



SHIRE OF WILLIAMS MINUTES

ORDINARY COUNCIL MEETING
WEDNESDAY 17 MARCH 2021



DISCLAIMER

No responsibility whatsoever is implied or accepted by the Shire of Williams for any act, omission or statement or intimation occurring during Council or Committee meetings. The Shire of Williams disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission or statement or intimation occurring during Council or Committee meetings. Any person or legal entity who acts or fails to act in reliance upon any statement, act or omission made in a Council or Committee meeting does so at that person's or legal entity's own risk.

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

SHIRE OF WILLIAMS STRATEGIC COMMUNITY PLAN 2017-2032

ECONOMIC

To support industry and business development through the development of sustainable infrastructure and investment opportunities.

ED1. Develop infrastructure and investment that is sustainable and an ongoing legacy to the Shire.

ED2. To have appropriate levels of housing to cater for population retention and growth.

SOCIAL AND CULTURAL

To be a safe and welcoming community where everyone is valued and has the opportunity to contribute and belong.

SCD1. To provide community infrastructure and facilities that meet the needs of the population.

SCD2. To support a safe and healthy community with a strong sense of community pride.

SCD3. To recognise the vibrant history of the Shire and its rich, varied cultural heritage and natural environment is valued, respected, promoted and celebrated.

LAND USE & ENVIRONMENT

To have a balanced respect for our natural assets and built environment, retaining our lifestyle values and community split.

LUE1. To enhance, promote, rehabilitate and leverage the natural environment so it continues to be an asset to the community.

LUE2. Natural assets and public open spaces are accessible, well utilised and managed.
LUE3. Recognising and implementing sustainability measures.

LUE4. To have safe and well maintained transport network that supports local economy.

CIVIC LEADERSHIP

Strong civic leadership representing the whole of the Shire which engages in effective partnerships and reflects the aspirations of an engaged community.

CL1. The Shire is efficient in its operations, actively listens to the community and anticipates and responds to the community needs.

CL2. The revenue needs of the Shire are managed in an equitable, proactive and sustainable manner.

CL3. Effective collaboration and shared services with other relevant Local, State and Federal Government agencies, industry and community organisations.

Contents

1.0	Declaration of Opening / Announcement of Visitors.....	5
2.0	Record of Attendance / Apologies / Leave of Absence.....	5
3.0	Public Question Time	5
4.0	Petitions / Deputations / Presentations.....	5
5.0	Declarations of Interest.....	5
6.0	Confirmation of Minutes of Previous Meetings	6
6.1	Ordinary Council Meeting Held 17 February 2021	6
7.0	Announcements by Presiding Member Without Discussion	6
8.0	Matters Which Require Decisions.....	6
8.1	Development and Regulatory Services	7
8.1.1	Building Permits	7
8.2	Office of the Chief Executive Officer	8
8.2.1	Compliance Audit Return.....	8
8.2.2	Code of Conduct for Council Members, Committee Members and Candidates	21
8.2.3	Model Standards for CEO Recruitment, Performance and Termination.....	30
8.2.4	Use of Common Seal and Actions Performed Under Delegated Authority	36
8.3	Corporate and Community Services	38
8.3.1	Payment Listing	38
8.3.2	Financial Statements	39
8.3.3	2020-2021 Budget Review	40
9.0	Elected Members Motions of which Notice has been given	51
10.0	New Business of an Urgent Nature introduced by Decision of Meeting	51
10.1	Elected Members	51
10.2	Officers	51
11.0	Application for Leave of Absence.....	51
12.0	Closure of Meeting.....	51

AGENDA

1.0 Declaration of Opening / Announcement of Visitors

The Presiding Member, President Jarrad Logie, declared the Meeting open at 3.40pm.

2.0 Record of Attendance / Apologies / Leave of Absence

Elected Members

Cr Jarrad Logie - President
 Cr Natalie Major - Deputy President
 Cr Moya Carne
 Cr Gil Medlen
 Cr Simon Harding
 Cr Bob Baker
 Cr Tracey Price
 Cr Bernie Panizza

Staff

Geoff McKeown - Chief Executive Officer
 Manuela Lenehan - Minute Taker

Visitors – Nil
 Apologies – Cr Alex Watt
 Leave of Absence – Nil

3.0 Public Question Time

Nil

4.0 Petitions / Deputations / Presentations

Nil

5.0 Declarations of Interest

DECLARATION OF INTEREST	
Name / Position	Geoff McKeown / CEO
Item No. / Subject	8.2.3 Model Standards for CEO Recruitment, Performance and Termination
Type of Interest	Financial

6.0 Confirmation of Minutes of Previous Meetings

6.1 Ordinary Council Meeting Held 17 February 2021

Officer's Recommendation

That the Minutes of the Ordinary Council Meeting held 17 February 2021, as previously circulated, be confirmed as a true and accurate record.

Council Resolution

Baker/Price

That the Minutes of the Ordinary Council Meeting held 17 February 2021, as previously circulated, be confirmed as a true and accurate record.

**Carried 8/0
Resolution 76/21**

7.0 Announcements by Presiding Member Without Discussion

Nil

8.0 Matters Which Require Decisions

8.1 Development and Regulatory Services

8.1.1 Building Permits

File Reference	13.34.10
Statutory Ref.	<i>Building Act 2011, Building Regulations 2012</i>
Author & Date	Trevor Brandy 8 March 2021
Attachments	Nil

Background

The Environmental Health Officer/ Building Surveyor undertakes a number of activities in accordance with legislation that require a decision by Council. This report includes detail of these activities.

Comment

Building Permits issued for the month of February 2021:

Permit Number	Owner	Address	Description
453	M Cavanagh	761 Zilko Road	Ancillary Accommodation

Strategic Implications

This item aligns with the community's vision and aspirations as contained in the Shire of Williams Strategic Plan 2017 to 2032. Specifically, it relates to the following strategy(s);

CL 4.4 Monitor and ensure compliance with regulatory framework for local government business.

Financial Implications

Fees are received for processing Building Permits in accordance with the *Building Regulations 2012*.

Voting Requirements

Simple Majority

Officer's Recommendation

That Council endorse the issue of building permits for the month of February 2021.

Council Resolution

Price/Medlen

That Council endorse the issue of the building permit for the month of February 2021.

Carried 8/0
Resolution 77/21

8.2 Office of the Chief Executive Officer

8.2.1 Compliance Audit Return

File Reference	4.50.00
Statutory Ref.	<i>Local Government (Audit) Regulations 1996</i>
Author & Date	Geoff McKeown 2 March 2021
Attachments	2020 Compliance Audit Return

Background

The Annual Compliance Audit Return for the period 1 January 2020 to 31 December 2020, is presented for review by Council.

All local governments are required to carry out a Compliance Audit Return (CAR) under the *Local Government (Audit) Regulations 1996* on an annual basis. The CAR contains a checklist of statutory requirements reported on for a calendar year.

The CAR is to be:

1. Presented to the Audit Committee for review at a meeting of the Audit Committee;
2. Recommended for Adoption by Council at an Audit Committee Meeting;
3. Presented to the Council at a meeting of Council;
4. Adopted by the Council; and
5. The adoption recorded in the minutes of the meeting at which it is adopted.

Once the CAR has been adopted by Council, a certified copy of the return, along with the relevant section of the minutes and any additional information explaining or qualifying the CAR is to be submitted to the Director General, Department of Local Government, Sport and Cultural Industries by 31 March 2021.

Comment

The audit was carried out internally, sourcing evidence of compliance from the Shire's own records. The audit checklist is determined by the Minister of Local Government.

Some areas of noncompliance are noted, primarily relating to the adoption of items where it requires an absolute majority recording in the minutes.

Strategic Implications

This item aligns with the community's vision and aspirations as contained in the Shire of Williams Strategic Community Plan 2017 to 2032. Specifically, it relates to the following strategy(s):

- CL 2.2 Maintain accountability, transparency and financial responsibility.
- CL 4.4 Monitor and ensure compliance with regulatory framework for local government business.

Financial Implications

Nil

Voting Requirements

Simple Majority

Officer's Recommendation

That Council adopt the 2020 Compliance Audit Return and endorses the certification by the Shire President and the Chief Executive Officer for submission to the Department of Local Government, Sport and Cultural Industries.

Council Resolution

Medlen/Harding

That Council adopt the 2020 Compliance Audit Return and endorses the certification by the Shire President and the Chief Executive Officer for submission to the Department of Local Government, Sport and Cultural Industries.

**Carried 8/0
Resolution 78/21**

Department of Local Government, Sport and Cultural Industries - Compliance Audit Return



Department of
Local Government, Sport
and Cultural Industries

Williams - Compliance Audit Return 2020

Certified Copy of Return

Please submit a signed copy to the Director General of the Department of Local Government, Sport and Cultural Industries together with a copy of the relevant minutes.

Commercial Enterprises by Local Governments					
No	Reference	Question	Response	Comments	Respondent
1	s3.59(2)(a) F&G Regs 7,9,10	Has the local government prepared a business plan for each major trading undertaking that was not exempt in 2020?	N/A		Geoff McKeown
2	s3.59(2)(b) F&G Regs 7,8,10	Has the local government prepared a business plan for each major land transaction that was not exempt in 2020?	N/A		Geoff McKeown
3	s3.59(2)(c) F&G Regs 7,8,10	Has the local government prepared a business plan before entering into each land transaction that was preparatory to entry into a major land transaction in 2020?	N/A		Geoff McKeown
4	s3.59(4)	Has the local government complied with public notice and publishing requirements for each proposal to commence a major trading undertaking or enter into a major land transaction or a land transaction that is preparatory to a major land transaction for 2020?	N/A		Geoff McKeown
5	s3.59(5)	During 2020, did the council resolve to proceed with each major land transaction or trading undertaking by absolute majority?	N/A		Geoff McKeown

Department of Local Government, Sport and Cultural Industries - Compliance Audit Return



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

Delegation of Power/Duty					
No	Reference	Question	Response	Comments	Respondent
1	s5.16	Were all delegations to committees resolved by absolute majority?	N/A	No Committees with delegated powers.	Geoff McKeown
2	s5.16	Were all delegations to committees in writing?	N/A		Geoff McKeown
3	s5.17	Were all delegations to committees within the limits specified in section 5.17?	N/A		Geoff McKeown
4	s5.18	Were all delegations to committees recorded in a register of delegations?	N/A		Geoff McKeown
5	s5.18	Has council reviewed delegations to its committees in the 2019/2020 financial year?	N/A		Geoff McKeown
6	s5.42(1) & s5.43 Admin Reg 18G	Did the powers and duties delegated to the CEO exclude those listed in section 5.43 of the Act?	Yes		Geoff McKeown
7	s5.42(1)	Were all delegations to the CEO resolved by an absolute majority?	Yes		Geoff McKeown
8	s5.42(2)	Were all delegations to the CEO in writing?	Yes		Geoff McKeown
9	s5.44(2)	Were all delegations by the CEO to any employee in writing?	Yes		Geoff McKeown
10	s5.16(3)(b) & s5.45(1)(b)	Were all decisions by the council to amend or revoke a delegation made by absolute majority?	Yes		Geoff McKeown
11	s5.46(1)	Has the CEO kept a register of all delegations made under Division 4 of the Act to the CEO and to employees?	Yes		Geoff McKeown
12	s5.46(2)	Were all delegations made under Division 4 of the Act reviewed by the delegator at least once during the 2019/2020 financial year?	Yes	By resolution of Council on 16 December 2020.	Geoff McKeown
13	s5.46(3) Admin Reg 19	Did all persons exercising a delegated power or duty under the Act keep, on all occasions, a written record in accordance with Admin Reg 19?	Yes		Geoff McKeown
Disclosure of Interest					
No	Reference	Question	Response	Comments	Respondent
1	s5.67	Where a council member disclosed an interest in a matter and did not have participation approval under sections 5.68 or 5.69, did the council member ensure that they did not remain present to participate in discussion or decision making relating to the matter?	Yes		Geoff McKeown

Department of Local Government, Sport and Cultural Industries - Compliance Audit Return



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

No	Reference	Question	Response	Comments	Respondent
2	s5.68(2) & s5.69 (5) Admin Reg 21A	Were all decisions regarding participation approval, including the extent of participation allowed and, where relevant, the information required by Admin Reg 21A, recorded in the minutes of the relevant council or committee meeting?	Yes		Geoff McKeown
3	s5.73	Were disclosures under section sections 5.65, 5.70 or 5.71A(3) recorded in the minutes of the meeting at which the disclosures were made?	Yes		Geoff McKeown
4	s5.75 Admin Reg 22, Form 2	Was a primary return in the prescribed form lodged by all relevant persons within three months of their start day?	Yes		Geoff McKeown
5	s5.76 Admin Reg 23, Form 3	Was an annual return in the prescribed form lodged by all relevant persons by 31 August 2020?	Yes		Geoff McKeown
6	s5.77	On receipt of a primary or annual return, did the CEO, or the mayor/president, give written acknowledgment of having received the return?	Yes		Geoff McKeown
7	s5.88(1) & (2)(a)	Did the CEO keep a register of financial interests which contained the returns lodged under sections 5.75 and 5.76?	Yes		Geoff McKeown
8	s5.88(1) & (2)(b) Admin Reg 28	Did the CEO keep a register of financial interests which contained a record of disclosures made under sections 5.65, 5.70, 5.71 and 5.71A, in the form prescribed in Admin Reg 28?	Yes		Geoff McKeown
9	s5.88(3)	When a person ceased to be a person required to lodge a return under sections 5.75 and 5.76, did the CEO remove from the register all returns relating to that person?	Yes		Geoff McKeown
10	s5.88(4)	Have all returns removed from the register in accordance with section 5.88(3) been kept for a period of at least five years after the person who lodged the return(s) ceased to be a person required to lodge a return?	Yes		Geoff McKeown
11	s5.89A(1), (2) & (3) Admin Reg 28A	Did the CEO keep a register of gifts which contained a record of disclosures made under sections 5.87A and 5.87B, in the form prescribed in Admin Reg 28A?	Yes		Geoff McKeown
12	s5.89A(5) & (5A)	Did the CEO publish an up-to-date version of the gift register on the local government's website?	Yes		Geoff McKeown
13	s5.89A(6)	When a person ceases to be a person who is required to make a disclosure under section 5.87A or 5.87B, did the CEO remove from the register all records relating to that person?	Yes		Geoff McKeown

Department of Local Government, Sport and Cultural Industries - Compliance Audit Return



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

No	Reference	Question	Response	Comments	Respondent
14	s5.89A(7)	Have copies of all records removed from the register under section 5.89A (6) been kept for a period of at least five years after the person ceases to be a person required to make a disclosure?	Yes		Geoff McKeown
15	Rules of Conduct Reg 11(1), (2) & (4)	Where a council member had an interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person, did they disclose the interest in accordance with Rules of Conduct Reg 11(2)?	Yes		Geoff McKeown
16	Rules of Conduct Reg 11(6)	Where a council member disclosed an interest under Rules of Conduct Reg 11 (2) was the nature of the interest recorded in the minutes?	Yes		Geoff McKeown
17	s5.70(2) & (3)	Where an employee had an interest in any matter in respect of which the employee provided advice or a report directly to council or a committee, did that person disclose the nature and extent of that interest when giving the advice or report?	Yes		Geoff McKeown
18	s5.71A & s5.71B (5)	Where council applied to the Minister to allow the CEO to provide advice or a report to which a disclosure under s5.71A(1) relates, did the application include details of the nature of the interest disclosed and any other information required by the Minister for the purposes of the application?	N/A		Geoff McKeown
19	s5.71B(6) & s5.71B(7)	Was any decision made by the Minister under subsection 5.71B(6) recorded in the minutes of the council meeting at which the decision was considered?	N/A		Geoff McKeown
20	s5.103 Admin Regs 34B & 34C	Has the local government adopted a code of conduct in accordance with Admin Regs 34B and 34C to be observed by council members, committee members and employees?	Yes		Geoff McKeown
21	Admin Reg 34B(5)	Has the CEO kept a register of notifiable gifts in accordance with Admin Reg 34B(5)?	Yes		Geoff McKeown

Disposal of Property

No	Reference	Question	Response	Comments	Respondent
1	s3.58(3)	Where the local government disposed of property other than by public auction or tender, did it dispose of the property in accordance with section 3.58(3) (unless section 3.58(5) applies)?	Yes		Geoff McKeown
2	s3.58(4)	Where the local government disposed of property under section 3.58(3), did it provide details, as prescribed by section 3.58(4), in the required local public notice for each disposal of property?	Yes		Geoff McKeown

4 of 11

Department of Local Government, Sport and Cultural Industries - Compliance Audit Return



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

Elections					
No	Reference	Question	Response	Comments	Respondent
1	Elect Regs 30G(1) & (2)	Did the CEO establish and maintain an electoral gift register and ensure that all disclosure of gifts forms completed by candidates and donors and received by the CEO were placed on the electoral gift register at the time of receipt by the CEO and in a manner that clearly identifies and distinguishes the forms relating to each candidate?	Yes		Geoff McKeown
2	Elect Regs 30G(3) & (4)	Did the CEO remove any disclosure of gifts forms relating to an unsuccessful candidate, or a successful candidate that completed their term of office, from the electoral gift register, and retain those forms separately for a period of at least two years?	N/A	No disclosure of gifts forms received.	Geoff McKeown
3	Elect Regs 30G(5) & (6)	Did the CEO publish an up-to-date version of the electoral gift register on the local government's official website in accordance with Elect Reg 30G(6)?	Yes		Geoff McKeown
Finance					
No	Reference	Question	Response	Comments	Respondent
1	s7.1A	Has the local government established an audit committee and appointed members by absolute majority in accordance with section 7.1A of the Act?	Yes	The Minute of the Council Meeting held on the 19 February 2020 reflects an Absolute Majority but is recorded as a Simple Majority.	Geoff McKeown
2	s7.1B	Where the council delegated to its audit committee any powers or duties under Part 7 of the Act, did it do so by absolute majority?	N/A	No powers delegated to Audit Committee.	Geoff McKeown
3	s7.3(1) & s7.6(3)	Was the person or persons appointed by the local government to be its auditor appointed by an absolute majority decision of council?	Yes		Geoff McKeown
4	s7.3(3)	Was the person(s) appointed by the local government under s7.3(1) to be its auditor a registered company auditor or an approved auditor?	Yes		Geoff McKeown
5	s7.9(1)	Was the auditor's report for the financial year ended 30 June 2020 received by the local government by 31 December 2020?	Yes		Geoff McKeown
6	s7.12A(3)	Where the local government determined that matters raised in the auditor's report prepared under s7.9 (1) of the Act required action to be taken, did the local government ensure that appropriate action was undertaken in respect of those matters?	Yes		Geoff McKeown

