



# PUBLIC ATTACHMENTS

Ordinary Council Meeting

23 March 2022

Ordinary Council Meeting  
**SCHEDULE OF ACCOUNTS PAID - FEBRUARY 2022**

Chq/EFT	Date	Name	Description	Invoice Amount	Payment Total	Type	Funding
EFT10688 2197	03/02/2022 31/01/2022	Fitzgerald Strategies	Human Resource and Corporates services fees Human Resource and Corporates services fees	\$ 3,060.83	\$ 3,060.83		
EFT10689 504	03/02/2022 07/02/2022	Fletcher Family Trust T/A Strategic Teams	Governance support for week ending 28 January 2022 Governance support for week ending 28 January 2022	\$ 3,234.00	\$ 3,234.00		
EFT10690 19	03/02/2022 31/01/2022	Paul And Wendy Cleaning Services	Managing of the refuse sites at Calingiri & Bolgart - 24 January 2022 to 06 February 2022 Managing of the refuse sites at Calingiri & Bolgart - 24 January 2022 to 6 February 2022	\$ 2,079.00	\$ 2,079.00	L	
EFT10691 150926 151025 151957 152358 152359	11/02/2022 12/10/2021 14/10/2021 18/11/2021 30/11/2021 30/11/2021	Advanced Traffic Management WA Pty Ltd	Traffic Management: Traffic controllers with signs and cones - Toodyay Bindi Bindi Road 4/10/2021-8/10/21 Traffic controllers with signs and cones - Toodyay Bindi Bindi Road 12/10/2021-12/10/21 Traffic controllers with signs and cones - Yerecoin Road 9/11/2021-17/11/21 Traffic controllers with signs and cones - Yerecoin Road 18/11/2021-22/11/21 Traffic controllers with signs and cones - Bindi Bindi Road 29/11/2021 - 30/11/2021	\$ 14,091.00 \$ 880.00 \$ 14,874.75 \$ 5,702.13 \$ 3,907.75	\$ 39,455.63		
EFT10692 1011255767	11/02/2022 03/02/2022	Australia Post	Postal Charges - January 2022 Postal Charges - January 2022	\$ 244.82	\$ 244.82		
EFT10693 544787	11/02/2022 01/01/2022	Bigmate Monitoring Services Pty Ltd	Monthly GPS monitoring - January 2022 Monthly GPS monitoring - January 2022	\$ 330.00	\$ 330.00		
EFT10694 2654	11/02/2022 03/02/2022	Bob Waddell & Associates Pty Ltd	Assistance with Rates issue Assistance with Rates issue	\$ 288.75	\$ 288.75		
EFT10695 9657	11/02/2022 07/02/2022	Country Copiers Northam	Colour copier service meter reading and services - January 2022 Colour copier service meter reading and services - January 2022	\$ 462.80	\$ 462.80		
EFT10696 505	11/02/2022 07/02/2022	Fletcher Family Trust T/A Strategic Teams	Governance support for week ending 4 February 2022 Governance support for week ending 4 February 2022	\$ 3,696.00	\$ 3,696.00		
EFT10697 364 365 368	11/02/2022 23/01/2022 24/01/2022 02/02/2022	KA Tyres & Battery's	Vehicle maintenance & services: Works Manager's 34k vehicle service Depot vehicle 90k service - Holden Colorado Works Manager's vehicle - tyre replacement	\$ 411.44 \$ 449.86 \$ 346.00	\$ 1,207.30	L	
EFT10698 11 1 19	11/02/2022 04/02/2022 04/02/2022 03/01/2022	Linsey Cotter	Cleaning services: Cleaning of Caravan Park, Public toilets and Hall at Bolgart 24th, 26th, 28th, and 31st January 2022 Cleaning of housing - consultants accommodation Cleaning of Yerecoin Wayside Rest area - 24th, 28th, 31st January 2022	\$ 420.00 \$ 245.00 \$ 280.00	\$ 945.00	L	
EFT10699 192115	11/02/2022 02/01/2022	OneMusic Australia	Music License - 01/01/2022 to 31/03/2022 Music License - 01/01/2022 to 31/03/2022	\$ 86.31	\$ 86.31		
EFT10700	11/02/2022	Cancelled					

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Chq No	State of Victoria Plan Date	Name	Description	Invoice Amount	Payment Total	Type	Funding
EFT10701 22917 23047	11/02/2022 04/01/2022 01/02/2022	Wallis Computer Solutions	Monthly NBN Wireless Service 21/22 Wireless service - January 2022 Wireless service - February 2022	\$ \$ \$	1,386.00 693.00 693.00		
EFT10702 721	17/02/2022 03/02/2022	Shane T Smith Contracting Pty Ltd	Digging of Grave Bolgart Cemetary 17- 18 January 2022 Digging of Grave Bolgart Cemetary 17- 18 January 2022	\$ \$	1,215.50 1,215.50		
EFT10703 6062 6063	17/02/2022 23/12/2021 12/01/2022	Abbott Auto Electrics	Repairs and services: Supplied UHF for Bobcat Loader Repairs of Hino 700 - pressure test, replaced faulty hose, vac and gas	\$ \$ \$	1,739.44 522.78 1,216.66		
EFT10704 152152  152983	17/02/2022 25/11/2021  22/12/2021	Advanced Traffic Management WA Pty Ltd	Traffic Management at Yerecoin Road: Traffic controllers with signs and cones - Yerecoin Road 23/11/2022 to 25/11/2022 Traffic controllers with signs and cones - Yerecoin Road 16/12/2021	\$ \$ \$	7,297.13 5,702.13 1,595.00		
EFT10705 47618 47650	17/02/2022 17/12/2021 31/12/2021	Avon Waste	Refuse collection - December 2021 Refuse collection - 17/12/21 Refuse collection - 31/12/21	\$ \$ \$	4,012.68 2,315.95 1,696.73	L	
EFT10706 4026236257 4028776725 4029484402 4030227014 4030372520	17/02/2022 01/07/2021 01/07/2021 28/09/2021 29/12/2021 29/01/2022	BOC Limited	Gas cylinder service charge and purchases: Supplied hose twin assembly for 10me Oxy/Acetylane Gas cylinder service charge - June 2021 Gas cylinder service charge - September 2021 Gas cylinder service charge - December 2021 Gas cylinder service charge - January 2022	\$ \$ \$ \$ \$ \$	145.22 45.08 24.62 24.62 25.45 25.45		
EFT10707 1850 1855	17/02/2022 31/01/2022 16/02/2022	Bindoon Bakehaus & Cafe	Catering services: Catering for 27 January 2022 meeting Catering for 14 February meeting	\$ \$ \$	432.00 219.00 213.00	L	
EFT10708	17/02/2022	Cancelled					
EFT10709 509326 509327  509325  509343 509340 509346	17/02/2022 31/01/2022 31/01/2022  31/01/2022  31/01/2022 31/01/2022 31/01/2022	Civic Legal Pty Ltd	Legal fees: January 2022 On management of natural resources On lease of part of reserve to Gillingarra Sport and Recreation Club  On Licence agreement - Radio Communications tower in Yarrawindah On conduct of a councillor by email Order to produce documents relating to a councillor On dispute over candidate eligibility	\$ \$ \$  \$ \$ \$ \$	49,978.50 297.00 288.75  3,388.00 7,150.00 374.00 38,480.75		
EFT10710 10004200  10004291	17/02/2022 07/09/2021  10/12/2021	Coterra Environment	Environmental Consulting Services - clearing permit Provision of environmental consulting services- Clearing permit for July 2021 and August 2021 Provision of environmental consulting services-Clearing Permit for November 2021	\$ \$ \$	4,240.96 3,143.71 1,097.25		
EFT10711 659402	17/02/2022 01/02/2022	Dun Direct Pty Ltd	Purchased diesel for stocks in Depot - February 2022 Purchased diesel for stocks in Depot - February 2022	\$ \$	17,980.60 17,980.60	L	
EFT10712 4135	17/02/2022 03/02/2022	Exurban Rural and Regional Planning	Town planning consultancy services-December 21 & January 22 Town planning consultancy services-December 21 & January 22	\$ \$	7,691.13 7,691.13		

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Chq No	Site of Victoria Plains	Date	Name	Description	Invoice Amount	Payment Total	Type	Funding
EFT10713 506		17/02/2022 14/02/2022	Fletcher Family Trust T/A Strategic Teams	Governance support for week ending 11 February 2022 Governance support for week ending 11 February 2022	\$ 3,696.00	\$ 3,696.00		
EFT10714 693 692 690 691		17/02/2022 08/02/2022 08/02/2022 08/02/2022 08/02/2022	Fraser Onsite	Repairs and services: Various repairs on Grader, Loaders, trucks and genset Pump replacement on Loader, and charge air conditioning on Grader Repairs of Grader - airconditioner compressor replacement and regass Repairs of Multi tyred roller - replaced engine mounts, checked and fixed oil leaks.	\$ 8,503.00 \$ 817.85 \$ 3,587.87 \$ 4,732.20	\$ 17,640.92		
EFT10715 27		17/02/2022 12/02/2022	Mogumber & Districts Progress Association	Cleaning and rubbish removal 01/10/2021 TO 31/12/2021 at Mogumber Cleaning and rubbish removal 01/10/2021 TO 31/12/2021 at Mogumber	\$ 652.78	\$ 652.78	L	
EFT10716 1035648		17/02/2022 04/01/2022	Moora Truck & Auto Parts	Grader - repair electrical fault and regas aircon Grader - repair electrical fault and regas aircon	\$ 265.00	\$ 265.00		
EFT10717 20		17/02/2022 14/02/2022	Paul And Wendy Cleaning Services	Managing of the refuse sites Bolgart and Calingiri - 07/02/2022 to 20/02/2022 Managing of the refuse sites Bolgart and Calingiri - 07/02/2022 to 20/02/2022	\$ 2,079.00	\$ 2,079.00	L	
EFT10718 1131 1130		17/02/2022 24/01/2022 24/01/2022	Ringa Civil	Maintenance Grading of School bus routes: Maintenance grading of school bus routes - Grader wet hire 10/01/2022 to 21/01/2022 Maintenance grading of school bus routes 24-28 January 2022	\$ 16,021.50 \$ 6,380.00	\$ 22,401.50		
EFT10719 1390 1389		17/02/2022 31/01/2022 31/01/2022	WA Fenceworks Pty Ltd	Fencing at Calingiri Refuse site and Hockey field: Supplied and installed high galvanised chainmesh fencing at Calingiri Refuse site Supplied and installed high black chainmesh security fencing at hockey field	\$ 10,931.25 \$ 7,425.00	\$ 18,356.25		F
EFT10720 13090413		17/02/2022 25/11/2021	WA Local Government Association	Councillor - "Understanding Financial Reports" eLearning course Councillor - "Understanding Financial Reports" eLearning course	\$ 195.00	\$ 195.00		
EFT10721 2003189		17/02/2022 26/02/2021	Wheatbelt Tyres	Bobcat trailer - tyre replacement and repairs Bobcat trailer - tyre replacement and repairs	\$ 1,667.15	\$ 1,667.15		
EFT10722 339528 339698 342195 347100		17/02/2022 01/10/2021 04/10/2021 01/11/2021 04/01/2022	Wongan Hills Hardware	Calingiri town fencing and oval maintenance supplies Calingiri town fencing and oval maintenance supplies Calingiri town fencing and oval maintenance supplies Calingiri town fencing and oval maintenance supplies Calingiri town fencing and oval maintenance supplies	\$ 1,917.22 \$ 64.64 \$ 17.75 \$ 223.55	\$ 2,223.16	L	
EFT10723 367248 829752 ADJUST 368094 369008 369407 369942 369844		17/02/2022 01/12/2021 01/12/2021 15/12/2021 05/01/2022 13/01/2022 27/01/2022 31/01/2022	Bolgart Rural Merchandise	Australia Day breakfast and Bolgart town maintenance supplies: Bolgart town maintenance items Bolgart town maintenance items Bolgart town maintenance items Bolgart town maintenance items Bolgart town maintenance items Bolgart town maintenance items Australia Day breakfast	\$ 119.14 -\$ 182.68 \$ 31.75 \$ 41.45 \$ 42.95 \$ 35.25 \$ 658.37	\$ 746.23	L	

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Chq No	State of Victoria Plan Date	Name	Description	Invoice Amount	Payment Total	Type	Funding
EFT10724 233	17/02/2022 10/02/2022	Greg Alan Electrical Airconditioning & Refrigeration (Pithara Electrical Pty Ltd )	Supplied and installed alternator and airconditioning unit at Calingiri Refuse site-convert from 15amp system to 32amp. Supplied and installed alternator and airconditioning unit at Calingiri Refuse site-convert from 15amp system to 32amp.	\$ 1,742.00	\$ 1,742.00		
EFT10725 651	17/02/2022 26/11/2021	RSM Australia Pty Ltd atf Birdanco Practice Trust	Accounting services for November 2021 Accounting services for November 2021	\$ 16,807.42	\$ 16,807.42		
EFT10726 1044	17/02/2022 01/02/2022	Rural Infrastructure Services	Provision of consultancy services - road project management for January 2022 Provision of consultancy services - road project management for January 2022	\$ 3,480.95	\$ 3,480.95		
EFT10727 22031	17/02/2022 26/01/2022	Star Track Express	Freight Charges- January 2022 Freight charges - January 2022	\$ 10.60	\$ 10.60		
EFT10728 DEDUCTION DEDUCTION	21/02/2022 08/12/2021 19/01/2022	Australian Services Union	Payroll deduction - Union fees Union fees - December 2021 Union fees - January 2022	\$ 99.60 \$ 51.80	\$ 151.40		
EFT10729 79404	24/02/2022 28/01/2022	AC Healthcare Pty Ltd	Pre-employment medical cost Pre-employment medical cost	\$ 255.00	\$ 255.00		
EFT10730 48094 48136	24/02/2022 14/01/2022 28/01/2022	Avon Waste	Refuse collection Refuse collection - 14/01/21 Refuse collection - 28/01/21	\$ 2,313.79 \$ 1,678.68	\$ 3,992.47	L	
EFT10731 544947	24/02/2022 01/02/2022	Bigmate Monitoring Services Pty Ltd	GPS monitoring - February 2022 GPS monitoring - February 2022	\$ 330.00	\$ 330.00		
EFT10732 333814	24/02/2022 27/01/2022	Boekeman Machinery	Calingiri Fire truck - battery replacement Calingiri Fire truck - battery replacement	\$ 242.55	\$ 242.55		
EFT10733 9023	24/02/2022 09/02/2022	Choices Flooring By Dallimores	Calingiri Hall kitchen flooring replacement Calingiri Hall kitchen flooring replacement	\$ 6,825.50	\$ 6,825.50		
EFT10734 508272 508271 508270 508269	24/02/2022 31/05/2021 31/05/2021 31/05/2021 31/05/2021	Civic Legal Pty Ltd	Legal advice and services - May 2021: On extension of lease for New Norcia Emergency Service Facility On lease/ licence of Piawaning land and amendment of management orders On management of natural resources On Licence agreement - Radio Communications Tower in Yarrowindah	\$ 519.75 \$ 2,386.50 \$ 5,925.43 \$ 1,730.85	\$ 10,562.53		
EFT10735 18036	24/02/2022 28/01/2022	Claw Environmental	Drum Muster Collection -January 2022 Drum Muster Collection -January 2022	\$ 1,854.05	\$ 1,854.05		
EFT10736 362140	24/02/2022 31/01/2022	Conplant Pty Ltd	Plant hire of Pad Foot for Bolgart West Road - January 2022 Plant hire of Pad Foot for Bolgart West Road - January 2022	\$ 1,347.50	\$ 1,347.50		
EFT10737 59058	24/02/2022 23/09/2021	EMERG Solutions Pty Ltd	CESM - BART subscription with licences CESM - BART subscription with licences	\$ 3,750.00	\$ 3,750.00		F
EFT10738 507	24/02/2022 21/02/2022	Fletcher Family Trust T/A Strategic Teams	Governance support for week ending 18/02/2022 Governance support for week ending 18/02/2022	\$ 3,003.00	\$ 3,003.00		
EFT10739 15964200	24/02/2022 12/01/2022	Fulton Hogan Industries Pty Ltd	Supplied, sprayed, and covered two coat rubber seal at Toodyay Bindi Bindi Road Supplied, sprayed, and covered two coat rubber seal at Toodyay Bindi Bindi Road	\$ 139,737.31	\$ 139,737.31		F

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Chq No	State of Victoria Plan Date	Name	Description	Invoice Amount	Payment Total	Type	Funding
EFT10740 50	24/02/2022 01/02/2022	GH Purser and Son	Gravel supplied for road maintenance Gravel supplied for road maintenance	\$ 7,823.20	\$ 7,823.20	L	
EFT10741 REIMBURSEMENT0302	24/02/2022 03/02/2022	Glenda Teede	Council Meeting - consumables (soft drinks & nibbles) Council Meeting - consumables (soft drinks & nibbles)	\$ 124.19	\$ 124.19	L	
EFT10742 234	24/02/2022 14/02/2022	Greg Alan Electrical Airconditioning & Refrigeration	Repairs and services: Supplied and installed reverse cycle inverter wall mount - Admin Office	\$ 2,684.00	\$ 13,655.20		
236	15/02/2022		Supplied and installed split system - Harrington St unit	\$ 2,817.00			
237	17/02/2022		Supplied and installed reverse cycle inverter wall mount - Harrington St unit	\$ 2,817.00			
241	19/02/2022		Inspected Bolgart Hall for electric compliance to switchboards plus travel	\$ 563.20			
239	19/02/2022		Service aircons - Admin, Chambers, Depot, Housing, Libraries, Fire stations	\$ 3,608.00			
238	19/02/2022		RCD Safety switch testing of Calingiri and Bolgart units	\$ 1,166.00			
EFT10743 36432	24/02/2022 17/01/2022	IT Vision Australia Pty Ltd	SynergySoft automation toolset - Emailing of payslips including implementation and training services SynergySoft automation toolset - Emailing of payslips including implementation and training services	\$ 2,248.52	\$ 2,248.52		
EFT10744 377	24/02/2022 11/01/2022	KA Tyres & Battery's	Vehicle service - Depot Nissan D40 RX King Cab Vehicle service - Depot Nissan D40 RX King Cab	\$ 515.41	\$ 515.41	L	
EFT10745 12	24/02/2022 18/02/2022	Linsey Cotter	Cleaning services: Cleaning of caravan park, public toilets, and hall at Bolgart - 7th ,9th,11th,14th 16th, & 18th February 2022	\$ 420.00	\$ 770.00	L	
20	18/02/2022		Cleaning of Yerecoin Wayside Rest area - 7th, 11th, 14th, 18th February 2022	\$ 280.00			
2	18/02/2022		Cleaning of consultants' accommodation	\$ 70.00			
EFT10746 1683439 1685226	24/02/2022 20/01/2022 31/01/2022	McIntosh & Son	Purchased maintenance items: Battery for roadworks at Toodyay Bindi Bindi Road Purchased suction hose for Depot workshop	\$ 454.30 \$ 704.00	\$ 1,158.30		
EFT10747 802	24/02/2022 01/02/2022	Moore Catchment Council Inc	Annual contribution to Moore Catchment Council Annual contribution to Moore Catchment Council	\$ 1,100.00	\$ 1,100.00		
EFT10748 CREDITSTAKENUPTWICE 24764261	24/02/2022 01/07/2021 01/02/2022	Officeworks	Purchased office supplies, computer and chairs: Administration -stationery Computer monitors, chairs, and stationery for Calingiri Fire Station	\$ 632.06 \$ 983.28	\$ 3,619.68		F
2478776	02/02/2022		Coloured printer for Calingiri Fire Station	\$ 997.00			
24758293	03/02/2022		Administration - stationery	\$ 149.34			
24774905	03/02/2022		Desks for Calingiri Fire Station	\$ 858.00			
EFT10749 220275	24/02/2022 31/01/2022	Pathtech Pty Ltd	Occupational Health and Safety - Saliva Detection Device DrugWipe Occupational Health and Safety - Saliva Detection Device DrugWipe	\$ 2,540.95	\$ 2,540.95		

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Chq No	Shire of Victoria Plains	Date	Name	Description	Invoice Amount	Payment Total	Type	Funding	
EFT10750		24/02/2022	Rajaford Pty Ltd (Calingiri Traders)	Administration and Depot - monthly purchases of supplies and maintenance items		\$ 5,442.45	L		
Dec - Jan		02/12/2021		Administration and Depot - monthly purchases of supplies and maintenance items	\$ 5,442.45				
EFT10751		24/02/2022	Seaport Holdings P/L	Cartage gravel:		\$ 9,405.00	L	F	
4/2022		10/02/2022		Cartage gravel-Bolgart West Road and Toodyay Bindi Bindi Road	\$ 1,980.00				
3/2022		10/02/2022		Cartage gravel-Bolgart West Road and Toodyay Bindi Bindi Road	\$ 7,425.00				
EFT10752		24/02/2022	Shire of Chittering	Long Service Entitlements reimbursement -previous employee		\$ 7,433.72			
15444		20/01/2022		Long Service Entitlements reimbursement -previous employee	\$ 7,433.72				
EFT10753		24/02/2022	Toll Group (Courier Australia)	Freight Charges - State library delivery		\$ 17.01			
307		30/01/2022		Freight Charges - State library delivery	\$ 17.01				
EFT10754		24/02/2022	Toodyay Tyres & Exhaust	Supplied and fitted tyres:		\$ 10,203.20			
6283		24/01/2022		Cat Loader, trailers, and Hino 700	\$ 5,245.20				
6319		31/01/2022		Volvo Loader	\$ 4,958.00				
EFT10755		24/02/2022	Wongan Hills Hardware	Maintenance items:		\$ 577.45	L		
350152		12/02/2022		Paints for Calingiri town	\$ 80.05				
350300		15/02/2022		Solid Core doors for Mogumber town	\$ 485.40				
350336		15/02/2022		Padlock for Depot	\$ 12.00				
EFT10756		24/02/2022	Yeti's Records Management Consultancy	Records Management-Network drive clean-January 2022 and February 2022		\$ 2,464.00			
370		25/01/2022		Records Management-Network drive clean-January 2022 and February 2022	\$ 2,464.00				
EFT10757		28/02/2022	Australian Taxation Office	Payroll deductions - Tax		\$ 15,302.00			
DEDUCTION		08/12/2021		Payroll deductions - Tax	\$ 15,302.00				
EFT10758		28/02/2022	Australian Taxation Office	Payroll deductions - Tax		\$ 30,018.00			
DEDUCTION		05/01/2022		Payroll deductions - Tax	\$ 14,489.00				
DEDUCTION		19/01/2022		Payroll deductions - Tax	\$ 15,529.00				
EFT10759		28/02/2022	Cancelled						
EFT10760		28/02/2022	Australian Taxation Office	Payroll deductions - Tax		\$ 46,799.00			
DEDUCTION		22/12/2021		Payroll deductions - Tax	\$ 13,822.00				
DEDUCTION		02/02/2022		Payroll deductions- Tax	\$ 34.00				
DEDUCTION		02/02/2022		Payroll deductions - Tax	\$ 15,958.00				
DEDUCTION		16/02/2022		Payroll deductions - Tax	\$ 16,985.00				
					<b>EFT Total</b>	<b>\$ 576,442.15</b>	<b>\$ 576,442.15</b>		
12559		22/02/2022	Shire of Victoria Plains - please pay cash	Petty cash replenishment - February 2022		\$ 488.65			
FEB 2022		22/02/2022		Petty cash replenishment - February 2022	\$ 488.65				
					<b>Cheques Total</b>	<b>\$ 488.65</b>	<b>\$ 488.65</b>		

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Charge Code	Shire of Victoria Plains Date	Name	Description	Invoice Amount	Payment Total	Type	Funding
DD13191.1	14/02/2022	Shire of Victoria Plains - Credit Card	Credit card charges - January 2022 Vehicle registration, Appliance for consultant accommodation, subscription, office stationery		\$ 1,939.11		
JAN 2022	14/02/2022		Credit card charges - January 2022 Vehicle registration, Appliance for consultant accommodation, subscription, office stationery	\$ 1,939.11			
DD13191.2	14/02/2022	Wright Express Australia Pty Ltd	Fuel card charges January 2022 - CEO, CESM		\$ 1,877.15		
JAN 2022	14/02/2022		Fuel card charges January 2022 - CEO, CESM	\$ 1,877.15			
<b>Charge Cards Total</b>				<b>\$ 3,816.26</b>	<b>\$ 3,816.26</b>		

DD13139.1	15/02/2022	Synergy	Electricity Charges - 23/11/2021 to 24/01/2022		\$ 403.73		
2097417624	25/01/2022		Bolgart Caravan park	\$ 198.29			
2057438744	25/01/2022		Bolgart Hall	\$ 205.44			
DD13145.1	01/02/2022	linet Limited	Internet charges Bolgart and Mogumber libraries for Feb 2022		\$ 79.98		
130312964	31/01/2022		Internet charges Bolgart and Mogumber libraries for Feb 2022	\$ 79.98			
DD13151.1	02/02/2022	Aware Super Pty Ltd	Superannuation contributions and payroll deductions		\$ 3,312.38		
SUPER	02/02/2022		Superannuation contributions	\$ 2,936.02			
DEDUCTION	02/02/2022		Payroll deductions	\$ 177.86			
DEDUCTION	02/02/2022		Payroll deductions	\$ 50.00			
DEDUCTION	02/02/2022		Payroll deductions	\$ 148.50			
DD13151.2	02/02/2022	North Superannuation	Superannuation contributions and payroll deductions		\$ 1,764.89		
DEDUCTION	02/02/2022		Payroll deductions	\$ 102.42			
DEDUCTION	02/02/2022		Payroll deductions	\$ 172.00			
SUPER	02/02/2022		Superannuation contributions	\$ 1,388.05			
SUPER	02/02/2022		Superannuation contributions	\$ 102.42			
DD13151.3	02/02/2022	CYKC Superannuation Fund	Superannuation contributions and payroll deductions		\$ 923.08		
DEDUCTION	02/02/2022		Payroll deductions	\$ 230.77			
SUPER	02/02/2022		Superannuation contributions	\$ 692.31			
DD13151.4	02/02/2022	BT Super For Life	Superannuation contributions		\$ 234.20		
SUPER	02/02/2022		Superannuation contributions	\$ 234.20			
DD13151.5	02/02/2022	Australian Super Pty Ltd	Superannuation contributions		\$ 801.73		
SUPER	02/02/2022		Superannuation contributions	\$ 801.73			
DD13151.6	02/02/2022	Hesta Super Fund	Superannuation contributions		\$ 165.33		
SUPER	02/02/2022		Superannuation contributions	\$ 165.33			
DD13151.7	02/02/2022	TWU Super	Superannuation contributions		\$ 212.00		
SUPER	02/02/2022		Superannuation contributions	\$ 212.00			
DD13151.8	02/02/2022	C BUS Super	Superannuation contributions		\$ 259.62		
SUPER	02/02/2022		Superannuation contributions	\$ 259.62			
DD13172.1	10/02/2022	Telstra Corporation Ltd	Fire Prevention-mobile phone charges 22 Jan 22 to 21 Feb 22		\$ 120.00		
1466814702	09/02/2022		Fire Prevention-mobile phone charges 22 Jan 22 to 21 Feb 22	\$ 120.00			
DD13176.1	14/02/2022	Telstra Corporation Ltd	Telephone charges-23 January 2022 to 22 February 2022		\$ 923.97		
6308416000	30/01/2022		Telephone charges-23 January 2022 to 22 February 2022	\$ 923.97			
DD13184.1	01/02/2022	Department Of Transport	Transport Licensing Transactions 28/1/22		\$ 44.50		
T1000	01/02/2022		Transport Licensing Transactions 28/1/22	\$ 44.50			



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Chq No	State of Victoria Plan Date	Date	Name	Description	Invoice Amount	Payment Total	Type	Funding
DD13184.2		02/02/2022	Department Of Transport	Transport Licensing Transactions 31/1/22		\$ 3,438.05		
T1000		02/02/2022		Transport Licensing Transactions 31/1/22	\$ 3,438.05			
DD13184.3		03/02/2022	Department Of Transport	Transport Licensing Transactions 1/2/22		\$ 883.10		
T1000		03/02/2022		Transport Licensing Transactions 1/2/22	\$ 883.10			
DD13184.4		04/02/2022	Department Of Transport	Transport Licensing Transactions 2/2/22		\$ 14.95		
T1000		04/02/2022		Transport Licensing Transactions 2/2/22	\$ 14.95			
DD13184.5		07/02/2022	Department Of Transport	Transport Licensing Transactions 3/2/22		\$ 30.50		
T1000		07/02/2022		Transport Licensing Transactions 3/2/22	\$ 30.50			
DD13184.6		10/02/2022	Department Of Transport	Transport Licensing Transactions 8/2/22		\$ 342.95		
T1000		10/02/2022		Transport Licensing Transactions 8/2/22	\$ 342.95			
DD13184.7		11/02/2022	Department Of Transport	Transport Licensing Transactions 9/2/22		\$ 1,500.15		
T1000		11/02/2022		Transport Licensing TransactionsS 9/2/22	\$ 1,500.15			
DD13184.8		14/02/2022	Department Of Transport	Transport Licensing TransactionsS 10/2/22		\$ 860.15		
T1000		14/02/2022		Transport Licensing Transactions 10/2/22	\$ 860.15			
DD13184.9		15/02/2022	Department Of Transport	Transport Licensing Transactions11/2/22		\$ 1,858.75		
T1000		15/02/2022		Transport Licensing Transactions 11/2/22	\$ 1,858.75			
DD13189.1		07/02/2022	Telstra Corporation Ltd	Telephone Accounts Mobiles-17 January 22 to 16 February 22		\$ 1,124.64		
1583901424		17/01/2022		Telephone Accounts Mobiles-17 January 22 to 16 February 22	\$ 1,124.64			
DD13193.1		22/02/2022	Synergy	Street Lights - Electricity Charges - 25/12/2021 to 24/01/2022		\$ 1,437.48		
240020510		01/02/2022		Street Lights - Electricity Charges - 25/12/2021 to 24/01/2022	\$ 1,437.48			
DD13196.1		16/02/2022	Aware Super Pty Ltd	Superannuation contributions and payroll deductions		\$ 3,214.32		
SUPER		16/02/2022		Superannuation contributions	\$ 2,875.23			
DEDUCTION		16/02/2022		Payroll deductions	\$ 171.94			
DEDUCTION		16/02/2022		Payroll deductions	\$ 50.00			
DEDUCTION		16/02/2022		Payroll deductions	\$ 117.15			
DD13196.2		16/02/2022	North Superannuation	Superannuation contributions and payroll deductions		\$ 1,764.89		
DEDUCTION		16/02/2022		Payroll deductions	\$ 102.42			
DEDUCTION		16/02/2022		Payroll deductions	\$ 172.00			
SUPER		16/02/2022		Superannuation contributions	\$ 1,388.05			
SUPER		16/02/2022		Superannuation contributions	\$ 102.42			
DD13196.3		16/02/2022	CYKC Superannuation Fund	Superannuation contributions and payroll deductions		\$ 923.08		
DEDUCTION		16/02/2022		Payroll deductions	\$ 230.77			
SUPER		16/02/2022		Superannuation contributions	\$ 692.31			
DD13196.4		16/02/2022	BT Super For Life	Superannuation contributions		\$ 428.25		
SUPER		16/02/2022		Superannuation contributions	\$ 428.25			
DD13196.5		16/02/2022	Australian Super Pty Ltd	Superannuation contributions		\$ 753.88		
SUPER		16/02/2022		Superannuation contributions	\$ 753.88			
DD13196.6		16/02/2022	Hesta Super Fund	Superannuation contributions		\$ 240.49		
SUPER		16/02/2022		Superannuation contributions	\$ 240.49			
DD13196.7		16/02/2022	TWU Super	Superannuation contributions		\$ 212.00		
SUPER		16/02/2022		Superannuation contributions	\$ 212.00			
DD13196.8		16/02/2022	C BUS Super	Superannuation contributions		\$ 259.62		
SUPER		16/02/2022		Superannuation contributions	\$ 259.62			

Ordinary Council Meeting

Chq No	State of Victoria Plan	Date	Name	Description	Invoice Amount	Payment Total	Type	Funding
DD13215.1		25/02/2022	Department Of Transport	Transport licensing transactions 23/02/22		\$ 124.60		
T1000		25/02/2022		Transport licensing transactions 23/02/22	\$ 124.60			
DD13215.2		28/02/2022	Department Of Transport	Transport licensing transactions 24/2/22		\$ 29.20		
T1000		28/02/2022		Transport licensing transactions 24/2/22	\$ 29.20			
DD13216.1		28/02/2022	Western Australia Treasury Corporation	Loan 84 repayment - Piawaning Water Supply		\$ 9,938.62		
LOAN 84 FEB 2022		28/02/2022		Loan 84 repayment - Piawaning Water Supply	\$ 9,938.62			
DD13217.1		09/03/2022	Department Of Transport	Transport licensing transactions 21/02/22		\$ 13,995.30		
T1000		09/03/2022		Transport licensing transactions 21/02/22	\$ 13,995.30			
Bank		28/02/2022	Bendigo Bank	Bank fees and charges - February 2022	\$ 165.30	\$ 165.30		
<b>Direct Debits Total</b>					<b>\$ 52,785.68</b>	<b>\$ 52,785.68</b>		

Payroll		02/02/2022	Employees	Payroll PE 2.02.2022	\$ 48,279.52	\$ 48,279.52		
Payroll		16/02/2022	Employees	Payroll PE 16.2.2021	\$ 51,442.78	\$ 51,442.78		
<b>Direct Debits Total</b>					<b>\$ 99,722.30</b>	<b>\$ 99,722.30</b>		

Abbreviations			
F	Funded	EFT Total	\$ 576,442.15 78.61%
L	Local Supplier	Cheques Total	\$ 488.65 0.07%
		Charge Cards Total	\$ 3,816.26 0.52%
		Direct Debit Total	\$ 52,785.68 7.20%
		Trust Total	\$ - 0.00%
		Payroll Total	\$ 99,722.30 13.60%
		<b>Total</b>	<b>\$ 733,255.04 100.00%</b>
		Local Suppliers	\$ 60,430.47 8.24%
		Employees	\$ 152,753.59 20.83%
		<b>Combined Total</b>	<b>\$ 213,184.06 29.07%</b>



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# SHIRE OF VICTORIA PLAINS

## MONTHLY FINANCIAL REPORT

**For the Period Ending 28 February 2022**

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

**SHIRE OF VICTORIA PLAINS**  
**MONTHLY FINANCIAL REPORT**  
**For the Period Ending 28 February 2022**  
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## **Compilation Report**

### **To the Council**

### **Shire of Victoria Plains**

#### **Scope**

We have compiled the accompanying special purpose financial statements.

