



MINUTES

Ordinary Council Meeting

21 March 2023

CONFIRMATION OF MINUTES

These Minutes have been CONFIRMED by Council as the official record for the Shire of Gingin's Ordinary Council Meeting held on 21 March 2023.



**Councillor C W Fewster
PRESIDENT**

Date of Confirmation: 18 April 2023

DISCLAIMER

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Applicants and other interested parties should refrain from taking any action until such time as written advice is received confirming Council's decision with respect to any particular issue.

ACKNOWLEDGEMENT OF COUNTRY



The Shire of Gingin would like to acknowledge the Yued people who are the traditional custodians of this land. The Shire would like to pay respect to the Elders past, present and emerging of the Yued Nation and extend this respect to all Aboriginal people. The Shire also recognises the living culture of the Yued people and the unique contribution they have made to the Gingin region.

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ORDER OF BUSINESS

1 DECLARATION OF OPENING

The Shire President declared the meeting open at 3:12 pm and welcomed all in attendance.

2 RECORD OF ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE

2.1 ATTENDANCE

Councillors – C W Fewster (Shire President), A R Vis (Deputy Shire President), L Balcombe, F Johnson, R Kestel, F J Peczka, J K Rule and E Sorensen.

Staff – A Cook (Chief Executive Officer), L Crichton (Executive Manager Corporate and Community Services), R Kelly (Executive Manager Regulatory and Development Services), V Crispe (Executive Manager Operations and Assets), J Bayliss (Coordinator Statutory Planning), L Burt (Coordinator Governance), K Leonhardt (Manager Corporate Services) (from 3:30pm), M Pilkington (Coordinator Financial Planning and Reporting) (from 3:30pm), M Emmanuel (Community Development Officer), N Harry (Senior Rates Officer) and E Mackey (Governance Support Officer/Minute Officer).

Gallery – There were 8 members of the public and 1 member of the press present in the Gallery.

2.2 APOLOGIES

Nil

2.3 LEAVE OF ABSENCE

Nil

3 DISCLOSURES OF INTEREST

Nil

4 PUBLIC QUESTION TIME

4.1 RESPONSES TO PUBLIC QUESTIONS PREVIOUSLY TAKEN ON NOTICE

Nil

4.2 PUBLIC QUESTIONS

4.1.1 Kate Lane - Chitna Road, Neergabby

Q1. Annual Meeting of Electors 7 March 2023 attention drawn to Caravan Park and shop at Guilderton. I emailed Aaron Cook with enquiries. His reply was inadequate. Who had responsibility to undertake due diligence? Will each Councillor declare the President and Councillors please confirm they individually read, and fully understood, the Contractual Obligations placed on the Shire of Gingin and Belgravia Leisure – with regard to the Lease for the Shop and the Contract Management Arrangement for the Caravan Park, before they voted to accept Belgravia Leisure’s tenders?

A1. I certainly did. Councillors are all expected to read their agendas and the information provided to them.

Q2. Can the Council explain the circumstances that have allowed Belgravia Leisure to sub-let the shop, instead of relinquishing the lease back to the Shire for reassignment?

A2. Belgravia Leisure asked our approval to sub-let the shop which Council gave approval for via a Council Resolution.

Q3. Will the Council please supply me with the requested documentation detailing the contractual obligations of Belgravia Leisure and Gingin Shire with regard to both the management contract and lease by the end of this week?

A3. Taken on notice.

4.1.2 Katie Enright - Guilderton

Q1. Can we work together in regard to the Parking Meters in Guilderton? Perhaps between Monday and Thursday outside of School Holidays they be hooded.

A1. Council will be deliberating and discussing that issue at the April Briefing Session.

Q2. I confirm that I am asking this question as an independent and not on behalf of the Guilderton Community Association (GCA). I am holding a fundraiser for the GCA on 8 April 2023. I am fundraising for a playground. Can the Shire give me a Commitment or consideration of a commitment that money raised is matched by the Shire?

A2. I cannot give you a commitment today for funds but a Concept Enquiry can be lodged through the Shire's Community Services Department for budget consideration.

4.1.3 Mary Cameron – Gingin

Q1. *Following the Annual General Meeting of Electors on 7 March 2023, I circulated an email to all Councillors and the CEO. Did you all receive that email? Responses have been received from Councillors Linda Balcombe and Frank Peczka.*

A1. I confirm we all did receive that email and it was discussed at today's Briefing Session. We will provide a response to the questions we can answer in the next couple of weeks.

5 PETITIONS

A petition of 285 signatures in total, comprising (as far as can be ascertained) 133 signatures from electors and 152 signatures from non-electors, has been received prior to the meeting which reads as follows:

We, the undersigned, all being Electors of the Shire of Gingin, do formally request Council's consideration of the following:

To immediately remove and stand down the current CEO of the Gingin Shire Aaron Cook, with a vote of no confidence. We the undersigned and Ratepayers of Guilderton, Seabird, Ledge Point, Lancelin and surrounding Coastal Towns in the Gingin Shire have lost confidence in Aaron Cook's performance in his duties and Role as CEO and his management to effectively implement strategic outcomes and objectives and deliver the community's vision to increase tourism in our Coastal Towns. One being the implementation of Administration of Tender for the previously known Moore River Caravan Park now known as Guilderton Holiday Park to Belgravia Leisure 2 Dewar Street, Guilderton and Tender given to Belgravia at the Cafe/Takeaway /Store located at 10 Edward Street, Guilderton. This created a lack and loss of jobs, lack of sustaining and building tourism and not fulfilling original plans for renovations to be carried out at the premises.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION

MOVED: Councillor Balcombe

SECONDED: Councillor Kestel

That Council receive the petition.

CARRIED UNANIMOUSLY

8 / 0

FOR: *Councillor Fewster, Councillor Rule, Councillor Balcombe, Councillor Johnson, Councillor Kestel, Councillor Peczka, Councillor Sorensen and Councillor Vis*

AGAINST: *Nil*

6 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

7 CONFIRMATION OF MINUTES

COUNCIL RESOLUTION/OFFICER RECOMMENDATION

MOVED: Councillor Vis **SECONDED:** Councillor Peczka

That Council confirm the Minutes of the Ordinary Council Meeting held on 21 February 2023 as a true and accurate record.

**CARRIED UNANIMOUSLY
8 / 0**

FOR: *Councillor Fewster, Councillor Rule, Councillor Balcombe, Councillor Johnson, Councillor Kestel, Councillor Peczka, Councillor Sorensen and Councillor Vis*

AGAINST: *Nil*

8 ANNOUNCEMENTS BY THE PRESIDING MEMBER

Deputations

One deputation was heard by Council prior to the meeting commencement, the details of which are as follows:

Item 5 Petition

Speaker/s: Katie and Kerry Enright

The Deputation was to submit a petition.

9 UNRESOLVED BUSINESS FROM PREVIOUS MEETINGS

Nil

10 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

Nil

11 REPORTS - OFFICE OF THE CEO

11.1 2023 LOCAL GOVERNMENT ELECTIONS - CONDUCT OF ELECTION

File	GOV/40
Author	Ebony Mackey - Governance Support Officer
Reporting Officer	Aaron Cook - Chief Executive Officer
Refer	Nil
Appendices	Nil

DISCLOSURES OF INTEREST

Nil

PURPOSE

To consider conducting the 2023 local government elections as a postal election and to appoint the Electoral Commissioner as the person responsible for conducting the election.

BACKGROUND

The Shire of Gingin has conducted each local government election since 2001 as a postal election.

It is generally accepted that the rate of participation in postal elections is greater than that achieved for in-person elections, as the postal process is perceived by electors to be more convenient. In addition, because postal elections must be conducted by the Western Australian Electoral Commission (WAEC), the officers of the local government can remain at arm's length from the electoral process which provides additional assurance of absolute impartiality and integrity in the result.

In 2021, the WAEC conducted postal elections for 92 out of a total of 138 local government districts in Western Australia.

The Election Report provided by the WAEC following the last election showed that, in 2021, the Shire of Gingin had a participation rate of 37.1% which compares favourably to the 2021 State average of 30.2%.

Comparative rates of participation between the Shire of Gingin and the State average over the past five elections are as follows:

Year	Shire of Gingin	State Average
2013	36.59%	27.76%
2015	39.42%	27.5%
2017	44.1%	34.5%
2019	40.7%	29.1%
2021	37.1%	30.2%

Section 4.61(2) of the *Local Government Act 1995* empowers a local government to conduct an election as a postal election, by way of an absolute majority decision. Postal elections must be conducted by the Western Australian Electoral Commissioner.

The *Local Government Act 1995* (section 4.20(4)) specifies that Council must make a decision, by absolute majority, with respect to appointing the Electoral Commissioner as the person responsible for conducting the election no later than 80 days prior to election day. The 2023 local government elections will be conducted on 21 October 2023.

COMMENT

Correspondence has been received from the Electoral Commissioner advising that the estimated cost of conducting the 2023 Shire of Gingin local government elections as a postal ballot is \$36,000 (GST inclusive). This figure, which is \$7,000 more than the figure quoted to conduct the 2021 elections, is based on 5 vacancies (as opposed to 4 vacancies in 2021) and a slight increase in elector numbers from 4,350 to 4,700. In addition, there are increased costs to be met in terms of salaries, printing and packaging and postage.

The quote received from the WAEC is based on the following assumed parameters:

- 4,700 electors;
- Response rate of approximately 45%;
- Five vacancies;
- Count to be conducted at the Shire of Gingin Administration Centre;
- Appointment of a local Returning Officer; and
- Regular Australia Post delivery service to apply for the lodgement of election packages.

The WAEC's estimate does not include costs related to:

- Non-statutory advertising (ie, any additional advertising in community newspapers and promotional advertising);
- Any legal expenses other than those that are determined to be borne by the WAEC in a Court of Disputed Returns;
- Shire employees working on Election Day; or
- Any unanticipated costs arising from public health requirements for the COVID-19 pandemic.

Advice has previously been received from the Minister for Local Government confirming that forthcoming electoral forms will allow for Optional Preferential Voting (OPV) to be introduced ahead of this year's elections. OPV will allow electors to preference as many or as few candidates as they wish, and there will be no transfer of preferences other than those marked by electors on their ballot paper.

The reforms will also include related new changes for the backfilling of vacancies, including:

- In the event that a member of Council is directly elected as the Mayor or President, the consequent vacancy can be filled by the next highest polling candidate through the relevant district or ward council election held on the same day (this is not applicable to the Shire of Gingin as the President is elected by Council rather than by electors);
- If a vacancy arises within one year of a council member being elected at an ordinary election, that vacancy may be filled by the next highest polling candidate; and
- The timeframes for which certain vacancies can remain unfilled ahead of an upcoming ordinary election will be extended.

These changes will require specific attention on election night, and Returning Officers will need to identify the candidates who are next in line to fill further vacancies for inclusion on the declaration of results.

Should Council elect not to conduct the election as a postal election, then it will be required to conduct an in-person election entailing the establishment and staffing of multiple polling places on Election Day, and must appoint either the CEO or another person as Returning Officer. That person will then be wholly responsible for the conduct of the count, the introduction of the new OPV counting and backfilling provisions, and dealing with any disputes or complaints.

STATUTORY/LOCAL LAW IMPLICATIONS

Local Government Act 1995

Part 4 – Elections and other polls

Division 7 – Provisions about electoral officers and the conduct of elections

Division 9 – Electoral process

Section 4.61 – Choice of methods of conducting election

POLICY IMPLICATIONS

Nil

BUDGET IMPLICATIONS

Provision will need to be made in the 2023/24 Budget for conducting the 2023 local government elections, irrespective of whether the process is postal (through the WAEC) or in person. In the event that Council is supportive of the Officer's recommendation, then an amount of \$36,000 will be included in the 2023/24 Budget for adoption by Council.

Additional costs such as wages for Shire staff working on Election Day and any incidental advertising will be met from the usual budget allocations.

STRATEGIC IMPLICATIONS

Shire of Gingin Strategic Community Plan 2022-2032

Aspiration	4. Excellence & Accountability - Deliver Quality Leadership and Business Expertise
Strategic Objective	4.2 Effective Governance - Apply systems of compliance which assists Council to make informed decisions within a transparent, accountable and principled environment

VOTING REQUIREMENTS - ABSOLUTE MAJORITY

COUNCIL RESOLUTION/OFFICER RECOMMENDATION

MOVED: Councillor Johnson **SECONDED:** Councillor Vis

That Council:

1. Declare, in accordance with section 4.20(4) of the *Local Government Act 1995*, the Electoral Commissioner to be responsible for the conduct of the 2023 ordinary elections together with any other elections or polls which may be required; and
2. Decide, in accordance with section 4.61(2) of the *Local Government Act 1995*, that the method of conducting the election will be as a postal election.

**CARRIED BY ABSOLUTE MAJORITY
8 / 0**

FOR: *Councillor Fewster, Councillor Rule, Councillor Balcombe, Councillor Johnson, Councillor Kestel, Councillor Peczka, Councillor Sorensen and Councillor Vis*

AGAINST: *Nil*

11.2 LOCAL EMERGENCY MANAGEMENT COMMITTEE - AMENDMENT TO TERMS OF REFERENCE

File	EMS/21
Author	Ebony Mackey - Governance Support Officer
Reporting Officer	Aaron Cook - Chief Executive Officer
Refer	Nil
Appendices	1. Draft Review March 2023 [11.2.1 - 4 pages]

DISCLOSURES OF INTEREST

Nil

PURPOSE

To amend the Terms of Reference (TOR) for the Shire of Gingin Local Emergency Management Committee (LEMC) by removing the Shire of Gingin Local Recovery Coordinator (LRC) and Community Bush Fire Control Officer (CBFCO) as voting members and appointing them as non-voting members.

BACKGROUND

Pursuant to s.38(1) of the *Emergency Management Act 2005*, a local government is to establish a LEMC for the district.

The TOR for the Shire of Gingin LEMC sets out the Committee Membership and prescribes that Committee Membership shall be appointed or removed by Council.

An amended version of the Terms of Reference incorporating the proposed membership amendments is provided as an **Appendix**.

COMMENT

Historically, with the exception of the Bush Fire Advisory Committee (BFAC), the Terms of Reference for every Council Committee specifically state that staff are not voting members and only attend meetings in an advisory or non-voting capacity.

This avoids the potential for officers having to vote in opposition to elected members and the potential conflict of interest arising from presenting an item to the LEMC and having a vested interest in a particular outcome.

There is no legislative requirement for local government officers to be voting members of the LEMC. The Shire of Gingin's Principal Environmental Health Officer is a member of the LEMC as a non-voting member. In accordance with this, it is proposed that both the LRC and CBFCO be appointed in the same capacity.

STATUTORY/LOCAL LAW IMPLICATIONS

Emergency Management Act 2005

Part 3 – Local arrangements

Division 1 – Local emergency authorities

Section 38 – Local emergency management committees

Local Government Act 1995

Part 5 – Administration

Division 2 – Council meetings, committees and their meetings and electors’ meetings

Subdivision 2 – Committees and their meetings

Shire of Gingin Meeting Procedures Local Law 2014

POLICY IMPLICATIONS

State Emergency Management Policy 2.5 – Emergency Management for Local Government.

BUDGET IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Shire of Gingin Strategic Community Plan 2022-2032

Aspiration	2. Connections & Wellbeing - Grow and Nurture Community Connectedness and Wellbeing
Strategic Objective	2.1 Community Safety & Support - Provide support and advocacy to residents and visitors so that they feel safe and secure at home and in the environment

VOTING REQUIREMENTS - SIMPLE MAJORITY

COUNCIL RESOLUTION/OFFICER RECOMMENDATION

MOVED: Councillor Johnson **SECONDED:** Councillor Kestel

That Council agree to amend the Terms of Reference of the Shire of Gingin Local Emergency Management Committee as follows:

1. Remove the positions of Local Recovery Coordinator and Community Bush Fire Control Officer from the voting membership; and
2. Appoint the positions of Local Recovery Coordinator and Community Bush Fire Control Officer as non-voting members.

**CARRIED UNANIMOUSLY
8 / 0**

FOR: *Councillor Fewster, Councillor Rule, Councillor Balcombe, Councillor Johnson, Councillor Kestel, Councillor Peczka, Councillor Sorensen and Councillor Vis*

AGAINST: *Nil*



TERMS OF REFERENCE

LOCAL EMERGENCY MANAGEMENT COMMITTEE

January 2022

Name:	Local Emergency Management Committee
Role/Purpose:	To advise and assist Council in the development, review and testing of the Shire of Gingin Local Emergency Management Arrangements.
Aims & Functions:	<ol style="list-style-type: none"> 1. To advise and assist Council in establishing local emergency management arrangements for the district; 2. To liaise with public authorities and other persons in the development, review and testing of the local emergency management arrangements; and 3. To carry out other emergency management activities as directed by the State Emergency Management Committee or prescribed by regulations.
Membership:	<ol style="list-style-type: none"> 1. The Committee shall consist of the following representation: <ul style="list-style-type: none"> <u>Voting Members</u> Shire of Gingin <ul style="list-style-type: none"> Shire President (Chairperson) Community Emergency Services Manager/Chief Bush Fire Control Officer (Executive Officer) Local Recovery Administrator Local Recovery Coordinator WA Police <ul style="list-style-type: none"> OIC Gingin (Local Emergency Coordinator) OIC Lancelin (Local Emergency Coordinator) Department of Fire and Emergency Services Department of Communities Red Cross St John Ambulance Chittering/Gingin Sub-Centre St John Ambulance Lancelin and Coastal Districts Sub-Centre <u>Non-Voting Members</u> Shire of Gingin <ul style="list-style-type: none"> Principal Environmental Health Officer Community Emergency Services Manager/Chief Bush Fire Control Officer (Executive Officer) Local Recovery Administrator Local Recovery Coordinator WA Police <ul style="list-style-type: none"> Inspector Wheatbelt District

	<p>Department of Biodiversity, Conservation and Attractions Western Power Main Roads WA Image Resources Royal Australian Air Force Base Pearce Lancelin Volunteer Marine Rescue Group Inc Department of Education Gingin District High School Lancelin Primary School Silver Chain Tronox State Emergency Management Committee Department of Water and Environmental Regulation Department of Agriculture and Food Department of Health – WA Country Health Service Golden Egg Farms</p> <p>2. A nominated deputy member may attend in place of the endorsed representative member.</p> <p>3. The Shire's Chief Executive Officer will act as deputy member for the Shire President.</p> <p>4. Membership shall be for a period of up to two years terminating on the day of the next ordinary Council elections, with retiring members eligible to re-nominate.</p> <p>5. Committee membership shall be appointed or removed by the Council.</p> <p>6. Members must comply with the Shire's Code of Conduct for Council Members, Committee Members and Candidates.</p> <p>7. The Committee has authority to second individuals from outside of the Committee, on a voluntary basis, for their expert advice.</p>
<p>Operating procedures:</p>	<p>1. Presiding Member:</p> <p>a) The Shire President shall fill the position of Presiding Member at all meetings.</p> <p>b) In the absence of the Shire President, the Chief Executive Officer, as Council's appointed deputy member, will attend and assume the Chair as Presiding Member for the duration of that meeting.</p> <p>c) In the event that neither the Shire President or the Chief Executive Officer are present, the Community Emergency Services Manager/Chief Bush Fire Control Officer will assume the Chair as Presiding Member for the duration of that meeting.</p> <p>d) The Presiding Member is responsible for the proper conduct of the Committee.</p> <p>2. Meetings:</p> <p>a) The Committee shall meet as required, but must hold a minimum of one meeting every three months (February, May, August and November).</p>

	<p>b) Additional meetings can be scheduled by decision of the Council or the Committee, or at the discretion of the Committee's Presiding Member.</p> <p>c) A Notice of Meeting, including an agenda, will be circulated to the Committee members (including deputy members) at least 72 hours prior to each meeting where possible.</p> <p>d) The Presiding Member shall ensure that detailed minutes of all meetings are kept and shall provide the Committee members (including deputy members) with a copy of such minutes within seven working days of the Committee meeting.</p> <p>e) All Committee meetings will be conducted in accordance with the Shire of Gingin Meeting Procedures Local Law 2014.</p> <p>3. Quorum: The quorum for a meeting shall be at least 50% of the number of voting members.</p> <p>4. Reporting: a) The Minutes of every Committee meeting will be circulated for the information of all Councillors within seven working days of the Committee meeting. b) Any Committee resolution requiring action on the part of the Council or requiring a Council commitment will be listed as a separate report on the Agenda for the next ordinary Council meeting.</p>
Appointing Legislation:	The Committee is established under section 38 of the <i>Emergency Management Act 2005</i> .
Delegated Authority:	The Committee has no delegated power and has no authority to implement its recommendations without approval of Council.