5 of 11

Department of Local Government, Sport and Cultural Industries - Compliance Audit Return



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

No	Reference	Question	Response	Comments	Respondent
7	s7.12A(4)(a)	Where matters identified as significant were reported in the auditor's report, did the local government prepare a report that stated what action the local government had taken or intended to take with respect to each of those matters?	Yes		Geoff McKeown
8	s7.12A(4)(b)	Where the local government was required to prepare a report under s.7.12A(4)(a), was a copy of the report given to the Minister within three months of the audit report being received by the local government?	Yes		Geoff McKeown
9	s7.12A(5)	Within 14 days after the local government gave a report to the Minister under s7.12A(4)(b), did the CEO publish a copy of the report on the local government's official website?	Yes		Geoff McKeown
10	Audit Reg 7	Did the agreement between the local government and its auditor include the objectives and scope of the audit, a plan for the audit, details of the remuneration and expenses paid to the auditor, and the method to be used by the local government to communicate with the auditor?	Yes		Geoff McKeown
11	Audit Reg 10(1)	Was the auditor's report for the financial year ending 30 June received by the local government within 30 days of completion of the audit?	Yes		Geoff McKeown

Integrated Planning and Reporting

No	Reference	Question	Response	Comments	Respondent
1	Admin Reg 19C	Has the local government adopted by absolute majority a strategic community plan? If Yes, please provide the adoption date or the date of the most recent review in the Comments section?	Yes	The most recent review was adopted by Council on the 15 April 2020. The resolution reflects an absolute majority decision but the Minute shows being carried by Simple Majority.	Geoff McKeown
2	Admin Reg 19DA (1) & (4)	Has the local government adopted by absolute majority a corporate business plan? If Yes, please provide the adoption date or the date of the most recent review in the Comments section?	Yes	Adopted by Council on the 17 June 2020. The resolution reflects an absolute majority decision but the Minute shows being carried by Simple Majority.	Geoff McKeown
3	Admin Reg 19DA (2) & (3)	Does the corporate business plan comply with the requirements of Admin Reg 19DA(2) & (3)?	Yes		Geoff McKeown

6 of 11

Department of Local Government, Sport and Cultural Industries - Compliance Audit Return



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

Local Government Employees					
No	Reference	Question	Response	Comments	Respondent
1	Admin Reg 18C	Did the local government approve a process to be used for the selection and appointment of the CEO before the position of CEO was advertised?	N/A	Appointment of a CEO did not occur during the period under review.	Geoff McKeown
2	s5.36(4) & s5.37 (3) Admin Reg 18A	Were all CEO and/or senior employee vacancies advertised in accordance with Admin Reg 18A?	N/A		Geoff McKeown
3	Admin Reg 18E	Was all information provided in applications for the position of CEO true and accurate?	N/A		Geoff McKeown
4	Admin Reg 18F	Was the remuneration and other benefits paid to a CEO on appointment the same remuneration and benefits advertised for the position under section 5.36(4)?	N/A		Geoff McKeown
5	s5.37(2)	Did the CEO inform council of each proposal to employ or dismiss senior employee?	Yes		Geoff McKeown
6	s5.37(2)	Where council rejected a CEO's recommendation to employ or dismiss a senior employee, did it inform the CEO of the reasons for doing so?	N/A		Geoff McKeown
Official Conduct					
No	Reference	Question	Response	Comments	Respondent
1	s5.120	Has the local government designated a senior employee as defined by section 5.37 to be its complaints officer?	Yes		Geoff McKeown
2	s5.121(1)	Has the complaints officer for the local government maintained a register of complaints which records all complaints that resulted in a finding under section 5.110(2)(a)?	Yes		Geoff McKeown
3	s5.121(2)	Does the complaints register include all information required by section 5.121 (2)?	Yes		Geoff McKeown
4	s5.121(3)	Has the CEO published an up-to-date version of the register of the complaints on the local government's official website?	Yes		Geoff McKeown
Optional Questions					

Department of Local Government, Sport and Cultural Industries - Compliance Audit Return



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

No	Reference	Question	Response	Comments	Respondent
1	Financial Management Reg 5 (2)(c)	Did the CEO review the appropriateness and effectiveness of the local government's financial management systems and procedures in accordance with Financial Management Reg 5(2)(c) within the three years prior to 31 December 2020? If yes, please provide the date of council's resolution to accept the report.	Yes	Acceptance of the Report occurred on 19 February 2020.	Geoff McKeown
2	Audit Reg 17	Did the CEO review the appropriateness and effectiveness of the local government's systems and procedures in relation to risk management, internal control and legislative compliance in accordance with Audit Reg 17 within the three years prior to 31 December 2020? If yes, please provide date of council's resolution to accept the report.	Yes	Acceptance of the Report occurred on 19 February 2020.	Geoff McKeown
3	s5.87C(2)	Where a disclosure was made under sections 5.87A or 5.87B, was the disclosure made within 10 days after receipt of the gift?	Yes		Geoff McKeown
4	s5.87C	Where a disclosure was made under sections 5.87A or 5.87B, did the disclosure include the information required by section 5.87C?	Yes		Geoff McKeown
5	s5.90A(2)	Did the local government prepare and adopt by absolute majority a policy dealing with the attendance of council members and the CEO at events?	Yes		Geoff McKeown
6	s.5.90A(5)	Did the CEO publish an up-to-date version of the attendance at events policy on the local government's official website?	Yes	Contained within the Policy Manual.	Geoff McKeown
7	s5.96A(1), (2), (3) & (4)	Did the CEO publish information on the local government's website in accordance with sections 5.96A(1), (2), (3), and (4)?	Yes		Geoff McKeown
8	s5.128(1)	Did the local government prepare and adopt (by absolute majority) a policy in relation to the continuing professional development of council members?	Yes	Contained within the Policy Manual.	Geoff McKeown
9	s5.127	Did the local government prepare a report on the training completed by council members in the 2019/2020 financial year and publish it on the local government's official website by 31 July 2020?	Yes		Geoff McKeown
10	s6.4(3)	By 30 September 2020, did the local government submit to its auditor the balanced accounts and annual financial report for the year ending 30 June 2020?	Yes		Geoff McKeown

8 of 11

Department of Local Government, Sport and Cultural Industries - Compliance Audit Return



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

Tenders for Providing Goods and Services

No	Reference	Question	Response	Comments	Respondent
1	F&G Reg 11A(1) & (3)	Does the local government have a current purchasing policy that complies with F&G Reg 11A(3) in relation to contracts for other persons to supply goods or services where the consideration under the contract is, or is expected to be, \$250,000 or less or worth \$250,000 or less?	Yes		Geoff McKeown
2	F&G Reg 11A(1)	Did the local government comply with its current purchasing policy in relation to the supply of goods or services where the consideration under the contract was, or was expected to be, \$250,000 or less or worth \$250,000 or less?	Yes		Geoff McKeown
3	s3.57 F&G Reg 11	Subject to F&G Reg 11(2), did the local government invite tenders for all contracts for the supply of goods or services where the consideration under the contract was, or was expected to be, worth more than the consideration stated in F&G Reg 11(1)?	Yes		Geoff McKeown
4	F&G Regs 11(1), 12(2), 13, & 14(1), (3), and (4)	When regulations 11(1), 12(2) or 13 required tenders to be publicly invited, did the local government invite tenders via Statewide public notice in accordance with F&G Reg 14(3) and (4)?	Yes		Geoff McKeown
5	F&G Reg 12	Did the local government comply with F&G Reg 12 when deciding to enter into multiple contracts rather than a single contract?	Yes		Geoff McKeown
6	F&G Reg 14(5)	If the local government sought to vary the information supplied to tenderers, was every reasonable step taken to give each person who sought copies of the tender documents or each acceptable tenderer notice of the variation?	N/A		Geoff McKeown
7	F&G Regs 15 & 16	Did the local government's procedure for receiving and opening tenders comply with the requirements of F&G Regs 15 and 16?	Yes		Geoff McKeown
8	F&G Reg 17	Did the information recorded in the local government's tender register comply with the requirements of F&G Reg 17 and did the CEO make the tenders register available for public inspection and publish it on the local government's official website?	Yes		Geoff McKeown
9	F&G Reg 18(1)	Did the local government reject any tenders that were not submitted at the place, and within the time, specified in the invitation to tender?	N/A		Geoff McKeown

Department of Local Government, Sport and Cultural Industries - Compliance Audit Return



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

No	Reference	Question	Response	Comments	Respondent
10	F&G Reg 18(4)	Were all tenders that were not rejected assessed by the local government via a written evaluation of the extent to which each tender satisfies the criteria for deciding which tender to accept?	N/A		Geoff McKeown
11	F&G Reg 19	Did the CEO give each tenderer written notice containing particulars of the successful tender or advising that no tender was accepted?	Yes		Geoff McKeown
12	F&G Regs 21 & 22	Did the local government's advertising and expression of interest processes comply with the requirements of F&G Regs 21 and 22?	N/A	The Shire did not seek expressions of interest during the year.	Geoff McKeown
13	F&G Reg 23(1) & (2)	Did the local government reject any expressions of interest that were not submitted at the place, and within the time, specified in the notice or that failed to comply with any other requirement specified in the notice?	N/A		Geoff McKeown
14	F&G Reg 23(3)	Were all expressions of interest that were not rejected assessed by the local government?	N/A		Geoff McKeown
15	F&G Reg 23(4)	After the local government considered expressions of interest, did the CEO list each person considered capable of satisfactorily supplying goods or services as an acceptable tenderer?	N/A		Geoff McKeown
16	F&G Reg 24	Did the CEO give each person who submitted an expression of interest a notice in writing of the outcome in accordance with F&G Reg 24?	N/A		Geoff McKeown
17	F&G Regs 24AD(2) & (4) and 24AE	Did the local government invite applicants for a panel of pre-qualified suppliers via Statewide public notice in accordance with F&G Reg 24AD(4) and 24AE?	N/A	The Shire did not establish a panel of prequalified suppliers during the year.	Geoff McKeown
18	F&G Reg 24AD(6)	If the local government sought to vary the information supplied to the panel, was every reasonable step taken to give each person who sought detailed information about the proposed panel or each person who submitted an application notice of the variation?	N/A		Geoff McKeown
19	F&G Reg 24AF	Did the local government's procedure for receiving and opening applications to join a panel of pre-qualified suppliers comply with the requirements of F&G Reg 16, as if the reference in that regulation to a tender were a reference to a pre-qualified supplier panel application?	N/A		Geoff McKeown
20	F&G Reg 24AG	Did the information recorded in the local government's tender register about panels of pre-qualified suppliers comply with the requirements of F&G Reg 24AG?	N/A		Geoff McKeown

10 of 11

Department of Local Government, Sport and Cultural Industries - Compliance Audit Return



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

No	Reference	Question	Response	Comments	Respondent
21	F&G Reg 24AH(1)	Did the local government reject any applications to join a panel of pre-qualified suppliers that were not submitted at the place, and within the time, specified in the invitation for applications?	N/A		Geoff McKeown
22	F&G Reg 24AH(3)	Were all applications that were not rejected assessed by the local government via a written evaluation of the extent to which each application satisfies the criteria for deciding which application to accept?	N/A		Geoff McKeown
23	F&G Reg 24AI	Did the CEO send each applicant written notice advising them of the outcome of their application?	N/A		Geoff McKeown
24	F&G Regs 24E & 24F	Where the local government gave regional price preference, did the local government comply with the requirements of F&G Regs 24E and 24F?	N/A	The Shire has not adopted a regional price preference.	Geoff McKeown

I certify this Compliance Audit Return has been adopted by council at its meeting on _____

Signed Mayor/President, Williams

Signed CEO, Williams

8.2.2 Code of Conduct for Council Members, Committee Members and Candidates

File Reference	4.50.10
Statutory Ref.	<i>Local Government (Model Code of Conduct) Regulations 2021</i>
Author & Date	Geoff McKeown 4 March 2021
Attachments	Code of Conduct for Council Members, Committee Members and Candidates

Background

The *Local Government (Model Code of Conduct) Regulations 2021* came into effect on 3 February 2021. At the February 2021 Ordinary Council Meeting the persons to receive complaints under the Code of Conduct were designated, along with the adoption of the approved form for receiving complaints.

Local Governments are required to adopt a Code of Conduct for Council Members, Committee Members and Candidates within three (3) months of the regulations taking effect. It is to include the Model Code of Conduct contained in the regulations.

Comment

The Shire's existing Code of Conduct, listed as Policy Number S2.12 - Staff & Elected Members Code of Conduct in the Policy Manual, must be repealed, as the legislation now stipulates there are to be at least two separate Codes, one for Council Members, Committee Members and Candidates, and another for local government employees.

WALGA has indicated that it will produce a template Code of Conduct for Employees. The Chief Executive Officer will prepare an interim Code of Conduct for all employees of the Shire, including the Chief Executive Officer, based on the repealed version, prior to any template being available from WALGA.

It is recommended that the new Codes not appear in the Policy Manual and instead become standalone documents published on the Shire's website.

The Department of Local Government, Sport and Cultural Industries (DLGSC) has produced Guidelines on the Model Code of Conduct for Council Members, Committee Members and Candidates. It is expected that a Model Code will be developed in coming months.

In the interim, it is recommended that Council adopt a Code based on wording provided in legislation, see Attachment 2.

For clarity, it is noted that there is still a requirement for a local government to have a Complaints Officer (section 5.120 of the *Local Government Act 1995*), to process allegations of 'Rules of Conduct' breaches, and these alleged breaches are still to be referred to the Local Government Standards Panel (refer Division 4 of the Model Code of Conduct). The Chief Executive Officer is that officer.

Strategic Implications

This item aligns with the community's vision and aspirations as contained in the Shire of Williams Strategic Community Plan 2017 to 2032. Specifically, it relates to the following strategy(s):

- CL 2.2 Maintain accountability, transparency and financial responsibility.
- CL 4.4 Monitor and ensure compliance with regulatory framework for local government business.

Financial Implications

Nil

Voting Requirements

Absolute Majority

Officer's Recommendation

That Council, with respect to the new Model Code of Conduct for Council Members, Committee Members and Candidates, agrees to:

1. Repeal the existing Policy Number S2.12 - Staff & Elected Members Code of Conduct.
2. Note that pursuant to section 5.51A of the *Local Government Act 1995*, the Chief Executive Officer will be preparing an interim Code of Conduct for all employees of the Shire, including the Chief Executive Officer, based on the repealed version, prior to any model being available from WALGA.
3. Pursuant to section 5.104 of the *Local Government Act 1995*, adopt the new Code of Conduct for Council Members, Committee Members and Candidates for the Shire of Williams as detailed in Attachment 2.
4. Pursuant to sections 5.51A (3) and 5.104 (7) of the *Local Government Act 1995*, request the Chief Executive Officer to ensure that both of the updated / adopted Codes of Conduct are published on the Shire's official website, as soon as practical.

Council Resolution

Carne/Harding

That Council, with respect to the new Model Code of Conduct for Council Members, Committee Members and Candidates, agrees to:

1. Repeal the existing Policy Number S2.12 - Staff & Elected Members Code of Conduct.
2. Note that pursuant to section 5.51A of the *Local Government Act 1995*, the Chief Executive Officer will be preparing an interim Code of Conduct for all employees of the Shire, including the Chief Executive Officer, based on the repealed version, prior to any model being available from WALGA.
3. Pursuant to section 5.104 of the *Local Government Act 1995*, adopt the new Code of Conduct for Council Members, Committee Members and Candidates for the Shire of Williams as detailed in Attachment 2.
4. Pursuant to sections 5.51A (3) and 5.104 (7) of the *Local Government Act 1995*, request the Chief Executive Officer to ensure that both of the updated / adopted Codes of Conduct are published on the Shire's official website, as soon as practical.

**Carried by Absolute Majority 8/0
Resolution 79/21**

Code of Conduct for Council Members, Committee Members and Candidates



Division 1 — Preliminary provisions

1. Citation

This is the *Shire of Williams* Code of Conduct for Council Members, Committee Members and Candidates.

2. Terms used

(1) In this code —

Act means the *Local Government Act 1995*;

candidate means a candidate for election as a council member;

complaint means a complaint made under clause 11(1);

publish includes to publish on a social media platform.

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

Division 2 — General principles

3. Overview of Division

This Division sets out general principles to guide the behaviour of council members, committee members and candidates.

4. Personal integrity

(1) A council member, committee member or candidate should —

- (a) act with reasonable care and diligence; and
- (b) act with honesty and integrity; and
- (c) act lawfully; and
- (d) identify and appropriately manage any conflict of interest; and
- (e) avoid damage to the reputation of the local government.

(2) A council member or committee member should —

- (a) act in accordance with the trust placed in council members and committee members; and
- (b) participate in decision-making in an honest, fair, impartial and timely manner; and
- (c) actively seek out and engage in training and development opportunities to improve the performance of their role; and
- (d) attend and participate in briefings, workshops and training sessions provided or arranged by the local government in relation to the performance of their role.

