Officer).

5.2 Travelling and Sustenance Expenses

Elected Members, Committee Members and Staff will only claim or accept travelling and sustenance expenses arising out of travel related matters which have a direct bearing on the services, policies or business of the Local Government in accordance with Local Government policy and the provision of the *Local Government Act 1995*.

5.3 Access to Information

- (a) Employees will ensure that Elected Members and Committee Members are given access to information necessary for them to properly perform their functions and comply with their responsibilities as Elected Members and Committee Members.
- (b) Members will ensure that information provided will be used properly and to assist in the process of making reasonable and informed decisions on matters before the Council.

Code of Conduct:

Adopted	24/02/2010
Reviewed	2011, 2012, 2013, 2014, 2015, 2016, 2017
Amended	23/08/2017
Next review due	July 2018

SHIRE OF DONNYBROOK/BALINGUP
LOCAL GOVERNMENT ACT 1995
LIST OF ACCOUNTS AUTHORISED AND PAID BY THE CHIEF EXECUTIVE OFFICER IN ACCORDANCE WITH
DELEGATION NO. 3.2 AND PRESENTED TO COUNCIL ON 23 OCTOBER 2020
MANUAL/AUTO CHEQUES

Chq/EFT	Name	Description	Municipal	Trust
3517	AUSTRALIA POST	TUIA LODGE - MONTHLY STAFF INCENTIVES - JUNE & JULY 2020	\$	211.90
3518	AMAZON COMMERCIAL SERVICES	LIGHTENING ARRESTOR GAS CYLINDER	\$	51.38
3519	BLACKWOOD DAILY GRIND	REFRESHMENTS - MEETING WITH WALGA	\$	16.00
3520	DONNYBROOK HOTEL	CATERING FOR WARREN BLACKWOOD ALLIANCE COMM MEETING	\$	475.90
3521	THE GOOD GUYS	PROTECTIVE LAPTOP BAGS - 9	\$	209.55
3522	GARMIN	MESSENGER & GPS DEVICE SUBSCRIPTION - SEPT 2020	\$	60.00
3523	GOLDEN BOWL CHINESE RESTAURANT	CATERING FOR SHIRE PRESIDENT, MINISTER MICK MURRAY & CEO	\$	93.20
3524	HARVEY NORMAN ONLINE	CORDLESS PHONE & LAPTOP DISPLAY PORT WITH SUPPORT CABLE	\$	98.75
3525	HILLS AUSTRALIA LTD	NUMBER PLATE CAPTURE CAMERA FOR TOWNSITE CCTV SYSTEM	\$	2,209.90
3526	MYCASECOVERS	SAMSUNG PHONE CASE AND SCREEN PROTECTOR	\$	31.88
3527	SAMSUNG ELECTRONICS AUSTRALIA	REPLACEMENT SAMSUNG PHONE	\$	636.65
3528	TEMPLE & WEBSTER PTY LTD	DIGITAL TIMER FOR COUNCIL CHAMBERS	\$	54.90
EFT19911a	SG FLEET	LEASE CESM VEHICLE - 09/09/2020 - 08/10/2020	\$	1,561.90
EFT19912	BUILD & CONSTRUCT IND TRAIN FUND	BCITF LEVY COLLECTIONS FOR AUGUST 2020	\$	185.54
EFT19913	DEPT OF MINES, IND REG & SAFETY	BSL LEVY COLLECTIONS FOR AUGUST 2020	\$	1,944.48
EFT19914	EST OF MRS AUDREY JEAN FEWSTER	REFUND TUIA LODGE ACCOMMODATION BOND	\$	123,469.50
EFT19915	BDA TREE LOPPING	TREE PRUNING FOR THE MONTH OF AUGUST 2020	\$	33,858.00
EFT19916	DONNYBROOK NEWSAGENCY	DBK LIBRARY - NEWSPAPERS SUPPLIES - AUG 2020	\$	122.00
EFT19917	SUPA IGA DONNYBROOK	TUIA LODGE - GROCERIES, FRUIT AND VEG - AUG 2020	\$	4,591.47
EFT19918	DONNYBROOK TYRE SERVICE	DB4170 TIP TRUCK - BASIC TYRE REPAIR	\$	49.50
EFT19919	DONNYBROOK DISTRICT HIGH SCHOOL	DBK LBRY - 2020/21 RATES FOR BIN SERVICE SHARED	\$	292.50
EFT19920	COLIN RAYMOND FRANKS	RATES REFUND	\$	121.00
EFT19921	CELLARBRATIONS DONNYBROOK	ADMIN REFRESHMENTS	\$	261.57
EFT19922	SKIPPERS PLUMBING SERVICES	DBK REC CTR - REPAIRS TO TOILETS, URINALS, AND SPA MOTOR	\$	879.11
EFT19923	PRESTON PRESS	SHIRE CONNECT DOUBLE PAGE FEATURE - SEPT 2020	\$	940.00
EFT19924	PRESTON VALLEY MAINTENANCE	REPAIRS TO PUMP SHED	\$	462.00
EFT19925	RTR FITNESS	DBK REC CTR - GROUP FITNESS INSTRUCTOR EXPENSES - AUG 2020	\$	700.00
EFT19926	VEHICLES CLEANED BY JANINE	TUIA LODGE - DETAIL BOTH VEHICLES	\$	90.00
EFT19927	JH & NJ WILSON	RATES REFUND	\$	121.00
EFT19927a	SHIRE OF DONNYBROOK BALINGUP	PAYROLL ADJUSTMENT	\$	951.76
EFT19928	AUSQUIP INDUSTRIES	DB646 P&G UTE - REPAIR TO TOW MOUNT & BULL BAR MOUNT	\$	1,430.00
EFT19929	AUSTRALIAN SERVICES UNION	PAYROLL DEDUCTIONS	\$	25.90
EFT19930	ALL-TECH PLUMBING	EGAN PARK DBK - CARRY OUT BACKFLOW DEVICE TEST	\$	577.50
EFT19931	WINC AUSTRALIA PTY LTD	TUIA LODGE - CONTINENCE PRODUCTS, ADMIN - STATIONERY	\$	3,192.88
EFT19932	MAIA FINANCIAL	LEASE EXPENSES FOR PERIOD 01/10/2020 - 31/12/2020	\$	7,281.27
EFT19933	A & R MACHINERY	P&G - 8 MULCHER HAMMERS	\$	209.00
EFT19934	ALPINE LAUNDRY PTY LTD	TUIA LODGE - LAUNDRY SERVICE	\$	649.67
EFT19935	ARM SECURITY	BEELERUP BFB - SECURITY MONITORING 01/10/2020 - 31/12/2020	\$	135.85
EFT19936	BUNNINGS GROUP LIMITED	EGAN PARK ABLUTIONS - PAINT	\$	612.74

SHIRE OF DONNYBROOK/BALINGUP
LOCAL GOVERNMENT ACT 1995
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MANUAL/AUTO CHEQUES

Chq/EFT	Name	Description		Municipal	Trust
EFT19937	BOC LIMITED	TUIA LODGE - 5LPM OXYGEN CONCENTRATOR HIRE - AUG 2020	\$	186.13	
EFT19938	AGRI SPARK AUTO ELECTRICS	DB334 ARGYLE BFB - REPLACEMENT BATTERY	\$	405.50	
EFT19939	LINDA MAY BROWN	RATES REFUND	\$	594.00	
EFT19940	BP SERVICE STATION	ARGYLE BFB - FUEL PURCHASES - AUG 2020	\$	69.50	
EFT19941	BLUE FORCE PTY LTD	PRESTON VILLAGE - EMERG HELP MONITORING - AUG 2020	\$	155.13	
EFT19942	BRECKEN HEALTH CARE	DBK REC CTR - PRE EMPLOYMENT MEDICAL	\$	392.70	
EFT19943	BUNBURY HARVEY REGIONAL COUNCIL	ORGANICS DISPOSAL - AUGUST 2020	\$	2,281.30	
EFT19944	BLACKWOOD DRILLING	DRILLING OF TEST HOLE FOR INVESTIGATION OF NEW BORE	\$	9,900.00	
EFT19945	COCA COLA AMATIL (AUST) P/L	DBK REC CTR - KIOSK DRINK PURCHASES	\$	159.92	
EFT19946	CLIFFORD AUTO REPAIRS	DB92 RANGERS - 90K SERVICE AND WIPER BLADES	\$	361.90	
EFT19947	CRAVEN FOODS	DBK REC CTR - KIOSK SUPPLIES	\$	442.16	
EFT19948	COMMERCIAL AQUATICS AUSTRALIA	DBK REC CTR - REPAIRS TO GAUGE CONNECTION LEAKS	\$	319.00	
EFT19949	COWARA CONTRACTORS PTY LTD	UPPER CAPEL RD GRAVEL PIT - CRUSH AND STOCKPILE GRAVEL	\$	67,535.33	
EFT19950	CORSIGN WA	TRAFFIC SIGNS AND GRAB RAIL INC BRACKETS	\$	404.80	
EFT19951	DONNYBROOK TYRE SERVICE	DB8250 - TYRE PUNCTURE REPAIR	\$	35.00	
EFT19952	DATA#3	ACROBAT PRO SOFTWARE LICENCES	\$	946.22	
EFT19953	DELL FINANCIAL SERVICES PTY LTD	LEASE REPAYMENT 01/10/2020 - 31/10/2020	\$	821.46	
EFT19954	DE LAGE LANDEN PTY LTD	LEASE REPAYMENT AUG - SEPT 2020	\$	1,340.24	
EFT19955	CELLARBRATIONS DONNYBROOK	TUIA LODGE - ACTIVITIES HAPPY HOUR	\$	89.97	
EFT19956	HARVEY NORMAN	DBK REC CTR - TWIN PACK HAND RADIOS	\$	558.00	
EFT19957	ACUMENTIS	RENTAL VALUATION ON DTCRP GOODS SHED	\$	4,356.00	
EFT19958	HEATLEYS SAFETY & INDUSTRIAL	DBK REC CTR - PPE FOR POOL AREA	\$	1,617.50	
EFT19959	COVERT SIGNS	W&S - ROAD SIGNAGE	\$	1,144.00	
EFT19960	SKIPPERS PLUMBING SERVICES	TUIA LODGE - PLUMBING TO DRYER FOR FIRE SUPPRESSION SYS	\$	437.80	
EFT19961	INDIGENOUS PROFESSIONAL SERV	TUIA LODGE - MONTHLY NEWSLETTER - AUGUST 2020	\$	866.25	
EFT19962	ITR PACIFIC PTY LTD	GRADER BLADES	\$	2,014.54	
EFT19963	JASON SIGNMAKERS	WARNING SIGNAGE FOR DUCKS CROSSING	\$	131.23	
EFT19964	LIVING SPRINGS	BOTTLED WATER ADMIN OFFICE	\$	88.00	
EFT19965	LFA FIRST RESPONSE	THOMSON BROOK BFB - 1ST AID KIT AUDIT & REPLACE SUPPLIES	\$	333.89	
EFT19966	LITHIUM AUSTRALIA NL	RATES REFUND	\$	377.05	
EFT19967	MCLEODS BARRISTERS & SOLICITORS	PROFESSIONAL FEES FOR DRAFT LEASE LOT 501, 41 BENTLEY ST	\$	645.17	
EFT19968	MICROSOFT REGIONAL SALES	MICROSOFT EMAIL SERVICE 26/07/2020 - 25/08/2020	\$	1,225.53	
EFT19969	NEVERFAIL SPRINGWATER LIMITED	DBK REC CTR - BOTTLED SPRING WATER	\$	121.25	
EFT19970	OFFICEWORKS	BALINGUP BFB - PRINTER INK CARTRIDGES	\$	1,276.06	
EFT19971	PRESTON VALLEY MAINTENANCE	BUILDING REPAIRS & MAINTENANCE	\$	1,166.00	
EFT19972	ROSTER WITH ROSS PTY LTD	TUIA LODGE - ZUUS PAYROLL 12/09/2020 - 11/10/2020	\$	149.00	
EFT19973	SOS OFFICE EQUIPMENT	DBK REC CTR - PHOTOCOPIER TONERS	\$	631.40	
EFT19974	STALEY FOOD & PACKAGING	TUIA LODGE - PPE, KITCHEN, LAUNDRY, CLEANING CONSUMABLES	\$	1,766.92	
EFT19975	ST JOHN AMBULANCE AUSTRALIA	FIRST AID TRAINING COURSE - W&S AND REC CTR STAFF	\$	2,263.00	

SHIRE OF DONNYBROOK/BALINGUP
LOCAL GOVERNMENT ACT 1995
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MANUAL/AUTO CHEQUES

Chq/EFT	Name	Description	Municipal	Trust
EFT19976	SURGICAL HOUSE PTY LTD	TUIA LODGE - PHARMACEUTICAL SUPPLIES	\$	3,328.72
EFT19977	SOURCE SEPARATION SYSTEMS P/L	RANGERS - DOG WASTE DISPOSAL BAGS	\$	948.76
EFT19978	SOUTH WEST NUTRITION SERVICES	TUIA LODGE - DIETICIAN CONSULTANCY	\$	220.00
EFT19979	STANIFER PTY LTD	RATES REFUND	\$	401.18
EFT19980	TELSTRA	TELEPHONE & INTERNET EXPENSES	\$	2,334.44
EFT19981	TRAFFIC FORCE	DEVELOPMENT OF GENERIC TRAFFIC MANAGEMENT PLAN	\$	730.40
EFT19982	THE PRINT SHOP BUNBURY	PRODUCTION OF FIREBREAK ORDERS	\$	2,376.00
EFT19983	VIP GARDENING	TUIA LODGE - GARDENING CONTRACTOR - AUG 2020	\$	944.50
EFT19984	SYNERGY	ELECTRICITY EXPENSES	\$	5,573.47
EFT19985	WA LOCAL GOVERNMENT	WALGA BREAKFAST POLITICAL FORUM	\$	270.00
EFT19986	VEOLIA ENVIRONMENTAL SERVICES	ROAD SWEEPNG FOR 20/21 FY	\$	605.00
EFT19987	WESTRAC EQUIPMENT PTY LTD	DB2114 ROLLER - FUEL HOSES	\$	106.96
EFT19988	WESTERN POWER - ELECTRICITY	INSTALL STREETLIGHTS ON FLEET ST DONNYBROOK	\$	7,058.00
EFT19989	WESTSIDE WINDSCREENS	DB8329 W&S - REPLACEMENT FRONT WINDSCREEN	\$	275.00
EFT19990	RITA DORIT ELSE WINKLER	RATES REFUND	\$	121.00
EFT19991	KEVIN CHARLES BOX	PRESTON VILLAGE - REPAYMENT OF LEASE LOAN	\$	301,456.96
EFT19991a	SHIRE OF DONNYBROOK BALINGUP	PAYROLL FOR PERIOD ENDING 23/09/2020	\$	128,628.84
EFT19991b	BENDIGO BANK - PAYROLL CLEARING	TUIA LODGE - PAYROLL FOR PERIOD ENDING 23/09/2020	\$	68,211.88
EFT19991c	WESTNET PTY LTD	INTERNET EXPENSES FOR OCTOBER 2020	\$	314.87
EFT19991d	BENDIGO BANK - PAYROLL CLEARING	TUIA LODGE - SUPERANNUATION FOR THE MONTH OF OCTOBER 2020	\$	15,305.14
EFT19991e	AUSTRALIAN TAX OFFICE	PAYG - AUG 2020	\$	78,536.00
EFT19991f	SHIRE OF DONNYBROOK BALINGUP	PAYROLL FOR PERIOD ENDING 07/10/2020	\$	127,326.94
EFT19991g	BENDIGO BANK - PAYROLL CLEARING	TUIA LODGE - PAYROLL FOR PERIOD ENDING 07/10/2020	\$	72,713.59
EFT19992	MELDENE DEVELOPMENTS PTY LTD	REFUND DEFECTS LIABILITY BOND	\$	18,458.67
EFT19992a	WESTNET PTY LTD	BALINGUP LIBRARY - NBN WIRELESS SERVICE - OCTOBER 2020	\$	64.90
53610	ESTATE OF JOYCE LOUISE BECKWITH	REFUND TUIA LODGE ACCOMMODATION BOND	\$	192,390.42
53611	SHIRE OF DARDANUP	DBK REC CTR - RUBBER FLOOR TILES	\$	4,650.00
53612	SHIRE OF DONNYBROOK BALINGUP	TUIA LODGE - STAFF RATES PAYROLL DEDUCTIONS - SEPT 2020	\$	330.00
53613	DEPARTMENT OF TRANSPORT	CUSTOMER PURCHASE OF SHIRE LOGO NUMBER PLATE	\$	200.00
DD25301.1	WA SUPER	PAYROLL DEDUCTIONS	\$	18,497.96
DD25301.2	COMMBANK GROUP SUPER	PAYROLL DEDUCTIONS	\$	187.28
DD25301.3	AUSTRALIAN SUPER	PAYROLL DEDUCTIONS	\$	1,016.62
DD25301.4	DILLON FAMILY SUPERFUND	PAYROLL DEDUCTIONS	\$	325.23
DD25301.5	AMP LIFE LIMITED	PAYROLL DEDUCTIONS	\$	117.29
DD25301.6	ONEPATH MASTERFUND	PAYROLL DEDUCTIONS	\$	288.80
DD25301.7	UNISUPER	PAYROLL DEDUCTIONS	\$	69.18
DD25301.8	REST SUPERANNUATION	PAYROLL DEDUCTIONS	\$	136.86
DD25301.9	HOSTPLUS	PAYROLL DEDUCTIONS	\$	383.65
DD25342.1	SPECTRUM SUPER	PAYROLL DEDUCTIONS	\$	43.35

SHIRE OF DONNYBROOK/BALINGUP
LOCAL GOVERNMENT ACT 1995
LIST OF ACCOUNTS AUTHORISED AND PAID BY THE CHIEF EXECUTIVE OFFICER IN ACCORDANCE WITH
DELEGATION NO. 3.2 AND PRESENTED TO COUNCIL ON 23 OCTOBER 2020
MANUAL/AUTO CHEQUES

Chq/EFT	Name	Description	Municipal	Trust
DD25342.2	REST SUPERANNUATION	PAYROLL DEDUCTIONS	\$ 159.67	
DD25342.3	BT SUPER FOR LIFE	PAYROLL DEDUCTIONS	\$ 77.26	
DD25342.4	WA SUPER	PAYROLL DEDUCTIONS	\$ 18,638.26	
DD25342.5	AUSTRALIAN SUPER	PAYROLL DEDUCTIONS	\$ 1,051.12	
DD25342.6	COMMBANK GROUP SUPER	PAYROLL DEDUCTIONS	\$ 187.28	
DD25342.7	HOSTPLUS	PAYROLL DEDUCTIONS	\$ 431.86	
DD25342.8	DILLON FAMILY SUPERFUND	PAYROLL DEDUCTIONS	\$ 325.23	
DD25342.9	AMP LIFE LIMITED	PAYROLL DEDUCTIONS	\$ 220.99	
DD25342.10	ONEPATH MASTERFUND	PAYROLL DEDUCTIONS	\$ 288.80	
DD25342.11	UNISUPER	PAYROLL DEDUCTIONS	\$ 69.90	
			<u>\$ 1,372,873.23</u>	<u>\$ -</u>
				<u><u>\$ 1,372,873.23</u></u>

SHIRE OF DONNYBROOK/BALINGUP
LOCAL GOVERNMENT ACT 1995

**LIST OF ACCOUNTS AUTHORISED AND PAID BY THE
 CHIEF EXECUTIVE OFFICER IN ACCORDANCE WITH
 DELEGATION NO. 3.2 AND PRESENTED TO COUNCIL
 ON 23 OCTOBER 2020.**

SUMMARY:

<i>Bank</i>	<i>Cheque Number</i>	<i>Amount</i>
Municipal	CCP3517 - CCP3528 EFT19911a-EFT19992a, 53610 - 53613, DD25301.1- DD25301.9 and DD25342.1- DD25342.11	\$1,372,873.23
Trust		-
<i>Monthly Cheque Totals</i>		<u><u>\$1,372,873.23</u></u>

CERTIFICATION OF EXECUTIVE MANAGER CORPORATE & COMMUNITY

This schedule of accounts paid under delegated authority (No 3.1) covering cheques numbered from CCP3517 - CCP3528 EFT19911a-EFT19992a, 53610 - 53613, DD25301.1-DD25301.9 and DD25342.1-DD25342.11 totalling \$1,372,873.23 is herewith presented to Council. The payments have been checked and are fully supported by vouchers and invoices which have been duly certified as to the goods and the rendition of services, prices and computations and the amounts shown were due for payment.