Version	Decision Reference	Synopsis
1.	22/10/2013 - Item 10.7	Terms of Reference adopted.
2.	16/12/2014 – Item 11.1.10	Amendments to membership and who shall chair meeting in absence of Shire President.
3.	18/08/2015 – Item 11.1.6	Terms of Reference reviewed. Reference to Standing Orders Local Law deleted from Operating Procedure 2b and replaced with Meeting Procedures Local Law 2014. Reference to provision of Committee Minutes via Information Bulletin deleted from Operating Procedure 4a.
4.	21/03/2017 – Item 11.1.1	Amendments to membership and who shall chair meeting in absence of Shire President.
5.	18/7/2017 – Item 11.1.3	Amendment to months for meetings to be held – now February, May, August and November
6.	15/10/2019 – Item 11.1.1	Membership cl. 1 amended. Operating Procedures cl. 2b) amended.
7.	16/6/2020 – Item 11.1.1	Addition of Principal Environmental Health Officer as a non-voting member, removal of Empire Oil Company (WA) Limited and replacing with Image Resources
8.	17/08/2021 – Item 11.1	Membership cl. 1 and 6 amended. Operating Procedures cl. 2d) and 4a) amended.
9.	18/01/2022 – Item 11.2	Membership c. 1 Local Recovery Coordinator re-added as Voting Member and representative from Golden Egg Farms added as a Non-Voting Member

**MINUTES
ORDINARY COUNCIL MEETING
21 MARCH 2023**

APPENDIX 11.2.1

10.	21/03/2023 – Item 11.2	Membership cl. 1 Local Recovery Coordinator and Community Bush Fire Control Officer removed as voting members and appointed as non-voting members
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11.3 SIGNS AND BILL POSTING REPEAL LOCAL LAW 2023

File	LAW/1
Author	Lee-Anne Burt - Coordinator Governance
Reporting Officer	Aaron Cook - Chief Executive Officer
Refer	17 August 2021, Item 11.7
Appendices	1. Final Shire of Gingin Signs & Bill Posting Repeal Local Law 2023 [11.3.1 - 1 page]

DISCLOSURES OF INTEREST

Nil

PURPOSE

To consider making the Shire of Gingin Signs and Bill Posting Repeal Local Law 2023 in accordance with s.3.12(4) of the *Local Government Act 1995* (the Act).

BACKGROUND

The Shire of Gingin Signs and Bill Posting Repeal Local Law 2023 (**see Appendices**) was adopted by Council at its meeting on 20 December 2022 for the purpose of advertising the local law for public comment.

Local public notice advising of Council's intention and giving details of the purpose and effect of the proposed local law was duly given in accordance with s.3.12 of the Act. Public submissions were invited, with the submission period closing on 6 March 2023.

COMMENT

No public submissions were received in relation to the proposed Signs and Bill Posting Repeal Local Law 2023.

In accordance with the requirements of the Act, a copy of the proposed local law was submitted to the Minister for Local Government for consideration. The Department of Local Government, Sport and Cultural Industries subsequently confirmed that it had not identified any drafting or legal issues requiring attention.

In the event that Council resolves to make the local law as presented, then the following sequence of events will commence:

1. The adopted local law will be published in the Government Gazette and a further copy provided to the Minister for Local Government.

2. After gazettal, local public notice will be given stating the title of the local law, its purpose and effect (including the date it will come into operation) and advising where copies of the local law may be inspected or obtained.
3. A copy of the local law, together with the accompanying explanatory memorandum, will then be submitted to the WA Parliamentary Joint Standing Committee on Delegated Legislation for scrutiny.

The local law will come into effect two weeks after gazettal.

Council should be aware that it is possible that, after reviewing the local law, the Joint Standing Committee may require certain amendments to be made. If this is the case, then the Shire will be required to recommence the process of advertising for public comment, resolving again to make the local law/s, gazettal and re-submission to the Committee for further consideration.

STATUTORY/LOCAL LAW IMPLICATIONS

Local Government Act 1995

Part 3 – Functions of local governments

Division 2 – Legislative functions of local governments

Section 3.5 – Legislative power of local governments

Section 3.12 – Procedure for making local laws

When the Repeal Local Law comes into effect, the By-laws Relating to Signs and Bill Posting will be repealed.

POLICY IMPLICATIONS

Nil

BUDGET IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Shire of Gingin Strategic Community Plan 2022-2032

Aspiration	4. Excellence & Accountability - Deliver Quality Leadership and Business Expertise
Strategic Objective	4.2 Effective Governance - Apply systems of compliance which assists Council to make informed decisions within a transparent, accountable and principled environment

VOTING REQUIREMENTS - ABSOLUTE MAJORITY

COUNCIL RESOLUTION/OFFICER RECOMMENDATION

MOVED: Councillor Vis **SECONDED:** Councillor Johnson

That Council:

1. Adopt the Shire of Gingin Signs and Bill Posting Repeal Local Law 2023 as presented; and
2. Authorise affixing of the Common Seal to the document.

**CARRIED BY ABSOLUTE MAJORITY
8 / 0**

FOR: *Councillor Fewster, Councillor Rule, Councillor Balcombe, Councillor Johnson,
Councillor Kestel, Councillor Peczka, Councillor Sorensen and Councillor Vis*

AGAINST: *Nil*

Local Government Act 1995

Shire of Gingin

Signs and Bill Posting Repeal Local Law 2023

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Council of the Shire of Gingin resolved on 21 March 2023 to make the following local law.

1. Citation

This local law may be cited as the *Shire of Gingin Signs and Bill Posting Repeal Local Law 2023*.

2. Commencement

This local law comes into operation 14 days after the day on which it is published in the *Government Gazette*.

3. Repeal

The *Shire of Gingin By-laws Relating to Signs and Bill Posting* published in the *Government Gazette* on 20 August 1982 are repealed.

Dated this day of 2023.

The Common Seal of the Shire of Gingin)
was affixed by authority)
of a resolution of the Council in the)
presence of:)

C W FEWSTER
Shire President

A COOK
Chief Executive Officer

11.4 2022 COMPLIANCE AUDIT RETURN

File	COR/29
Author	Lee-Anne Burt - Coordinator Governance
Reporting Officer	Aaron Cook - Chief Executive Officer
Refer	Nil
Appendices	1. 2022 Compliance Audit Return [11.4.1 - 7 pages]

DISCLOSURES OF INTEREST

Nil

PURPOSE

To receive and consider the Audit and Governance Committee's recommendation with respect to the Shire of Gingin's Compliance Audit Return for the period 1 January 2022 to 31 December 2022.

BACKGROUND

In accordance with Regulation 14 of the *Local Government (Audit) Regulations 1996*, all local governments are required to complete an annual Compliance Audit Return for submission to the Department of Local Government, Sport and Cultural Industries.

Regulation 14(3A) of the *Local Government (Audit) Regulations 1996* specifies that the Compliance Audit Return is to be reviewed by Council's Audit Committee. The results of the review are to be presented to Council and the Compliance Audit Return submitted to Council for adoption, with the adopted Return then to be submitted to the Department by 31 March of each year.

The completed 2022 Compliance Audit Return (**see Appendix**) was presented to Council's Audit and Governance Committee on 21 February 2023. After considering the report, the Committee resolved to:

1. *Acknowledge the results of the 2022 compliance audit process; and*
2. *Recommend that Council adopt the 2022 Compliance Audit Return for the period 1 January 2022 to 31 December 2022.*

COMMENT

2022 Compliance Audit Return

The Shire of Gingin's 2022 Compliance Audit Return (CAR) was conducted by an independent consultant. The completed Return shows that, in general, the standard of compliance is good. Just two matters have been identified as being non-compliant, as follows:

1. Section: Delegation of Power/Duty

Q12. Were all delegations made under Division 4 of the Act reviewed by the delegator at least once during the 2021/2022 financial year? [LGA s.5.46(2)]

Finding

The audit found that the Shire was not compliant with this requirement.

Response Provided to Audit and Governance Committee

The finding of the audit in this regard is correct and expected.

Council undertook its 2020/21 review of the Delegated Authority Register at its meeting on 15 June 2021, and in order to comply with the legislative requirements the next review (2021/22) should have been completed by 31 June 2022. Although the administrative component of the review was completed in late May, given the unusually large number of amendments put forward as the result of a complete refresh of delegations to bring them into accord with WALGA's template delegations, it was deemed prudent to provide Council with a period of time within which to consider and provide feedback on the proposals. The recommended amendments were therefore circulated at the Briefing Session on 7 June 2022, and Councillors were given a period of approximately 2 weeks within which to submit any queries or suggestions.

The review process was then formally completed by Council at its meeting on 19 July 2022, with the officer's report noting that completion of the review was outside the statutory time frame.

Although this is the first and only time that the Shire has been non-compliant with s.5.46(2), it is proposed that going forward the annual review process will be commenced by Administration earlier in the year so that more time is available for Council review if required.

2. Section: Optional Questions

Q5. Did the CEO publish information on the local government's website in accordance with sections 5.96A(1), (2), (3) and (4) of the Local Government Act 1995? [LGA s.5.96A(1), (2), (3) & (4)]

Finding

The audit found that the Shire had not complied with s.5.96A(1)(f) and (h), in that the confirmed minutes and notice papers and agendas of committee meetings were not published on the Shire's website.

Response Provided to Audit and Governance Committee

Firstly, it must be noted that meetings of Council's committees are not open to the public. None of Council's committees have any delegated powers, and under s.5.23(1)(b) of the *Local Government Act 1995* only meetings of committees to which a local government power or duty has been delegated must be open to the public.

S.5.96A(1) specifies what information a local government must publish on its official website. S.5.96A(1)(f) refers to confirmed minutes of Council and committee meetings, and s.5.96A(1)(h) refers to notice papers and agendas relating to council or committee meetings and other documents that have either been tabled or presented at a council or committee meeting. However, s.5.96A(2) further specifies that the CEO must not publish information referred to in subsection (1)(f) or (h) if the meeting or that part of the meeting to which the information refers was closed to members of the public.

On the basis of s.5.96A(2), Administration has always been of the understanding that meeting papers relating to committee meetings that are not open to the public are not to be made publicly available. However the audit has drawn attention to s.5.96A(3), which states that s.5.96A(2) does not apply to information that is a record of decisions made at a council or committee meeting.

Basically, this means that if a committee meeting is not open to the public, then the Shire is still required to publish a version of the minutes of the meeting containing only the decisions made at the meeting.

Going forward, the Shire has two options available to it. It can either:

1. Treat decisions arising from a committee meeting in a similar manner to confidential matters presented to a council meeting, where the public is not party to the officer's report which relates to a particular matter but the ultimate decision is made public.

For committees, this would mean that a separate "public" version of the minutes would be produced after each committee meeting containing report titles and the committee resolutions. This document would then be published on the Shire's website; or

2. Make public the full version of Committee minutes (other than matters that are considered to be confidential in accordance with s.5.23(2) of the *Local Government Act 1995* and r.4A of the *Local Government (Administration) Regulations 1996*).

Consideration will be given by Administration to the preferred course of action.

It should be noted that this requirement does not extend to working groups.

Further Comments to Council

1. Following submission of the above information to the Audit and Governance Committee, the Department of Local Government, Sport and Cultural Industries has advised that a “committee” which is established by Council but which does not have any delegated decision making powers is not considered by the Department to be a “committee” for the purposes of the Act.

Formal committees of Council are established under s.5.8 of the Act, which states as follows:

5.8 Establishment of Committees

A local government may establish committees of 3 or more persons to assist the council and to exercise the powers and discharge the duties of the local government that can be delegated to committees.

The Department advises that if no powers or duties are being exercised then the group established by Council isn’t a formal committee, and therefore isn’t subject to the other requirements in the Act relating to the operation of committees (including the requirement for meeting papers or committee decisions to be made publicly available on the Shire’s website). In view of the Department’s position, the Shire is not required to make the decisions of its “committees” public at this point.

It must be noted that this position does not apply to a local government’s Audit Committee, which is established under a different section (s.7.1A) of the Act and to which different requirements apply.

Council undertakes a review of the Terms of Reference for each of its committees prior to every local government election. As part of the upcoming 2022 review, Administration will recommend that all current committees (with the exception of the Audit and Governance Committee) be re-identified as working groups or panels to provide clarity around legislative requirements.

2. Council’s attention is drawn to the fact that the consultant’s response to this question is “Yes/No”, recognising that, in his opinion, the Shire was compliant with the majority of information publication requirements. Unfortunately the submission portal will not allow for a Yes/No answer, and therefore when entering the information Administration will have to select the “No” option with details of the instances of compliance and non-compliance being provided in the Comments column.

Other Matters

Outside of the formal CAR process, the consultant made a number of other observations relating to matters which do not form part of the Return, but which may be worthy of consideration.

1. Disclosures of Interest

In viewing the minutes of Council meetings, the consultant noted that in some instances where disclosures of impartiality or direct financial interest were made, the nature of the interest may more properly have been identified as indirect financial.

Response Provided to Audit and Governance Committee

Conflicts of Interest forms a component of the Council Member Essentials training that all Councillors are required to complete following election to Council, and a comprehensive section on disclosures is contained in the Councillor Information Manual provided to Councillors following their election.

In the short term this information will be re-circulated to all Councillors, but it may be worth making provision in the 2023/24 budget for further training on interest disclosures for both Councillors and relevant staff.

2. Audit and Governance Committee Membership

It is the consultant's view that the Shire may not be compliant with the requirements of s.5.11(1)(d) of the *Local Government Act 1995* with respect to the appointment of members to the Audit and Governance Committee.

S.5.11(1)(d) states that where a person is appointed as a member of a committee, then that membership continues until the next ordinary elections day.

Response Provided to Audit and Governance Committee

At its meeting on 15 October 2019, Council resolved to amend the membership of the Audit and Governance Committee from five Councillors to nine Councillors (ie, the whole Council). This decision arose as the result of a previous decision of Council (in January 2019) to include coordination of the CEO's performance review process as a function of the Committee, with most Councillors indicating that they would like to be able to participate in all phases of the review process. The Terms of Reference for the Committee were amended to reflect this decision.

It is Council's usual practice to review the Terms of Reference for each of its committees, including the Audit and Governance Committee, on a biennial basis, just prior to local government elections.

S.5.11(1)(d) of the *Local Government Act 1995* states that, where a person is appointed as a member of a committee, then that membership continues until the next ordinary election day. In recognition of this fact, Council attends to the appointment of representatives to each of its committees as one of the items of business at its first meeting following every election. However, since amending the membership of the Audit and Governance Committee to include all Councillors, the appointment of members to the Committee has not been included in this process. It was considered to be unnecessary given that the adopted Terms of Reference specify that all Councillors are committee members (regardless of who the individual Councillors may be).

The consultant considers that, in order to be fully compliant, Council should formally appoint all Councillors as members of the Committee following each election.

This matter is easily rectified, and the appointment of members to the Audit and Governance Committee will be included as part of the committee appointment process following the October 2023 elections.

3. Confirmation of Electors' Meeting Minutes

The consultant has queried the fact that minutes of the Annual General Meeting of Electors (AGM) are not confirmed at the following year's meeting.

Response Provided to Audit and Governance Committee

Unlike council and committee meetings, there is no legislative requirement for the confirmation of minutes of electors' meetings. There is a requirement for all decisions made at an electors' meeting to be considered at the next ordinary council meeting or, if that isn't practicable, at either the next ordinary council meeting after that, or at a special meeting called for the purpose (LGA s.5.33).

The Shire of Gingin is not alone in not requiring confirmation of previous minutes at its AGM, and a brief internet search has shown that none of the following local governments had this requirement at their 2022 AGMs:

- City of Cockburn;
- City of Gosnells;
- City of Joondalup;
- City of Mandurah;
- City of Perth;
- City of Stirling;
- City of Vincent; and
- City of Wanneroo.

Nevertheless, consideration will be given to including a confirmation of minutes provision in the agenda for the 2022/23 AGM.

4. Tender Register

The auditor has noted that procurements undertaken through the Western Australian Local Government Association's (WALGA) preferred supplier panels are not recorded in the Shire's Tender Register, and recommends that this practice be amended for the purposes of completeness of records and transparency.