5. Relationship with others

- (1) A council member, committee member or candidate should —
 - (a) treat others with respect, courtesy and fairness; and
 - (b) respect and value diversity in the community.
- (2) A council member or committee member should maintain and contribute to a harmonious, safe and productive work environment.

6. Accountability

A council member or committee member should —

- (a) base decisions on relevant and factually correct information; and
- (b) make decisions on merit, in the public interest and in accordance with statutory obligations and principles of good governance and procedural fairness; and
- (c) read all agenda papers given to them in relation to council or committee meetings; and
- (d) be open and accountable to, and represent, the community in the district.

Division 3 — Behaviour**7. Overview of Division**

This Division sets out —

- (a) requirements relating to the behaviour of council members, committee members and candidates; and
- (b) the mechanism for dealing with alleged breaches of those requirements.

8. Personal integrity

- (1) A council member, committee member or candidate —
 - (a) must ensure that their use of social media and other forms of communication complies with this code; and
 - (b) must only publish material that is factually correct.
- (2) A council member or committee member —
 - (a) must not be impaired by alcohol or drugs in the performance of their official duties; and
 - (b) must comply with all policies, procedures and resolutions of the local government.

9. Relationship with others

A council member, committee member or candidate —

- (a) must not bully or harass another person in any way; and
- (b) must deal with the media in a positive and appropriate manner and in accordance with any relevant policy of the local government; and
- (c) must not use offensive or derogatory language when referring to another person; and
- (d) must not disparage the character of another council member, committee member or candidate or a local government employee in connection with the performance of their official duties; and
- (e) must not impute dishonest or unethical motives to another council member, committee member or candidate or a local government employee in connection with the performance of their official duties.

10. Council or committee meetings

When attending a council or committee meeting, a council member, committee member or candidate —

- (a) must not act in an abusive or threatening manner towards another person; and
- (b) must not make a statement that the member or candidate knows, or could reasonably be expected to know, is false or misleading; and
- (c) must not repeatedly disrupt the meeting; and
- (d) must comply with any requirements of a local law of the local government relating to the procedures and conduct of council or committee meetings; and
- (e) must comply with any direction given by the person presiding at the meeting; and
- (f) must immediately cease to engage in any conduct that has been ruled out of order by the person presiding at the meeting.

11. Complaint about alleged breach

- (1) A person may make a complaint, in accordance with subclause (2), alleging a breach of a requirement set out in this Division.
- (2) A complaint must be made —
 - (a) in writing in the form approved by the local government; and
 - (b) to a person authorised under subclause (3); and
 - (c) within 1 month after the occurrence of the alleged breach.
- (3) The local government must, in writing, authorise 1 or more persons to receive complaints and withdrawals of complaints.

12. Dealing with complaint

- (1) After considering a complaint, the local government must, unless it dismisses the complaint under clause 13 or the complaint is withdrawn under clause 14(1), make a finding as to whether the alleged breach the subject of the complaint has occurred.
- (2) Before making a finding in relation to the complaint, the local government must give the person to whom the complaint relates a reasonable opportunity to be heard.
- (3) A finding that the alleged breach has occurred must be based on evidence from which it may be concluded that it is more likely that the breach occurred than that it did not occur.
- (4) If the local government makes a finding that the alleged breach has occurred, the local government may —
 - (a) take no further action; or
 - (b) prepare and implement a plan to address the behaviour of the person to whom the complaint relates.
- (5) When preparing a plan under subclause (4)(b), the local government must consult with the person to whom the complaint relates.
- (6) A plan under subclause (4)(b) may include a requirement for the person to whom the complaint relates to do 1 or more of the following —
 - (a) engage in mediation;
 - (b) undertake counselling;
 - (c) undertake training;
 - (d) take other action the local government considers appropriate.

- (7) If the local government makes a finding in relation to the complaint, the local government must give the complainant, and the person to whom the complaint relates, written notice of —
 - (a) its finding and the reasons for its finding; and
 - (b) if its finding is that the alleged breach has occurred — its decision under subclause (4).

13. Dismissal of complaint

- (1) The local government must dismiss a complaint if it is satisfied that —
 - (a) the behaviour to which the complaint relates occurred at a council or committee meeting; and
 - (b) either —
 - (i) the behaviour was dealt with by the person presiding at the meeting; or
 - (ii) the person responsible for the behaviour has taken remedial action in accordance with a local law of the local government that deals with meeting procedures.
- (2) If the local government dismisses a complaint, the local government must give the complainant, and the person to whom the complaint relates, written notice of its decision and the reasons for its decision.

14. Withdrawal of complaint

- (1) A complainant may withdraw their complaint at any time before the local government makes a finding in relation to the complaint.
- (2) The withdrawal of a complaint must be —
 - (a) in writing; and
 - (b) given to a person authorised under clause 11(3).

15. Other provisions about complaints

- (1) A complaint about an alleged breach by a candidate cannot be dealt with by the local government unless the candidate has been elected as a council member.
- (2) The procedure for dealing with complaints may be determined by the local government to the extent that it is not provided for in this Division.

Division 4 — Rules of conduct

Notes for this Division:

- 1. Under section 5.105(1) of the Act a council member commits a minor breach if the council member contravenes a rule of conduct. This extends to the contravention of a rule of conduct that occurred when the council member was a candidate.
- 2. A minor breach is dealt with by a standards panel under section 5.110 of the Act.

16. Overview of Division

- (1) This Division sets out rules of conduct for council members and candidates.
- (2) A reference in this Division to a council member includes a council member when acting as a committee member.

17. Misuse of local government resources

- (1) In this clause —

electoral purpose means the purpose of persuading electors to vote in a particular way at an election, referendum or other poll held under the Act, the *Electoral Act 1907* or the *Commonwealth Electoral Act 1918*;

resources of a local government includes —

- (a) local government property; and
 - (b) services provided, or paid for, by a local government.
- (2) A council member must not, directly or indirectly, use the resources of a local government for an electoral purpose or other purpose unless authorised under the Act, or by the local government or the CEO, to use the resources for that purpose.

18. Securing personal advantage or disadvantaging others

- (1) A council member must not make improper use of their office —
 - (a) to gain, directly or indirectly, an advantage for the council member or any other person; or
 - (b) to cause detriment to the local government or any other person.
- (2) Subclause (1) does not apply to conduct that contravenes section 5.93 of the Act or *The Criminal Code* section 83.

19. Prohibition against involvement in administration

- (1) A council member must not undertake a task that contributes to the administration of the local government unless authorised by the local government or the CEO to undertake that task.
- (2) Subclause (1) does not apply to anything that a council member does as part of the deliberations at a council or committee meeting.

20. Relationship with local government employees

- (1) In this clause —

local government employee means a person —

 - (a) employed by a local government under section 5.36(1) of the Act; or
 - (b) engaged by a local government under a contract for services.
- (2) A council member or candidate must not —
 - (a) direct or attempt to direct a local government employee to do or not to do anything in their capacity as a local government employee; or
 - (b) attempt to influence, by means of a threat or the promise of a reward, the conduct of a local government employee in their capacity as a local government employee; or
 - (c) act in an abusive or threatening manner towards a local government employee.
- (3) Subclause (2)(a) does not apply to anything that a council member does as part of the deliberations at a council or committee meeting.
- (4) If a council member or candidate, in their capacity as a council member or candidate, is attending a council or committee meeting or other organised event (for example, a briefing or workshop), the council member or candidate must not orally, in writing or by any other means —
 - (a) make a statement that a local government employee is incompetent or dishonest; or
 - (b) use an offensive or objectionable expression when referring to a local government employee.
- (5) Subclause (4)(a) does not apply to conduct that is unlawful under *The Criminal Code* Chapter XXXV.

21. Disclosure of information

- (1) In this clause —

closed meeting means a council or committee meeting, or a part of a council or committee meeting, that is closed to members of the public under section 5.23(2) of the Act;

confidential document means a document marked by the CEO, or by a person authorised by the CEO, to clearly show that the information in the document is not to be disclosed;

document includes a part of a document;

non-confidential document means a document that is not a confidential document.

- (2) A council member must not disclose information that the council member —

- (a) derived from a confidential document; or
- (b) acquired at a closed meeting other than information derived from a non-confidential document.

- (3) Subclause (2) does not prevent a council member from disclosing information —

- (a) at a closed meeting; or
- (b) to the extent specified by the council and subject to such other conditions as the council determines; or
- (c) that is already in the public domain; or
- (d) to an officer of the Department; or
- (e) to the Minister; or
- (f) to a legal practitioner for the purpose of obtaining legal advice; or
- (g) if the disclosure is required or permitted by law.

22. Disclosure of interests

- (1) In this clause —

interest —

- (a) means an interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person having the interest; and
- (b) includes an interest arising from kinship, friendship or membership of an association.

- (2) A council member who has an interest in any matter to be discussed at a council or committee meeting attended by the council member must disclose the nature of the interest —

- (a) in a written notice given to the CEO before the meeting; or
- (b) at the meeting immediately before the matter is discussed.

- (3) Subclause (2) does not apply to an interest referred to in section 5.60 of the Act.

- (4) Subclause (2) does not apply if a council member fails to disclose an interest because the council member did not know —

- (a) that they had an interest in the matter; or
- (b) that the matter in which they had an interest would be discussed at the meeting and the council member disclosed the interest as soon as possible after the discussion began.

- (5) If, under subclause (2)(a), a council member discloses an interest in a written notice given to the CEO before a meeting, then —

- (a) before the meeting the CEO must cause the notice to be given to the person who is to preside at the meeting; and

- (b) at the meeting the person presiding must bring the notice and its contents to the attention of the persons present immediately before any matter to which the disclosure relates is discussed.
 - (6) Subclause (7) applies in relation to an interest if —
 - (a) under subclause (2)(b) or (4)(b) the interest is disclosed at a meeting; or
 - (b) under subclause (5)(b) notice of the interest is brought to the attention of the persons present at a meeting.
 - (7) The nature of the interest must be recorded in the minutes of the meeting.
- 23. Compliance with plan requirement**
- If a plan under clause 12(4)(b) in relation to a council member includes a requirement referred to in clause 12(6), the council member must comply with the requirement.
-

The CEO, Geoff McKeown, declared a financial interest in the following Item 8.2.3 Model Standards for CEO Recruitment, Performance and Termination and left the Meeting at 3.48pm. The nature of his interest relates to the item dealing with CEO employment arrangements.

8.2.3 Model Standards for CEO Recruitment, Performance and Termination

File Reference	4.50.10
Statutory Ref.	Local Government (Administration) Regulations 1996
Author & Date	Geoff McKeown 4 March 2021
Attachments	Standards for CEO Recruitment, Performance and Termination

Background

New legislation requires all local governments to adopt mandatory minimum standards that cover the recruitment, performance review and early termination of local government Chief Executive Officers.

The *Local Government (Administration) Amendment Regulations 2021* (CEO Standards) brings this requirement into effect.

Model CEO Standards provide a framework for local governments to select a CEO, review their performance and terminate their contract of employment early, in accordance with the principles of merit, probity, fairness, equity and transparency.

Comment

Key features of the Standards include:

- establishing a selection panel comprised of council members and at least one independent person to conduct the recruitment and selection process for the position of CEO;
- establishing a performance review process by agreement between the local government and the CEO; and
- conducting a recruitment and selection process where an incumbent CEO has held the position for a period of ten or more consecutive years on expiry of the CEO's contract.

In addition, requirements for advertising vacant CEO positions have been updated to align with amendments to state-wide public notice provisions.

Local governments are required to prepare and adopt the Model CEO Standards within three months of the new legislation coming into effect.

There are no current Council policies that conflict, however it is noted that Policy S2.16 Employee Recruitment and Selection exists for other employees and is not inconsistent with this proposed new standard.

It has been recommended that a review be undertaken to determine whether any inconsistencies exist between the Model CEO Standards and the CEO's employment contract and previously agreed Performance Review arrangements. If inconsistencies exist, it may be appropriate to seek industrial relations advice to assist with negotiation and referral to Council (as the employing authority) for decision if required. In the opinion of the author, the current process for review of the current Chief Executive Officer's performance is consistent with the model requirements.

The Department of Local Government, Sport and Cultural Industries (DLGSC) has produced Guidelines on the Standards. It is recommended that the Guidelines be used to adopt new standards without modification, see Attachment 3.

Strategic Implications

This item aligns with the community's vision and aspirations as contained in the Shire of Williams Strategic Community Plan 2017 to 2032. Specifically, it relates to the following strategy(s):

- CL 2.2 Maintain accountability, transparency and financial responsibility.
- CL 4.4 Monitor and ensure compliance with regulatory framework for local government business.

Financial Implications

The adoption of the model standards will add to the cost of recruiting a Chief Executive Officer. Engaging a consultant, if a consultant is utilised, as well as the need for an external person (in addition to the consultant) to be on the recruitment panel may require remuneration.

Voting Requirements

Absolute Majority

Officer's Recommendation

That Council, with respect to the new mandatory minimum standards that cover the recruitment, selection, performance review and early termination of local government Chief Executive Officers, agrees to:

1. Pursuant to section 5.39B (2) of the *Local Government Act 1995*, adopt the new Model Standards for Chief Executive Officer Recruitment, Performance and Termination as detailed in Attachment 3;
2. Pursuant to section 5.39B (6) of the *Local Government Act 1995*, request the Chief Executive Officer to ensure that the adopted Standards are published on the Shire's official website, as soon as practical.

Council Resolution

Harding/Price

That Council, with respect to the new mandatory minimum standards that cover the recruitment, selection, performance review and early termination of local government Chief Executive Officers, agrees to:

1. Pursuant to section 5.39B (2) of the *Local Government Act 1995*, adopt the new Model Standards for Chief Executive Officer Recruitment, Performance and Termination as detailed in Attachment 3;
2. Pursuant to section 5.39B (6) of the *Local Government Act 1995*, request the Chief Executive Officer to ensure that the adopted Standards are published on the Shire's official website, as soon as practical.

**Carried by Absolute Majority 8/0
Resolution 80/21**



Adopted Standards for CEO Recruitment, Performance and Termination

Schedule 2 — Model standards for CEO recruitment, performance and termination [Local Government Act 1995 S5.39A & Local Government (Administration) Regulations 1996 R18FA].

1. Citation

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

2. Terms used

(1) In these standards —

Act means the Local Government Act 1995;

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

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

CEO means the local government's Chief Executive Officer;

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

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

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

local government means the [insert name of local government];

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

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

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

Division 2 — Standards for recruitment of CEOs

3. Overview of Division

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

4. Application of Division

(1) Except as provided in subclause (2), this Division applies to any recruitment and selection process carried out by the local government for the employment of a person in the position of CEO.

(2) This Division does not apply —

(a) if it is proposed that the position of CEO be filled by a person in a class prescribed for the purposes of section 5.36(5A) of the Act; or

(b) in relation to a renewal of the CEO's contract of employment, except in the circumstances referred to in clause 13(2).

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

(1) The local government must determine the selection criteria for the position of CEO, based on the local government's consideration of the knowledge, experience, qualifications and skills necessary to effectively perform the duties and responsibilities of the position of CEO of the local government.

(2) The local government must, by resolution of an absolute majority of the council, approve a job description form for the position of Chief Executive Officer which sets out —

(a) the duties and responsibilities of the position; and

(b) the selection criteria for the position determined in accordance with subclause (1).

6. Advertising requirements

(1) If the position of CEO is vacant, the local government must ensure it complies with section 5.36(4) of the Act and the Local Government (Administration) Regulations 1996 regulation 18A.

(2) If clause 13 applies, the local government must advertise the position of CEO in the manner referred to in the Local Government (Administration) Regulations 1996 regulation 18A as if the position was vacant.

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

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

(a) inform the person of the website address referred to in the

Local Government (Administration) Regulations 1996 regulation 18A(2)(da); or

(b) if the person advises the local government that the person is unable to access that website address —

(i) email a copy of the job description form to an email address provided by the person; or

(ii) mail a copy of the job description form to a postal address provided by the person.

8. Establishment of selection panel for employment of CEO

(1) In this clause —

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

(a) a council member;

(b) an employee of the local government;

(c) a human resources consultant engaged by the local government.

(2) The local government must establish a selection panel to conduct the recruitment and selection process for the employment of a person in the position of CEO.

(3) The selection panel must comprise —

(a) council members (the number of which must be determined by the local government); and

(b) at least 1 independent person.

9. Recommendation by selection panel

(1) Each applicant's knowledge, experience, qualifications and skills must be assessed against the selection criteria by or on behalf of the selection panel.

(2) Following the assessment referred to in subclause (1), the selection panel must provide to the local government —

(a) a summary of the selection panel's assessment of each applicant; and

(b) unless subclause (3) applies, the selection panel's recommendation as to which applicant or applicants are suitable to be employed in the position of CEO.

(3) If the selection panel considers that none of the applicants are suitable to be employed in the position of CEO, the selection panel must recommend to the local government —

(a) that a new recruitment and selection process for the position be carried out in accordance with these standards; and

(b) the changes (if any) that the selection panel considers should be made to the duties and responsibilities of the position or the selection criteria.

(4) The selection panel must act under subclauses (1), (2) and (3) —

(a) in an impartial and transparent manner; and

(b) in accordance with the principles set out in section 5.40 of the Act.

(5) The selection panel must not recommend an applicant to the local government under subclause (2)(b) unless the selection panel has —

(a) assessed the applicant as having demonstrated that the applicant's knowledge, experience, qualifications and skills meet the selection criteria; and

(b) verified any academic, or other tertiary level, qualifications the applicant claims to hold; and

(c) whether by contacting referees provided by the applicant or making any other inquiries the selection panel considers appropriate, verified the applicant's character, work history, skills, performance and any other claims made by the applicant.