 EXECUTIVE MANAGER CORPORATE & COMMUNITY DATE 15/10/20



**Monthly
Financial Reports**
Management Statements

**For the period ended
31st August 2020**

Shire of Donnybrook-Balingup

Monthly Report to Council

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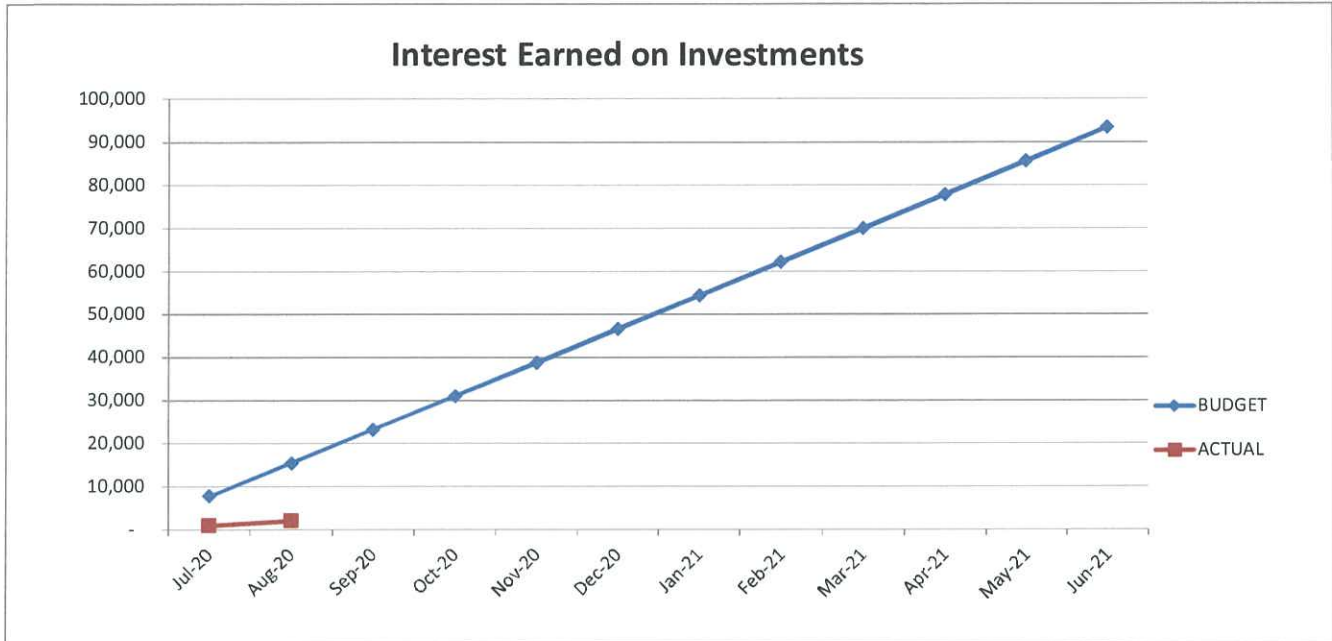
*** report to be issued before Council Meeting*

Shire of Donnybrook / Balingup
Graphical Presentation of Key Financial Data
For Period ended 31st August 2020

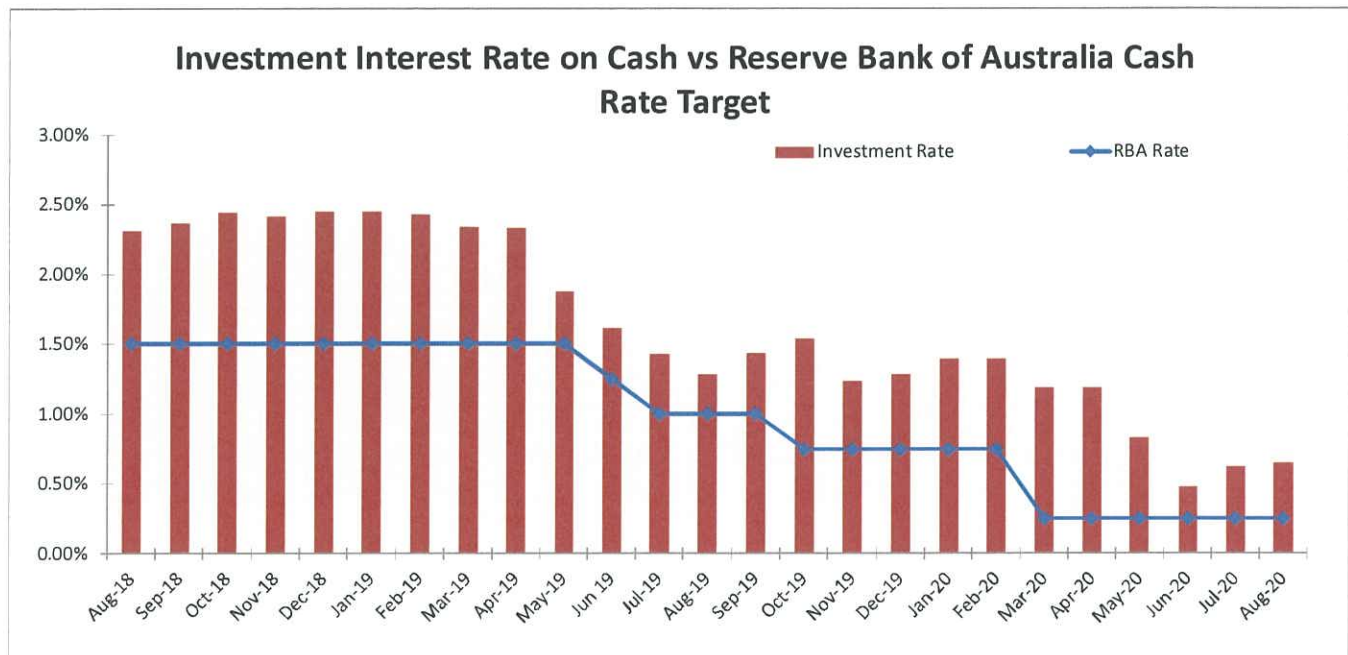
* **Cash & Investments**

As at reporting date total interest received on Shire Municipal and Reserve Funds are:

	YTD Actual	YTD Budget
Municipal Fund:	\$ 1,326	\$ 5,000
Reserve Fund:	\$ 765	\$ 10,554
	\$ 2,091	\$ 15,554



The following graph compares the Shire's interest rate on investments against the Reserve Bank's reference rate. Council has continued to maintain a return above the RBA cash target rate.

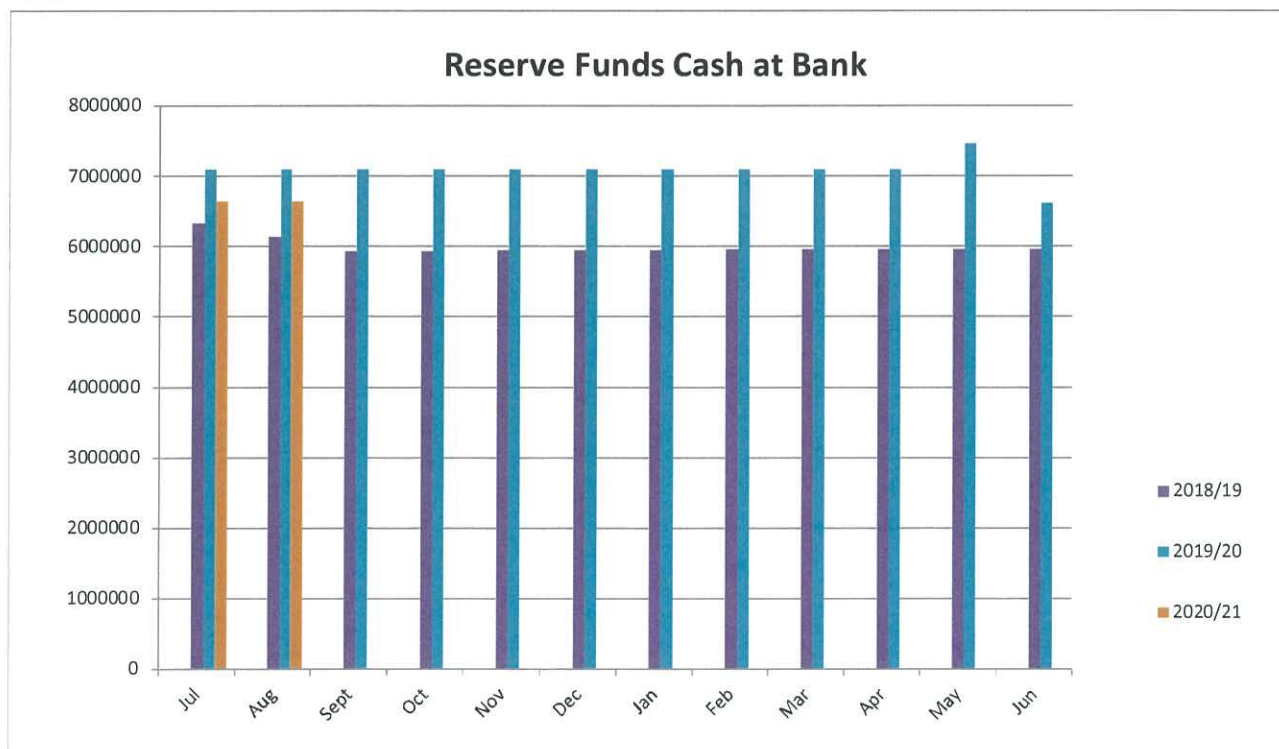
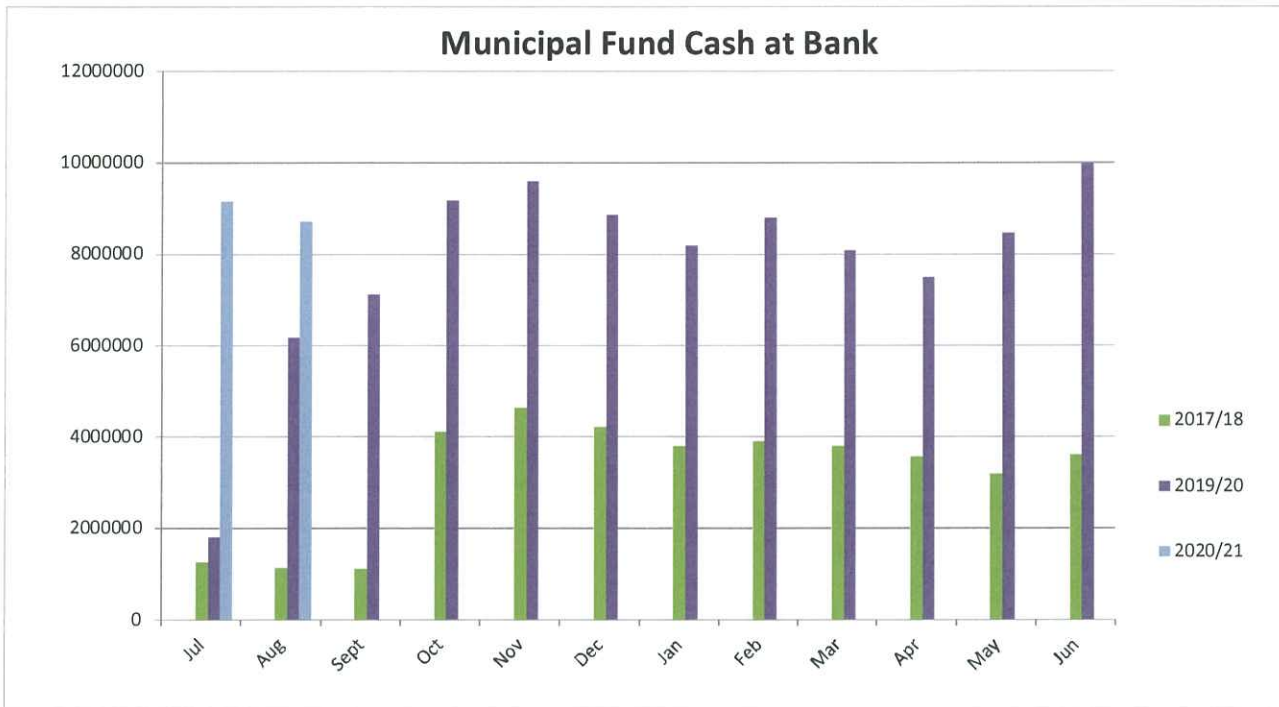


Shire of Donnybrook / Balingup
Graphical Presentation of Key Financial Data
For Period ended 31st August 2020

* **Cash & Investments**

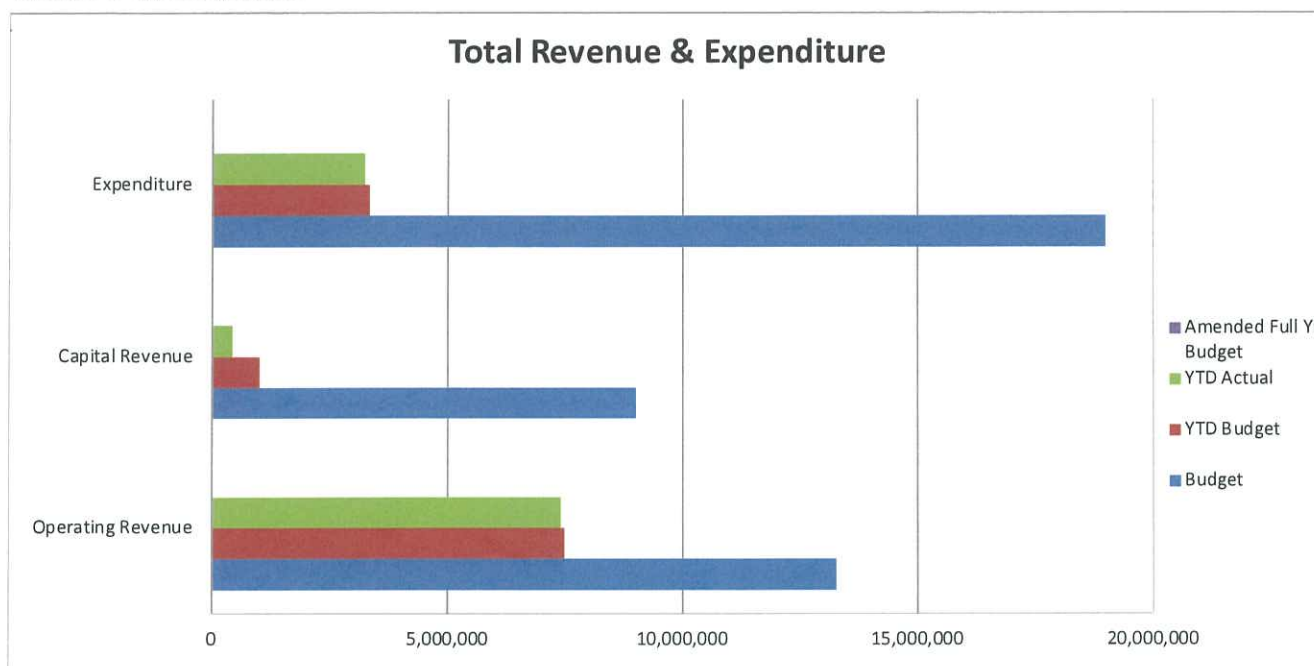
As at reporting date, the Shire's cash on hand as per the bank statements shows a reconciled balance of \$8,707,722.96
 This includes investments held by the Shire of \$5,672,736

Municipal Investment Funds total	\$	1,015,143
Restricted Funds - Bond Deposits	\$	4,657,593
 Municipal Fund Cash at Bank total	 \$	 3,480,625
Reserve Investment Funds Cash at Ban	\$	6,651,384
	\$	15,804,745



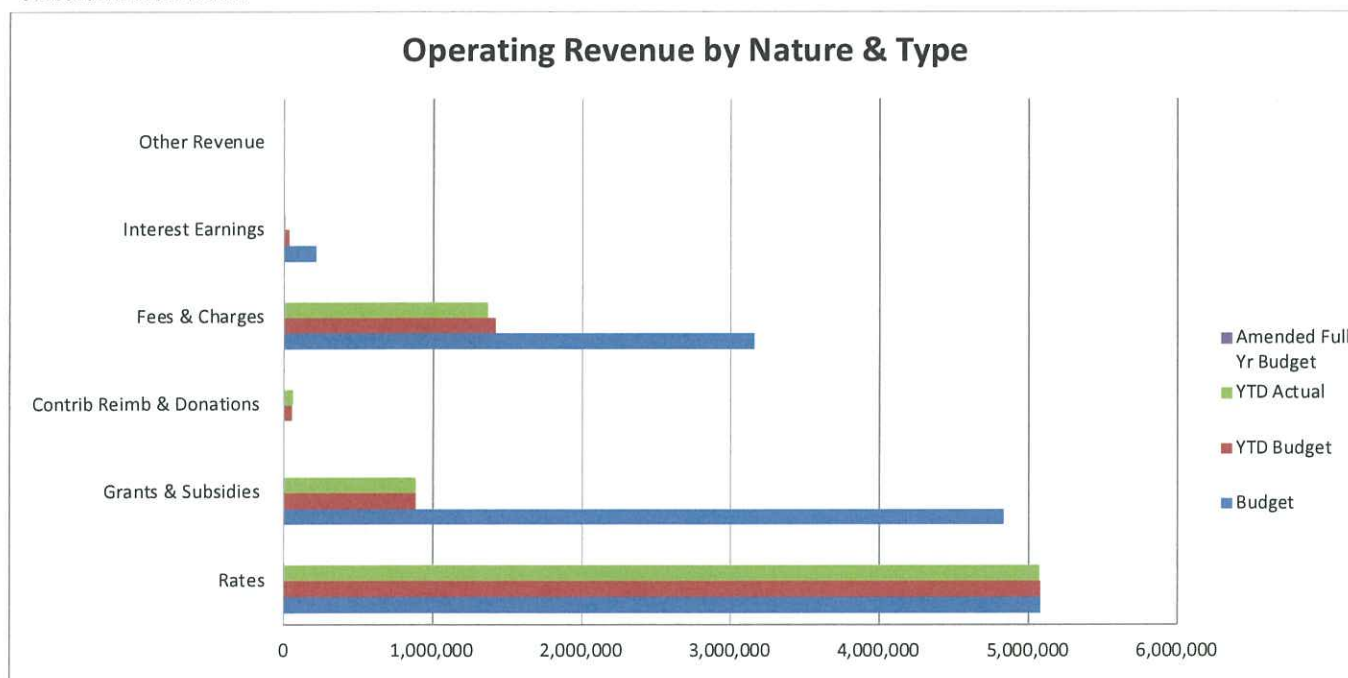
Shire of Donnybrook / Balingup
Graphical Presentation of Key Financial Data
For Period ended 31st August 2020

* **Nature & Type Reporting**



Total Revenue & Expenditure	Adopted Budget	YTD Budget	YTD Actual	YTD Variance %
Operating Revenue	13,286,259	7,471,884	7,398,460	(0.98%)
Capital Revenue	8,994,403	998,959	418,538	(58.10%)
Expenditure	18,988,603	3,343,111	3,240,115	(3.08%)

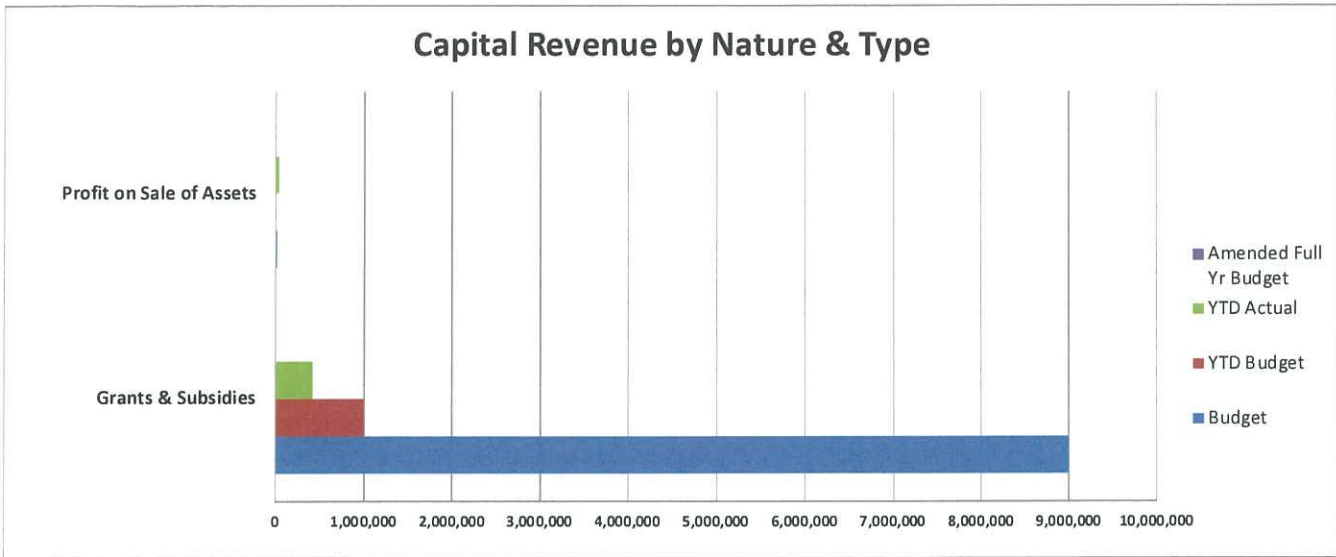
A further detailed analysis of total operating revenue, capital revenue and expenditures is provided via the various nature and type subsections listed below:



Operating Revenue by Nature & Type	Adopted Budget	YTD Budget	YTD Actual	YTD Variance %
Rates	5,074,942	5,073,442	5,072,106	(0.03%)
Grants & Subsidies	4,833,528	890,018	886,924	(0.35%)
Contrib Reimb & Donations	4,840	56,588	63,166	11.62%
Fees & Charges	3,154,474	1,415,426	1,367,713	(3.37%)
Interest Earnings	216,825	36,136	8,470	(76.56%)
Other Revenue	1,650	274	80	(70.80%)
Total	13,286,259	7,471,884	7,398,460	

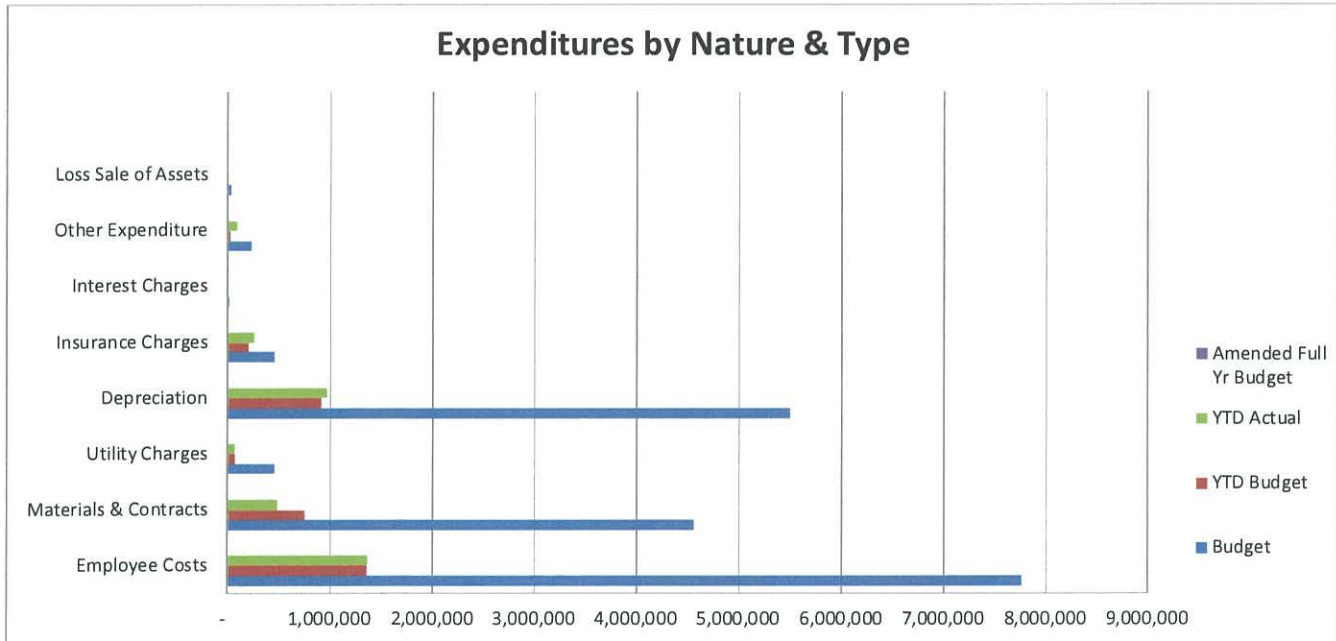
Shire of Donnybrook / Balingup
Graphical Presentation of Key Financial Data
For Period ended 31st August 2020

* **Nature & Type Reporting (continued)**



Capital Revenue by Nature and Type

	Adopted Budget	YTD Budget	YTD Actual	YTD Variance %
Grants & Subsidies	8,994,403	998,959	418,538	(58.10%)
Profit on Sale of Assets	9,869	0	36,350	
Total	9,004,272	998,959	454,888	

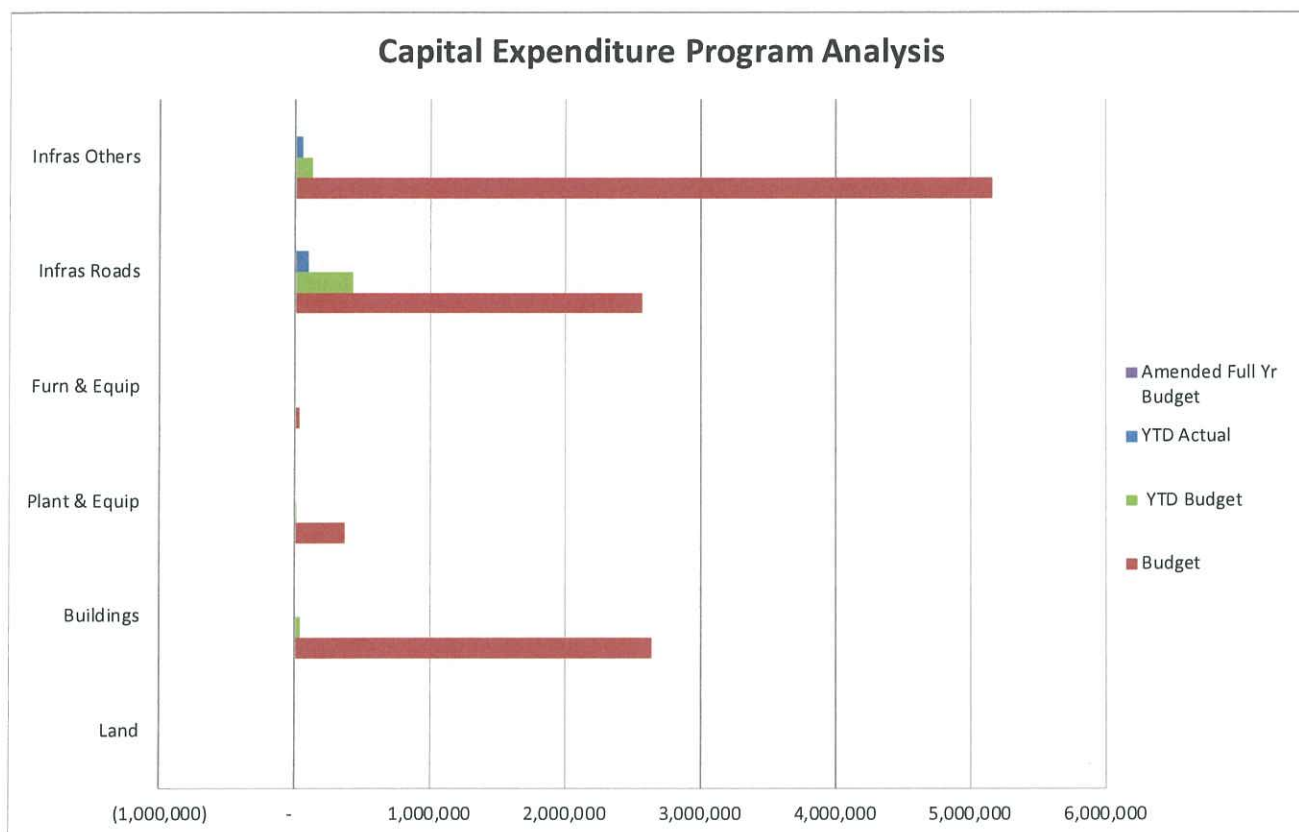


Expenditures by Nature and Type

	Adopted Budget	YTD Budget	YTD Actual	YTD Variance %
Employee costs	7,766,645	1,359,286	1,364,900	0.41%
Materials and contracts	4,559,200	758,297	483,562	(36.23%)
Utility charges	457,272	74,660	71,812	(3.81%)
Depreciation on Non Current Assets	5,494,234	915,682	968,592	5.78%
Insurance charges	456,518	208,555	262,225	25.73%
Interest charges	17,133	2,207	1,371	(37.88%)
Loss on sale of asset	32,470	0	0	0.00%
Other expenditure	237,601	24,424	90,394	270.10%
TOTAL	19,021,073	3,343,111	3,242,857	

Shire of Donnybrook / Balingup
Graphical Presentation of Key Financial Data
For Period ended 31st August 2020

* **Capital Acquisitions by Asset Class**



Capital Acquisitions

	Adopted Budget	YTD Budget	YTD Actual	YTD Variance %
Land	0	0	0	0.00%
Buildings	2,635,764	43,650	-2,150	(104.93%)
Plant & Equipment	371,556	11,370	5,668	(50.15%)
Furniture & Equipment	38,000	6,332	0	(100.00%)
Infrastructure Roads	2,567,418	427,860	100,379	(76.54%)
Infrastructure Others	5,160,088	126,340	54,761	(56.66%)
TOTAL	10,772,826	615,552	158,657	

**Shire of Donnybrook / Balingup
Operating Statement
For Period ended 31st August 2020**

		Adopted Budget 2020/21	Budget Year-to-date 2020/21	Actual Year-to-date 2020/21
Operating Revenues				
Rate Revenue	3	5,074,942	5,073,442	5,072,106
General Purpose Funding	3	1,163,234	273,758	259,894
Governance	4	64,084	10,570	21,546
Law, Order & Public Safety	5	577,580	124,636	99,671
Health	7	173,013	28,830	24,307
Education and Welfare	8	4,047,772	623,864	573,147
Community Amenities	10	1,134,936	1,078,892	1,098,397
Recreation & Culture	11	261,529	43,566	25,059
Transport	12	198,310	168,308	162,623
Economic Services	13	480,781	27,572	22,731
Other Property & Services	14	110,078	18,446	38,980
		13,286,259	7,471,884	7,398,460
Operating Expenses Excluding Borrowing Costs Expenses				
General Purpose Funding	3	(202,110)	(48,037)	(26,370)
Governance	4	(1,049,323)	(250,141)	(183,118)
Law, Order & Public Safety	5	(1,372,958)	(291,237)	(258,934)
Health	7	(260,039)	(44,445)	(42,238)
Education and Welfare	8	(5,020,297)	(804,311)	(716,615)
Community Amenities	10	(1,709,555)	(287,525)	(245,224)
Recreation & Culture	11	(3,576,815)	(605,328)	(607,426)
Transport	12	(4,818,754)	(828,737)	(916,746)
** Economic Services	13	(844,600)	(141,163)	(73,017)
Other Property & Services	14	(118,200)	(40,176)	(171,274)
		(18,972,651)	(3,341,100)	(3,240,960)
Borrowing Costs Expenses				
Governance	4	(2,876)	(478)	(314)
Law, Order & Public Safety	5	(111)	(18)	(57)
Health	7	(3,668)	-	(365)
Education and Welfare	8	(4,617)	(20)	(815)
Recreation and Culture	11	(2,012)	(50)	(211)
** Economic Services	13	(2,667)	(1,445)	(175)
		(15,951)	(2,011)	845
Contributions/Grants for the Development of Assets				
Law, Order & Public Safety	5	62,241	10,372	0
Community Amenities	10	170,000	0	0
Recreation & Culture	11	4,030,671	0	0
Transport	12	4,611,491	988,587	418,538
Economic Services	13	120,000	0	0
		8,994,403	998,959	418,538
GAIN OR (LOSS) ON THE DISPOSAL OF ASSETS				
Governance	4	622	0	0
Community Amenities	10	5611	0	0
Transport	12	(21,321)	0	0
Economic Services	13	(7,514)	0	36,350
		(22,602)	0	36,350
Net Profit OR Loss / Result		3,269,458	5,127,732	4,613,232

** Note increased borrowing costs/decreased economic svcs operating expenditure for Collins Street Loan Interest **

Shire of Donnybrook / Balingup
Operating Statement (by Nature/Type)
For the Period ended 31st August 2020

	Adopted Budget 2020/21	Budget Year-to-date 2020/21	Actual Year-to-date 2020/21
OPERATING REVENUE AND EXPENDITURE			
(a) <u>Summary by Nature and Type</u>			
Revenue			
Rates	5,074,942	5,073,442	5,072,106
Grants and Subsidies (Operating)	4,833,528	890,018	886,924
Contributions Reimbursements and Donations (Operating)	4,840	56,588	63,166
Fees and Charges	3,154,474	1,415,426	1,367,713
Interest Earnings	216,825	36,136	8,470
Other Revenue	1,650	274	80
	<u>13,286,259</u>	<u>7,471,884</u>	<u>7,398,460</u>
Expenditure			
Employee Costs	(7,766,645)	(1,359,286)	(1,364,900)
Materials and Contracts	(5,201,797)	(865,467)	(483,911)
Utility Charges	(457,272)	(74,660)	(71,812)
Depreciation on Non Current Assets	(5,494,234)	(915,682)	(968,592)
Insurance Expenses	(456,518)	(208,555)	(262,225)
Interest Expenses	(17,133)	(2,207)	(1,371)
Other Expenses	(237,601)	(24,424)	(90,394)
	<u>(19,631,200)</u>	<u>(3,450,281)</u>	<u>(3,240,463)</u>
Less Applicable to Capital Works	(642,598)	(107,170)	(348)
	<u>(5,702,344)</u>	<u>4,128,773</u>	<u>4,158,345</u>
Non-operating grants, subsidies and contributions	8,994,403	998,959	418,538
Profit on asset disposals	9,869	0	36,350
Loss on asset disposals	(32,470)	0	0
Net result	<u>3,269,458</u>	<u>5,127,732</u>	<u>4,613,232</u>
Total Comprehensive Income	3,269,458	5,127,732	4,613,232

Shire of Donnybrook / Balingup
Operating Statement (by Nature/Type - detail)
For the Period ended 31st August 2020

OPERATING REVENUE AND EXPENDITURE	2020/21		
	Original Budget	YTD Budget	Actual
(b) Classified According to Nature and Type:			
<u>OPERATING REVENUE</u>			
Rate Revenue			
Rates	5,074,942	5,073,442	5,072,106
Grants & Subsidies (Operating)			
Other Grants	4,498,690	890,018	886,924
Grants & Subsidies (Capital)			
Other Grants	8,978,371	996,287	418,538
Reimbursements (Operating)			
Reimbursements	334,838	55,788	62,497
Contributions & Donations (Operating)			
Contributions, Reimbursements & Donations	4,840	800	669
Contributions & Donations (Cap)			
Contributions, Reimbursements & Donations	16,032	2,672	0
Fees and Charges			
Waste Receptacle Fee	570,696	570,696	589,350
Waste Management Levy	498,070	497,178	496,525
Property Lease	426,507	71,068	57,802
Property Hire	58,106	9,680	3,116
Sale of Stock	8,000	1,332	158
Inspections	200	32	0
Other Charges	1,461,555	243,560	193,103
Fines and Penalties	5,100	846	222
Licenses, Approvals, Registrations	126,240	21,034	27,437
Private Works	0	0	0
Interest Earnings			
Rates Penalty Interest Charge	37,500	6,250	6,333
Interest on Rates Instalments	16,500	2,750	0
Interest on Municipal Funds	159,325	26,554	2,137
Interest Other	3,500	582	0
Other Revenue			
Other Income	1,650	274	80
Profit on Sale of Non-Current Assets	9,869	0	36,350
Total Operating Revenue	22,290,531	8,470,843	7,853,347

Shire of Donnybrook / Balingup
Operating Statement (by Nature/Type - detail)
For the Period ended 31st August 2020

OPERATING REVENUE AND EXPENDITURE (b) Classified According to Nature and Type:	2020/21		
	Original Budget	YTD Budget	Actual
<u>OPERATING EXPENDITURE</u>			
Employee Costs			
Salaries and Wages (Operating only, excludes Capital)	6,550,811	1,104,790	1,069,546
Superannuation	691,204	115,180	122,831
Workers Compensation	290,890	98,401	130,977
Clothing and Uniforms	39,733	6,618	5,786
Training Expenses	104,599	17,422	6,769
Fringe Benefits Tax	52,042	10,651	20,793
Employee Provisions	0	0	0
Other Employee Costs	37,366	6,224	8,198
Materials			
Materials	4,751,661	790,463	279,526
Phone/Fax	51,401	8,558	10,664
Fuels & Oils	175,000	29,164	19,565
Contracts			
Lease & Rental Expenses	0	0	1,466
Service Contracts & Repairs	0	0	0
** Contract Labour	81,335	13,554	144,886
Professional Services & Consultants	142,400	23,728	27,803
Utility Charges			
Sewerage	20,824	3,464	5,349
Electricity	324,480	52,560	53,352
Water	111,968	18,636	13,111
Insurance Expenses			
Insurance	456,518	208,555	262,225
Interest Expenses			
Interest on Leases	4,612	762	0
Interest on Loans	12,521	1,445	(1,371)

Shire of Donnybrook / Balingup
Operating Statement (by Nature/Type - detail)
For the Period ended 31st August 2020

4. OPERATING REVENUE AND EXPENDITURE	2020/21		
(b) Classified According to Nature and Type:	Original Budget	YTD Budget	Actual
OPERATING EXPENDITURE (cont)			
Other Expenditure			
Postage	10,350	1,722	2,742
Other Expenditure	227,251	22,702	87,652
Loss on Sale of Non-Current Assets	32,470	0	0
Depreciation			
Depreciation on Assets	5,494,234	915,682	968,592
Less: Applicable to Capital Works	(642,598)	(107,170)	(348)
Total Operating Expenditure	19,021,073	3,343,111	3,240,115
NET PROFIT OR LOSS / RESULT	3,269,458	5,127,732	4,613,232

** Contract labour exceeds budget YTD - this is recognised due to incorrect Nature or Type codes and will be rectified in future reports

Shire of Donnybrook - Balingup
Statement of Financial Activity
For the Period ended 31st August 2020

		2020/21 Original Budget \$	2020/21 YTD Budget \$	2020/21 YTD Actual \$	Variances Budget to Actual YTD %
REVENUES					
General Purpose Funding (Excl. Rates)	3	1,163,234	273,758	259,894	(5.06)
Governance	4	64,084	10,570	21,546	103.84
Law, Order, Public Safety	5	577,580	124,636	99,671	(20.03)
Health	7	173,013	28,830	24,307	(15.69)
Education and Welfare	8	4,047,772	623,864	573,147	(8.13)
Community Amenities	10	1,140,547	1,078,892	1,098,397	1.81
Recreation and Culture	11	261,529	43,566	25,059	(42.48)
Transport	12	201,946	168,308	162,623	(3.38)
Economic Services	13	480,781	27,572	22,731	(17.56)
Other Property and Services	14	110,702	18,446	38,980	111.32
		<u>8,221,188</u>	<u>2,398,442</u>	<u>2,326,353</u>	<u>(3.01)</u>
EXPENSES					
General Purpose Funding	3	(202,110)	(48,037)	(26,370)	(45.10)
Governance	4	(1,052,199)	(250,619)	(183,432)	(26.81)
Law, Order, Public Safety	5	(1,373,069)	(291,255)	(258,991)	(11.08)
Health	7	(263,707)	(44,445)	(41,873)	(5.79)
Education and Welfare	8	(5,024,914)	(804,331)	(715,800)	(11.01)
Community Amenities	10	(1,709,555)	(287,525)	(245,224)	(14.71)
Recreation & Culture	11	(3,578,827)	(605,378)	(607,215)	0.30
Transport	12	(4,843,710)	(828,737)	(916,746)	10.62
Economic Services	13	(854,781)	(142,608)	(73,192)	(48.68)
Other Property and Services	14	(118,200)	(40,176)	(171,274)	326.31
		<u>(19,021,072)</u>	<u>(3,343,111)</u>	<u>(3,240,115)</u>	<u>(3.08)</u>
Net Operating Result Excluding Rates:		<u>(10,799,884)</u>	<u>(944,669)</u>	<u>(913,762)</u>	<u>(3.27)</u>
Adjustments for Cash Budget Requirements:					
Non-Cash Expenditure and Income					
(Profit)/Loss on Asset Disposals		22,601	0	36,350	
Depreciation on Assets		5,494,234	915,682	968,592	5.78
Capital Expenditure and Income					
Non Operating Grants, Subsidies & Contributions		8,994,403	998,959	418,538	(58.10)
Purchase land held for resale		0	0	0	
Purchase investment property		0	0	0	
** Purchase property, plant and equipment		(3,045,320)	(61,352)	(3,518)	(94.27)
Purchase and construction of infrastructure		(7,727,506)	(554,200)	(155,140)	(72.01)
Proceeds from disposal of assets		168,209	12,596	81,818	549.56
Proceeds from disposal of land		0	0	0	
Proceeds from self supporting loan		9,143	1,524	0	(100.00)
Repayment of borrowings		(61,290)	(14,559)	(6,574)	(54.84)
Principle elements of finance lease payments		(53,871)	(8,974)	(12,210)	36.06
Proceeds from Lease		275,000	0	0	
** Repayment of Life Lease		(308,000)	0	0	
Transfers to reserves (restricted assets)		(212,000)	0	(120)	
Transfers from reserves (restricted assets)		1,132,213	61,666	45	(99.93)
ADD Estimated Surplus/(Deficit) July 1 B/Fwd		1,037,126	1,037,126	1,065,241	2.71
LESS Estimated Surplus/(Deficit) June 30 C/Fwd		0	6,517,241	6,469,550	(1)
Budgeted deficiency before general rates		(5,074,942)	(5,073,442)	(5,072,106)	(0.03)
Estimated amount to be raised from general rates		5,074,942	5,073,442	5,072,106	
		<u>0</u>	<u>0</u>	<u>0</u>	