Response Provided to Audit and Governance Committee

R.11(1) of the *Local Government (Functions and General) Regulations 1996* (the Regulations) requires that a local government must publicly invite tenders where the consideration under the resulting contract is, or is expected to be, more than \$250,000. R.11(2) lists a number of exemptions from this requirement, including where the supply of goods or services is to be obtained through the WALGA Preferred Supplier Program.

Under r.17 of the Regulations, the CEO is required to maintain a tender register which records certain details with respect to public tenders. This register must then be published on the local government's website.

WALGA has confirmed to the consultant that the exemption granted by r.11(2) means that procurements undertaken using the Preferred Supplier Panel are not required to be included in the tender register. A brief review of tender registers published on other local governments' websites has revealed that, like the Shire of Gingin, many only seem to include details of publicly advertised tender processes.

Consideration will be given by Administration to whether there is any value in changing current practice or not.

STATUTORY/LOCAL LAW IMPLICATIONS

Local Government (Audit) Regulations 1996

Reg 14 – Compliance audits by local governments

Reg 15 – Compliance audit return, certified copy of etc. to be given to Executive Director

POLICY IMPLICATIONS

Nil

BUDGET IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Shire of Gingin Strategic Community Plan 2022-2032

Aspiration	4. Excellence & Accountability - Deliver Quality Leadership and Business Expertise
Strategic Objective	4.2 Effective Governance - Apply systems of compliance which assists Council to make informed decisions within a transparent, accountable and principled environment

VOTING REQUIREMENTS - SIMPLE MAJORITY

COUNCIL RESOLUTION/OFFICER RECOMMENDATION

MOVED: Councillor Vis **SECONDED:** Councillor Balcombe

That Council:

1. Acknowledge the results of the 2022 compliance audit process; and
2. Adopt the 2022 Compliance Audit Return for the period 1 January 2022 to 31 December 2022.

**CARRIED UNANIMOUSLY
8 / 0**

FOR: *Councillor Fewster, Councillor Rule, Councillor Balcombe, Councillor Johnson, Councillor Kestel, Councillor Peczka, Councillor Sorensen and Councillor Vis*

AGAINST: *Nil*

Shire of Gingin 2022 Compliance Audit Return

Commercial Enterprises by Local Governments						
No	Reference	Question	Source for verification	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 2022?	2022 Council minutes, discussion with Coordinator Governance	N/A	There were no major trading undertakings entered into or made.	Consultant
2	s3.59(2)(b) F&G Regs 7,8A, 8, 10	Has the local government prepared a business plan for each major land transaction that was not exempt in 2022?	2022 Council minutes, discussion with Coordinator Governance	N/A	There were no major land transactions undertaken.	Consultant
3	s3.59(2)(c) F&G Regs 7,8A, 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 2022?	2022 Council minutes, discussion with Coordinator Governance	N/A	There were no major land transactions undertaken.	Consultant
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 2022?	2022 Council minutes, discussion with Coordinator Governance	N/A	There were no trading undertakings or major land transactions undertaken.	Consultant
5	s3.59(5)	During 2022, did the council resolve to proceed with each major land transaction or trading undertaking by absolute majority?	2022 Council minutes, discussion with Coordinator Governance	N/A	There were no trading undertakings or major land transactions undertaken.	Consultant
Delegation of Power/Duty						
No	Reference	Question	Source for verification	Response	Comments	Respondent
1	s5.16	Were all delegations to committees resolved by absolute majority?	Council minutes, Register of Delegations	N/A	No delegations specified in July 2022 resolutions re Register of Delegations	Consultant
2	s5.16	Were all delegations to committees in writing?	Council minutes, Register of Delegations	N/A	No delegations specified in July 2022 resolutions re Register of Delegations	Consultant
3	s5.17	Were all delegations to committees within the limits specified in section 5.17?	Council minutes, Register of Delegations	N/A	No delegations specified in July 2022 resolutions re Register of Delegations	Consultant
4	s5.18	Were all delegations to committees recorded in a register of delegations?		N/A	No delegations specified in July 2022 resolutions re Register of Delegations	Consultant
5	s5.18	Has council reviewed delegations to its committees in the 2021/2022 financial year?	19 July 2022 OCM	Yes		Consultant
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 Local Government Act 1995?	Compare register to s5.43	Yes	As per Register of Delegations adopted in July 2022	Consultant
7	s5.42(1)	Were all delegations to the CEO resolved by an absolute majority?	19 July 2022 OCM	Yes		Consultant
8	s5.42(2)	Were all delegations to the CEO in writing?	Register of delegations	Yes		Consultant
9	s5.44(2)	Were all delegations by the CEO to any employee in writing?	Register of delegations	Yes	Advised in writing to all employees on commencement, via ATTAIN and via email after annual financial year review	Consultant
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?	Council minutes	Yes	Evidence of amendment or revocation of delegations	Consultant
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?	Register of delegations	Yes	The register is on the Shire's website.	Consultant
12	s5.46(2)	Were all delegations made under Division 4 of the Act reviewed by the delegator at least once during the 2021/2022 financial year?	15 June 2021 OCM, 19 July 2022 OCM re Council delegations re CEO delegations but no evidence in 2021/2022	No	No evidence of same in 2021/2022 financial year - RoD reviewed 15 June 2021 OCM (thus 2020/2021) and 19 July 2022 (thus 2022/2023)	Consultant
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 Local Government (Administration) Regulations 1996, regulation 19?	Samples provided	Yes	Samples showing exercise of delegation.	Consultant
Disclosure of Interest						

No	Reference	Question	Source for verification	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 of the Local Government Act 1995, did the council member ensure that they did not remain present to participate in discussion or decision making relating to the matter?	Council minutes	Yes	Minutes show in all cases where interests disclosed that required a council member to leave a meeting that they did so. These included financial and proximity interests. A number of impartiality declarations were made but Members are not required to leave a meeting under this provision.	Consultant
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 the Local Government (Administration) Regulations 1996 regulation 21A, recorded in the minutes of the relevant council or committee meeting?	Council minutes	N/A	There were no occasions where participation approval was sought or given.	Consultant
3	s5.73	Were disclosures under section sections 5.65, 5.70 or 5.71A(3) of the Local Government Act 1995 recorded in the minutes of the meeting at which the disclosures were made?	Council minutes	Yes		Consultant
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?	Hard copies provided	Yes	Samples viewed contained information required by Act/Regs	Consultant
5	s5.76 Admin Reg 23, Form 3	Was an annual return in the prescribed form lodged by all relevant persons by 31 August 2022?	Hard copies provided	Yes	Samples viewed contained information required by Act/Regs	Consultant
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?	Hard copies provided, also ATTAIN	Yes	Samples viewed contained information required by Act/Regs	Consultant
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 of the Local Government Act 1995?	Hard copies provided	Yes	Register viewed	Consultant
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 of the Local Government Act 1995, in the form prescribed in the Local Government (Administration) Regulations 1996, regulation 28?	Hard copies provided	Yes	Register viewed	Consultant
9	s5.88(3)	When a person ceased to be a person required to lodge a return under sections 5.75 and 5.76 of the Local Government Act 1995, did the CEO remove from the register all returns relating to that person?	Register of annual returns	Yes	Council Member who had resigned in 2022, Returns removed	Consultant
10	s5.88(4)	Have all returns removed from the register in accordance with section 5.88(3) of the Local Government Act 1995 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?	Archived	Yes	Archives	Consultant
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 of the Local Government Act 1995, in the form prescribed in the Local Government (Administration) Regulations 1996, regulation 28A?	Website contains a gifts register, none declared	Yes		Consultant
12	s5.89A(5) & (5A)	Did the CEO publish an up-to-date version of the gift register on the local government's website?	Shire website	Yes	Viewed on Shire website	Consultant
13	s5.89A(6)	When people cease to be a person who is required to make a disclosure under section 5.87A or 5.87B of the Local Government Act 1995, did the CEO remove from the register all records relating to those people?	Gifts register	Yes	Viewed on Shire website	Consultant
14	s5.89A(7)	Have copies of all records removed from the register under section 5.89A(6) Local Government Act 1995 been kept for a period of at least five years after the person ceases to be a person required to make a disclosure?	Archived	Yes	Archives	Consultant
15	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?	Council minutes	Yes	Minutes show in all cases where interests disclosed that required an employee to leave a meeting that they did so. These included financial interests.	

16	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) of the Local Government Act 1995 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?	Council minutes	N/A	There were no occasions where participation approval was sought or given.	Consultant
17	s5.71B(6) & s5.71B(7)	Was any decision made by the Minister under subsection 5.71B(6) of the Local Government Act 1995 recorded in the minutes of the council meeting at which the decision was considered?	Council minutes	N/A	There were no occasions where participation approval was sought or given.	Consultant
18	s5.104(1)	Did the local government prepare and adopt, by absolute majority, a code of conduct to be observed by council members, committee members and candidates within 3 months of the prescribed model code of conduct coming into operation (3 February 2021)?	Adopted OCM April 2021	Yes	At website dated May 2021	Consultant
19	s5.104(3) & (4)	Did the local government adopt additional requirements in addition to the model code of conduct? If yes, does it comply with section 5.104(3) and (4) of the Local Government Act 1995?	Adopted OCM April 2021	Yes, yes	Provision re Council Members required to have Police Clearance, dress standards, administrative enquiries, medication with potential side benefits - none contavene s5.104 LGA, as only apply to Council Members.	
20	s5.104(7)	Has the CEO published an up-to-date version of the code of conduct for employees on the local government's website?	At website	Yes	Dated December 2022	Consultant
21	s5.51A(1) & (3)	Has the CEO prepared and implemented a code of conduct to be observed by employees of the local government in accordance with section 5.51A(1) of the Local Government Act 1995?	At website	Yes	Dated December 2022	Consultant
Disposal of Property						
No	Reference	Question	Source for verification	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) of the Local Government Act 1995 (unless section 3.58(5) applies)?	N/A	N/A	N/A	Consultant
2	s3.58(4)	Where the local government disposed of property under section 3.58(3) of the Local Government Act 1995, did it provide details, as prescribed by section 3.58(4) of the Act, in the required local public notice for each disposal of property?	N/A	N/A	N/A	Consultant
Elections						
No	Reference	Question	Source for verification	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 in accordance with regulations 30G(1) and 30G(2) of the Local Government (Elections) Regulations 1997?	Electoral gifts register at website	Yes	Format of Register includes all information required at Reg 30D, Form 9A	Consultant
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 in accordance with regulation 30G(4) of the Local Government (Elections) Regulations 1997?	Electoral gifts register at website	N/A	No gifts declared	Consultant
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 regulation 30G(5) of the Local Government (Elections) Regulations 1997?	Shire website	Yes	At website	Consultant
Finance						
No	Reference	Question	Source for verification	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 Local Government Act 1995?	OCM decisions Oct 2019 and Aug 2021 regarding ToR and constituting the Audit Governance Ctee, as a Ctee of the whole.	Yes	Council has adopted Terms of Reference for the Ctee, and resolved that it consist of the whole Council as members. It may be better for Council to formally determine the Ctee and its membership as with other Ctees, at the same OCM following the ordinary elections.	Consultant
2	s7.1B	Where the council delegated to its audit committee any powers or duties under Part 7 of the Local Government Act 1995, did it do so by absolute majority?	Register of delegations contains no delegations	N/A		Consultant
3	s7.9(1)	Was the auditor's report for the financial year ended 30 June 2022 received by the local government by 31 December 2022?	December OCM 2022 addressed Auditor's Report dated Dec 12 2022	Yes	Auditor's Report dated Dec 12 2022	Consultant
4	s7.12A(3)	Where the local government determined that matters raised in the auditor's report prepared under section 7.9(1) of the Local Government Act 1995 required action to be taken, did the local government ensure that appropriate action was undertaken in respect of those matters?	December OCM 2022 addressed Auditor's Report dated Dec 12 2022	Yes	Representatives from the Office of Auditor General (OAG) and Dry Kirkness (Contract Auditor) attended the Audit and Governance Committee meeting on 12 December 2022 to discuss its findings as detailed in the Completion Report and respond to queries from Councillors.	Consultant
5	s7.12A(4)(a) & (4)(b)	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? Was a copy of the report given to the Minister within three months of the audit report being received by the local government?	December OCM 2022 addressed Auditor's Report dated Dec 12 2022.	N/A	No Significant matters.	Consultant
6	s7.12A(5)	Within 14 days after the local government gave a report to the Minister under section 7.12A(4)(b) of the Local Government Act 1995, did the CEO publish a copy of the report on the local government's official website?	N/A	N/A		Consultant
7	Audit Reg 10(1)	Was the auditor's report for the financial year ending 30 June 2022 received by the local government within 30 days of completion of the audit?	Council minutes	Yes		Consultant
Integrated Planning and Reporting						
No	Reference	Question	Source for verification	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?	Council minutes, website.	Yes	Endorsed for public comment Jan 2022, adopted Mar 2022	Consultant
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?	Council minutes, website.	Yes	Adopted by May 2022 OCM	Consultant
3	Admin Reg 19DA(2) & (3)	Does the corporate business plan comply with the requirements of Local Government (Administration) Regulations 1996 19DA(2) & (3)?	Corporate Business Plan at website	Yes	CBP covers 2022 - 2026	Consultant
Local Government Employees						
No	Reference	Question	Source for verification	Response	Comments	Respondent
1	s5.36(4) & s5.37(3) Admin Reg 18A	Were all CEO and/or senior employee vacancies advertised in accordance with Local Government (Administration) Regulations 1996, regulation 18A?	N/A	N/A	No change in CEO, or senior employees in 2022. Council, in 2022 resolved to revoke designations of senior employees	Consultant
2	Admin Reg 18E	Was all information provided in applications for the position of CEO true and accurate?	N/A	N/A		Consultant
3	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) of the Local Government Act 1995?	N/A	N/A		Consultant
4	s5.37(2)	Did the CEO inform council of each proposal to employ or dismiss senior employee?	N/A	N/A		Consultant

5	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	N/A		Consultant
Official Conduct						
No	Reference	Question	Source for verification	Response	Comments	Respondent
1	s5.120	Has the local government designated an employee as defined by section 5.37 of the Local Government Act 1995 to be its complaints officer?	Website	Yes	The CEO is the Officer	Consultant
2	s5.121(1) & (2)	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) of the Local Government Act 1995?	Website	Yes	Register of Complaints tab at website states no complaints received.	Consultant
3	S5.121(2)	Does the complaints register include all information required by section 5.121(2) of the Local Government Act 1995?	Website	Yes	Register of Complaints tab at website states no complaints received.	Consultant
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?	Website	Yes		Consultant
Optional Questions						
No	Reference	Question	Source for verification	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 the Local Government (Financial Management) Regulations 1996 regulations 5(2)(c) within the three financial years prior to 31 December 2022? If yes, please provide the date of council's resolution to accept the report.	N/A	N/A	Not due until 2023 and scheduled for same.	Consultant
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 Local Government (Audit) Regulations 1996 regulation 17 within the three financial years prior to 31 December 2022? If yes, please provide date of council's resolution to accept the report.	Council minutes 21/6/2022	Yes		Consultant
3	s5.87C	Where a disclosure was made under sections 5.87A or 5.87B of the Local Government Act 1995, were the disclosures made within 10 days after receipt of the gift? Did the disclosure include the information required by section 5.87C of the Act?	Register of gifts	Yes	No gifts declared at Register at website	Consultant
4	s5.90A(2) & (5)	Did the local government prepare, adopt by absolute majority and publish an up-to-date version on the local government's website, a policy dealing with the attendance of council members and the CEO at events?	Policy Manual at website	Yes	June 2020 adoption	Consultant
5	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) of the Local Government Act 1995?	Shire website	Yes/No	5.96A(1)(a) - map - yes - no Wards 5.96A(1)(b) - Local Laws - yes 5.96A(1)(c) - annual budget - yes 5.96(1)(d) - fees and charges - yes 5.96(1)(e) - Plans for the Future - yes - corporate-business-plan, strategic community plan - at website. 5.96(1)(f) - minutes of Council and Ctee meetings - Council mtgs - yes - Ctee mtgs no 5.96(1)(g) - minutes of electors meetings - yes - Sept 7 2022 minutes 5.96(1)(h) - agendas and notices - Council meetings - yes - Ctee mtgs no.	Consultant
6	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?	Policy Manual	Yes	At Policy Manual at website	Consultant

7	s5.127	Did the local government prepare a report on the training completed by council members in the 2021/2022 financial year and publish it on the local government's official website by 31 July 2022?	Shire website	Yes	Viewed on Shire website	Consultant
8	s6.4(3)	By 30 September 2022, did the local government submit to its auditor the balanced accounts and annual financial report for the year ending 30 June 2022?	Shire records	Yes	On September 30	Consultant
9	s.6.2(3)	When adopting the annual budget, did the local government take into account all its expenditure, revenue and income?	Budget, council minutes	Yes	As far as can be ascertained	Consultant
Tenders for Providing Goods and Services						
No	Reference	Question	Source for verification	Response	Comments	Respondent
1	F&G Reg 11A(1) & (3)	Did the local government comply with its current purchasing policy, adopted under the Local Government (Functions and General) Regulations 1996, regulations 11A(1) and (3) 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?	Procurement policy, sample of purchases made under different thresholds of policy	Yes		Consultant
2	s3.57 F&G Reg 11	Subject to Local Government (Functions and General) Regulations 1996, regulation 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 regulation 11(1) of the Regulations?	Tenders Register	Yes	Only 1 Tender in 2022 determined by Council, others (under \$500k) by delegation via WALGA Panel.	Consultant
3	F&G Regs 11(1), 12(2), 13, & 14(1), (3), and (4)	When regulations 11(1), 12(2) or 13 of the Local Government Functions and General) Regulations 1996, required tenders to be publicly invited, did the local government invite tenders via Statewide public notice in accordance with Regulation 14(3) and (4)?	Tenders register (copy of advert)	Yes	Copy of advert at Tenders Register indicates compliance.	Consultant
4	F&G Reg 12	Did the local government comply with Local Government (Functions and General) Regulations 1996, Regulation 12 when deciding to enter into multiple contracts rather than a single contract?		N/A	No multiple contracts entered into	Consultant
5	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?	Shire systems and processes require same.	Yes		Consultant
6	F&G Regs 15 & 16	Did the local government's procedure for receiving and opening tenders comply with the requirements of Local Government (Functions and General) Regulations 1996, Regulation 15 and 16?	Formal process	Yes		Consultant
7	F&G Reg 17	Did the information recorded in the local government's tender register comply with the requirements of the Local Government (Functions and General) Regulations 1996, Regulation 17 and did the CEO make the tenders register available for public inspection and publish it on the local government's official website?	Tenders register	Yes	Tender register published at website.	Consultant
8	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?		No		Consultant
9	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?	Council minutes	Yes		Consultant
10	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?	Shire records (sample)	Yes		Consultant
11	F&G Regs 21 & 22	Did the local government's advertising and expression of interest processes comply with the requirements of the Local Government (Functions and General) Regulations 1996, Regulations 21 and 22?	N/A	N/A		Consultant

12	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	N/A		Consultant
13	F&G Reg 23(3) & (4)	Were all expressions of interest that were not rejected under the Local Government (Functions and General) Regulations 1996, Regulation 23(1) & (2) assessed by the local government? Did the CEO list each person as an acceptable tenderer?	N/A	N/A		Consultant
14	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 Local Government (Functions and General) Regulations 1996, Regulation 24?	N/A	N/A		Consultant
15	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 Local Government (Functions and General) Regulations 1996, Regulations 24AD(4) and 24AE?	N/A	N/A		Consultant
16	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	N/A		Consultant
17	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 Local Government (Functions and General) Regulations 1996, Regulation 16, as if the reference in that regulation to a tender were a reference to a pre-qualified supplier panel application?	N/A	N/A		Consultant
18	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 Local Government (Functions and General) Regulations 1996, Regulation 24AG?	N/A	N/A		Consultant
19	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	N/A		Consultant
20	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	N/A		Consultant
21	F&G Reg 24AI	Did the CEO send each applicant written notice advising them of the outcome of their application?	N/A	N/A		Consultant
22	F&G Regs 24E & 24F	Where the local government gave regional price preference, did the local government comply with the requirements of Local Government (Functions and General) Regulations 1996, Regulation 24E and 24F?	Policy Manual and Council Minutes	Yes		Consultant

12 REPORTS - CORPORATE AND COMMUNITY SERVICES

12.1 A3381 REQUEST TO WRITE OFF LEGAL FEES AND INTEREST CHARGES

File	A3381
Author	Natasha Harry – Senior Rates Officer
Reporting Officer	Les Crichton - Executive Manager Corporate and Community Services
Refer	Nil
Appendices	Nil

DISCLOSURES OF INTEREST

Nil

PURPOSE

To consider write off of interest and legal fees accrued on property 207 (Lot 15) Mogumber Road West Red Gully (the subject property).