(6) The local government must have regard to, but is not bound to accept, a recommendation made by the selection panel under this clause.

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

(1) This clause applies if the local government accepts a recommendation by the selection panel under clause 9(3)(a) that a new recruitment and selection process for the position of CEO be carried out in accordance with these standards.

(2) Unless the local government considers that changes should be made to the duties and responsibilities of the position or the selection criteria —

(a) clause 5 does not apply to the new recruitment and selection process; and

(b) the job description form previously approved by the local government under clause 5(2) is the job description form for the purposes of the new recruitment and selection process.

11. Offer of employment in position of CEO

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

(a) the making of the offer of employment to the applicant; and

(b) the proposed terms of the contract of employment to be entered into by the local government and the applicant.

12. Variations to proposed terms of contract of employment

(1) This clause applies if an applicant who is made an offer of employment in the position of CEO under clause 11 negotiates with the local government a contract of employment (the negotiated contract) containing terms different to the proposed terms approved by the local government under clause 11(b).

(2) Before entering into the negotiated contract with the applicant, the local government must, by resolution of an absolute majority of the council, approve the terms of the negotiated contract.

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

(1) In this clause —

commencement day means the day on which the Local Government (Administration) Amendment Regulations 2021 regulation 6 comes into operation.

(2) This clause applies if —

(a) upon the expiry of the contract of employment of the person (the incumbent CEO) who holds the position of CEO —

(i) the incumbent CEO will have held the position for a period of 10 or more consecutive years, whether that period commenced before, on or after commencement day; and

(ii) a period of 10 or more consecutive years has elapsed since a recruitment and selection process for the position was carried out, whether that process was carried out before, on or after commencement day; and

(b) the incumbent CEO has notified the local government that they wish to have their contract of employment renewed upon its expiry.

(3) Before the expiry of the incumbent CEO's contract of employment, the local government must carry out a recruitment and selection process in accordance with these standards to select a person to be employed in the position of CEO after the expiry of the incumbent CEO's contract of employment.

(4) This clause does not prevent the incumbent CEO's contract of employment from being renewed upon its expiry if the incumbent CEO is selected in the recruitment and selection process referred to in subclause (3) to be employed in the position of CEO.

14. Confidentiality of information

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

Division 3 — Standards for review of performance of CEOs

15. Overview of Division

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

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

(1) The local government and the CEO must agree on —

(a) the process by which the CEO's performance will be reviewed; and

(b) any performance criteria to be met by the CEO that are in addition to the contractual performance criteria.

(2) Without limiting subclause (1), the process agreed under subclause (1)(a) must be consistent with clauses 17, 18 and 19.

(3) The matters referred to in subclause (1) must be set out in a written document.

17. Carrying out a performance review

(1) A review of the performance of the CEO by the local government must be carried out in an impartial and transparent manner.

(2) The local government must —

(a) collect evidence regarding the CEO's performance in respect of the contractual performance criteria and any additional performance criteria in a thorough and comprehensive manner; and

(b) review the CEO's performance against the contractual performance criteria and any additional performance criteria, based on that evidence.

18. Endorsement of performance review by local government

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

19. CEO to be notified of results of performance review

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

(a) the results of the review; and

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

Division 4 — Standards for termination of employment of CEOs

20. Overview of Division

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

21. General principles applying to any termination

(1) The local government must make decisions relating to the termination of the employment of a CEO in an impartial and transparent manner.

(2) The local government must accord a CEO procedural fairness in relation to the process for the termination of the CEO's employment, including —

(a) informing the CEO of the CEO's rights, entitlements and responsibilities in relation to the termination process; and

(b) notifying the CEO of any allegations against the CEO; and

(c) giving the CEO a reasonable opportunity to respond to the allegations; and

(d) genuinely considering any response given by the CEO in response to the allegations.

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

(1) This clause applies if the local government proposes to terminate the employment of a CEO for reasons related to the CEO's performance.

(2) The local government must not terminate the CEO's employment unless the local government has —

(a) in the course of carrying out the review of the CEO's performance referred to in subclause (3) or any other review of the CEO's performance, identified any issues (the performance issues) related to the performance of the CEO; and

(b) informed the CEO of the performance issues; and

(c) given the CEO a reasonable opportunity to address, and implement a plan to remedy, the performance issues; and
(d) determined that the CEO has not remedied the performance issues to the satisfaction of the local government.

(3) The local government must not terminate the CEO's employment unless the local government has, within the preceding 12-month period, reviewed the performance of the CEO under section 5.38(1) of the Act.

23. Decision to terminate

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

24. Notice of termination of employment

(1) If the local government terminates the employment of a CEO, the local government must give the CEO notice in writing of the termination.

(2) The notice must set out the local government's reasons for terminating the employment of the CEO.

– End of Schedule

A copy of these Standards is to be placed on the local government's official website, pursuant to Section 5.39B(6) of the Local Government Act 1995.

Geoff McKeown returned to the Meeting at 3.56pm.

8.2.4 Use of Common Seal and Actions Performed Under Delegated Authority

File Reference	4.50.60
Statutory Ref.	Sections 5.42 and 9.49A <i>Local Government Act 1995</i>
Author & Date	Geoff McKeown 11 March 2021
Attachments	Nil

Background

The purpose of this Agenda Item is to report to Council for endorsement, the use of the Common Seal and actions performed under delegated authority requiring referral to Council.

There is a requirement under the *Local Government Act 1995* that the Delegations Register is reviewed annually by Council. A procedure included in the Delegations Register is to report to Council the activities or actions that have been performed under delegated authority. A report will be completed for Council at meetings that identifies: (1) use of the Common Seal, and (2) actions performed under the delegated authority requiring referral to Council as per the Delegations Register.

Comment

Actions performed under delegation during the preceding month is provided below:

- **Investment of Shire Monies – Delegation LGA4**

Delegation - The Chief Executive Officer has delegated authority, subject to Part 3 of the *Trustees Act 1962*, to invest money held in the Municipal Fund or the Trust Fund that is not, for the time being, required by the local government for any other purpose.

Action - The Chief Executive Officer approved a transfer of:

1. \$100,000.00 from the Municipal Fund Cash Management Account to the Municipal Fund for payment of creditors.

- **Payment of Creditors – Delegation FMR1**

Delegation - Under section 5.42 of the *Local Government Act 1995*, the Chief Executive Officer is delegated to exercise the powers or discharge the duties of the Council under Regulation 12 of the *Local Government (Financial Management) Regulations 1996*, in regard to the making of payments from the municipal and trust funds.

Action - Payments from the Municipal Fund and Trust Fund as per financial report attached to this Agenda.

Strategic Implications

This item aligns with the community's vision and aspirations as contained in the Shire of Williams Strategic Community Plan 2017 to 2032. Specifically, it relates to the following strategy(s):

- CL 2.2 Maintain accountability, transparency and financial responsibility.
- CL 4.4 Monitor and ensure compliance with regulatory framework for local government business.

Financial Implications

Nil

Voting Requirements

Simple Majority

Officer's Recommendation

That Council accepts the report "Use of Common Seal and Actions Performed under Delegated Authority" for the month of February 2021.

Council Resolution

Panizza/Major

That Council accepts the report "Use of Common Seal and Actions Performed under Delegated Authority" for the month of February 2021.

**Carried 8/0
Resolution 81/21**

8.3 Corporate and Community Services

8.3.1 Payment Listing

File Reference	4.23.15
Statutory Ref.	<i>Local Government (Financial Management) Regulations 1996</i>
Author & Date	Cara Ryan 10 March 2021
Attachments	Payment listing for month ending 28 February 2021

Background

Council has delegated, to the Chief Executive Officer, the exercise of its power to make payments from the Shires municipal or trust account. In exercising their authority, and in accordance with the Local Government (Financial Management) Regulation, it is a requirement to produce a list of payments made from Councils Municipal Fund and Trust Fund bank accounts to be presented to Council in the following month.

Statutory Implications

Local Government (Financial Management) Regulations 1996 - Reg 13

(1) If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared —

- (a) the payee's name; and
- (b) the amount of the payment; and
- (c) the date of the payment; and
- (d) sufficient information to identify the transaction.

Comment

The list of accounts for payment is a separate attachment to this agenda.

Strategic Implications

This item aligns with the community's vision and aspirations as contained in the Shire of Williams Strategic Community Plan 2017 to 2032. Specifically, it relates to the following strategy(s):

CL 2.2 Maintain accountability, transparency and financial responsibility

Financial Implications

As listed in the recommendation below.

Voting Requirements

Simple Majority

Officer's Recommendation

That Municipal Fund EFT, Bpay, Direct Debits and Cheques 104869 – 104871 totalling \$468,954.82 approved by the Chief Executive Officer during the month of February 2021 be endorsed.

Council Resolution

Major/Harding

That Municipal Fund EFT, Bpay, Direct Debits and Cheques 104869 – 104871 totalling \$468,954.82 approved by the Chief Executive Officer during the month of February 2021 be endorsed.

**Carried 8/0
Resolution 82/21**

SHIRE OF WILLIAMS PAYMENT LISTING FOR THE MONTH ENDING 28 FEBRUARY 2021

DATE	NAME	DESCRIPTION	AMOUNT
MUNICIPAL - EFT, BPAY, DIRECT DEBIT & CHEQUES			
03/02/2021	WA SUPER	Superannuation January 2021	\$ 16,567.98
03/02/2021	BABIC, PAUL.	11548 - Refurbishment (Aged Unit)	\$ 14,400.00
03/02/2021	LOGIE, BRITT E. (EFT)	Reimbursement - Umbrellas for Pool	\$ 178.00
04/02/2021	BUILDING AND ENERGY (EFT)	BSL collection - January 2021	\$ 172.21
09/02/2021	BITUTEK PTY LTD (EFT)	11706 - Re-seal (Rural Roads)	\$ 155,453.07
09/02/2021	CHAMDEN FARMING	11904 - Concrete to Roundabout	\$ 2,523.40
09/02/2021	GS & B MADEJ BRICKLAYING	11905 - Concrete Roundabout (Brooking St)	\$ 2,508.00
09/02/2021	LG PROFESSIONALS WA	11758 - Finance Conference	\$ 240.00
10/02/2021	SHIRE OF WILLIAMS	Salaries & Wages PE 10 February 2021	\$ 43,914.94
11/02/2021	FDC EDUCATORS	FDC Educators PE 07 February 2021	\$ 13,006.33
22/02/2021	BOND ADMINISTRATOR	Pet Bond - Unit 3 New Street	\$ 100.00
24/02/2021	FDC EDUCATORS	FDC Educators PE 21 February 2021	\$ 18,767.35
24/02/2021	ABM LANDSCAPING	11743 - Brick Paving (Brooking St)	\$ 28,569.20
24/02/2021	AMPAC DEBT RECOVERY	Debt Recovery Costs - Childcare	\$ 77.00
24/02/2021	AVON WASTE	11015 - Monthly Refuse Charges January 2021	\$ 9,153.91
24/02/2021	BABIC, PAUL.	Door Repairs (Residential)	\$ 71.50
24/02/2021	BCITF	BCITF Levy - January 2021	\$ 167.75
24/02/2021	BELVEDERE NURSERY (EFT)	11733 - Garden Mix	\$ 200.00
24/02/2021	BEST OFFICE SYSTEMS	11561 - Monthly Printing/Copying Charges	\$ 233.00
24/02/2021	BIN BOMB PTY LTD	11917 - Bin Deodoriser	\$ 195.86
24/02/2021	BOC Ltd (EFT)	11566 - January 2021 Container Service Fee	\$ 42.75
24/02/2021	BOYA EQUIPMENT (EFT)	11814 - Parts (Skid Steer)	\$ 140.70
24/02/2021	BP TRUST (EFT)	Fuel - January 2021	\$ 274.46
24/02/2021	BP TRUST (EFT)	11886 - Food Van (Australia Day)	\$ 1,210.00
24/02/2021	CANNON HYGIENE	11887 - Hygiene Service (29/3/21-28/9/21)	\$ 655.61
24/02/2021	CHATTERBOX COFFEE ROASTERS.	11873 - Refreshments (Australia Day)	\$ 1,150.00
24/02/2021	CONTRACT AQUATIC SERVICES	11713 a.o. -Swimming Pool Management January 2021	\$ 16,104.00
24/02/2021	CORSIGN (EFT)	11858 - Portable Barrier	\$ 869.00
24/02/2021	CR B PANIZZA	Reimbursement for Expenses (Australia Day)	\$ 42.00
24/02/2021	DFES (EFT)	ESL Quarterly	\$ 17,325.47
24/02/2021	DM READ	11875 - Coffee Van (Australia Day)	\$ 675.00
24/02/2021	DORMAKABA AUSTRALIA PTY LTD	Automatic Doors Serviced (x2)	\$ 253.00
24/02/2021	DUFF ELECTRICAL CONTRACTING	11545, 11865 - Electrical Works (Various)	\$ 546.28
24/02/2021	GALLOWAY ENGINE RECONDITIONING	11378 - Engine Rebuild (Backhoe)	\$ 16,047.00
24/02/2021	GLAZE & GRIND CAFE	11874, 11742 - Refreshments (Aust. Day, Council Mtg)	\$ 1,036.00
24/02/2021	GOODYEAR DUNLOP TYRES P/L BEAUREPAIRES)	11911 - New Tyres (Tip-Truck)	\$ 841.50
24/02/2021	GREAT SOUTHERN FUELS (EFT)	11919 - Bulk Fuel	\$ 12,626.08
24/02/2021	HARMONY SOFTWARE	Educators' Software Fees, Month of January 2021	\$ 231.00
24/02/2021	LANDGATE (EFT)	Valuation Expenses	\$ 154.66
24/02/2021	LOCAL GOVERNMENT SUPERVISORS ASSOC	11913 - LG Works Association Membership	\$ 99.99
24/02/2021	LOVEGROVE TURF SERVICES PTY LTD	11684 - Hockey Oval Renovation	\$ 4,949.90
24/02/2021	M & J DYKE PTY LTD	11809 - Parts (Grader)	\$ 395.25
24/02/2021	McINTOSH & SON (EFT)	11815 - Parts (Various)	\$ 981.53
24/02/2021	MELCHIORRE PLUMBING & GAS	11549, 11547 - Repairs to Public Conveniences	\$ 283.80
24/02/2021	MOORE AUSTRALIA (WA) PTY LTD	11759 - Staff Training (Budget Workshop)	\$ 990.00
24/02/2021	NARROGIN HIRE SERVICE (EFT)	11808 - Reticulation Controllers (x2)	\$ 436.00
24/02/2021	NARROGIN TOYOTA (EFT)	10,000km Service (Toyota Ute)	\$ 352.83
24/02/2021	PRIME AG SERVICES - WILLIAMS (EFT)	Herbicides (Caltrop)	\$ 233.00
24/02/2021	SHIRE OF WAGIN (EFT)	EHO Expenses 22/1/2021 - 4/2/2021	\$ 1,515.75
24/02/2021	STANLEE HOSPITALITY SUPPLIES	11951 - Cutlery (RSL Kitchen)	\$ 236.72
24/02/2021	THE WEST AUSTRALIAN (EFT)	11746 - Advertising (Electors' Meeting)	\$ 172.80
24/02/2021	THE WILLIAMS COMMUNITY NEWSPAPER. (EFT)	11597 - Photocopy Charges for Shire Notes	\$ 110.00
24/02/2021	THE WILLIAMS WOOL SHED. (EFT)	11878, 11884 - Refreshments (Aust. Day, Council Mtg)	\$ 935.00
24/02/2021	TOLL TRANSPORT PTY LTD	Freight - Various	\$ 150.83
24/02/2021	TOWN PLANNING INNOVATIONS	General Planning Advice for January 2021	\$ 61.88
24/02/2021	TRUCK CENTRE (WA) PTY LTD	11818 - Service (Volvo Prime Mover)	\$ 1,877.38
24/02/2021	VAN RYT INDUSTRIES	11869 - Replace Ropes in Lions Park Playground	\$ 3,613.50
24/02/2021	WA CONTRACT RANGER SERVICES	11559 - Ranger Services, January 2021	\$ 654.50
24/02/2021	WALLIS COMPUTER SOLUTIONS	11753, 11757 - IT Services (Various)	\$ 3,264.36
24/02/2021	WESTRAC (EFT)	11812, 11811, 11813 - Parts (CAT Graders)	\$ 1,892.90
24/02/2021	WILLIAMS DISTRICT CLUB (EFT)	Refreshments - Seniors' Lunch (December 2020)	\$ 250.00

SHIRE OF WILLIAMS PAYMENT LISTING FOR THE MONTH ENDING 28 FEBRUARY 2021

DATE	NAME	DESCRIPTION	AMOUNT
24/02/2021	WILLIAMS HOTEL - STRICKO'S (EFT)	11872 - Refreshments (Australia Day)	\$ 783.85
24/02/2021	WILLIAMS NEWSAGENCY	Refreshments (Australia Day), February Account	\$ 256.06
24/02/2021	WILLIAMS RURAL SUPPLIES	11910,11805,11806,11535 - January Hardware Account	\$ 2,895.28
24/02/2021	WILLIAMS RUSTIC GROCER	Monthly Refreshments & Consumables, January 2020	\$ 77.48
24/02/2021	WORKWEAR GROUP (EFT)	Staff Uniforms - Various	\$ 598.00
24/02/2021	SHIRE OF WILLIAMS	Salaries & Wages PE 24 February 2021	\$ 44,701.34
04/02/2021	SYNERGY	Electricity Consumption (Various)	\$ 2,075.05
04/02/2021	TELSTRA	Telephone Charges (Various)	\$ 428.46
18/02/2021	SYNERGY	Electricity to Streetlights, Month to 1/2/2021	\$ 2,701.45
18/02/2021	TELSTRA	Mobile Phone Services to 1/2/2021	\$ 333.50
24/02/2021	TELSTRA	WS Home Phone to 7/2/2021	\$ 59.79
01/02/2021	WESTNET	Monthly CEO Internet Charges, February 2021	\$ 54.99
03/02/2021	CBA	CBA - Merchant Fees Jan 2021	\$ 414.81
18/02/2021	ANZ CARDS	Monthly Credit Card Expenses x 3	\$ 389.08
09/02/2021	WILLIAMS LICENSED POST OFFICE	Postage & Stationery, January 2020	\$ 117.64
19/02/2021	DEPARTMENT OF COMMUNITIES	Childcare & FDC Annual Fees 2020/2021	\$ 602.55
24/02/2021	WATER CORPORATION.	Water Use & Supply - Housing & Parks	\$ 12,283.56
			\$ 468,954.82

8.3.2 Financial Statements

File Reference	4.23.15
Statutory Ref.	<i>Local Government (Financial Management) Regulations 1996</i>
Author & Date	Cara Ryan 10 March 2021
Attachments	Financial Statements ending 28 February 2021

Background

In accordance with the *Local Government Act 1995*, a statement of financial activity must be presented at an Ordinary Meeting of Council. This is required to be presented within two months, after the end of the month, to which the statement relates.