The specific purpose for which the special purpose financial report has been prepared is to provide information relating to the financial performance and financial position of the Shire that satisfies the information needs of the Council and the *Local Government Act 1995* and associated regulations.

#### **The responsibility of the Shire**

The Shire is solely responsible for the information contained in the special purpose financial report and have determined that the accounting policies used are consistent and are appropriate to satisfy the requirements of the Council and the *Local Government Act 1995* and associated regulations.

#### **Our responsibility**

On the basis of information provided by the Shire, we have compiled the accompanying special purpose financial statements in accordance with the significant accounting policies adopted as set out in Note 1 to the financial statements and APES 315: Compilation of Financial Information.

Our procedures use accounting expertise to collect, classify and summarise the financial information, which the Management provided, into a financial report. Our procedures do not include any verification or validation procedures. No audit or review has been performed and accordingly no assurance is expressed.

To the extent permitted by law, we do not accept liability for any loss or damage which any person, other than the Shire of Victoria Plains, may suffer arising from negligence on our part.

This report was prepared for the benefit of the Council of the Shire of Victoria Plains and the purpose identified above. We do not accept responsibility to any other person for the content of the report.

Signed at GERALDTON

Date 18<sup>th</sup> March 2022

RSM Australia Pty Ltd  
Chartered Accountants

**THE POWER OF BEING UNDERSTOOD**  
AUDIT | TAX | CONSULTING

RSM Australia Pty Ltd is a member of the RSM network and trades as RSM. RSM is the trading name used by the members of the RSM network. Each member of the RSM network is an independent accounting and consulting firm which practices in its own right. The RSM network is not itself a separate legal entity in any jurisdiction.

RSM Australia Pty Ltd ACN 009 321 377 atf Birdanco Practice Trust ABN 65 319 382 479 trading as RSM

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**SHIRE OF VICTORIA PLAINS**

**MONTHLY FINANCIAL REPORT**

**For the Period Ending 28 February 2022**

**EXECUTIVE SUMMARY**

**Statement of Financial Activity**

Statements are presented on pages 5 and 6 showing a surplus/(deficit) as at 28 February 2022 of \$1,101,226

**Significant Revenue and Expenditure**

	Collected / Completed %	Annual Budget \$	YTD Budget \$	YTD Actual \$
<b>Significant Projects</b>				
Ag Lime Calingiri - New Norcia Road	4%	1,179,822	786,536	49,447
Mogumber - Yarawindah Road WSFN #5	0%	1,578,438	1,052,272	329
Toodyay - Bindi Bindi Rd Nth 21/22	37%	634,611	423,056	237,338
Bolgart West Road	98%	446,104	297,384	439,250
Mogumber - Yarawindah Road 19/20	1%	248,381	165,584	3,571
Mogumber - Yarawindah Road WSFN #2	16%	239,019	159,344	37,803
	18%	4,326,376	2,884,176	767,739
<b>Grants, Subsidies and Contributions</b>				
Operating grants, subsidies and contributions	96%	797,274	619,205	768,270
Non-operating grants, subsidies and contributions	23%	4,561,136	3,108,313	1,042,148
	34%	5,358,410	3,727,518	1,810,418
<b>Rates Levied</b>	100%	2,966,008	2,966,007	2,972,848

% - Compares current YTD actuals to the Annual Budget

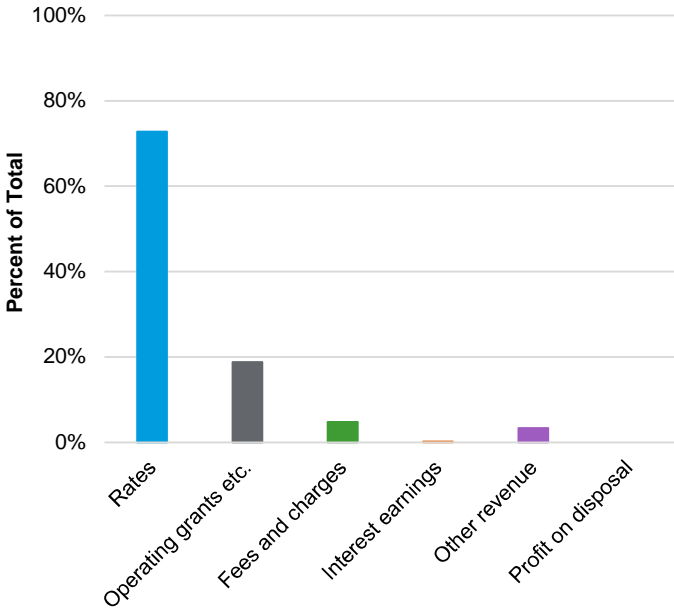
**Financial Position**

Account	Difference to Prior Year %	Current Year 28 Feb 22 \$	Prior Year 28 Feb 21 \$
Adjusted net current assets	90%	1,101,226	1,226,603
Cash and equivalent - unrestricted	97%	1,348,134	1,395,150
Cash and equivalent - restricted	92%	539,240	583,932
Receivables - rates	130%	301,610	231,546
Receivables - other	318%	218,114	68,490
Payables	248%	858,282	346,323

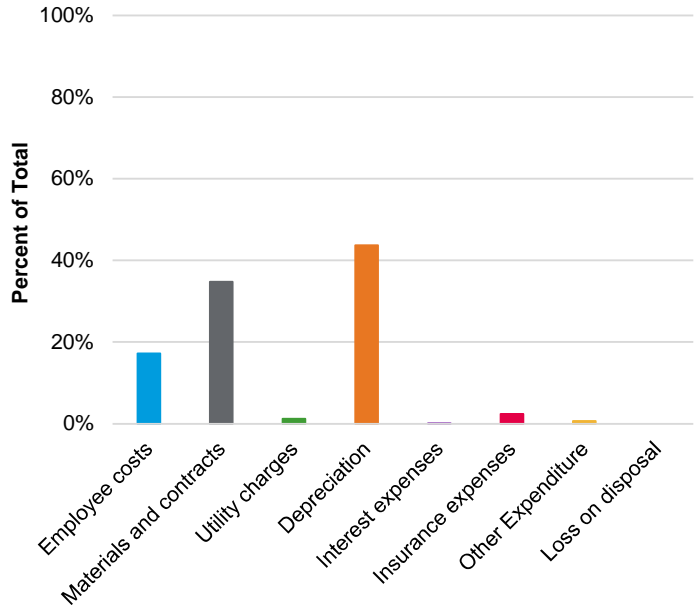
% - Compares current YTD actuals to prior year actuals

Shire of Victoria Plains  
**SHIRE OF VICTORIA PLAINS**  
**MONTHLY FINANCIAL REPORT**  
For the Period Ending 28 February 2022  
**SUMMARY GRAPHS**

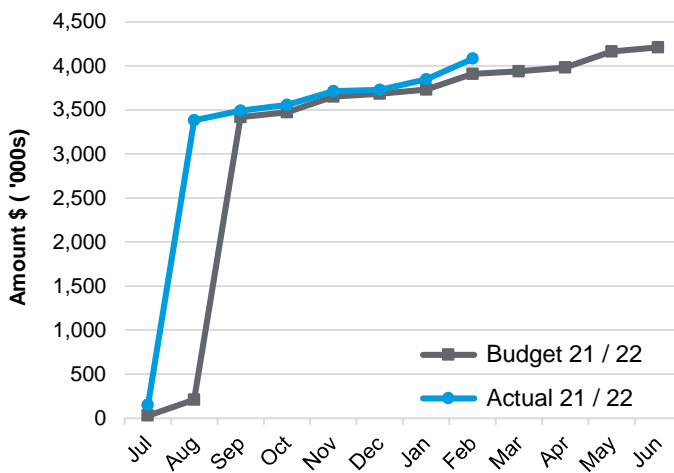
**Operating Income**



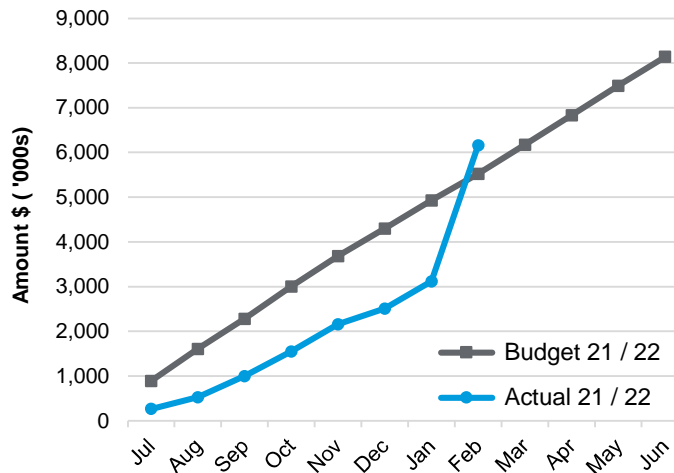
**Operating Expenditure**



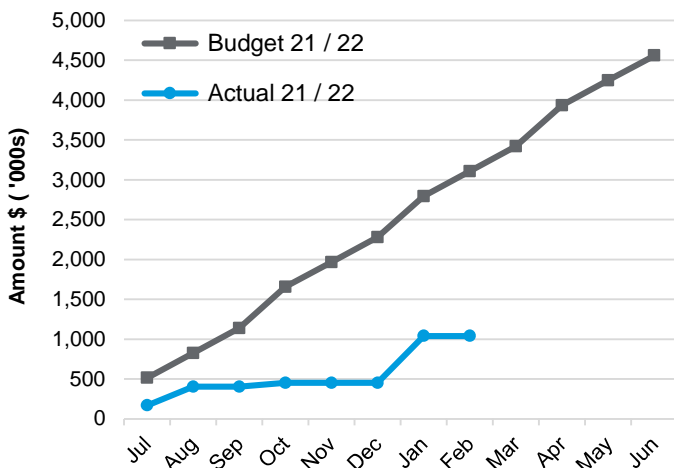
**Operating Revenues**



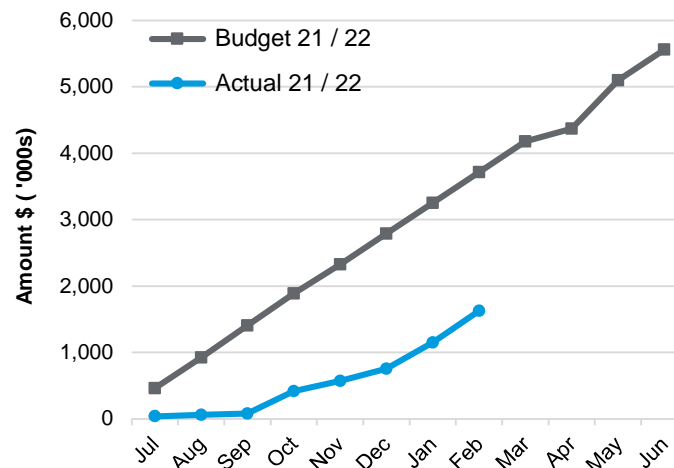
**Operating Expenses**



**Capital Revenues - Investing**



**Capital Expenses**



**SHIRE OF VICTORIA PLAINS**

**STATEMENT OF FINANCIAL ACTIVITY**

For the Period Ending 28 February 2022

**REPORTING PROGRAM**

	Note	Annual Budget \$	YTD Budget \$	YTD Actual \$	Var* \$	Var* %
<b>Opening Funding Surplus / (Deficit)</b>	3	940,474	940,474	893,668		
<b>Revenue from Operating Activities</b>						
Governance		6,348	4,224	3,683	(541)	(13%)
General purpose funding - rates	10	2,987,128	2,980,071	2,993,542	13,471	0%
General purpose funding - other		605,207	452,382	445,532	(6,850)	(2%)
Law, order and public safety		213,656	135,501	160,049	24,548	18%
Health		4,017	2,672	1,507	(1,165)	(44%)
Education and welfare		630	416	-	(416)	(100%)
Housing		92,622	61,548	43,862	(17,686)	(29%)
Community amenities		90,854	86,136	117,648	31,512	37%
Recreation and culture		16,789	10,286	74,039	63,753	620%
Transport		143,720	141,498	185,735	44,237	31%
Economic services		26,803	17,840	20,293	2,453	14%
Other property and services		24,699	16,448	36,527	20,079	122%
		<b>4,212,473</b>	<b>3,909,022</b>	<b>4,082,417</b>		
<b>Expenditure from Operating Activities</b>						
Governance		(585,805)	(446,368)	(395,837)	50,531	11%
General purpose funding		(457,346)	(304,896)	(273,126)	31,770	10%
Law, order and public safety		(488,108)	(329,978)	(450,997)	(121,019)	(37%)
Health		(144,231)	(96,144)	(87,859)	8,285	9%
Education and welfare		(14,863)	(10,118)	(2,364)	7,754	77%
Housing		(281,509)	(192,890)	(181,933)	10,957	6%
Community amenities		(664,841)	(444,090)	(311,987)	132,103	30%
Recreation and culture		(687,881)	(464,385)	(539,098)	(74,713)	(16%)
Transport		(4,545,490)	(3,033,076)	(3,707,529)	(674,453)	(22%)
Economic services		(298,434)	(177,179)	(137,618)	39,561	22%
Other property and services		(6,342)	(24,045)	(74,271)	(50,226)	(209%)
		<b>(8,174,850)</b>	<b>(5,523,169)</b>	<b>(6,162,618)</b>		
<b>Excluded Non-cash Operating Activities</b>						
Depreciation and amortisation		3,920,654	2,613,704	2,694,386		
(Profit) / loss on asset disposal	8	-	-	-		
<b>Net Amount from Operating Activities</b>		<b>(41,723)</b>	<b>999,557</b>	<b>614,185</b>		
<b>Investing Activities</b>						
Grants, subsidies and contributions	12(b)	4,561,136	3,108,313	1,042,148	(2,066,165)	(66%)
Proceeds from disposal of assets	8	-	-	-	-	
Land and buildings	9(a)	(107,392)	(65,017)	(39,543)	25,474	39%
Plant and equipment	9(b)	(320,861)	(239,568)	(211,394)	28,174	12%
Infrastructure - roads	9(c)	(5,078,325)	(3,385,432)	(1,292,484)	2,092,948	62%
Infrastructure - other	9(d)	(132,360)	(94,472)	(86,129)	8,343	9%
<b>Net Amount from Investing Activities</b>		<b>(1,077,802)</b>	<b>(676,176)</b>	<b>(587,402)</b>		
<b>Financing Activities</b>						
Proceeds from self supporting loans	11(b)	20,579	10,612	10,612	-	0%
Proceeds from long term borrowings		200,000	200,000	200,000	-	0%
Repayment of debentures	11(a)	(92,619)	(29,464)	(29,464)	-	0%
Transfer from reserves	7	50,000	-	-	-	
Transfer to reserves	7	(2,408)	-	(373)	(373)	
<b>Net Amount from Financing Activities</b>		<b>175,552</b>	<b>181,148</b>	<b>180,775</b>		
<b>Closing Funding Surplus / (Deficit)</b>	3	<b>(3,499)</b>	<b>1,445,003</b>	<b>1,101,226</b>		

\* - Note 2 provides an explanation for the relevant variances shown above.

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



**SHIRE OF VICTORIA PLAINS**

**STATEMENT OF FINANCIAL ACTIVITY**

For the Period Ending 28 February 2022

**NATURE OR TYPE**

	Note	Annual Budget \$	YTD Budget \$	YTD Actual \$	Var* \$	Var* %
<b>Opening Funding Surplus / (Deficit)</b>	3	940,474	940,474	<b>893,668</b>		
<b>Revenue from Operating Activities</b>						
Rates	10	2,966,008	2,966,007	<b>2,972,848</b>	6,841	0%
Grants, subsidies and contributions	12(a)	797,274	619,205	<b>768,270</b>	149,065	24%
Fees and charges		197,400	156,924	<b>194,282</b>	37,358	24%
Interest earnings		30,482	19,406	<b>8,956</b>	(10,450)	(54%)
Other revenue		221,309	147,480	<b>138,060</b>	(9,420)	(6%)
Profit on disposal of assets	8	-	-	-	-	
		<b>4,212,473</b>	<b>3,909,022</b>	<b>4,082,417</b>		
<b>Expenditure from Operating Activities</b>						
Employee costs		(1,560,592)	(1,043,287)	<b>(1,061,632)</b>	(18,345)	(2%)
Materials and contracts		(2,312,970)	(1,564,884)	<b>(2,141,281)</b>	(576,397)	(37%)
Utility charges		(108,968)	(75,854)	<b>(73,272)</b>	2,582	3%
Depreciation on non-current assets		(3,920,654)	(2,613,704)	<b>(2,694,386)</b>	(80,682)	(3%)
Interest expenses		(15,887)	(10,621)	<b>(5,208)</b>	5,413	51%
Insurance expenses		(169,123)	(169,079)	<b>(146,642)</b>	22,437	13%
Other expenditure		(86,655)	(45,740)	<b>(40,196)</b>	5,544	12%
Loss on disposal of assets	8	-	-	-	-	
		<b>(8,174,849)</b>	<b>(5,523,169)</b>	<b>(6,162,618)</b>		
<b>Excluded Non-cash Operating Activities</b>						
Depreciation and amortisation		3,920,654	2,613,704	<b>2,694,386</b>		
(Profit) / loss on asset disposal		-	-	-		
<b>Net Amount from Operating Activities</b>		<b>(41,723)</b>	<b>999,557</b>	<b>614,185</b>		
<b>Investing Activities</b>						
Grants, subsidies and contributions	12(b)	4,561,136	3,108,313	<b>1,042,148</b>	(2,066,165)	(66%)
Proceeds from disposal of assets	8	-	-	-	-	
Land and buildings	9(a)	(107,392)	(65,017)	<b>(39,543)</b>	25,474	39%
Plant and equipment	9(b)	(320,861)	(239,568)	<b>(211,394)</b>	28,174	12%
Infrastructure - roads	9(c)	(5,078,325)	(3,385,432)	<b>(1,292,484)</b>	2,092,948	62%
Infrastructure - other	9(d)	(132,360)	(94,472)	<b>(86,129)</b>	8,343	9%
<b>Net Amount from Investing Activities</b>		<b>(1,077,802)</b>	<b>(676,176)</b>	<b>(587,402)</b>		
<b>Financing Activities</b>						
Proceeds from self supporting loans	11(b)	20,579	10,612	<b>10,612</b>	-	0%
Proceeds from Long Term Borrowings		200,000	200,000	<b>200,000</b>		
Repayment of debentures	11(a)	(92,619)	(29,464)	<b>(29,464)</b>	-	0%
Transfer from reserves	7	50,000	-	-	-	
Transfer to reserves	7	(2,408)	-	<b>(373)</b>	(373)	
<b>Net Amount from Financing Activities</b>		<b>175,552</b>	<b>181,148</b>	<b>180,775</b>		
<b>Closing Funding Surplus / (Deficit)</b>	3	<b>(3,499)</b>	<b>1,445,003</b>	<b>1,101,226</b>		

\* - Note 2 provides an explanation for the relevant variances shown above.

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

**SHIRE OF VICTORIA PLAINS**

**STATEMENT OF CAPITAL ACQUISITIONS AND FUNDING**

For the Period Ending 28 February 2022

**CAPITAL ACQUISITIONS AND FUNDING**

<b>Asset Group</b>	<b>Note</b>	<b>Annual Budget \$</b>	<b>YTD Actual Total \$</b>
Land and buildings	9(a)	107,392	39,543
Plant and equipment	9(b)	320,861	211,394
Infrastructure - roads	9(c)	5,078,325	1,292,484
Infrastructure - other	9(d)	132,360	86,129
<b>Total Capital Expenditure</b>		<b>5,638,938</b>	<b>1,629,551</b>
<b>Capital Acquisitions Funded by:</b>			
Capital grants and contributions		4,561,136	1,042,148
Borrowings		-	-
Other (disposals and c/fwd)		-	-
Council contribution - from reserves		50,000	-
Council contribution - operations		1,027,802	587,402
<b>Total Capital Acquisitions Funding</b>		<b>5,638,938</b>	<b>1,629,551</b>

**SHIRE OF VICTORIA PLAINS**

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**

**For the Period Ending 28 February 2022**

**1. SIGNIFICANT ACCOUNTING POLICIES**

This report is prepared to meet the requirements of *Local Government (Financial Management) Regulations 1996 Regulation 34*.

The material variance adopted by the Shire of Victoria Plains for the 2021/22 year is \$10,000 or 10%, whichever is greater. Items considered to be of material variance are disclosed in Note 2.

The statements and accompanying notes are prepared based on all transactions recorded at the time of preparation and may vary due to transactions being processed for the reporting period after the date of preparation. The preparation also requires management to make judgements, estimates and assumptions which effect the application of policies and the reported amounts in the statements and notes. These estimated figures are based on historical experience or other factors believed to be reasonable under the circumstances. Therefore, the actual results may differ from these reported amounts.

Actual and Budget comparatives are presented in year to date format unless otherwise stated. The Adopted Budget is used in the report until superseded by the Budget Review.

**Preparation**

Prepared by: Kate Peacock  
Reviewed by: Travis Bate  
Date prepared: 18 Mar 22

**(a) Basis of Preparation**

The following financial statements are special purpose financial statements that have been prepared in accordance with the Australian Accounting Standards, Authoritative Interpretations, the *Local Government Act 1995*, and regulations, within the context in which they relate to local governments and not-for-profit entities.

This report is prepared to meet the requirements of *Local Government (Financial Management) Regulations 1996 Regulation 34*.

With the exception of the cash flow statement and rate setting information, the following report has been prepared on an accrual basis with balances measured at historical cost unless subject to fair value adjustments. Items subject to fair value adjustments include certain non-current assets, financial assets, and financial liabilities. Items such as assets, liabilities, equity, income and expenses have been recognised in accordance with the definitions and recognition criteria set out in the Framework for the Preparation and Presentation of Financial Statements.

These financial statements comply with, and supersede, the Australian Accounting Standards with the *Local Government (Financial Management) Regulations 1996* where applicable. Further information is provided in Note 1(i).

The functional and presentation currency of the report is Australian dollars.

**(b) The Local Government Reporting Entity**

The Australian Accounting Standards define local government as a reporting entity which can be a single entity or a group comprising a parent and all its subsidiaries. All funds controlled by the Shire in order to provide its services have formed part of the following report. Transactions and balances related to these controlled funds, such as transfers to and from reserves, were eliminated during the preparation of the report.

Funds held in Trust, which are controlled but not owned by the Shire, do not form part of the financial statements. Further information on the Shire funds in Trust are provided in Note 5.

**(c) Rounding of Amounts**

The Shire is an entity to which the *Local Government (Financial Management) Regulations 1996* applies and, accordingly amounts in the financial report have been rounded to the dollar except for amounts shown as a rate in the dollar. Where total assets exceed \$10,000,000 in the prior audited annual financial report, the amounts may be rounded to the nearest \$1,000.

**SHIRE OF VICTORIA PLAINS**

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**

**For the Period Ending 28 February 2022**

**1. SIGNIFICANT ACCOUNTING POLICIES (Continued)**

**(d) Goods and Services Tax (GST)**

Revenue, expenses and assets are recognised net of the amount of goods and services tax (GST), except where the amount of GST incurred is not recoverable from the Australian Taxation Office (ATO).

Receivables and payables are stated inclusive of GST where applicable.

**(e) Cash and Cash Equivalents**

Cash and cash equivalents normally include cash on hand, bonds and deposits, overdrafts, excess rates, unspent grant funds, on call deposits and term deposits with maturities equal to or less than three months. Cash and cash equivalents are typically characterised as highly liquid investments with little risk of experiencing material changes in value. Further information is provided in Note 1(f).

**(f) Financial Instruments**

**Other financial assets at amortised cost**

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

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

**Financial assets at fair value through profit and loss**

The Shire classifies the following financial assets at fair value through profit and loss:

- debt investments which do not qualify for measurement at either amortised cost or fair value through other comprehensive income.
- equity investments which the Shire has not elected to recognise fair value gains and losses through other comprehensive income.

**Financial liabilities**

Financial liabilities are recognised at fair value when the Shire becomes a party to the contractual provisions to the instrument.

Non-derivative financial liabilities (excluding financial guarantees) are subsequently measured at amortised cost. Gains or losses are recognised in profit or loss.

Financial liabilities are derecognised where the related obligations are discharged, cancelled or expired. The difference between the carrying amount of the financial liability extinguished or transferred to another party and the fair value of the consideration paid, including the transfer of non-cash assets or liabilities assumed, is recognised in profit or loss.

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

**Loans and Receivables**

Loans and receivables are non-derivative financial assets with fixed or determinable payments that are not quoted in an active market. They arise principally through the provision of goods and services to customers but also incorporate other types of contractual monetary assets.

After initial recognition these are measured at amortised cost using the effective interest method, less provision for impairment. Any change in their value is recognised in the statement of comprehensive income.

In some circumstances, the Shire renegotiates repayment terms with customers which may lead to changes in the timing of the payments, the Shire does not necessarily consider the balance to be impaired, however assessment is made on a case-by-case basis.

**SHIRE OF VICTORIA PLAINS**

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**

**For the Period Ending 28 February 2022**

**1. SIGNIFICANT ACCOUNTING POLICIES (Continued)**

**(f) Financial Instruments (Continued)**

**Impairment of Financial Assets**

At the end of the annual reporting period the Shire assesses whether there is any objective evidence that a financial asset or group of financial assets is impaired.

If there is objective evidence that an impairment loss on financial assets carried at amortised cost has been incurred, the amount of the loss is measured as the difference between the asset's carrying amount and the present value of the estimated future cash flows discounted at the financial assets original effective interest rate.

Impairment of loans and receivables are reduced through the use of an allowance account, all other impairment losses on financial assets at amortised cost are taken directly to the asset. Subsequent recoveries of amounts previously written off are credited against other expenses in the statement of comprehensive income.

**(g) Inventories**

**General**

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

**Land Held for Resale**

Land held for development and sale is valued at the lower of cost and net realisable value. Cost includes the cost of acquisition, development, borrowing costs and holding costs until completion of development. Finance costs and holding charges incurred after development is completed are expensed. Gains and losses are recognised in profit or loss at the time of signing an unconditional contract of sale if significant risks and rewards, and effective control over the land, are passed on to the buyer at this point. Land held for sale is classified as current except where it is held as non-current based on Council's intentions to release for sale.

**(h) Fixed Assets**

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

**Initial recognition and measurement between mandatory revaluation dates**

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

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

In relation to this initial measurement, cost is determined as the fair value of the assets given as consideration plus costs incidental to the acquisition. For assets acquired at no cost or for nominal consideration, cost is determined as fair value at the date of acquisition. The cost of non-current assets constructed by the Shire includes the cost of all materials used in construction, direct labour on the project and an appropriate proportion of variable and fixed overheads.

Individual assets acquired between initial recognition and the next revaluation of the asset class in accordance with the mandatory measurement framework, are recognised at cost and disclosed as being at fair value as management believes cost approximates fair value. They are subject to subsequent revaluations at the next anniversary date in accordance with the mandatory measurement framework.

**Revaluation**

The fair value of land, buildings, infrastructure and investment properties is determined at least every five years in accordance with the regulatory framework. This includes buildings and infrastructure items which were pre-existing improvements (i.e. vested improvements) on vested land acquired by the Shire.

At the end of each period the valuation is reviewed and where appropriate the fair value is updated to reflect current market conditions. This process is considered to be in accordance with *Local Government (Financial Management) Regulation 17A (2)* which requires land, buildings, infrastructure, investment properties and vested improvements to be shown at fair value.

**SHIRE OF VICTORIA PLAINS**

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**

**For the Period Ending 28 February 2022**

**1. SIGNIFICANT ACCOUNTING POLICIES (Continued)**

**(h) Fixed Assets (Continued)**

Increases in the carrying amount arising on revaluation of assets are credited to a revaluation surplus in equity. Decreases that offset previous increases of the same class of asset are recognised against revaluation surplus directly in equity. All other decreases are recognised in profit or loss.

**Land under roads**

As a result of amendments to the *Local Government (Financial Management) Regulations 1996*, effective from 1 July 2019, vested land, including land under roads, are treated as right-of-use assets measured at zero cost. Therefore, the previous inconsistency with AASB 1051 in respect of non-recognition of land under roads acquired on or after 1 July 2008 has been removed, even though measurement at zero cost means that land under roads is still not included in the statement of financial position.

**Vested improvements from 1 July 2019**

The measurement of vested improvements at fair value in accordance with *Local Government (Financial Management) Regulation 17A(2)(iv)* is a departure from AASB 16 which would have required the Shire to measure the vested improvements as part of the related right-of-use assets at zero cost.

**(i) Depreciation of Non-current Assets**

Fixed assets, excluding freehold land, are depreciated on a straight-line basis over the asset's useful life to the Shire, commencing when the asset is ready for use. The estimated useful lives used for each class of depreciable asset are shown below in years:

<b>Asset</b>	<b>Years</b>
Buildings	30 to 50 years
Furniture and equipment	4 to 10 years
Plant and equipment	5 to 15 years
Other infrastructure	15 to 80 years
Sealed roads and streets:	
formation	not depreciated
pavement	50 years
seal:	
bituminous seals	15 to 20 years
asphalt surfaces	20 years
Gravel Roads:	
formation	not depreciated
pavement	50 years
Formed roads (unsealed):	
formation	not depreciated
pavement	50 years
Footpaths - slab	40 to 60 years
Sewerage piping	80 years
Water supply piping and drainage systems	17 to 80 years
Sewerage piping	80 years
Bridges	60 years

At the end of each annual reporting period, the depreciation method, useful life and residual value of each asset is reviewed. Any revisions are accounted for prospectively as a change in estimate.

**Land Under Local Government Control**

Regulation 16 in the *Local Government (Financial Management) Regulations 1996* prohibits certain assets to be included in the financial report of a local government and require other assets to be included. The regulation therefore supersedes the reporting requirements of AASB 1051 *Land Under Roads (p.15)* and AASB 116 *Property, Plant and*

**SHIRE OF VICTORIA PLAINS**

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**

**For the Period Ending 28 February 2022**

**1. SIGNIFICANT ACCOUNTING POLICIES (Continued)**

**(j) Trade and Other Payables**

Trade and other payables are unpaid current liabilities owed for goods and services provided to the Shire prior to the end of the financial year. The amounts are unsecured and are normally paid within 30 days of recognition.

**(k) Employee Benefits**

Provision is made for the Shire's liability for employee benefits arising from services rendered by employees to the end of the annual reporting period. Employee benefits that are expected to be wholly settled within one year are measured at the amounts expected to be paid when the liability is settled.