** Note: Sale of U8 Preston Village reclassified from building capital expense to repayment of life lease**

Variance Reporting Threshold - \$10,000

Account No.	Account Description	Account Type	Year to Date Budget 31/08/2020	Actual to 31/08/2020	Variance Amount	Variance %	Permanent Variation	Comment
GENERAL PURPOSE FUNDING								
GOVERNANCE								
1072	OPERATING EXPENDITURE FRINGE BENEFITS TAX	Exp	5,945	20,793	14,848	249.76		Budget timing variation - FBT reallocated in May 2021
7863	OPERATING INCOME INSURANCE REBATES	Inc	-10,302	-20,906	-10,604	102.93		Budget timing variation - payment received in two instalments
0564	CAPITAL EXPENDITURE BUILDINGS - ADMIN	Exp	15,750	-6,123	-21,873	-138.88		Budget timing variation - awaiting invoice from supplier for accrued expenditure
EDUCATION AND WELFARE								
1662	OPERATING EXPENDITURE Tuia Lodge SALARIES (T/LODGE)	Exp	392,918	329,585	-63,333	-16.12		Budget timing variation
1703	OPERATING INCOME Tuia Lodge BASIC DAILY CARE FEE	Inc	-127,140	-90,667	36,473	-28.69		Budget timing variation - income reflects level of care
1707	CARE INCOME - RESIDENT FEES - MEANS TESTED CA	Inc	-29,252	-16,697	12,555	-42.92		Budget timing variation - income reflects level of care
2193	ACCOM. FEE - INTEREST ON RAD BONDS	Inc	-11,000	0	11,000	-100.00		Budget timing variation - income dependant on maturity dates of investments
7384	CAPITAL EXPENDITURE Tuia Lodge BUILDINGS - TUIA LODGE	Exp	16,030	-743	-16,773	-104.64		Budget timing variation
0715	CAPITAL INCOME Tuia Lodge TRANSFER FROM BUILDINGS RESERVE	Inc	-16,030	0	16,030	-100.00		Budget timing variation - Reserve transfer dependant on capital expenditure
COMMUNITY AMENITIES								
1803	OPERATING INCOME FEES & CHARGES - KERBSIDE BIN SERVICES	Inc	-570,696	-589,350	-18,654	3.27	x	Permanent variation - income higher than budget estimates
RECREATION AND CULTURE								
2642	OPERATING EXPENDITURE Other Recreation & Sport PARKS & RESERVES GENERAL	Exp	107,098	94,439	-12,659	-11.82		Budget timing variation - normal operational variance
8914	CAPITAL EXPENDITURE INFRASTRUCTURE - PATHWAYS	Exp	13,332	0	-13,332	-100.00		Budget timing variation - no expenditure to date for Golden Valley Tree Park - Pathway upgrade
TRANSPORT								
3210	CAPITAL EXPENDITURE ROADWORKS GENERAL	Exp	64,522	250	-64,272	-99.61		Budget timing variation - variance reflects timing of road program
3240	FOOTPATHS	Exp	34,166	214	-33,953	-99.38		Budget timing variation - minimal expenditure to date
3260	REGIONAL ROAD GROUP	Exp	179,196	64,623	-114,573	-63.94		Budget timing variation - variance reflects timing of road program
3300	ROADS TO RECOVERY FEDERAL FUNDING PROGRAM	Exp	70,814	4,000	-66,814	-94.35		Budget timing variation - minimal expenditure to date
3330	BLACKSPOT FUNDED ROAD WORKS	Exp	113,328	31,506	-81,822	-72.20		Budget timing variation - variance reflects timing of road program
0325	CAPITAL INCOME GRANTS - BLACK SPOTS	Inc	-113,333	-190,488	-77,155	68.08		Budget timing variation - variance reflects timing of road program
3251	GRANTS - LGGC SPECIAL PROJECTS (BRIDGES)	Inc	-625,500	0	625,500	-100.00		Budget timing variation - variance reflects timing of road program
3341	GRANTS - PATHWAYS PROGRAM	Inc	-17,082	0	17,082	-100.00		Budget timing variation - variance reflects timing of works program

Variance Reporting Threshold - \$10,000

Account No.	Account Description	Account Type	Year to Date Budget 31/08/2020	Actual to 31/08/2020	Variance Amount	Variance %	Permanent Variation	Comment
TRANSPORT								
	OPERATING EXPENDITURE							
341M	GENERAL ROAD MAINTENANCE	Exp	166,068	242,368	76,300	45.95		Budget timing variation - variance reflects timing of road program
3450	BRIDGE MAINTENANCE	Exp	55,151	40,683	-14,468	-26.23		Budget timing variation
ECONOMIC SERVICES								
	OPERATING EXPENDITURE							
3842	NOXIOUS WEEDS/PEST PLANTS	Exp	57,876	540	-57,336	-99.07		Budget timing variation - minimal expenditure to date
3912	AREA PROMOTION	Exp	12,500	0	-12,500	-100.00		Budget timing variation - no expenditure to date
	CAPITAL INCOME							
0275	PROCEEDS SALE OF LAND	Inc	0	-81,818	-81,818		x	Permanent variance - Sale of Lot 101 Marmion Street
PUBLIC WORKS OVERHEADS								
Various A/cs	EXPENDITURE - PUBLIC WORKS OVERHEADS	Exp	267,228	289,316.47	22,088	8.27		
7422	LESS ALLOCATED TO W&S	Exp	-235,062	-177,852.43	57,210	-24.34		
Various A/cs	INCOME - PUBLIC WORKS OVERHEADS	Inc	-14,664	-34,841.19	-20,177	137.60		
	TOTAL PUBLIC WORKS OVERHEADS		17,502	76,623	59,121	337.79		Public Works Overheads are currently \$76,623 under allocated
PLANT OPERATION COSTS								
Various A/cs	EXPENDITURE - PLANT OPERATION COSTS	Exp	140,844	212,310	71,466	50.74		
4512	LESS POC ALLOCATED TO W&S	Exp	-135,820	-150,664	-14,844	10.93		
Various A/cs	INCOME - PLANT OPERATION COSTS	Inc	-5,032	-4,138	894	-17.76		
	TOTAL PLANT OPERATION COSTS		-8	57,508	57,516	-718949.50		Plant Operation Costs are currently \$57,508 under allocated
PROJECT OPERATION COSTS								
Various A/cs	EXPENDITURE - PROJECT OPERATION COSTS		52,322	67,576	15,254	29.15		
4197	LESS ALLOCATED TO PROJECTS	Exp	-49,334	-67,576	-18,242	36.98		
	TOTAL PROJECT OPERATION COSTS		2,988	0	-2,988	-100.00		Project Operation Costs are fully allocated across projects
TOTAL GROSS SALARY & WAGES								
4570	TOTAL SALARIES AND WAGES	Exp	1,320,378	1,232,941	-87,437	-6.62		Wages and Salaries approx \$87k under YTD Budget - Potential permanent variance (Includes workers compensation payments of approx. \$23k and accrued salaries & wages \$55k)
Note 1	Budget and Actual Income shown as negative figures. Budget and Actual Expenditure shown as positive figures. Therefore a negative variance indicates either more income or less expenditure than budget YTD estimate (positive effect on budget) Therefore a positive variance indicates either less income or more expenditure than budget YTD estimate (negative effect on budget)							
Note 2	Salaries and Wages variances are shown in total only in Schedule 14 (Public Works Overheads) Variances relating to internal costings and allocations are not reported. Variances relating to amounts transferred to/from Reserve have not been reported.							

Shire of Donnybrook / Balingup
Summary of Financial Activity - Cash
For the Period ended
31st August 2020

	Sch No	2020/21 Adopted Budget		2020/21 Actual	
		Income	Expenditure	Income	Expenditure
OPERATING SECTION					
General Purpose Funding	3	6,238,176	202,110	5,332,000	26,370
Governance	4	88,398	1,052,199	21,591	183,432
Law, Order & Public Safety	5	581,860	1,373,069	99,671	258,991
Health	7	173,013	263,707	24,307	41,873
Welfare Services	8	4,111,587	5,024,914	573,147	715,800
Community Amenities	10	1,134,936	1,709,555	1,098,397	245,224
Recreation & Culture	11	346,249	3,578,827	25,059	607,215
Transport	12	224,923	4,818,754	162,623	916,746
Economic Services	13	480,781	847,267	22,731	36,842
Other Property & Services	14	118,200	118,200	38,980	171,274
		13,498,123	18,988,601	7,398,505.18	3,203,765
CAPITAL SECTION					
Governance	4	170,295	186,507	0	(2,459)
Law, Order & Public Safety	5	66,241	83,910	0	6,299
Health	7	0	11,693	0	0
Welfare Services	8	548,822	578,425	0	338
Community Amenities	10	332,795	341,220	0	0
Recreation & Culture	11	4,214,145	4,283,128	0	66,097
Transport	12	4,880,807	5,543,734	418,538	100,592
Economic Services	13	154,000	167,370	81,818	6,574
Transfers To Reserves	15	0	212,000	0	120
		10,367,105	11,407,987	500,356	177,562
Total Income & Expenditure		23,865,228	30,396,588	7,898,861	3,381,327
Less Depreciation W/Back			(5,494,234)		(968,592)
Net		23,865,228	24,902,354	7,898,861	2,412,735
Add Surplus July 1 B/Fwd		1,037,126		1,065,241	
Adjust Current Asset Land Held for Resale					81,818
Rounding Adjustment					0
Surplus/Deficit C/Fwd			0		6,469,550
		24,902,354	24,902,354	8,964,103	8,964,103

Shire of Donnybrook / Balingup
Summary of Financial Activity - Cash
For the Period ended
31st August 2020

Surplus/Deficit Summary C/Forward Represented by;

(A) Cash at Bank and on Hand	8,709,883	
Sundry Debtors Rates	6,359,851	
Receivables/Debtors	728,388	
Contract Assets	413,642	
Accrued Income	0	
GST Asset Clearing A/C	79,669	
ESL Asset Clearing A/C	395,335	
Land Held for Resale	0	
Prepayments	0	
Stock on Hand	<u>124,922</u>	16,811,690
(B) Provision for LSL Current	(438,098)	
Provision for A/L Current	(513,894)	
Add Cash Backed Reserve	192,926	
Payments received in Advance	0	
Accrued Salaries/Wages	(0)	
Accrued Expenses	(0)	
Accrued Loan Interest	0	
Contract Liability	(3,103,690)	
GST Liability Clearing A/C	(47,866)	
ESL Liability Clearing A/C	(296,784)	
PAYG Clearing A/C	(112,356)	
Prepaid Rates	(28,730)	
Restrictive Liability (Bonds)	(5,122,946)	
Add Back Current Loan Liability	0	
SS Loan Repayment	0	
Sundry Creditors	<u>(870,701)</u>	(10,342,140)
Net Current Assets		<u><u>6,469,550</u></u>

Shire of Donnybrook - Balingup
Notes To And Forming Part of the Financial Statements
For the Period ended 31st August 2020

1. SIGNIFICANT ACCOUNTING POLICIES

The significant accounting policies which have been adopted in the preparation of this financial report are:

(a) Basis of Accounting

The financial report has been prepared in accordance with applicable Australian Accounting Standards, (as they apply to local governments and not-for-profit entities), Australian Accounting Interpretations, other authoritative pronouncements of the Australian Accounting Standards Board, the Local Government Act 1995 and accompanying regulations. The report has also been prepared on the accrual basis and is based on historical costs, modified, where applicable, by the measurement at fair value of selected non-current assets, financial assets and liabilities.

(b) The Local Government Reporting Entity

All Funds through which the Council controls resources to carry on its functions have been included in the financial statements forming part of this budget.

In the process of reporting on the local government as a single unit, all transactions and balances between those funds (for example, loans and transfers between Funds) have been eliminated.

All monies held in the Trust Fund are excluded from the financial statements.

(c) Rounding Off Figures

All figures shown in this report are rounded to the nearest dollar.

(f) Rates, Grants, Donations and Other Contributions

Rates, grants, donations and other contributions are recognised as revenues when the local government obtains control over the assets comprising the contributions. Control over assets acquired from rates is obtained at the commencement of the rating period or, where earlier, upon receipt of the rates.

(g) Goods and Services Tax

In accordance with recommended practice, revenues, expenses and assets capitalised are stated net of any GST recoverable, except where the amount of GST incurred is not recoverable from the Australian Taxation Office (ATO). Receivables and payables are stated inclusive of GST.

(h) Superannuation

The Shire of Donnybrook / Balingup contributes to a number of Superannuation Funds on behalf of employees. All funds to which the Shire contributes are defined contribution plans.

(i) Fixed Assets

Property, plant and equipment and infrastructure assets are brought to account at cost or fair value less, where applicable, any accumulated depreciation, amortisation or impairment losses.

Effective from 1 July 2012, the Local Government (Financial Management) Regulations were amended and the measurement of non-current assets at Fair Value became mandatory.

(j) Investments

All investments are valued at cost and interest on those investments is recognised when accrued.

(k) Impairment

In accordance with Australian Accounting Standards the Shire's assets, other than inventories, are assessed at each reporting date to determine whether there is any indication that they may be impaired.

An impairment loss is recognised whenever the carrying amount of an asset or its cash-generating units exceeds its recoverable amount. Impairment losses are recognised in the income statement.

Shire of Donnybrook - Balingup
Notes To And Forming Part of the Financial Statements
For the Period ended 31st August 2020

1. SIGNIFICANT ACCOUNTING POLICIES (Continued)

(l) Depreciation of Non-Current Assets

All non-current assets having a limited useful life are systematically depreciated over their useful lives in a manner which reflects the consumption of the future economic benefits embodied in those assets. Assets are depreciated from the date of acquisition or, in respect of internally constructed assets, from the time the asset is completed and held ready for use.

Depreciation is recognised on a straight-line basis, using rates which are reviewed each reporting period. Major depreciation periods are:

Asset Class	Useful Life
Buildings	20 to 100 years
Office Furniture and Equipment	5 to 15 years
Computer Equipment	4 to 15 years
Plant and Equipment	5 to 15 years
 Infrastructure:	
Bridges	27 to 77 years
Road clearing and earthworks	not depreciated
Road Pavement	40 to 45 years
Road Seal	15 years
Carparks	40 years
Cycleways	40 years
Footpaths - Concrete	25 to 71 years
Footpaths - Slab	25 to 71 years
Storm Water Drainage	83 years
Other	4 to 80 years

(m) Land Held for Resale

Land purchased for development and/or resale is valued at the lower of cost and net realisable value. Cost includes the cost of acquisition, development and interest incurred on the financing of that land during its development. Interest and holding charges incurred after development is complete are recognised as expenses.

Revenue arising from the sale of property is recognised in the operating statement as at the time of signing a binding contract of sale.

(n) Employee Entitlements

The provisions for employee entitlements relates to amounts expected to be paid for long service leave, annual leave, wages and salaries and are calculated as follows:

(i) Wages, Salaries and Annual Leave (Short-term benefits)

The provision for employees' benefits to wages, salaries, annual leave and long service leave expected to be settled within 12 months represents the amount the municipality has a present obligation to pay resulting from employees' services provided to balance date. The provision has been calculated at nominal amounts based on remuneration rates.

(ii) Annual Leave and Long Service Leave (Long-term benefits)

The provision for employees' benefits for annual leave and long service leave expected to be settled more than 12 months from the reporting date represents the present value of the estimated future cash outflows to be made by the employer resulting from the employees' service to balance date.

Shire of Donnybrook - Balingup
Notes To And Forming Part of the Financial Statements
For the Period ended 31st August 2020

2. COMPONENT FUNCTIONS/ACTIVITIES

The activities relating to the Local Government's components are as follows:

(b) Statement of Objective

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 and for each of its broad activities/programs.

Council operations as disclosed in this budget encompass the following service orientated activities/programs:

03 GENERAL PURPOSE FUNDING

Objective: To collect revenue to allow for the provision of services.

Activities: General rate revenue, general purpose grants and interest revenue.

04 GOVERNANCE

Objective: To provide a decision making process for the efficient allocation of scarce resources.

Activities: Administration and operation of facilities and services to members of Council; Other costs that relate to the tasks of assisting elected members and ratepayers on matters which do not concern specific council services.

05 LAW, ORDER, PUBLIC SAFETY

Objective: To provide services to help insure a safer community.

Activities: Supervision of various local laws, fire prevention, animal control and State Emergency Service.

07 HEALTH

Objective: To provide an operational framework for good community health.

Activities: Health Inspection and administration, preventative services and medical centre buildings.

08 EDUCATION AND WELFARE

Objective: To meet the needs of the community in these areas.

Activities: Operation of Frail Aged Hostel, Well Aged Housing, Community Development Child Care Centre & Youth Welfare

09 HOUSING

Objective: To help ensure adequate housing.

Activities: Maintenance of rental housing facilities. Council does not currently provide services in this area.

10 COMMUNITY AMENITIES

Objective: Provide services required by the community.

Activities: Refuse and recycling collection services, operation of refuse disposal sites, town planning & regional development, cemeteries, public conveniences and protection of the environment

11 RECREATION AND CULTURE

Objective: To establish and manage efficiently infrastructure and resources which will help the social well being of the community.

Activities: Maintenance of public Halls, parks and reserves, sporting facilities, libraries and museum.

Shire of Donnybrook - Balingup
Notes To And Forming Part of the Financial Statements
For the Period ended 31st August 2020

2. COMPONENT FUNCTIONS/ACTIVITIES

12 TRANSPORT

Objective: To provide effective and efficient transport services to the community.

Activities: Construction and maintenance of roads, drainage works, footpaths, parking facilities, traffic signs, street cleaning, street trees, private works and traffic management.

13 ECONOMIC SERVICES

Objective: To help promote the Shire and improve its economic well being.

Activities: Promotion of Tourism, Maintenance of Caravan Park, building control, noxious weed control, receipt of royalties.

14 OTHER PROPERTY & SERVICES

Activities: Plant repairs, public works overheads and other operational costs.