BACKGROUND

The property was purchased and occupied by the current owner on 16 November 2020. The 2020/21 rates were paid by the previous owner prior to settlement and apportioned accordingly at settlement. The 2021/22 rates were issued on 18 August 2021.

Over the period between September 2021 and March of 2022, there was considerable discussion between the ratepayer and the Shire's Rates Department in relation to investigating his eligibility for a pensioner rebate. The ratepayer has been granted the Department of Veteran Affairs (DVA) TPI Gold Card, which on its own does not provide a concession on Rates/ESL. He was advised on numerous occasions by Rates Department staff that he was not eligible for the pensioner rebate with a TPI Gold Card alone and that he required a State Concession Card to be granted.

In March 2022 the Rates Officer commenced legal action on this property for non-payment of the rates resulting in legal charges, in addition to penalty interest charged to the assessment. Prior to this, the ratepayer received a reminder notice and a final notice in accordance with the requirements of the *Local Government Act 1995*.

Table 1. shows the total interest and legal charges that are currently in arrears.

Table 1.

A3381 - 207 (Lot 15) Mogumber Road Red Gully Financial Summary				
Levies	Receipts	Balance	Description	Request to Waive
118.15		118.15	Interest	118.15
2,381.20		2,381.20	Legal Charges	2,381.20
2.59		2.59	ESL PENALTY	2.59
7.10		7.10	ESL PENALTY	7.10
			*** TOTALS ***	2,509.04

The ratepayer applied for and was granted the State Concession Card effective 21 September 2022. This has been added to the rate assessment record with a pro-rata rebate applied. New rebate applications require the ratepayer to pay the rates in full, and if the rebate is granted (and the property was owned by the applicant on 1 July of that year), it is paid pro-rata from the date of approval. On receipt it can be refunded to the ratepayer or retained as a credit towards the next year's rates.

COMMENT

The ratepayer has requested that the legal fees and penalty interest be waived given he was not made aware that the rates needed to be paid in full prior to granting of the pensioner rebate.

Based on the correspondence and notations between staff and the ratepayer, and despite rates being due and payable as detailed in the reminders, it appears the requirement to pay the rates due in full or to make alternate payment arrangements during the pensioner rebate application process may not have been clearly communicated to the ratepayer.

Once it was explained that he was required to pay during discussions with the ratepayer in October 2022 regarding the pension rebate and the outstanding arrears, the ratepayer immediately paid the outstanding 2021/22 rates.

As the CEO has delegated authority to waive outstanding monies only up to a maximum of \$1,000 (Delegation), the ratepayer has requested that Council waive the \$2,509.04 in legal fees as detailed in Table 1.

STATUTORY/LOCAL LAW IMPLICATIONS

Local Government Act 1995

Part 6 – Financial management

Division 4 – General Provisions

Division 6 – Rates and service charges

Rates and Charges (Rebates and Deferrals) Act 1992

Part 1 Administration

Division 3 Determinations having an interpretive effect.

Section 6.3 (3) of the Act State concession cards for person not otherwise eligible.

Council Delegation

1.1.9 Waive or Grant Concessions on Money Owed to the Shire

POLICY IMPLICATIONS

Nil

BUDGET IMPLICATIONS

The legal fees have been paid by the Shire to AMPAC. As this was a service they provided, we cannot recover those funds.

STRATEGIC IMPLICATIONS

Shire of Gingin Strategic Community Plan 2022-2032

Aspiration	4. Excellence & Accountability - Deliver Quality Leadership and Business Expertise
Strategic Objective	4.4 Strategic & Sustainable Financial Planning - Undertake long-term resource planning and allocation in accordance with the Integrated Planning and Reporting Framework

VOTING REQUIREMENTS - ABSOLUTE MAJORITY

COUNCIL RESOLUTION/OFFICER RECOMMENDATION

MOVED: Councillor Johnson **SECONDED:** Councillor Vis

That Council, in accordance with s. 6.12 of the *Local Government Act 1995*, write off outstanding legal fees of \$2,381.20 and interest accrued of \$127.84 against Lot 15 (207) Mogumber Road West, Red Gully.

CARRIED BY ABSOLUTE MAJORITY

8 / 0

FOR: *Councillor Fewster, Councillor Rule, Councillor Balcombe, Councillor Johnson, Councillor Kestel, Councillor Peczka, Councillor Sorensen and Councillor Vis*

AGAINST: *Nil*

Karina Leonhardt (Manager Corporate Services) and Michael Pilkington (Coordinator Financial Planning and Reporting) entered the meeting at 3:30pm.

12.2 UNBUDGETED EXPENDITURE - HONEYCOMBE STANDPIPE AUTOMATED CONTROLLER

File	WAT/8
Author	Bethwyn Innes - Executive Assistant to EMCCS
Reporting Officer	Les Crichton - Executive Manager Corporate and Community Services
Refer	Nil
Appendices	1. Water Licence- Honeycomb Standpipe [12.2.1 - 1 page]

DISCLOSURES OF INTEREST

Nil

PURPOSE

For Council to consider endorsing expenditure for a Smart Controller System for the monitoring and management of the Honeycomb standpipe usage in the 2023/24 Budget.

BACKGROUND

The Honeycomb standpipe, located in Honeycomb Road, Gingin, is one of four standpipes within the Shire of Gingin and has been a long-standing water access point. The standpipe allows access to non-potable water by way of a bore and pump system. It is currently utilised by the Shire for emergency services requirements and local construction projects. The standpipe is registered with the Department of Water by way of a Water Licence (see **Appendix**), with a draw limit of 11,500 kilolitres per annum.

The Honeycomb standpipe is the only standpipe in the Shire which can be accessed by the public for a fee and is used to assist construction companies, contractors or those working locally within the Shire requiring non-potable water to complete projects.

To maintain the draw limit and restrict access, the standpipe is currently locked with a padlock and key. The water draw is measured with a water meter attached to the tap and is noted by Shire employees. All emergency services within the Shire and Shire maintenance staff have an access key to the standpipe, with the master key being held by the Executive Manager Operations and Assets (EMOA). There are two spare keys which can be booked for use by those requiring access to the standpipe.

At the Ordinary Council meeting of 15 March 2022, Council agreed to amend the 2021/22 adopted Schedule of Fees to increase the standpipe key bond from \$50 to \$200 to encourage the return of keys, given the limited number of spare keys available. It was also anticipated that, with the return of the keys for bond reimbursement, the Shire would have a more accurate system of notification of water being taken from the standpipe by the general public.

A large number of keys already issued have not been returned, and it has been noted by the EMOA that the standpipe access was recently disrupted due to large water draws from companies completing the Brand Highway roadworks. This led to excessive wait times for our own crew to access the standpipe, resulting in external applicants being refused access to limit the queues.

It should be noted that no invoices for the use of the standpipe have been issued since September 2022.

COMMENT

Administration has investigated alternative management solutions. The most appropriate system is a web-based management system utilising a swipe card or key fob, which will allow the Shire to monitor and control who has access to the standpipe and when, reducing the incidence of low water levels. The Shire will also be able to collect data, such as the amount of water taken, when it was taken and which access key was used, ensuring accurate usage invoices are raised for external users in a timely manner. The installation of a system controller will remove the need for using/changing the lock and reissuing keys to emergency service personnel, as well as eliminate the process of collection and reimbursement of key bonds.

The standpipe will be freely available during an emergency and access control can be managed remotely via cloud-based web software, which is included in the proposal. The system will also simplify the requirement to record and report the water draw to the Department of Water as per the license conditions.

Proposals from three companies have been provided with the main comparisons outlined in the table below. The availability of grant funding to assist in implementation of this initiative is also being explored, with appropriate grant funding applications in progress.

All proposals consider the use of the overhead pipe as well as the camlock water supply, with two of the systems using the sturdier, metal key fob for swipe access in place of a swipe card.

Further investigations have been conducted with several Shires using the proposed systems, including Shire of Kojonup, Shire of Three Springs, Shire of Lake Grace and Shire of Esperance. All Shires found the systems favourable with no known or reported issues. It has been suggested that an override system be considered during times of power outage. This can be addressed by using the existing (water isolation) valve as a manual override. The valve will need to be secured to limit access, by either installing a lockable valve pit or covering the existing valve with a lockable metal box.

Table 1

	Industrial Automation Group – Overhead Standpipe	AvData	Aquamonix
Quote for item	\$16,869.30	\$3,535	\$9,165
Installation	\$8,194.20	TBC	\$2100
Location	Joondalup	Canberra, ACT	Malaga WA
Keyfob/swipe card cost	\$1,500 for 100 swipe cards	\$1,100 (\$22 ea x 50)	\$1,100 (\$22 ea x 50)
Ongoing Fees and Charges (per annum)	\$695 Server Access \$576 (Support Fees)	\$945 (incl Support Fees) (plus key usage charges)	\$360
Total	\$26,563.50	\$3,535 (+ Freight and Key fobs)	\$13,325

It is recommended that Council accept the quote from Aquamonix for supply of a standpipe monitoring solution at a cost of \$13,325. The ongoing fees and charges for the system are competitive and do not include service fees that we may not use. Installation will be completed by Aquamonix, with ongoing support being readily available when required. The system also has the capacity for expansion at a later date (CCTV, battery backup installation) allowing for changes and growth with the use and requirements of the standpipe.

STATUTORY/LOCAL LAW IMPLICATIONS

Local Government Act 1995

Party 6 Financial Management

Division 4 General financial provisions

Section 6.8 Expenditure from municipal fund not included in annual budget

POLICY IMPLICATIONS

Nil

BUDGET IMPLICATIONS

The installation of a system is not included within the 2022/23 Budget and will therefore require Council approval. If it is to be progressed this financial year, it is proposed the cost be funded from Council's Reserve Funds. Officers are currently exploring a grant opportunity to assist with the funding which, if successful, will offset this cost.

Account	Description	Current Budget	Revised Budget	Surplus/Deficit
PC	Standpipe Monitoring System	\$0	\$13,325	\$13,325
150501810	FIRE - Transfer from Community Infrastructure Reserves	\$0	(\$13,325)	(\$13,325)
Net				\$0

Alternatively, Council may wish to include the project for consideration in the 2023/24 Budget.

STRATEGIC IMPLICATIONS

Shire of Gingin Strategic Community Plan 2022-2032

Aspiration	3. Planning & Sustainability - Plan for Future Generations
Strategic Objective	4.1 Management of Assets - Maintain civic buildings, sporting facilities, public places, plant and road and cycleway/pathways based on asset management plans and identified priorities

VOTING REQUIREMENTS - ABSOLUTE MAJORITY

OFFICER RECOMMENDATION

MOVED: Councillor Vis SECONDED: Councillor Rule

That Council agree to amend the 2022/23 Budget as follows:

Account	Description	Current Budget	Revised Budget	Surplus/Deficit
PC	Standpipe Monitoring System	\$0	\$13,325	\$13,325
150501810	FIRE - Transfer from Community Infrastructure Reserves	\$0	(\$13,325)	(\$13,325)
Net				0

PROCEDURAL MOTION

MOVED: Councillor Kestel **SECONDED:** Councillor Johnson

That consideration of this matter be referred to a future meeting of Council in order to provide further opportunity for investigation and discussion.

**CARRIED UNANIMOUSLY
8 / 0**

FOR: *Councillor Fewster, Councillor Rule, Councillor Balcombe, Councillor Johnson,
Councillor Kestel, Councillor Peczka, Councillor Sorensen and Councillor Vis*

AGAINST: *Nil*

File No: SN629



Government of **Western Australia**
Department of **Water**

Page 1 of 1

Instrument No. **GWL183139(1)**

LICENCE TO TAKE WATER

Granted by the Minister under section 5C of the Rights in Water and Irrigation Act 1914

Licensee(s)	Shire of Gingin		
Description of Water Resource	Gingin Perth - Superficial Swan	Annual Water Entitlement	11550 kL
Location of Water Source	Lot 13609 On Plan 23906 - Volume/Folio Lr3121/622 - Lot 13609 Honeycomb Rd Gingin		
Authorised Activities	Taking of water for	Location of Activity	
	Firefighting purposes Road construction purposes	Lot 13609 On Plan 23906 - Volume/Folio Lr3121/622 - Lot 13609 Honeycomb Rd Gingin	
Duration of Licence	From 18 August 2016 to 17 August 2026		
This Licence is subject to the following terms, conditions and restrictions:			
End of terms, conditions and restrictions			

This Licence is granted subject to the Rights in Water and Irrigation Regulations 2000

12.3 ANNUAL BUDGET REVIEW - 2022/23

File	FIN/25
Author	Karina Leonhardt – Manager Corporate Services
Reporting Officer	Les Crichton - Executive Manager Corporate and Community Services
Refer	Nil
Appendices	1. 2022-23- Budget- Review [12.3.1 - 14 pages]

DISCLOSURES OF INTEREST

Nil

PURPOSE

To consider and adopt the Budget Review as presented in the Statement of Financial Activity for the period 1 July 2022 to 31 January 2023.

BACKGROUND

Regulation 33A of the *Local Government (Financial Management) Regulations 1996* requires that local governments conduct a Budget Review between 1 January and 31 March in each financial year. A copy of the Review and determination is to be provided to the Department of Local Government, Sport, and Cultural Industries within 30 days of adoption of the Review.

In a proposed 2nd tranche amendment to the *Local Government (Financial Management) Regulations 1996* (amendments to Regulation 33A designed to improve linkages with annual budget and annual financial statements), the timeframe of the annual budget review is to be amended from 31 March to 'end of February' with the timeframe to provide a copy of the budget review to the Department of Local Government within 14 days of adoption by Council.

Although these changes have not yet been gazetted, management has elected to implement the proposed amendments and timeframes with this review relating to the period ending 31 January 2023.

COMMENT

A comprehensive Budget Review has been undertaken by Officers with the review based on variances as at 31 January 2023.

The Budget Review also considers and takes into account the regular statements of financial activity reports which are presented to Council every month.

The analysis of the Budget Review and proposed amendments are attached (**Appendix**), comprising:

- Statement of Budget Review by Nature or Type;
- Basis of Preparation;
- Net Current Funding Position;
- Predicted Variances; and
- Budget Amendments.

The overall outcome of the budget review and proposed amendments will result in a closing surplus of \$0.

When adopting the 2022/23 Budget, Council adopted a 10% (minimum \$20,000) threshold for the reporting of material variances when assessing Statements of Financial Activity and the Annual Budget Review. In prior years only material variances have been highlighted, however the 2022/23 Budget Review report has been developed using a template which facilitates the reporting of all variances across nature or type categories with the overall result being the variance to net closing surplus/deficit.

STATUTORY/LOCAL LAW IMPLICATIONS

Local Government (Financial Management) Regulations 1996

Part 3 – Annual budget

Reg. 33A – Review of budget

POLICY IMPLICATIONS

Nil

BUDGET IMPLICATIONS

As detailed within the body of this report.

STRATEGIC IMPLICATIONS

Shire of Gingin Strategic Community Plan 2022-2032

Aspiration	4. Excellence & Accountability - Deliver Quality Leadership and Business Expertise
Strategic Objective	4.2 Effective Governance - Apply systems of compliance which assists Council to make informed decisions within a transparent, accountable and principled environment

VOTING REQUIREMENTS - ABSOLUTE MAJORITY

COUNCIL RESOLUTION/OFFICER RECOMMENDATION

MOVED: Councillor Rule **SECONDED:** Councillor Balcombe

That Council adopt the Budget Review for the 2022/23 financial year as presented in the Appendix, and amend the 2022/23 Budget accordingly.