Employee benefits expected to be settled more than one year after the end of the reporting period have been measured at the present value of the estimated future cash outflows to be made for those benefits. In determining the liability, consideration is given to employee wage increases and the probability that the employee may satisfy vesting requirements. Cashflows are discounted using market yields on 10 year Australia Government Bonds. Changes in the measurement of the liability are recognised in the statement of comprehensive income.

**(l) Interest-bearing Loans and Borrowings**

All loans and borrowings are initially recognised at the fair value of the consideration received less directly attributable transaction costs. Subsequent measurement is at amortised cost using the effective interest method. The annual government guarantee fee is expensed in the year incurred.

Borrowings are classified as current liabilities unless the Council has an unconditional right to defer settlement of the liability for at least 12 months after the balance sheet date.

**Borrowing Costs**

Borrowing costs that are directly attributable to the acquisition, construction or production of a qualifying asset are capitalised as part of the cost of that asset. All other borrowing costs are recognised as an expense in the period in which they are incurred.

**(m) Provisions**

Provisions are recognised when: The Shire has a present legal or constructive obligation as a result of past events; it is more likely than not that an outflow of resources will be required to settle the obligation; and the amount has been reliably estimated. Provisions are not recognised for future operating losses. Where there are a number of similar obligations, the likelihood that an outflow will be required in settlement is determined by considering the class of obligations as a whole. A provision is recognised even if the likelihood of an outflow with respect to any one of item included in the same class of obligations may be small.

**(n) Contract Liabilities**

Contract liabilities represent the Shire's obligation to transfer goods or services to a customer for which the Shire has received consideration from the customer.

With respect to transfers for recognisable non-financial assets, contract liabilities represent performance obligations which are not yet satisfied.

Contract liabilities are recognised as revenue when the performance obligations in the contract are satisfied.

**(o) Current and Non-current Classification**

The report classifies current and non-current balances as defined by the *Local Government (Financial Management) Regulations 1996*, AASB 101 *Presentation of Financial Statements*, or by another applicable regulation or interpretation.

**(p) Nature or Type Classifications**

**Rates**

All rates levied under the *Local Government Act 1995*. Includes general, differential, specific area rates, minimum rates, interim rates, back rates, ex-gratia rates, less discounts offered. Exclude administration fees, interest on instalments, interest on arrears and service charges.

**Operating Grants, Subsidies and Contributions**

Refer to all amounts received as grants, subsidies and contributions that are not non-operating grants.

**SHIRE OF VICTORIA PLAINS**

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**

**For the Period Ending 28 February 2022**

**1. SIGNIFICANT ACCOUNTING POLICIES (Continued)**

**(p) Nature or Type Classifications (Continued)**

**Non-operating Grants, Subsidies and Contributions**

Amounts received specifically for the acquisition, construction of new or the upgrading of non-current assets paid to a local government, irrespective of whether these amounts are received as capital grants, subsidies, contributions or donations.

**Profit on Asset Disposal**

Profit on the disposal of assets including gains on the disposal of long term investments. Losses are disclosed under the expenditure classifications.

**Fees and Charges**

Revenues (other than service charges) from the use of facilities and charges made for local government services, sewerage rates, rentals, hire charges, fee for service, photocopying charges, licences, sale of goods or information, fines, penalties and administration fees.

**Service Charges**

Service charges imposed under *Division 6 of Part 6 of the Local Government Act 1995*. Regulation 54 of the *Local Government (Financial Management) Regulations 1996* identifies these as television and radio broadcasting, underground electricity and neighbourhood surveillance services. Excluding rubbish removal charges, interest and other items of a similar nature received from bank and investment accounts, interest on rate instalments, interest on rate arrears and interest on debtors.

**Interest Earnings**

Interest and other items of a similar nature received from bank and investment accounts, interest on rate instalments, interest on rate arrears and interest on debtors.

**Other Revenue / Income**

Other revenue, which can not be classified under the above headings, includes dividends, discounts, rebates etc.

**Employee Costs**

All costs associated with the employment of a person such as salaries, wages, allowances, benefits such as vehicle and housing, superannuation, employment expenses, removal expenses, relocation expenses, worker's compensation insurance, training costs, conferences, safety expenses, medical examinations, fringe benefit tax, etc.

**Materials and Contracts**

All expenditures on materials, supplies and contracts not classified under other headings. These include supply of goods and materials, legal expenses, consultancy, maintenance agreements, communication expenses, advertising expenses, membership, periodicals, publications, hire expenses, rental, leases, postage and freight etc. Local governments may wish to disclose more detail such as contract services, consultancy, information technology, rental or lease expenditures.

**Utilities (Gas, Electricity, Water, etc.)**

Expenditures made to the respective agencies for the provision of power, gas, water and communication expenses. Exclude expenditures incurred for the reinstatement of roadwork on behalf of these agencies.

**Insurance**

All insurance other than worker's compensation and health benefit insurance included as a cost of employment.

**Loss on Asset Disposal**

Loss on the disposal of fixed assets.

**Depreciation on Non-current Assets**

Depreciation expense raised on all classes of assets.

**Interest Expenses**

Interest and other costs of finance paid, including costs of finance for loan debentures, overdraft accommodation and refinancing expenses.

**Other Expenditure**

Statutory fees, taxes, provision for bad debts, member's fees or State taxes, donations and subsidies made to community groups.



**SHIRE OF VICTORIA PLAINS**

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**

**For the Period Ending 28 February 2022**

**1. SIGNIFICANT ACCOUNTING POLICIES (Continued)**

**(q) Program Classifications (Function / Activity)**

Council operations as disclosed in these financial statements encompass the following service orientated activities/programs.

**GOVERNANCE**

Includes the activities of members of council and the administrative support available to the council for the provision of governance of the district. Other costs related to the task of assisting elected members and ratepayers on matters which do not concern specific council services.

**GENERAL PURPOSE FUNDING**

Rates, general purpose government grants and interest revenue.

**LAW, ORDER AND PUBLIC SAFETY**

Supervision and enforcement of various local laws relating to fire prevention, animal control and other aspects of public safety including emergency services.

**HEALTH**

Inspection of food outlets and their control, noise control and waste disposal compliance.

**EDUCATION AND WELFARE**

Maintenance of playgroup centre and support of school programs.

**HOUSING**

Provision and maintenance of elderly residents housing.

**COMMUNITY AMENITIES**

Rubbish collection services, operation of rubbish disposal sites, litter control, construction and maintenance of urban storm water drains, protection of the environment and administration of town planning schemes, cemetery and public conveniences.

**RECREATION AND CULTURE**

Maintenance of public halls, recreation centres and various sporting facilities. Provision and maintenance of parks, gardens and playgrounds. Operation of library, and other cultural facilities.

**TRANSPORT**

Construction and maintenance of roads, streets, footpaths, depots, cycle ways, parking facilities and traffic control. Cleaning of streets and maintenance of street trees, street lighting etc.

**ECONOMIC SERVICES**

Tourism and area promotion including the maintenance and operation of a caravan park. Provision of rural services including weed control, and standpipes. Building Control.

**OTHER PROPERTY AND SERVICES**

Private works operation, plant repair and operation costs and engineering operation costs.

**SHIRE OF VICTORIA PLAINS**

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**

**For the Period Ending 28 February 2022**

**1. SIGNIFICANT ACCOUNTING POLICIES (Continued)**

**(r) Revenue Recognition Policy**

Recognition of revenue is dependant on the source of revenue and the associated terms and conditions associated with each source of revenue and recognised as follows:

Revenue Category	Nature of goods and services	When obligations typically satisfied	Payment terms	Returns / Refunds / Warranties	Determination of transaction price	Allocating transaction price	Measuring obligations for returns	Timing of revenue recognition
Rates	General Rates	Over time	Payment dates adopted by Council during the year	None	Adopted by council annually	When taxable event occurs	Not applicable	When rates notice is issued
Service charges	Charge for specific service	Over time	Payment dates adopted by Council during the year	Refund in event monies are unspent	Adopted by council annually	When taxable event occurs	Not applicable	When rates notice is issued
Grant contracts with customers	Community events, minor facilities, research, design, planning evaluation and services	Over time	Fixed terms transfer of funds based on agreed milestones and reporting	Contract obligation if project not complete	Set by mutual agreement with the customer	Based on the progress of works to match performance obligations	Returns limited to repayment of transaction price of terms breached	Output method based on project milestones and/or completion date matched to performance obligations as inputs are shared
Grants, subsidies or contributions for the construction of non-financial assets	Construction or acquisition of recognisable non-financial assets to be controlled by the local government	Over time	Fixed terms transfer of funds based on agreed milestones and reporting	Contract obligation if project not complete	Set by mutual agreement with the customer	Based on the progress of works to match performance obligations	Returns limited to repayment of transaction price of terms breached	Output method based on project milestones and/or completion date matched to performance obligations as inputs are shared
Grants with no contract commitments	General appropriations and contributions with no reciprocal commitment	No obligations	Not applicable	Not applicable	Cash received	On receipt of funds	Not applicable	When assets are controlled
Licences/ Registrations/ Approvals	Building, planning, development and animal management, having the same nature as a licence regardless of naming.	Single point in time	Full payment prior to issue	None	Set by State legislation or limited by legislation to the cost of provision	Based on timing of issue of the associated rights	No refunds	On payment and issue of the licence, registration or approval
Pool inspections	Compliance safety check	Single point in time	Equal proportion based on an equal annually fee	None	Set by State legislation	Apportioned equally across the inspection cycle	No refunds	After inspection complete based on a 4 year cycle

**SHIRE OF VICTORIA PLAINS**

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**

**For the Period Ending 28 February 2022**

**1. SIGNIFICANT ACCOUNTING POLICIES (Continued)**

**(r) Revenue Recognition Policy (Continued)**

<b>Revenue Category</b>	<b>Nature of goods and services</b>	<b>When obligations typically satisfied</b>	<b>Payment terms</b>	<b>Returns / Refunds / Warranties</b>	<b>Determination of transaction price</b>	<b>Allocating transaction price</b>	<b>Measuring obligations for returns</b>	<b>Timing of revenue recognition</b>
Other inspections	Regulatory Food, Health and Safety	Single point in time	Full payment prior to inspection	None	Set by State legislation or limited by legislation to the cost of provision	Applied fully on timing of inspection	Not applicable	Revenue recognised after inspection event occurs
Waste management collections	Kerbside collection service	Over time	Payment on an annual basis in advance	None	Adopted by council annually	Apportioned equally across the collection period	Not applicable	Output method based on regular weekly and fortnightly period as proportionate to collection service
Waste management entry fees	Waste treatment, recycling and disposal service at disposal sites	Single point in time	Payment in advance at gate or on normal trading terms if credit provided	None	Adopted by council annually	Based on timing of entry to facility	Not applicable	On entry to facility
Property hire and entry	Use of halls and facilities	Single point in time	In full in advance	Refund if event cancelled within 7 days	Adopted by council annually	Based on timing of entry to facility	Returns limited to repayment of transaction price	On entry or at conclusion of hire
Memberships	Gym and pool membership	Over time	Payment in full in advance	Refund for unused portion on application	Adopted by council annually	Apportioned equally across the access period	Returns limited to repayment of transaction price	Output method Over 12 months matched to access right
Fees and charges for other goods and services	Cemetery services, library fees, reinstatements and private works	Single point in time	Payment in full in advance	None	Adopted by council annually	Applied fully based on timing of provision	Not applicable	Output method based on provision of service or completion of works
Commissions	Commissions on licencing and ticket sales	Over time	Payment in full on sale	None	Set by mutual agreement with the customer	On receipt of funds	Not applicable	When assets are controlled
Reimbursements	Insurance claims	Single point in time	Payment in arrears for claimable event	None	Set by mutual agreement with the customer	When claim is agreed	Not applicable	When claim is agreed

SHIRE OF VICTORIA PLAINS

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY

For the Period Ending 28 February 2022

2. EXPLANATION OF MATERIAL VARIANCES

Variations which have exceeded the thresholds are listed below by Program. Significant variations within the Program are listed underneath it by Nature or Type.

The material variance adopted by Council for the 2020/21 year is \$10,000 and 10%.

Reporting Program	Var	Var	Var	Timing /	Explanation of Variance
Operating Revenues	\$	%		Permanent	
Governance	(541)	(13%)		Timing	Variance due to budget phasing
General Purpose Funding - Rates	13,471	0%		Timing	Increase in Ex Gratia rates, penalties & instalment interest
Law, order and public safety	24,548	18%	▲	Timing	Receipt of Mitigation Activity Fund - DFES; Direct road grant in advance
Health	(1,165)	(44%)		Timing	Fees and charges over estimates
Education and Welfare	(416)	(100%)		Timing	Fees and charges over estimates
Housing	(17,686)	(29%)	▼	Permanent	Vacant units, and staff housing used as consultant accommodation
Community Amenities	31,512	37%	▲	Timing	Increase in Planning/Building applications
Recreation and Culture	63,753	620%	▲	Timing	Received payment from insurance for the claim of storm damage-Mogumber Hall
Transport	44,237	31%	▲	Permanent	Receipt of Mitigation Activity Fund - DFES; Direct road grant in advance
Economic Services	2,453	14%		Timing	Variance due to budget phasing
Other Property and Services	20,079	122%	▲	Timing	Increase in private works

Operating Expense

Governance	50,531	11%	▲	Timing	Variance due to budget phasing
General Purpose Funding	31,770	10%	▲	Timing	Variance due to budget phasing
Law, order and public safety	(121,019)	(37%)	▼	Timing	Fire Mitigation project - funded by DFES, variance due to budget phasing
Education and welfare	7,754	77%		Timing	Variance due to budget phasing
Housing	10,957	6%		Timing	Variance due to budget phasing
Community amenities	132,103	30%	▲	Timing	Variance due to budget phasing
Recreation and Culture	(74,713)	(16%)	▼	Timing	Variance due to budget phasing
Transport	(674,453)	(22%)	▼	Timing	Variance largely relates to over budget maintenance grading expenses
Economic services	39,561	22%	▲	Timing	Variance due to budget phasing
Other property and services	(50,226)	(209%)	▼	Timing	Vacant position-WM, and variance due to budget phasing

Capital Revenues

Grants, subsidies and contributions	(2,066,165)	(66%)	▼	Timing	Road grants not received yet as budgeted - budget phasing
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Capital Expenses

Land and buildings	25,474	39%	▲	Timing	Some projects have not commenced yet, variance due to budget phasing
Plant and equipment	28,174	12%	▲	Timing	Variance due to budget phasing
Infrastructure - roads	2,092,948	62%	▲	Timing	Variance due to budget phasing
Infrastructure - Other	8,343	9%		Timing	Yerecoin Sewerage hatch has not commenced yet, variance due to budget phasing

**SHIRE OF VICTORIA PLAINS**

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**

For the Period Ending 28 February 2022

**2. EXPLANATION OF MATERIAL VARIANCES**

Nature or Type Operating Revenues	Var \$	Var %	Var	Timing / Permanent	Explanation of Variance
Grants, Subsidies and Contributions	149,065	24%	▲	Timing	Receipt of Mitigation Activity Fund - DFES; Direct road grant in advance
Fees and Charges	37,358	24%	▲	Timing	Variance due to budget phasing - allocated to 12 months
Interest Earnings	(10,450)	(54%)	▼	Timing	Variance due to budget phasing - allocated to 12 months

**Operating Expense**

Employee Costs	(18,345)	(2%)		Timing	Variance due to budget phasing - allocated to 12 months
Materials and contracts	(576,397)	(37%)	▼	Timing	Variance largely relates to over budget maintenance on grading expenses
Depreciation on Non-current Assets	(80,682)	(3%)		Timing	Depreciation journals not processed for July/August 2021 while EOYF is being completed
Interest Expenses	5,413	51%		Timing	Variance due to budget phasing - allocated to 12 months
Insurance Expenses	22,437	13%	▲	Timing	Invoices not received
Other expenditure	5,544	12%		Timing	Variance due to budget phasing - allocated to 12 months

**SHIRE OF VICTORIA PLAINS**

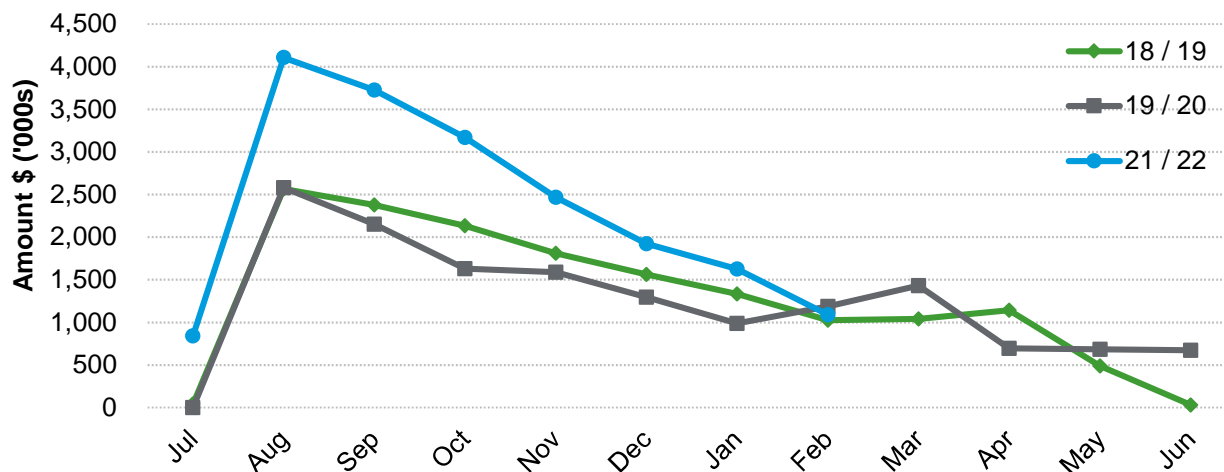
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**

For the Period Ending 28 February 2022

**3. NET CURRENT FUNDING POSITION**

	Note	Current Month 28 Feb 22 \$	Prior Year Closing 30 Jun 21 \$	This Time Last Year 28 Feb 21 \$
<b>Current Assets</b>				
Cash unrestricted	4	1,348,134	1,742,975	1,395,150
Cash restricted	4	539,240	538,867	565,915
Deposits and bonds	4	-	-	18,017
Trust Funds		-	-	-
Contact assets		129,267	129,267	-
Receivables - rates	6(a)	301,610	45,618	231,546
Receivables - sundry	6(b)	218,114	23,244	68,490
Receivables - other		1,096	20,850	3,035
Receivables - loans	11(b)	20,724	20,762	30,382
Provision for doubtful debts		(2,070)	(2,071)	(1,638)
Accrued income		-	206	-
Inventories		30,194	31,155	(1,854)
<b>Total Current Assets</b>		<b>2,586,308</b>	<b>2,550,873</b>	<b>2,309,043</b>
<b>Current Liabilities</b>				
Payables - sundry		(463,938)	(588,045)	(57,482)
Payables - other		-	(15,811)	(1,088)
Rates received in advance		-	(25,654)	(2,443)
Accrued expenses		(27,500)	(27,500)	-
Accrued salaries and wages		-	(23,384)	-
Pensioner Rebates		(29,627)	-	-
Deposits and bonds		(23,213)	(27,126)	(18,017)
Contract liabilities		(234,327)	(234,327)	(209,544)
Loan liabilities	11(a)	(79,675)	(59,932)	(57,749)
<b>Total Payables</b>		<b>(858,282)</b>	<b>(1,001,779)</b>	<b>(346,323)</b>
Provisions		(148,295)	(155,729)	(197,570)
<b>Total Current Liabilities</b>		<b>(1,006,577)</b>	<b>(1,157,508)</b>	<b>(543,892)</b>
Less: cash reserves	7	(539,240)	(538,867)	(565,915)
Less: movement in provisions (non current)		-	-	-
Less: Self-supporting loan		(20,724)	(20,762)	-
Add: loan principal (current)		81,458	59,932	27,367
Add: trust transactions to municipal		-	-	-
<b>Net Funding Position - Surplus / (Deficit)</b>		<b>1,101,226</b>	<b>893,668</b>	<b>1,226,603</b>

Liquidity over the Year



**SHIRE OF VICTORIA PLAINS**

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**

For the Period Ending 28 February 2022

**4. CASH AND FINANCIAL ASSETS**

	Unrestricted	Restricted	Total	Institution	Interest	Maturity
	\$	\$	\$		Rate	Date
					%	
<b>Cash</b>						
Cash on hand	590		590	N/A	0.00	N/A
Municipal fund	842,393		842,393	Bendigo	0.00	N/A
Municipal savings	3,836	-	3,836	Bendigo	0.25	N/A
Municipal Term Deposit 2	501,315		501,315	Bendigo	0.55	09 Mar 22
Reserve funds		427,929	427,929	Bendigo	0.00	N/A
<b>Financial Assets at Amortised Cost</b>						
Reserve funds		111,311	111,311	Bendigo	0.55	05 Jun 22
<b>Total Cash and Financial Assets</b>	<b>1,348,134</b>	<b>539,240</b>	<b>1,887,374</b>			

**5. TRUST FUND**

There are no funds held at balance date over which the Shire has no control

Shire of Victoria Plains  
**SHIRE OF VICTORIA PLAINS**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
**For the Period Ending 28 February 2022**

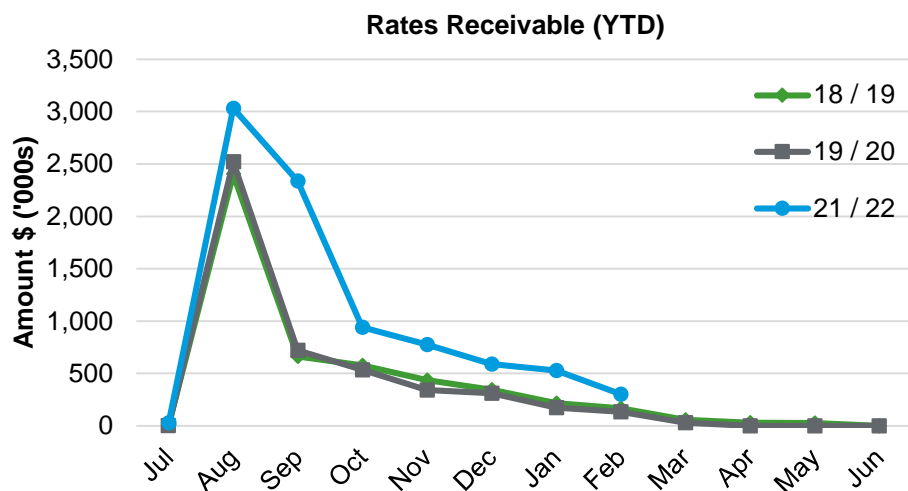
**6. RECEIVABLES**

**(a) Rates Receivable**

	<b>28 Feb 22</b>
	<b>\$</b>
Rates receivables	301,610
<b>Total Rates Receivable Outstanding</b>	<b>301,610</b>
Closing balances - prior year	19,963
Rates levied this year	2,972,848
Effluent and refuse removal	97,268
Closing balances - current month	(301,610)
<b>Total Rates Collected to Date</b>	<b>2,788,469</b>

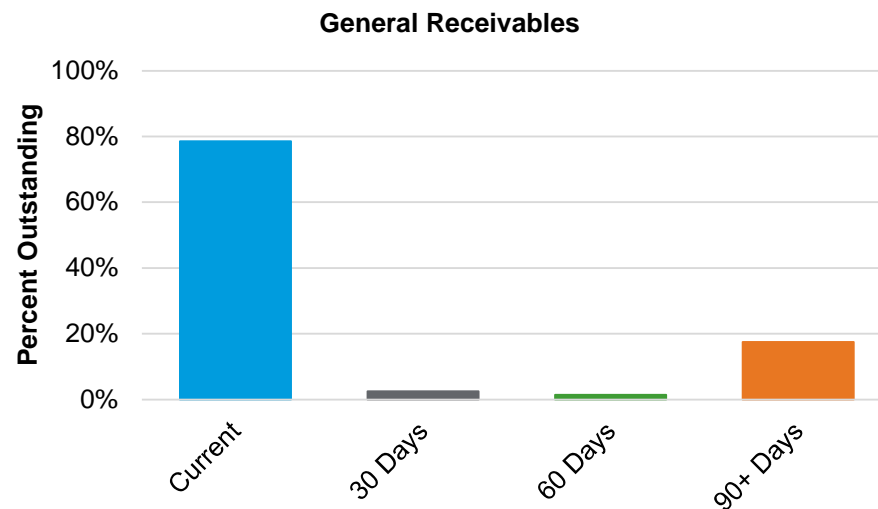
**(b) General Receivables**

	<b>28 Feb 22</b>
	<b>\$</b>
Current	171,450
30 Days	5,495
60 Days	3,055
90+ Days	38,114
<b>Total General Receivables Outstanding</b>	<b>218,114</b>



**Comments / Notes**

Rubbish fees included in YTD graph



**Comments / Notes**

Amounts shown above include GST (where applicable)



**SHIRE OF VICTORIA PLAINS**

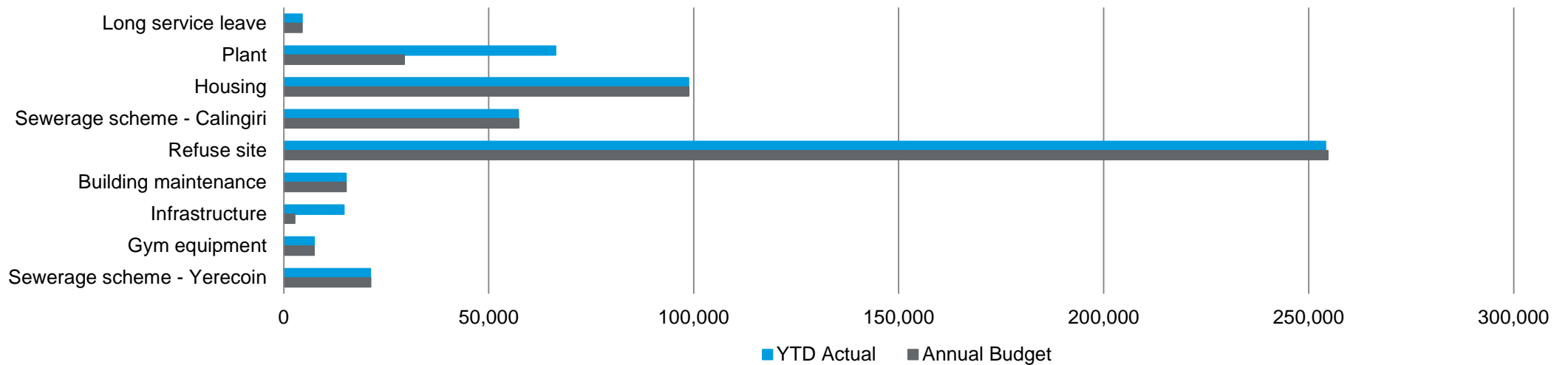
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**

For the Period Ending 28 February 2022

**7. CASH BACKED RESERVES**

Reserve Name	Annual Budget					YTD Actual				
	Balance 01 Jul 21	Transfers from	Interest Received	Transfer to	Balance 30 Jun 22	Balance 01 Jul 21	Transfers from	Interest Received	Transfer to	Balance 28 Feb 22
	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
Long service leave	4,477	-	13	-	4,490	4,477	-	3	-	4,480
Plant	66,272	(38,000)	160	960	29,392	66,276	-	46	-	66,322
Housing	98,669	-	133	-	98,802	98,676	-	68	-	98,744
Sewerage scheme - Calingiri	57,142	-	165	-	57,307	57,146	-	39	-	57,186
Refuse site	253,886	-	809	-	254,695	253,909	-	176	-	254,085
Building maintenance	15,168	-	44	-	15,212	15,169	-	10	-	15,179
Infrastructure	14,665	(12,000)	42	-	2,707	14,667	-	10	-	14,677
Gym equipment	7,411	-	21	-	7,432	7,412	-	5	-	7,417
Sewerage scheme - Yerecoin	21,135	-	61	-	21,196	21,136	-	15	-	21,151
<b>Total Cash Backed Reserves</b>	<b>538,825</b>	<b>(50,000)</b>	<b>1,448</b>	<b>960</b>	<b>491,233</b>	<b>538,867</b>	<b>-</b>	<b>373</b>	<b>-</b>	<b>539,240</b>

**Annual Budget v YTD Actual**



**SHIRE OF VICTORIA PLAINS**

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**

For the Period Ending 28 February 2022

**8. DISPOSAL OF ASSETS**

**Annual Budget**

	<b>WDV</b>	<b>Proceeds</b>	<b>Profit</b>	<b>(Loss)</b>
	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>
Transport				
Plant and Equipment				
<b>Total Disposal of Assets</b>	-	-	-	-
<b>Total Profit or (Loss)</b>				-

**YTD Actual**

	<b>WDV</b>	<b>Proceeds</b>	<b>Profit</b>	<b>(Loss)</b>
	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>
Transport				
Plant and Equipment				-
				-
				-
				-
<b>Total Disposal of Assets</b>	-	-	-	-
<b>Total Profit or (Loss)</b>				-

SHIRE OF VICTORIA PLAINS

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY

For the Period Ending 28 February 2022

9. CAPITAL ACQUISITIONS

(a) Land and Buildings

	Funding Source	Annual Budget \$	YTD Budget \$	YTD Actual \$	YTD Variance \$	% Complete
<b>Governance</b>						
	Solar Lights - Rear Admin Building	7,892	-	7,312	(7,312)	
	Shire Admin Car Park	25,000	13,705	27,210	(13,505)	109%
		<b>32,892</b>	<b>13,705</b>	<b>34,522</b>	<b>(20,817)</b>	
<b>Housing</b>						
	Roller door	5,000	5,000	4,510	490	90%
		<b>5,000</b>	<b>5,000</b>	<b>4,510</b>	<b>490</b>	
<b>Recreation and Culture</b>						
	Calingiri Hall Floor Coverings	5,000	3,328	-	3,328	0%
	Mogumber Hall Ceiling	5,000	3,328	-	3,328	0%
		<b>10,000</b>	<b>6,656</b>	<b>-</b>	<b>6,656</b>	
<b>Transport</b>						
	Depot Upgrades	10,000	6,664	511	6,153	5%
	Purchase of land for Aglime Route	35,000	23,328	-	23,328	0%
	Automatic Closing Gates - Depot	14,500	9,664	-	9,664	0%
		<b>59,500</b>	<b>39,656</b>	<b>511</b>	<b>39,145</b>	
<b>Total Land and Buildings</b>		<b>107,392</b>	<b>65,017</b>	<b>39,543</b>	<b>25,474</b>	

(b) Plant and Equipment

	Funding Source	Annual Budget \$	YTD Budget \$	YTD Actual \$	YTD Variance \$	% Complete
<b>Transport</b>						
	Grab bucket for loader	20,000	11,667	-	11,667	0%
	Grader	165,000	96,250	160,000	(63,750)	97%
	Roller	35,000	20,417	37,560	(17,143)	107%
	8x5 Heavy duty tandem trailer	5,000	2,917	-	2,917	0%
		<b>225,000</b>	<b>150,000</b>	<b>197,560</b>	<b>(66,310)</b>	
<b>Community Amenities</b>						
	Bolgart tip generator	8,000	5,328	6,545	(1,217)	82%
		<b>8,000</b>	<b>5,328</b>	<b>6,545</b>	<b>(1,217)</b>	
<b>Law, Order &amp; Public Safety</b>						
	CCTV camera's	6,531	4,352	2,822	1,530	43%
	CESM Vehicle	77,000	77,000	-	77,000	0%
		<b>83,531</b>	<b>81,352</b>	<b>2,822</b>	<b>78,530</b>	
<b>Governance</b>						
	Wallis computers - video conferencing	4,329	2,888	4,467	(1,579)	103%
		<b>4,329</b>	<b>2,888</b>	<b>4,467</b>	<b>(1,579)</b>	
<b>Total Plant and Equipment</b>		<b>320,861</b>	<b>239,568</b>	<b>211,394</b>	<b>9,424</b>	