3. CASH AND INVESTMENTS

Actual cash balances versus end-of-year projected results are detailed below:

Restricted (See below)

Restrictive Liability (Bonds)

Municipal Fund - Unspent Loan Fund

Unrestricted

Municipal Fund

Municipal Investment Account

Petty Cash on Hand

Total Cash Balance

The following reserve funds have restrictions imposed by Council under Regulations or by external requirements:

Waste Management Reserve

Bushfire Control & Management Reserve

Aged Housing Reserve

Employee Entitlements Reserve

Arbuthnott Memorial Scholarship Reserve

Strategic Planning Studies Reserve

Land Development Reserve

Vehicle and Plant Reserve

Roadworks Reserve

Parks and Reserves Reserve

Contribution to Works Reserve

Revaluation Reserve

CBD Development Reserve

Buildings Reserve

Apple Funpark Reserve

Information Technology Reserve

Unspent Grants Reserve

Carried Forward Projects Reserve

Covid 19 Reserve

	Budget 30/06/2021	B/Forward 01/07/2020	YTD Actual 31/08/2020
Restricted (See below)	5,704,551	6,624,763	6,651,384
Restrictive Liability (Bonds)	5,424,593	5,739,577	5,122,946
Municipal Fund - Unspent Loan Fund			
Unrestricted			
Municipal Fund	6,184,292	3,241,806	2,569,633
Municipal Investment Account	0	1,014,496	1,015,143
Petty Cash on Hand	2,160	2,160	2,160
Total Cash Balance	17,315,596	16,622,801	15,361,267
The following reserve funds have restrictions imposed by Council under Regulations or by external requirements:			
Waste Management Reserve	1,410,974	1,535,974	1,535,974
Bushfire Control & Management Reserve	2,282	2,282	2,282
Aged Housing Reserve	1,144,953	1,187,133	1,187,207
Employee Entitlements Reserve	185,381	192,881	192,926
Arbuthnott Memorial Scholarship Reserve	3,285	3,585	3,585
Strategic Planning Studies Reserve	40,051	40,051	40,051
Land Development Reserve	450,271	450,271	450,271
Vehicle and Plant Reserve	376,690	402,000	402,000
Roadworks Reserve	435,434	435,434	435,434
Parks and Reserves Reserve	153,744	153,744	153,744
Contribution to Works Reserve	0	0	0
Revaluation Reserve	10,700	10,700	10,700
CBD Development Reserve	3,054	3,054	3,054
Buildings Reserve	247,216	758,523	758,523
Apple Funpark Reserve	99,521	99,521	99,521
Information Technology Reserve	99,523	107,523	107,523
Unspent Grants Reserve	0	0	0
Carried Forward Projects Reserve	938,940	1,139,556	1,166,057
Covid 19 Reserve	102,532	102,532	102,532
	5,704,551	6,624,763	6,651,384

Shire of Donnybrook - Balingup
Notes To And Forming Part of the Financial Statements
For the Period ended 31st August 2020

4. NET CURRENT ASSETS

Composition of Net Current Asset Position

CURRENT ASSETS

	Budget 30/06/2021 \$	B/Forward 01/07/2020 \$	YTD Actual 31/08/2020 \$
Cash at Bank and on Hand	761,859	4,258,461	3,586,937
Restricted Assets - Reserves	5,704,551	6,624,763	6,651,384
Restricted Assets - Bond Deposits	5,424,593	5,739,577	5,122,946
Sundry Debtors Rates	508,475	404,548	6,359,851
Receivables/Debtors	115,938	86,923	728,388
Accrued Income	63,913	51,716	0
GST Asset Clearing A/C	85,772	69,403	79,669
ESL Asset Clearing A/C	28,927	23,407	395,335
Prepayments	35,000	17,028	0
Stock on Hand	10,284	10,284	124,922
Land Half for Resale	97,652	97,652	0
Contract Assets	115,000	413,642	413,642
	12,951,964	17,797,405	23,463,073

CURRENT LIABILITIES

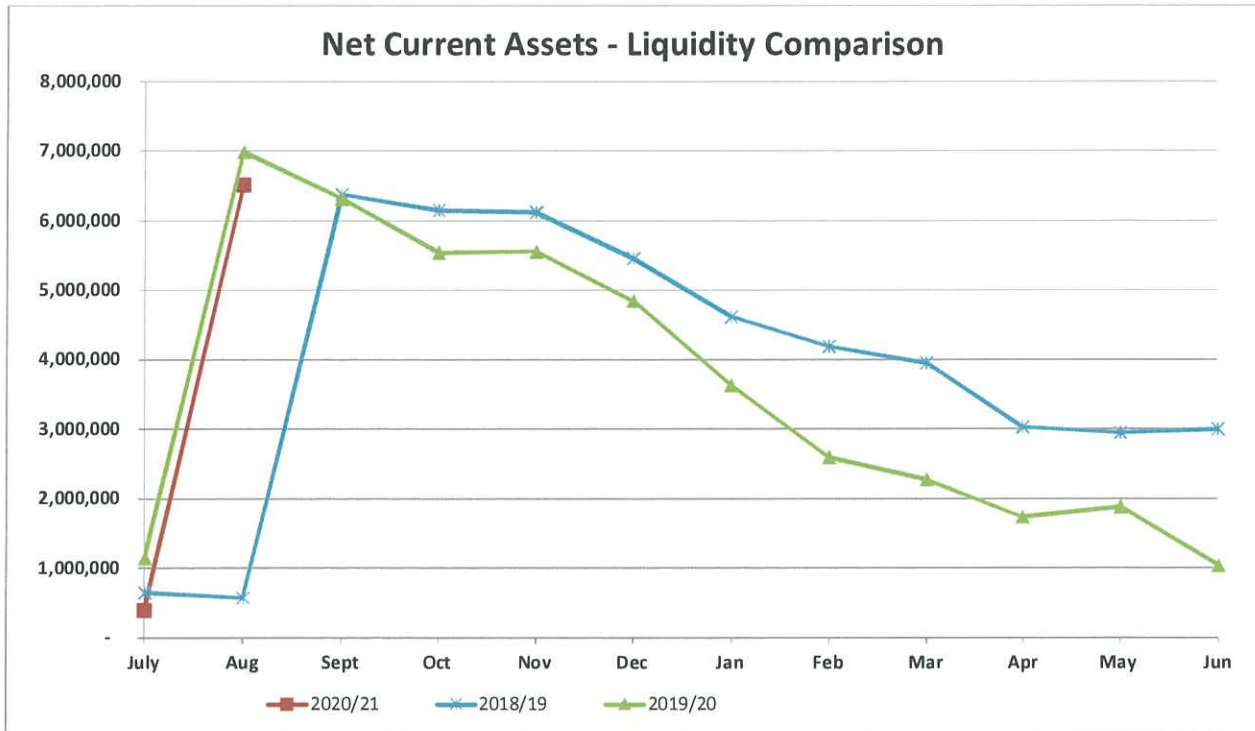
	Budget 30/06/2021 \$	B/Forward 01/07/2020 \$	YTD Actual 31/08/2020 \$
Provision for LSL Current	(438,098)	(438,098)	(438,098)
Provision for A/L Current	(699,275)	(513,894)	(513,894)
Add Cash Backed Reserve	185,381	192,881	192,926
Payments Received in Advance	0	0	0
Accrued Salaries/Wages	(149,827)	(220,176)	0
Accrued Loan Interest	0	0	0
Accrued Expenses	(36,113)	(53,069)	0
Prepaid Rates	(95,288)	(140,029)	(28,730)
GST Liability Clearing A/C	(25,351)	(31,957)	(47,866)
Add Back Current Loan Liability	0	0	0
ESL Liability Clearing A/C	0	0	(296,784)
PAYG Clearing A/C	(68,049)	(105,297)	(112,356)
Contract Liability	(189,095)	(2,724,717)	(3,103,690)
Loan Liability (Current Portion)	0	0	0
Self Supporting Loan Income	0	0	0
Sundry Creditors	(307,105)	(361,584)	(870,701)
Restricted Liability - Trust Bonds	(5,424,593)	(5,739,577)	(5,122,946)
Less Restricted Assets - Reserves	(5,704,551)	(6,624,763)	(6,651,384)
	(12,951,964)	(16,760,280)	(16,993,524)

NET CURRENT FUNDING POSITION 0 1,037,126 6,469,550

Net Current Assets - Liquidity Comparison			
Month	2018/19	2019/20	2020/21
July	655,255	1,152,916	391,793
August	577,376	6,991,493	6,515,018
September	6,377,761	6,323,548	
October	6,155,719	5,540,643	
November	6,125,435	5,559,973	
December	5,457,420	4,844,897	
January	4,619,542	3,636,167	
February	4,195,258	2,596,196	
March	3,962,956	2,279,317	
April	3,032,763	1,740,914	
May	2,948,242	1,885,171	
June	3,007,579	1,039,916	

Shire of Donnybrook - Balingup
Notes To And Forming Part of the Financial Statements
For the Period ended 31st August 2020

4. NET CURRENT ASSETS



Current Ratio

This ratio is a modified commercial ratio designed to focus on the liquidity position of local government that has arisen from past year's transactions.

A ratio of less than 1:1 means that a local government does not have sufficient assets that can be quickly converted into cash to meet its immediate cash commitments. This may arise from a budget deficit from the past year, a Council decision to operate an overdraft or a decision to fund leave entitlements from next year's revenues.

Current Ratio =

$$\frac{\text{Current assets minus restricted current assets}}{\text{Current liabilities minus liabilities associated with restricted assets}}$$

	2018/19	2019/20	2020/21
July	1.37	1.75	1.10
August	1.33	6.15	2.25
September	5.44	5.90	
October	4.64	5.40	
November	5.82	5.02	
December	4.79	4.83	
January	3.84	3.61	
February	3.32	2.21	
March	3.73	2.56	
April	2.65	2.26	
May	3.03	1.53	
June	2.79	1.24	

Shire of Donnybrook - Balingup
Notes To And Forming Part of the Financial Statements
For the Period ended 31st August 2020

5. VARIANCE ANALYSIS

The Local Government (Financial Management) Regulations 1996, require a variance analysis between budget year-to-date and actual results to be conducted monthly and reported to Council.

Council has determined that a materiality threshold of \$10,000 will apply for reporting purposes. That is all variances greater than \$10,000 will be reported to Council.

Any variance less than \$10,000 will not be reported to Council. The variance analysis applies to all income and expenditure items, except non-cash items such as depreciation.

A table showing material variances, as at 31st August 2020 has been prepared for Council information and has been included with this report. The comments provided are applicable as at reporting date.

General

The variance analysis shows a number of variances with the comment of budget timing variation.

The variances are temporary in nature and relate to the timing of income or expenditure when compared to the projected year to date budget results. Essentially this is a variance in projected cashflows when actual results are compared to budget results.

Unless otherwise indicated in the schedule and these notes, other variations are expected to be resolved as the financial year proceeds.

General Purpose Funding

There are no variances reportable for the month.

Governance

All variances identified within this program are expected to resolve as the financial year proceeds and are therefore considered temporary variances only.

Law, Order and Public Safety

There are no variances reportable for the month.

Health

There are no variances reportable for the month.

Education and Welfare

Material variances reported within this program relate to the operation of Council's Frail Aged Lodge. Budget timing variances have been identified, this income reflects level of care provided.

Interest on RAD bonds is dependant on timing of maturity dates for term deposits and prevailing rates.

Minimal expenditure has been incurred to date on capital works at Tuia Lodge, timing of the transfers from Reserves are dependant on capital expenditure.

Community Amenities

Increased income of approx \$18k has been identified for kerbside bin services, this is a permanent variance.

Recreation and Culture

All variances identified within this program are expected to resolve as the financial year proceeds and are therefore considered temporary variances only.

Transport

Variances identified within this program are expected to resolve as the financial year proceeds and are therefore considered temporary variances only.

Shire of Donnybrook - Balingup
Notes To And Forming Part of the Financial Statements
For the Period ended 31st August 2020

5. VARIANCE ANALYSIS

Economic Services

All variances identified within this program are expected to resolve as the financial year proceeds and are therefore considered temporary variances only.

Increased income of approx \$81k has been identified for sale of Lot 101 Mead St - this is a permanent variance.

Public Works Overheads

All variances reported within public works overheads which are expected to resolve as the year proceeds

Total public works overheads are currently \$76,623 under allocated.

Total plant operation costs are currently \$57,508 under allocated.

Total project operation costs have been fully allocated.

Total gross wages and salaries expenditure is approx. \$87k under the year to date budget.

Potential permanent variance (inc. workers comp payments of approx \$23k and accrued salaries & wages \$55k).

6. Minor Debts Written Off Under Delegation

For the month of August the following minor debts have been written off under delegation by CEO.

Rates	\$	0.37
Other	\$	-

Acquisition of assets are capitalised in accordance with Australian Accounting Standard 21.

ASSETS ACQUIRED BY TYPE

	2020/21	
	Adopted Budget \$	Actual \$
Land & Buildings	2,635,764	(2,150)
Plant & Equipment	371,556	5,668
Furniture & Equipment	38,000	0
Infrastructure Assets - Roads	2,567,418	100,379
Infrastructure Assets - Other	5,160,088	54,761
	10,772,826	158,657

ASSETS ACQUIRED BY PROGRAM

	2020/21	
	Adopted Budget \$	Actual \$
Governance	163,720	(6,123)
Law, Order & Public Safety	71,241	3,516
Health	0	0
Education and Welfare	240,822	(743)
Community Amenities	341,220	0
Recreation & Culture	4,258,089	61,415
Transport	5,543,734	100,592
Economic Services	154,000	0
	10,772,826	158,657

Note: Full details of Assets acquired or constructed are shown in Appendix A of the report.

Shire of Donnybrook - Balingup
Notes To And Forming Part of the Financial Statements
For the Period ended 31st August 2020

8. DISPOSAL OF ASSETS

ASSETS DISPOSED BY TYPE

	2020/21	
	Adopted Budget \$	Actual \$
Proceeds of Sale of Assets		
Land	0	81,818
Plant & Equipment	190,810	0
	190,810	81,818
Less Written Down Value at Disposal	168,209	45,468
Profit/(Loss) on Disposal	22,601	36,350

ASSETS DISPOSED BY PROGRAM (Profit / Loss on Disposal)

	2020/21	
	Adopted Budget \$	Actual \$
Governance	(622)	0
Community Amenities	(5,611)	0
Transport	21,320	0
Economic Services	7,514	36,350
	22,601	36,350

Note: Full details of Assets sold/disposed are shown in Appendix B of the report.

9. LOAN REDEMPTION (Loan Principal Repayment)

The total loan principal outstanding as at 31st August 2020 is \$457,280.55

Loan redemption does not include borrowings from Tuia RAD Bonds & Preston Retirement Village liability

SHIRE OF DONNYBROOK / BALINGUP
Notes to and forming part of the Financial Statements
For the Period ended 31st August 2021

APPENDIX A Details of Capital Works Program - 2020/21

Ledger Account	Proposed Works	2020/21 Original Budget	Total Cost	Land	Buildings	Plant & Equipment	Furniture & Equipment	Infrastructure Roads	Infrastructure Other
GOVERNANCE									
Other Governance									
105640	Admin Centre - Refurbishment	94,500	-6,123		-6,123				
105540	Replace Vehicle - Projects Officer	31,220	0			0			
105840	Audio Visual System (meeting streaming)	8,000	0				0		
105840	Upgrade of Shire Office Telephone System	30,000	0		0		0		
		<u>163,720</u>	<u>-6,123</u>	<u>0</u>	<u>-6,123</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
LAW, ORDER AND PUBLIC SAFETY									
Fire Control									
103540	Light Tanker - Lowden BFB	0	0			0			
103840	Beelerup Fire Station	12,117	3,516		3,516				
103840	Ferndale BFB	47,922	0		0				
103840	Kirup/Brazier BFB - Ablutions, Meeting Room &	0	0		0				
Animal Control									
107940	Dog Pound Seal Flood	6,000	0		0				
Law, Order and Public Safety									
170040	SES Depot Donnybrook	5,202	0		0				0
		<u>71,241</u>	<u>3,516</u>	<u>0</u>	<u>3,516</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
HEALTH									
Health Inspection and Administration									
114640	Purchase Furniture	0	0				0		
		<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
EDUCATION AND WELFARE									
Tuia Lodge									
173840	Tuia Lodge - Install Gutter Guards to compls	15,606	0		0				
173840	Tuia Lodge - Dementia Ward	0	-8,702		-8,702				
173840	Tuia Lodge - Fire Supression System	0	7,959		7,959				
173840	Tuia Lodge - Marri Wing Refurbishment	61,200	0		0				
173840	Tuia Lodge - Nurses Station / Admin - Refurb C:	19,380	0		0				
		<u>96,186</u>	<u>-743</u>	<u>0</u>	<u>-743</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Other Welfare									
180940	Minninup Cottages - Units 5 - Interior Refurbishr	46,818	0		0				
180940	Minninup Cottages - Units 8 - Interior Refurbishr	46,818	0		0				
180940	Minninup Cottages - Units 9 - Replace Kitchen	20,400	0		0				
180940	Langley Villas - Unit 6 - Refurb Bathroom / Laun	25,500	0		0				
180940	Langley Villas - Unit 6 - Replace Floor Covering	5,100	0		0				
		<u>144,636</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

SHIRE OF DONNYBROOK / BALINGUP
Notes to and forming part of the Financial Statements
For the Period ended 31st August 2021

APPENDIX A Details of Capital Works Program - 2020/21

Ledger Account	Proposed Works	2020/21 Original Budget	Total Cost	Land	Buildings	Plant & Equipment	Furniture & Equipment	Infrastructure Roads	Infrastructure Other
COMMUNITY AMENITIES									
Sanitation									
160140	Donnybrook Refuse Site - Closure Study	25,000	0						0
160140	Donnybrook Refuse Site - Rehab / Capping	100,000	0						0
		125,000	0	0	0	0	0	0	0
Town Planning									
122740	Replace Vehicle - Town Planner	31,220	0				0		
		31,220	0	0	0	0	0	0	0
Other Community Amenities									
109650	Public Toilets - Main Street, Donnybrook	110,000	0		0				0
109650	Public Toilets - Kirup	20,000	0		0				0
109650	Public Toilets - Balingup	40,000	0		0				0
109640	Donnybrook Cemetery Upgrades	15,000	0						0
		185,000	0	0	0	0	0	0	0
RECREATION AND CULTURE									
Public Halls									
110640	Public Hall - Donnybrook	0	1,200		1,200				
		0	1,200	0	1,200	0	0	0	0
RECREATION AND CULTURE									
Other Recreation and Sport									
107140	Balingup - Install new Drinking Fountain	10,000	0						0
109840	Donnybrook - Install new Drinking Fountain	10,000	0						0
189340	Donnybrook Weir Upgrade	135,000	0						0
189240	Kirup Mill Park - Install new Drinking Fountain	10,000	0						0
189240	Kirup Mill Park - Upgrade	50,000	0						0
189140	Golden Valley Tree Park - Pathway Upgrade	80,000	0						0
112140	Balingup Oval - New Bore	150,000	0						0
126820	Playground Equipment	15,000	11						11
106940	Apple Funpark - Renewal of Equipment	7,500	0						0
101940	Apple Funpark Project	1,420,000	4,473						4,473
111840	Dbk Arboretum - Safety Fencing and Furn	22,588	0						0
111840	Street Lighting - Replacement Energy Efficiency	8,000	357						357
111840	VC Mitchell Park - New Bore	250,000	0						0
111840	Ayers Garden - New Shade / Seating	15,000	0						0
111840	Ayers Garden - Upgrade Shade / Seating	10,000	0						0
		2,193,088	4,841	0	0	0	0	0	4,841

SHIRE OF DONNYBROOK / BALINGUP
Notes to and forming part of the Financial Statements
For the Period ended 31st August 2021

APPENDIX A Details of Capital Works Program - 2020/21

Ledger Account	Proposed Works	2020/21 Original Budget	Total Cost	Land	Buildings	Plant & Equipment	Furniture & Equipment	Infrastructure Roads	Infrastructure Other
Donnybrook Recreation Centre									
189040	Equipment - Floor Scrubber	5,800	5,668			5,668			
172940	Refurbish Disabled Toilets	8,323	0		0				
172940	Pool Relined	81,600	0		0				
172940	Pool - New Nonslip Floor Product	15,606	0		0				
172940	Pool Plant - Renew Water Treatment Plant Cont	17,167	0		0				
172940	Pool Plant - Renew Sand Filter	20,834	0		0				
		149,330	5,668	0	0	5,668	0	0	0
Other Culture									
110940	Donnybrook Town Centre Revitalisation	1,915,671	49,706		0				49,706
		1,915,671	49,706	0	0	0	0	0	49,706
TRANSPORT									
Construction, Streets, Roads Bridges, Depots									
132000	Bridgeworks (Special Grants)	2,502,000	0						0
132100	Roadworks Construction - General	387,230	250					250	
132600	Regional Road Group Projects	1,075,188	64,623					64,623	
133000	Roads to Recovery Program	425,000	4,000					4,000	
133300	Blackspot Projects	680,000	31,506					31,506	
132400	Footpath Construction Program	205,000	214						214
		5,274,418	100,592	0	0	0	0	100,379	214
Road Plant Purchases									
135540	Replace Tip Truck - DB4550	98,607	0			0			
135540	Replace Ute - DB112 (W&S)	41,519	0			0			
135540	Replace Ute - DB117 (P&G)	25,949	0			0			
135540	Replace Ride on Mower - DB606	50,625	0			0			
135540	Replace Ride on Mower - DB898	26,987	0			0			
135540	Replace Ute - DB102 - Balingup	25,629	0			0			
		269,316	0	0	0	0	0	0	0
ECONOMIC SERVICES									
Rural Services									
182340	Donnybrook Commercial Standpipe	60,000	0						0
182340	Balingup Commercial Standpipe	60,000	0						0
		120,000	0	0	0	0	0	0	0
Building Control									
141940	Replace Bldg Surveyor Ute - DB631	34,000	0			0			
		34,000	0	0	0	0	0	0	0
TOTAL CAPITAL EXPENDITURE		10,772,826	158,657	0	-2,150	5,668	0	100,379	54,761

SHIRE OF DONNYBROOK / BALINGUP
Notes to and forming part of the Financial Statements
For the Period ended 31st August 2020

Appendix B Asset Disposal Schedule - 2020/21

Asset No.	Asset Details	Asset Classification	Budget Proceeds Sale of Asset	Budget Written Down Value	Budget Profit/Loss	Actual Proceeds Sale of Asset	Actual Written Down Value	Actual Profit / Loss
GOVERNANCE								
General Administration								
61301	Izuzu MUX - DB15	Plant & Equipment	37,173	37,795	(622)	0	0	0
			<u>37,173</u>	<u>37,795</u>	<u>(622)</u>	<u>0</u>	<u>0</u>	<u>0</u>
COMMUNITY AMENITIES								
Town Planning & Regional Development								
61298	Toyota Fortuner - DB463	Plant & Equipment	32,184	37,795	(5,611)	0	0	0
			<u>32,184</u>	<u>37,795</u>	<u>(5,611)</u>	<u>0</u>	<u>0</u>	<u>0</u>
TRANSPORT								
Road Plant Purchases								
61211	Tip Truck - DB4550	Plant and Equipment	33,741	19,721	14020	0	0	0
61274	Mitsubishi Dual Cab Ute - DB112	Plant and Equipment	18,000	20,760	(2,760)	0	0	0
61263	Mitsubishi Triton Ute - DB117	Plant and Equipment	12,795	13,493	(698)	0	0	0
61292	Kubota Tractor Mower - DB606	Plant and Equipment	15,776	10,379	5,397	0	0	0
61270	Kubota Tractor Mower - DB898	Plant and Equipment	7,088	7,266	(178)	0	0	0
61236	Ford Ranger Ute - DB102	Plant and Equipment	14,539	9,000	5,539	0	0	0
			<u>101,939</u>	<u>80,619</u>	<u>21,320</u>	<u>0</u>	<u>0</u>	<u>0</u>
ECONOMIC SERVICES								
Building Control								
61252	Mitsubishi Triton Ute - DB631	Plant and Equipment	19,514	12,000	7,514	0	0	0
			<u>19,514</u>	<u>12,000</u>	<u>7,514</u>	<u>0</u>	<u>0</u>	<u>0</u>
Other Economic Services								
10140	Sale lot 3 Mead Street	Land	0	0	0	81,818	45,468	36,350
			<u>0</u>	<u>0</u>	<u>0</u>	<u>81,818</u>	<u>45,468</u>	<u>36,350</u>
			<u>190,810</u>	<u>168,209</u>	<u>22,601</u>	<u>81,818</u>	<u>45,468</u>	<u>36,350</u>