**CARRIED BY ABSOLUTE MAJORITY
8 / 0**

FOR: *Councillor Fewster, Councillor Rule, Councillor Balcombe, Councillor Johnson, Councillor Kestel, Councillor Peczka, Councillor Sorensen and Councillor Vis*

AGAINST: *Nil*

SHIRE OF GINGIN

BUDGET REVIEW REPORT

FOR THE PERIOD ENDED 31 JANUARY 2023

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

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MINUTES ORDINARY COUNCIL MEETING 21 MARCH 2023

APPENDIX 12.3.1

SHIRE OF GINGIN
STATEMENT OF BUDGET REVIEW
(NATURE OR TYPE)
FOR THE PERIOD ENDED 31 JANUARY 2023

Note	Budget v Actual		Predicted			
	Adopted Budget (a)	YTD Actual (b)	Variance Permanent (c)	Variance Timing (Carryover) (d)	Year End (a)+(c)+(d)	
	\$	\$	\$	\$	\$	
OPERATING ACTIVITIES						
Net current assets at start of financial year surplus/(deficit)	4.5.2	2,640,221	2,148,491	(491,730)	0	2,148,491 ▼
Revenue from operating activities (excluding rates)						
Specified area rates	4.1.1	5,800	0	0	0	5,800
Operating grants, subsidies and contributions	4.1.2	1,332,638	925,380	451,353	0	1,783,991 ▲
Fees and charges	4.1.3	3,941,679	2,628,019	165,174	0	4,106,853 ▲
Interest earnings	4.1.6	113,775	159,805	179,001	0	292,776 ▲
Other revenue	4.1.7	237,509	178,077	129,208	0	366,717 ▲
		5,631,401	3,891,280	924,736	0	6,556,137
Expenditure from operating activities						
Employee costs	4.2.1	(6,254,772)	(3,510,475)	(9,737)	0	(6,264,509) ▲
Materials and contracts	4.2.2	(6,649,869)	(3,600,942)	(317,129)	0	(6,966,998) ▲
Utility charges	4.2.3	(474,691)	(233,671)	(5,747)	0	(480,438) ▲
Depreciation on non-current assets	4.2.4	(4,922,951)	(19,122)	(1,386,681)	0	(6,309,632) ▲
Interest expenses	4.2.5	(92,430)	(31,412)	(6)	0	(92,436) ▲
Insurance expenses	4.2.6	(350,872)	(368,132)	(28,964)	0	(379,836) ▲
Other expenditure	4.2.7	(460,465)	(263,287)	(27,086)	0	(487,551) ▲
		(19,206,050)	(8,027,041)	(1,775,350)	0	(20,981,400)
Non-cash amounts excluded from operating activities	4.5.3	4,922,951	19,122	1,386,681	0	6,309,632 ▲
Amount attributable to operating activities		(6,011,477)	(1,968,148)	44,337	0	(5,967,140)
INVESTING ACTIVITIES						
Non-operating grants, subsidies and contributions	4.3.1	8,088,343	2,311,466	342,857	(2,045,000)	6,386,200 ▼
Purchase land and buildings	4.4.2	(1,584,228)	(358,736)	30,914	623,400	(929,914) ▼
Purchase plant and equipment	4.4.3	(5,074,200)	(954,781)	(427,942)	2,269,645	(3,232,497) ▼
Purchase and construction of infrastructure-roads	4.4.5	(4,885,059)	(2,406,514)	(258,630)	0	(5,143,689) ▲
Purchase and construction of infrastructure-parks	4.4.6	(1,290,146)	(139,043)	(341,849)	270,000	(1,361,995) ▼
Purchase and construction of infrastructure-other	4.4.6	(526,831)	(25,500)	8,000	0	(518,831) ▼
Proceeds from self supporting loans	4.3.6	13,252	1,133	(9,045)	0	4,207 ▲
Proceeds from disposal of assets	4.3.2	307,000	0	224,216	(63,000)	468,216 ▼
		(4,951,869)	(1,571,975)	(431,479)	1,055,045	(4,328,303)
Non-cash amounts excluded from investing activities		0	0	0	0	0
Amount attributable to investing activities		(4,951,869)	(1,571,975)	(431,479)	1,055,045	(4,328,303)
FINANCING ACTIVITIES						
Repayment of debentures	4.4.8	(250,520)	(162,538)	0	0	(250,520)
Principal elements of finance lease payments		(32,001)	(19,088)	0	0	(32,001)
Proceeds from new borrowings	4.3.3	550,000	0	0	0	550,000
Transfers to cash backed reserves (restricted assets)	4.5.10	(539,595)	(62,384)	(603,283)	(90,000)	(1,232,878) ▲
Transfers from cash backed reserves (restricted assets)	4.5.11	1,818,497	0	648,780	(623,400)	1,843,877 ▼
Amount attributable to financing activities		1,546,381	(244,009)	45,497	(713,400)	878,478
Budget deficiency before general rates		(9,416,965)	(3,784,132)	(341,645)	341,645	(9,416,965)
Estimated amount to be raised from general rates	4.5.1	9,416,965	9,425,925	0	0	9,416,965
Closing funding surplus(deficit)	3 (c)	0	5,641,793	(341,645)	341,645	0

MINUTES ORDINARY COUNCIL MEETING 21 MARCH 2023

APPENDIX 12.3.1

SHIRE OF GINGIN
NOTES TO AND FORMING PART OF THE BUDGET REVIEW REPORT
FOR THE PERIOD ENDED 31 JANUARY 2023

1. BASIS OF PREPARATION

The budget review comprises financial statements which have been prepared in accordance with the *Local Government Act 1995* and accompanying regulations.

Local Government Act 1995 requirements

Local Government (Financial Management) Regulations 1996 prescribe that the budget review be prepared in accordance with the *Local Government Act 1995* and, to the extent that they are not inconsistent with the Act, the Australian Accounting Standards. The Australian Accounting Standards (as they apply to local governments and not-for-profit entities) and Interpretations of the Australian Accounting Standards Board were applied where no inconsistencies exist.

The *Local Government (Financial Management) Regulations 1996* specify that vested land is a right-of-use asset to be measured at cost. All right-of-use assets (other than vested improvements) under zero cost concessionary leases are measured at zero cost rather than at fair value. The exception is vested improvements on concessionary land leases such as roads, buildings or other infrastructure which continue to be reported at fair value, as opposed to the vested land which is measured at zero cost. The measurement of vested improvements at fair value is a departure from *AASB 16* which would have required the Shire of Gingin to measure any vested improvements at zero cost.

Accounting policies which have been adopted in the preparation of this budget review have been consistently applied unless stated otherwise. Except for rate setting information, the budget review 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.

Financial reporting disclosures in relation to assets and liabilities required by the Australian Accounting Standards have not been made unless considered important for the understanding of the budget review or required by legislation.

The local government reporting entity

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

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

Rounding off figures

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

2022-23 actual balances

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

Budget comparative figures

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

Judgements, estimates and assumptions

The preparation of the annual budget review 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.

The balances, transactions and disclosures impacted by accounting estimates are as follows:

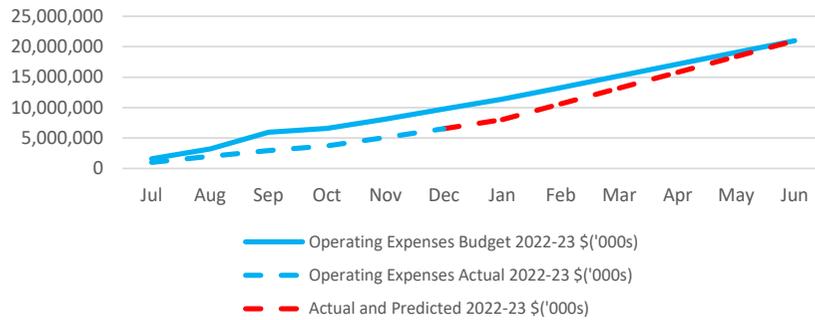
- estimated fair value of certain financial assets
- estimation of fair values of land and buildings and investment property
- impairment of financial assets
- estimation uncertainties and judgements made in relation to lease accounting
- estimated useful life of assets

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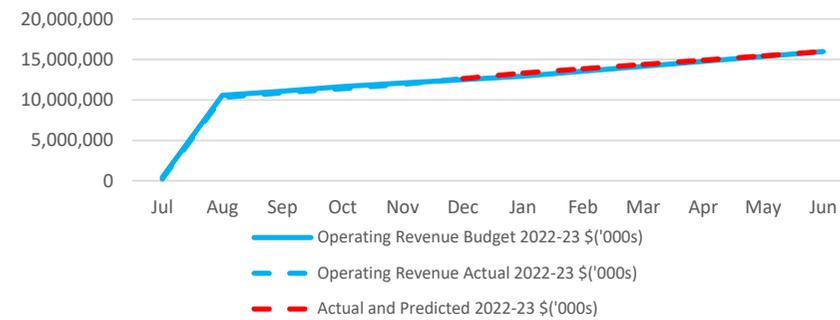
**SUMMARY GRAPHS - BUDGET REVIEW
FOR THE PERIOD ENDED 31 JANUARY 2023**

2. SUMMARY GRAPHS - BUDGET REVIEW

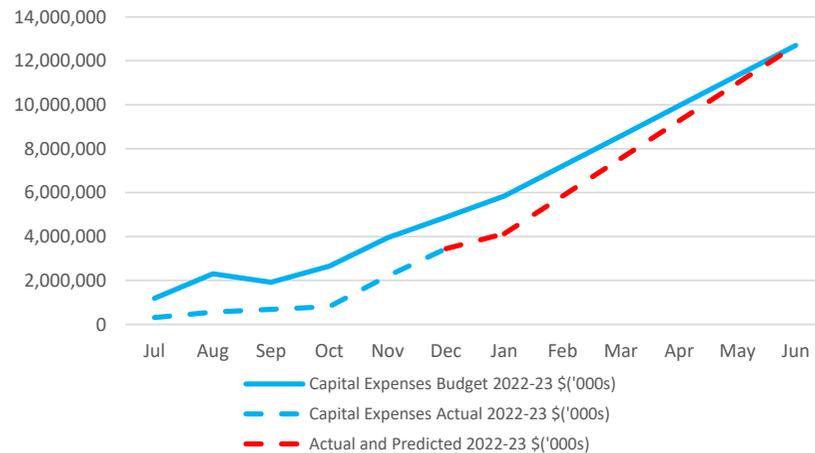
Operating Expenses



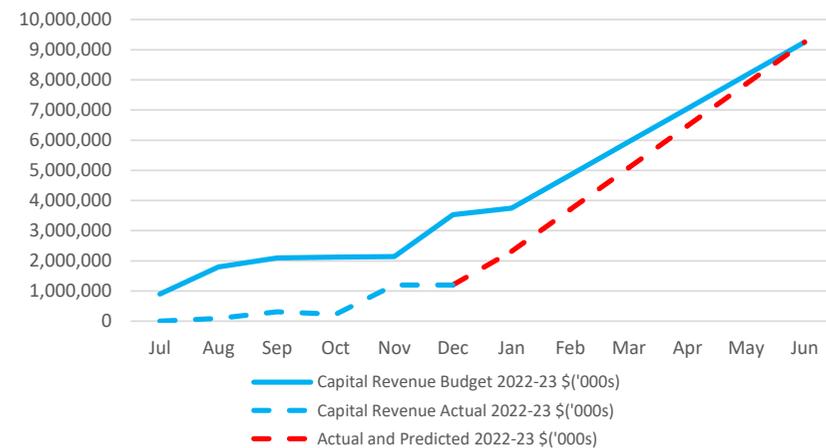
Operating Revenue



Capital Expenditure



Capital Revenue



This information is to be read in conjunction with the accompanying financial statements and notes.

MINUTES ORDINARY COUNCIL MEETING 21 MARCH 2023

APPENDIX 12.3.1

SHIRE OF GINGIN
NOTES TO THE BUDGET REVIEW REPORT
FOR THE PERIOD ENDED 31 JANUARY 2023

3 NET CURRENT FUNDING POSITION

EXPLANATION OF DIFFERENCE IN NET CURRENT ASSETS AND SURPLUS/(DEFICIT)

Operating activities excluded from budgeted deficiency

When calculating the budget deficiency for the purpose of Section 6.2 (2)(c) of the *Local Government Act 1995* the following amounts have been excluded as provided by *Local Government (Financial Management) Regulation 32* which will not fund the budgeted expenditure.

(a) Operating activities excluded from budgeted deficiency

The following non-cash revenue or expenditure has been excluded from operating activities within the Rate Setting Statement.

	Budget 30 June 2022	Audited Actual 30 June 2022	Budget 30 June 2023	Actual 31 January 2023
Adjustments to operating activities			\$	\$
Add: Loss on asset disposals	0	4,040	0	0
Add: Depreciation on non-current assets	4,922,951	6,310,701	4,922,951	19,122
Non-cash amounts excluded from operating activities	4,922,951	6,314,741	4,922,951	19,122

(b) Current assets and liabilities excluded from budgeted deficiency

The following current assets and liabilities have been excluded from the net current assets used in the Rate Setting Statement.

Adjustments to net current assets

Less: Restricted cash	(5,723,326)	(7,745,214)	(6,532,846)	(7,807,599)
Less : Current assets not expected to be received at end of year		(4,207)		(3,074)
Add: Current liability not expected to cleared at end of year		282,129	550,001	100,503
Total adjustments to net current assets	(5,723,326)	(7,467,292)	(5,982,845)	(7,710,170)

(c) Composition of estimated net current assets

Current assets

Cash unrestricted	752,626	5,852,790	2,047,421	6,974,067
Cash restricted	5,723,326	7,745,214	6,532,846	7,807,598
Financial assets - unrestricted	0	4,207	0	0
Receivables	2,575,867	1,975,769	1,940,054	3,396,820
Other current assets	0	19,325	19,325	0
Inventories	27,273	48,891	389,877	138,518
	9,079,092	15,646,196	10,929,523	18,317,003

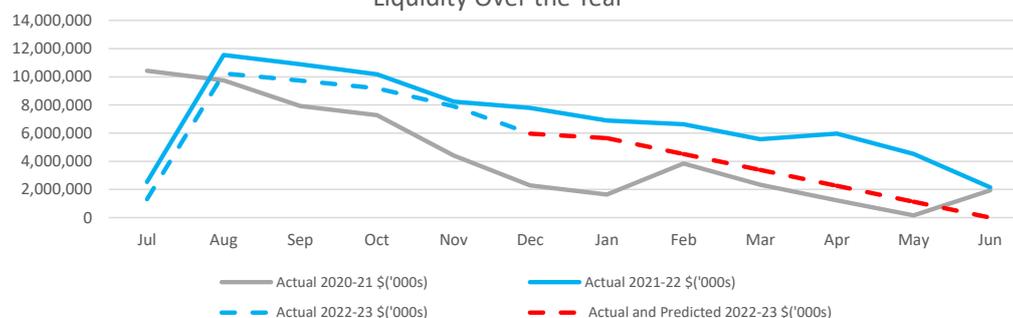
Less: current liabilities

Payables	(2,405,566)	(3,407,473)	(3,392,338)	(1,118,125)
Contract liabilities	0	(1,410,754)	0	(2,816,357)
Lease liabilities	0	(31,608)	0	(12,520)
Long term borrowings	0	(250,521)	(550,001)	(87,983)
Provisions	(950,200)	(930,057)	(1,004,339)	(930,057)
	(3,355,766)	(6,030,413)	(4,946,678)	(4,965,042)

Net current assets

	5,723,326	9,615,783	5,982,845	13,351,961
Less: Total adjustments to net current assets	(5,723,326)	(7,467,292)	(5,982,845)	(7,710,169)
Closing funding surplus / (deficit)	0	2,148,491	0	5,641,793

Liquidity Over the Year



3 COMMENTS/NOTES - NET CURRENT FUNDING POSITION (CONTINUED)

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.

FINANCIAL ASSETS AT AMORTISED COST

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

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

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.

Trade receivables are recognised at original invoice amount less any allowances for uncollectible amounts (i.e. impairment). The carrying amount of net trade receivables is equivalent to fair value as it is due for settlement within 30 days.

Trade receivables are held with the objective to collect the contractual cashflows and therefore measures them subsequently at amortised cost using the effective interest rate method.

Due to the short term nature of current receivables, their carrying amount is considered to be the same as their fair value. Non-current receivables are indexed to inflation, any difference between the face value and fair value is considered immaterial.

The Shire of Gingin applies the AASB 9 simplified approach to measuring expected credit losses using a lifetime expected loss allowance for all trade receivables. To measure the expected credit losses, rates receivable are separated from other trade receivables due to the difference in payment terms and security for rates receivable.

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.

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.

CURRENT AND NON-CURRENT CLASSIFICATION

An asset or liability is classified as current if it is expected to be settled within the next 12 months, being the Shire of Gingin's operational cycle. In the case of liabilities where the Shire of Gingin 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 or non-current based on the Shire of Gingin's intentions to release for sale.

TRADE AND OTHER PAYABLES

Trade and other payables represent liabilities for goods and services provided to the Shire of Gingin prior to the end of the financial year that are unpaid and arise when the Shire of Gingin 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.

PREPAID RATES

Prepaid rates are, until the taxable event has occurred (start of the next financial year), refundable at the request of the ratepayer. Rates received in advance are initially recognised as a financial liability. When the taxable event occurs, the financial liability is extinguished and the Shire of Gingin recognises revenue for the prepaid rates that have not been refunded.

EMPLOYEE BENEFITS

Short-Term Employee Benefits

Provision is made for the Shire of Gingin's 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 Gingin's obligations for short-term employee benefits such as wages, salaries and sick leave are recognised as a part of current of financial trade and other payables in the statement position. Shire of Gingin's 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 Gingin 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.

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 Gingin are recognised as a liability until such time as the Shire of Gingin satisfies its obligations under the agreement.