**SHIRE OF VICTORIA PLAINS**

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**

For the Period Ending 28 February 2022

**9. CAPITAL ACQUISITIONS (Continued)**

<b>(c) Infrastructure - Roads</b>	<b>Funding Source</b>	<b>Annual Budget</b>	<b>YTD Budget</b>	<b>YTD Actual</b>	<b>YTD Variance</b>	<b>% Complete</b>
		<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	
<b>Transport</b>						
Toodyay - Bindi Bindi Rd Nth 21/22	MRWA / CBH	634,611	423,056	237,338	185,718	37%
Toodyay - Bindi Bindi Rd		-	-	83,127	(83,127)	0%
Bolgart West Road	LRCIP	446,104	297,384	439,250	(141,866)	98%
Bindi Bindi-Toodyay Road	RRG	82,665	55,104	157,135	(102,031)	190%
Footpaths - Bolgart	LRCIP / CP	41,760	27,840	-	27,840	0%
Footpaths - Calingiri	LRCIP / CP	23,429	15,616	22,682	(7,066)	97%
Ag Lime Calingiri - New Norcia Road	RTR	1,179,822	786,536	49,447	737,089	4%
Mogumber - Yarawindah Road 19/20	WSFN	248,381	165,584	3,571	162,013	1%
Mogumber - Yarawindah Road WSFN #2	WSFN	239,019	159,344	37,803	121,541	16%
Mogumber - Yarawindah Road WSFN #3	WSFN	102,888	68,584	1,269	67,315	1%
Mogumber - Yarawindah Road WSFN #4	WSFN	55,000	36,664	-	36,664	0%
Mogumber - Yarawindah Road WSFN #5	WSFN	1,578,438	1,052,272	329	1,051,943	0%
Yerecoin South East Road - Shoulder recon	LRCIP	110,383	73,584	134,940	(61,356)	122%
Catabody Street		161,020	107,328	121,832	(14,504)	76%
Gravel Pits		-	-	3,761	(3,761)	0%
Yerecoin South - East Road		94,332	62,888	-	62,888	0%
Behanging Road		80,472	53,648	-	53,648	0%
		<b>5,078,325</b>	<b>3,385,432</b>	<b>1,292,484</b>	<b>2,092,948</b>	
<b>Total Infrastructure - Roads</b>		<b>5,078,325</b>	<b>3,385,432</b>	<b>1,292,484</b>	<b>2,092,948</b>	
<b>(d) Infrastructure - Other</b>						
	<b>Funding Source</b>	<b>Annual Budget</b>	<b>YTD Budget</b>	<b>YTD Actual</b>	<b>YTD Variance</b>	<b>% Complete</b>
		<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	
<b>Recreation and Culture</b>						
Hockey fields safety fencing		8,000	5,328	6,949	(1,621)	87%
Mogumber toilets		8,000	5,328	-	5,328	0%
Calingiri Playground Upgrades		37,600	25,064	34,810	(9,746)	93%
		<b>53,600</b>	<b>35,720</b>	<b>41,759</b>	<b>(6,039)</b>	
<b>Other Economic Services</b>						
Piawaning Standpipe Controller		18,760	18,760	27,966	(9,206)	149%
Depot Upgrades		-	-	6,467	(6,467)	0%
		<b>18,760</b>	<b>18,760</b>	<b>34,433</b>	<b>(9,206)</b>	
<b>Community Amenities</b>						
Calingiri Landfill Rear Fence		10,000	6,664	9,938	(3,274)	99%
Yerecoin Sewerage Inspection Hatch x 2		50,000	33,328	-	33,328	0%
		<b>60,000</b>	<b>39,992</b>	<b>9,938</b>	<b>30,055</b>	
<b>Total Infrastructure - Other</b>		<b>132,360</b>	<b>94,472</b>	<b>86,129</b>	<b>14,810</b>	
<b>Total Capital Expenditure</b>		<b>5,638,938</b>	<b>3,784,489</b>	<b>1,629,551</b>	<b>2,142,655</b>	

Shire of Victoria Plains  
**SHIRE OF VICTORIA PLAINS**

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
**For the Period Ending 28 February 2022**

**10. RATING INFORMATION**

	Rateable Value \$	Valuation \$	Number of Properties #	Annual Budget Revenue \$	Rate Revenue \$	Interim Rates \$	Back Rates \$	YTD Actual Revenue \$
<b>General Rates</b>								
GRV	1,790,738	0.117898	162	211,124	211,125	-	-	211,125
UV	362,361,014	0.007169	309	2,597,766	2,597,766	-	-	2,597,766
<b>Total General Rates</b>				<b>2,808,890</b>	<b>2,808,890</b>	-	-	<b>2,808,890</b>
<b>Minimum Rates</b>								
GRV	93,142	485.00	66	32,010	32,010	-	-	32,010
UV	2,031,748	586.00	76	44,536	48,080	-	-	48,080
<b>Total Minimum Rates</b>				<b>76,546</b>	<b>80,090</b>	-	-	<b>80,090</b>
<b>Total General and Minimum Rates</b>				<b>2,885,436</b>	<b>2,888,980</b>	-	-	<b>2,888,980</b>
<b>Other Rate Revenue</b>								
Facilities fees (Ex Gratia)				80,571				83,868
<b>Total Rate Revenue</b>				<b>2,966,007</b>				<b>2,972,848</b>

**SHIRE OF VICTORIA PLAINS**

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**

For the Period Ending 28 February 2022

**11. INFORMATION ON BORROWINGS**

**(a) Debenture Repayments**

**(i) Loan 82 Calingiri Sports Pavilion**

	<b>Annual Budget</b>	<b>YTD Budget</b>	<b>YTD Actual</b>
	<b>\$</b>	<b>\$</b>	<b>\$</b>
<b>Housing</b>			
Opening balance	(20,584)	(20,584)	(20,584)
Principal payment	20,584	10,178	10,178
<b>Principal Outstanding</b>	<b>-</b>	<b>(10,406)</b>	<b>(10,406)</b>
Interest payment	1,158	1,737	1,737
Guarantee fee	-	-	-
<b>Total Principal, Interest and Fees Paid</b>	<b>21,742</b>	<b>11,915</b>	<b>11,915</b>

**(ii) Loan 84 Piawaning Water Supply**

	<b>Annual Budget</b>	<b>YTD Budget</b>	<b>YTD Actual</b>
	<b>\$</b>	<b>\$</b>	<b>\$</b>
<b>Economic Services</b>			
Opening balance	(101,580)	(101,580)	(101,580)
Principal payment	17,456	8,674	8,674
<b>Principal Outstanding</b>	<b>(84,124)</b>	<b>(92,906)</b>	<b>(92,906)</b>
Interest payment	3,357	1,265	1,265
Guarantee fee	-	-	-
<b>Total Principal, Interest and Fees Paid</b>	<b>20,813</b>	<b>9,939</b>	<b>9,939</b>

**(iii) Loan 83 Calingiri Football Club**

	<b>Annual Budget</b>	<b>YTD Budget</b>	<b>YTD Actual</b>
	<b>\$</b>	<b>\$</b>	<b>\$</b>
<b>Recreation and Culture</b>			
Opening balance	(183,253)	(183,253)	(183,253)
Principal payment	20,579	10,612	10,612
<b>Principal Outstanding</b>	<b>(162,674)</b>	<b>(172,641)</b>	<b>(172,641)</b>
Interest payment	5,372	2,189	2,189
Service fee	-	-	-
<b>Total Principal, Interest and Fees Paid</b>	<b>25,951</b>	<b>12,801</b>	<b>12,801</b>

**(iv) New Loan - Grader & Loader**

	<b>Annual Budget</b>	<b>YTD Budget</b>	<b>YTD Actual</b>
	<b>\$</b>	<b>\$</b>	<b>\$</b>
<b>Recreation and Culture</b>			
Opening balance	-	-	-
New Borrowings	(200,000)	(200,000)	(200,000)
Principal payment	34,000	-	-
<b>Principal Outstanding</b>	<b>(166,000)</b>	<b>(200,000)</b>	<b>(200,000)</b>
Interest payment	6,000	-	-
Service fee	-	-	-
<b>Total Principal, Interest and Fees Paid</b>	<b>40,000</b>	<b>-</b>	<b>-</b>
<b>Total Principal Outstanding</b>	<b>(412,798)</b>	<b>(275,953)</b>	<b>(275,953)</b>
<b>Total Principal Repayments</b>	<b>92,619</b>	<b>29,464</b>	<b>29,464</b>

**SHIRE OF VICTORIA PLAINS**

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**

**For the Period Ending 28 February 2022**

**11. INFORMATION ON BORROWINGS**

**(b) Self Supporting Loans**

**(i) Loan 83 Calingiri Football Club**

	<b>Annual Budget</b>	<b>YTD Budget</b>	<b>YTD Actual</b>
	<b>\$</b>	<b>\$</b>	<b>\$</b>
<b>Recreation and Culture</b>			
Opening balance	183,252	183,252	183,253
Principal payment received	(20,579)	(10,612)	(10,612)
<b>Principal Outstanding</b>	<b>162,673</b>	<b>172,640</b>	<b>172,641</b>
Interest received	5,372	2189.3	2,189
Service fee received	-	-	-
<b>Total Principal, Interest and Fees Received</b>	<b>(15,207)</b>	<b>(8,423)</b>	<b>(8,423)</b>
<b>Total Principal Outstanding</b>	<b>162,673</b>	<b>172,640</b>	<b>172,641</b>
<b>Total Principal Received</b>	<b>(20,579)</b>	<b>(10,612)</b>	<b>(10,612)</b>

**SHIRE OF VICTORIA PLAINS**

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**

For the Period Ending 28 February 2022

**12. GRANTS, SUBSIDIES AND CONTRIBUTIONS**

**(a) Operating Grants, Subsidies and Contributions**

Program / Details	Grant Provider	Annual Budget \$	YTD Budget \$	YTD Actual \$
<b>General Purpose Funding</b>				
General commission grants	WALGGC	309,418	232,062	154,709
<b>Law, Order and Public Safety</b>				
DFES Operating Grant	DFES	71,590	40,805	35,795
Mitigation Activity Fund		-	-	106,071
Animal Welfare Grant Program		-	-	5,700
<b>Education and Welfare</b>				
Seniors week/TAVD community	DLGC	530	352	-
<b>Transport</b>				
Roads commission grants	WALGGC	277,730	208,296	285,652
Street lighting	MRWA	940	624	-
Disaster Recovery Funding - AGRN962		-	-	39,504
Direct road	MRWA	137,066	137,066	140,839
<b>Total Operating Grants, Subsidies and Contributions</b>		<b>797,274</b>	<b>619,205</b>	<b>768,270</b>

**(b) Non-operating Grants, Subsidies and Contributions**

<b>Transport</b>				
WSFN Funding	MRWA	1,893,035	1,262,016	589,284
Roads to recovery	Dept of Infrastructure	344,595	258,444	235,348
Regional Roads	MRWA	466,332	349,749	169,230
Footpaths - Bolgart		20,880	13,920	-
Local Roads & Comm Infra Program	LCRI	918,580	612,384	48,286
Ag-Lime project	CBH	560,740	373,824	-
Ag-Lime Project	MRWA	356,974	237,976	-
<b>Total Non-Operating Grants, Subsidies and Contributions</b>		<b>4,561,136</b>	<b>3,108,313</b>	<b>1,042,148</b>

<b>Total Grants, Subsidies and Contributions</b>		<b>5,358,410</b>	<b>3,727,518</b>	<b>1,810,418</b>
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Shire of Victoria Plains  
**SHIRE OF VICTORIA PLAINS**

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
**For the Period Ending 28 February 2022**

**13. BUDGET AMENDMENTS**

GL	Job Code	Description	Reference	Classification	Increase in Cash	Decrease in Cash	Running Balance
	WATERM	Mogumber Standpipe	2110.10			35,000	
		<b>Reserve Transfer</b>					
		Transfer to Plant Reserve	2110.10		35,000		
		Acquisition of Community Emergency Services Manager Vehicle	2111-11			77,000	
		<b>Reserve Transfer</b>					
		Transfer to Plant Reserve	2111-11		39,000		
		Withdrawal from Plant Reserve	2111-11		38,000		
21202	MG9999	Maintenance Grading	2112-15		21,271		
		Bitumen Maintenance	2112-15			21,271	
					<u>133,271</u>	<u>133,271</u>	<u>-</u>

## Overview

The policies in Section 1 are designed to improve governance within the Shire, according to the responsibilities applicable to Council, Committees of Council, the Shire President, the Deputy Shire President, the Elected Members, the CEO and Officers. The comments in this part of the review reflects the changes required:

- Council Policy Manual 2018 – No further action is required for Policy 1.1. Policies 1.2 – 1.10 require some level of amendment, Policy 1.11 requires to be revoked and Policies 1.12 – 1.14 listed on the Shire’s website need to be included in the new Policy Manual;
- Council Policy Manual 2017 – There are two divisions applicable:
  - Division 9 – Policies 9.1.4, 9.3.4, 9.3.9 are required to be revoked. Policy 9.3.10 is to be renumbered as Policy 9.2 and included in the new Policy Manual.
  - Division 7 – Policy 7.2 is required to be withdrawn and repackaged as Policy 1.15 and included in the new Council Policy Manual.

## SoVP Council Policy Manual 2018

### Section 1 – Council Governance

The following are comments regarding the policies in Section 1 of the SoVP Council Policy Manual 2018:

Policy No.	Title	Statutory Reference	Comment	Recommendation
1.1	Code of Conduct	LG (Model CoC) Regulations  EM Code of Conduct  LG Act 5.41(g)	<ol style="list-style-type: none"> <li>1. Policy 1.1 was revoked at the OCM on 3 May 2021 and replaced with the requirements as per the LG (Model Code of Conduct) Regulations. This includes the following documents:               <ul style="list-style-type: none"> <li>• Code of Conduct for Council Members, Committee Members and Candidates;</li> <li>• Delegation to the Behaviour Complaints Committee;</li> <li>• Framework Code of Conduct – Behaviour Complaints Policy;</li> <li>• Revised Complaint Form.</li> </ul> </li> <li>2. CEO has implemented a separate Interim Code of Conduct for Officers, which she is responsible for. A revised version has been drafted and issued to staff.</li> <li>3. The new Code of Conduct will need to be inserted into the Policy Manual</li> </ol>	No further action required.
1.2	Public Question Time - Management	LG Act 5.24, 5.51A, 5.103, 5.105  LG (Admin) Regulations 5, 6, 7 & 14E.	<ol style="list-style-type: none"> <li>1. The STATUTORY CONTEXT requires amendment as follows:               <ol style="list-style-type: none"> <li>a. Reference to s.5.105 (breaches of a local law under the LG Act e.g. SoVP Meeting Procedures LL) to be included;</li> <li>b. Reference to r.14E to be included: public questions submitted prior to a meeting a per Policy 1.2 and the eMeeting Guidelines.</li> <li>c. Reference to the SoVP Meeting Procedures LL to be included</li> </ol> </li> </ol>	As per the comments

	Also Division 2 Meeting Procedures LL Clauses 6.1 – 6.7 eMeeting Guidelines	2.	The NOTES to the policy require amendment to recognise that there is a: a. Meeting Procedures Local Law in place; and the b. Code of Conduct for Employees which governs staff behaviour at meetings (LG Act s.5.51A and LG Admin Regs - Division 2). 3. The Procedure for Public Question Time should be amended regarding the following regarding Clause 1: a. The word address corrected to addressed; b. It may be prudent to bring the closure time for written questions to 12 Noon, the business day prior to the meeting. The CEO and staff struggle under the current requirement to collate similar questions and research such questions under the current 4:00pm closure on the business day prior to the Council meeting	
<b>1.3</b>	Elected Members – Records Capture and Management LG Act 5.41(h), 7.11, 9.59 State Records Act Sch 1		1. The STATUTORY CONTEXT requires amendment to include s.5.41(h) of the LG Act as the CEO is responsible for ensuring that all records are kept in accordance with the relevant legislation. 2. The current information in the NOTES to be removed and replaced with the Records Management Advice October 2019 – Local Government Elected Members’ Records: Which records to capture, issued by the State Records Office. This document was discussed at the Council Induction Session on 26 October 2021.	As per the comments
<b>1.4</b>	Elected Member – Briefing Sessions LG (Model CoC) Regulations EM Code of Conduct- Clause 8(2)(b) LG (Admin) Regulations Division 2		1. This policy was reviewed on 26 June 2019 and superseded at the OCM on 22 July 2020. However, the Council Briefing Session Guidelines that were adopted have not been attached to the revised policy. It is important that these are attached to the policy as the guidelines are a key part to ensuring good governance. 2. The STATUTORY CONTEXT must be updated to reflect the requirements under: a. The EM Code of Conduct (clause 8(2)(b) i.e. must comply with all policies, procedures and resolutions of the local government; and b. The Employee Code of Conduct (LG Admin Regs – Division 2).	As per the comments
<b>1.5</b>	Council Policy – Making, Amending, Deleting LG Act 2.7 and 5.41		1. At the April 2020 OCM, Policy 1.5 was reviewed and overhauled to include a policy framework that outlines the policy development process. Although it is on the Shire’s web site, it is yet to be incorporated into the Shire policy manual. The policy is now known as Policy 1.5 – Strategic Policy Framework	Include revised Policy 1.5 – Strategic Policy Framework in the Shire’s Policy Manual

1.6	Legal Representation for elected Members and Employees	LG (Model CoC) Regulations EM Code of Conduct LG (Admin) Regulations Division 2	<ol style="list-style-type: none"> <li>1. This policy is in keeping with DLGSC Guideline – Legal Representation for Council Members and Employees: <a href="https://www.dlgsc.wa.gov.au/department/publications/publication/legal-representation-for-council-members-and-employees">https://www.dlgsc.wa.gov.au/department/publications/publication/legal-representation-for-council-members-and-employees</a></li> <li>2. The STATUTORY CONTEXT must be updated to reflect the requirements under: <ol style="list-style-type: none"> <li>a. The LG (Model Code of Conduct) Regulations;</li> <li>b. s.5.103 regarding the EM Code of Conduct;</li> <li>c. The Employee Code of Conduct (LG Admin Regs – Division 2).</li> </ol> </li> </ol>	As per the comments
1.7	Related Party Disclosures	LG (Financial Management Regulations 4, 5 and Schedule 2 Form 1 LG (Audit) Regulations: 9 Australian Accounting Standard AASB 10, 11, 124 and 128	<ol style="list-style-type: none"> <li>1. The current policy OBJECTIVE is unclear. It currently states: “The purpose of the AAS is to capture dealings between the organisation and Key Management Personnel with related parties (corporate and individual).”</li> <li>2. Accordingly, the OBJECTIVE should be changed to say: “The objective of this policy is to ensure that Accounting Standard AASB 124 is applied so that the Shire’s financial statements contain the disclosures necessary by Key Management Personnel and the Council to draw attention to the possibility that its financial position and profit or loss may have been affected by the existence of related parties and by transactions and outstanding balances, including commitments, with such parties.”</li> <li>3. An update to Clause 5 Related Party – Council is required to reflect: ‘AASB 10 Consolidated Financial Statement’, ‘AASB 11 Joint Arrangement’ and ‘AASB 128 Investments in Associates and Joint Ventures’.</li> </ol>	As per the comments
1.8	Freeman of the Shire	Nil	<ol style="list-style-type: none"> <li>1. Correct the word resolves in clause 1 to resolve.</li> <li>2. The setting out of the policy is to be in accordance with the policy template.</li> </ol>	As per comments
1.9	Recording of Council, Committee, Electors Meetings	LG Act 5.22, 5.25(2), 5.32, 5.41(h) 5.94, 5.95 LG (Admin) Regulations 14A, 14B, 14C, 14D, 14E, 29	<ol style="list-style-type: none"> <li>1. Policy requires updating re STATUTORY CONTEXT to reflect the implementation of: <ol style="list-style-type: none"> <li>a. LG (Admin) Regs regarding a State and/or Health emergency (r.14A – r.14E): <ol style="list-style-type: none"> <li>i. Attendance by electronic means;</li> <li>ii. Recording and publicly broadcasting of meetings;</li> <li>iii. Submission of public questions;</li> <li>iv. Encapsulation of eMeeting Guidelines.</li> </ol> </li> <li>b. LG Act 5.25(2) regulations to provide for electronic meetings.</li> </ol> </li> </ol>	As per comments 1 – 6 Sections 5 and 6 to be replaced by new Section 5 as follows: 5. <u>Availability and Access</u> 5.1 Access to electronic recordings is determined by the CEO in accordance with their responsibilities under the

FOI Act 10	c. LG Act 5.41 (h) to reflect that the CEO must keep and maintain the Shire’s records.	<i>Local Government Act 1995</i> and its Regulations.
Privacy Act (Comm) 13	2. Changes to CORPORATE CONTEXT are required to reflect correct reference to the Policy Manual (Council) and the Shire’s Record Keeping Plan (State Records Act s.16(2) & 16(3).	5.2 Requests for access to electronic recordings must be made to the CEO, and include details of the item concerned and a reason for the request.
State Records Act 3, 7, 16(2), 16(3)	3. Clause 1 – Definition. The definition of “recording” probably needs a more appropriate definition to encapsulate the types of electronic recording e.g. “electronic recording means any recording made by an electronic device capable of recording sound and/or vision.”	5.3 Access to an electronic recording can only occur during business hours at the Shire Office in the presence of a Shire officer.
Surveillance Devices Act 5, 26, 34	4. Clause 2 – Purpose requires updating to reflect: a. The inclusion of the requirements regarding electronic (video) recording of the meeting as evidence of the meeting being open to the public under a State or Health emergency; b. Sessions behind closed doors (confidential matters) will not be recorded by any electronic recording device.	5.4 Where a transcript of a recording is required, an application must be made in accordance with the Shire’s process under the Freedom of Information (FOI) Act and is subject to meeting the application requirements and processing fees.
Meeting Procedures LL clauses 6.16, 19.1	5. The disclosure statement in clause 3.2 refers to the Presiding Member as having the authority to permit persons to record the meeting. In the Agenda Disclaimer, it states that Council has this authorisation. The agenda disclaimer requires correction to reflect Policy 1.9.	
eMeeting Guidelines	6. Sections 5 and 6 require restructuring to reflect the role of the CEO under the LG Act as the person authorised to release information and other appropriate legislation. 7. A record under the FOI Act and the State Records Act (s.3) is defined as any record of information however recorded and includes the following: (a) any paper or other material, including affixed papers on which there is writing; (b) any map, plan, diagram or graph; (c) any drawing, pictorial or graphic work, or photograph; (d) any paper or other material on which there are marks, figures, symbols or perforations having a meaning for persons qualified to interpret them; (e) any article or material from which sounds, images or writing can be reproduced whether or not with the aid of some other article or device; (f) any article on which information has been stored or recorded, either mechanically, magnetically or electronically; 8. It should be noted that Band 1 and 2 local governments are now required to stream their meetings. SoVP is a Band 4 local government.	

1.10	Enterprise Risk Management	LG (Audit) Regulations: 17  OSH Act 1984  WHS Act	<ol style="list-style-type: none"> <li>1. Council endorsed the Shire’s Risk Management Procedures at the July 2019 OCM. The Framework sets out the Shire’s risk appetite and this is underpinned by the Shire’s Risk Profiles and Dashboard that summarises the assessment in the various profiles and identifies the areas for priority attention regarding resources and funding.</li> <li>2. CORPORATE CONTEXT requires correction: <ol style="list-style-type: none"> <li>a. Remove Risk Management Plan and replace this with: <ol style="list-style-type: none"> <li>i. Risk Management Framework; and</li> <li>ii. Risk Profiles and Dashboard.</li> </ol> </li> <li>b. Include in brackets next to Occupational Safety and Health (Work Health and Safety Act).</li> </ol> </li> <li>3. Change Clause 2 to reflect the correct Australian Standard i.e. AS/NZ ISO 31000:2018 Risk Management</li> </ol>	As per comments
1.11	Swearing in of Elected Members	LG Act 2.7(2)(b), 2.15, 2.29, 5.10, Schedule 2.3 – Division 2  LG (Constitution) Regulations 13  Meeting Procedures LL – Part 3	<ol style="list-style-type: none"> <li>2. This policy was adopted by Council on 30 October 2019 after the October 2019 elections. In essence, this is Policy 1.11.</li> <li>3. The requirements of the policy were extremely difficult for both the Council and the Administration to administer post 16 October 2021 ordinary elections. It was not possible to adhere to the following: <ol style="list-style-type: none"> <li>a. Establishment of the committees of council and representation on other bodies. This was subsequently enacted at the October OCM where staff had time to advise Council on the requirements;</li> <li>b. Holding of an informal dinner for Councillors, Senior Management and their partners.</li> <li>c. The swearing in of a councillor within 72 hours after an extraordinary election is also a tight timeframe to administer.</li> </ol> </li> <li>4. By convention, the swearing in ceremony is held at a suitable time between the election and the next ordinary council meeting. Many local governments conduct the swearing in ceremony immediately prior to the holding of the next ordinary council meeting.</li> <li>5. Holding a special council meeting to elect the President and Deputy President and then to appoint committees according to a policy is <i>ultra vires</i> regarding the Standing Orders (SoVP Meeting Procedures Local Law). This is because a special council meeting can only be called by the President or one third of members and the requirement to call a meeting cannot be dictated within a policy in lieu of those authorised to call such meetings as set out in a written law. Under the LG Act, a policy is subservient to a law. It should also be noted:</li> </ol>	<ol style="list-style-type: none"> <li>1. That the Swearing in of Elected Members Policy be revoked.</li> <li>2. The CEO to put in place an administrative procedure to guide the post election process for both ordinary and extraordinary elections..</li> </ol>

			<ul style="list-style-type: none"> <li>a. During the period of time between the ordinary election and the next ordinary council meeting (approximately 11 days) there is no President to effect a request of the CEO to convene a special meeting;</li> <li>b. One third of members of the Council is 3. It may be possible for a special meeting to be called in this instance to conduct an election of the President and Deputy President.</li> </ul> <p>6. A handful of local governments have a swearing in policy that sets out an appropriate process.</p> <p>7. The options are:</p> <ul style="list-style-type: none"> <li>a. Revoke the policy - Swearing in of Elected Members; or</li> <li>b. The CEO to put in place an administrative procedure confirming the post-election arrangements; or</li> <li>c. Revise the policy recognising the following conventions: <ul style="list-style-type: none"> <li>i. Elected members can be sworn in at an appropriate time, date and place; and</li> <li>ii. The President and Deputy President to be elected at the next ordinary meeting of council after the elections; and</li> <li>iii. The appointment to committees is made at the next ordinary meeting of council.</li> </ul> </li> </ul>	
<b>1.12</b>	Councillor Continuing Professional Development	<p>LG Act – 2.28, 5.126, 5.127, 5.128</p> <p>Admin Regs – Part 10</p> <p>EM CoC Div 3 Clause 2(b)</p>	<ul style="list-style-type: none"> <li>1. This policy is compulsory under the Local Government Act. As such, Council adopted what is effectively Policy 1.12 at the December 2019 OCM.</li> <li>2. Under the Legislation/Local Law Requirements insert the list of legislation applicable as set out in the Statutory Reference column.</li> <li>3. Insert Policy 1.12 into the Council Policy Manual.</li> </ul>	As per comments
<b>1.13</b>	Attendance at Events Policy	<p>LG Act 5.90A, 5.65, 5.68, 5.71A, 5.71B, 5.87A, 5.87B</p> <p>LG (Admin) Regulations 20A, 20B and 28A</p>	<ul style="list-style-type: none"> <li>1. This compulsory policy under s.5.90A of the LG Act was adopted by Council on 28 July 2021. No changes are required</li> <li>2. Insert what will be referred to as Policy 1.13 into the Council Policy Manual</li> </ul>	As per comments

<b>1.14</b>	Caretaker Election Policy	LG Act Parts 2, 4, 5 and 6  LG (Model CoC) Regulations 17  EM Code of Conduct Clause 17  LG (Elections) Regulations 78	<ol style="list-style-type: none"> <li>1. This was adopted by Council on 28 July 2021. No changes are required</li> <li>2. Insert what will be referred to as Policy 1.14 into the Council Policy Manual</li> </ol>	As per comments
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## Council Policy Manual 2017

### Division 9 - Members

The following are comments regarding the policies in Division 9 – Members:

Policy No.	Title	Statutory Reference	Comment	Recommendation
<b>9.1.4</b>	Conference, Seminar and Training Course Attendance	See Policy 1.12	<ol style="list-style-type: none"> <li>1. This policy is required to be revoked as it was superseded by the mandatory requirements per the LG Act and the LG (Admin) Regulations encapsulated within Policy 1.12</li> </ol>	Revoke Policy 9.1.4 as is has been superseded by Policy 1.12
<b>9.3.4</b>	Council Chamber	Nil	<ol style="list-style-type: none"> <li>1. This policy sets out the President approves use of the Chambers except for use by staff to which the CEO is responsible for such approvals.</li> <li>2. This policy should be revoked as the allocation regarding the use of Shire office space, buildings and the like is the</li> </ol>	Revoke policy 9.3.4 as per the comments



			responsibility of the CEO as a day to day, administrative, function.	
<b>9.3.9</b>	Formal Communication Policy		<ol style="list-style-type: none"> <li>1. The purpose of this policy is to establish a process of communication between Elected Members and Employees of the Shire of Victoria Plains and for the access to information by Elected Members.</li> <li>2. The policy contains many references to: <ol style="list-style-type: none"> <li>a. Out of date statutory requirements e.g. Local Government (Rules of Conduct) Regulations;</li> <li>b. Refers to the previous, now defunct, Code of Conduct;</li> <li>c. Maintaining of records which has been superseded by Policy 1.3;</li> <li>d. Reference to defunct positions at the Shire e.g. Corporate Services Manager;</li> <li>e. Access to information that is set out in existing legislation i.e. the LG Act, the FOI Act;</li> <li>f. Complaints or comments by Elected Members regarding Officers. This is governed by the Council Member Code of Conduct and the CEO who is responsible for all employees;</li> <li>g. CCC matters, which are confidential.</li> </ol> </li> <li>3. Communication between the Elected Members and Officers is dictated by the CEO as the CEO is responsible for all employees as set out in s.5.41 of the LG Act.</li> <li>4. Accordingly, this policy should be revoked.</li> </ol>	Revoke policy 9.3.9 as per the comments
<b>9.3.10</b>	Responsible Service and Consumption of Alcohol on Shire Premises	<p>OSH Act (WSH Act)</p> <p>LG Act</p> <p>Liquor Control Act 1988</p> <p>Road Traffic Act 1974</p>	<ol style="list-style-type: none"> <li>1. Policy contains sound principles that are satisfactory for the time being.</li> <li>2. It would be appropriate to withdraw Policy 9.3.10 from the Council Manual 2017 and repackage this as Policy 9.2 within Section 9 – Occupational Safety &amp; Health of the Council Policy Manual 2018</li> </ol>	Withdraw Policy 9.3.10 from the Council Policy Manual 2017 and renumber this as Policy 9.2 for inclusion in the Council Policy Manual 2018

## Division 7 - Legal

The following are comments regarding the policies in Division 7 – Legal:

Policy No.	Title	Statutory Reference	Comment	Recommendation
7.2	Legal Proceedings and Prosecutions		<p>1. The policy currently states:</p> <p>1) No action shall be taken to institute legal proceedings or prosecution unless by specific resolution of Council or by specific delegation.</p> <p><b>NOTE: For the purpose of paragraph (1) the issue of a modified penalty under a local law or Regulation or where uniform guidelines are already in place shall not be deemed to be legal proceedings.</b></p> <p>2) Where in the opinion of the relevant officer it will not be in the interest of the Council to include the names and personal details of persons who are subject to recommendation for prosecution such details may be omitted other than necessary to describe the place and nature of the offence.</p> <p>2. The above confirms that the CEO has authority under numerous delegations to pursue legal proceedings or prosecution regarding regulatory matters e.g. breaches of the Dog Act, Dogs LL, Building Act and so on.</p> <p>3. By practice, the CEO seeks legal advice in the first instance, which is an operational function. If legal action is required as a result of the advice, then the CEO will bring the advice to Council for information and then, if required, for consideration.</p> <p>4. It would be appropriate to withdraw Policy 7.2 from Council Manual 2017 and repackage this as Policy 1.15 within Section 1 – Council/Governance of the Council Policy Manual 2018</p>	Withdraw Policy 7.2 from Council Manual 2017 and repackage this as Policy 1.15 within Section 1 – Council/Governance of the Council Policy Manual 2018

Sean Fletcher  
**Governance Officer**  
 4 January 2022



## Attachment 2

# COUNCIL POLICY 2018

ADOPTED – 16 MAY 2018

AMENDMENTS TO – 26 JUNE 2019

**PART 1 – TO BE REVIEWED**

**NOTE – While the Policies in this Policy Manual are in force, the document is in development. As matters from the old Policy Manual are reviewed by Council, they will be brought into this document in the new format.**

## Section 1 - Council / Governance

### 1.1 Code of Conduct

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#### OBJECTIVE

To provide guidance and management the conduct of elected members, committee members and employees, including consultants and contractors.