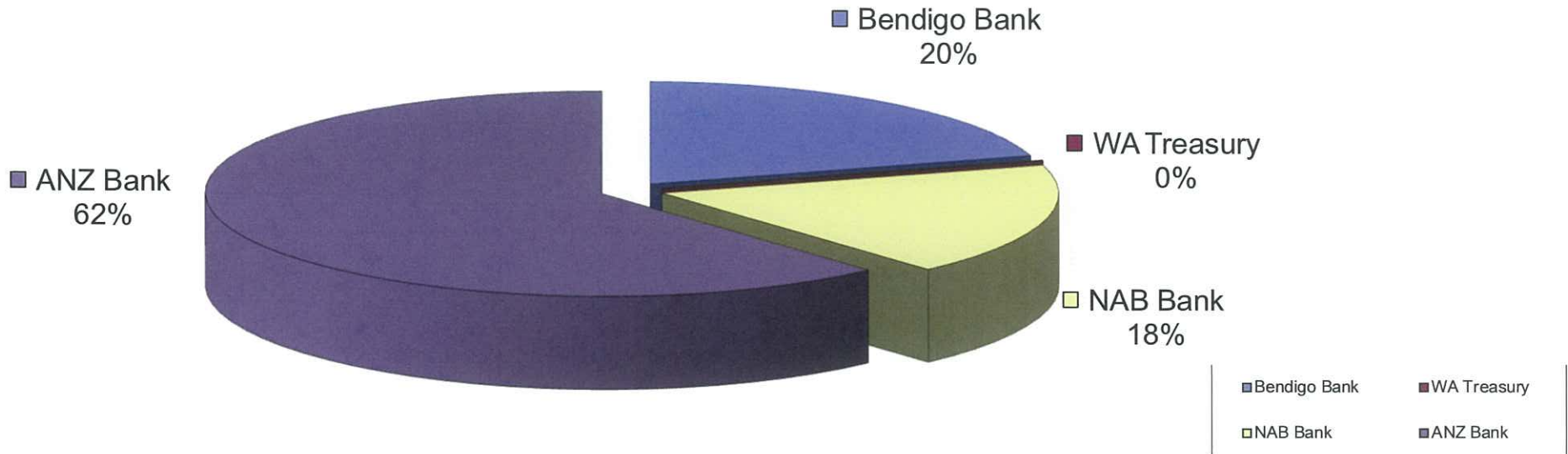
Shire of Donnybrook-Balingup
Schedule of Investments Held
For the period ended 31st August 2020

FUND	WHERE HELD	% RATE	MATURITY	OPENING	DEPOSITS	WITHDRAWALS	CLOSING
MUNICIPAL FUND							
Municipal Fund	Bendigo - 120942362	Variable	At Call	\$6,418,167.07	\$863,528.67	-\$4,184,131.52	\$3,097,564.22
	ANZ Bank 9116-13334	0.42%	3-Sep-2020	\$1,000,345.20	\$297.36	\$0.00	\$1,000,642.56
	WA Treasury - General	0.20%	At Call	\$14,498.42	\$2.48	\$0.00	\$14,500.90
				\$7,433,010.69	\$863,828.51	-\$4,184,131.52	\$4,112,707.68
TRUST FUND							
General Trust Fund	Bendigo - 120942578	Variable	At Call	\$629.70	\$0.00	\$0.00	\$629.70
Licensing Trust Fund	Bendigo - 120942446	Variable	At Call	\$0.00	\$0.00	\$0.00	\$0.00
				\$629.70	\$0.00	\$0.00	\$629.70
Roadworks Bonds	ANZ	0.60%	30-Oct-2020	\$87,656.24	\$0.00	\$0.00	\$87,656.24
Tuia Lodge Accommodation Bonds	ANZ A/c: 9116-47489	0.80%	10-Sep-2020	\$2,502,679.70	\$0.00	\$0.00	\$2,502,679.70
Tuia Lodge Accommodation Bonds	ANZ A/c: 9116-13289	0.80%	3-Sep-2020	\$1,672,840.31	\$0.00	\$0.00	\$1,672,840.31
Extractive Industry Licence	ANZ	0.60%	30-Oct-2020	\$114,438.00	\$0.00	\$0.00	\$114,438.00
Miscellaneous Investments	ANZ	0.60%	30-Oct-2020	\$10,535.53	\$0.00	\$0.00	\$10,535.53
Public Open Space Contributions	ANZ	0.60%	30-Oct-2020	\$133,854.39	\$0.00	\$0.00	\$133,854.39
				\$4,522,004.17	\$0.00	\$0.00	\$4,522,004.17
FUND	WHERE HELD	% RATE	MATURITY	OPENING	DEPOSITS	WITHDRAWALS	CLOSING
LONG TERM INVESTMENT							
Bendigo Bank Shares	Bendigo Bank	-	At Call	\$25,000.00	\$0.00	\$0.00	\$25,000.00
				\$25,000.00	\$0.00	\$0.00	\$25,000.00
INVESTMENT FUND							
Aged Housing Reserve	ANZ A/c: 9202-29916	0.80%	31-Oct-2020	\$250,000.00	\$42,182.48	-\$26,009.37	\$266,173.11
Aged Housing Reserve	ANZ A/c: 9202-29924	0.75%	5-Oct-2020	\$908,114.52	\$0.00	\$0.00	\$908,114.52
Waste Management Reserve	ANZ A/c: 9732-82198	0.35%	30-Sep-2020	\$1,469,227.62	\$0.00	\$0.00	\$1,469,227.62
Buildings	ANZ A/c: 9732-82235	0.80%	31-Oct-2020	\$809,055.45	\$0.00	\$0.00	\$809,055.45
Land	ANZ A/c: 9732-82235	0.80%	31-Oct-2020	\$450,345.03	\$0.00	\$0.00	\$450,345.03
Valuation Reserve	NAB A/c: 86-137-3001	0.75%	10-Nov-2020	\$0.00	\$10,700.10	\$0.00	\$10,700.10
Employee Leave & Gratuity Reserve	NAB A/c: 86-137-3001	0.75%	10-Nov-2020	\$0.00	\$192,926.30	\$0.00	\$192,926.30
Roadworks Reserve Account	NAB A/c: 86-143-2438	0.75%	10-Nov-2020	\$0.00	\$589,178.34	\$0.00	\$589,178.34
CBD Development Reserve	NAB A/c: 86-143-2438	0.75%	10-Nov-2020	\$0.00	\$3,053.54	\$0.00	\$3,053.54
Bushfire Control & Management Reserve	NAB A/c: 86-142-2539	0.75%	10-Nov-2020	\$0.00	\$2,281.91	\$0.00	\$2,281.91
Arbuthnot Reserve	NAB A/c: 86-142-2539	0.75%	10-Nov-2020	\$0.00	\$3,584.65	\$0.00	\$3,584.65
Information Technology Reserve	NAB A/c: 86-142-2539	0.75%	10-Nov-2020	\$0.00	\$107,523.19	\$0.00	\$107,523.19
Langley Villas & Minn Cotts Contingency Account	NAB A/c: 86-142-2539	0.75%	10-Nov-2020	\$0.00	\$12,919.22	\$0.00	\$12,919.22
Town Planning Reserve	NAB A/c: 86-142-2539	0.75%	10-Nov-2020	\$0.00	\$40,051.22	\$0.00	\$40,051.22
Plant Replacement Reserve	NAB A/c: 86-142-2539	0.75%	10-Nov-2020	\$0.00	\$401,999.77	\$0.00	\$401,999.77
Apple Fun Park Reserve	NAB A/c: 86-142-2539	0.75%	10-Nov-2020	\$0.00	\$99,521.26	\$0.00	\$99,521.26
Carried Forward Projects Reserve	NAB A/c: 86-137-3001	0.75%	10-Nov-2020	\$0.00	\$1,139,555.73	\$0.00	\$1,139,555.73
Covid 19 Reserve	NAB A/c: 86-137-3001	0.75%	10-Nov-2020	\$0.00	\$102,532.15	\$0.00	\$102,532.15
				\$3,911,742.62	\$2,748,009.86	-\$26,009.37	\$6,633,743.11
TOTAL CASH & INVESTMENTS				\$15,867,387.18	\$3,611,838.37	-\$4,210,140.89	\$15,269,084.66

Investments Balances

	Amount	% Exposure	Maximum Exposure Permitted	S&P Rating Short Term
Bendigo Bank	\$3,123,193.92	20.45%	75%	A -2
WA Treasury	\$14,500.90	0.09%	100%	AAA
NAB Bank	\$2,705,827.38	17.72%	100%	A -1+
ANZ Bank	\$9,425,562.46	61.73%	100%	A -1+
	\$15,269,084.66	100.00%		

**Shire of Donnybrook - Balingup
Investment Balances**



**Shire of Donnybrook-Balingup
Summary of Bank Reconciliation
For the period ended 31st August 2020**

MUNICIPAL FUND

Balance as per Bank Statements	3,097,564
Investments - Muni Funds	1,015,143
Investments - Trust Bonds	4,657,593
Deposits not yet Credited	(2,678)
Less Outstanding Cheques	(12,044)
Receipts not yet processed	-
Outstanding Transfers from Reserve	50,279
Outstanding Transfers to Reserves	(93,247)
Outstanding Transfers to Trust	(4,909)
Outstanding Transfers from Trust	22
Cheques not Yet Processed	0
Credit Card Payments	0
Bank Adjustment	0
<i>Balance as per Cash At Bank Account</i>	<u>8,707,723</u>

PETTY CASH

Shire Petty Cash on Hand	300
Shire Till Float on Hand	300
Tuia Lodge Petty Cash on Hand	200
Tuia Lodge Resident Kitty Float	1,000
Rec Centre Till Float on Hand	200
Dbk Community Library	100
Balingup Library	60
<i>Balance as per Petty Cash Account</i>	<u>2,160</u>

TRUST FUNDS

Balance as per Bank Statements	630
Investments	133,854
Plus Deposits not yet Credited	0
Less Outstanding Cheques	(608)
Less DOT EFT payment	0
Bank Adjustment	0
Outstanding Transfers	(22)
<i>Balance as per Cash At Bank Account</i>	<u>133,854</u>

RESERVE FUND

Investments	6,608,743
<i>Balance as per Cash At Bank Account</i>	<u>6,608,743</u>

LONG TERM INVESTMENT

Bendigo Shares	25,000
<i>Balance as per Cash At Bank Account</i>	<u>25,000</u>

TOTAL BALANCE CASH AT BANK	<u>15,477,481</u>
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SHIRE OF DONNYBROOK-BALINGUP

Rates Collection Statistics as at 31 August 2020

	Rates % June 20'	Movement in Jul & Aug '20	Rates % Aug '20
Arrears Brought Forward	469,338	-50,551	418,787
Prepayment of Rates	-140,029	111,298	-28,730
Billing To Date	0	5,085,593	5,085,593
	329,309	5,146,340	5,475,650
Less Received To Date	0	92,880	92,880
 Balance Owed	 329,309	 5,053,460	 5,382,769
 Percentage Collection (Including Arrears B/Fwd)	 0.00%	 1.69%	 1.69%
Percentage Collection (On 20/21)	0.00%	1.83%	1.83%

Note: Rates equating to approx 2.5% are not immediately collectable, being validly deferred under the State Governments' Scheme for Pensioner Rates deferrment. ie only 97.5% is collectable.

*** Please note: figures reported are Rates collections only, excludes ESL and Waste Collection charges.*

*** Rates comparison statistics report not included in August report but will be presented in September when the comparison figures are available*



AGED CARE SERVICES

July - Sept 2020

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Executive Summary

The first quarter of 2021 started much like quarter four finished with the facility in lockdown with Covid-19 and State of Emergency Provisions being enacted.

The greatest internal impact this has had on the facility has been with the Clinical team who have monitored the visitor access, flu vaccine and temperature requirements of people coming through the front door. This impact has meant a number of general clinical tasks have taken a lesser priority such as Care Plans, audits and various administrative tasks. To deal with this situation we have issued new instructions and trained other staff to temperature test and screening at the front door. In addition, the configuration of the facility for Covid-19 will be reversed in October as the threat level reduces but we will maintain a high level of infection awareness.

The absence of the Manager Aged Care Services has also seen a higher workload being allocated amongst others and our appreciation goes out to the staff members that have shouldered these responsibilities during this time. A special thanks to the Aged Care Coordinator and Manager of Clinical Care for maintaining the facility and the machinations of Aged Care Services during this time.

The fears raised regarding Covid -19 and the Aged Care deaths in the eastern states has also had a dramatic impact on our occupancy levels. The general feedback has been that families do not want to place their relatives in a situation where they may not be able to visit them (in the case of a lockdown). Occupancy rates are at our lowest in 5 years and the forecast is that this may not improve dramatically during the next 6 months as we see the usual resident turnover.

Our ACFI subsidies peaked at slightly over \$180 per day for the month of August and continued an upward trend from there. This is a welcome increase from previous months but does reflect our increased level of respite residents and the increasing level of care required by the remaining residents. There was also a positive \$49,000 adjustment received in September.

Staffing levels have been modified where practical to reflect the lower occupancy levels and plans are in place to review rostering, particularly in the hospitality area during October.

One issue to appear in the latter part of the quarter is the records and Cemeteries records management that appears to date back for over 12 months. This was highlighted after the absence of both the Coordinator Aged Care Support Services and the Supervisor Hospitality Services. There is a plan in place with the Records Officer at the Shire to address this.

Residents Data

Residents

	July	Aug	Sept	Year Av.
Permanent Residents	31	32	31	31
Occupancy Permanent Residents %	78%	80%	78%	79%
Resident Respite Days	135	58	24	

Vacancies continued in July and September and our abilities to fill these gaps was heavily influenced by the presence of COVID-19 and what it would mean to people to be placed in residential care. Another contributing factor has been the number of enquiries for potential residents who require dementia specific care. Tuia Lodge is unable to assist in this care hence a number of queries were directed to other service providers. In order to maintain our financial position at the best possible level we have continued to intake more and more high care respite although these numbers also reduced towards the end of the quarter.

Gender Diversity (Permanent Residents)

Gender	July	%	Aug	%	Sept	%
Male	14	45	14	44	15	49
Female	17	55	18	56	16	51
Totals	31	100	32	100	31	100

Our gender balance is almost perfectly balanced. However, our staffing is majority female with only 1 x male carer and 2 x male supervisors.

Hospital Transfers and Admissions

Of the 4 admissions to hospital over the quarter; 2 were following falls (for further diagnostic intervention) and 2 were due to medical situations unable to be treated at Tuia Lodge (the same resident both times).

Allied Health

	July	Aug	Sept	Total
Activities held	53	46	35	134
Activity Participation (Avg.)	13	11	10	34
Outings Held	N/A	N/A	N/A	
Outing Participation	N/A	N/A	N/A	

Volunteer Hosted Activities	N/A	N/A	N/A	
Individual 1 on 1 OT Sessions*	134	116	110	360

*These are 15 minute 1 on 1 sessions with residents

Due to the continuing restrictions in Aged Care due to the W.A. State of Emergency Declaration, there have been no outings, volunteer activities or groups coming in to Tuia Lodge. The OTA's have been working under difficult circumstances but have managed to keep the residents engaged, happy and entertained with various activities. The residents have been participating in a number of group activities and special occasions including a 100th birthday party.

Audits

	July	Aug	Sept	Total
Audits Undertaken	1	1	0	2

Audits are conducted using the "Moving On Audit" (MOA) benchmarking program. The audits are completed in house by the team at Tuia. The results are collected by MOA, and the outcomes are compared to standards in an audit report; benchmarked across the sector.

In this quarter, the following audits were required:

July: Consumer Feedback

Aug: Consumer information, conditions, needs and preferences

Sept: Assessment & Planning

Employee Headcount

Tuia Lodge Headcount

	Jul	Aug	Sept
Number of Staff*	50	50	53
Staff Hired	0	1	3
Staff Resigned	1	0	1
Agency FTE	NIL	NIL	NIL
Agency Shifts	NIL	NIL	NIL

*This figure is reflective of the number of persons employed and not of the FTE number engaged under the workforce plan. The number and duration of shifts is generally static or reduced where possible when resident numbers decline.

With the interventions taken due to COVID-19, no agency staff were used at Tuia Lodge this quarter.

Resource Levels

Type of Leave	July	Aug	Sept	Total
Hours worked (total)	9375	5988	6146	21509

Workers Compensation levels has been addressed in the quarter with education from LGIS being undertaken.

Visitors

Residents

	July	Aug	Sept
Number of Visits	339	477	565

Tuia Lodge received 1381 visits from family and friends of residents this quarter, This averages to approximately 14 visits per day. 12 residents have the majority of daily visits. The number of visits this quarter has increased slightly from 1292 in the previous quarter.

Contractors/Companies

	July	Aug	Sept
Hours	50hrs	66hrs	40hrs

Monthly Maintenance

The maintenance recorded includes any work undertaken at Tuia Lodge, Preston Retirement Village, Minninup Cottages, and Langley Villas.

	July	Aug	Sept
Maintenance Requests Opened	45	44	60
Maintenance Request Closed	40	30	39
Outstanding Requests	5	14	21
Preventative Maintenance	42	29	35

The level of requests for maintenance rose slightly from 127 total in the previous quarter. With preventative maintenance now becoming more of a focus the monthly checks and tests of equipment have risen dramatically from a total of 21 recorded in the whole of the previous quarter. It is hoped that this improved focus on prevention and early identification of issues will lead to an overall downward trend in reactive maintenance and break/fix failures.

All maintenance for the Well-Aged Units and Preston Retirement Village are still recorded manually via calls from residents or annual inspections.

July: All Maintenance focused on Tuia, due to lockdown

August: 2 Major underground leaks at Preston Retirement Village

September: Laundry Dryer had to be replaced, after continuous faults.

Finance

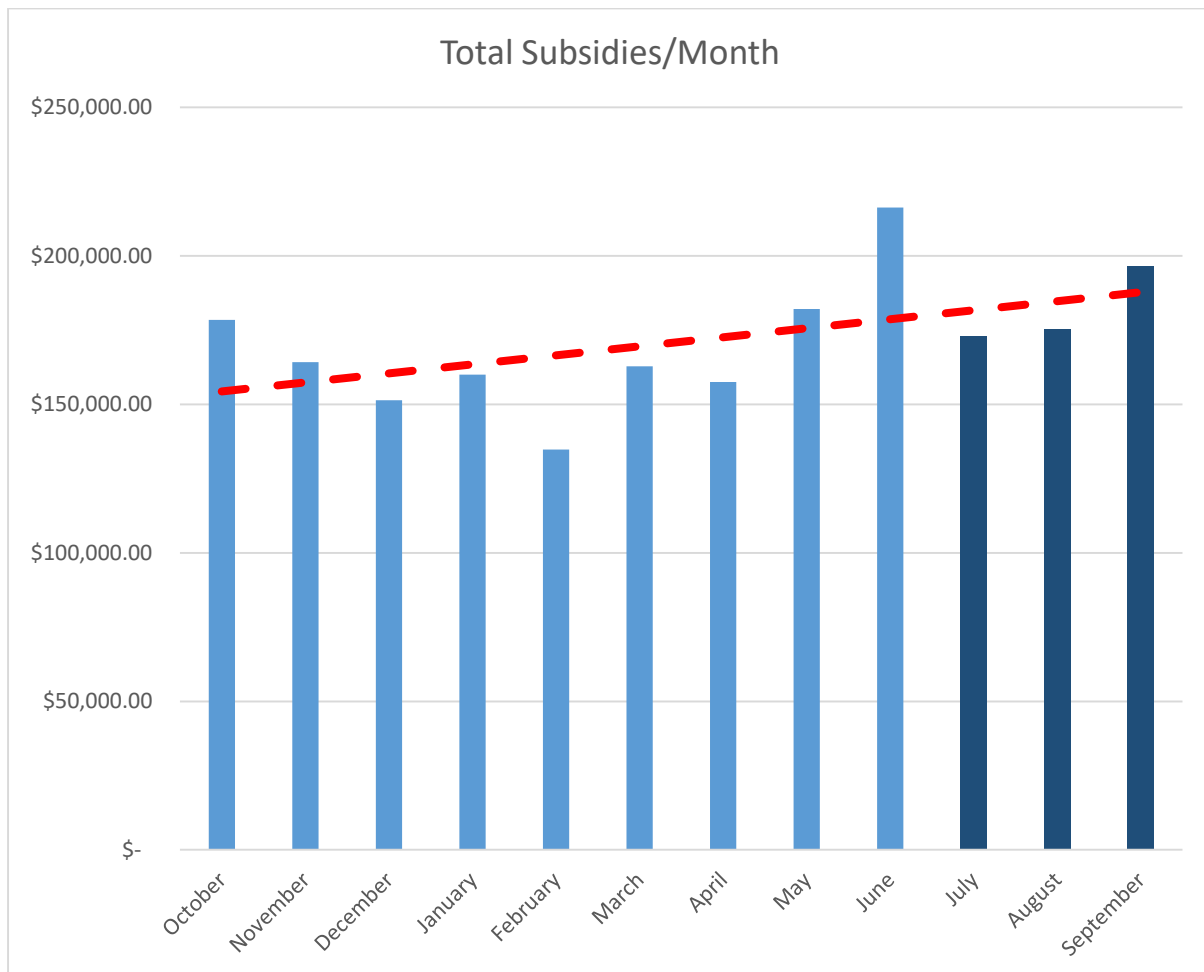
Below is the condensed version of the financial position of Tuia Lodge.