MINUTES ORDINARY COUNCIL MEETING 21 MARCH 2023

APPENDIX 12.3.1

SHIRE OF GINGIN

NOTES TO THE REVIEW OF THE ANNUAL BUDGET
FOR THE PERIOD ENDED 31 JANUARY 2023

4. PREDICTED VARIANCES

Comments/Reason for Variance

	Variance \$	
	Permanent	Timing
4.1 OPERATING REVENUE (EXCLUDING RATES)		
4.1.1 SPECIFIED AREA RATES		
No change	-	-
4.1.2 OPERATING GRANTS, SUBSIDIES AND CONTRIBUTIONS		
Transfer to Other Revenue - Reimbursement Income, for various reimbursements that are not grant income	(111,100)	-
Transfer from Other Revenue - Reimbursement Income for rates incentive prize sponsorships	7,500	-
Rates incentive prize sponsorship - additional sponsorship	4,500	-
Financial Assistance Grants - higher than expected quarterly payments	234,248	-
Fire Mitigation Grant Agreement signed post budget adoption	342,405	-
Unsuccessful CAP Grant Funding for coastal projects	(74,700)	-
Country Heights Estate contributions reduction based on current sales forecasts	(12,000)	-
Road maintenance contributions for Aurisch Road	62,500	-
Cancelled Triathlon contributions	(2,000)	-
4.1.3 FEES AND CHARGES		
Ranger services fines and penalties income - reduction in fines and penalties issued	(34,300)	-
Waste site fees and charges income - tipping fees	15,400	-
Planning and building applications including septic tank applications	46,000	-
Cemetery fees and charges income	(7,500)	-
Guilderton Foreshore Parking income, fines and penalties	(28,000)	-
Restricted Access Vehicle Permit requests	1,000	-
Rural road numbering	(3,000)	-
Commercial lease income and revenue share arrangements	184,324	-
Standpipe income reduction due to reduced use	(2,500)	-
Landgate EAS information fees	(4,500)	-
Cancelled Triathlon entry fees	(10,500)	-
Hire of community facilities fees	3,250	-
Transfers from Other Revenue - Reimbursement Income, for commercial lease rental payments	5,500	-
4.1.6 INTEREST EARNINGS		
Interest rate increase on investment term deposits	179,001	-
4.1.7 OTHER REVENUE		
Transfer from Operating Grants, Subsidies and Contributions, for various reimbursements that are not grant income	111,100	-
Transfer to Operating Grants, Subsidies and Contributions for rates incentive prize sponsorships	(7,500)	-
Transfer to Fees and Charges Income for lease income	(5,500)	-
Addition reimbursement income relating to leases	1,100	-
Rates on Shire owned properties - commercially leased	21,400	-
Reimbursements for fire contractor costs	19,500	-
Cost Sharing for PEHO travel to Shire of Coorow	(7,045)	-
Gingin Medical Centre expense reimbursements	5,645	-
Youth Website grant funds return offset by payment back to funding body	15,080	-
Container Deposit Scheme forecast reduction	(6,000)	-
Annual Caravan Park Rubbish Removal Fees	8,008	-
Planning related reimbursements - accommodation and training fees unattended	900	-
Community Group hall other income	5,080	-
WALGA Award for Gingin Outdoor Activity Space	1,000	-
Roads related other income	960	-
Guilderton Holiday Park Management Contractor reimbursements for expenses paid by the Shire of Gingin	1,280	-
Building Services Commission - BCITF and BRB Levies - correction of original budget	(22,800)	-
Diesel Fuel Rebate - impact of temporary reduction of fuel excise duty impacting fuel tax credits	(13,000)	-
Predicted Variances Carried Forward	924,736	-

MINUTES ORDINARY COUNCIL MEETING 21 MARCH 2023

APPENDIX 12.3.1

SHIRE OF GINGIN

NOTES TO THE REVIEW OF THE ANNUAL BUDGET
FOR THE PERIOD ENDED 31 JANUARY 2023

4. PREDICTED VARIANCES

Comments/Reason for Variance

	Variance \$	
	Permanent	Timing
Predicted Variances Brought Forward	924,736	-
4.2 OPERATING EXPENSES		
4.2.1 EMPLOYEE COSTS		
Reallocate training and development and PWO uniform budgets from Materials and Contracts to Employee Costs	(10,000)	-
Reallocate FBT budget from Materials and Contracts to Employee Costs	(4,500)	-
Employee costs allocated to jobs offset by position movements and recruitment timeframes	18,935	-
Training and development costs and associated travel and accommodation including on-costs, ie uniforms and recruitment	(3,757)	-
Increase in costs associated with workers compensation insurance	(10,415)	-
4.2.2 MATERIAL AND CONTRACTS		
Council Member uniform budget allocation based on reduced requirement.	410	-
Council member non-attendance at Australian Coastal Conference	8,850	-
Australian Coastal Councils Association membership	(1,370)	-
Council Chambers maintenance and operational costs associated with painting	(1,085)	-
Public relations expenditure reduction providing cost savings	1,000	-
Duplicated budget for Attain annual license provided costs savings	5,500	-
Duplicated WALGA Subscription and Membership budgets identified providing cost savings	51,885	-
Accrual of 22/23 Financial Audit costs of Office of Auditor General - additional costs	(11,000)	-
Bushfire Mitigation treatments offset by DFES grant funding - contract signed after budget adoption	(342,405)	-
Printing of firebreak property inspection books - additional costs	(1,250)	-
Ranger services GPS subscriptions, furniture and incidentals - additional costs	(1,880)	-
Fire Shed buildings maintenance and operations including Gingin ICC building offset by DFES operating grant	(24,088)	-
CESM and BRMO position costs based on indicative cost sharing agreements offset by savings in other areas of the contracts.	8,952	-
Bush Fire Brigade fire hose testing as required	(8,995)	-
Reduction in Noise Health Monitoring control expenses - providing costs savings	1,000	-
Savings in Pound (cat enclosure) building maintenance based on required works	600	-
Additional hours for Environmental Health Officer contractor due to position vacancy - additional costs offset by reduced employee costs	(6,500)	-
Stable Fly Officer original budget based incorrectly on reduced hours in 21/22	(34,162)	-
Shire medical building maintenance and operations costs including urgent repairs to 2 hot water systems - additional costs	(4,800)	-
Bus shelter maintenance - cost savings	624	-
Building maintenance and operations for Shire playgroups - cost savings	4,378	-
Lions/Mens shed and community bus sheds maintenance - cost savings	1,130	-
Return of grant funds for cancelled Youth Website project - unknown expense at time of budget preparation	(15,500)	-
Building operational and maintenance savings from vacant staff houses - cost savings	4,437	-
Shire seniors accommodation cost increase including new mowing contract	(10,000)	-
Reallocation of budget to Employee Costs for training and development costs	10,000	-
Reallocation of budget to Employee Costs for FBT costs	4,500	-
Waste site contractor costs 6.9% increase - additional costs	(10,919)	-
Savings in Gingin Tip Site building maintenance based on requirement - cost savings	17,356	-
Unsuccessful CAP grant funding for the Seabird Seawall assessment and maintenance and sand renourishment, and Guilderton Groyne Engineering Refurbishment Plan offset in portion by reduction in associated funding	149,400	-
Coastal monitoring and beach access replenishment project completed in 21/22	30,000	-
Savings in expected planning department costs	1,210	-
Reduction in planned cemetery maintenance for 22/23 - cost savings	10,000	-
General building maintenance and operational costs - additional costs	(15,344)	-
Reallocation of budget for septic works at Granville Park Ablutions from capital, as works are under capitalisation threshold	(4,750)	-
Reallocation of budget for relacing gutters at Old Granville Building (Café) from capital as under capitalisation threshold	(4,000)	-
General maintenance for beaches, foreshores and recreational areas including the new mowing contract	(124,042)	-
Increase in stock of history books offset by sale income	(150)	-
Reduction in general road maintenance - cost savings predicted	94,977	-
Expensed minor assets under capitalisation threshold including traffic counter purchases x 4	(22,550)	-
Reduction in parking meter maintenance and operational costs based on 21/22	8,000	-

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MINUTES ORDINARY COUNCIL MEETING 21 MARCH 2023

APPENDIX 12.3.1

SHIRE OF GINGIN NOTES TO THE REVIEW OF THE ANNUAL BUDGET FOR THE PERIOD ENDED 31 JANUARY 2023

4. PREDICTED VARIANCES

Comments/Reason for Variance

	Variance \$	
	Permanent	Timing
Firebreak installation costs on Shire owned land and increase in costs associated with noxious weed spraying	(5,000)	-
Shire run and supported events and promotion; including increase in support for Lancelin Arts Festival offset by successful grant funding application	(2,434)	-
Reallocation of budget to Other Expenditure, for support of community run events, payments towards Lancelin community bus costs and leasing and recovery costs	45,746	-
Increase in budget allocation for Guilderton Holiday Park management - reimbursement portion of glamping sites - additional costs offset by increase in glamping income	(13,000)	-
Mobile telephone costs duplicated budget. Reduced to match actual spend - cost savings	5,000	-
Reallocation of budget from Other Expenses for advertising costs and subscriptions	(42,560)	-
Annual Review of Long Term Financial Plan (IPR) conducted in house resulting in \$15,000 savings	15,000	-
Community Perception Survey - increase in consultant costs	(4,000)	-
Financial Consultancy - Legislative Reporting - Financial Management Review unbudgeted costs	(13,800)	-
Road Assets Re-value (IPR) & sealed condition assessment increase in costs as per Council resolution December 2022 - offset by reduction in capital expenditure	(82,000)	-
Increase in roads and operations based postage including increase in community information mailouts	(2,500)	-
Reduction in consumables due to outsourcing of mechanical repairs and servicing - cost savings	13,000	-
4.2.3 UTILITY CHARGES		
Increase in utility costs based on actual billing	(5,747)	-
4.2.4 DEPRECIATION (NON CURRENT ASSETS)		
Update of depreciation based on 21/22 actuals as depreciation was not completed at time of budget preparation. Offset as excluded from operating statement	(1,386,681)	-
4.2.5 INTEREST EXPENSES		
Revised budget based on current lease schedule	(6)	-
4.2.6 INSURANCE EXPENSES		
Revised budget based on actual insurance premiums paid in full - increased premiums	(28,964)	-
4.2.7 OTHER EXPENDITURE		
Reallocation of budget Nature and Type to Materials and Contracts for advertising and subscriptions	42,560	-
Rates incentive prizes offset by increased sponsorship	(2,500)	-
Higher than expected bank fees and charges	(11,000)	-
Associated costs of Member training reduced due to non attendance at Australian Coastal Council Conference.	1000	-
Refunds for animal registrations offset by income	(400)	-
Reduction in fines enforcement and vehicle ownership enquiry fees payments	5,000	-
Unbudgeted planning fees - DAP/Hunter Rd	(11,000)	-
Reallocation of budget for community grant for Gingin Playgroup Facilities upgrade from capital works	(5,000)	-
Reallocation of budget from Materials and Contracts, for support of community run events, payments towards Lancelin community bus costs and leasing and recovery costs	(45,746)	-
Predicted Variances Carried Forward	(850,614)	-

MINUTES ORDINARY COUNCIL MEETING 21 MARCH 2023

APPENDIX 12.3.1

SHIRE OF GINGIN
NOTES TO THE REVIEW OF THE ANNUAL BUDGET
FOR THE PERIOD ENDED 31 JANUARY 2023

4. PREDICTED VARIANCES

Comments/Reason for Variance

	Variance \$	
	Permanent	Timing
Predicted Variances Brought Forward	(850,614)	-
4.3 CAPITAL REVENUE		
4.3.1 NON OPERATING GRANTS, SUBSIDIES AND CONTRIBUTIONS		
Expectation of delivery of vehicles from DFES. 4 x vehicles received in 22/23 with possibility of one additional vehicle to be received. Offset by reduction in capital budget for vehicle purchases.	-	(1,955,000)
Grant for Lancelin Sporting Complex- Project delayed to 23/24	-	(90,000)
Phase 1 - 3 LRCI grant funding recognition expected in 22/23 based on projects completed	454,424	-
Regional Road Group funding for RRG road projects - based on approved funding	(111,567)	-
4.3.2 PROCEEDS FROM DISPOSAL OF ASSETS		
Fire vehicles changed over by DFES - Ocean Farm, Seabird, Red Gully and Guilderton Light Tankers	180,000	-
Ranger vehicle GG073 trade in based on supplier quote	1,363	-
EHO vehicle 3GG trade in delayed to 23/24	-	(15,000)
Lancelin Community Car GG098 trade in based on supplier quote	(2,727)	-
Regulatory Services vehicle 4GG trade in delayed to 23/24	-	(18,000)
Ranger vehicle 8GG trade in delayed to 23/24	-	(15,000)
Mower trade in based on supplier quote	400	-
Town maintenance and operations vehicles GG017, GG033, GG013, GG049 and GG050 trade in based on supplier quote	26,544	-
Loader GG006 trade in based on supplier quote	23,636	-
Slasher - sale not proceeding	(5,000)	-
Administration pooled vehicle trade in delayed to 23/24	-	(15,000)
4.3.3 PROCEEDS FROM NEW DEBENTURES		
No change	-	-
4.3.6 SELF-SUPPORTING LOAN PRINCIPAL		
Council Funded Loan 015 - correction of original budget allocation	(11,323)	-
Self Supporting Loan #130 - correction of original budget allocation	2,278	-
Predicted Variances Carried Forward	(292,586)	(2,108,000)

MINUTES ORDINARY COUNCIL MEETING 21 MARCH 2023

APPENDIX 12.3.1

SHIRE OF GINGIN

NOTES TO THE REVIEW OF THE ANNUAL BUDGET
FOR THE PERIOD ENDED 31 JANUARY 2023

4. PREDICTED VARIANCES

Comments/Reason for Variance

	Variance \$	
	Permanent	Timing
Predicted Variances Brought Forward	(292,586)	(2,108,000)
4.4 CAPITAL EXPENSES		
4.4.2 LAND AND BUILDINGS		
Purchase of Road / Formalisation of Reserves & Surveyor Fees - Guilderton Foreshore	(90,000)	-
Council chambers painting Included in maintenance budget	5,000	-
Exit lighting, signage and replacement of airconditioner at Wangaree Centre, Lancelin - costs savings achieved	15,400	-
Carried forward proejct from 21/22. Installation costs of bus shelter by Shire staff - additional costs	(3,170)	-
Purchase of Eco Village unit; timing of Eco Village construction - carry forward to 23/24 Budget.	-	477,400
Plumbing repairs to Lancelin Aged Units - carry forward to 23/24	-	146,000
Verandah repairs at ablution block - Lancelin Back Beach - additional costs due to timber price increase	(6,000)	-
Capital upgrade at Granville Park ablutions - transferred to operating as works under capitilisation threshold of \$5,000	4,750	-
Community grant for Gingin Playgroup Facilities Upgrade - reallocation of budget to operating	5,000	-
Concrete and rust repairs at Lancelin Sporting Complex incorrectly budgeted as works were completed in 21/22	30,000	-
Septic upgrade and wall repairs at Gingin Recreation Centre - cost savings	47,000	-
Duplicated budget for power supply replacement and upgrade at Ledge Point Recreation Complex	6,000	-
Relacing gutters at Old Granville Building (Café) - reallocate to operating as under capitalisation threshold of \$5,000	4,000	-
Ledge Point Information Bay - additional costs for artwork	(2,066)	-
Gingin Administration Centre roof and ceiling repairs - cost savings	15,000	-
4.4.3 PLANT AND EQUIPMENT		
Replacement of Beermullah BFB Fire Truck GG02 - delivery not expected in 22/23 - c fwd to 23/24	-	400,000
Replacement of Ocean Farms BFB Fire Truck GG04 - delivery not expected in 22/23 - c fwd to 23/24	-	400,000
Ocean Farms BFB Light Tanker GG051 - additonal costs offset by DFES grant funding	(66,938)	-
Seabird Light Tanker GG057 - correction of original budget and offset by DFES grant funding	103,159	-
Replacement of Light Fire Tanker GG06 - delivery not expected in 22/23 - carry forward to 23/24	-	170,000
Red Gully Light Tanker GG069 - additional cost offset by DFES grant funding	(66,921)	-
Guilderton Light Tanker GG075 - additional cost offset by DFES grant funding	(66,946)	-
Replacement of Seabird Fire Tanker GG090 - delivery not expected in 22/23 - c fwd to 23/24	-	400,000
Vehicle replacements Gingin West, Ledge Point (x2), Red Gully - delivery not expected in 22/23 - c fwd to 23/24	-	682,645
3 x ranger vehicles, GG070, GG073 & GG074 - based on council resolution August 2022	(12,480)	-
CESM vehicle GG005 - additonal costs based on supplier quotation	(15,793)	-
Lancelin community transport vehicle GG098 - additonal costs based on supplier quotation	(1,540)	-
Replacement of Case Loader GG006 - additonal costs based on supplier quotation	(61,500)	-
Replacement of maintenance and operations vehicles GG013, GG017, GG033, GG049 and GG050 - additional costs based on supplier quotation	(104,264)	-
Replacement sign trailers over 21/22 and 22/23	(7,136)	-
Replacement of Kubota mowers GG034 and GG041 - cost savings based on supplier quote	18,922	-
Purchase of new 5.5 tonne excavator based on Council resolution November 2022 - offset by transfer from road reserve	(42,700)	-
Purchase of new compact track loader based on Council resolution November 2022	(23,805)	-
Replacement of Slasher - not being replaced in 22/23	-	60,000
Refurbishment of two side tipper trailers GG6017 and GG6014	(80,000)	-
Replacements of health vehicles 4GG and 3GG, ranger vehicle 8GG and administration pooled vehicle 6GG - not expected to be available in 22/23 - c fwd to 23/24	-	157,000
4.4.5 INFRASTRUCTURE ASSETS - ROADS		
Wannamal Road West resheet - additional costs	(33,813)	-
Todman Road, Coonabidgee - cost savings	930	-
Cowalla Road reconstruct pavement and widen - additional costs due to cost escalation	(67,167)	-
Lancelin CBD Solar Lighting Upgrade - cost savings achieved - LRCI funding to be reallocated to Lancelin Skate Park Project	30,000	-
Drainage construction reduced as per Council resolution December 2022 to fund additional costs associated with road asset revaluation	82,000	-
Lancelin Plaza drainage/car park works as per council resolution January 2023, offset by transfer from roads reserve	(80,000)	-

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MINUTES ORDINARY COUNCIL MEETING 21 MARCH 2023

APPENDIX 12.3.1

SHIRE OF GINGIN

NOTES TO THE REVIEW OF THE ANNUAL BUDGET
FOR THE PERIOD ENDED 31 JANUARY 2023

4. PREDICTED VARIANCES

Comments/Reason for Variance

	Variance \$	
	Permanent	Timing
Drainage repairs to Laura and Maria Roads as per council resolution October 2022. Cost savings achieved and offset by transfer from roads reserve	(60,580)	-
Lennards Bridge works as per council resolution December 2022	(130,000)	-
4.4.6 INFRASTRUCTURE ASSETS - OTHER		
Cunliffe Street Redevelopment additional costs as per Council resolution October 2022 - offset by Federal funding and new loan funding	(100,000)	-
Lancelin Sporting Complex power supply upgrade - cost reduction - reallocation of funding to Lancelin Skate Park	100,000	-
Gingin Outdoor Activity Space drainage works - cost savings	23,180	-
Lancelin Skate Park Bowl and BMX Track - previously budgeted project postponed due to lack of contractors - contractors are now able to complete the works	(400,000)	-
Graville Park Dam Barrier works - reduction of budget due to portion of works completed in 21/22	20,000	-
Ledge Point Recreation Complex power supply replacement and upgrade - costs savings - transfer funding to Lancelin Skate Park project	33,000	-
Lancelin Sporting Complex second netball/basketball court - project not going ahead in 22/23 - c fwd to 23/24	-	270,000
Ledge Point Offroad Vehicle Area capital works - additional contractor costs	(18,029)	-
Gingin Lions/Mens Shed carpark - additional costs due to availability of contractors	(2,200)	-
Seabird seawall repairs - duplicate project - cost savings	10,200	-
4.4.8 REPAYMENT OF DEBENTURES		
No change	-	-
Predicted Variances Carried Forward	(1,282,093)	1,055,045