#### STATUTORY CONTEXT

*Local Government Act 1995 –*

- s.5.94 – public inspection of Code of Conduct
- s.5.103 – requirement to prepare a code of conduct for council members, committee members and employees

*Local Government (Administration) Regulations 1996 –*

- r.34B – required matters about gifts to employees
- r.34C – required matters about interest affecting impartiality

*Local Government (Rules of Conduct) Regulations 2007 –*

- r.12 – gifts to elected members
- r.21 – gifts that can be accepted
- Part 9 – Codes of Conduct

#### CORPORATE CONTEXT

None

#### POLICY STATEMENT

1. The following Council Policy Schedules are adopted, and form part of this Statement –
  - a) Sch. 1.1– Code of Conduct.

#### APPLICATION

2. The Code of Conduct applies to –
  - a) Elected members, insofar as it is not contradicted by the Local Government Act or Rules of Conduct Regulations 2007,
  - b) members of a committee established by Council,
  - c) all employees.

#### HISTORY

Former policy	Division 12
Adopted	16 May 2018

#### NOTES

The Code of Conduct should also apply to contractors and suppliers, if stipulated in the contract / tender / engagement of the contractor.

The code of conduct required by the Local Government (Elections) Regulations r.8 is separate to Schedule 1.1, and is therefore binding on elected members.

## **Policy Schedule 1.1 – Code of Conduct**

A local government, in accordance with Section 5.103(1) of the *Local Government Act 1995*, is required to adopt a Code of Conduct to be observed by Council members, Committee members and employees. The Code of Conduct is to contain matters as prescribed by Regulations and can also make further provision for expectations of Council members, Committee members and employees.

The Code of Conduct is a statement of guidance for Council members that is supplementary to the enforceable rules in the *Local Government (Rules of Conduct) Regulations 2007*. It is also a statement of guidance and specific requirements to be observed by Committee members and employees of the Shire.

The Code of Conduct is to apply, insofar as it is applicable to each type of person, to every Council member, Committee member and employee of the Shire. Any provision in this Code of Conduct is of effect only to the extent that it is not inconsistent with the Act and Regulations, and any other statutory power.

This Code of Conduct does not seek to replicate the role of or requirements for Council members, Committee members or employees contained in other legislation, including but not limited to the *Local Government Act 1995* and the *Local Government (Rules of Conduct) Regulations 2007*. The Guiding Statements of Responsibility section of the Code requires individuals to be aware of their obligations.

### **Definitions**

**Committee member** means any member appointed to a Committee constituted by Council in accordance with the *Local Government Act 1995* s.5.8 and s.5.10, whether a Council member or not,

**Council member** means any person who is an elected member of Council,

**employee** means any person who is employed by the Shire. For the purposes of the sections of the Code of Conduct in relation to employees' disclosure of interests, this shall include a person who under a contract for services with the local government will provide advice or a report on a matter.

### **1. Obligation to observe**

#### **Council members**

The obligation to observe a Code of Conduct for Council members arises from the *Local Government Act 1995* s.5.103 and a declaration that they have made to observe that code or the Rules of Conduct Regulations, upon election to the Council at a swearing in ceremony before a Justice of the Peace or a person authorised by the *Oaths, Affidavits and Statutory Declarations Act 2005* to take statutory declarations.

Further to that, aspects of the Code of Conduct are also linked to the *Local Government Act 1995* and associated Rules of Conduct Regulations which are enforceable in their own right.

#### **Committee members**

The obligation for Committee members (that are not also Council members) to observe a Code of Conduct arises from the requirement in the *Local Government Act 1995* s.5.103.

Committee members are appointed to their positions by the Council in accordance with the Act s.5.10 and can also be removed from the office by the local government in accordance with the Act s.5.11(2)(b).

#### **Employees**

The obligation for employees to observe a Code of Conduct arises from –

- the *Local Government Act 1995* s.5.103,
- the *Local Government (Administration) Regulations 1996* r. 34B and 34C, and
- the terms and conditions of their employment with the Shire.

The observance of Council policies is a key responsibility of any employee and any breach of those responsibilities could incur disciplinary action, including termination, via the management framework established in accordance with the CEO's responsibilities under Section 5.41(g) of the *Local Government Act 1995*.

**Breach of certain provisions**

Where a requirement in the Code of Conduct is prescribed in an Act or Regulations, any alleged breach may be investigated by another statutory body, including but not limited to –

- Department of Local Government and Communities, and
- Corruption and Crime Commission.

**2. Guiding statements of responsibility****Principles**

- a) In acting in the capacity of a Council member, Committee member or employee of the Shire, all persons shall observe the principles outlined in regulation 3 of the *Local Government (Rules of Conduct) Regulations 2007*. Specifically, any person acting in that capacity shall –
- Act with care and diligence;
  - Act with honesty and integrity;
  - Act lawfully;
  - Avoid damage to the reputation of the local government;
  - Be open and accountable;
  - Base decisions on relevant and factually correct information;
  - Treat others with respect and fairness;
  - Not be impaired by mind affecting substances.
- b) Additionally, all Council members, Committee members and employees shall –
- Provide relevant and factually correct information to decision-makers;
  - Fulfil their public and professional duties in a manner that is ethical, impartial, objective, responsible and in the best interests of the local government uninfluenced by fear or favour;
  - Act in accordance with their obligation of fidelity to the local government;
  - Not use or attempt to use their positions for personal benefit or the personal benefit of others, either by influencing others, the improper use of information gained in the performance of their duties, or otherwise;
  - Contribute to the good governance and strategic priorities of the Shire in accordance with the adopted vision, values, plans and budget as amended by Council from time to time ;
  - Understand and be mindful of their role, responsibilities, empowerment and limitations and act within those parameters
    - *Local Government Act 1995* Sections 2.7, 2.8, 2.9, 2.10, 5.41, part 5 division 9 and generally;
    - *Local Government (Rules of Conduct) Regulations 2007*;
    - *Local Government (Administration) Regulations 1996* regulations 34B and 34C;
    - Committee Terms of Reference;
    - Employee Position Descriptions;
    - Delegations Register et al.
  - Refrain from making allegations which are improper or derogatory, unless true, in the public interest and in an appropriate forum;
  - 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.

**Achievement of priorities**

The local government framework of: the Council, the staff body and any Committees that the Council resolves to constitute; is established to ensure the Council's corporate goals are achieved, its strategies are implemented and its statutory obligations met. The achievement of these requirements, in accordance with adopted plans and strategies, requires teamwork, cooperation and respect for the unique role of each component of that framework.

**3. Matters of conduct****General – Applicable to Council members, Committee members and Employees**

- a) Lawful actions -

It is the responsibility of all Council members, Committee members and employees to act in a manner that is lawful and in accordance with the Acts, Regulations, codes and other policies and procedures that are relevant to their particular position.

Any omission of a specific requirement from this Code of Conduct does not negate a person's responsibility to observe and comply with provisions that are applicable to their position.

b) Compliance with orders and policies

- i) Council members, Committee members and employees will comply with any lawful and reasonable order given by any person having authority to make or give such an order.

Any doubts as to the propriety of any such order shall be taken up with the superior of the person who gave the order and, if resolution cannot be achieved, with the CEO.

- ii) Council members, Committee members and employees will give effect to the lawful policies of the local government and/or have due regard for the lawful policies of the local government in decision making, whether or not they agree with or approve of them.

c) Conflicts of interest

An important consideration for any Council member, Committee member or employee is to ensure that there is no actual (or perceived) conflict of interest between their personal interests and the impartial fulfilment of their statutory or contracted civic or professional duties –

- i) Any Council member, Committee member or employee intending to undertake a dealing in land within the local government area that involves an application for planning consent or subdivision approval, or which may otherwise be in conflict with the Shire's functions, shall provide written notice of this intention to the CEO. The notice shall be provided as soon as practicable in all circumstances, but where an application is to be lodged with the local government or another statutory body for approval, then within 7 days of the lodgement of that application. This requirement does not extend to the purchase of the principal place of residence.
- ii) Where a relative (refer definition in section 3.2.4.2 of this code) of a Council member, Committee member or employee with that person's knowledge is intending to undertake a dealing in land within the local government area that involves an application for planning consent or subdivision approval, or which may otherwise be in conflict with the Shire's functions, written notice shall also be provided in accordance with section 3.2.1.3 (a).
- iii) Where it is the CEO or a relative of the CEO intending to undertake a dealing in land in accordance with this section, the written notification required is to be provided to the President.
- iv) When an application is made by a Council member, Committee member, employee or a relative of any of those persons, the Council member, Committee member or employee has no greater or lesser rights than those of any other member of the public in relation to access to information and access to Shire officers. Council members, Committee members and employees shall observe the requirements of seeking information through the usual local government process for a member of the public and booking appointments in their own time to meet with officers of the Shire.
- v) In receiving a written notice on a matter where a local government decision is required, the CEO or the President as the case may be, shall consult with the most senior officer having responsibility for planning matters who is not otherwise the dealing in land as to the requirement or otherwise of an assessment of the application by a suitably qualified independent person and as to the appropriateness of determining the application under delegation or referring it to Council for a decision.

Nothing in this section negates or replaces the disclosure requirements of any person in accordance with –

- Division 6 of the *Local Government Act 1995* Disclosure of Financial Interests;
- Regulation 11 of the *Local Government (Rules of Conduct) Regulations 2007* Disclosure of Interest or
- any other disclosure requirements in this code.

It is not the intention of this requirement to disadvantage any person due to their election to office or their employment. The requirement is to ensure there is minimum potential for perceptions of or actual undue influence, advantage or disadvantage for a Council member, Committee member or an employee.

d) Gifts

**activity involving a local government discretion** means any activity that cannot be undertaken without an authorisation from the local government or by way of a commercial dealing with the Shire.

**gift** means any disposition of property, or the conferral of any other financial benefit, made by one person in favour of another otherwise than by will (whether with or without an instrument in writing), without consideration in money or money's worth passing from the person in whose favour it is made to the other, or with such consideration so passing if the consideration

is not fully adequate, but does not include any financial or other contribution to travel (in that specific requirements for contributions to travel are covered in Section 5.83 of the *Local Government Act 1995*). This definition excludes –

- A gift from a relative;
- A gift that must be disclosed in accordance with *Local Government (Elections) Regulations 1997 reg. 30B*;
- A gift from a statutory authority, government instrumentality or non-profit organisation for professional training,
- Other exclusions as defined by the Act or Regulations.

**notifiable gift** in relation to an employee means –

- a gift given to the employee that is worth between the relevant minimum threshold and \$300, or
- 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 the relevant minimum threshold and \$300.

**prohibited gift** - A gift worth \$300 or more or a gift that is one of 2 or more gifts given to the employee by the same person within a period of six months that are in total worth \$300 or more.

**relative** - a parent, grandparent, brother, sister, uncle, aunt, nephew, niece or lineal descendent of the person or of the person's spouse or de facto partner, the person's spouse or de facto partner or the spouse or de facto partner of the other specified relatives, whether or not the relationship is traced through, or to, a person whose parents were not actually married to each other at the time of the person's birth or subsequently, and whether the relationship is a natural relationship or a relationship established by written law.

**token gift** is not defined in the Acts or Regulations, and for the purposes of this Code of Conduct is taken to mean a gift or multiple gifts that are less than the minimum **notifiable gift** threshold.

<b>Donor / Giver of gift</b>	<b>token gift</b>	<b>notifiable gift</b>	<b>prohibited gift</b>
<b>IS or is likely to be</b> undertaking an activity involving a local government discretion	Less than \$50	Between \$50 and \$300	More than \$300
<b>Is NOT</b> undertaking an activity involving a local government discretion	Less than \$200	Between \$200 and \$300	
Exclusions from requirement to notify	n/a	<ul style="list-style-type: none"> <li>- donor is a relative;</li> <li>- through a will;</li> <li>- contribution to travel.</li> <li>- from Commonwealth, State or LG funds;</li> <li>- donor a relative;</li> <li>- ordinary course of occupation unrelated to duties as elected member or employee;</li> <li>- from a political party where person a member and travelling for political activity or to represent the party.</li> <li>- a gift that must be disclosed under <i>Elections Regs</i> r.30B; or</li> <li>- a gift from a statutory authority, government instrumentality or non-profit association for professional training.</li> </ul>	
Disclosure requirements	None	To be notified to CEO within 10 days, and Declared in Annual Return	N/a

- The notification of the acceptance of a notifiable gift is required to be in writing and include details of –
  - The name of the person who gave the gift;
  - The date on which the gift was accepted;
  - A description and the estimated value of the gift;
  - The nature of the relationship between the employee and the person who gave the gift.
- If the gift is notifiable being one of 2 or more gifts given to the employee by the same person within a period of 6 months that have a cumulative value above the notifiable threshold, then regardless of the value of each individual gifts, the notification is required to include, in relation to all gifts accepted within the 6 month period from that person –



- A description;
  - The estimated value;
  - The date of acceptance.
- iii) The CEO is to maintain a register of notifiable gifts and record in it the details of notifications given to comply with a requirement under this section.
- iv) The CEO is to record details of the gift on the Shire's website.

#### **4. Specific Directions**

*The following sections of the Code of Conduct will address specific matters of conduct and, as necessary, provide specific direction on actions that must be taken when and as a matter arises by a person acting in a specific role.*

##### **Council members**

Specific rules for Council members are defined in part 2 of the *Local Government (Rules of Conduct) Regulations 2007*.

Further to that, Council members are to recognise their role as distinguished from that served by employees of the Shire, and the Council (ie in its convened state).

Council members when interacting with employees of the Shire in their capacity as a Council member shall observe the protocol of making requests for information and discussing the business of the Council with the relevant senior employee and/or the identified responding officer during any organised briefing session for a matter before the Council for consideration. The liaison between individual Council member and individual employee on matters of local government business shall be conducted in a respectful, courteous and honest manner.

##### **Committee members**

###### a) Disclosure of interest

The disclosure of any interest that could, or could reasonably be perceived to, affect the impartiality of a Committee member carrying out their role shall be made, insofar as the provisions can relate to Committee members, in accordance with the requirements for employees in this Code of Conduct.

An interest to be disclosed may be one that is a benefit or a detriment to the Committee member.

###### b) Gifts

If a Committee member is offered a gift of any description in connection with the performance of their role as a Committeemember, the member shall seek advice in relation to that offer from the CEO of the Shire, or nominated representative, before accepting any gift. The advice provided shall be in accordance with the requirements for elected members and employees.

###### c) Confidential information

A Committee member must not disclose confidential information obtained in the performance of their duties to any other person outside of the Committee or relevant Local Government employees.

For the purposes of this section, confidential information is that which is discussed during a meeting or that part of a meeting that is closed to members of the public in accordance with the provisions of the *Local Government Act 1995*, or that is in adocument of the local government that is marked confidential.

###### d) Use of local government resources

A Committee member shall make proper use of the local government's resources as allocated to the Committee, includingbut not limited to assistance from employees, stationary, access to the office and meeting rooms of the local government,and only for the purposes of advancing the work and requirements of the Committee in accordance with its Terms of Reference.

###### e) Relationships with the local government

Committee members shall not direct or attempt to direct any local government employee to do or not to do anything.

Employees of the local government will be allocated where and as necessary to assist a Committee with its required tasks. It is expected that Committee members and employees with any responsibility in relation to that Committee will work together with a spirit of cooperation and understanding.

A Committee or Committee member shall not undertake tasks that contribute to the administration of the local government, except those tasks that are the direct responsibility of the Committee in accordance with its Terms of Reference and Council policies relating to Committees. It is noted that Council considers members of its Management and Advisory Committees as working members and thus they are to contribute to the body of work required to be done by the Committee.

## Employees

### a) Disclosure of interest

**Interest** – Any 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.

This section does not apply to interests referred to in Section 5.60 of the Local Government Act 1995 (in that a financial interest or a proximity interest must be disclosed in the manner described in Division 6 of Part 5 of that Act).

An employee is excused from a requirement under (i) or (ii) to disclose the nature of an interest if –

- the employee's failure to disclose occurs because they did not know that he or she had an interest in the matter; or
- the employee's failure to disclose occurs because the employee did not know the matter in which he or she had an interest would be discussed at the meeting and the employee discloses the nature of the interest as soon as possible after becoming aware of the discussion of a matter of that kind.

Any interest that arises for an employee on a matter before the Council or a Committee for determination is required to be disclosed in the manner specified in (i) or (ii). However, in recognition of the requirements discharged by employees during the course of their employment, including but not limited to the exercise of delegated authority, purchasing and tender evaluation, recruitment and selection, inspection and regulation, interests shall also be disclosed in other circumstances.

Disclosures are required to be made to the CEO in these circumstances –

- i) An employee who has an interest in any matter to be discussed at a Council or Committee meeting attended by the employee is required to disclose the nature of the interest –
  - in a written notice to the CEO before the meeting; and/or
  - at the meeting immediately before the matter is discussed.
- ii) An employee who has given, or will give, advice in respect of any matter to be discussed at a Council or Committee meeting not attended by the employee is required to disclose the nature of any interest the employee has in the matter –
  - in a written notice given to the CEO before the meeting; and/or
  - at the time the advice is given.
- iii) If in order to comply with the requirements of (i) or (ii) an employee makes a disclosure in a written notice given to the CEO before a meeting, then –
  - before that meeting the CEO is to cause the notice to be given to the person who is to preside at the meeting;
  - immediately before a matter to which the disclosure relates is discussed at the meeting, the person presiding is to bring the notice and its contents to the attention of the persons present.
- iv) If in order to comply with the requirements of the section –
  - the nature of an employee's interest in a matter is disclosed at a meeting; or
  - a disclosure is made at a meeting if it is realised that an employee has an interest in a matter that they had not previously realised was for discussion at that meeting; or
  - the presiding member brings to the attention of those present at the meeting a written disclosure;
 then the nature of the interest is to be recorded in the minutes of the meeting.
- v) If during the course of discharging the requirements of their employment, an employee becomes aware of an interest or a potential interest, that interest or potential interest is to be disclosed in a prompt and full manner to the CEO and direction sought on the ability to continue to discharge the requirements of their employment in this case.
- vi) If an employee is intending to engage in private work outside of their employment with the Shire,
- vii) either with a person or body with an interest in a proposed or current contract with the local government, or if the arrangement could, or could reasonably be perceived to, either immediately or in the future, result in an interest for the employee arising in their

employment with the Shire, the intention to engage in this work shall be disclosed in a prompt and full manner to the CEO and direction sought on the appropriateness of the arrangement.

b) Gifts

- i) Employees are required to refrain from accepting a prohibited gift from a person who –
  - is undertaking or seeking to undertake an activity involving a local government discretion; or
  - it is reasonable to believe is intending to undertake an activity involving a local government discretion.
- ii) An employee is required to notify the CEO of the acceptance within 10 days of accepting the gift, when the gift is a notifiable gift from a person who –
  - is undertaking or seeking to undertake an activity involving a local government discretion; or
  - it is reasonable to believe is intending to undertake an activity involving a local government discretion;

c) Confidential information

Confidential information must only be disclosed by an employee to another person to the extent that is necessary for the employee to do so in the performance of his or her duties.

Confidential information is that which is discussed during a meeting or that part of a meeting that is closed to members of the public in accordance with the provisions of the *Local Government Act 1995*, or that is in a document of the local government that is marked confidential, or any other information obtained during the performance of duties that could reasonably be considered to be confidential or of a sensitive nature.

Nothing in this section enables the disclosure of any confidential or sensitive information to any Council member or Committee member if the information does not directly relate to a confidential matter that is on the agenda for a meeting of the Council or the Committee, nor to any employee who is not empowered or required by virtue of their position in the organisation to have that information.

The handling of confidential or sensitive information is a significant responsibility for employees with authorised access to such information. Any imparting of such information must be undertaken in strict accordance with the requirements of this code. Where there is any doubt as to the requirement to impart confidential or sensitive information, caution is urged as any unauthorised disclosure of such information is considered a serious breach of the employee's responsibilities.

d) Use of local government resources

An employee shall make proper use of the Shire's resources and shall not use them for personal or private purposes, unless the use is otherwise provided for in a contract of employment, or authorised by the CEO by some other means.

It is acknowledged that minor incidental (not primary and not majority) use of certain resources will be provided for in operational requirements. An example of this would be to conduct an internet search or check a personal email account on a Shire computer during a designated break. This type of minor incidental use is provided for in the Shire's email and internet practice, whereby it is stated these facilities are for almost exclusive business use.

e) Relationships with Council members and Committee members

Employees are employed by and responsible to the CEO. While their direction, supervision and management is the sole responsibility of the CEO in accordance with Section 5.41(g) of the *Local Government Act 1995*, it is also recognised that the CEO has a responsibility to the Council to ensure employees provide it with relevant and quality advice.

Employees shall therefore be aware of their duty to, via the CEO, provide relevant and quality advice to the Council and Committees. They shall also act courteously and with due respect during their dealings with the Council, any Committee, any Council member or Committee member. It is expected that employees will deal with each other, Council members and Committee members in an honest and respectful manner.

f) Administrative practices

As an overarching principle of employment, employees, in attending to their duties for the Shire in their required and normal hours of employment including approved overtime, shall give their full attention to their duties and requirements throughout that time to ensure that their work is carried out efficiently and effectively. Employees shall comply with any lawful and reasonable order given by any person having the authority to make or give such an order, noting the restrictions on elected

members or Committee members in relation to directing local government employees. They will also give effect to the lawful decisions of the Council in a prompt and effective manner.

– End of Schedule

## 1.2 Public Question Time – Management

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### OBJECTIVE

To provide for the effective management of public question time.

### STATUTORY CONTEXT

*Local Government Act 1995* –

- s.5.103 – requirement to prepare a code of conduct for council members, committee members and employees
- s.5.24 – requirement for public question time

*Local Government (Administration) Regulations 1996* –

- r.5 – meetings where public question time is required
- r.6 – minimum time for public question time
- r.7 – procedure for public question time

### CORPORATE CONTEXT

None

### POLICY STATEMENT

1. The following Policy Schedules are adopted, and form part of this Statement –
  - a) – Procedure for Public Question Time

### APPLICATION

2. The Procedures for Public Question Time apply to –
  - a) Ordinary and Special Council meetings,
  - b) Every meeting of Council committees which have a delegated power or duty.

### HISTORY

Former policy	9.2.1
Adopted	16 May 2018

### NOTES

Without this Policy, the only controls available to the Presiding Member of a meeting are the provisions of the Act and Regulations, all of which allow wide discretion, but offer limited guidance as to processes.

Additional provisions may be available in a Meeting Procedures Local Law.

**Policy Schedule 1.2 – Public Question Time****PROCEDURE FOR PUBLIC QUESTION TIME**

The *Local Government Act 1995* requires that a minimum of 15 minutes be provided at council meetings for public question time. Public question time is early in the meeting as required by the Act. This allows questions to be asked before business is dealt with and also smooth running of the business part of the meeting. The procedure for asking a question is outlined below.

**Presenting a question**

1. Questions should be address to the Presiding Member, and submitted in writing to the CEO by 4.00pm the business day prior to the meeting.
2. Priority will be given to those questions relating to a matter on the Agenda before the meeting. General questions will only be addressed if time permits.
3. The length of question, including any background information, should not exceed 150 words.
4. Questions are limited to 2 per person, and with a total time limit of 2 minutes per speaker. Multiple parts to a question are considered separate questions.
5. Questions are to be directed to the Presiding Member, not to any other person.
6. Questions must be related to issues pertaining to the Shire.
7. Question regarding personal affairs, opinions, information or perceptions not relating directly to Shire business will be refused.
8. Retain your own copy of the question/s to be read aloud at the meeting.
9. No late documentation or item is to be brought into the meeting for distribution without prior arrangement with the CEO.

**Managing the questions**

10. The CEO is to compile the same or similar questions submitted with notice, and provide a single response.
11. A question without notice at the meeting is to be written on the form available at the meeting so that the exact wording of the question is recorded in the minutes of the meeting. Staff will be made available to assist in wording the question if desired.
12. A timer may be activated at the beginning of each person's time period and the Presiding Member will require questioners to conclude after 2 minutes.
13. Those asking questions are to state their name, address and the item number to which they are referring, and then read the question. Staff will have prepared brief NOTES to enable an informed response to be given at the meeting.
14. When specifically requested, questioner's details may be kept private.
15. Questions without notice or multiple parts to a question will be answered in the order they are asked to a maximum of 2.
16. Should time permit, after all present have had an opportunity to ask a question, additional questions may be considered
17. Where a question raises a significant issue not addressed in the staff report, and which cannot be adequately responded to, the meeting will need to consider whether the item should be held over or referred back for further consideration. In making this decision, the meeting will take account of statutory deadlines and other implications if appropriate.

**Responding to the questions**

18. The order in which questions are to be addressed is –
  - a) questions with notice relating to matters within that meeting's agenda;
  - b) questions with notice relating to other matters;
  - c) questions without notice relating to matters within that meeting's agenda; then
  - d) questions without notice relating to other matters.
19. Matters considered confidential under section 5.23 of the Act will not be addressed other than to advise of such.
20. Written questions submitted by a person not present at the meeting may be declined, and dealt with as correspondence.
21. Reponses will be provided in reasonable detail, but in order to permit as many questions as possible, will be concise and to the point. Should greater detail be required, this should be notified to the Shire after the meeting.
22. Questions without notice will only be responded to at the meeting if they are simple. Otherwise they will be taken on notice and will be answered in writing after the meeting and the response included in the agenda of the next council meeting.
23. The meeting will not debate nor discuss the question raised with the questioner. Discussion or debate directly with an elected member or employee, or within the gallery is not permitted.

**PLEASE NOTE**            **Members of the public should note that no action should be taken on any item discussed at a council meeting prior to written advice on the resolution of council being received.**

– End of Schedule

## 1.3 Elected Members – Records capture and management

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### OBJECTIVE

To ensure compliance with the *State Records Act 2000* by elected members.

### STATUTORY CONTEXT

*Local Government Act 1995* –

- s.7.11 – Auditor has the power to demand production of books, records etc.
- s.9.59 – Regulations about keeping of documents and records

*State Records Act 2000*

- Sch.1 – Government organisations required to comply with Act – includes local government

*Freedom of Information Act 1992*

### CORPORATE CONTEXT

Shire of Victoria Plains Records Keeping Plan

### POLICY STATEMENT

1. Each elected member is responsible for determining which records are required for capture and management, and submission of the record to the CEO, for storage.

### APPLICATION

2. The Shire as an organisation, in meeting its obligations to facilitate the capture and management of elected member records will –
  - provide a collection point readily accessible to each elected member to deposit the required materials,
  - materials collected will be separated according to elected member and financial year of deposit
  - for electronic records (such as emails other than those through the Shire of Victoria Plains corporate address, digital photos etc), a suitable medium for backup of all electronic records will be provided at least once per year,
  - the digital copy then to be deposited with other required materials,
  - backup of emails through the corporate address (*name@victoriaplains.wa.gov.au*) a backed up as part of the daily server back up by the Shire's IT contractor,
  - where a copy of the record is to be retained by the elected member, photocopying or other duplicate as necessary, will be provided without charge.
3. Access to the records created may be required, and is to be facilitated by the CEO –
  - as permitted under various legislation such as the Local Government Act, the Freedom of Information Act etc,
  - by order of an authorised body such as the Standards Panel or a Court of law etc,
  - by a representative an authorised body such as the Ombudsman or Crime and Corruption Commission etc.

### HISTORY

Former policy	9.3.8
Adopted	21 June 2018

### NOTES

State Records Office policy imposes the obligations on elected members and the organisation under the State Records Act, as advised on 30 July 2009 –

*In relation to the recordkeeping requirements of local government elected members, records must be created and kept which properly and adequately record the performance of member functions*

*arising from their participation in the decision making processes of Council and Committees of Council.*

*This requirement should be met through the creation and retention of records of meetings of Council and Committees of Council of local government and other communications and transactions of elected members which constitute evidence affecting the accountability of the Council and the discharge of its business.*

*Local governments must ensure that appropriate practices are established to facilitate the ease of capture and management of elected members' records up to and including the decision making processes of Council.*

In effect, any form of record which may affect accountability or contribute to a decision or action made as an elected member must be retained. These records may be –

- physical – a letter, a handwritten note, a photo someone sends to an elected member in explanation / complaint, an agenda where you have made NOTES on various items, etc
- electronic – an email or document sent as an attachment to an email, digital photo, an e-file that is sent for review or comment
- audio – message left on your answering machine, although this is likely to be unusual, since rarely are many details left in a message, but it is a record.

The records are not only those you receive, but also those that you create, such as –

- a note of a conversation where someone asked you to pursue a particular matter,
- a letter that you write in the capacity of elected member,
- an email you send as an elected member

The records only need to be relating to those “*affecting the accountability of the Council and the discharge of its business ... up to and including the decision making processes of Council*”. *It is the elected members decision and judgement as to what extent this applies.*

*The principles of relevance and ephemerality apply, for example –*

- a note to remind you to phone a person is ephemeral, but notes of the resulting conversation may not be,
- a copy of an agenda that has no notes made is irrelevant, as the document can be reproduced by the Shire at any time,
- a promotional brochure or conference information is not relevant.

On 24 May 2018 Wallis Computing Services confirmed that emails using the *victoriaplains.wa.gov.au* domain are backed up daily, although the retention at this time is only 12 months. Proposals to move the Shire data and IT to Office 365 will have 7 year retention, and that this period then meets the full legal retention period.





# 1.4 Briefing Sessions

Responsible Areas	Governance
Responsible Officer	Chief Executive Officer
Affected Staff	NI

## Objective

The purpose of Briefing Sessions is to:

- provide an opportunity for elected members to request information, ask questions or make comment on specific issues, or on issues in general,
- discuss conceptual issues as considered appropriate by elected members or staff,
- disseminate information from staff to elected members ,
- coordinate questions from elected members to staff.

## Scope

The policy is to be applied as per the Briefing Session Guidelines.

## Policy

- Briefing Sessions will be held to exchange information between elected members, senior staff, management staff and committees –
  - prior to the Ordinary Council meeting of the month, or
  - when called by the President or CEO, as necessary.
- The CEO is to prepare an Information Paper for each briefing session.
- Briefing Sessions are closed to the general public.

## Definitions

**Specific Issues:** Can include strategic matters, policy matters, draft agenda items, stakeholder reports, planning matters and so on.

## Relevant management practices/documents

Policy 1.1 - Shire's Code of Conduct.

Policy 1.4 – Elected Member - Briefing Sessions.

## Legislation/local law requirements

*Local Government Act 1995.*

*Local Government (Administration) Regulations 1996.*

*Local Government (Rules of Conduct) Regulations 2007*

*Shire of Victoria Plains Meeting Procedures Local Law 2018*

Local Government Operational Guideline Number 05

Office Use Only			
Relevant delegations	NI		
Initial Council adoption	Date	16 May 2018	Resolution #
Last reviewed	Date	26 June 2019	Resolution #
Next review due	Date	July 2022	

## 1.5 Council Policy – Making, amending, deleting

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### OBJECTIVE

To control the process of making, amending or deleting Council Policy.

### STATUTORY CONTEXT

None, although some legislation makes general provisions, and places requires on policy limits, or how the policy is to be adopted or used etc.

### CORPORATE CONTEXT

None

### POLICY STATEMENT

1. The CEO is to maintain the official copy of the Council Policy Manual, updated as soon as possible after each authorised resolution of Council.

### APPLICATION

2. Additions, deletions or alterations to Council Policy shall only be made by specific Council resolution stating –
  - a) stating the current Council Policy number if an amendment or deletion,
  - b) the proposed policy number to clearly indicate functional area if a new Council Policy, and
  - c) proposed wording and justification for the amendment, deletion or adoption.

### HISTORY

Adopted                      16 May 2018

### NOTES

Essentially, policy is the standing instructions of Council about the “how to” whereas delegations are about “who may”. Accordingly, policy may not be altered without a decision of Council.

The purpose of policy documents is to enable the effective and efficient management of Council resources and to assist staff and Council achieve an equitable decision making process. Written policies also enable the community to be aware of the reasoning behind administrative and Council decisions, and to be familiar with the philosophy behind individual decisions.

If it is not in the Council Policy Manual, it may be usual practice, but it is not Council Policy. Unless it is specifically stated in a resolution that the authority is to be included in the Policy Manual, it is to be considered that the authority to act, is for a specific matter and is not general or on-going.

## 1.6 Legal Representation for Elected Members and Employees

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### OBJECTIVE

To provide for legal support for elected members and employees in the performance of their official functions

### STATUTORY CONTEXT

*Local Government Act 1995* –

- s.5.103 – requirement to prepare a code of conduct for council members, committee members and employees

### CORPORATE CONTEXT

None

### POLICY STATEMENT

1. The following Council Policy Schedule is adopted, and forms part of this Statement –
  - a) Sch. 1.7 – Legal Costs Indemnification

### APPLICATION

2. When there is a need for the provision of urgent legal advice before an application can be considered by Council, the amount determined in accordance with Schedule 1.6 clause 3(e) where the CEO may give authorisation is \$10,000.