	July	Aug	Sept
Subsidies Received	173,093	175,289	196,456
Avg Per Res/Per day (based on perm residents)	195.36	211.74	229.58
Interest on RAD Bonds	0	0	8,420
PO's Issued	38	50	45
PO Amount	51,663	48,196	55,216
Basic Daily Care Fees	48,047	42,621	66,794
Means Tested Care Fees	11,315	5,382	6,285
Daily Accom. Payments	19,210	17,962	26,741

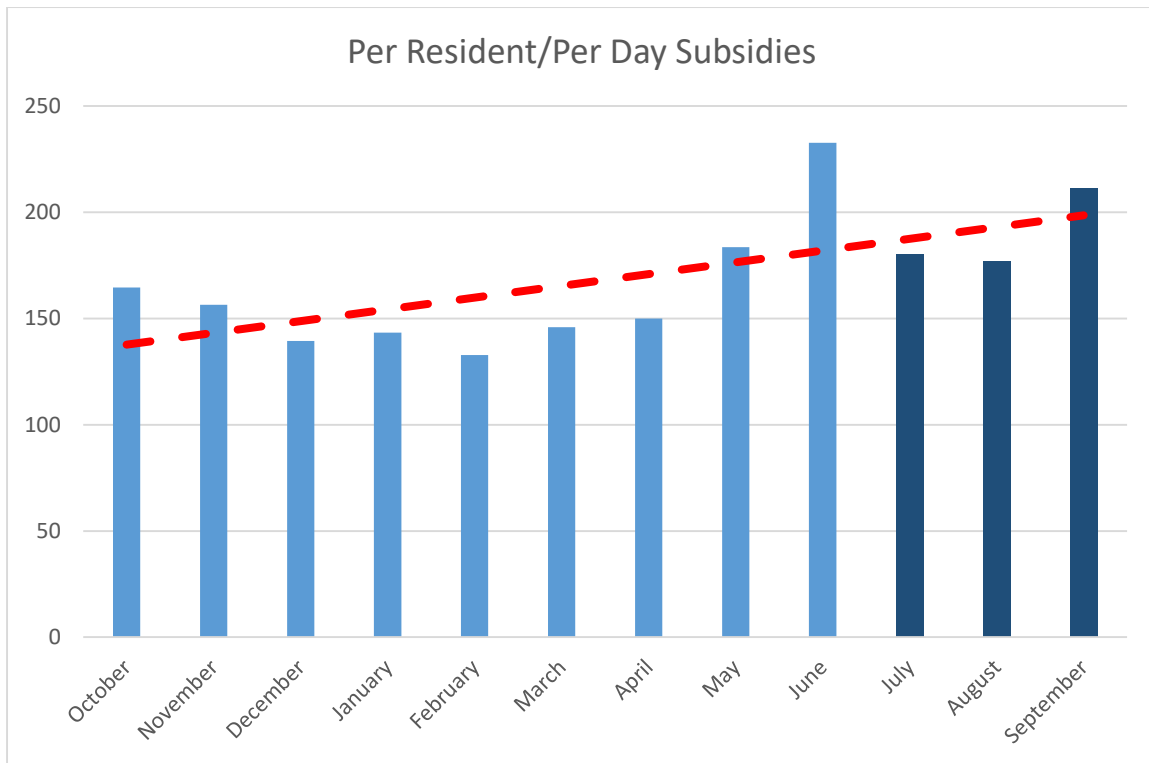
The average monthly subsidies received comes in at just over \$181,000 and with the average permanent resident number for the quarter being 31.

Full analysis of the subsidies will show increased subsidy payments with adjustments for increased supplements for Covid as well as respite payments.

Analysis of actual per resident per day figures for the quarter had not been completed at the time of printing and will be reported separately.



The trendline for the per resident per day subsidies over the year also shows an upward trend.



Cemeteries

	July	Aug	Sept	Total
Burial/Interment	0	1	2	3
Masonry Work	3	0	2	5
Enquiries	5	4	18	27
Reservations	0	0	1	1
Grant Renewals	0	0	0	0

We have seen a sharp rise in cemetery enquiries towards the end of the quarter and expect this to continue for some time as people adjust back to a somewhat normal society.

The number of burials average just over 1 burial a month; with an average of 9 enquiries a month in relation to the cemetery.

COUNCIL POLICY COMD/CP-1 COMMUNITY GRANTS FUNDING SCHEME



OBJECTIVE

The Community Grant Funding Scheme (CGFS) is connected to the Shire's overarching vision to create a proud community who enjoy our rural lifestyle, cultural heritage, and natural environment. The CGFS supports the shire's four key objectives:

- A strong, diverse, and resilient economy,
- Respect for our heritage, natural and built environment,
- A healthy, safe, and inclusive community, and
- Effective leadership and civic responsibility.

SCOPE

Submissions are encouraged from eligible individuals, community groups, not-for-profit and commercial organisations that are seeking support for projects, activities and events that produce results in these key objective areas.

POLICY STATEMENT

1. Eligibility

To be eligible for funding, applicants must satisfy the eligibility criteria set out in the relevant CGFS Guidelines, and must:

- Offer a project or activity within the Shire's local government boundary, or if the applicant is an individual, they must be a resident of the Shire; and
- Successfully complete and acquit any project, activity, or event for which the applicant has received funding from previous Shire CGFS rounds; and
- Have no outstanding debts to the Shire; and
- Undertake the project, activity, or event for the benefit of the wider community for projects that meet the Shire's vision and objectives; and
- Apply in accordance with the requirements outlined in the relevant CGFS guidelines on the prescribed CGFS Application Form.

Legal entities are eligible for a maximum of one grant per funding category per financial year. Exceptions may be considered for a legal entity who is auspicing an application for an entity that is not a legal entity. It should be noted that the CGFS has a limited annual budget and equitable distribution of funding is a key principle in the assessment process.

The CGFS does not provide funding for:

COUNCIL POLICY COMD/CP-1

COMMUNITY GRANTS FUNDING SCHEME



- Projects that duplicate existing Shire services and/or programs; or
- Activities that are already covered by existing service agreements with the Shire; or
- Projects that are only for a political or religious purpose.

2. Budget Allocation

The CGFS budget allocation is tied as a percentage of Shire rates. Based on historical proportional CGFS budget allocations, 2.5% of the annual shire rates provides sufficient budget to run an effective annual CGFS process, including multi-year service level agreements for those legal entities where recurrent funding is requested and approved.

The Proportionate Funding Allocations (PFA) for each category are designated against each category below. The designated PFA for each category, excepting Service Level Agreements (SLA), may be adjusted depending on the quality and quantity of applications.

3. Assessment of Applications

Applications will be assessed according to the following CGFS priorities:

- Build Capacity, Partnerships and Leverage Resources:
 - Increase the human and organisational capacity of recipients, or the community,
 - Maximise in-kind, cash donations and volunteer time from community, business, and/or other funding bodies,
 - Facilitate ways in which recipients can give back to the community,
 - Encourage community participation and capacity building, and
 - Demonstrate a result that will have an impact beyond the CGFS grant round.
- Demonstrate Accountability for the Expenditure of Public Funds:
 - Adopt a risk-management based approach,
 - Clearly define aims, objectives and outcomes that are measurable and relevant to the shire visions and objectives,
 - Be well-planned and achievable within clear and detailed timelines,
 - Provide evidence to establish that funds and in-kind support provided by the Shire will be used for their intended purpose,
 - Seek to maximise value for money,
 - Recognise the shire's contribution, and

COUNCIL POLICY COMD/CP-1

COMMUNITY GRANTS FUNDING SCHEME



- Enhance the image of the Shire.

4. Funding Categories

4.1.1. Service Level Agreements

Total annual PFA: 75%

- Applicants whose primary purpose is to service the people living with the Shire.
- The purpose of the SLA is to support organisations who build the capacity of the community in key areas over a longer term.
- Applications are made once every three years.
 - For existing recipients, the application must be made 12 months prior to the end of the three-year cycle, or
 - For new applicants, the application is made through the annual grant application process.
- Applications are assessed by Community Development Officers and submitted for approval to the CEO.
- Information on successful/unsuccessful applications is provided to Council.

4.1.2. Community Grants - Major

Total annual PFA: 8.9% with individual applications up to \$2,000.

- These grants are available to eligible legal entities. Applications by non-legal entities must be via an auspicing legal entity.
- Applications can be made once per year as a part of the Shire's annual CGFS round which commences in July and closes no later than the end August each year.
- Applications are assessed against criteria outlined in the CGFS Guidelines.
- Applications are assessed by Community Development Officers and submitted for approval to the CEO.
- Information on successful/unsuccessful applications is provided to Council.

4.1.3. Community Grants – Minor

Total annual PFA: 2.4% with individual applications up to \$500.

COUNCIL POLICY COMD/CP-1 COMMUNITY GRANTS FUNDING SCHEME



- These grants are available to eligible legal entities. **Applications by non-legal entities must be via an auspicing legal entity.**
- Applications can be made at any time. Applications must be received twelve (12) weeks prior to the commencement of the project or activity.
- Applications are assessed by Community Development Officers and submitted for approval to the CEO.
- Information on successful/unsuccessful applications is provided to council.

4.1.4. Event Sponsorship - Major

Total annual PFA: 8.9% with individual applications up to \$2,000.

- These grants are available to eligible legal entities. **Applications by non-legal entities must be via an auspicing legal entity.**
- Applications can be made once per year as a part of the Shire's annual CGFS round which commences in July and closes no later than the end August each year.
- Applications are assessed against criteria outlined in the CGFS Guidelines.
- Applications are assessed by Community Development Officers and submitted for approval to the CEO.
- Information on successful/unsuccessful applications is provided to Council.

4.1.5. Event Sponsorship - Minor

Total annual PFA: 2.4% with individual applications up to \$500.

- These grants are available to eligible legal entities. **Applications by non-legal entities must be via an auspicing legal entity.**
- Applications can be made at any time. Applications must be received twelve (12) weeks prior to the commencement of the project or activity.
- Applications are assessed against criteria outlined in the CGFS Guidelines.
- Applications are assessed by Community Development Officers and submitted for approval to the CEO.
- Information on successful/unsuccessful applications is provided to Council.

COUNCIL POLICY COMD/CP-1 COMMUNITY GRANTS FUNDING SCHEME



4.1.6. Cash Donations – Minor

Total annual PFA: 0.8% with individual applications up to \$200.

- Applicants must be shire residents.
- Applications can be made at any time. Applications must be received twelve (12) weeks prior to the commencement of the project or activity.
- Applications are assessed by Shire officers against the criteria outlined in the CGFS Guidelines.
- This category seeks to support individual endeavour in sport, community development, culture, and the arts, where the individual has been selected as a State, National or International representative. There are three levels of Cash Donations, depending on the level of competition:
 - International – Up to \$200 per applicant per year.
 - National – Up to \$150 per applicant per year.
 - State – Up to \$100 per applicant per year.
- Applications are assessed by Community Development Officers and submitted for approval to the CEO.
- Information on successful/unsuccessful applications is provided to Council.

4.1.7. Non-Cash Donations / Waiver of Fees

This category seeks to contribute to the viability of community projects and events. Applicants may apply for a maximum of \$500 in any one financial year. Donations may, for example, include a waiver of the cost of Shire venue hire, or the provision of shire rubbish bins at an event.

Total annual PFA: 1.6% with individual applications up to \$500.

- This category is available to eligible legal entities. **Applications by non-legal entities must be via an auspicing legal entity.**
- Applications can be made at any time. Applications must be received twelve (12) weeks prior to the commencement of the project or activity.
- Applications are assessed against criteria outlined in the CGFS Guidelines.
- Applications are assessed by Community Development Officers and submitted for approval to the CEO.
- Information of successful/unsuccessful applications is provided to Council.

**COUNCIL POLICY COMD/CP-1
COMMUNITY GRANTS FUNDING SCHEME**



AUTHORISATION

The CEO has authority to prioritise successful/ unsuccessful applications and the proportion of funding awarded based on the recommendations of the Community Development Officers, CGFS Policy and Guidelines, to approve or refuse any and all CGFS applications in accordance with this policy and any annual budget considerations and provide those recommendations to Council for final decision making.

DRAFT

COUNCIL POLICY COMD/CP-1 COMMUNITY GRANTS FUNDING SCHEME



DEFINITIONS

CGFS means Community Grant Funding Scheme.

Legal Entity means an individual, company, or organization that has legal rights and obligations.

Non-Legal Entity means any individual or group that does not have Legal Entity status such as an unincorporated body.

PFA means Proportionate Funding Allocations.

CEO means Chief Executive Officer, Shire of Donnybrook Balingup.

SLA means Service Level Agreement

LEGISLATION

- *Local Government Act 1995*
- *Local Government (Financial Management) Regulations 1996*

Related Policies:	N/A	Related Procedure:	N/A
Responsible Department:	Community Development	Reviewer:	Manager Community Development
Initial Adoption Date:		Review Frequency:	Next Due:
Review Version	Decision Reference:	Synopsis:	
[Link to saved doc in PDF]			
Date Live:		Synergy #	



COUNCIL POLICY COMD/CP-4 INTEREST FREE LOANS TO CLUBS AND ORGANISATIONS

OBJECTIVE

The objective of this policy is:

- To provide long-term benefits to the Shire by financially assisting clubs and organisations within the Shire.
- To provide guidelines as to the administration of the Shire's Community Development Reserve Fund (CDRF).

SCOPE

The Shire has set aside in the CDRF for the provision of Interest Free Loans (IFL) to Shire based clubs and organisations to assist in the provision of facilities and equipment for the advancement of the club/organisation and its members.

POLICY STATEMENT

1. Eligibility

The following Eligibility Criteria will be applied when receiving applications for an IFL

1.1. Eligibility Criteria (General)

To be eligible for an IFL, the applicant must:

- Use funding for improvement of facilities and equipment,
- Be a Shire based community group or sporting club,
- Offer a specific activity (project, program, or event) within the Shire's local government boundaries,
- Provide a direct benefit to the wider Shire community, and
- Satisfy the Loan Eligibility Criteria set out in the below.

1.2. Ineligibility Criteria (General)

The Shire does not provide interest free loans for:

- Retrospective costs,
- Core organisational operating costs, for example a permanent employed position within and organisation for ongoing work,
- Activities with a political or religious purpose only,
- Activities where the nature of the event can exert political influence, or
- Periodical activities, like recurring weekly/monthly meetings.

2. Loan Assessment Criteria

COUNCIL POLICY COMD/CP-4

INTEREST FREE LOANS TO CLUBS AND ORGANISATIONS



The Executive Manager Corporate and Community and the Manager Community Development will undertake the assessment of the application and provide a recommendation to the Council for final approval or otherwise of the loan.

Assessment should, as a minimum, be based on:

- An assessed ability for the loan to be repaid in full and for repayments to be made on time,
- Ensuring that there is an apparent benefit not only to the club/organisation but also to the wider community from the execution of the loan,
- The clubs/organisation's sustainability by demonstrating active governance of two or more years,
- Demonstrated evidence that, prior to lodging an IFL application, an applicant has used their best endeavours to exhaust alternative grant funding sources, or have identified a matching grant,
- The office bearers of the club/organisation committing to signing a joint, or shared, personal guarantee for the repayment of the loan in the event that the club/organisation ceases to exist as a legal entity under the provisions of the Associations and Incorporations Act (2015),
- Clubs/organisations agreeing to submit an end of year financial statement for each year of the loan, and
- Clubs/organisations agreeing to provide, at the Shire's request, a current profit and loss statement. (NOTE: this in addition to the provision of the annual financial statement mentioned above.)

No club/organisation can have more than one IFL at one time unless the Shire is satisfied that the club/organisation has the financial capacity and capability to service the additional loan.

Total loan funds should not exceed 30% of the total CDRF. In exceptional circumstances, an application may be considered that will increase the proportion of the total CDRF loan funds beyond the 30% benchmark, if the associated business case demonstrates a compelling need.

3. Applying for an IFL

Application is to be submitted using the prescribed form and must be completed in full before it can be assessed.

COUNCIL POLICY COMD/CP-4

INTEREST FREE LOANS TO CLUBS AND ORGANISATIONS



4. Default of Loan

Any club/organisation, which defaults on a loan, is not permitted to receive any further IFL's, or any other funding sources such as the Community Grants Funding Scheme, from the Shire until the outstanding loan is repaid in full. In exceptional circumstances, the Shire may review the timeframe for the repayment of a defaulted loan.

No penalty interest will be applied to a defaulted loan.

Notwithstanding any office bearer joint, or shared, personal guarantee for the loans repayment, if the club/organisation ceases to exist as a legal entity, then any assets that have been accumulated by the use of CDRF will revert to the Shire.

AUTHORISATION

Nil

DEFINITIONS

ORGANISATION mean an incorporated, not-for-profit, sporting club and community organisation, excluding any private business, on-going government financial assisted group, religious body, and political groups.

CDRF means Community Development Reserve Fund.

CEO means Chief Executive Officer, Shire of Donnybrook Balingup.

IFL means Interest Free Loan

LEGISLATION

- *Local Government Act 1995*
- *Local Government (Financial Management) Regulations 1996*

Related Policies:	N/A	Related Procedure:	N/A
Responsible Department:	Community Development	Reviewer:	Manager Community Development
Initial Adoption Date:		Review Frequency:	Next Due:
Review Version	Decision Reference:	Synopsis:	
[Link to saved doc in PDF]			
Date Live:		Synergy #	

DRAFT - 2020

MEMORANDUM OF UNDERSTANDING

Between

Shire of Dardanup

and

South West Region Group of Councils

**IMPLEMENTATION OF THE SOUTH WEST REGIONAL COUNCILS
DESIGNATED AREA MIGRATION AGREEMENT (DAMA)**

1. Introduction

The Shire of Dardanup has agreed to manage the preparation of a Feasibility Study and an Implementation Plan to establish a Designated Area Migration Agreement (DAMA) on behalf of the South West Group of Councils comprising:

1. Shire of Augusta-Margaret River,
2. Shire of Boyup Brook,
3. City of Bunbury,
4. City of Busselton,
5. Shire of Bridgetown-Greenbushes,
6. Shire of Capel,
7. Shire of Collie,
8. Shire of Donny-Brook Balingup,
9. Shire Harvey,
10. Shire of Manjimup,
11. Shire of Nannup.

in accordance with the terms and conditions contained in this Memorandum of Understanding ("the/this Memorandum").

2. Funding

Each Local Government will provide the cash contribution as per [Attachment 1](#) to the Shire of Dardanup to fund a Feasibility Study and Implementation Plan to establish a Designated Area Migration Agreement covering the South West Region.

3. Objectives

The purpose of the Feasibility Study is to identify the regional workforce needs in each location and overall as a region.

The purpose of the Feasibility Study is to create a unified approach to the assessment of Regional Workforce needs in each location and overall as a Region. The Study will focus on the south west regions high growth industries including agribusiness, forestry, health and social services, tourism and hospitality, construction and mining and would include specific occupations and conditions that will assist our region to address our most acute labour shortages by enabling employers to sponsor overseas workers in a broader range of occupations than the existing skilled migration visa pathways. The occupations approved the DAMA will reflect the unique labour requirements in the region

Upon completion of the needs assessment and the Feasibility Study the appointed Consultant would provide recommendations to an Implementation Plan to establish the DAMA and for ongoing administration to support the program.

4. Responsibilities of the individual Local Governments

Each individual Council is responsible for liaising and providing support to the appointed Consultant, in particular by identifying relevant stakeholders, employers and labour agencies within each local government's area.

5. Tenure

- I. This Agreement shall commence on the first day of October 2020.
 - II. The Memorandum shall be effective until the Feasibility Study and Implementation Plan to establish a Designated Area Migration Agreement has been completed.
-

Signatures

I have read the above Memorandum of Understanding and agree to the terms and conditions of use set out above.