MINUTES ORDINARY COUNCIL MEETING 21 MARCH 2023

APPENDIX 12.3.1

SHIRE OF GINGIN

NOTES TO THE REVIEW OF THE ANNUAL BUDGET
FOR THE PERIOD ENDED 31 JANUARY 2023

4. PREDICTED VARIANCES

Comments/Reason for Variance

	Variance \$	
	Permanent	Timing
Predicted Variances Brought Forward	(1,282,093)	1,055,045
4.5 OTHER ITEMS		
4.5.10 TRANSFER TO RESERVES (RESTRICTED ASSETS)		
Bank interest received on reserve accounts - increase due to higher rate offered by banking institution	(140,691)	-
Lancelin Aged Unit transfer to reserve 1% of replacement value for maintenance costs as per agreement with Homeswest - based on revaluation replacement cost	55,957	-
Increase in Waste allocation to Tip Rationalisation reserve	(208,461)	-
Transfer to Coastal Inundation Reserve as per Council resolution 15 June 2021	(100,000)	-
Transfer to Guilderton Foreshore and trailer parking reserves	(136,833)	-
Transfer to Shire Recreation Reserve - Upper Coastal Sporting Facilities Master Plan Project (Shire contribution) forecast to be completed in 23/24	-	(90,000)
Transfer to Shire Recreation Reserve - developer contributions based on forecast sales	9,600	-
Transfer to Lancelin Community Sport and Recreation Reserve - mobile phone tower lease income	(19,775)	-
Transfer to Guilderton Country Club reserve - mobile phone tower lease income	(8,080)	-
Transfer to Tourism Reserve - infrastructure planning exercise for the Central Coast utilising former Agribusiness grant funding	(55,000)	-
4.5.11 TRANSFER FROM RESERVES (RESTRICTED ASSETS)		
Plumbing repairs to Lancelin Aged Units carried forward to 23/24.	-	(146,000)
Shire Recreation Reserve for Lancelin Skate Park Project	168,200	-
Eco Village housing due to timing of Eco Village construction	-	(477,400)
Maria and Laura Road Floodways as per October 2022 Council resolution reduced to actual expenditure	60,580	-
Cunliffe Street redevelopment as per October 2022 Council resolution	100,000	-
Lennard's Bridge repairs as per December 2022 Council resolution	130,000	-
Dewar Road tree pruning as per December 2022 Council resolution	50,000	-
Lancelin Plaza carpark/drainage as per January 2023 Council resolution	80,000	-
Reduction in transfer due to health vehicles 4GG and 3GG, ranger vehicle 8GG, administration pooled vehicle 6GG and slasher not expected to be replaced until 2023/24	(85,000)	-
Purchase of road and formalisation of reserves at Guilderton Foreshore	90,000	-
Transfer from Tourism Reserve - infrastructure planning exercise for the Central Coast utilising former Agribusiness grant funding	55,000	-
4.5.1 RATE REVENUE		
No change	-	-
4.5.2 OPENING FUNDING SURPLUS(DEFICIT)		
As per 21/22 Audited Financial Statements	(491,730)	-
4.5.3 NON-CASH WRITE BACK OF PROFIT (LOSS)		
Update of depreciation based on 21/22 actuals as depreciation was not completed at time of budget preparation. Offset as excluded from operating statement	1,386,681	-
Total Predicted Variances as per Annual Budget Review	(341,645)	341,645

MINUTES ORDINARY COUNCIL MEETING 21 MARCH 2023

APPENDIX 12.3.1

SHIRE OF GINGIN
NOTES TO THE BUDGET REVIEW REPORT
FOR THE PERIOD ENDED 31 JANUARY 2023

5. BUDGET AMENDMENTS

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

GL Account Code	Description	Council Resolution	Classification	No Change - (Non Cash Items) Adjust.	Increase in Available Cash	Decrease in Available Cash	Amended Budget Running Balance
				\$	\$	\$	\$
Budget Adoption							
		OCM					
141201660	Repair of Floodway Crossings on Maria and Laura Roads, Wanerie - transfer from reserve 31	18/10/2022 - 14.1 OCM	Capital Revenue	0	95,000	0	95,000
DC281	Repair of Floodway Crossings on Maria and Laura Roads, Wanerie	18/10/2022 - 14.1 OCM	Capital Expenses	0		(45,000)	50,000
DC294	Repair of Floodway Crossings on Maria and Laura Roads, Wanerie	18/10/2022 - 14.1 OCM	Capital Expenses	0	0	(50,000)	0
151201810	Cunliffe Street Development - transfer from reserve 31	18/10/2022 - 18.1 OCM	Capital Revenue	0	100,000	0	100,000
OC11293	Cunliffe Street Redevelopment	8/10/2022 - 18.1	Capital Expenses	0	0	(100,000)	0
120401040	Transfer \$3,100 from Council Member Ess. to 120402840 (AUD002) for 2022 Compliance Audit Return	Management Approval	Operating Expenses	0	3,100	0	3,100
AUD002	Compliance Audit Return - Management approval to transfer \$3,100 from Council Member Ess. to 120402840 (AUD002)	Management Approval	Operating Expenses	0	0	(3,100)	0
151203810	Transfer from Plant Reserve - Purchase of New 5.5T Excavator (amended from 3.5T Excavator)	15/11/2022 - 15.1 OCM	Capital Revenue	0	69,000	0	69,000
PNEW1	Purchase of New 5.5T Excavator (amended from 3.5T Excavator)	15/11/2022 - 15.1 OCM	Capital Expenses	0	0	(69,000)	0
SPI12303	Trade of John Deere tractor GG012	15/11/2022 - 15.1 OCM	Capital Revenue	0	30,000	0	30,000
PNEW2	Purchase of New Compact Track Loader (Skid Steer) additional implements	15/11/2022 - 15.1	Capital Expenses	0	0	(30,000)	0
GI12110	LRCI Phase 3 - Road works transferred from Rec & Culutre	Management Approval	Capital Revenue	0	873,246	0	873,246
GI11300	LRCI Phase 3 - Road works transferred to Transport	Management Approval	Capital Revenue	0		(873,246)	0
151201810	Lennards Bridge Unbudgeted Expenditure	20/12/2022 - 14.1 OCM	Capital Revenue	0	130,000	0	130,000
BR836	Lennards Bridge Unbudgeted Expenditure	20/12/2022 - 14.1 OCM	Capital Expenses	0	0	(130,000)	0
151201810	Transfer from Road Reserve 31 - Pruning of Trees along Dewar Rd	20/12/2022 - 14.2 OCM	Capital Revenue	0	50,000	0	50,000
RM212	Pruning Trees along Dewar Road	20/12/2022 - 14.2 OCM	Capital Expenses	0	0	(50,000)	0
DC000	Road Assets Revaluation - Unbudgeted Expenditure	20/12/2022 - 14.2 OCM	Capital Expenses	0	82,000	0	82,000
RV14200	Road Assets Revaluation - Unbudgeted Expenditure	20/12/2022 - 14.2 OCM	Operating Expenses	0	0	(82,000)	0
151201810	Transfer from Road Reserve 31 - Lancelin Plaza unbudgeted Expenditure	17/01/2023 - 14.1 OCM	Capital Expenses	0	80,000	0	80,000
DC278	Lancelin Plaza Drainage	17/01/2023 - 14.1	Capital Expenses	0	0	(80,000)	0
Amended Budget Cash Position as per Council Resolution				0	1,512,346	(1,512,346)	0

12.4 COMMUNITY CAR PROGRAM REVIEW

File	CSV/12; CSV25
Author	Amy Gibbs - Coordinator Community Development & Services
Reporting Officer	Les Crichton - Executive Manager Corporate and Community Services
Refer	Nil
Appendices	<ol style="list-style-type: none"> Appendix 1 Gingin Partnership Agreement Gingin Community Car [12.4.1 - 6 pages] Appendix 2 Lancelin Partnership Agreement Lancelin Community Car [12.4.2 - 6 pages]

DISCLOSURES OF INTEREST

Nil

PURPOSE

To review the Gingin and Lancelin Community Car Partnership Agreements and determine the ongoing need and level of continued support to be provided.

BACKGROUND

The Gingin Community Car program was first initiated in 2016 by the Gingin Care Group, with support from the Gingin Community Resource Centre, whereby a vehicle was donated and then a new vehicle was purchased in 2019.

The Lancelin Community Car program was first initiated in October 2017 by the Lancelin Lions Club with support from the Lancelin Community Resource Centre. The Lancelin Lions Club funded the purchase of the vehicle, and the service is run out of the Lancelin Community Resource Centre. Replacement of this car was included in Council's 2022/23 Budget and is scheduled for changeover this month.

Both services operate with volunteers driving residents (who required transport support) to medical appointments in the metropolitan region and where required. The program is free to the community however the transported resident pays for the fuel for their associated travel requirements.

In 2016 the Shire of Gingin agreed to provide financial support for vehicle maintenance and operating costs for a 12-month period and then at its March 2018 Concept Forum, Council agreed to support both programs for a five-year period expiring March 2023.

COMMENT

Gingin Community Car – usage

Year	Total completed trips
2018	98
2019	122
2020	107
2021	95
2022	109
2023 (to 24/02/2023)	29
TOTAL	560

Lancelin Community Car – usage

Year	Total completed trips
2018	158
2019	85
2020	103
2021	123
2022	56
2023 (to 1/03/2023)	12
TOTAL	537

These services are well used and appreciated by the community and both services are running well with all the partners in the program happy to keep providing the service.

The Lancelin Lions Club advised it no longer wished to participate in the program at the annual review meeting with the Shire’s Community Development Officer and the Lancelin Community Resource Centre Manager, Sharon Bodle.

The new Lancelin agreement therefore reflects removal of Lancelin Lions, with tasks originally assigned to them moved to the Lancelin CRC which is happy to have the sole responsibility for the program.

The Gingin Community Car Partnership Agreement remains largely unchanged.

The last three financial years’ maintenance and operating costs for both the Gingin and Lancelin Community Cars have been laid out in the table below. To continue to support the cars over a further five-year period, it is estimated that it would cost up to \$1,400 GST exclusive per annum per car, with a total for the program across the period of \$14,000.

Years	Gingin Community Car	Lancelin Community Car
2020-2021	\$509	\$870
2021-2022	\$1,602	\$2,477
2022-2023	\$1,306	\$508
Average per annum	\$1,139	\$1,285
Allowance per annum 2023/24 – 2027/28	\$1,400	\$1,400
Estimated over 5-year period	\$7,000	\$7,000
Total	\$14,000	

STATUTORY/LOCAL LAW IMPLICATIONS

Nil

POLICY IMPLICATIONS

Policy 3.7 – Distribution of Funds to Community and Sporting Bodies through the Community Sporting and Recreation Facilities Fund.

BUDGET IMPLICATIONS

Council's determination will inform the future planning of draft budgets.

STRATEGIC IMPLICATIONS

Shire of Gingin Strategic Community Plan 2022-2032

Aspiration	2. Connections & Wellbeing - Grow and Nurture Community Connectedness and Wellbeing
Strategic Objective	2.3 Aging in Place & Health Care - Foster relationships with key stakeholders to provide aging in place opportunities and appropriate health care in our communities 2.5 Community Capacity Building - Empower all ages to be culturally aware and involved in diverse community initiatives including volunteering, culture and the arts 2.7 Accessibility - Ensure that the Shire's infrastructure and services are accessible to seniors and community members with a disability

VOTING REQUIREMENTS - SIMPLE MAJORITY

COUNCIL RESOLUTION/OFFICER RECOMMENDATION

MOVED: Councillor Sorensen **SECONDED:** Councillor Balcombe

That Council support the Community Car programs for another five-year period, 2023/2024 – 2027/28 and endorse execution of the Gingin Community Car Partnership Agreement and Lancelin Community Car Partnership Agreement as attached.

**CARRIED UNANIMOUSLY
8 / 0**

FOR: *Councillor Fewster, Councillor Rule, Councillor Balcombe, Councillor Johnson, Councillor Kestel, Councillor Peczka, Councillor Sorensen and Councillor Vis*

AGAINST: *Nil*

Community Car Partnership Agreement

Program Partners:

Gingin Care Group, Gingin District Community Resource Centre (Gingin CRC)
and Shire of Gingin

The purpose of this document is to provide management protocol for the Gingin Community Car Program.

Each partner is invited to sign this document in agreeance to the responsibilities of each. Should a breach of the protocols occur each party agrees that non-compliance may result in the termination of this partnership agreement.

PARTNERSHIP SUMMARY	
Organisation	Responsibility
Gingin Community Car Group	<ul style="list-style-type: none"> Coordination of the Gingin Community Car Program Recruitment and Volunteer Driver support Funding for Replacement Car
Gingin District Community Resource Centre	<ul style="list-style-type: none"> Community Car Bookings
Shire of Gingin	<ul style="list-style-type: none"> General Enquiries / Questions / Concerns Community Car Care Volunteer Driver Registrations, Safety Inductions and Eligibility Printing Vehicle Replacement (when required)

Review: The Gingin Community Car Program will be reviewed annually by the program partners.

Expiry: The Program expires on 31 March 2027 at which point the Shire Council will determine the ongoing need and level of continued support to be provided.



Community Car Partnership Agreement

Program Partners:

Gingin Care Group, Gingin District Community Resource Centre (Gingin CRC)
and Shire of Gingin

I have read and agree to the conditions detailed in the following Protocols for the Gingin Community Car Program Partnership. I will ensure all participants in the Gingin Community Car Program, as the designated authority, are fully conversant with these protocols.

This agreement comes into effect once signed by all Gingin Community Car partners.

Sylvia Kelly

Signed

Coordinator, Gingin Care Group

Dated: ___ / ___ / ___

(Print Name)

Carrie Edwards

Signed _____

Manager, Gingin District Community Resource Centre

Dated: ___ / ___ / ___

(Print Name)

Aaron Cook

Signed

Chief Executive Officer, Shire of Gingin

Dated: ___ / ___ / ___

(Print Name)



Gingin Community Car Protocols

A. Gingin Care Group

The Gingin Care Group is responsible for:

1. Communications

Communicating to all participants the Gingin Community Car Program protocol.

2. Costs

- a. New/replacement stickers and marketing materials.
- b. Gingin Community Car Fuel.

3. Volunteer Driver Induction

- a. Recruitment of eligible Volunteer drivers.
- b. Ensuring all Volunteer drivers have satisfactorily completed induction requirements prior to driving the Gingin Community Car:
 - A completed and signed 'Volunteer Driver' Application Form submitted to the Shire of Gingin;
 - A copy of both sides of their current driver's licence; and
 - A signed Shire of Gingin Safety Induction Form. This includes a Community Car and Occupational Health & Safety (OHS) Induction co-signed by a Shire of Gingin representative.

4. Volunteer Drivers

- a. Providing Volunteer drivers with Roadside Assistance phone number, membership number and all other applicable details. Details are to remain within the car for easy access.
- b. Informing Volunteer drivers that fuel costs are to be paid by the passenger.
- c. Ensuring Volunteer drivers are appropriately trained to install a baby capsule/child booster seat according to Australian Standards.
- d. Providing a copy of each Volunteer's driver's licence to the Shire of Gingin annually (July each year). If not received by 31 July without notification of a delay, the volunteer will no longer be able to drive the Community Car until this information is received.
- e. Informing the Shire of Gingin if a Volunteer driver has had any changes to their driver's licenses status (e.g. suspended, cancelled, etc.).
- f. The payment of any Volunteer driver fines or fees occurred whilst using the Community Car (e.g. speeding, reckless driving, parking etc.).

- g. Volunteer drivers completing a Car Incident Report when required (i.e. accident of any kind (causing vehicle damage and/or human harm), health issues, safety concerns/incidents, incidents, near misses, etc.) and providing a copy of the Report to the Shire of Gingin.
- h. Ensuring Volunteer drivers collect and return the Community Car keys to the Gingin CRC in a timely manner.

5. Community Car (Vehicle)

- a. Ensuring that all Volunteer drivers complete the Car Checklist (Pre-start) each trip, as demonstrated in the Car Induction.
- b. The Car Checklist (Pre-start) shall be provided to the Gingin CRC after each trip.
- c. Ensuring Log Sheets are completed for each trip, when an insurance claim occurs and provide these to the Shire of Gingin once a year.
- d. Notification every 10,000km or six months, whichever comes first, that the Community Car is due for service as per the service reminder on the windscreen.
- e. Contacting the Shire's mechanic at the earliest convenience if the Community Car requires repairs and/or maintenance etc., including advising of relevant RAC call outs.
- f. Ensuring the Community Car fire extinguisher is securely located at the front passenger seat and is easily accessible.
- g. The storage of all add-on items purchased for the community car (e.g. baby capsule, child booster etc.) in a secure and moisture free location.
- h. Ensuring the car and any add-on items are kept clean (inside and out) and tidy.

B. Gingin District Community Resource Centre

The Gingin CRC are responsible for:

1. Bookings

- a. Organising and managing the Community Car bookings including communications with both the passengers and Volunteer drivers.

2. Car Checklist (Pre-start)

- b. Receive the Car Checklist after each trip and notify the Shire Community Development Officer of any issues requiring to be investigated and/or rectified with the vehicle in a timely manner.

C. Shire of Gingin

The Shire of Gingin is responsible for:

1. Volunteer Driver Inductions

- a. Completing Community Car, volunteer and OHS inductions for new Volunteer drivers or for drivers requesting a refresher induction.

2. Insurance and Other Costs

- a. Registering Volunteer Driver Applications, forms and information for Shire of Gingin Volunteer Insurance Cover.
- b. Updating Volunteer driver licence records annually (July) to ensure insurance cover is current.
- c. Annual Gingin Community Car and registered Volunteer driver insurance payments.
- d. RAC Roadside Assistance Service membership payments.
- e. Mechanical maintenance, repairs and vehicle service costs.