### HISTORY

Former Policy	7.4
Adopted	16 May 2018

### NOTES

This policy does not relate to the legal advice needed for general operations or review of documents etc, but relates to the legal advice that may be necessary for the protection of an elected member or employee for actions taken during the course of their official duties.

**Policy Schedule 1.6 – Legal Costs Indemnification****1. Introduction**

This policy is designed to protect the interests of Council members and employees (including past members and former employees) where they become involved in civil legal proceedings because of their official functions. In most situations the Shire may assist the individual in meeting reasonable expenses and any liabilities incurred in relation to those proceedings.

It is necessary to determine that assistance with legal costs and other liabilities is justified for the good government of the district.

**2. General Principles**

The Shire may provide financial assistance to members and employees in connection with the performance of their duties provided that the member or employee has acted reasonably and has not acted illegally, dishonestly, against the interests of the Shire or otherwise in bad faith.

The Shire may provide assistance in the following types of legal proceedings –

- a) proceedings brought by members and employees to enable them to carry out their local government functions (eg. where a member or employee seeks a restraining order against a person using threatening behaviour);
- b) proceedings brought against members or employees (this could be in relation to a decision of Council or an employee which aggrieves another person (eg. refusing a development application) or where the conduct of a member or employee in carrying out his or her functions is considered detrimental to the person (eg: defending defamation actions); and
- c) statutory or other inquiries where representation of members or employees is justified.

The Shire will not support any defamation actions seeking the payment of damages for individual members or employees in regard to comments or criticisms levelled at their conduct in their respective roles. Members or employees are not prevented, however, from taking their own private action. Further, the Shire may seek its own advice on any aspect relating to such comments and criticisms of relevance to it.

The legal services under this policy will usually be provided by the Shire's solicitors. Where this is not appropriate for practical reasons or because of a conflict of interest then the service may be provided by other solicitors approved by the Shire.

**3. Applications for Financial Assistance**

- a) Subject to item (e), decisions as to financial assistance under this policy are to be made by the Council.
- b) A member or employee requesting financial support for legal services under this policy is to make an application in writing, in advance if possible, to the Council providing full details of the circumstances of the matter and the legal services required.
- c) An application is to be accompanied by an assessment of the request and a recommendation prepared by the CEO.
- d) A member or employee requesting financial support for legal services, or any other person who might have a financial interest in the matter, must ensure compliance with the financial interest provisions of the Local Government Act 1995.
- e) Where there is a need for the provision of urgent legal services before an application can be considered by Council, the CEO may give an authorisation to the value specified by Council.
- f) Where it is the CEO who is seeking urgent financial support for legal services the Council shall deal with the application.
- g) Any application is to be subject to an enforceable agreement to repay expenses incurred by the Shire, either –
  - In full but not exceeding the extent recovered by a member in accordance with 4(a) below, or
  - In full where 4(2) applies.

**4. Repayment of Assistance**

1. Any amount recovered by a member or employee in proceedings, whether for costs or damages, will be off set against any moneys paid or payable by the Shire.
2. Assistance will be withdrawn where the Council determines, upon legal advice, that a person has acted unreasonably, illegally, dishonestly, against the interests of the Shire or otherwise in bad faith; or where information from the person is shown to have been false or misleading.
3. Where assistance is so withdrawn, the person who obtained financial support is to repay any moneys already provided. The Shire may take action to recover any such moneys in a court of competent jurisdiction.

– End of Schedule

## 1.7 Related Party Disclosures

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### OBJECTIVE

The purpose of the AAS is to capture dealings between the organisation and Key Management Personnel with related parties (corporate and individual).

### STATUTORY CONTEXT

*Local Government (Financial Management) Regulations 1996 –*

- r.4 – AAS to be complied with and are in addition to Regulations (Regulations have priority)
- r.5 – annual budget, annual financial report and other financial reporting to be in accordance with AAS
- Sch.2 Form 1 – CEO required to certify annual financial reports complied in accordance with AAS

*Local Government (Audit) Regulations 1996 –*

- r.9 – audit is to be performed in accordance with AAS

*Australian Accounting Standard 124 – Related Party Disclosures*

### CORPORATE CONTEXT

Required Declaration and Disclosure forms

### POLICY STATEMENT

1. The following Council Policy Schedules are adopted, and form part of this Statement –
  - 1.7(a) – Related Party Disclosures – Definitions
  - 1.7(b) – Related Party Disclosures – Procedure
2. This Related Party Disclosures Policy applies to –
  - a) Related Parties of Council,
  - b) Key Management Personnel.

### APPLICATION

3. Disclosure requirement
  - a) The disclosure requirements apply to the existence of relationships regardless of whether a transaction has occurred or not.
  - b) Each financial year, the Shire must make an informed judgement as to who is a related party and what transactions need to be considered, when determining if disclosure is required.
4. Key Management Personnel (KMP) In accordance with AASB 124, KMP are –
  - a) All elected members
  - b) CEO
  - c) Staff performing the functions of (including where services are provided under contract) –
    - i) Manager Finance and Administration
    - ii) Manager Works and Services
    - iii) Environmental Health Officer
    - iv) Building Surveyor
    - v) Governance Officer
5. Related Party – Council
  - a) Related entities to Council are those where the Shire of Victoria Plains has significant control or influence, which is deemed to be a greater than 20% –
    - i) financial interest in the organisation,
    - ii) voting rights in the organisation.

- b) Unless otherwise excluded, the administration will be required to assess all transactions made with these persons or entities.

6. Related Party – KMP

- a) Related parties of the KMP are close family members of the KMP.
- b) For the AASB 124, close family members could include extended family members (such as, parents, siblings, grandparents, uncles/aunts or cousins) if they could be expected to influence, or be influenced by, the KMP in their dealings with the Shire.
- c) Related entities to the KMP or close family members are those where the person has control, joint control or influence, which is deemed to be greater than 20% –
  - i) financial interest in the organisation
  - ii) voting rights in the organisation.
- d) Unless otherwise excluded, the administration will be required to assess all transactions made with these persons or entities.

7. Related Party Transactions (RPT)

- a) A related party transaction is a transfer of resources services or obligations between the Shire (reporting entity) and the related party, regardless of whether a price is charged.
- b) For the purposes of determining whether a related party transaction has occurred, the following transactions or provisions of services have been identified as meeting this criterion –
  - i) payments to elected members;
  - ii) employee compensation whether it is for KMP or close family member of KMP.
  - iii) lease agreements for housing rental (whether for a Shire owned property or property sub-leased by the Shire through a real estate agent)
  - iv) lease agreements as lessee or lessor, for commercial properties or other properties;
  - v) monetary and non-monetary transactions between the Shire and any business or associated entity owned or controlled by the related party (including family) in exchange for goods and/or services provided by/to the Shire (trading arrangement).
  - vi) loan arrangements between related entities or KMP;
  - vii) contracts and agreements for construction, consultancy or services
  - viii) purchases or sales of goods; property and other assets;
  - ix) rendering or receiving of services; or goods;
  - x) transfers under licence agreements; or finance arrangements (example, loans);
  - xi) provision of guarantees (given or received);
  - xii) commitments to do something if an event occurs, or does not occur, in the future;
  - xiii) settlement of liabilities on behalf of Council or by the Shire on behalf of that related party.

8. Ordinary Citizen Transactions (OCT)

- a) OCT are where there is no special treatment of consideration of either party and are deemed to be any transaction that a member of the public would receive in the usual course of business, and includes but is not limited to –
  - i) payment of rates and charges imposed by Budget resolution, fines and penalties etc.
  - ii) payment of application or development fees imposed by Council and applying to any applicant
  - iii) use of Council facilities, whether use of the facility incurs a fee or not, and includes Recreation Centre, Civic Centre, library, parks, ovals, reserves, waste facility and public open spaces
- b) OCT incorporates transactions resulting from delivery of Public Service Obligations and includes but is not limited to –
  - i) attending Shire of Victoria Plains functions that are open to the public
  - ii) attending events that are open to the public
- c) All Ordinary Citizen Transactions identified within this policy are unlikely to influence the conclusions that those reading the Shire's financial statements would make.

**9. Materiality**

For guidance, materiality is generally deemed to apply where –

- a) Where an RPT can be expressed in financial terms
  - i) Single transaction – greater than \$300
  - ii) Cumulative transactions – greater than \$1,500
- b) Where an RPT cannot be expressed in financial terms –
  - i) reasonable person test – would an ordinary person consider that pressure has been applied or influence exerted

**10. Related Party Notification**

- a) KMP must submit to the CEO a Related Party Declaration, notifying of any existing or potential related party relationship between Council and either themselves, their close family members or entities controlled or jointly controlled by them or any of their close family members.
- b) Related Party Declarations are to be submitted –
  - i) within 30 days of commencement;
  - ii) annually, prior to 31 August;
- c) Related Party Transaction Disclosure are to be updated where –
  - i) any new or potential related party transaction that is required or likely to be required to be disclosed in Council's financial statements; or
  - ii) any change to a previously notified related party transaction.

**11. Related Party Transaction Notification**

- a) A related party transaction is a transfer of resources, services or obligations between the Shire (reporting entity) and the related party, regardless of whether a price is charged.
- b) KMP must submit to the CEO a Related Party Transaction Disclosure, notifying of any transaction between Council and either themselves, their close family members or entities controlled or jointly controlled by them or any of their close family members.
- c) Related Party Transaction Disclosure are to be submitted –
  - i) at minimum – within 30 days of the end of each financial year;
  - ii) recommended – at Council meeting each month.

**12. Confidentiality**

- a) All information contained in a disclosure return, will be treated in confidence.
- b) Generally, related party disclosures in the annual financial reports are reported in aggregate and individuals not specifically identified.
- c) Notwithstanding, management is required to exercise judgement in determining the level of detail to be disclosed based on the nature of a transaction or collective transactions and materiality. Individuals may be specifically identified, if the disclosure requirements of AASB 124 so demands.

**13. Discretionary capacity of the CEO**

Where a matter is not covered by this policy, the CEO is authorised to make a determination, and may seek such advice as is necessary in order to do so.

**HISTORY**

Adopted 21 June 2018

**REFERENCES****Minimum requirement under AASB 124 –**

- **Declaration and Transaction Disclosures for the previous 12 month are required to be made as at 30 June annually.**
- **Annual resolution of Council in July annually for inclusion in Annual report**

Abbreviations –

**AASB** – Australian Accounting Standards Board

**KMP** – Key Management Personnel



**OCT** – Ordinary Citizen Transaction

**RPT** – Related Party Transaction

The objective of the AASB is to ensure that an entity's financial statements contain disclosures necessary to draw attention to the possibility that its financial position and profit or loss may have been affected by the existence of related parties and transactions.

The disclosure requirements apply to the existence of relationships regardless of whether a transaction has occurred or not. For each financial year, the Shire must make an informed judgement as to who is a related party and what transactions need to be considered, when determining if disclosure is required.

Effective beginning 1 July 2016 the Shire must disclose in the Annual Report certain related party relationships and transactions together with information associated with those transactions in its Financial Statements, to comply with Australian Accounting Standard 124 Related Party Disclosures.

If there is a related party transaction with the Shire applicable to a reporting financial year, the AASB 124 requires the Shire to disclose in the financial statements the nature of the related party relationship and information about the transaction, including outstanding balances and commitments associated with the transaction. Disclosure in the financial statements may be in the aggregate and/or made separately, depending on the materiality of the transaction.

For more information about the Shire's disclosure requirements under the AASB 124, refer to <http://www.aasb.gov.au>

Dept of Local Government Sporting & Cultural Industries –

- Fact Sheet (Circular 12 of 2017) – <https://www.dlgsc.wa.gov.au/resources/publications/Pages/ViewPublication.aspx?DocID=744>
- Implementation (Circular 07 of 2017) – <https://www.dlgsc.wa.gov.au/resources/publications/Pages/ViewPublication.aspx?DocID=732>

**Policy Schedule 1.7(a) – Related Party Disclosures – Definitions**

**ALBT or arm's length business transaction** means a transaction where the terms between parties are reasonable in the circumstances of the transaction that would result from –

- a) neither party bearing the other any special duty or obligation; and
- b) the parties being unrelated and uninfluenced by the other, and
- c) each party having acted in its own interest

**associate** means relation to an entity (the first entity), an entity over which the first entity has significant influence.

**close members of the family of a person** means relation to a key management person, family members who may be expected to influence, or be influenced by, that key management person in their dealings with the Shire and include –

- a) that person's children and spouse or domestic partner;
- b) children of that person's spouse or domestic partner; and
- c) dependants of that person or that person's spouse or domestic partner.

**control** means the ability to direct the business' activities of an entity through rights or exposure to returns from its involvement with the entity.

**entity** can include a body corporate, a partnership or a trust, incorporated association, or unincorporated group or body or non-profit association.

**financial benefit** includes giving a financial benefit indirectly through an interposed entity, making an informal, oral or non-binding agreement to give the benefit, and giving a benefit that does not involve paying money.

Examples of "giving a financial benefit" to a Related Party include but are not limited to the following –

- a) Giving or providing the Related Party finance or property.
- b) Buying an asset from or selling an asset to the Related Party.
- c) Leasing an asset from or to the Related Party.
- d) Supplying services to or receiving services from the Related Party.
- e) Issuing securities or granting an option to the Related Party.
- f) Taking up or releasing an obligation of the Related Party.

**joint control** is the contractually agreed sharing of control of an arrangement, which exists only when decisions about the relevant activities require the unanimous consent of 2 or more parties sharing control.

**joint venture** is an arrangement of which 2 or more parties have joint control and have right to the net assets of the arrangement.

**KMP or key management personnel or Key management person** are those person(s) having authority and responsibility for planning, directing and controlling the activities of Council.

**KMP compensation** all forms of consideration paid, payable, or provided in exchange for services provided.

**material** is the assessment of whether the transaction, either individually or in aggregate with other transactions, by omitting it or misstating it could influence decisions that users make on the basis an entity's financial statements. For this policy, it is not considered appropriate to set either a dollar value or a percentage value to determine materiality.

**OCT or ordinary citizen transaction** are transactions that an ordinary citizen would undertake with Council, which is undertaken on arm's length terms and in the ordinary course of carrying out Shire's functions and activities.

**related party** is a person or entity that is related to the Shire or KMP pursuant to the definition contained in the AASB 124 –

- a) an entity that is controlled, jointly controlled or significantly influenced by the Shire or KMP;
- b) close family members of the KMP; or
- c) an entity controlled, jointly controlled or significantly influenced by a close family member of the KMP.

**RPT or related party transaction** means a transfer of resources, services or obligations between the Shire and a related party, regardless of whether a price is charged.

**significant** means likely to influence the decisions that users of the Shire's financial statements make having regard to both the extent (value and frequency) of the transactions, and that the transactions have occurred between the Shire and related party outside a public service provider/ taxpayer relationship.

**remuneration or remuneration package** and includes any money, consideration or benefit received or receivable by the person but excludes reimbursement of out-of-pocket expenses, including any amount received or receivable from an RPT.

– End of Schedule

**Policy Schedule 1.7(b) – Related Party Disclosures – Annual Reporting Requirements****1. Background**

The objective of the standard is to ensure that the Shire's financial statements contain disclosures necessary to advise of the possibility that its financial position and profit or loss may have been affected by the existence of related parties and transactions.

The disclosure requirements apply to the existence of relationships regardless of whether a transaction has occurred or not. For each financial year, the Shire must make an informed judgement as to who is a related party and what transactions need to be considered, when determining if disclosure is required.

The purpose of this policy procedure is to stipulate the information requested from related parties to enable an informed judgement to be made.

**2. Identification of Related Parties**

AASB 124 provides that the Shire will be required to disclose in its Annual Financial reports, related party relationships, transactions and outstanding balances.

Related parties include a person who has significant influence over the reporting entity, a member of the KMP of the entity, or a close family member of that person who may be expected to influence that person.

KMPs are defined in the Policy Statement as persons having authority and responsibility for planning, directing and controlling the activities of the entity, directly or indirectly.

The Shire will therefore be required to assess all transactions made with these persons or entities.

**3. Identification of Related Party Transactions**

A related party transaction is a transfer of resources services or obligations between the Shire (reporting entity) and the related party, regardless of whether a price is charged.

For the purposes of determining whether a related party transaction has occurred, Council has defined in the Policy Statement the transactions or provisions of services have been identified as meeting this criterion:

**4. Related Party Transactions**

Some of the transactions listed in the Policy Statement, occur on terms and conditions no different to those applying to the public and have been provided during delivering public service objectives. These transactions are those that an ordinary citizen would undertake with council and are referred to as an Ordinary Citizen Transaction (OCT). Where the Shire can determine that an OCT was provided at arm's length, and in similar terms and conditions to other members of the public and, that the nature of the transaction is immaterial, no disclosure in the annual financial report will be required.

**5. Ordinary Citizen Transactions**

Ordinary Citizen Transactions that occur with the identified KMP as defined in AASB124, are identified in the Policy Statement as any transaction with the Shire of Victoria Plains or use of Shire facilities that any member of the public would receive.

Where any of the services OCTs were not provided at arm's length and under the same terms and conditions applying to the public, elected Council members and KMP will be required to make a declaration about the nature of any special terms received.

All transactions which does not meet the criteria of arm's length business transactions, elected members and KMP as identified, will be required to provide the necessary details to the CEO

**6. Ordinary Citizen Transactions (OCTs) – Annual Report**

Management will put forward a draft resolution to Council annually, declaring that in its opinion, based on the facts and circumstances, a list of OCTs that are provided on terms and conditions no different to those applying to the public and which have been provided in the course of delivering public service objectives, are unlikely to influence the decisions that users of the Council's financial statements make. As such no disclosure in the quarterly Related Party Disclosures is required.

7. Materiality

Management will apply professional judgement to assess the materiality of transactions disclosed by related parties and their subsequent inclusion in the financial statements. In assessing materiality, management will consider both the size and nature of the transaction, individually and collectively.

*– End of Schedule*

## **1.8 Freeman of the Shire**

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### **STATUTORY CONTEXT**

None

### **CORPORATE CONTEXT**

None

### **POLICY STATEMENT**

1. Council may resolves to make an award of Freeman of the Shire to an individual.

### **APPLICATION**

2. The award of Freeman is intended to recognise outstanding Community Service over a significant period of time and in a diversity of activities within the Shire of Victoria Plains.
3. The award would not usually be presented for excellence of service in only one activity.
4. The award of Freeman is to be seen as independent of any other award.
5. The award is to be recognised as the highest honor that the Local Community, through its Council can confer on one of its citizens. The award will therefore be conferred sparingly and should only be conferred where there is a great assurance of public approval.
6. It is not seen as desirable that the Award of Freeman be presented to a sitting member of Council.

### **HISTORY**

Former Policy	1.6
Adopted	24 April 2019

### **REFERENCES**

## 1.9 Recording of Council, committee, electors meetings

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### STATUTORY CONTEXT

#### *Local Government Act 1995 –*

- s.5.22 – requirement to keep minutes of council and committee meetings
- s.5.32 – requirement to keep minutes of electors meetings
- s.5.94 – public may inspect certain local government information
  - o does not specifically include recordings of meetings

#### *Local Government (Administration) Regulations 1996 –*

- r.29 – Information to be made available for public inspection
  - o includes unconfirmed minutes

#### *Freedom of Information Act 1992 –*

- s.10 – right of access to documents

#### *Privacy Act 1998 (Commonwealth) –*

- s.13 – interferences with privacy

#### *State Records Act 2000 –*

- s.3 – refer –
  - o definition of **record** – includes electronic records, including sounds, images etc
  - o definition of **unauthorised possession**
- s.7 – local government bound by Act
- s.16(2) – keeping of records to comply with State Records Commission’s published principles
- s.16(3) – disposal of records permitted only in accordance with a disposal authority approved by the State records Office

#### *Surveillance Devices Act 1988 –*

- s.5 – regulation of use etc of devices
- s.26 – use of devices with consent of parties
- s.34 – penalties for unlawful possession or use of device

#### *Meeting Procedures Local Law 2018 –*

- cl.6.16 – recording of proceedings
- cl.19.1 – penalty for breach

### CORPORATE CONTEXT

#### *Policy Manual 2018 –*

- 1.1 – Code of Conduct

#### *Record Keeping Plan*

### POLICY STATEMENT

#### 1. Definition

**recording** means the making of a record of a meeting using any device capable of recording speech, but excludes handwritten notes.

#### 2. Purpose

The primary purpose of recording of Council, committee and electors meetings is to assist with the preparation of meeting minutes.

## APPLICATION

### 3. Declaration to the Public

3.1 In order to comply with the *Surveillance Devices Act 1998* and the *Privacy Act 1998* advice is to be provided to the members of the public attending Council meetings that an official recording of the meeting will be made.

3.2 The disclosure statement is –

*Members of the public are advised that meetings of Council are recorded. In terms of the Privacy Act 1998 this may involve the recording of personal information provided at the meeting. The provision of any information that is recorded is voluntary, however if any person does not wish to be recorded they should not address or request to address the meeting. By remaining in this meeting, you consent to the recording of the meeting.*

*You are not permitted to record this meeting with any recording device, unless you have the express authorisation of the presiding member.*

3.3 The advice will be advised by –

- a) placement of the notice in the agendas for meetings,
- b) placement of notices at the entry to places where meetings are held,
- c) placement the meetings page of the Shire of Victoria Plains website.
- d) verbal announcement by the Presiding Member of the meeting to be recorded.

### 4. Retention of Records

4.1 Recordings are not temporary records, but under the State Records Act are to be retained in the custody of the CEO.

4.2 The official record of a meeting is not the recording but the meeting minutes, which require confirmation by Council resolution and must be signed by the Presiding Member of the meeting at which they were confirmed.

### 5. Availability and access

5.1 Access to recordings is as determined by –

- Local Government Act 1995 and regulations
- Freedom of Information Act 1992
- State Records Act 2000

### 6. Access to Records

6.1 Requests to access audio recordings will be considered in accordance with the *Freedom of Information Act 1992*.

6.2 The CEO or nominated person may provide access to recordings during business hours in the presence of a Shire staff member, without charge.

6.3 Where a transcript of an recording is required, application in accordance with the *Freedom of Information Act 1992* is necessary, and is subject to the regulated application and processing fees.

## HISTORY

Former Policy	1.9.5
Adopted	24 April 2019

## REFERENCES

## 1.10 Enterprise Risk Management

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### STATUTORY CONTEXT

*Audit Regulations 1996 –*

- r.17 – Audit Committee to review CEO report on risk management, internal control and legislative compliance

*Occupational Safety and Health Act 1984*

### CORPORATE CONTEXT

Shire of Victoria Plains –

- Risk Management Plan
- Occupational Safety and Health

### POLICY STATEMENT

1. The Shire of Victoria Plains Enterprise Risk Management Policy documents the commitment and objectives regarding managing uncertainty that may impact the Shire's strategies, goals or objectives.
2. It is the Shire's intent to achieve best practice (aligned with AS/NZS ISO 31000:2009 Risk management), in the management of all risks that may affect the Shire, its customers, people, assets, functions, objectives, operations or members of the public.
3. Risk Management will form part of the Strategic, Operational, Project and Line Management responsibilities and where possible, be incorporated within the Shire's Integrated Planning Framework.
4. The Shire's executive staff will determine and communicate the Risk Management Policy, Objectives and Procedures, as well as, direct and monitor implementation, practice and performance.
5. Every employee within the Shire is recognised as having a role in risk management from the identification of risks to implementing risk treatments and shall be invited and encouraged to participate in the process.
6. Consultants may be retained at times to advise and assist in the risk management process, or management of specific risks or categories of risk.

### APPLICATION

#### 7. Definitions

**Risk:** Effect of uncertainty on objectives.

Note 1: An effect is a deviation from the expected – positive or negative.

Note 2: Objectives can have different aspects (such as financial, health and safety and environmental goals) and can apply at different levels (such as strategic, organisation-wide, project, product or process).

**Risk Management:** Coordinated activities to direct and control an organisation with regard to risk.

**Risk Management Process:** Systematic application of management policies, procedures and practices to the activities of communicating, consulting, establishing the context, and identifying, analysing, evaluating, treating, monitoring and reviewing risk.

#### 8. Risk Management Objectives

To –

- a) Optimise the achievement of our vision, mission, strategies, goals and objectives.
- b) Provide transparent and formal oversight of the risk and control environment to enable effective decision making.
- c) Enhance risk versus return within our risk appetite.



- d) Embed appropriate and effective controls to mitigate risk.
- e) Achieve effective corporate governance and adherence to relevant statutory, regulatory and compliance obligations.
- f) Enhance organisational resilience.
- g) Identify and provide for the continuity of critical operations

9. Risk Appetite

9.1 The Shire quantified its risk appetite through the development and endorsement of the Shire's Risk Assessment and Acceptance Criteria. The criteria are included within the Risk Management Procedures and are subject to ongoing review in conjunction with this policy.

9.2 All organisational risks to be reported at a corporate level are to be assessed according to the Shire's Risk Assessment and Acceptance Criteria to allow consistency and informed decision making. For operational requirements such as projects or to satisfy external stakeholder requirements, alternative risk assessment criteria may be utilised, however these cannot exceed the organisation's appetite and are to be noted within the individual risk assessment.

10. Roles, Responsibilities & Accountabilities

The CEO is responsible for the allocation of roles, responsibilities and accountabilities. These are documented in the Risk Management Procedures (Operational Document).

11. Monitor & Review

11.1 The Shire will implement and integrate a monitor and review process to report on the achievement of the Risk Management Objectives, the management of individual risks and the ongoing identification of issues and trends.

11.2 This policy will be kept under review by the Shire's executive staff and its employees. It will be formally reviewed every two years in line with the Local Government Audit Regulations (reg. 17).

**HISTORY**

Former Policy	1.10
Adopted	24 April 2019

**REFERENCES**



# 1.10 (1.11) Swearing in of Councillors

Responsible Areas	Chief Executive Officer
Responsible Officer	Chief Executive Officer
Affected Staff	Nil

## Objective

The objective of the Policy is to establish a procedure for the swearing in of elected Councillors.

## Scope

This Policy applies to the swearing in of Councillors following an ordinary election and extraordinary election.

## Policy

Council shall conduct an official function (swearing in ceremony) following local government elections to enable newly elected members to make a declaration in accordance with the provision of the Local Government Act 1995.

### Ordinary Elections

In the case of an ordinary election the swearing in ceremony shall be conducted in Council chambers on the first Wednesday following that election commencing at 5.30pm.

The ceremony is to be immediately followed by a special meeting of Council to enable the election of the Shire President, Deputy Shire President and to provide opportunity for Councillors to be nominated to a Committee of Council (in accordance with s5.10(2) of the Local Government Act 1995) as well as to be nominated and elected as delegates to advisory groups and various organisations. No other business is to be included on the agenda of this special meeting of Council.

If the first Wednesday following the ordinary election is scheduled as an ordinary council meeting date, this ordinary council meeting is to be scheduled one week later.

At the conclusion of the swearing in ceremony and the special council meeting, an informal dinner will be held with invitations being extended to all Councillors and Senior Management along with their respective partners.

### Extraordinary Elections

In the case of an extraordinary election the swearing in ceremony shall be conducted within 72 hours of the close of the poll.

At the first ordinary Council meeting scheduled after the swearing in ceremony following an extraordinary election, the CEO is to cause a report to be presented that provides opportunity for the newly elected Councillor to be nominated and elected to a Committee of Council in accordance with 5.10(2) of the Local Government Act 1995) as well as to be nominated and elected as appropriate to any vacant positions as delegates to advisory groups and various organisations.

## Definitions

Councillor – means a person who holds the office of Councillor on the Shire of Victoria Plains council.

## Relevant management practices/documents

Nil

## Legislation/local law requirements

Local Government Act 1995 s 2.15; s 2.29; s 5.10(2)

Office Use Only			
Relevant delegations			
Initial Council adoption	Date	30 October 2019	Resolution# 1 910-23
Last reviewed	Date		Resolution#
Next review due	Date		



# 1.12 Councillor Continuing Professional Development

ResponsibleAreas	Administration
ResponsibleOfficer	Chief Executive Officer
AffectedStaff	Nil

## Objective

The Councillor Continuing Professional Development Policy demonstrates Councils commitment to providing professional development for its Councillors.

## Scope

Council will ensure professional development activities are available to Councillors on the basis that such professional development contributes to the achievement of the strategic and good governance objectives of Council.

## Policy

Each Councillors will be allocated a maximum of \$1,000 per financial year to pay for all professional development (excluding mandatory training).

If a Councillor wishes to exceed the value of this allowance in a financial year they may either:

- i. Seek council approval to exceed the allowance; or
- ii. Pay the difference

An elected member must advise the CEO of his/ her intention to attend professional development at least three weeks prior to the event. The CEO will then advise the Councillor whether sufficient budgeted funds for the professional development are available and then approve the expenditure.

## Categories of Professional Development

When selecting professional development opportunities priority will be given for training and seminars that particularly enhance the required skills of Councillors and provide the greatest outcome for the Council including:

- Roles and responsibilities of councillors
- Relationship between Councillors, the CEO and staff
- Meeting procedures
- Conflict of interest
- Code of conduct
- Strategic planning
- Budgets and financial sustainability
- Long term financial planning

- Asset management
- Community engagement and public participation
- Risk management
- Legal issues for councillors
- Specific training due to legislative change

Other professional development opportunities may emerge that are directly related to specific areas and other community issues and addresses environment, social and economic challenges facing the community.

Opportunities for professional development are regularly received from WALGA and other training providers. Specific training that is identified as being directly relevant to Councillors will be sent to Councillors via email seeking an indication of interest.

#### Method of Professional Development

It is recognised that a range of delivery methods will be required to support the professional development needs of councillors including:

- In house workshop, seminars and briefing sessions conducted by appropriate staff, trainers and guest speakers
- Attendance at workshops, seminars and conferences offer by training providers and including WALGA, LGPro, AIM, AICD and other industry providers and / or appropriate providers offering courses for members to gain new skills and knowledge and to network with other Councillors from other Local Governments.
- Printed material, including training booklets and discussions papers that may be provided for information;
- On line self-paced learning; and
- CD Rom / DVD information

#### Newly elected Councillors

Councillors who are new to Council are required to undertake all five modules of The Council Member Essential Course which comprises of the following five units:

- Understanding local government;
- Serving on council;
- Meeting procedures;
- Conflict of interests; and
- Understanding financial reports and budgets.

The cost of undertaking the five units of the Council Member Essential Course is excluded from the individually allocated funds for professional development.

Reporting

The Local Government is required to report annually on who has completed professional development and publish this on the Shire’s website. The report will list each Councillor and the professional development completed by each councillor in that financial year. This will include both the Councils Members Essential Course where applicable and continuing professional development consistent with this policy

Continuing Professional Development

Each councillor will be required to complete at least 8 hours every financial year of professional development.

**Definitions**

Councillor includes the Shire President, Deputy Shire President and all Councillors.

**Relevant management practices/documents**

Nil

**Legislation/local law requirements**

Section 5.128 requires Council to adopt a Councillor continuing Professional Development Policy.

<b>OfficeUseOnly</b>			
Relevant delegations			
Initial Council adoption	Date	18 December 2019	Resolution# 1912-07
Last reviewed	Date	New	Resolution#
Next review due	Date	N/A	



# 1.13 Attendance at Events Policy

Responsible Areas	Governance
Responsible Officer	Chief Executive Officer
Those Affected	Elected Members and CEO

## Objective

Section 5.90A of the *Local Government Act 1995* (the Act) requires that local governments must adopt an “Attendance at Events” policy as part of the Local Government’s Gifts Framework to ensure transparency and accountability in decision-making. Decision-making could be influenced, or perceived to be influenced in a number of ways, including through financial and personal relationships and the receipt of gifts.

## Scope

This policy applies to Elected Members and the CEO in respect of their acceptance of invitations to Events where it is offered at a discounted rate or free of charge, as part of a sponsorship agreement or paid for by the Shire of Victoria Plains (the **Shire**). The acceptance of this benefit (if not paid for by the local government) is considered a gift and is subject to the disclosure of interest provisions unless the Event is detailed or is expressly approved under this policy.

### 1. When Disclosure Is Not Required

Elected Members and the CEO are not required to disclose interests in relation to gifts or Event invitations from the following entities:

- Western Australian Local Government Association (**WALGA**);
- Local Government Professionals Australia WA (**LG Pro**);
- Australian Local Government Association (**ALGA**);
- A department of the public service;
- A government department of another State, a Territory or the Commonwealth;
- A local government or regional local government.