The statement of financial activity is to report on the revenue and expenditure as set out in the annual budget for the month, including explanations of any variances. *Regulation 34*, from the *Local Government (Financial Management) Regulations 1996* sets out the detail that is required to be included in the reports.

Statutory Implications

Local Government (Financial Management) Regulations 1996 - Regulation 34.

Comment

The attached monthly financial statements and supporting information have been compiled to meet compliance with the *Local Government Act 1995* and associated Regulations.

Strategic Implications

This item aligns with the community's vision and aspirations as contained in the Shire of Williams Strategic Community Plan 2017 to 2032. Specifically, it relates to the following strategy(s):

CL 2.2 Maintain accountability, transparency and financial responsibility

Financial Implications

As disclosed in the financial statements.

Voting Requirements

Simple Majority

Officer's Recommendation

That the financial statements presented for the period ending 28 February 2021 be received.

Council Resolution**Harding/Medlen**

That the financial statements presented for the period ending 28 February 2021 be received.

**Carried 8/0
Resolution 83/21**



SHIRE OF WILLIAMS

MONTHLY FINANCIAL REPORT For the Period Ended 28 February 2021

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

TABLE OF CONTENTS

Statement of Financial Activity by Program

Note 1	Net Current Assets
Note 2	Explanation of Material Variances
Note 3	Cash and Investments
Note 4	Receivables
Note 5	Rating Revenue
Note 6	Capital Details
Note 7	Borrowings
Note 8	Grants and Contributions
Note 9	Trust Fund
Note 10	Budget Amendments

Prepared by : Manager of Finance
Date prepared : All known transactions up to 9 March 2021

BASIS OF PREPARATION

REPORT PURPOSE

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

BASIS OF ACCOUNTING

This statement comprises a special purpose financial report which has been prepared in accordance with Australian Accounting Standards (as they apply to local governments and not-for-profit entities and to the extent they are not inconsistent with the Local Government Act 1995 and accompanying regulations), Australian Accounting Interpretations, other authoritative pronouncements of the Australian Accounting Standards Board, the Local Government Act 1995 and accompanying regulations. Accounting policies which have been adopted in the preparation of this financial report have been consistently applied unless stated otherwise.

Except for cash flow and rate setting information, the report has been prepared on the accrual basis and is based on historical costs, modified, where applicable, by the measurement at fair value of selected non-current assets, financial assets and liabilities.

THE LOCAL GOVERNMENT REPORTING ENTITY

All Funds through which the Council controls resources to carry on its functions have been included in this statement. In the process of reporting on the local government as a single unit, all transactions and balances between those funds (for example, loans and transfers between Funds) have been eliminated. All monies held in the Trust Fund are excluded from the statement, but a separate statement of those monies appears at Note 9.

SIGNIFICANT ACCOUNTING POLICIES

GOODS AND SERVICES TAX

Revenues, expenses and assets are recognised net of the amount of 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 receivable or payable. The net amount of GST recoverable from, or payable to, the ATO is included with receivables or payables in the statement of financial position. Cash flows are presented on a gross basis. The GST components of cash flows arising from investing or financing activities which are recoverable from, or payable to, the ATO are presented as operating cash flows.

CRITICAL ACCOUNTING ESTIMATES

The preparation of a financial report in conformity with Australian Accounting Standards requires management to make judgements, estimates and assumptions that effect the application of policies and reported amounts of assets and liabilities, income and expenses. The estimates and associated assumptions are based on historical experience and various other factors that are believed to be reasonable under the circumstances; the results of which form the basis of making the judgements about carrying values of assets and liabilities that are not readily apparent from other sources. Actual results may differ from these estimates.

ROUNDING OFF FIGURES

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

KEY TERMS AND DESCRIPTIONS FOR THE PERIOD ENDED 28 FEBRUARY 2021

STATUTORY REPORTING PROGRAMS

The Shire of Williams operations as disclosed in these financial statements encompass the following service orientated activities/programs.

PROGRAM NAME	OBJECTIVE	ACTIVITIES
GOVERNANCE	To provide a decision making process for the efficient allocation of scarce resources.	Administration and operation of facilities and services to members of Council. Other costs that relate to the tasks of assisting elected members and ratepayers on matters which do not concern specific Council services.
GENERAL PURPOSE FUNDING	To collect revenue to allow for the provision of services.	Rates, general purpose government grants and interest revenue.
LAW, ORDER, PUBLIC SAFETY	To provide services to help ensure a safer community.	Supervision and enforcement of local laws, fire prevention and suppression activities and animal control.
HEALTH	To provide an operational framework for good community health.	Health inspection and advisory services, analytical services, mosquito control, collection agent for Williams St John Ambulance subscriptions and assist with providing medical services.
EDUCATION AND WELFARE	To provide a framework that enables community needs in these areas are met.	Provision and maintenance of premises for the Williams Community Resource Centre and Willi Wagtails Childcare Centre. Provide administration services for the Childcare centre.
HOUSING	To help ensure the availability of adequate housing for the community needs.	Management, administration and maintenance of Williams Community Homes, Sandalwood Court, Wandoo Cottages, Jamtree Lane Units and New Street units.
COMMUNITY AMENITIES	Provision of amenities required by the community.	Refuse management, protection of the environment, maintenance of cemeteries and public conveniences.
RECREATION AND CULTURE	To establish and manage efficiently all infrastructure and resources which will meet the recreational and cultural needs of the community.	Maintenance of halls, recreational facilities and reserves. Operation of Library and compilation and maintenance of local heritage register.
TRANSPORT	To provide safe, effective and efficient transport services to the community.	Construction and maintenance of streets, roads, bridges and drainage. Cleaning and lighting of streets, depot maintenance and on-line agent for Department of Transport.
ECONOMIC SERVICES	Promotion of Williams and improvement of economic wellbeing of the district and its inhabitants.	Tourism services, area promotion, implementation of buildings controls, provision of standpipe water, maintenance and management of Williams Stud Breeders pavilion.
OTHER PROPERTY AND SERVICES	Efficient utilisation of Council resources, plant repairs and operations, management of Williams Town Planning Scheme.	Provision of private works to public, maintenance of Council plant, approvals and monitoring of town planning activities.

**STATEMENT OF BUDGET REVIEW
FOR THE PERIOD ENDED 28 FEBRUARY 2021**

	Note	Adopted Budget (d)	Amended YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)	Var. % (b)-(a)/(a)	Var.
		\$	\$	\$	\$	%	
OPENING FUNDING SURPLUS (DEFICIT)	1(b)	392,035	392,035	386,912	(5,123)	(1%)	
Revenue from operating activities							
Governance		19,949	13,699	13,117	(582)	(4%)	
General Purpose Funding - Rates	5	1,966,047	1,966,047	1,966,737	690	0%	
General Purpose Funding - Other		242,571	182,672	189,197	6,526	4%	
Law, Order and Public Safety		48,708	21,137	29,169	8,032	38%	▲
Health		400	267	773	506	190%	
Education and Welfare		332,801	202,501	231,322	28,822	14%	▲
Housing		243,611	138,935	138,533	(402)	(0%)	
Community Amenities		199,852	123,022	133,646	10,624	9%	▲
Recreation and Culture		44,474	49,066	37,222	(11,844)	(24%)	▼
Transport		111,690	86,440	102,401	15,961	18%	▲
Economic Services		115,154	86,728	103,895	17,167	20%	▲
Other Property and Services		64,230	43,487	60,088	16,602	38%	▲
		3,389,487	2,913,999	3,006,100	92,101		
Expenditure from operating activities							
Governance		(205,370)	(125,134)	(119,472)	5,663	5%	
General Purpose Funding		(90,051)	(57,734)	(56,310)	1,424	2%	
Law, Order and Public Safety		(107,247)	(81,378)	(86,189)	(4,811)	(6%)	
Health		(61,302)	(40,868)	(35,014)	5,854	14%	▲
Education and Welfare		(353,525)	(234,992)	(216,414)	18,578	8%	▲
Housing		(194,893)	(142,042)	(130,135)	11,907	8%	▲
Community Amenities		(307,745)	(192,717)	(192,303)	414	0%	
Recreation and Culture		(770,025)	(515,232)	(551,212)	(35,980)	(7%)	▼
Transport		(1,598,367)	(1,071,672)	(1,032,328)	39,344	4%	
Economic Services		(176,976)	(121,097)	(116,017)	5,080	4%	
Other Property and Services		(108,977)	(134,253)	(132,290)	1,963	1%	
		(3,974,478)	(2,717,120)	(2,667,685)	49,435		
Non-Cash Amounts excluded from operating activities							
Add back Depreciation		1,267,984	845,324	842,723	(2,601)	(0%)	
Adjust (Profit)/Loss on Asset Disposal	6	0	0	(15,273)	(15,273)		▼
Adjust Provisions and Accruals		5,144	0	52	52		
Amount attributable to operating activities		688,137	1,042,203	1,165,917	123,714		
Investing Activities							
Grants, Subsidies and Contributions	8	826,022	327,945	327,945	(0)	(0%)	
Proceeds from Disposal of Assets	6	52,000	52,000	67,273	15,273	29%	▲
Proceeds from Self Supporting Loans		15,966	15,966	15,966	0	0%	
Capital Acquisitions	6	(2,121,014)	(1,442,023)	(1,411,955)	30,068	2%	
Amount attributable to investing activities		(1,227,026)	(1,046,112)	(1,000,772)	45,340		
Financing Activities							
Proceeds from New Borrowings		100,000	0	0	0		
Transfer from Reserves	3	240,856	0	0	0		
Repayment of Debentures		(102,462)	(58,803)	(58,803)	0	0%	
Transfer to Reserves	3	(91,540)	(3,569)	(2,533)	1,036	29%	▲
Amount attributable to financing activities		146,854	(62,372)	(61,336)	1,036		
NET OPERATIONS, CAPITAL, FINANCING		(392,035)	(66,281)	103,809	170,090		
CLOSING FUNDING SURPLUS (DEFICIT)	1(b)	0	325,754	490,721	164,967		

KEY INFORMATION

▲▼ Indicates a variance between Year to Date (YTD) Budget and YTD Actual data as per the adopted materiality threshold. Refer Note 2 for an explanation of the reasons for the variance.
The material variance adopted by Council for the 2020/21 year is \$5,000 or 5% whichever is the greater.
This statement is to be read in conjunction with the accompanying Financial Statements and notes.

SIGNIFICANT ACCOUNTING POLICIES

CURRENT AND NON-CURRENT CLASSIFICATION

In the determination of whether an asset or liability is current or non-current, consideration is given to the time when each asset or liability is expected to be settled. The asset or liability is classified as current if it is expected to be settled within the next 12 months, being the Council's operational cycle. In the case of liabilities where Council does not have the unconditional right to defer settlement beyond 12 months, such as vested long service leave, the liability is classified as current even if not expected to be settled within the next 12 months. Inventories held for trading are classified as current even if not expected to be realised in the next 12 months except for land held for resale where it is held as non current based on Council's intentions to release for sale.

EMPLOYEE BENEFITS

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

(i) Wages, Salaries, Annual Leave and Long Service Leave
(Short-term Benefits)

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

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

The liability for long service leave is recognised in the provision for employee benefits and measured as the present value of expected future payments to be made in respect of services provided by employees up to the reporting date using the project unit credit method. Consideration is given to expected future wage and salary levels, experience of employee departures and periods of service. Expected future payments are discounted using market yields at the reporting date on national government bonds with terms to maturity and currency that match as closely as possible, the estimated future cash outflows. Where the Shire does not have the unconditional right to defer settlement beyond 12 months, the liability is recognised as a current liability.

PROVISIONS

Provisions are recognised when: The council 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.

INVENTORIES

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

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 28 FEBRUARY 2021**

**OPERATING ACTIVITIES
NOTE 1(b)
ADJUSTED NET CURRENT ASSETS**

	Note	Year to Date Actual 28 Feb 2021	This Time Last Year 29 Feb 2020	This Years Opening 1 July 2020
		\$	\$	\$
Current Assets				
Cash Unrestricted	3	958,698	800,497	854,072
Cash Restricted	3	767,390	966,393	764,857
Receivables - Rates	4	171,571	176,723	21,700
Receivables -Other	4	56,865	131,951	78,744
Accrued Revenue		0	2,085	3,608
Loans Receivable - clubs	7	0	0	15,966
Inventories		36,843	21,355	27,564
		1,991,367	2,099,005	1,766,511
Less: Current Liabilities				
Payables		(199,707)	(110,188)	(213,981)
Contract Liabilities	8	(197,674)	(3,373)	(48,870)
Provisions		(356,517)	(325,680)	(356,517)
Long Term Borrowings	7	(43,659)	(42,033)	(102,462)
		(797,557)	(481,274)	(721,830)
Adjustments and exclusions permitted by FM Reg 32				
Less: Cash Reserves	3	(767,390)	(966,393)	(764,857)
Less: Loans Receivables	7	0	0	(15,966)
Add: Leave Entitlements Cash Backed		20,643	15,556	20,591
Add: Long Term Borrowings	7	43,659	42,033	102,462
Adjusted Net Current Assets		490,721	708,926	386,911

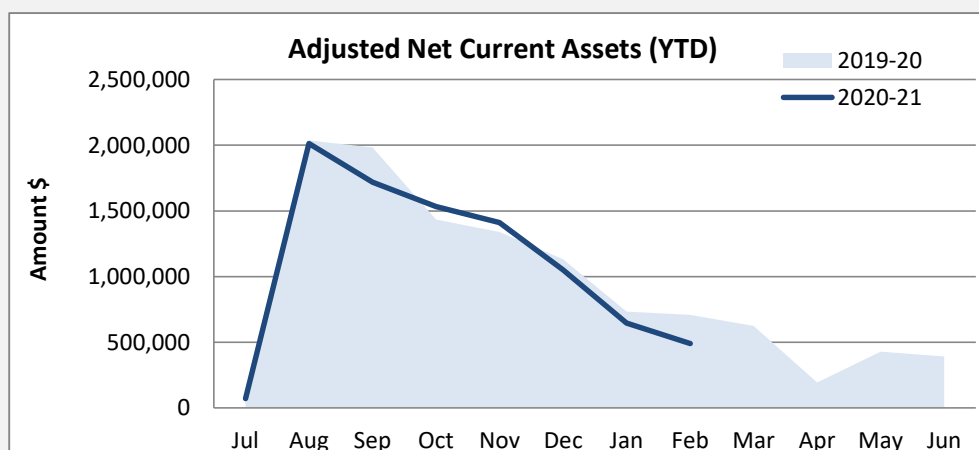
SIGNIFICANT ACCOUNTING POLICIES

Please see Note 1 (a) for information on significant accounting policies relating to Net Current Assets.

KEY INFORMATION

The amount of the adjusted net current assets at the end of the period represents the actual surplus (or deficit if the figure is negative) as presented on the Rate Setting statement.

This Year YTD	Last Year YTD
Surplus (Deficit)	Surplus(Deficit)
\$490,721	\$708,926



**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 28 FEBRUARY 2021**

**NOTE 2
EXPLANATION OF MATERIAL VARIANCES**

The material variance thresholds are adopted annually by Council as an indicator of whether the actual expenditure or revenue varies from the year to date budget materially.

The material variance adopted by Council for the 2020/21 year is \$5,000 or 5% whichever is the greater.