..... STEPHANIE ADDISON-BROWN CHIEF EXECUTIVE OFFICER SHIRE OF AUGUSTA-MARGARET RIVER Signed / / 2020 AARON BOWMAN ACTING CHIEF EXECUTIVE OFFICER SHIRE OF BOYUP BROOK Signed / / 2020
..... TIM CLYNCH CHIEF EXECUTIVE OFFICER SHIRE OF BRIDGETOWN- GREENBUSHES Signed / / 2020 MALCOLM OSBORNE CHIEF EXECUTIVE OFFICER CITY OF BUNBURY Signed / / 2020
..... MIKE ARCHER CHIEF EXECUTIVE OFFICER CITY OF BUSSELTON Signed / / 2020 IAN MCCABE CHIEF EXECUTIVE OFFICER SHIRE OF CAPEL Signed / / 2020
..... XXXXXXXXXXXXXXXXXXXX CHIEF EXECUTIVE OFFICER SHIRE OF COLLIE Signed / / 2020 ANDRÉ SCHÖNFELDT CHIEF EXECUTIVE OFFICER SHIRE OF DARDANUP Signed / / 2020
..... BEN ROSE CHIEF EXECUTIVE OFFICER SHIRE OF DONNYBROOK-BALINGUP Signed / / 2020 ANNIE RIORDAN CHIEF EXECUTIVE OFFICER SHIRE OF HARVEY Signed / / 2020
..... ANDREW CAMPBELL CHIEF EXECUTIVE OFFICER SHIRE OF MANJIMUP Signed / / 2020 DAVID TAYLOR CHIEF EXECUTIVE OFFICER SHIRE OF NANNUP Signed / / 2020

ATTACHMENT 1

Local Government ~~Annual~~ Financial Contribution

In accordance with Clause 2 of the Memorandum of Understanding, each Local Government will provide the following cash contribution to the Shire of Dardanup as per the MOU.

LGA	Contribution
Shire of Augusta-Margaret River	\$5,000 \$0
Shire of Boyup Brook	\$5,000
City of Bunbury	\$0
City of Busselton	\$5,000
Shire of Capel	\$0
Shire of Collie	\$5,000
Shire of Dardanup	\$0
Shire of Donny-Brook Balingup	\$5,000
Shire of Greenbushes-Bridgetown	\$0
Shire Harvey	\$5,000
Shire of Manjimup	\$0
Shire of Nannup	\$5,000

For Official Use Only

Designated Area Migration Agreement (DAMA) Submission

For the region of
dd Month 20yy

For Official Use Only

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1. Executive Summary

High level summary outlining;

- Reasons why a DAMA is being requested and anticipated outcomes
- Background information about the regional authority who will be the Designated Area Representative (DAR)
- Designated area overview (population, job vacancy rates, unemployment rates, workforce participation, indigenous workforce participation)
- Settlement support and community information including infrastructure available to accommodate migrant population growth (housing availability, schooling, English language classes, other settlement services).

2. Overview of the DAMA Region

2.1. Geographical Boundaries of Designated Area (DAMA region)

Regional area description (include local government areas or other descriptors including postcodes)

Maps

3. Population and labour market conditions

3.1. Demographics

Provide population information relevant to each sub-area (e.g. Shire or Local Government Area) within the Designated Area.

Historical population trends/ information where relevant.

3.2. Employment and unemployment

Overview of key employment industries/sectors.

Labour force and labour participation data and trends.

Unemployment figures by demographic (age, indigenous, temporary resident if known).

Workforce participation figures by demographic.

4. Economic profile and significance of DAMA region

Overview of GDP contribution, economic trends and employment forecasts.

5. Strategies for skilling and employing Australians

Outline regional strategies for apprenticeships, traineeships and return to work programs, highlighting programs addressing youth and indigenous employment and skills/training.

Relationship between regional education providers (trade and tertiary) and regional labour shortages.

Details of any innovative or regionally specific initiatives to attract and retain Australian workers to fill skills shortages and grow population.

Outline why these strategies are not able to meet demand.

6. Why a DAMA is needed

Explain why skills shortages cannot be met by Australian workers from the local community or elsewhere nationally.

Why do existing migration pathways (including other kinds of labour agreements) not meet the region's skilled migration needs?

How do employers develop the capacity of Australian workers?

How will skills and knowledge from skilled migrant workers be transferred to Australian workers?

Outline which visa pathway(s) the DAMA is seeking to use;

- Temporary: Temporary Skill Shortage visa (subclass 482), to
- Permanent: Employer Nomination Scheme visa (subclass 186) and/or
- Provisional: Skilled Employer Sponsored Regional Provisional (subclass 494) to
- Permanent: Permanent Residence (Skilled Regional) visa (subclass 191)

6.1. First year ceiling

State the annual maximum number of nominations that can be approved (annual ceiling) under the DAMA, providing rationale for the number requested for each visa pathway.

Consider what a manageable number of new migrants would be in the first year, based on available infrastructure (e.g. housing) and employer need.

6.2. Occupations

What occupations are in skills shortage in the region? Are there current visa pathways for these occupations? Outline why existing visa pathways do not meet demand.

What (if any) concessions are being sought under the DAMA;

- Inclusion of non-ANZSCO occupations
- Inclusion of ANZSCO occupations not on the eligible list of skilled occupations for skilled migration visa pathways,

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- Inclusion of ANZSCO occupations on the Short Term Skilled Occupation List (STSOL) but seeking a visa for more than the STSOL two year duration, and/or seeking a permanent residence pathway.

Provide a table/spreadsheet listing ANZSCO code and corresponding occupation title for all required occupations. The same table can be used to indicate concessions sought for each occupation. Refer to example in Appendix B.

For any non-ANZSCO occupations, provide the occupation title and in a separate document outline the tasks for the occupation, and indicative skill level (see Appendix D)

6.3. Concessions sought

If the nomination or visa criteria for existing regional skilled migration pathways do not meet demand or impact uptake of these pathways, outline the reasons why.

For any concessions being sought under the DAMA, under each of the relevant subheadings (6.3.1 to 6.3.4);

- Provide details of any variation sought to existing nomination or visa regulation criteria (where permitted under legislation) – for example, age concession, salary, English language level, skills and experience. Include a rationale for each concession, which occupation(s) it applies to.
- Indicate which occupation the concession applies to (Appendix B)
- Specify whether the concession applies to the temporary, provisional or permanent visa pathway
- Provide case studies or evidence demonstrating the need for the concession sought.

6.3.1. English Language

What strategies and options are in place to support migrant workers and their dependants to gain appropriate English language proficiency?

A level of English language proficiency across four components (speaking, reading, writing and listening) is required to enable a migrant to undertake work safely, participate in the workplace and society and transfer skills and experience.

Standard program requirements:

TSS requirement: IELTS score of 5.0 or equivalent

ENS requirement: IELTS score of 6.0 or equivalent

SESR requirements: IELTS score of 6.0 or equivalent

6.3.2. Salary

Are there any 'cost of living' or other expenses that would normally be non-monetary components as part of an equivalent Australian worker's contract (e.g. food and board in remoted locations)?

Employers are to pay at least market rates and provide foreign workers with at least the same terms and conditions as Australian employees.

Concessions may generally be considered of up to 10% below TSMIT (TSMIT currently AUD 53,900).

Example: A concession may applied where the regional cost of living is commensurately lower than the national average.

6.3.3. Skills and Experience

Are there any concessions to skills and experience requirements sought under the DAMA for each occupation? If yes, why?

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Overseas workers are expected to have a level of skill and experience and be able to transfer skills to Australian workers. They will need to meet Australian registration and licensing requirements. The Migration Regulations usually require visa applicants to have a skills assessment, qualification that aligns with the ANZSCO skill level for the occupation, and at least two years full time work experience.

Refer to the ANZSCO occupation dictionary on the ABS website <http://www.abs.gov.au/ANZSCO>

6.3.4. Pathway to permanent residence

Are there any occupations requested under your DAMA that require a permanent visa pathway (not currently available through other visa programs)? Outline the reasons why a permanent visa pathway is required (why a 4 or 5 year visa does not meet demand?)

Noting that the Employer Nomination Scheme (ENS) subclass 186 and Skilled Employer Sponsored Regional Provisional (subclass 494) have an age limit of 45 years, is an age concession required (to allow sponsoring of migrants over the age of 45)?

7. DAMA governance structure

Provide information about;

- How the region will manage the DAMA on a day to day basis?
- What are the roles and responsibilities of regional partners and key stakeholders?
- How DAMA outcomes will be measured (e.g. whether the DAMA is effective in addressing skills gaps in the region)?
- How the DAR will resource the HR/staffing structure and administrative processes required to manage a DAMA?
- How the annual ceiling will be managed across the range of employers/ industries/ occupations required in the region (e.g. first come first served, caps within the ceiling for industry groups)

8. Support for skilled overseas workers and safeguards against exploitation

As the DAR, how will you ensure that employers who sponsor workers under the DAMA are;

- Maintaining a fair work environment
- Remunerating workers appropriately
- Ensuring terms and conditions of employment are consistent with local practices and Australian workplace laws

(For example: running employer information sessions, reporting known issues to Fair Work Ombudsman)

What existing settlement support services are there in the DAMA region? (E.g. community organisations, settlement service providers, housing, health, education, child care and other community service providers).

9. Settlement Services

As the DAR, how will you ensure there are adequate settlement services available for overseas workers and how will you ensure employers and overseas workers are aware of these services?

10. Stakeholder consultation

Outline the key stakeholders for the DAMA and the stakeholder engagement mechanisms in place or already exercised (e.g. Chamber of Commerce, Regional Development bodies, local business groups or industry bodies, State/Territory Government).

Are there any specific issues and what are the strategies to manage these?

10.1. Industry and Employers

Outline consultation that has taken place with key industry and employer stakeholders and summarise findings.

Summarise findings from Employer Regional Workforce Needs Assessment Surveys.

How many employers/businesses in the DAMA region are interested in a DAMA?

10.2. Other

Outline consultation that has taken place and summarise findings.

11. Current labour shortage and forecast of future needs

Details of current labour shortages (by occupation and industry) and details of any future industry and labour market trends relevant to the request.

Data available online from local government, ABS data, Regional Australia Institute

12. Appendices

(add more as required)

Appendix A – Designated Area

List of postcodes covered by DAMA and/or geographic map showing detail of local government areas or localities included in the boundaries of the designated area.

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Appendix B – List of Occupations and Concessions

Occupation	ANZSCO Code	ANZSCO skill level	TSMIT Concession	English Concession	Permanent Pathway	Add others as required
<i>Accounts Clerk</i>	<i>551111</i>	<i>4</i>	<i>No</i>	<i>No</i>	<i>Yes</i>	
<i>Automotive Electrician</i>	<i>321111</i>	<i>3</i>	<i>Yes</i>	<i>Yes</i>	<i>Yes</i>	
<i>Hotel or Motel Manager</i>	<i>141311</i>	<i>2</i>	<i>No</i>	<i>No</i>	<i>Yes</i>	
<i>Panelbeater</i>	<i>324111</i>	<i>3</i>	<i>Yes</i>	<i>No</i>	<i>No</i>	

Appendix C - Migrant support services directory and resources

List the migrant support services available in your region and whether they are available and/or appropriate for overseas workers and their dependants.

Appendix D - non-ANZSCO occupations, tasks and skills requirements

Example

Occupation Title: Restaurant Supervisor (Equivalent to ANZSCO Skill Level 3)

Reports to: Restaurant Manager

Position Description: The role of Restaurant Supervisor is to supervise, coordinate and train food and beverage staff and ensure a high level of customer service is delivered to guests.

Tasks:

- Supervision, training and coordination of food and beverage employees
- Entry/supervision of entries in accounting records required to be kept and maintained under the relevant industry standards
- Confers with managers to coordinate activities with other establishment sections
- Preparing displays and presenting stock, including specials
- Organizing the cleaning bar areas, glasses and equipment
- Etc.

Skills, qualifications and experience:

1. The visa applicant must undergo a skills assessment conducted by VETASSESS, and either
2. Have at least a relevant AQF or equivalent Certificate IV with at least one year relevant post qualification experience, or
3. Have at least two years relevant work experience.



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Designated Area Migration Agreement (DAMA): DAR Regional Workforce Needs Survey

KEY POINTS

- DAMAs provide flexibility for states, territories and/or regions to respond to their specific economic and labour market needs within a formal agreement with the Commonwealth that is authorised by the Minister.
- DAMAs are designed to provide solutions to Australian business where there are skills gaps and shortages that cannot be met by the Australian market by allowing 'endorsed' employers to sponsor a broader range of overseas workers than is available under the standard temporary and permanent visa programs.

ROLES AND RESPONSIBILITIES

- The Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs has the power to enter into a Designated Area Migration Agreement subject to authorisation and any conditions or parameters to be set.
- The Designated Area Representative (DAR) is the co-signatory to the agreement and is responsible for the broad oversight and endorsement of sponsors under this agreement. This includes monitoring and reporting on issues and activity under the DAMA including labour market patterns.
- The Department coordinates the DAMA negotiations, and makes the submission for Ministerial decision on DAMAs. Once established, the Department works with endorsed employers to establish specific labour agreements, and processes nomination and visa applications made under the agreements. The Department works with the DAR to monitor progress, issues and effectiveness of the DAMA.
- Employers endorsed by the DAR enter into individual labour agreements (under the umbrella of the DAMA) with the Department. Employers are required to demonstrate efforts to recruit Australian workers first and meet sponsorship obligations.

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Designated Area Migration Agreement: Regional Workforce Needs Assessment

Designated Area Representative (DAR) to complete

Organisation Name:

Contact Person:

Contact Details (email & phone):

INFORMATION REQUIRED	RESPONSE
1. Regional overview	<p><i>Provide background information about the region, outlining characteristics specific to the area including:</i></p> <ul style="list-style-type: none">- <i>economic information, skill gaps and shortages, demographics, employer information, labour market overview</i>- <i>community information including infrastructure and housing, health and education services</i>- <i>details of any future industry and labour market trends that are relevant to your request</i>
2. Business case for a DAMA in your region <ul style="list-style-type: none">• Why is a DAMA required?• What will it achieve?• What are the expectations?• How will a DAMA support the labour market in your region?• What other benefits will it bring?	<p><i>Include information about the key objectives and expected outcomes of a DAMA arrangement</i></p>

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INFORMATION REQUIRED	RESPONSE
<p>3. Regional industry profile</p> <ul style="list-style-type: none"> • How many businesses / employers are interested in this scheme? • What industries do they represent? 	
<p>4. Occupations sought</p> <ul style="list-style-type: none"> • Have you considered the use of specific industry labour agreements to meet these skill needs? • Are there any perceived barriers to the existing labour Agreement & Industry Templates? <p>Information regarding Labour Agreements is at: https://www.homeaffairs.gov.au/trav/work/empl/labour-agreements</p>	<p><i>Include a list of occupations sought and relevant labour market information for the region.</i></p> <p><i>Provide the related ANZSCO codes or duties and tasks (in a few dot points)</i></p>
<p>5. DAMA ceiling request</p> <p>Please provide supporting information for these numbers</p>	<p><i>Ceiling: The maximum total number of overseas workers that can be nominated under the DAMA per annum.</i></p> <p><i>Include in your response;</i></p> <ul style="list-style-type: none"> - <i>a list of occupations sought and corresponding number of positions you are seeking to fill with overseas workers</i> - <i>the related ANZSCO codes or duties and tasks (summarised in a few dot points)</i> - <i>relevant labour market information for the region specific to these occupations</i>

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INFORMATION REQUIRED	RESPONSE
<p>6. Support for employers</p> <p>What support will the DAR provide to employers sponsoring workers under a DAMA?</p>	
<p>7. Support for overseas workers</p> <p>How will you ensure overseas workers receive the necessary support and that worker exploitation and other risks are minimised?</p>	<p><i>A range of settlement information and support will assist the smooth transition of overseas workers into their local communities. This includes providing information and links to a range of essential services (health, education, religious), community activities and workplace support.</i></p>
<p>8. Endorsement process</p> <p>Outline the process you will put in place to endorse employers including criteria thresholds and relevant checks?</p> <p>What resources will the DAR draw upon (e.g. existing staff, contractors, grants) to perform this work</p>	<p><i>As the DAR, you are responsible for endorsing prospective employers who will sponsor visa applicants under the DAMA.</i></p>

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INFORMATION REQUIRED	RESPONSE
<p>Specific Visa requirements</p> <p><i>(Please summarise information provided by employers in their individual responses.)</i></p>	
<p>1. English language proficiency</p> <ul style="list-style-type: none"> • Are there any particular issues regarding the TSS or ENS English language proficiency requirement? • Do you need to seek any concessions? If yes, why? • Please provide an overview of concessions by occupation as part of your submission. • What strategies and options are in place to support migrant workers gain appropriate English language proficiency? For example, on the job training, dedicated community programs etc. 	<p><i>A level of English language proficiency across four components (speaking, reading, writing and listening) is required to enable a migrant to undertake work safely, participate in the workplace and society and transfer skills and experience.</i></p> <p><i>Standard program requirements:</i> <i>TSS requirement: IELTS score of 5.0 or equivalent</i> <i>ENS requirement: IELTS score of 6.0 or equivalent</i></p> <p><i>Please list proposed concession (if known) for each occupation.</i></p>
<p>2. Temporary skilled migration income threshold (TSMIT)</p> <ul style="list-style-type: none"> • Do you need to seek any concessions? If yes, why? • Are there any 'cost of living' or other expenses that would normally be non-monetary components of part of the employee contract (e.g. food and board)? 	<p><i>Employers are to pay at least market rates and provide foreign workers with at least the same terms and conditions as Australian employees.</i></p> <p><i>Concessions may generally be considered of up to 10% below TSMIT (currently AUD 53,900).</i></p> <p><i>Example: A concession may applied where the regional cost of living is commensurately lower than the national average.</i></p>

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INFORMATION REQUIRED	RESPONSE
<p>3. Skills and experience</p> <ul style="list-style-type: none">• Do you need to seek any concessions to the skills requirements outlined in ANZSCO for each occupation? If yes, why? <p>Refer to the ANZSCO occupation dictionary on the ABS website http://www.abs.gov.au/ANZSCO</p>	<p><i>Overseas workers are expected to have a level of skill and experience and be able to transfer skills to Australian workers. They will need to meet Australian registration and licensing requirements.</i></p>
<p>4. Pathway to Permanent Residence</p> <ul style="list-style-type: none">• Would this be something you would consider for your workforce?• What would be the benefits and challenges for you as an employer?	<p><i>After three years on a temporary work visa under the DAMA the Minister may agree to allow migrant workers to transition to a permanent visa (Employer Nomination Scheme, subclass 186).</i></p> <p><i>This option may provide an incentive for migrant workers to stay in regional and/or remote areas and provide some stability for the local workforce. This will be subject to conditions.</i></p>

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Next Steps	
What is the status of your submission? (<i>refer to DAMA timeline below</i>)	
What is required to finalise your DAMA request?	DAR Actions: Department Actions:
What are the barriers to submitting a completed DAMA request?	
How can the Department support you to progress your DAMA request?	

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DAMA TIMELINE

Establishing a DAMA

1. Proposed Designated Area Representative (DAR) submits a DAMA request and supporting information to the Department
2. Department and DAR discuss / negotiate conditions and any concession requests
3. Department provides information to Minister for review and decision
4. Outcome of Minister review communicated to DAR

If DAMA approved by the Minister for Immigration, Citizenship and Multicultural Affairs

5. Department creates DAMA (agreement template) that reflects parties involved and concessions sought
6. DAMA provided to DAR for consideration and legal review
7. DAR and Department discuss/clarify details (if required). Once finalised, DAMA sent to DAR for review and signoff
8. DAR returns signed DAMA to the Department
9. DAR signed DAMA provided to Minister for signature
10. Department executes (finalises) the DAMA and provides signed original to the DAR

DAR Endorses sponsor employers

11. Prospective employer sponsors approach DAR for assessment/endorsement as sponsors under the terms of the DAMA
12. DAR process application for endorsement in accordance with DAMA
13. If endorsed, DAR provide endorsement notification and all supporting evidence to the Department, and a copy of endorsement letter to the employer.

Establishing individual (DAMA) labour agreements under the DAMA

14. Endorsed employer lodges labour agreement application via ImmiAccount.
15. Department assesses labour agreement request and, if approved, develops individual labour agreement. Additional info may be requested from employer sponsor
16. Individual labour agreement sent to employer sponsor for review and signoff

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17. Employer sponsor returns signed labour agreement to the Department

18. Labour agreement signed and executed (cont....)

Nomination applications

19. Nomination for an approved position under the DAMA labour agreement lodged by the Employer sponsor via ImmiAccount (agreement stream)

20. Department assesses and decides nomination against regulations and the DAMA Labour Agreement.

21. Sponsor employer notified of outcome (approve/refuse)

Visa applications

22. Visa applications submitted via ImmiAccount (NB: may be lodged before associated nomination is finalised)

23. Department assess visa applications under the terms of the DAMA labour agreement and against migration regulations

24. Visas granted / refused and applicant notified