However, Elected Members and the CEO must disclose the receipt and acceptance of the gift or Event invitation in accordance with Section 5.87A and 5.87B of the Act.

#### Note:

- are valued over \$300; or
- are of a cumulative value that exceeds \$300 where the gifts are received from the same donor in a 12-month period.

### 2. Pre-Approved Events

The Shire approves attendance by Elected Members and the CEO regarding the following Events (Pre-approved Events):

- a) Advocacy lobbying or Ministerial briefings.
- b) Awards functions specifically related to local government.
- c) Shire hosted ceremonies and functions.
- d) Shire-run tournaments or Events.
- e) Community cultural Events/festivals/art exhibitions.
- f) Events hosted by Clubs or Not for Profit Organisations within the Shire to which the Elected Member or CEO are officially invited.
- g) Events run by schools within the Shire.
- h) Free Shire Events.
- i) Industry and Economic briefings, specifically related to the function of government.
- j) Meetings of clubs or organisations.
- k) Major professional bodies associated with government at a local, state and federal level.
- l) Opening or launch of an Event or facility within the Shire.
- m) Where the President or CEO representation has been formally requested.

### 3. Events Not Approved

Events not considered for approval are:

- a) Political party Events and fundraisers.
- b) Shire sponsored functions or Events. Not approved in the situation where the Elected Member or CEO seeks reimbursement for a ticket that is required to be purchased for the function or event, even if it is at a discounted rate.
- c) Social Events.
- d) Entertainment Events with no link to the Shire.
- e) Events that primarily benefit Elected Members in a personal capacity or in a role other than their role at the Shire.

### Policy

The purpose of this policy is to provide a framework to enable Council Members and the CEO to attend Events as representatives of the Shire without restricting their participation in the Council decision making process.

### 4. Implications

The Shire's Strategic Community Plan requires the Shire to demonstrate effective civic leadership so that it can better allocate scarce resources and effectively interact with the community along with improving organisational efficiency and the performance of the elected members. This policy demonstrates Council's commitment to good governance and leadership through identifying those Events, Council Members and the CEO may attend in their official capacity without restricting their participation in the Council decision process.

The interest relating to gift provisions recognises that a relationship is created between the donor and a recipient of a gift which could be perceived to affect, influence and possibly prejudice the decisions made by the gift receiver. This applies to any gift received, not just a gift that must to be disclosed in accordance with sections 5.87A and 5.87B of the Act.

Notwithstanding the above, there are certain Events whereby attendance by Elected Members and/or the CEO provides a clear benefit to the Shire, the community and/or the professional development of the respective Elected Member or the CEO, and due to this benefit the respective Elected Member and/or the CEO are encouraged to attend.

### 5. Key Considerations



Whether a benefit such as an invitation to an event or hospitality given to an Elected Member or the CEO is a gift,

for the purposes of the Act and Regulations, the key considerations are:

- a) who is providing the invitation to the Event (the donor);
- b) the cost to attend the Event, (or estimated value of the Event per invitation) and any other expenses such as travel and accommodation;
- c) the location of the Event in relation to the local government (within the district or out of the district);
- d) the role of the Elected Member or CEO when attending the Event (participant, observer, presenter) and the value of their contribution. If the value of the contribution outweighs the value of the benefit it will not be a gift for the purposes of the Act and Regulations;
- e) the benefit of Elected Member or CEO representation at the Event;
- f) the number of invitations / tickets received;
- g) whether the Event is sponsored by the Shire; and
- h) whether the Event is paid for by the Shire.

#### **6. Action Required When Attending Events: When is A Gift and/or Conflict of Interest Declared?**

- a) Any Event invitation accepted by an Elected Member or CEO without payment, where a member of the public is required to pay, unless noted in this policy, will generally be classified as a gift to which the declaration of interest provisions apply.
- b) Where attendance by an Elected Member or the CEO at an Event where a member of the public is required to pay is in the interests of the the Shire (such as for their professional development or to undertake a function as an Elected Member), the Shire may pay for the cost of the Event. The declaration of interest provisions would not apply.
- c) If the Shire does not pay for the Elected Member or CEO's attendance at an Event, it would be classified as a 'gift' unless the contribution by the Elected Member or CEO to the Event (such as by way of presenting a paper or speaking engagement) is reasonably considered to outweigh the value of registration or other benefit given to the Elected Member or CEO.
- d) Acceptance of reasonable and modest hospitality by an Council Member or CEO at an unpaid Event run by a local community group where the Elected Member or CEO attends the Event in his or her capacity as an Elected Member or CEO would not generally be classified as a 'gift' where the contribution by the Elected Member or CEO to the Event is reasonably considered to outweigh the value of the hospitality.
- e) Any Event that is not noted as a pre-approved Event or otherwise approved in accordance with this policy, or the Event invitation is received in a personal capacity would not be considered an approved Event.
- f) If the Event is a free Event to the public, then no action is required.
- g) If the Event is ticketed and the Elected Member or CEO pays the full ticketed price and does not seek reimbursement, then no action is required.
- h) If the Event is ticketed and the Elected Member or CEO pays a discounted rate or is provided with a free ticket, then the recipient must adhere to the gift and declaration of interest provisions.

#### **7. Approval Guidelines - Process For Non Approved Events**

The approval to attend a non approved event must be conducted in accordance with Schedule 1 to this policy.

#### **8. Roles and Responsibilities**

1. The CEO must report to Council annually of all decisions to approve or refuse Elected Members and CEO attendance at Events that are not Pre-Approved Events in accordance with this policy. See Attachment A.
2. The CEO is to cause an up to date version of this policy (as amended from time to time) to be published to the Shire's website.
3. Governance Officer is to:
  - a) include a provision in the Shire's annual budget to address the costs associated with this policy; and
  - b) adopt procedures for the processing and approval of applications by Elected Members and CEO to attend Events in accordance with this policy.

## 9. Dispute Resolution

All disputes in regard to this policy will be referred to the Governance Officer in the first instance. In the event that the Elected Member/CEO and the Governance Officer cannot reach an agreement, the matter will be submitted to Council for determination.

### Definitions

**Event:** In accordance with the *Local Government Act 1995* s 5.90A, an event is defined as a:

- Concert;
- Conference;
- Function;
- Sporting event;
- Occasions prescribed by the *Local Government (Administration) Regulations 1996* (r.20B).

**Disclose Interest/ Disclosure of Interest:** Attendance at events may lead to a perceived or actual conflict, which may prevent council members participating, or the CEO, providing advice at a future meeting through a written report of verbal advice during a meeting As per regulation 20A of the Local Government (Administration) Regulations, if the amount of an event ticket (gift) is \$300 - \$1,000, and relates to a matter before Council:

- Under section 5.68 of the Act, Council may allow the disclosing Elected Member to participate in the discussion and vote on the condition that the interest, the council's decision and the reasons for that decision are recorded in the minutes;
- Under section 5.71A and 5.71B the CEO, Council may allow the CEO to provide advice or a report.

If the gift amount is above \$1,000, the Council or CEO must apply to the Minister under section 5.69 for permission to allow the Elected Member to participate. Section 5.69A. is applicable to Committees regarding the same criteria. Sections 5.71A and 5.71B are applicable to the CEO. However, only Council can apply to the Minister regarding CEO matters in excess of \$1,000.

**District:** As per Part 2 of the Local Government Act, the Shire of Victoria Plains.

<b>Document Control Box</b>							
<b>Document Responsibilities:</b>							
<b>Owner:</b>	CEO	<b>Owner Business Unit:</b>	CEO				
<b>Reviewer:</b>	Governance Officer	<b>Decision Maker:</b>	Council				
<b>Compliance Requirements:</b>							
<b>Legislation:</b>	<a href="#">Local Government Act 1995</a> s.5.90A Policy for Attendance at Events s.5.65 Members interests in matters to be discussed at meetings to be disclosed s.5.68 Councils and Committees may allow participation in Council and Committee Meetings s.5.71A and s.5.71B CEOs to disclose interests in regard to reports and Council or Minister allows the CEO to provide advice s.5.87A and 5.87B Elected Members and CEOs to disclose gifts r.20A re s5.89A(3) r.20B re 5.62(1B)(b) 28A Register of Gifts – Form 4						
<b>Other:</b>							
<b>Organisational:</b>	Policy - Code of Conduct for Council Members, Committee Members and Candidates						
<b>Document Management:</b>							
<b>Risk Rating:</b>	High	<b>Review Frequency:</b>	Biannual	<b>Next Due:</b>	July 2023	<b>Records Ref:</b>	
<b>Version #</b>	<b>Decision Reference:</b>		<b>Synopsis:</b>				
1.	28 July 2021		Initial policy adopted				

**Attachment A – Events Authorised in Advance for Non-Approved Events (Nbt Applicable to 3 – Events Nbt Approved)**

Event	Date of event	Approved Attendee/s	Approved local government contribution to cost	Date of council resolution or CEO authorisation
Example: Greater Westralia Regional Agricultural Ball	20 December 2019	<ul style="list-style-type: none"> <li>President Cr Brown and partner</li> <li>Deputy President Cr Green and partner</li> <li>CEO and partner</li> </ul>	6 tickets @ \$190 each  Total cost \$1,140	Ordinary Council Meeting 4 November 2019

## Schedule 1 – Process For Non Approved Events

### Approval Process - Checklist

- a) All invitations to Events for an Elected Member or CEO must be in writing quoting official titles and addressed to the Shire.
- b) Invitations to Events valued at \$300 and over (or the cumulative value of \$300 and over within a 12 month period) are considered gifts for the purposes of the Gift Framework and must be disclosed. However, declarations of interest are not required if the Event is listed in this policy as a pre-approved Event.
- c) Invitation to Events that are not addressed to the Shire and are not listed as a Pre-Approved Event must be disclosed in accordance with the gift and the declaration of interest provisions of the Local Government Act.
- d) Where an invitation or ticket to an Event is received that is not a Pre-Approved Event, approval to attend and accept may be requested as follows:
  - (i) for Elected Member acceptance and attendance, approval by the CEO; and
  - (ii) for CEO acceptance and attendance, approval by the President.
- e) Requests for approval are to be forwarded to the Manager Finance for processing on the approved form available from the Manager Finance.
- f) Where an Elected Member or the CEO request has been approved and there is a fee associated with attending the Event, then the cost, excluding the attendance of a partner, is to be paid for by the Shire subject to the budget.

### Approval Process Considerations

The following are the pertinent factors that must be considered in determining approving attendance at a non-Pre-Approved Event, subject to clause 3 of this policy:

- a) The donor providing the invitation or ticket to the Event (for example, the donor is a person who is undertaking or seeking to undertake an activity involving a Council discretion);
- b) The location of the Event in relation to the Shire (whether within the district);
- c) The role that the Elected Member or CEO will have when attending the Event (participant, observer, presenter) and the value of their contribution;
- d) Whether the Event is sponsored by the Shire;
- e) The benefit to the Shire of an Elected Member or the CEO attending;
- f) Alignment to the Shire's Strategic Objectives;
- g) The number of Shire representatives already approved to attend; and
- h) Any justification provided by the applicant when the Event is submitted for approval.



# 1.14 Caretaker Election Policy

Responsible Areas	Governance
Responsible Officer	Chief Executive Officer
Affected Staff	All Staff, Elected Members and Candidates

## Objective

This Policy establishes protocols for the purpose of avoiding actual and perceived advantage or disadvantage to a candidate in a Local Government Election, through the use of public resources or decisions made by the Council or administration on behalf of the Shire of Victoria Plains during the period immediately prior to an election.

## Scope

This policy applies to Elected Members and Employees during a 'Caretaker Period' relevant to:

- (a) Decisions made by the Council;
- (b) Decisions made under delegated authority;
- (c) Decisions made administratively;
- (d) Promotional materials published by the Shire of Victoria Plains;
- (e) Discretionary community consultation;
- (f) Events and functions, held by the Shire of Victoria Plains or other organisations;
- (g) Use of the Shire of Victoria Plain's resources;
- (h) Access to information held by the Shire of Victoria Plains.

## Policy

### 1. Caretaker Period Protocols - Decision Making

The CEO will ensure that:

- (a) At least 30-days prior to a Caretaker Period, the CEO will advise Council Members and employees in writing of the dates that the Caretaker Period commences and concludes.
- (b) Candidates are provided with a copy of this Policy at the time of their nomination for election, to ensure their awareness of the protocols and equitable access requirements.

#### 1.1 Scheduling Significant Local Government Decisions

1. During a Caretaker Period, unless Extraordinary Circumstances apply, the CEO will reasonably ensure that:

- (a) Council or Committee Agenda, do not include reports and / or recommendations that constitute Significant Local Government Decisions; and
  - (b) Council Forums, Workshops or Briefings, do not list for discussions matters that relate to Significant Local Government Decisions.
2. The CEO shall reasonably ensure that, unless Extraordinary Circumstances apply, Significant Local Government Decisions are either:
  - (a) Considered by the Council prior to the Caretaker Period; or
  - (b) Scheduled for determination by the incoming Council.
3. The CEO shall reasonably ensure that, unless Extraordinary Circumstances apply, Delegated Authority from the Council to the CEO or a Committee is not exercised where the exercise of that delegated authority relates to a Significant Local Government Decision or an election campaign issue.

## 1.2 Council Reports Electoral Caretaker Period Policy Statement

### 1.2.1 *Extraordinary Circumstances*

#### 1. Council Reports

Where, during a Caretaker Period, the CEO determines that Extraordinary Circumstances apply, the CEO may submit a report on a Significant Local Government Decision for Council's consideration, subject to the report including:

- (a) Details, if applicable, of options for what aspects of the decision are necessary to be made within the Caretaker Period and what aspects may be deferred until after the Caretaker Period.
- (b) An Electoral Caretaker Period Policy Statement, which details why Extraordinary Circumstances apply.

#### 2. Council Forums, Workshops or Briefings

Where, during a Caretaker Period, the CEO determines that Extraordinary Circumstances apply, the CEO may include matters relating to a Significant Local Government Decision for Elected Member discussion at Council Forums, Workshops or Briefings.

The CEO is required to provide Council with advice as to why Exceptional Circumstance apply. Details of this advice is to be retained, with the Forum, Workshop or Briefing notes, as a Local Government record.

## 1.3 Managing CEO Employment

This Policy, prohibits Significant Local Government Decisions relating to the employment, remuneration or termination of the CEO during a Caretaker Period.

The Council is however required to fulfil its obligations as the CEO's employer regardless of a Caretaker Period. Therefore, during a Caretaker Period:

1. The Council may consider and determine:
  - (a) CEO's leave applications;
  - (b) appoint an Acting CEO, where necessary;

- (c) suspend the current CEO, where appropriate and in accordance with the terms of their contract.
- 2. The Council may not initiate a new CEO recruitment process or initiate or undertake a CEO performance review process, during a Caretaker Period.

#### **1.4 Delegated Authority Decision Making in Extraordinary Circumstances**

During a Caretaker Period, Employees who have Delegated Authority are required to consider if a proposed delegated authority decision may relate, or be subsidiary, to a Significant Local Government Decision or election campaign issue and if so, refer the matter to the CEO for review and consideration in accordance with clause 1.1(3) above.

## **2 Caretaker Period Protocols - Candidates**

Candidates, including Elected Members who have nominated for re-election, relevant to an Election Day or Extraordinary Election Day, shall be provided with equitable access to the Shire of Victoria Plain's public information in accordance with s.5.94 of the *Local Government Act 1995*.

The CEO shall ensure that assistance and advice provided to candidates as part of the conduct of the election is provided equally to all candidates.

Elected Members nominating for re-election, may access information and assistance regarding the Shire of Victoria Plain's operations and Council matters during a Caretaker Period, but only to the extent necessary to perform their role as a Councillor and limited to matters currently relevant to the Shire of Victoria Plains [refer s.5.92 of the *Local Government Act 1995*].

All election process enquiries from Candidates, including Elected Members who have nominated for re-election, will be directed to the Returning Officer, or where the matter is outside the responsibility of the Returning Officer, to the CEO.

### **2.1 Candidate Requests on behalf of Electors, Residents or Ratepayers**

Where a Candidate, including Elected Members who have nominated for re-election, requires the assistance of the Administration to respond to a request made by an Elector, Resident or Ratepayer, then the Administration will provide the response directly to the requesting Elector, Resident or Ratepayer and will also advise the candidate of the outcome.

### **2.2 Candidate Campaign Electoral Materials**

Candidates, including Council Members who have nominated for re-election, should note that the Shire of Victoria Plains official crest or logo may not be used in campaign Electoral Materials without the express permission of the Shire.

### **2.3 Candidate attendance at Meetings**

To ensure equitable access to information about Council's decision making during a Caretaker Period, the CEO shall ensure that Candidates, who are not sitting Elected Members, are advised of Ordinary and Special Council Meetings (if open to the public) called and convened during a Caretaker Period; providing each Candidate with a copy of the meeting agenda at the time it is distributed to Elected Members.

For the purposes of transparency and the benefit of the public gallery, Candidates are requested to identify themselves as an election candidate prior to asking a question or making a statement at a Council or Committee meeting.

### **3 Elected Member Caretaker Period Protocols**

#### **3.1 Access to Information and Advice**

During a Caretaker Period all Elected Members will scrupulously avoid using or accessing Shire of Victoria Plains information, resources or employee resources and expertise for the purpose of gaining electoral advantage or disadvantage relevant to their own candidacy or any other person's candidacy [refer s.5.93 of the *Local Government Act 1995*].

During a Caretaker Period, all Elected Member requests for information and advice from the Shire of Victoria Plains will be reviewed by the CEO and where the subject of the information or advice is considered as relating to an election campaign issue, the CEO will either make a determination, or refer the request for Council's determination, as to if the information or advice is / is not to be provided, including if information is provided to one candidate, or if that information is also to be provided to all candidates (i.e. including candidates who are not current Council Members).

#### **3.2 Media and Publicity**

During a Caretaker Period, all Elected Member requests for media advice or assistance, including Council Members who have nominated for re-election, will be referred to the CEO for review.

The CEO will only authorise Elected Member access to media advice or assistance where, in the CEO's opinion, the subject matter is relevant to the Shire of Victoria Plains objectives or operations and is not related to an election campaign purpose or issue or to the Council Member's candidacy or the candidacy of another person.

#### **3.3 Elected Member Business Cards, Shire Printed Materials**

Elected Members must ensure that Shire of Victoria Plains business cards and Local Government printed materials are only used for purposes associated with their role as a Councillor, in accordance with section 2.10 of the *Local Government Act 1995*.

Elected Members are prohibited from using Shire business cards or printed materials at any time, including times outside a Caretaker Period, for any election campaign purpose, either in support of their own candidacy or the candidacy of another person.

#### **3.4 Elected Member Participation in Events and Functions**

During a Caretaker Period Elected Members may continue to fulfil their role through attendance at events and functions hosted by external bodies.

#### **3.5 Elected Member Delegates to External Organisations**

At any time, including times outside of a Caretaker Period, Elected Members who are the Council's appointed delegate to an external organisation, must not use their attendance at an external organisation's meeting, event or function for any purpose associated with an election campaign purpose, including; recruiting campaign assistance or to promote their own candidacy or the candidacy of another person.

#### **3.6 Elected Member Addresses / Speeches**

Excluding the Shire President and Deputy Shire President, when fulfilling their functions prescribed in sections 2.8 and 2.9 of the *Local Government Act 1995*, Elected Members who have nominated for re-election, shall not be permitted to make speeches or addresses during a Caretaker Period at events or functions organised or sponsored by the Shire, unless expressly authorised by the CEO.



In any case, the Shire President, Deputy Shire President and Elected Members are prohibited from using an official speech or address during a Caretaker Period to promote an election campaign purpose.

### 3.7 Elected Member Misuse of Local Government Resources

An Elected Member who uses Shire resources for the purpose of persuading electors to vote in a particular way is a “misuse of Local Government resources” breach in accordance with Regulation 17 of the *Model Code of Conduct Regulations 2021* and *Clause 17 of the Code of Conduct for Elected Members, Committee Members and Candidates*.

This prohibition on misuse of Local Government Resources for electoral purposes applies at all times and is not only applicable to a Caretaker Period.

For clarity, Local Government resources includes, but is not limited to: employee time or expertise, Shire provided equipment, information and communication technologies, stationery, hospitality, images, communications, services, reimbursements and allowances provided by the Shire.

## 4 Shire Publicity, Promotional and Civic Activities

Publicity campaigns and promotional activities during a Caretaker Period may be undertaken only for the purposes of:

- (a) Promoting Shire services and activities, where such promotion do not relate to an electoral campaign issue and would otherwise be undertaken as part of normal operations; and,
- (b) Conducting the Election and promoting Elector participation in the Election.

All other, publicity and promotional activities of Shire initiatives will be, where reasonably practicable, avoided during the Caretaker Period, including the announcement of Significant Local Government Decisions, made prior to the commencement of a Caretaker Period or proposed to be made after a Caretaker Period.

The CEO may determine if Exceptional Circumstances apply and if a Significant Local Government Decision announcement is necessary during a Caretaker Period.

### 4.1 Civic Events and Functions

The Shire will avoid the scheduling of Civic Events and Functions during a Caretaker Period, which may give rise to any actual or perceived electoral advantage to Elected Members who have nominated for re-election.

Where the Shire is required to schedule a Civic Event or Function during a Caretaker Period at which Elected Members would usually be invited, then all Candidates will also be invited to attend and will be acknowledged as candidates immediately following any acknowledgement provided to Council Members. For example; Candidates will be introduced at the function immediately following the introduction of Council Members.

### 4.2 Shire Publications and Communications

All Shire publications and communications distributed during a Caretaker Period must not include content that:

- (a) may actually, or be perceived to, persuade voting in an election; or
- (b) is specific to a candidate or candidates, to the exclusion of other candidates;

- (c) draws focus to or promotes a matter which is a Significant Local Government Decision or which is an electoral campaign issue.

All Shire publications and communications proposed to occur immediately prior to, throughout or during, a Caretaker Period must be reviewed and approved by the CEO prior to publication or distribution.

#### 4.3 Shire Website and Social Media Content

1. During the Caretaker Period, this Policy applies to content proposed for publication on the Shire's website and social media channels.

Website and social media content regarding Elected Members will be limited to: Elected Member names, contact details, membership of committees and Council appointments as Shire Delegates on external committees and organisations however, all other biographical information related to a sitting Elected Member who is also a candidate will be removed from public access for the duration of the Caretaker Period.

The Candidate Election Profiles prescribed in s.4.49(b) of the Local Government Act 1995, may also be published on the Shire's website and social media.

2. Website and social media content, published prior to a Caretaker Period, will not be subject to this Policy.
3. New website or social media content which relates to Significant Local Government Decisions or election campaign issues will not be published during a Caretaker Period, unless Exceptional Circumstances apply.
4. Content posted by the public, candidates or Elected Members on the Shire's social media channels, which is perceived as candidate election campaign material or promotes a candidate or candidates will be removed.

#### 4.4 Community Consultation

The Shire will undertake planned community consultation (discretionary and legislative) during a Caretaker Period, unless the consultation relates to a Significant Local Government Decision or potentially contentious election campaign issue.

#### Definitions

**'Caretaker Period'** means the period of time prior to an Election Day, specifically being the period from the close of nominations (37 days prior to the Election Day in accordance with s.4.49(a) of the *Local Government Act 1995*) until 6.00pm on Election Day.

**'CEO'** means the Chief Executive Officer of the Shire of Victoria Plains.

**'Election Day'** means the day fixed under the *Local Government Act 1995* for the holding of any poll needed for an election. For the purposes of this Policy, 'Election Day' meaning generally excludes an Extraordinary Election Day unless otherwise specified in this Policy.

**'Electoral Material'** includes any advertisement, handbill, pamphlet, notice, letter, email, social media post or article that is intended or calculated to affect an Election Day result, but does not include:

- (a) An advertisement in a newspaper announcing the holding of a meeting (s.4.87(3) of the *Local Government Act 1995*); or

- (b) Any materials exempted under Regulation 78 of the *Local Government (Elections) Regulations 1997*; or
- (c) Any materials produced by the Shire of Victoria Plains relating to the election process by way of information, education or publicity, or materials produced by or on behalf of the Returning Officer for the purposes of conducting an election.

**'Events and Functions'** including gatherings for the purpose of discussion, review, acknowledgement, communication, consultation, celebration or promotion, of any matter relevant to the Shire of Victoria Plains and / or its stakeholders and may take the form of conferences, workshops, forums, launches, promotional activities, social occasions such as dinners and receptions, including; gatherings coordinated or facilitated by the Shire of Victoria Plains or an external entity.

**'Extraordinary Circumstances'** including a circumstance that requires the Council to make or announce a Significant Local Government Decision during the Caretaker Period because, in the CEO's opinion, delaying the decision or announcement to occur after the Caretaker Period has reasonable potential to:

- (a) incur or increase legal, financial and/or reputational risk; or
- (b) cause detriment to the strategic objectives of the Shire of Victoria Plains.

**'Significant Local Government Decision'** includes any decision:

- (a) Relating to the employment, remuneration or termination of the CEO or any other designated Senior Employee [s.5.37], other than a decision to appoint an Acting CEO, or suspend the current CEO (in accordance with the terms of their Contract of Employment), pending the Election Day result;
- (b) Relating to the Shire of Victoria Plains entering into a sponsorship arrangement with a total Shire contribution that would constitute Significant Expenditure, unless the Council resolved "in principle" support for the sponsorship prior to the Caretaker Period taking effect and sufficient funds are allocated in the Annual Budget;
- (c) Relating to the Shire of Victoria Plains entering into a commercial enterprise as defined by Section 3.59 of the *Local Government Act 1995*;
- (d) That would commit the Shire to Significant Expenditure or actions that, in the CEO's opinion, are significant to the Local Government operations, strategic objectives and / or will have significant impact on the community;
- (e) To prepare a report, initiated by the Administration, an Elected Member, candidate or member of the public that, in the CEO's opinion, may be perceived as or is actually an election campaign issue;
- (f) Initiated through a Notice of Motion by an Elected Member, where the effect of that motion will change the status quo or, in the CEO's opinion, may be relevant to the circumstances described in sub-clauses (a) to (e) above.
- (g) That adopts a new, or significantly changes an existing, policy, service or service level that incurs Significant Expenditure, unless the decision is necessary to comply with legislation.
- (h) That initiates or adopts a new Local Planning Scheme, amendment to a Local Planning Scheme or Planning Policy.

- (i) Significant Local Government Decision does NOT include any decision necessary in response to an Emergency, either declared by the State or Federal Government or by the Shire President in accordance with s.6.8(1)(c) of the *Local Government Act 1995*.

'Caretaker Protocol' means the practices or procedures prescribed in this Policy.

'Public Consultation' includes a process which involves an invitation to individuals, groups, organisations or the wider community to provide comment on a matter, proposed action or proposed policy which may be perceived as or is actually an electoral / campaign issue, but does not include statutory consultation / submission periods prescribed in a written law.

'Significant Expenditure' means expenditure that exceeds the Shire of Victoria Plains Budget Material Variances. As of the 2020-2021, the material variances are 10% or \$10,000.

<b>Document Control Box</b>							
<b>Document Responsibilities:</b>							
<b>Owner:</b>	CEO			<b>Owner Business Unit:</b>	CEO		
<b>Reviewer:</b>	Governance Officer			<b>Decision Maker:</b>	Council		
<b>Compliance Requirements:</b>							
<b>Legislation:</b>	<i>Model Code of Conduct Regulations 2021 – Regulation 17</i>						
<b>Industry:</b>	N/A						
<b>Organisational:</b>	<i>Code of Conduct for Elected Members, Committee Members and Candidates Social Media Policy</i>						
<b>Document Management:</b>							
<b>Risk Rating:</b>	High	<b>Review Frequency:</b>	Biennial	<b>Next Due:</b>	July 2023	<b>Records Ref:</b>	
<b>Version #</b>	<b>Decision Reference:</b>	<b>Synopsis:</b>					
2.	28 July 2021 #2107-05	Initial Adoption					
3.							

**New Policy 1.15 To Be Inserted Here from Policy Manual 2017 – Division 7 – Policy 7.2**

## Documents to be Included for Policy 1.4



# 1.4 Briefing Session Guidelines

Responsible Areas	Governance
Responsible Officer	Chief Executive Officer
Affected Staff	Governance Officer, Ordinary Council Meeting Officer

### Objective

For proper decision-making, Elected Members must have the opportunity to make informed decisions through gaining maximum knowledge and understanding of any issue presented to the Council on which they must vote. It is reasonable for Elected Members to expect that they will be provided with all the relevant information they need to understand issues listed on the agenda for the next or following Ordinary Council Meetings.

The objectives of Council Briefing Sessions are:

1. For the Senior Staff to brief Elected Members on Agenda items, Strategic/Policy and Concept matters and Status Updates; and
2. For Elected Members to ask questions of the Senior Staff, to better inform themselves in relation to Agenda items, Strategic/Policy and Concept matters and Status Updates.

Workshops are held separately for matters that require enhanced input from the Elected Members and Officers. The same principles are to be applied.

### Principles

It is imperative that the presiding person applies appropriate procedures between Elected Members when briefing session items are being covered and that the following principles are applied:

- Accountability;
- Openness and Transparency;
- Probity and Integrity;
- Authority of the Presiding Member (Chair);
- Meeting Notification (Timely information provided).

This is in keeping with the requirements of the Local Government Act, Local Government (Administration) Regulations, Local Government (Rules of Conduct) Regulations, SoVP Meeting Procedures Local Law regarding meetings of council and the Local Government Operational Guideline Number 05.

### General Procedures for Briefing Sessions

The following guidelines aim to ensure proper standards of probity and accountability at Council Briefing Sessions:

1. There is to be no debate, and therefore, decision-making during Briefing Sessions. Debate needs to take place in the Ordinary Meeting of Council when the issue is set for decision. This is particularly important when Shire planning matters are discussed. Elected Members are to avoid expressing their opinions for or against a proposal. Under the provisions of the Town Planning Scheme and other relevant State Acts, decision-makers are required to maintain a high degree of independence from the process leading up to the decision being made.
2. Briefing Sessions are to be held in the Council Chamber (or other nominated venue).
3. Briefing papers will be distributed to all Elected members at least three days (72 hours) prior to the meeting.
4. The Briefing Session Presiding Member (Chair) is to be the Shire President. If the Shire President is unavailable, the Deputy Shire President shall be the Presiding Member. If the Deputy Shire President is unavailable, the attending Elected Members shall select a Presiding Member.
5. Relevant managers, officers and other parties, as required by the Chief Executive Officer for the provision of information to Elected Members, shall attend Briefing Sessions.
6. The formalities and respect re office/positions are to be observed. All Elected Members will be given a fair and equal opportunity to participate in the Briefing Session. Their behaviour at all times must be in keeping with the Shire's Code of Conduct, the Rules of Conduct Regulations and the Local Government Act.
7. The Presiding Member will ensure that time is made available to allow for all matters of relevance to be covered.
8. Good governance principles recommend that Elected Members, officers and relevant advisers shall disclose their interests on any matter listed for the Briefing Sessions. When disclosing an interest the following provisions apply:
  - a. Interests are to be disclosed in accordance with the provisions of the *Local Government Act 1995*, the *Local Government (Rules of Conduct) Regulations 2007* and the Shire's Code of Conduct.
  - b. Elected Members disclosing a financial interest or a proximity interest will not participate in that part of the session relating to the matter to which their interest applies and shall depart the room.
  - c. The remaining Elected Members may agree that an Elected Member disclosing a financial or proximity interest may participate in discussion on the matter if the remaining Elected Members agree:
    - (i) is so trivial or insignificant as to be unlikely to influence the disclosing Elected Member's conduct in relation to the matter or
    - (ii) is common to a significant number of electors and ratepayers of the Shire, and a record of that agreement is to be made in the notes kept for the Briefing Session.
  - d. Officers and advisers with a financial interest in a matter may also consider it appropriate to depart the room when the matter is being considered, however there is no legislative requirement to do so.
9. As no decisions will be made during the Briefing Session there is no requirement to keep a formal record (minutes) for each meeting. However, conflicts of interest must be recorded and officers will undertake actions as required by the CEO.
10. Briefings will only be given by officers or advisers for the purpose of ensuring that Elected Members are more fully informed. Items to be addressed will be limited to:
  - a. Matters listed on the forthcoming council meeting agenda or completed and scheduled to be listed within the next three meetings;

- b. Strategic/Policy matters that require input into their development or review;
- c. Concept matters other than strategy and policy matters that require input or feedback in their initial development;
- d. Status Updates regarding Council resolutions, briefing session actions, corporate business plan (includes key projects), officer reports, other matters of interest (including lobbying matters, main road projects, emergency management matters and so on).