Reporting Program	Var. \$	Var. %	Var.	Timing/ Permanent	Explanation of Variance
Operating Revenues	\$	%			
Governance	(582)	(4%)			
General Purpose Funding - Rates	690	0%			
General Purpose Funding - Other	6,526	4%			
Law, Order and Public Safety	8,032	38%	▲	Permanent	Road Safety Grant \$4,159, received not budgeted for. Reimbursement from DFES Truck Repairs - \$2,850.
Health	506	190%			
Education and Welfare	28,822	14%	▲	Timing	Childcare income exceeding budget expectations.
Housing	(402)	(0%)			
Community Amenities	10,624	9%	▲	Timing	Income for Refuse Site Fees above budget estimate.
Recreation and Culture	(11,844)	(24%)	▼	Permanent	Mowing of Golf Club generated \$5,000 more in income.
Transport	15,961	18%	▲	Permanent	Profit on "trade in" of Giga Truck.
Economic Services	17,167	20%	▲	Permanent	Building permits and sale of water exceeding budget estimates.
Other Property and Services	16,602	38%	▲	Permanent	Paid Parental Leave reimbursements not budgeted for.
Operating Expense					
Governance	5,663	5%			
General Purpose Funding	1,424	2%			
Law, Order and Public Safety	(4,811)	(6%)	▼	Timing	Over by \$5,000 on "Other Fire Control" due to Shire Staff and Equipment attendance to fires.
Health	5,854	14%	▲	Timing	Mosquito Control expenses may still occur.
Education and Welfare	18,578	8%	▲	Permanent	Allocation for purchase of photocopier has now been purchased directly by "The Williams" newspaper.
Housing	11,907	8%	▲	Permanent	Change in depreciation due to re-allocation to correct program
Community Amenities	414	0%			
Recreation and Culture	(35,980)	(7%)	▼	Permanent	Change in depreciation due to re-allocation to correct program
Transport	39,344	4%			
Economic Services	5,080	4%			
Other Property and Services	1,963	1%			
Investing Activities					
Grants, Subsidies and Contributions	(0)	(0%)			
Proceeds from Disposal of Assets	15,273	29%	▲	Permanent	Trade In of Giga Truck more than budget estimate.
Capital Expenses	30,068	2%	▼	Permanent	Overbudget Gravel Sheeting Culbin-Boranning Rd.
			▲	Permanent	Underbudget Gravel Sheeting English Rd
			▲	Permanent	Purchase of new Truck less than budgeted.

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 28 FEBRUARY 2021**

**OPERATING ACTIVITIES
NOTE 3
CASH AND INVESTMENTS**

CASH AND INVESTMENTS

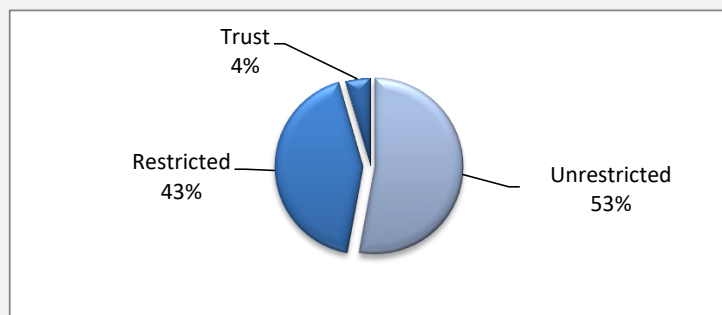
	Unrestricted	Restricted	Trust	Total YTD Actual	Institution	Interest Rate	Maturity Date
	\$	\$	\$	\$			
Cash on Hand							
Petty Cash & Floats	600			600		0.00%	On Hand
Cash Deposits							
Municipal Bank Account	146,237			146,237	ANZ	0.00%	At Call
Municipal Cash Investment	118			118	ANZ	0.05%	At Call
Trust Bank Account			80,008	80,008	ANZ	0.00%	At Call
Term Deposits							
Reserves		767,390		767,390	ANZ	0.25%	24-Apr-21
Treasury							
Overnight Cash Deposit	803,910			803,910	Treasury	0.05%	Overnight
Total	950,865	767,390	80,008	1,798,263			

SIGNIFICANT ACCOUNTING POLICIES

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

KEY INFORMATION

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



Total Cash	Unrestricted
\$1.8 M	\$.95 M

CASH BACKED RESERVES

Reserve Name	Opening Balance	Budget Interest Earned	Actual Interest Earned	Budget Transfers In (+)	Actual Transfers In (+)	Budget Transfers Out (-)	Actual Transfers Out (-)	Budget Closing Balance	Actual YTD Closing Balance
	\$	\$	\$	\$	\$	\$	\$	\$	\$
Long Service Leave Reserve	20,591	144	52	5,000	0	0	0	25,735	20,643
Plant Reserve	179,117	1,254	782	40,000	0	(109,108)	0	111,263	179,899
Building Reserve	291,381	2,040	833	20,000	0	(90,000)	0	223,421	292,214
Joint Venture Housing Reserve	105,128	736	308	10,000	0	0	0	115,864	105,436
Recreation Facilities Reserve	122,825	860	407	10,000	0	(41,748)	0	91,937	123,232
Art Acquisition Reserve	8,783	61	29	0	0	0	0	8,844	8,812
Refuse Site Reserve	24,196	169	80	0	0	0	0	24,365	24,276
Community Chest Reserve	12,835	90	43	1,186	0	0	0	14,111	12,878
	764,856	5,354	2,533	86,186	0	(240,856)	0	615,540	767,389

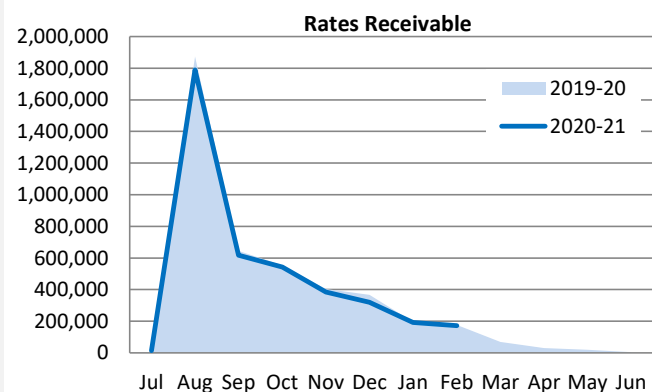
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 28 FEBRUARY 2021**

**OPERATING ACTIVITIES
NOTE 4
RECEIVABLES**

Receivables - Rates Receivable	28 Feb 2021	30 June 2020
	\$	\$
Opening Arrears Previous Years	21,700	25,034
Rates - Levied this year	1,928,057	1,889,254
Rubbish - Levied this year	158,852	155,506
ESL - Levied this year	57,920	57,547
<u>Less</u> Collections to date	(1,994,958)	(2,105,641)
Net Rates Collectable	171,571	21,700
% Collected	92.08%	98.98%

KEY INFORMATION

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



Collected

92%

Rates Due

\$171,571

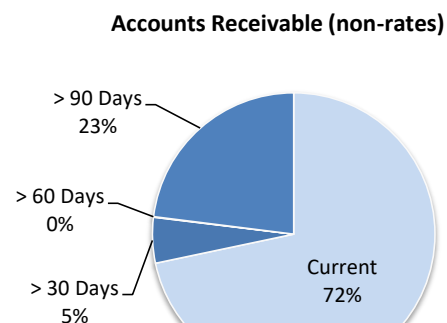
Receivables - General	Current	> 30 Days	> 60 Days	> 90 Days
	\$	\$	\$	\$
Receivables - General	40,769	2,970	35	13,091
Percentage	71.69%	5.22%	0.06%	23.02%

Total Receivables General Outstanding **56,865**

Amounts shown above include GST (where applicable)

SIGNIFICANT ACCOUNTING POLICIES

Trade and other receivables include amounts due from ratepayers for unpaid rates and service charges and other amounts due from third parties for goods sold and services performed in the ordinary course of business. Receivables expected to be collected within 12 months of the end of the reporting period are classified as current assets. All other receivables are classified as non-current assets. Collectability of trade and other receivables is reviewed on an ongoing basis. Debts that are known to be uncollectible are written off when identified. An allowance for doubtful debts is raised when there is objective evidence that they will not be collectible.



Debtors Due

\$56,865

Over 30 Days

28.31%

Over 90 Days

23.02%

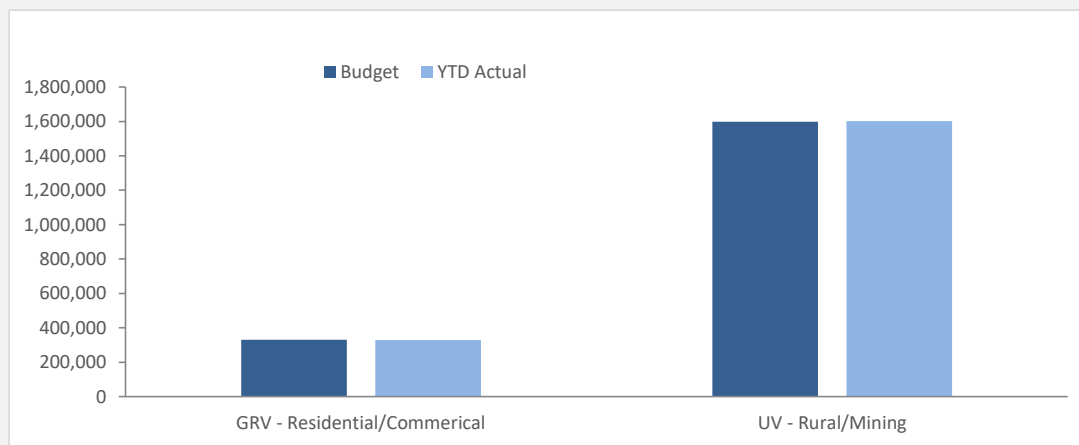
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 28 FEBRUARY 2021**

**OPERATING ACTIVITIES
NOTE 5
RATE REVENUE**

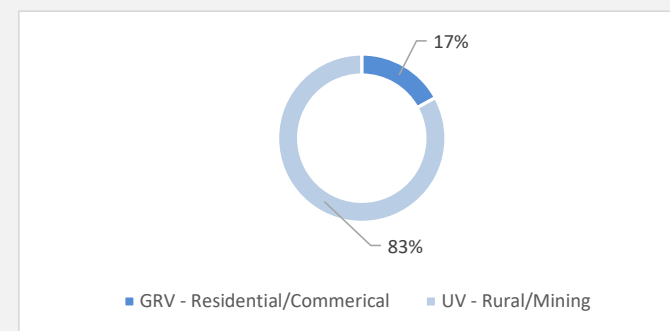
General Rate Revenue	Budget						YTD Actual				
	Rate in	Number of Properties	Rateable Value	Rate Revenue	Interim Rate	Back Rate	Total Revenue	Rate Revenue	Interim Rates	Back Rates	Total Revenue
RATE TYPE	\$			\$	\$	\$	\$	\$	\$	\$	\$
General Rate											
GRV - Residential/Commerical	0.074721	168	2,861,590	213,821	0	0	213,821	214,101	818	0	214,919
UV - Rural/Mining	0.006731	240	225,098,000	1,515,135	0	0	1,515,135	1,515,960	1,492	0	1,517,452
Minimum Payment	Minimum \$										
GRV - Residential/Commercial	734	159	722,845	116,706	0	0	116,706	113,036	0	0	113,036
UV - Rural/Mining	944	89	7,885,851	84,016	0	0	84,016	84,960	0	0	84,960
Sub-Totals		656	236,568,286	1,929,678	0	0	1,929,678	1,928,057	2,310	0	1,930,367
Amount from General Rates							1,929,678				1,930,367
Ex-Gratia Rates							36,370				36,370
Total General Rates							1,966,048				1,966,737

SIGNIFICANT ACCOUNTING POLICIES

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



General Rates		
Budget	YTD Actual	%
\$1.93 M	\$1.93 M	100%



**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 28 FEBRUARY 2021**

**INVESTING ACTIVITIES
NOTE 6
CAPITAL DETAILS**

Capital Acquisitions	Annual Budget	YTD Budget	YTD Actual Total	YTD Budget Variance
	\$	\$	\$	\$
Land & Buildings	244,887	53,000	52,780	220
Plant & Equipment	564,500	564,500	534,280	30,220
Furniture & Equipment	0	0	0	0
Infrastructure - Roads	1,138,333	776,277	777,576	(1,299)
Parks, Gardens, Recreation Facilities	173,294	48,246	47,319	927
Capital Expenditure Totals	2,121,014	1,442,023	1,411,955	30,068

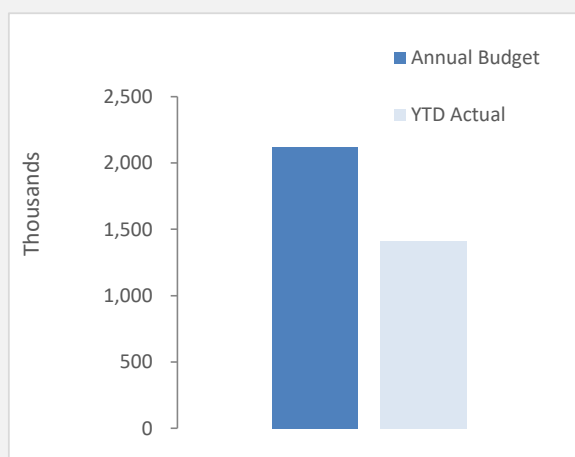
Capital Acquisitions Funded By:

	\$	\$	\$	\$
Capital grants and contributions	826,022	327,945	327,945	0
Borrowings	100,000	0	0	0
Other (Disposals & C/Fwd)	52,000	22,000	67,273	45,273
Cash Backed Reserves				0
Plant Replacement Reserve	109,108	0	0	0
Building Reserve	90,000	0	0	0
Recreation Facilities Reserve	41,748	0	0	0
Refuse Site Reserve	0	0	0	0
Contribution - operations	902,136	1,092,078	1,016,738	(75,341)
Capital Funding Total	2,121,014	1,442,023	1,411,955	(30,068)

SIGNIFICANT ACCOUNTING POLICIES

All assets are initially recognised at cost. 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 local government includes the cost of all materials used in the construction, direct labour on the project and an appropriate proportion of variable and fixed overhead. Certain asset classes may be revalued on a regular basis such that the carrying values are not materially different from fair value. Assets carried at fair value are to be revalued with sufficient regularity to ensure the carrying amount does not differ materially from that determined using fair value at reporting date.

KEY INFORMATION



Acquisitions	Annual Budget	YTD Actual	% Spent
	\$2.12 M	\$1.41 M	67%
Capital Grant	Annual Budget	YTD Actual	% Received
	\$.83 M	\$.33 M	40%

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 28 FEBRUARY 2021

INVESTING ACTIVITIES
NOTE 6
CAPITAL DETAILS (Continued)

CAPITAL DISPOSALS

Asset Description	Budget			YTD Actual		
	Net Book Value	Proceeds	Profit / (Loss)	Net Book Value	Proceeds	Profit / (Loss)
	\$		\$			
Holden Colorado Ute - WL19	22,000	22,000	0	22,000	20,000	(2,000)
Isuzu Giga Tip Truck - WL128	30,000	30,000	0	30,000	47,273	17,273
	52,000	52,000	0	52,000	67,273	15,273

CAPITAL ACQUISITIONS

% of Completion	Infrastructure Assets	Annual Budget	Amended YTD Budget	YTD Actual	Variance (Under)/Over
20%	Refurbishment - 1 x Single Person Unit - New Street	33,129	13,000	13,416	(416)
-	Single Person Units - Carport	22,558	0	0	0
5%	Mens Shed	149,200	40,000	39,363	637
-	Childcare Flooring	40,000	0	0	0
	Land & Buildings Total	244,887	53,000	52,780	220
100%	4x4 Dual Cab Ute - WL19	40,000	40,000	45,362	(5,362)
100%	Multi-Tyre Road Roller - WL49	175,000	175,000	164,680	10,320
100%	Mini Excavator 5-6 Tonne	77,000	77,000	76,380	620
100%	Kuboto Heavy Duty Slasher	0	0	5,840	(5,840)
100%	Tandem Drive Truck - WL128	248,000	248,000	217,518	30,482
100%	Variable Message Sign	24,500	24,500	24,500	0
	Plant & Equipment Total	564,500	564,500	534,280	30,220
90%	PROJECT GRANT - Williams Darkan Rd - Reseal	103,950	95,000	95,801	(801)
60%	PROJECT GRANT - Quindanning Darkan - Seal	315,540	173,000	172,837	163
90%	RTR - York Williams Road - Reseal	69,319	56,000	56,136	(136)
25%	RTR - Clayton Road - Seal Widening	77,399	35,000	35,511	(511)
40%	RTR - Wangeling Gully Rd - Gravel Sheeting	49,654	19,000	19,123	(123)
100%	COUNCIL FUNDED - Brooking Street	290,000	290,000	303,246	(13,246)
-	LRCI GRANT - Brooking Street	36,000	0	292	(292)
100%	COUNCIL FUNDED - English Rd - Gravel Sheeting	30,399	30,399	6,121	24,278
100%	COUNCIL FUNDED - Culbin Boranning - Gravel Sheeting	47,681	47,681	69,738	(22,057)
-	COUNCIL FUNDED - Petchell Rd - Seal	14,155	0	0	0
-	LRCI GRANT - Marradong Rd - Stablising Pavement	52,075	0	0	0
-	COUNCIL FUNDED - Carne/Narrakine Rd - Tree Clearing	22,034	70	72	(2)
100%	COUNCIL FUNDED - Townsite Drainage	30,127	30,127	18,699	11,428
	Roads Total	1,138,333	776,277	777,576	(1,299)
100%	Lions Park Carpark & Landscaping	13,392	13,392	12,609	783
-	Town Hall Park - redevelopment	100,150	0	0	0
5%	Cemetery Improvements - Marling	15,939	10,900	10,900	0
50%	Shade Sale - Lions Park	5,556	3,500	3,356	144
50%	Eagles Sculpture	20,454	20,454	20,455	(1)
-	Water Tank - Glenfield Fire Shed	17,803	0	0	0
	Infrastructure - Other Total	173,294	48,246	47,319	927
	Capital Expenditure Total	2,121,014	1,442,023	1,411,955	30,068

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 28 FEBRUARY 2021**

**FINANCING ACTIVITIES
NOTE 7
BORROWINGS**

Information on Borrowings	Principal 30 June 20	New Loans		Principal Repayments		Principal Outstanding		Interest Repayments	
		Actual	Annual Budget	Actual	Annual Budget	Actual	Annual Budget	Actual	Annual Budget
Particulars	\$	\$	\$	\$	\$	\$	\$	\$	\$
Recreation and Culture									
Loan #71 Mens Shed	0	0	100,000	0	0	0	100,000	0	0
Transport									
Loan #67 Grader	61,117	0	0	20,028	40,398	41,089	20,719	1,045	1,748
Other Property and Services									
Loan #65 Industrial Land	184,772	0	0	5,925	12,039	178,847	172,733	5,885	11,581
Loan #66 Industrial Land	140,546	0	0	6,104	12,336	134,442	128,210	2,930	5,733
Loan #70 Industrial Shed	193,460	0	0	10,780	21,723	182,680	171,737	2,921	5,679
	579,895	0	100,000	42,837	86,496	537,058	593,399	12,782	24,741
Self supporting loans									
Recreation and Culture									
Loan #69 Williams Bowling Club	122,989	0	0	15,966	15,966	107,023	107,023	3,749	3,749
	122,989	0	0	15,966	15,966	107,023	107,023	3,749	3,749
Total	702,884	0	100,000	58,803	102,462	644,081	700,422	16,531	28,490

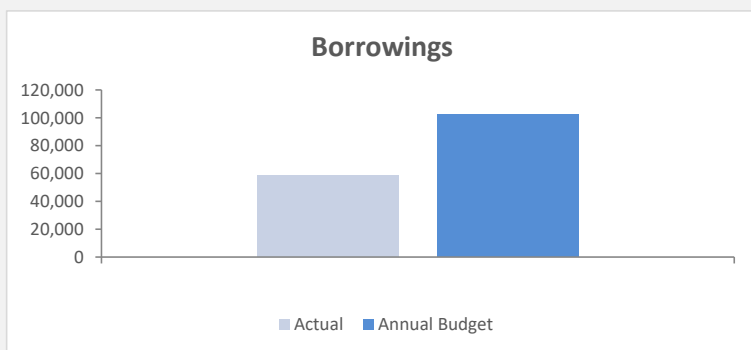
All debenture repayments are financed by general purpose revenue.