11. Attendance may be by electronic means.

**Definitions**

Elected Member: At the Shire of Victoria Plains, an elected member is a councillor.

Senior Staff: CEO, Senior Officers, OCM Officer, Other Officer if providing an update to Council, Relevant External Advisers.

**Relevant management practices/documents**

Policy 1.1 - Shire’s Code of Conduct.

Policy 1.4 – Elected Member - Briefing Sessions.

**Legislation/local law requirements**

*Local Government Act 1995.*

*Local Government (Administration) Regulations 1996.*

*Local Government (Rules of Conduct) Regulations 2007*

*Shire of Victoria Plains Meeting Procedures Local Law 2018*

Local Government Operational Guideline Number 05

Office Use Only			
Relevant delegations			
Initial Council adoption	Date	22 July 2020	Resolution #
Last reviewed	Date	N/A	Resolution #
Next review due	Date	July 2022	

## Documents to be Included for Policy 1.3



Government of Western Australia  
Department of Local Government, Sport and Cultural Industries  
State Records Office of Western Australia



**Records Management Advice**

**October 2019**

### **Local Government Elected Members' Records: Which records to capture?**

Elected members have a unique and pivotal role within the local government and the community. They represent the interests of electors, residents and ratepayers, participate in local government decision making at council and committee meetings, and facilitate communication between the community and the Council.

The State Records Commission policy regarding the records of local government elected members requires the creation and retention of records of the:

*"...communications and transactions of elected members which constitute evidence affecting the accountability of the Council and the discharge of its business."*

This policy applies regardless of a record's format or where it was received.

Under the *Local Government Act 1995*, the CEO of a local government is responsible for ensuring that all records of that local government are kept in accordance with relevant legislation. Accurately created and managed records provide reliable, legally verifiable evidence of decisions and actions.

Records created or received by elected members that relate to local government business must be captured as part of the local government's corporate memory in accordance with the local government's Recordkeeping Plan.

#### **Government records include:**

- Correspondence and communications
- File notes made after verbal communications, meetings, phone calls etc.
- Video and audio recordings
- Photographs
- Email
- Social Media posts (e.g. Facebook, Twitter)
- Databases
- Websites
- Messages from Apps (e.g. WhatsApp, Messenger)
- TXT messages

#### **When to create and capture a record:**

- Information is related to council business
- An action is required
- A decision or commitment is made
- Business need: for future reference by yourself or others
- Historical: identifies Council activity over time.





## Which records should be captured?

YES – forward to your local government administration
<p><b>Communications</b>, such as:</p> <ul style="list-style-type: none"> <li>• complaints and compliments</li> <li>• correspondence concerning corporate matters</li> <li>• submissions, petitions and lobbying</li> <li>• information for Council's interest relating to local government business activity and functions</li> </ul>
<b>Lobbying</b> – correspondence or petitions, relating to lobbying matters
<b>Telephone, meetings and other verbal conversations</b> – regarding local government projects or business activities
<p><b>Social Media</b> – where the posts:</p> <ul style="list-style-type: none"> <li>• create interest from the public or media</li> <li>• communicate decisions or commit the local government to an action</li> <li>• seek feedback</li> <li>• address issues of safety, and/or</li> <li>• relate to sensitive or contentious issues</li> </ul>
<b>Work diaries / Appointment books</b> – containing information that may be significant to the conduct of the elected member on behalf of the local government
<b>Allowances, benefits and gifts records</b>
<b>Addresses / Speeches / Presentations</b> – delivered as part of an elected member's official duties

NO – do not need to be forwarded to your local government
<b>Duplicate copies</b> – of Council meeting agenda, minutes and papers
<b>Draft documents or working papers</b> – which are already captured at the local government
<b>Publications</b> – such as newsletters, circulars and journals
<b>Invitations</b> – to community events where an elected member is <i>not</i> representing Council or the local government
<p><b>Telephone, meetings and other verbal conversations</b> which:</p> <ul style="list-style-type: none"> <li>• convey routine information only; or</li> <li>• do not relate to local government business or functions</li> </ul>
<b>Electioneering</b> – or party-political information
<b>Personal records</b> – not related to an elected member's official duties



### **Confidential Documents / Records**

Records held within an information system or on hard copy files can be restricted so that only the appropriate officers can access them. If the elected member believes that some of the documentation required for capture into the IMS is of a highly sensitive or confidential nature, the Elected Member should advise the local government to treat the information as confidential and restrict access to those records.

**For further information, contact your local government administration or the State Records Office on (08) 9427 3661 or via email at [sro@sro.wa.gov.au](mailto:sro@sro.wa.gov.au)**

## Attachment 3



# POLICY MANUAL 2017

**PART 1 – TO BE REVIEWED**

*Updated 4 December 2017*

*As amended to 26 June 2019*

**NOTE – While the Policies in this Policy Manual are in force, the document is under review. As matters from this old Policy Manual are reviewed by Council, they will be transferred into the document in the new format.**

## Division 9 - Members

### 9.1.4 Conference, Seminar and Training Course Attendance

- a) Invitations to invite Councillors to nominate delegates to conferences, meetings and similar type occasions shall wherever practicable be brought before Council for consideration.
- b) Any Councillor who wishes to represent Council at such an event shall request nomination at that meeting.
- c) Council shall decide by resolution to nominate such representatives as Council may consider appropriate.
- d) Where authorisation to attend has been granted by Council all reasonable expenses relating to accommodation, nomination, meals and other reasonable expenses incurred will be met by Council subject to presentation of documented evidence of expense.
- e) Where it is considered appropriate for a councillor to be accompanied by another person when attending any function where attendance has been authorised by Council, Council will meet the expenses applicable to that person with approval of full Council.

### 9.3.4 Council Chamber

The Council Chambers shall not be used as a venue for meetings for other groups unless approved by the President as exempt from this provision or unless specifically authorised by the President. In the absence of suitable meeting venues for staff meetings, or public meetings with staff, staff are entitled to use the Council Chambers with approval of the Chief Executive Officer.

### 9.3.9 Formal Communication Policy

The purpose of this policy is to establish a process of communication between Elected Members and Employees of the Shire of Victoria Plains and for the access to information by Elected Members to ensure:

- Consistency of information to Council.
- Accuracy of information to Council.
- Transparency of dealings between Councillors and staff.
- No undue pressure is placed on management and staff when Councillors request information at short notice, especially during busy periods.

#### Definitions CEO

Means the Chief Executive Officer of the Shire of Victoria Plains, or the person appointed to act in that capacity.

#### Correspondence

Means all forms of written correspondence:

- Facsimile

- Letter
- Email
- Memorandum
- Works request
- Forms
- SMS text messages

It should be noted that in some instances, particularly in relation to complaints, matters should be formally brought to the attention of the CEO in letter form and be signed and dated by the Councillor.

**Senior Employee**

Means the Chief Executive Officer or the person appointed to act in that capacity.

**Service Delivery**

Means a specific occurrence or instance of work, of a minor and general nature, that has already been carried out.

**Staff**

Means all employees of the Shire of Victoria Plains who are not the CEO the person appointed to act in that capacity.

**POLICY****Communication**

Elected members may contact the Chief Executive Officer or in their absence the Corporate Services Manager via telephone to informally discuss Shire or Council business.

1. In line with the Shire of Victoria Plains Code of Conduct, under no circumstances, should Elected Members contact staff via their personal mobile phone to make a complaint or enquiry.
2. Complaints or comments in relation to staff members are to be directed to the Chief Executive Officer, who will require any complaints to be in writing.
3. Information forwarded via email of a confidential nature, shall be directed to the CEO at [ceo@victoriaplains.wa.gov.au](mailto:ceo@victoriaplains.wa.gov.au). Under no circumstances should any emails relating to formal or confidential Council business be forwarded to staff without the express permission of the CEO.
4. All written correspondence from Elected Members shall be forwarded to the CEO in the first instance.
5. Any Elected Member who wishes to raise a grievance in relation to the Code of Conduct, the Local Government Act, Regulations, or any matter of Council business, shall first raise the matter with the CEO and/or the Shire President and/or the Deputy Shire President.

It should be noted that this does not override the requirements of the Corruption and Crime Commission of Western Australia.

Issues which are referred to the CCC will remain confidential.

6. All correspondence received directly by an Elected Member, from a member of public, is to be forwarded to the CEO within ten working days in line with the Shire of Victoria Plains Policy – Local Government Elected Members Recordkeeping Policy.

When an Elected Member forwards correspondence from a member of the public, staff will arrange a response, if required.

A copy of the response will be forwarded to the Elected Member for their information. In meeting objectives of this policy, it is appropriated that Shire staff respond to all correspondence on related Council or Shire matters.

7. Elected Members, in acknowledging their role is one of leadership, also acknowledge that they have no capacity to speak with staff individually, with the exception of the CEO and in his/her absence the Corporate Services Manager, on matters of Shire or Council business.
8. Elected Members in acknowledging the everyday pressures placed on the CEO, will wherever possible, make appointments in advance to meet with the CEO and in his/her absence the Corporate Services Manager and state the nature of the request for a meeting. All communications between Councillors that raise particular issues or items for debate shall be forwarded to all Councillors, without exception. This ensures all Councillors are aware of current issues and have the opportunity to express views where considered appropriate.

### **Ordinary Council Meetings**

1. Matters requiring considerations at an Ordinary Council Meeting should be submitted to the Chief Executive Officer via email or facsimile. Once received, the Chief Executive Officer will arrange for the matter to be researched and included on the agenda of the next appropriate Council meeting. Should it be considered more appropriate that the matter be dealt with administratively, the Councillor will be contacted and advised of this and the matter will not be placed on the agenda.

### **Access to Information**

1. Elected Members have information access rights that are additional to those given to the general public. Elected Members can access the following information held by a local government:
  - All written contracts of the local government

- All documents relating to written contracts proposed to be entered into by the local government
  - any information that is relevant to their functions
2. Elected Members can have access to any information held by the local government that is relevant to the performance of his or her function under the Local Government Act (s5.92  
  
(1) Local Government Act 1995). Access arrangements should be made through the Chief Executive Officer.
  3. Access to information will be in accordance with requirements under the Local Government Act 1995, and Freedom of Information Legislation.
  4. Members will not use confidential information to gain 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 (Regulation 7 Local government (Rules of Conduct) Regulations 2007).

### 9.3.10 Responsible service and consumption of alcohol on Shire premises Policy

#### Objective

To ensure that the Shire of Victoria Plains exercises its duty of care to Councillors, staff and guests when alcohol is served and consumed on Shire premises.

This policy is applicable to all Councillors, staff and guests of the Shire of Victoria Plains at meetings, functions and events for which the Shire is responsible.

#### Policy

The Shire of Victoria Plains is committed to the provision of a safe and secure environment and the contribution to the protection of public health in our community. As such, the Shire supports responsible consumption of alcohol by its Councillors and staff attending Shire arranged meetings, functions and events **being held on Shire premises**.

This policy applies to all:

1. Meetings - including Council, Advisory, Committee and staff meetings **being held on Shire premises**
2. Any other forum/s of official business of Council and Shire Officers **being held on Shire premises**

At the discretion, and with the approval of the Chief Executive Officer, alcoholic beverages may be available for consumption on Shire premises. If so, this will be done in accordance with the principles of the Responsible Serving of Alcohol (RSA) program.

At Shire arranged meetings, functions and events:

- The time allocated for alcohol consumption following the completion of a Council/Advisory/Staff/Committee meeting will be to a maximum of one hour. After this time the refrigerator in the Council chambers will be locked (in line with LGIS recommendations).
- Food is to be provided to accompany alcoholic beverages.
- A range of drinks including low alcohol and non-alcoholic beverages as well as water will be made available at designated functions.

Those responsible for serving drinks should adhere to the following serving guidelines:

- No one should provide liquor or allow the provision of liquor to any person under the age of 18 years.
- Care should be exercised by all to ensure alcohol is not served to the point of intoxication.
- Council will not supply or allow the supply of alcohol to anyone who appears to be intoxicated.
- Council will not tolerate drunkenness, abusive or obscene language or suggestions, unwelcome advances or inappropriate physical contact with other guests.

Failure to observe these principles may lead to refusal to serve alcohol and a request to leave the premises.

The Shire of Victoria Plains actively encourages responsible driving so when intending to consume alcohol, Councillors, staff and guests should plan ahead and make alternative travel arrangements.

### **Associated Legislation**

- Occupational Health and Safety Act 1984
- Local Government Act 1995
- Liquor Control Act 1988
- Road Traffic Act 1974

## **Division 7 – Legal**

### **7.2 Legal Proceedings and Prosecutions**

- 1) No action shall be taken to institute legal proceedings or prosecution unless by specific resolution of Council or by specific delegation.

**NOTE: For the purpose of paragraph (1) the issue of a modified penalty under a local law or Regulation or where uniform guidelines are already in place shall not be deemed to be legal proceedings.**

- 2) Where in the opinion of the relevant officer it will not be in the interest of the



Council to include the names and personal details of persons who are subject to recommendation for prosecution such details may be omitted other than necessary to describe the place and nature of the offence.

Enquiries: Nick Kitin  
Our Ref: 16/941  
Your Ref:

1 July 2021

Ms Glenda Teede  
Chief Executive Officer  
Shire of Victoria Plains  
PO Box 21  
Calingiri WA 6569

Dear Ms Teede  
(sent via email only)

### **REQUEST FOR COUNCIL RESOLUTION FOR CLOSURE OF UNMADE ROAD - BINDOON BY-PASS PROJECT**

Main Roads Western Australia (MRWA) is in the process of finalising the acquisition of the land required for the realignment, and upgrade of the Great Northern Highway as part of the Bindoon by-pass road project.

During the acquisition negotiations, a property owner adjacent to an unmade dedicated road in Yarawindah, requested the closure and amalgamation of the road into their property.

The road connects between the Great Northern Highway and Old Plains Road. The road has not been constructed, and the land is being used by the owner of Lot 622 on Deposited Plan 63643.

Attached is an extract from Landgate's map viewer showing the road bordered red.

MRWA contacted the Department of Planning, Lands and Heritage (DPLH) to seek in-principle approval to the proposal, with the amalgamation of the closed road to offset the compensation payment for the road.

DPLH provided in-principle consent, subject to both adjoining owners being offered a half width share of the road, and a council resolution for the road closure pursuant to section 58 of the *Land Administration Act 1997* (LAA).

The owner of the property on the opposite side of the road, being Lot M1903 on Plan 5926 was provided an opportunity to acquire a half width share of the road. The owner accepted the offer.

MRWA has now entered into contracts of sale agreements with both owners to acquire the land required for road widening, and to amalgamate a half width of the proposed closed road into their adjoining properties. The amalgamation is proposed in lieu of compensation and is subject to DPLH's formal approval.

A copy of the plan attached to both contracts showing the extent of the proposed road closure and amalgamations is attached.

It would be greatly appreciated if the Shire of Victoria Plains (Shire) could provide comments and support for the proposed road closure.

Main Roads Western Australia  
Don Aitken Centre, Waterloo Crescent, East Perth WA 6004  
PO Box 6202, East Perth WA 6002

mainroads.wa.gov.au  
enquiries@mainroads.wa.gov.au  
138 138

Section 58 of the LAA provides a local government can request DPLH (on behalf of the Minister for Lands) to permanently close a road.

A request cannot be made until the proposal is advertised in a newspaper circulated in its district for a period not less than 35 days. If objections are received, council must consider them prior to resolving to make the request.

The proposal is also required to be referred to service authorities that have services located within the road being closed.

In order to close the road, DPLH require a copy of the council resolution, the advert, and service authority referral responses.

Subject to the Shire's support, could you please request council provide the following resolution:

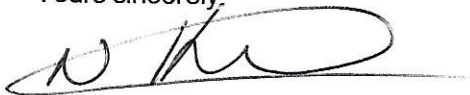
- Council to request the Shire of Victoria Plains to advertise the proposal in a newspaper circulated in the local district for a period of 35 days;
- Subject to no objections, resolve to close the road shown bordered red on the Landgate map viewer extract labelled 'Road Closure – Yarawindah', and for the amalgamation of the closed road into the adjoining properties as depicted on the plan labelled 'Road closure and amalgamation plan (unmade road) – Yarawindah'; and
- Request the Department of Planning, Lands and Heritage (on behalf of the Minister for Lands) to close the road pursuant to section 58 of the *Land Administration Act 1997*.

Please advise of any Shire costs or fees in relation to the road closure process. MRWA will pay the advertising costs, and has no objection to pay reasonable costs incurred by the Shire in this process.

I will be happy to provide the Shire assistance where required.

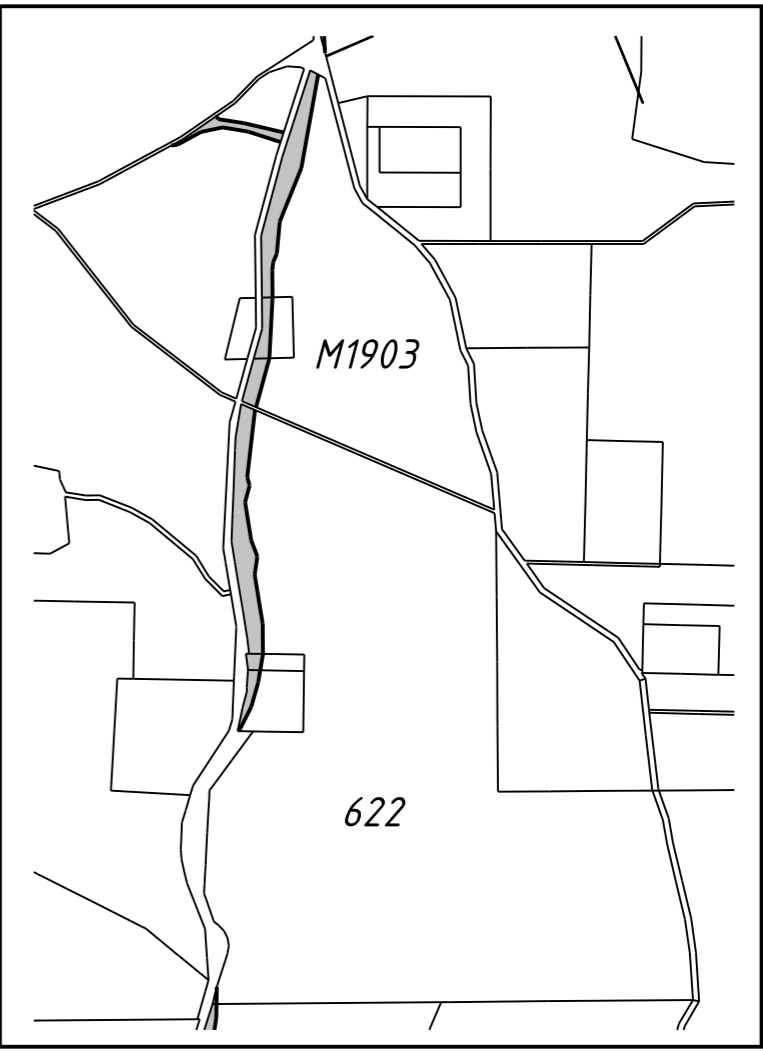
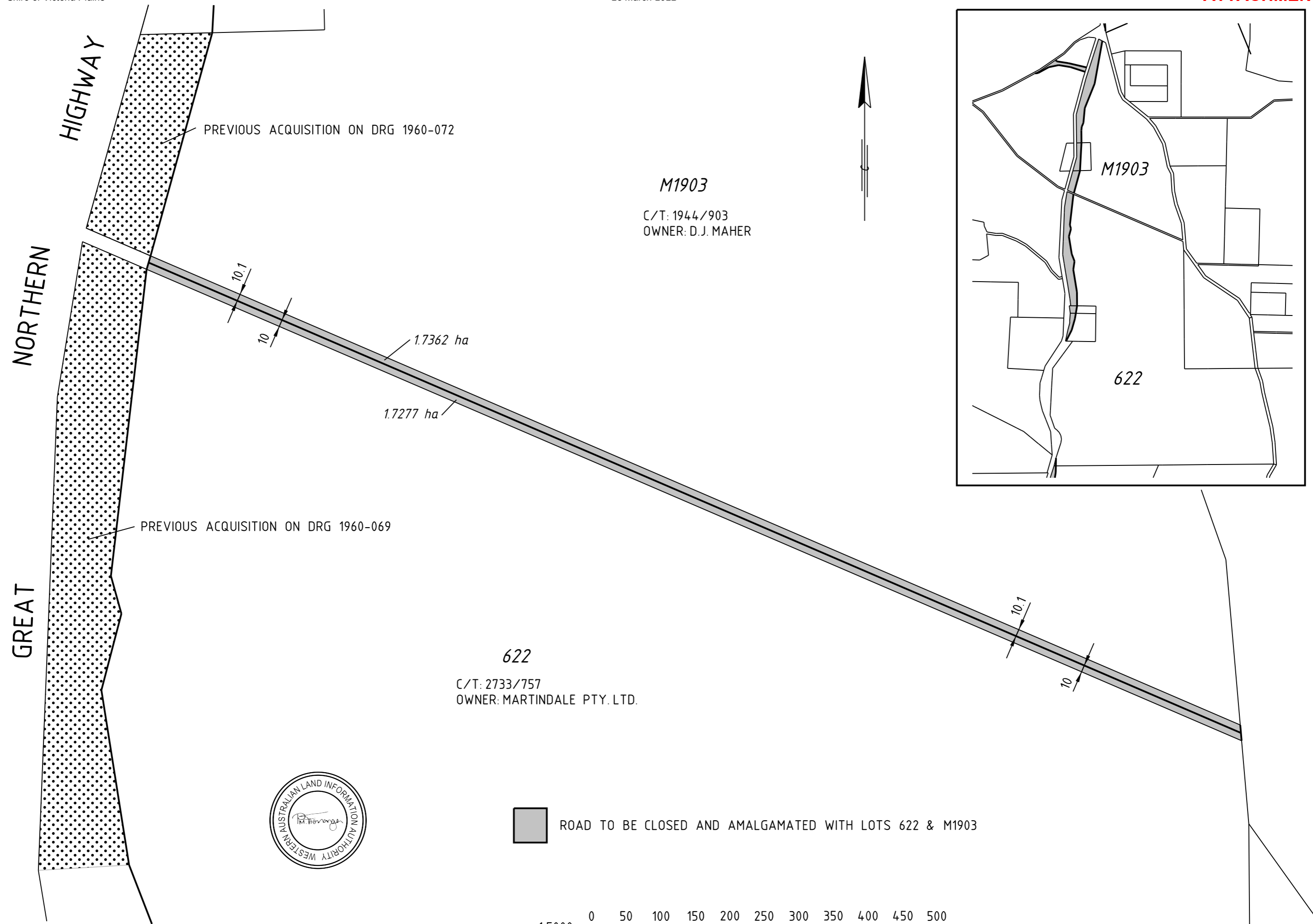
Should you have any enquiries regarding this matter, please do not hesitate to contact me by email at [nick.kitin@mainroads.wa.gov.au](mailto:nick.kitin@mainroads.wa.gov.au) or telephone on 9323 4358.

Yours sincerely,

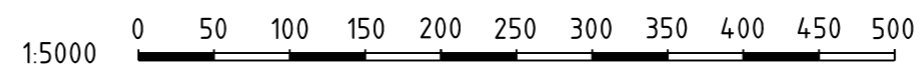


Nick Kitin  
LAND ASSEMBLY MANAGER  
PROPERTY MANAGEMENT BRANCH





ROAD TO BE CLOSED AND AMALGAMATED WITH LOTS 622 & M1903





LAND ADMINISTRATION ACT 1997

## **PROPOSED ROAD CLOSURE AVAILABLE FOR INSPECTION & COMMENT**

### **UNNAMED, UNCONSTRUCTED LOCAL ROAD RESERVE BETWEEN GREAT NORTHERN HIGHWAY & OLD PLAINS ROAD, YARAWINDAH**

Notice is hereby given that the Victoria Plains Shire Council has resolved, pursuant to Section 58 of the *Land Administration Act 1997*, to permanently close a 3.4639 hectare portion of an unnamed, unconstructed local road reserve between Great Northern Highway and Old Plains Road, Yarawindah to assist Main Roads WA progress the Great Northern Highway Bindoon Bypass project.

Documents and plans setting out and explaining the proposal are attached.

Comments on the proposal are now invited and can be emailed to [reception@victoriaplains.wa.gov.au](mailto:reception@victoriaplains.wa.gov.au) or posted to the Shire's Chief Executive Officer at PO Box 21 CALINGIRI WA 6569. All submissions must include the following information:

- Your name, address and contact telephone number;
- How your interests are affected whether as a private citizen, on behalf of a company or other organisation, or as an owner or occupier of property;
- Address of property affected (if applicable); and
- Whether your submission is in support of or objecting to the proposal, either in part or in whole, and any reasons supporting your comments.

Comments on the proposal may be submitted to the local government on or before **Friday 18 March 2022**.

All submissions received may be made public at a Council meeting and included in a Council Agenda, which will be available on the Shire's website in due course, unless a submission specifically requests otherwise.

**GLEND A TEEDE**  
**CHIEF EXECUTIVE OFFICER**  
**SHIRE OF VICTORIA PLAINS**



LAND ADMINISTRATION  
ACT 1997

**PROPOSED ROAD CLOSURE  
AVAILABLE FOR  
INSPECTION & COMMENT**

**UNNAMED, UNCONSTRUCTED LOCAL  
ROAD RESERVE BETWEEN  
GREAT NORTHERN  
HIGHWAY & OLD PLAINS  
ROAD, YARAWINDAH**

Notice is hereby given that the Victoria Plains Shire Council has resolved, pursuant to Section 58 of the Land Administration Act 1997, to permanently close a 3.4639 hectare portion of an unnamed, unconstructed local road reserve between Great Northern Highway and Old Plains Road, Yarawindah to assist Main Roads WA progress the Great Northern Highway Bindoon Bypass project.

Documents and plans setting out and explaining the proposal are available for inspection on the Public Notices section of the Shire's website ([www.victoriaplains.wa.gov.au](http://www.victoriaplains.wa.gov.au)).

Comments on the proposal are now invited and can be emailed to [reception@victoriaplains.wa.gov.au](mailto:reception@victoriaplains.wa.gov.au) or posted to the Shire's Chief Executive Officer at PO Box 21 CALINGIRI WA 6569.

All submissions must include the following information:

- Your name, address and contact telephone number;
- How your interests are affected whether as a private citizen, on behalf of a company or other organisation, or as an owner or occupier of property;
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- Whether your submission is in support of or objecting to the proposal, either in part or in whole, and any reasons supporting your comments.

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All submissions received may be made public at a Council meeting and included in a Council Agenda, which will be available on the Shire's website in due course, unless a submission specifically requests otherwise.

**GLENDA TEEDE  
CHIEF EXECUTIVE OFFICER  
SHIRE OF VICTORIA PLAINS**

YOUR REF:

OUR REF: 28.7.2

ENQUIRIES: G. Teede / Shire Planner (JD)

DATE: 18 February 2021

Department of Biodiversity, Conservation & Attractions  
Parks and Wildlife Service  
Locked Bag 104  
BENTLEY DELIVERY CENTRE WA 6983

Dear Sir/Madam,

**REQUEST FOR COMMENT – PROPOSED ROAD CLOSURE  
UNNAMED, UNCONSTRUCTED LOCAL ROAD RESERVE BETWEEN GREAT NORTHERN HIGHWAY  
& OLD PLAINS ROAD, YARAWINDAH**

The Victoria Plains Shire Council has resolved, pursuant to Section 58 of the Land Administration Act 1997, to permanently close a 3.4639 hectare portion of an unnamed, unconstructed local road reserve between Great Northern Highway and Old Plains Road, Yarawindah to assist Main Roads WA progress the Great Northern Highway Bindoon Bypass project.

Documents and plans setting out and explaining the proposal are available for inspection on the Public Notices section of the Shire's website ([www.victoriaplains.wa.gov.au](http://www.victoriaplains.wa.gov.au)).

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- Your name, address and contact telephone number;
- How your interests are affected whether as a private citizen, on behalf of a company or other organisation, or as an owner or occupier of property;
- Address of property affected (if applicable); and
- Whether your submission is in support of or objecting to the proposal, either in part or in whole, and any reasons supporting your comments.

Comments on the proposal may be submitted to the local government on or before Friday 18 March 2022.

All submissions received may be made public at a Council meeting and included in a Council Agenda, which will be available on the Shire's website in due course, unless a submission specifically requests otherwise.

If you have any queries or require any additional information regarding this matter please do not hesitate to contact the undersigned of this office on 9628 7004 or [ceo@victoriaplains.wa.gov.au](mailto:ceo@victoriaplains.wa.gov.au).

Yours sincerely



Glenda Teede  
**Shire of Victoria Plains**



YOUR REF:

OUR REF: 28.7.2

ENQUIRIES: G. Teede / Shire Planner (JD)

DATE: 18 February 2021

Department of Water & Environmental Regulation  
Locked Bag 33  
Cloisters Square  
PERTH WA 6850

Dear Sir/Madam,

**REQUEST FOR COMMENT – PROPOSED ROAD CLOSURE  
UNNAMED, UNCONSTRUCTED LOCAL ROAD RESERVE BETWEEN GREAT NORTHERN HIGHWAY  
& OLD PLAINS ROAD, YARAWINDAH**

The Victoria Plains Shire Council has resolved, pursuant to Section 58 of the Land Administration Act 1997, to permanently close a 3.4639 hectare portion of an unnamed, unconstructed local road reserve between Great Northern Highway and Old Plains Road, Yarawindah to assist Main Roads WA progress the Great Northern Highway Bindoon Bypass project.

Documents and plans setting out and explaining the proposal are available for inspection on the Public Notices section of the Shire's website ([www.victoriaplains.wa.gov.au](http://www.victoriaplains.wa.gov.au)).

Comments on the proposal are now invited and can be emailed to [reception@victoriaplains.wa.gov.au](mailto:reception@victoriaplains.wa.gov.au) or posted to the Shire's Chief Executive Officer at PO Box 21 CALINGIRI WA 6569. All submissions must include the following information:

- Your name, address and contact telephone number;
- How your interests are affected whether as a private citizen, on behalf of a company or other organisation, or as an owner or occupier of property;
- Address of property affected (if applicable); and
- Whether your submission is in support of or objecting to the proposal, either in part or in whole, and any reasons supporting your comments.

Comments on the proposal may be submitted to the local government on or before Friday 18 March 2022.

All submissions received may be made public at a Council meeting and included in a Council Agenda, which will be available on the Shire's website in due course, unless a submission specifically requests otherwise.

If you have any queries or require any additional information regarding this matter please do not hesitate to contact the undersigned of this office on 9628 7004 or [ceo@victoriaplains.wa.gov.au](mailto:ceo@victoriaplains.wa.gov.au).

Yours sincerely



Glenda Teede  
**Shire of Victoria Plains**

YOUR REF:

OUR REF: 28.7.2

ENQUIRIES: G. Teede / Shire Planner (JD)

DATE: 18 February 2021

Telstra  
Locked Bag 20026  
MELBOURNE VIC 3001

Dear Sir/Madam,

**REQUEST FOR COMMENT – PROPOSED ROAD CLOSURE  
UNNAMED, UNCONSTRUCTED LOCAL ROAD RESERVE BETWEEN GREAT NORTHERN HIGHWAY &  
OLD PLAINS ROAD, YARAWINDAH**

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Yours sincerely



Glenda Teede  
**Shire of Victoria Plains**

YOUR REF:

OUR REF: 28.7.2

ENQUIRIES: G. Teede / Shire Planner (JD)

DATE: 18 February 2021

Water Corporation Locked Mail Bag 2  
Osborne Park Delivery Centre  
OSBORNE PARK WA 6916

Dear Sir/Madam,

**REQUEST FOR COMMENT – PROPOSED ROAD CLOSURE  
UNNAMED, UNCONSTRUCTED LOCAL ROAD RESERVE BETWEEN GREAT NORTHERN HIGHWAY  
& OLD PLAINS ROAD, YARAWINDAH**

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Yours sincerely



Glenda Teede  
**Shire of Victoria Plains**

YOUR REF:

OUR REF: 28.7.2

ENQUIRIES: G. Teede / Shire Planner (JD)

DATE: 18 February 2021

Western Power  
GPO Box L921  
PERTH WA 6842

Dear Sir/Madam,

**REQUEST FOR COMMENT – PROPOSED ROAD CLOSURE  
UNNAMED, UNCONSTRUCTED LOCAL ROAD RESERVE BETWEEN GREAT NORTHERN HIGHWAY  
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