SIGNIFICANT ACCOUNTING POLICIES

All loans and borrowings are initially recognised at the fair value of the consideration received less directly attributable transaction costs. After initial recognition, interest-bearing loans and borrowings are subsequently measured at amortised cost using the effective interest method. Fees paid on the establishment of loan facilities that are yield related are included as part of the carrying amount of the loans and borrowings.

KEY INFORMATION

All loans and borrowings are initially recognised at the fair value of the consideration received less directly attributable transaction costs. After initial recognition, interest-bearing loans and borrowings are subsequently measured at amortised cost using the effective interest method. Fees paid on the establishment of loan facilities that are yield related are included as part of the carrying amount of the loans and borrowings.



Principal Repayments
\$58,803

Interest Earned
\$3,267

Interest Expense
\$16,531

Reserves Bal
\$767,389

Loans Due
\$644,081

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 28 FEBRUARY 2021

NOTE 8
GRANTS & CONTRIBUTIONS

Program/Details	Unspent Grants, Subsidies and Contributions Liability				2020-21 Budget	Variations Additions (Deletions)	Operating	Non Operating	YTD Revenue	Not Received
	Liability 1-Jul	Increase Liability	Decrease (as Revenue)	Current Liability 28-Feb						
Governance					\$	\$	\$	\$	\$	\$
Thank a Volunteer Grant	0	1,000	0	1,000	0	1,000	1,000	0	0	1,000
National Australia Day	0	1,000	(1,000)	0	0	1,000	1,000	0	1,000	0
National Australia Day	0	18,449	(12,117)	6,332	0	18,449	18,449	0	12,117	6,332
GENERAL PURPOSE FUNDING										
Equalisation Grant	0	0	0	0	82,095	0	82,095	0	68,318	13,778
Local Road Grant	0	0	0	0	136,897	0	136,897	0	104,555	32,342
LAW, ORDER, PUBLIC SAFETY										
ESL Administration Grant	0	0	0	0	4,000	0	4,000	0	4,000	0
ESL Maintenance Grant	0	0	0	0	23,205	0	23,205	0	15,470	7,735
Depart. Of Infrastructure	20,000	0	(20,000)	0	20,000	0	0	20,000	20,000	0
WA Police Road Safety Commission	0	4,159	(4,159)	0	0	4,159	4,159	0	4,159	0
DFES - Water Tank	0	0	0	0	0	17,803	17,803	0	0	17,803
EDUCATION & WELFARE										
Federal Sustainability Grant	0	0	0	0	43,000	0	43,000	0	21,500	21,500
The Williams - Photocopy	0	0	0	0	18,000	(18,000)	0	0	0	0
HOUSING										
NRAS - Contribution	0	0	0	0	55,961	0	55,961	0	14,060	41,901
COMMUNITY AMENITIES										
PHCC - Contribution to NRM Officer	0	0	0	0	1,100	0	1,100	0	0	1,100
PHCC - Feral Pig Eradication Project	0	18,449	0	18,449	0	18,449	18,449	0	0	18,449
RECREATION AND CULTURE										
(MAF RfR) 2019-20 Round 1	9,200	0	0	9,200	9,200	0	0	9,200	0	9,200
South 32	5,000	0	0	5,000	5,000	0	0	5,000	0	5,000
Mens Shed Contribution	0	0	0	0	40,000	0	0	40,000	0	40,000
Public Open Space Contribution	0	0	0	0	20,000	0	0	20,000	0	20,000
Contribution to Eagle	0	0	0	0	0	20,454	0	20,454	15,000	5,454
TRANSPORT										
Direct Grant	0	0	0	0	75,740	0	75,740	0	75,740	0
Road Project Grant	0	223,728	(170,665)	53,063	282,327	0	0	282,327	142,945	139,382
Local Roads and Community Projects	0	116,465	(85,000)	31,465	232,929	0	0	232,929	85,000	147,929
Roads to Recovery	0	0	0	0	196,112	0	0	196,112	65,000	131,112
Street Lighting Subsidy	0	0	0	0	5,700	0	5,700	0	0	5,700
TOTALS	34,200	383,250	(292,941)	124,509	1,251,266	63,314	488,558	826,022	648,863	665,717

KEY INFORMATION

Operating	Annual Budget	YTD Actual	% Received
	\$.43 M	\$.3 M	71%
Non- Operating	Annual Budget	YTD Actual	% Received
	\$.72 M	\$.29 M	41%

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 28 FEBRUARY 2021**

**NOTE 9
TRUST FUND**

Funds held at balance date over which the Shire has no control and which are not included in this statement are as follows:

Description	Opening Balance 1 Jul 20	Amount Received	Amount Paid	Closing Balance 28 Feb 2021
	\$	\$	\$	\$
Building Retention	0	0	0	0
Sale of Land for rates	60,007	0	0	60,007
Public Open Space Contributions	20,000	0	0	20,000
	80,007	0	0	80,007

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 28 FEBRUARY 2021**

**NOTE 10
BUDGET AMENDMENTS**

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

GL Code	Description	Council Resolution	Classification	Non Cash Adjustment	Increase in Available Cash	Decrease in Available Cash	Amended Budget Running Balance
				\$	\$	\$	\$
	Budget Adoption		Opening Surplus				0
E168325	Eagle Sculpture	35/21	Capital Expenditure			(20,454)	(20,454)
I113030	Contribution to Eagle Sculpture	35/21	Capital Revenue		15,000		(5,454)
A01115	Art Acquisition Reserve	35/21	Cashback Reserves		5,454		0
E042065	COVID-19 Safe Australia Day	60/21	Operating Expenses			(18,449)	(18,449)
I042010	Contribution to COVID-19 Safe Australia Day	60/21	Operating Revenue		18,449		0
E168326	Water Tank - Glenfield Fire Shed	60/21	Capital Expenditure			(17,803)	(17,803)
I051015	Contribution to Water Tank Glenfield Fire Shed	60/21	Capital Revenue		17,803		0
E106160	PHCC - Feral Pig Eradication	60/21	Operating Expenses			(12,669)	(12,669)
I103101	PHCC - Feral Pig Eradication Grant	60/21	Operating Revenue		12,669		0
				0	69,375	(69,375)	

8.3.3 2020-2021 Budget Review

File Reference	4.21.25
Statutory Ref.	Local Government Act 1995 Section 6.12 (1)
Author & Date	Cara Ryan 11 March 2020
Attachments	2020/2021 Budget Review Report

Background

A Statement of Financial Activity incorporating year to date budget variations and forecasts to 30th June 2021 for the period ending 28th February 2021 was presented to the Audit Committee to consider, and to recommend adoption by Council.

The *Local Government (Financial Management) Regulations 1996*, Regulation 33A as amended, requires that local governments conduct a budget review between 1 January and 31 March in each financial year. The results of the review and accompanying report from the review must be presented to Council within 30 days of the review. The review and determination is then to be provided to the Department of Local Government, Sport and Cultural Industries within 30 days of the adoption of the review.

The Budget Review has been prepared to include information required by the *Local Government Act 1995*, *Local Government (Financial Management) Regulations 1996* and Australian Accounting Standards. Council adopted a 5% and \$5,000 minimum for reporting of material variances to be used in the statements of financial activity and the annual budget review.

Features of the review as summarised from the detailed financial reports attached are as follows:

REVENUE

Increase in General Purpose component of Federal Assistance Grant.	\$8,995
Unbudgeted Road Safety Campaign Grant Received.	\$4,159
Family Day Care income below budget target.	(\$18,000)
Childcare Centre income exceeding budget estimates.	\$50,000
Contribution from "The Williams" for new copier did not proceed.	(\$18,000)
Additional revenue received in Refuse Site Fees.	\$5,800
Contribution from Golf Club higher, due to increased mowing hours.	\$5,000
Increase in sale of standpipe water.	\$6,000
Building permits issued above budget expectations.	\$5,900
Additional Private Works undertaken.	\$11,000
Reimbursement for Parental Leave payments.	\$11,560
TOTAL ADJUSTED REVENUE	\$72,414

EXPENDITURE

Wage costs for recreation maintenance higher than budget estimate.	(\$15,000)
Unbudgeted expenditure relating to Road Safety Campaign.	(\$4,159)
Wage costs for maintenance of townscape and drainage lower than budget estimate. Re-allocated to recreation maintenance.	\$15,000
Purchase of "The Williams" copier did not proceed.	\$18,000
Depreciation re-allocation between various programs. Increases and decreases reported to through the "Programs" in Budget Review Report.	0.00

Increase costs in standpipe water, due to increased sales.	(\$6,000)
COVID-19 Stimulus Relief – full allocation not required.	\$8,000
Increase in costs for Private works.	(\$11,000)
Sundry Tools budget included Kubota slasher. Cost higher than capitalisation threshold, therefore added to capital expenditure.	\$5,800
TOTAL ADJUSTED EXPENDITURE	\$10,641

CAPITAL REVENUE

Trade-in of Isuzu Giga higher than budget estimate.	\$17,000
CAPITAL FUNDING	\$17,000

CAPITAL EXPENDITURE

Savings on plant replacement program	\$35,000
Purchase of Kubota slasher. Allocation from Sundry Tools budget.	(\$5,800)
Gravel Sheeting for Culbin Boraning Rd over budget.	(\$22,057)
Gravel Sheeting for English Rd under budget.	\$24,000
Additional drainage required to complete Brooking St upgrade.	(\$13,000)
Drainage project re-allocated to Brooking St upgrade.	\$12,000
CAPITAL EXPENDITURE	\$30,143

OTHER ITEMS

Decrease in Opening Surplus	(\$5,123)
Reduced need to transfer funds from Plant Replacement Reserve	(\$46,200)
OTHER ITEMS	(\$51,323)

Comment

Through the budget review process one item has been identified as unbudgeted expenditure and as such requires endorsement by Council.

This is for the expenditure of \$4,159 incurred for the Road Safety Campaign, and will not impact on the closing surplus, as a grant has been received for the same value.

Strategic Implications

This item aligns with the community's vision and aspirations as contained in the Shire of Williams Strategic Community Plan 2017 to 2032. Specifically, it relates to the following strategy(s):

CL 2.2 Maintain accountability, transparency and financial responsibility.

Financial Implications

Due to the combined value of the above adjustments the balanced budget is now predicted to have a surplus of \$78,875.

Voting Requirements

Absolute Majority

Officer's Recommendation

That Council adopts the 2020/21 Budget Review for the period 1 July 2020 to 28 February 2021, as presented and recommended by the Audit Committee.

Officer's Recommendation

That Council approve unbudgeted expenditure of \$4,159 for the Road Safety Program Grant in accordance with section 6.8 of the *Local Government Act 1995* for year ending 30 June 2021.

Council Resolution

Medlen/Price

That Council adopts the 2020/21 Budget Review for the period 1 July 2020 to 28 February 2021, as presented and recommended by the Audit Committee.

**Carried by Absolute Majority 8/0
Resolution 84/21**

Council Resolution

Major/Harding

That Council approve unbudgeted expenditure of \$4,159 for the Road Safety Program Grant in accordance with section 6.8 of the *Local Government Act 1995* for year ending 30 June 2021.

**Carried by Absolute Majority 8/0
Resolution 85/21**



SHIRE OF WILLIAMS

BUDGET REVIEW REPORT For the Period Ended 28 February 2021

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

TABLE OF CONTENTS

Statement of Budget Review by Program

Note 1	Basis of Preparation
Note 2	Net Current Funding
Note 3	Predicted Variances
Note 4	Budget Amendments

Prepared by : Manager of Finance
Date prepared : All known transactions up to 10th March 2021

STATEMENT OF BUDGET REVIEW
FOR THE PERIOD ENDED 28 FEBRUARY 2021

STATUTORY REPORTING PROGRAM

	Note	YTD Budget vs YTD Actual		Predicted			
		Amended YTD Budget (a)	YTD Actual (b)	Adopted Budget (d)	Variance (d)	Forecast Year End (c) + (d)	
		\$	\$	\$	\$		
OPENING FUNDING SURPLUS (DEFICIT)	3.1	392,035	386,912	392,035	(5,123)	386,912	▼
Revenue from operating activities							
Governance		13,699	13,117	19,949	0	19,949	
General Purpose Funding - Rates		1,966,047	1,966,737	1,966,047	0	1,966,047	
General Purpose Funding - Other	3.2.3	182,672	189,197	242,571	8,995	251,566	▲
Law, Order and Public Safety	3.2.4	21,137	29,169	48,708	4,159	52,867	▲
Health		267	773	400	0	400	
Education and Welfare	3.2.6	202,501	231,322	332,801	14,000	346,801	▲
Housing		138,935	138,533	243,611	0	243,611	
Community Amenities	3.2.8	123,022	133,646	199,852	5,800	205,652	▲
Recreation and Culture	3.2.9	49,066	37,222	44,474	5,000	49,474	▲
Transport	3.2.10	86,440	102,401	111,690	17,273	128,963	▲
Economic Services	3.2.11	86,728	103,895	115,154	11,900	127,054	▲
Other Property and Services	3.2.12	43,487	60,088	64,230	22,560	86,790	▲
		2,913,999	3,006,100	3,389,487	89,687	3,479,174	
Expenditure from operating activities							
Governance		(125,134)	(119,472)	(205,370)	0	(205,370)	
General Purpose Funding		(57,734)	(56,310)	(90,051)	0	(90,051)	
Law, Order and Public Safety	3.3.3	(81,378)	(86,189)	(107,247)	(4,159)	(111,406)	▼
Health		(40,868)	(35,014)	(61,302)	0	(61,302)	
Education and Welfare	3.3.5	(234,992)	(216,414)	(353,525)	18,000	(335,525)	▲
Housing	3.3.6	(142,042)	(130,135)	(194,893)	11,500	(183,393)	▲
Community Amenities		(192,717)	(192,303)	(307,745)	0	(307,745)	
Recreation and Culture	3.3.8	(515,232)	(551,212)	(770,025)	(40,500)	(810,525)	▼
Transport	3.3.9	(1,071,672)	(1,032,328)	(1,598,367)	22,000	(1,576,367)	▲
Economic Services	3.3.10	(121,097)	(116,017)	(176,976)	2,000	(174,976)	▲
Other Property and Services	3.3.11	(134,253)	(132,290)	(108,977)	1,800	(107,177)	▲
		(2,717,120)	(2,667,685)	(3,974,478)	10,641	(3,963,837)	
Non-Cash Amounts excluded from operating activities							
Add back Depreciation		845,324	842,723	1,267,984	0	1,267,984	
Adjust (Profit)/Loss on Asset Disposal	3.5.2	0	(15,273)	0	(17,273)	(17,273)	▼
Adjust Provisions and Accruals		0	52	5,144	0	5,144	
Amount attributable to operating activities		1,042,203	1,165,917	688,137	83,055	771,192	
Investing Activities							
Grants, Subsidies and Contributions		327,945	327,945	826,022	0	826,022	
Proceeds from Disposal of Assets	3.5.2	52,000	67,273	52,000	17,000	69,000	▲
Proceeds from Self Supporting Loans		15,966	15,966	15,966	0	15,966	
Capital Acquisitions	3.5.3	(1,442,023)	(1,411,955)	(2,121,014)	30,143	(2,090,871)	▲
Amount attributable to investing activities		(1,046,112)	(1,000,772)	(1,227,026)	47,143	(1,179,883)	
Financing Activities							
Proceeds from New Borrowings		0	0	100,000	0	100,000	
Transfer from Reserves		0	0	240,856	0	240,856	
Repayment of Debentures		(58,803)	(58,803)	(102,462)	0	(102,462)	
Transfer to Reserves	3.6.2	(3,569)	(2,533)	(91,540)	(46,200)	(137,740)	▼
Amount attributable to financing activities		(62,372)	(61,336)	146,854	(46,200)	100,654	
NET OPERATIONS, CAPITAL, FINANCING		(66,281)	103,809	(392,035)	83,998	(308,037)	
CLOSING FUNDING SURPLUS (DEFICIT)	2(a)	325,754	490,721	0	78,875	78,875	

KEY INFORMATION

▲▼ Indicates a variance between Year to Date (YTD) Budget and YTD Actual data as per the adopted materiality threshold. Refer Note 2 for an explanation of the reasons for the variance.

The material variance adopted by Council for the 2020/21 year is \$5,000 or 5% whichever is the greater.

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

NOTES TO AND FORMING PART OF THE BUDGET REVIEW REPORT FOR THE PERIOD ENDED 28 FEBRUARY 2021

NOTE 1 BASIS OF PREPARATION

The budget has been prepared in accordance with Australian Accounting Standards (as they apply to local governments and not-for-profit entities) and interpretations of the Australian Accounting Standards Board, and the Local Government Act 1995 and accompanying regulations. The Local Government (Financial Management) Regulations 1996 take precedence over Australian Accounting Standards. Regulation 16 prohibits a local government from recognising as assets Crown land that is a public thoroughfare, such as land under roads, and land not owned by but under the control or management of the local government, unless it is a golf course, showground, racecourse or recreational facility of State or regional significance. Consequently, some assets, including land under roads acquired on or after 1 July 2008, have not been recognised in this budget. This is not in accordance with the requirements of AASB 1051 Land Under Roads paragraph 15 and AASB 116 Property, Plant and Equipment paragraph 7.

Accounting policies which have been adopted in the preparation of this budget have been consistently applied unless stated otherwise. Except for cash flow and rate setting information, the budget has been prepared on the accrual basis and is based on historical costs, modified, where applicable, by the measurement at fair value of selected non-current assets, financial assets and liabilities.

THE LOCAL GOVERNMENT REPORTING ENTITY

All funds through which the Shire of Williams controls resources to carry on its functions have been included in the financial statements forming part of this budget review.

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

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

CRITICAL ACCOUNTING ESTIMATES

The preparation of a financial report in conformity with Australian Accounting Standards requires management to make judgements, estimates and assumptions that effect the application of policies and reported amounts of assets and liabilities, income and expenses.

The estimates and associated assumptions are based on historical experience and various other factors that are believed to be reasonable under the circumstances; the results of which form the basis of making the judgements about carrying values of assets and liabilities that are not readily apparent from other sources. Actual results may differ from these estimates.

2020-21 ACTUAL BALANCES

Balances shown in this budget review report as 2020-21 Actual are as forecast at the time of budget review preparation and are subject to final adjustments.

ROUNDING OFF FIGURES

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

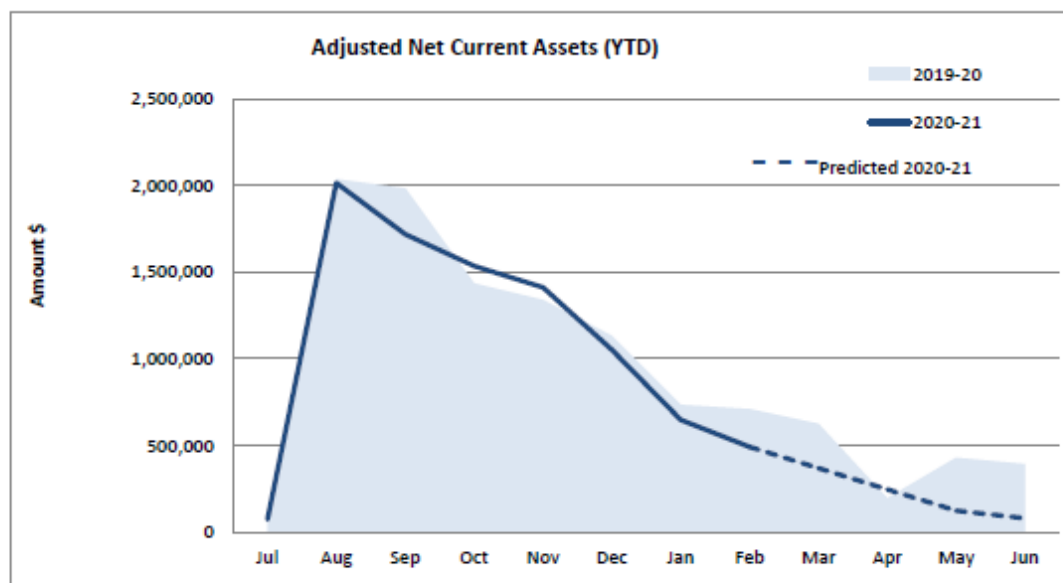
BUDGET COMPARATIVE FIGURES

Unless otherwise stated, the budget comparative figures shown in this budget review report relate to the original budget estimate for the relevant item of disclosure.

**NOTES TO THE BUDGET REVIEW REPORT
FOR THE PERIOD ENDED 28 FEBRUARY 2021**

**NOTE 2(a)
NET CURRENT FUNDING POSITION**

	Actual Year to Date 28 Feb 2021	Actual Opening 1 July 2020	Budget Opening 1 July 2020	Budget Closing 30 June 2021
	\$	\$	\$	\$
Current Assets				
Cash Unrestricted	958,698	854,072	872,477	382,061
Cash Restricted	767,390	764,857	764,858	615,542
Receivables	228,436	100,444	86,481	67,873
Accrued Revenue	0	3,608	0	0
Loans Receivable - clubs	0	15,966	15,966	16,473
Inventories	36,843	27,564	27,564	12,464
	<u>1,991,368</u>	<u>1,766,511</u>	<u>1,767,346</u>	<u>1,094,413</u>
Less: Current Liabilities				
Payables	(199,707)	(213,981)	(214,256)	(176,181)
Contract Liabilities	(197,674)	(48,870)	(48,870)	0
Provisions	(356,517)	(356,517)	(356,517)	(316,517)
Long Term Borrowings	(43,659)	(102,462)	(102,462)	(164,884)
	<u>(797,557)</u>	<u>(721,830)</u>	<u>(722,105)</u>	<u>(657,582)</u>
Adjustments and exclusions permitted by FM Reg 32				
Less: Cash Reserves	(767,390)	(764,857)	(764,858)	(615,542)
Less: Loans Receivables	0	(15,966)	(15,966)	(16,473)
Add: Leave Entitlements Cash Backed	20,643	20,591	20,592	25,736
Add: Movement in liabilities associated with	0	0	4,564	4,564
Add: Long Term Borrowings	43,659	102,462	102,462	164,884
Adjusted Net Current Assets	<u>490,722</u>	<u>386,911</u>	<u>392,035</u>	<u>0</u>



**NOTES TO THE BUDGET REVIEW REPORT
FOR THE PERIOD ENDED 28 FEBRUARY 2021**

**NOTE 2 (b)
COMMENTS/NOTES - NET CURRENT FUNDING POSITION**

SIGNIFICANT ACCOUNTING POLICIES

CASH AND CASH EQUIVALENTS

Cash and cash equivalents include cash on hand, cash at bank, deposits available on demand with banks, other short term highly liquid investments that are readily convertible to known amounts of cash and which are subject to an insignificant risk of changes in value and bank overdrafts.

Bank overdrafts are shown as short term borrowings in current liabilities.

TRADE AND OTHER RECEIVABLES

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

Receivables expected to be collected within 12 months of the end of the reporting period are classified as current assets. All other receivables are classified as non-current assets.

Collectability of trade and other receivables is reviewed on an ongoing basis. Debts that are known to be uncollectible are written off when identified. An allowance for doubtful debts is raised when there is objective evidence that they will not be collectible.

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 of completion and the estimated costs necessary to make the sale.

CURRENT AND NON-CURRENT CLASSIFICATION

In the determination of whether an asset or liability is current or non-current, consideration is given to the time when each asset or liability is expected to be settled. The asset or liability is classified as current if it is expected to be settled within the next 12 months, being the Shire of Williams operational cycle. In the case of liabilities where the Shire of Williams does not have the unconditional right to defer settlement beyond 12 months, such as vested long service leave, the liability is classified as current even if not expected to be settled within the next 12 months. Inventories held for trading are classified as current even if not expected to be realised in the next 12 months except for land held for sale where it is held as non-current based on the Shire of Williams intentions to release for sale.

CONTRACT ASSETS

A contract asset is the right to consideration in exchange for goods or services the entity has transferred to a customer when that right is conditioned on something other than the passage of time.

LOANS AND RECEIVABLES

Loans and receivables are non-derivative financial assets with fixed or determinable payments that are not quoted in an active market and are subsequently measured at amortised cost. Gains or losses are recognised in profit or loss. Loans and receivables are included in current assets where they are expected to mature within 12 months after the end of the reporting period.

TRADE AND OTHER PAYABLES

Trade and other payables represent liabilities for goods and services provided to the Shire of Williams prior to the end of the financial year that are unpaid and arise when the Shire of Williams becomes obliged to make future payments in respect of the purchase of these goods and services. The amounts are unsecured, are recognised as a current liability and are normally paid within 30 days of recognition.

CONTRACT LIABILITIES

An entity's obligation to transfer goods or services to a customer for which the entity has received consideration (or the amount is due) from the customer. Grants to acquire or construct recognisable non-financial assets to be controlled by the Shire of Williams are recognised as a liability until such time as the Shire of Williams satisfies its obligations under the agreement.

EMPLOYEE BENEFITS

Short-Term Employee Benefits

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

The Shire of Williams obligations for short-term employee benefits such as wages, salaries and sick leave are recognised as a part of current financial trade and other payables in the statement position. Shire of Williams obligations for employees' annual leave and long service leave entitlements are recognised as provisions in the statement of financial position.

PROVISIONS

Provisions are recognised when the Shire of Williams has a legal or constructive obligation, as a result of past events, for which it is probable that an outflow of economic benefits will result and that outflow can be reliably measured.

Provisions are measured using the best estimate of the amounts required to settle the obligation at the end of the reporting period.

NOTES TO THE BUDGET REVIEW REPORT FOR THE PERIOD ENDED 28 FEBRUARY 2021

NOTE 3 PREDICTED VARIANCES

The material variance thresholds are adopted annually by Council as an indicator of whether the actual expenditure or revenue varies from the year to date budget materially.

The material variance adopted by Council for the 2020/21 year is \$5,000 or 5% whichever is the greater.

Reporting Program	Variance \$	
	Permanent	Timing
3.1 Opening Fund Surplus (Deficit)		
Minor variation due to accruals of revenue and expenses for year 2019/2020.	(5,123)	
3.2 Operating Revenues		
3.2.1 Governance		
No Material Variance		
3.2.2 General Purpose Funding - Rates		
No Material Variance		
3.2.3 General Purpose Funding - Other		
Increase in general purpose component of the Federal Assistance Grant.	8,995	
3.2.4 Law, Order and Public Safety		
Unbudgeted Road Safety Campaign Grant - Community Bash	4,159	
3.2.5 Health		
No Material Variance		
3.2.6 Education and Welfare		
Family Day Care income below budget partly due to reduced income over COVID-19 federal government stimulus for families. Secondly, target of 20 educators by December 2020 not meet. Current number of educators at 16.	(18,000)	
Childcare fees predicted to exceed budget expectations, due to increase numbers and utilisation rate.	50,000	
Reduced contribution for the purchase of "The Williams" Photocopier. Purchase did not go ahead therefore refer to saving in expenses.	(18,000)	
3.2.7 Housing		
No Material Variance		
3.2.8 Community Amenities		
Income for disposal of building rubble at Refuse Site higher than budget estimate.	5,800	
3.2.9 Recreation and Culture		
Increased income of contribution from Golf Club for mowing. This is due to increase hours and increased wages reflected in expenses.	5,000	
3.2.10 Transport		
Trade In of Isuzu Giga resulted in a "Profit on Sale of Asset".	17,273	
3.2.11 Economic Services		
Water sales unusually high due to volumes used by contractors for Main Roads roadworks on Albany Hwy.	6,000	
Building permits issued above budget estimates	5,900	
3.2.12 Other Property and Services		
Private Works income more than expected.	11,000	
Parental Leave reimbursements.	11,560	
Predicted Variances Carried Forward	84,564	0

NOTES TO THE BUDGET REVIEW REPORT FOR THE PERIOD ENDED 28 FEBRUARY 2021

NOTE 3 PREDICTED VARIANCES

The material variance thresholds are adopted annually by Council as an indicator of whether the actual expenditure or revenue varies from the year to date budget materially.

The material variance adopted by Council for the 2020/21 year is \$5,000 or 5% whichever is the greater.

Predicted Variances Brought Forward	84,564	0
<u>3.3 Operating Expenses</u>		
3.3.1 Governance		
No Material Variance		
3.3.2 General Purpose Funding		
No Material Variance		
3.3.3 Law, Order and Public Safety		
Expenditure of grant received for Road Safety Campaign.	(4,159)	
3.3.4 Health		
No Material Variance		
3.3.5 Education and Welfare		
Purchase of "The Williams" photocopier did not proceed.	18,000	
3.3.6 Housing		
Depreciation re-allocation to Recreation & Culture.	11,500	
3.3.7 Community Amenities		
No Material Variance		
3.3.8 Recreation and Culture		
Increased hours required at Williams Golf Club, see corresponding increase in revenue.	(5,000)	
Increased hours required at the Hockey Field to fix drainage issues.	(10,000)	
Deprecation re-allocated from various programs. Nil change to overall budget of Depreciation.	(25,500)	
3.3.9 Transport		
Reduced expenditure on Townscaping and Drainage. Savings in wages allocated to recreation maintenance.	15,000	
Depreciation re-allocated to Recreation & Culture.	7,000	
3.3.10 Economic Services		
Water supply costs to exceed budget estimate due to high water usage by contractors for road works.	(6,000)	
Budget allocation to support local business during COVID-19 less than required.	8,000	
3.3.11 Other Property and Services		
Increase in costs for Private Works. See corresponding revenue of the same amount.	(11,000)	
Depreciation re-allocation to Recreation & Culture.	7,000	
Sundry Tools budget used to purchase a \$5,800 slasher, with the cost reflected in Capital Expenditure.	5,800	
Predicted Variances Carried Forward	95,205	0

NOTES TO THE BUDGET REVIEW REPORT FOR THE PERIOD ENDED 28 FEBRUARY 2021

NOTE 3 PREDICTED VARIANCES

The material variance thresholds are adopted annually by Council as an indicator of whether the actual expenditure or revenue varies from the year to date budget materially.

The material variance adopted by Council for the 2020/21 year is \$5,000 or 5% whichever is the greater.

Predicted Variances Brought Forward	95,205	0
<u>3.4 Funding Balance Adjustment</u>		
3.4.1 Depreciation		
No Material Variance - note re-allocation through the Programs.	NIL	
3.4.2 Profit/Loss on Disposals		
Trade In of Isuzu Giga resulted in a "Profit on Sale of Asset".	(17,273)	
3.4.3 Provisions and Accruals		
No Material Variance		
Predicted Variances Carried Forward	77,932	0
Predicted Variances Brought Forward	77,932	0
<u>3.5 Investing Activities</u>		
3.5.1 Grants, Subsidies and Contributions		
No Material Variance		
3.5.2 Proceeds from Disposal of Assets		
Trade In of Isuzu Giga - higher than budget estimate.	17,000	
3.5.3 Capital Acquisitions		
Replacement of Works Supervisor vehicle over budget.	(5,000)	
Savings on replacement of Tandem Truck	30,000	
Saving on purchase of New Multi Tyre Road Roller	10,000	
Purchase of Kubota Heavy Duty Slasher - allocated from Sundry Tools budget.	(5,800)	
Costs on Brooking Street Upgrade over budget due to drainage requirements. Funds from Drainage budget allocated to this job.	(13,000)	
Drainage budget re-allocated to Brooking Street Upgrade.	12,000	
Over budget on gravel sheeting - Culbin Boranning Road	(22,057)	
Saving on gravel sheeting - English Road	24,000	
<u>3.6 Financing</u>		
3.6.1 Self-Supporting Loan Principal		
No Material Variance		
3.6.2 Transfer from Reserves		
Reserve transfer for acquisition of plant to be reduced due to saving on trade-ins and purchase of new equipment.	(46,200)	
3.6.3 Repayment of Debentures		
No Material Variance		
TOTAL Predicted Variances as per Annual Budget Review	78,875	0

NOTES TO THE BUDGET REVIEW REPORT
FOR THE PERIOD ENDED 28 FEBRUARY 2021NOTE 4
BUDGET AMENDMENTS

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

GL Code	Description	Council Resolution	Classification	Non Cash Adjustment	Increase in Available Cash	Decrease in Available Cash	Amended Budget Running Balance
	Budget Adoption			\$	\$	\$	\$
			Opening Surplus				0
E168325	Eagle Sculpture	35/21	Capital Expenditure			(20,454)	(20,454)
I113030	Contribution to Eagle Sculpture	35/21	Capital Revenue		15,000		(5,454)
A01115	Art Acquisition Reserve	35/21	Cashback Reserves		5,454		0
E042065	COVID-19 Safe Australia Day	60/21	Operating Expenses			(18,449)	(18,449)
I042010	Contribution to COVID-19 Safe Australia Day	60/21	Operating Revenue		18,449		0
E168326	Water Tank - Glenfield Fire Shed	60/21	Capital Expenditure			(17,803)	(17,803)
I051015	Contribution to Water Tank Glenfield Fire Shed	60/21	Capital Revenue		17,803		0
E106160	PHCC - Feral Pig Eradication	60/21	Operating Expenses			(12,669)	(12,669)
I103101	PHCC - Feral Pig Eradication Grant	60/21	Operating Revenue		12,669		0
				0	69,375	(69,375)	

9 of 9

9.0 Elected Members Motions of which Notice has been given

Nil

10.0 New Business of an Urgent Nature introduced by Decision of Meeting**10.1 Elected Members**

Nil

10.2 Officers

Nil

11.0 Application for Leave of Absence

Nil

12.0 Closure of Meeting

There being no further business for discussion the President declared the Meeting closed at 4.05pm.