3. Community Car (Vehicle Ownership, Maintenance and Replacement)

- a. Ownership of the Gingin Community Car through both its asset register and the Department of Transport vehicle registration.
 - b. Vehicle replacement determination (e.g. brand/model) by the Shire of Gingin's Plant Committee including the Shire budget allocation, in communication with the drivers.
 - c. Selection and purchase of the replacement vehicle and any associated payments. (e.g. transfer, stamp duty and plate change costs).
 - d. Mechanical maintenance, repairs and vehicle service costs.
 - e. Receive monies from the Gingin Care Group for the purpose of purchasing a new Gingin Community Car and administer the acquisition of the vehicle.
 - f. Notify the Gingin Care Group and Gingin CRC with as much notice as practicable if the Gingin Community Car will not be available for use due to a mechanical issue.
 - g. Ensuring the Community Car is serviced every 10,000km or six months, whichever comes first as per the service reminder on the windscreen.
-

D. Gingin Care Group

Gingin District Community Resource Centre

The Gingin Care Group and Gingin CRC are responsible for:

1. Passengers

- a. Establishing passenger eligibility for the travel service prior to making a booking (e.g. proof of medical appointment, no other supports to provide transport etc.).
- b. Informing passenger/s that the Community Car service is strictly for medical appointments (only) and not for any other purpose.
- c. Informing passenger/s smoking is strictly not permitted in the vehicle or during use of the service.
- d. Advising passenger/s that they must maintain an acceptable level of personal hygiene at all times during their use of the service.
- e. Advising passengers that they must inform the Gingin CRC of a cancellation at least 24 hours prior to their booking.
- f. Informing the passenger of the passenger costs when using the Community Car Service (i.e. fuel costs) including the passenger cost associated with calling an Ambulance for assistance, if the Volunteer Driver determines the need.

- g. Informing the passenger, a child seat is available with 48 hours' notice required for installation.

E. Gingin Care Group

Gingin District Community Resource Centre

Shire of Gingin

The Gingin Care Group, Gingin CRC and Shire of Gingin are responsible for:

1. Other

- a. Providing usage statistics and (non-confidential) information to program partners on request.
 - b. Seeking external funding and/or acquiring income to fund the Gingin Community Car Service requirements and to fund future replacement vehicles.
 - c. Agreeing to work with the other program partners to collectively overcome/resolve any challenges, concerns or issues that have been identified.
 - d. Submitting all vehicle complaints, as soon as practicable, in writing to mail@gingin.wa.gov.au including the community car number plate.
 - e. Contacting the relevant program partner/s with any questions or concerns regarding the program and/or Community Car as soon as possible.
-

Community Car Partnership Agreement

Program Partners:

Lancelin Community Resource Centre (Lancelin CRC)
and Shire of Gingin

The purpose of this document is to provide management protocol for the Lancelin Community Car Program.

Each partner is invited to sign this document in agreeance to the responsibilities of each. Should a breach of the protocols occur each party agrees that non-compliance may result in the termination of this partnership agreement.

PARTNERSHIP SUMMARY	
Organisation	Responsibility
Lancelin Community Resource Centre	<ul style="list-style-type: none"> Community Car Bookings Volunteer Driver Registrations, Safety Inductions and Eligibility Coordination of the Lancelin Community Car Program Recruitment and Volunteer Driver support
Shire of Gingin	<ul style="list-style-type: none"> General Enquiries / Questions / Concerns Community Car Maintenance Printing Vehicle Replacement (when required)

Review: The Lancelin Community Car Program will be reviewed annually by the program partners.

Expiry: The Program expires on 31 March 2027 at which point the Shire of Gingin will determine the ongoing need and level of continued support to be provided.



Community Car Partnership Agreement

Program Partners:

Lancelin Community Resource Centre (Lancelin CRC)
and Shire of Gingin

I have read and agree to the conditions detailed in the following Protocols for the Lancelin Community Car Program Partnership. I will ensure all participants in the Lancelin Community Car Program, as the designated authority, are fully conversant with these protocols.

This agreement comes into effect once signed by all Lancelin Community Car Program partners.

Sharon Bodle
Manager, Lancelin Community Resource Centre
Dated: ___ / ___ / ___
Signed _____

(Print Name)

Aaron Cook
Chief Executive Officer, Shire of Gingin
Dated: ___ / ___ / ___
Signed _____

(Print Name)



Lancelin Community Car Protocols

A. Lancelin Community Resource Centre

The Lancelin Community Resource Centre is responsible for:

1. Bookings

- a. Organising and managing the Community Car bookings including communications with both the passengers and volunteer drivers.

2. Communications

Communicating to all participants the Lancelin Community Car Program protocol.

3. Costs

- a. New/replacement stickers and marketing materials.
- b. Lancelin Community Car Fuel.

4. Volunteer Driver Induction

- a. Recruitment of eligible volunteer drivers.
- b. Ensuring all volunteer drivers have satisfactorily completed induction requirements prior to driving the Lancelin Community Car:
 - A completed and signed 'Volunteer Driver' Application Form submitted to the Shire of Gingin;
 - A copy of both sides of their current driver's licence; and
 - A signed Shire of Gingin Safety Induction Form. This includes a Community Car and Occupational Health & Safety (OHS) Induction co-signed by a Shire of Gingin appointed representative.

5. Volunteer Drivers

- a. Providing volunteer drivers with Roadside Assistance phone number, membership number and all other applicable details. Details are to remain within the car for easy access.
- b. Informing volunteer drivers that fuel costs are to be paid by the passenger.
- c. Providing a copy of each volunteer's driver's licence to the Shire of Gingin annually (July each year). If not received by 31 July without notification of a delay, the volunteer will no longer be able to drive the Community Car until this information is received.
- d. Informing the Shire of Gingin if a volunteer driver has had any changes to their driver's license status (e.g. suspended, cancelled etc.).
- e. The payment of any volunteer driver fines or fees occurred whilst using the Community Car (e.g. speeding, reckless driving, parking etc.).

- f. Volunteer drivers completing a Car Incident Report when required (i.e. accident of any kind (causing vehicle damage and/or human harm), health issues, safety concerns/incidents, incidents, near misses, etc.) and providing a copy of the Report to the Shire of Gingin.
- g. Ensuring volunteer drivers collect and return the Lancelin Community Car keys to the Lancelin Community Resource Centre in a timely manner.

6. Community Car (Vehicle)

- a. Ensuring that a nominated volunteer driver completes the Car Checklist once a week, as demonstrated in the Car Induction (e.g. beginning or end of week).
- b. The Car Checklist (Pre-start) shall be provided to the Lancelin CRC after each trip.
- c. Ensuring Log Sheets are completed for each trip, when an insurance claim occurs and to the Shire of Gingin once a year.
- d. Notification every 10,000km or six months, whichever comes first, that the Community Car is due for service as per the service reminder on the windscreen.
- e. Contacting the Shire's mechanic at the earliest convenience if the Community Car requires repairs and/or maintenance etc., including advising of relevant RAC call outs.
- f. Ensuring the Community Car fire extinguisher is securely located at the front passenger seat and is easily accessible.
- g. The storage of all add-on items purchased for the community car (e.g. baby capsule, child booster etc.) in a secure and moisture free location.
- h. Ensuring the car and any add-on items are kept clean (inside and out) and tidy.

7. Passengers

- a. Establishing passenger eligibility for the travel service prior to making a booking (e.g. proof of medical appointment, no other supports to provide transport etc.).
- b. Informing passenger/s that the Lancelin Community Car service is strictly for medical appointments (only) and not for any other purpose.
- c. Informing passenger/s smoking is strictly not permitted in the vehicle or during use of the service.
- d. Advising passenger/s that they must maintain an acceptable level of personal hygiene at all times during their use of the service.
- e. Advising passengers that they must inform the Lancelin CRC of a cancellation at least 24 hours prior to their booking.
- f. Informing the passenger of the passenger costs when using the Community Car Service (i.e. fuel costs) including the passenger cost associated with calling an Ambulance for assistance if the volunteer driver determines the need.

Informing the passenger, when booking the car, that a voluntary donation towards purchasing a new vehicle when required is available.

B. Shire of Gingin

The Shire of Gingin is responsible for:

1. Insurance and Other Costs

- a. Registering Volunteer Driver Applications, forms and information for Shire of Gingin volunteer insurance cover.
- b. Updating volunteer driver licence records annually (July) to ensure insurance cover is current.
- c. Annual Lancelin Community car and registered volunteer driver insurance payments.
- d. RAC Roadside Assistance Service membership payments.
- e. Mechanical maintenance, repairs and vehicle service costs.

2. Community Car (Vehicle Ownership, Maintenance and Replacement)

- a. Ownership of the Lancelin Community Car through both its asset register and the Department of Transport vehicle registration.
- b. Vehicle replacement determination (e.g. brand/model) by the Shire of Gingin's Plant Committee including the Shire budget allocation.
- c. Selection and purchase of the replacement vehicle and any associated payments. (e.g. transfer, stamp duty and plate change costs).
- d. Mechanical maintenance, repairs and vehicle service costs.
- e. Receive monies from Lancelin Community Car users for the purpose of purchasing a new Lancelin Community Car and to administer the acquisition of the vehicle.
- f. Notify the Lancelin CRC with as much notice as practicable if the Lancelin Community Car will not be available for use due to a mechanical issue.
- g. Ensuring the Community Car is serviced every 10,000km or six months, whichever comes first as per the service reminder on the windscreen.

g. _____

**C. Lancelin Community Resource Centre
Shire of Gingin**

Lancelin CRC and Shire of Gingin are responsible for:

1. Other

- a. Providing usage statistics and (non-confidential) information to program partners on request.
- b. Seeking external funding and/or acquiring income to fund the Lancelin Community Car Service requirements and to fund future replacement vehicles.
- c. Agreeing to work with the other program partners to collectively overcome/resolve any challenges, concerns or issues that have been identified.

- d. Submitting all vehicle complaints, as soon as practicable, in writing to mail@gingin.wa.gov.au including the community car number plate.
 - e. Contacting the relevant program partner/s with any questions or concerns regarding the program and/or Community Car as soon as possible.
-

12.5 LIST OF PAID ACCOUNTS JANUARY 2023

File	FIN/25
Author	Tania Ladner - Accounts Payable / Administration Support Officer
Reporting Officer	Les Crichton - Executive Manager Corporate and Community Services
Refer	Nil
Appendices	Nil

DISCLOSURES OF INTEREST

Nil

PURPOSE

For Council to note the payments made in February 2023.

BACKGROUND

Council has delegated authority to the Chief Executive Officer (CEO) to exercise the power to make payments from the Municipal Fund (Delegation 1.1.13 Payments from the Municipal or Trust Funds). The CEO is required to present a list to Council of those payments made since the last list was submitted.

COMMENT

Accounts totalling \$2,200,836.38 were paid during the month of February 2023.

A detailed payment schedule has been provided to Councillors and can be made available to the public for viewing at the Shire's Gingin Administration Centre and Lancelin Office upon request. The schedule covers:

- | | |
|---|----------------|
| • Municipal Fund electronic funds transfers (EFT) | \$1,594,495.76 |
| • Municipal Fund cheques | \$0.00 |
| • Municipal Fund direct debits | \$606,340.62 |

Total Municipal Expenditure	\$2,200,836.38
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TOTAL EXPENDITURE	\$2,200,836.38
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All invoices have been verified, and all payments have been duly authorised in accordance with Council's procedures.

STATUTORY/LOCAL LAW IMPLICATIONS

Local Government Act 1995

s.6.4 – Financial Report

Local Government (Financial Management) Regulations 1996

Reg. 13 – Payments from municipal fund or trust by CEO

Shire of Gingin Delegation Register – Delegation 1.1.13 Payments from the Municipal or Trust Funds

POLICY IMPLICATIONS

Nil

BUDGET IMPLICATIONS

Resource requirements are in accordance with existing budgetary allocations.

STRATEGIC IMPLICATIONS

Shire of Gingin Strategic Community Plan 2022-2032

Aspiration	4. Excellence & Accountability - Deliver Quality Leadership and Business Expertise
Strategic Objective	4.4 Strategic & Sustainable Financial Planning - Undertake long-term resource planning and allocation in accordance with the Integrated Planning and Reporting Framework

VOTING REQUIREMENTS - SIMPLE MAJORITY

COUNCIL RESOLUTION/OFFICER RECOMMENDATION

MOVED: Councillor Vis **SECONDED:** Councillor Balcombe

That Council note all payments made by the Chief Executive Officer under Delegation 1.1.13 for February 2023 totaling \$2,200,836.38 as detailed in the schedule provided to Councillors comprising:

• Municipal Fund electronic funds transfers (EFT)	\$1,594,495.76
• Municipal Fund cheques	\$0.00
• Municipal Fund direct debits	\$606,340.62

CARRIED UNANIMOUSLY

8 / 0

FOR: *Councillor Fewster, Councillor Rule, Councillor Balcombe, Councillor Johnson, Councillor Kestel, Councillor Peczka, Councillor Sorensen and Councillor Vis*

AGAINST: *Nil*

12.6 MONTHLY FINANCIAL REPORT FOR THE PERIOD ENDING 28 FEBRUARY 2023

File	FIN/25
Author	Karina Leonhardt - Manager Corporate Services
Reporting Officer	Les Crichton - Executive Manager Corporate and Community Services
Refer	Nil
Appendices	1. Monthly Financials (February 2023) [12.6.1 - 24 pages]

DISCLOSURES OF INTEREST

Nil

PURPOSE

To present for Council endorsement the Monthly Financial Report for the period ending 28 February 2023.

BACKGROUND

The Financial Reports are presented to Council in accordance with the *Local Government Act 1995* and *Local Government (Financial Management) Regulations 1996*.

COMMENT

The Monthly Financial Report for the period ending 28 February 2023 presents the financial performance of the Shire for the 2022/23 financial year and compares year-to-date expenditure and revenue against the corresponding year-to-date budget.

A break-up of the **\$1,438,806** variance in the Monthly Financial Report for the period ending 28 February 2023 is summarised across operations, investing and financing below, with a detailed explanation of variations within each area contained within the Appendix.

Under Budget

Operating Fund Surplus/Deficit	\$(491,730)
Operating Expenditure	\$583,317
Investing Activities – Revenue	\$(334,241)
Investing Activities – Expenditure	\$1,656,386
Financing Activities – Revenue	\$(524,000)

Over Budget

Operating Revenue	\$597,321
Financing Activities – Expenditure	\$(48,247)

As Council is aware, Administration has undertaken the half yearly review of the 2022/23 Budget, which is addressed as a separate report to Council at this meeting.

Investments

As required by Council Policy 3.2 Investments, details of Council’s investments are provided within Note 2.

STATUTORY/LOCAL LAW IMPLICATIONS

Local Government Act 1995

Part 6 – Financial Management

Division 3 – Reporting on activities and finance

Section 6.4 – Financial Report

Local Government (Financial Management) Regulations 1996

Part 4 – Financial Reports

Reg 34 – Financial activity statement required each month

Shire of Gingin Delegation Register – Delegation 1.1.10 Power to Invest and Manage Investments

POLICY IMPLICATIONS

Policy 3.2 – Investments

BUDGET IMPLICATIONS

As detailed within the report.

STRATEGIC IMPLICATIONS

Shire of Gingin Strategic Community Plan 2022-2032

Aspiration	4. Excellence & Accountability - Deliver Quality Leadership and Business Expertise
Strategic Objective	4.2 Effective Governance - Apply systems of compliance which assists Council to make informed decisions within a transparent, accountable and principled environment

VOTING REQUIREMENTS - SIMPLE MAJORITY

COUNCIL RESOLUTION/OFFICER RECOMMENDATION

MOVED: Councillor Vis **SECONDED:** Councillor Sorensen

That Council endorse the Monthly Financial Report for the period ending 28 February 2023.

**CARRIED UNANIMOUSLY
8 / 0**

FOR: *Councillor Fewster, Councillor Rule, Councillor Balcombe, Councillor Johnson,
Councillor Kestel, Councillor Peczka, Councillor Sorensen and Councillor Vis*

AGAINST: *Nil*

Karina Leonhardt (Manager Corporate Services) and Michael Pilkington (Coordinator Financial Planning and Reporting) left the meeting at 3:48pm.

SHIRE OF GINGIN

**MONTHLY FINANCIAL REPORT
(Containing the Statement of Financial Activity)
For the period ending 28 February 2023**

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

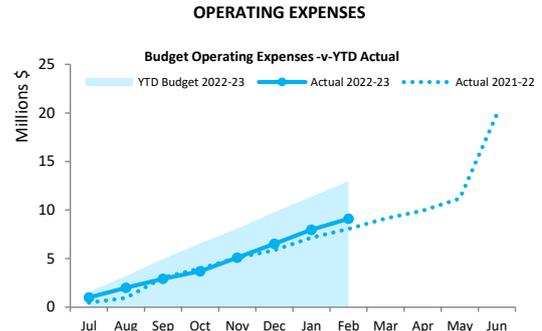
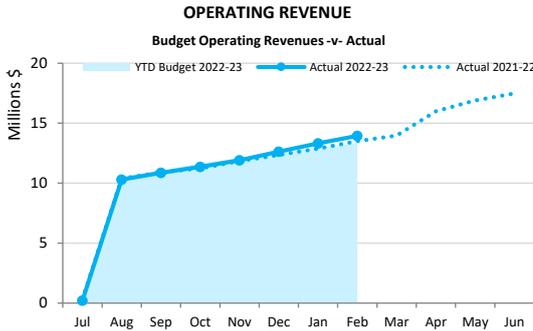
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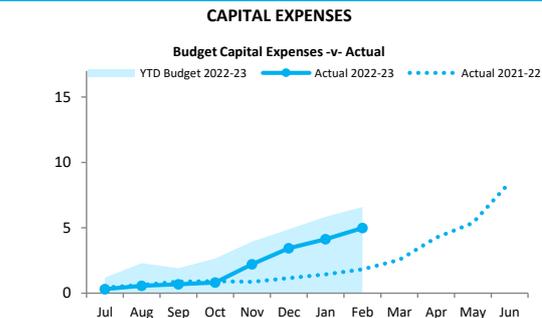
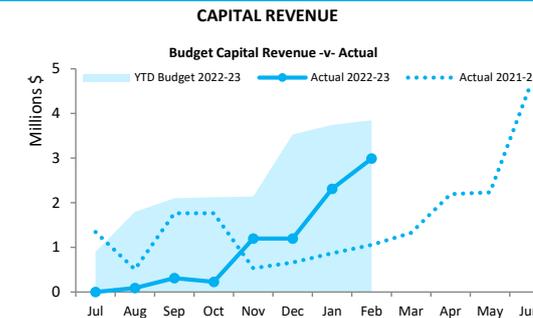
**MONTHLY FINANCIAL REPORT
FOR THE PERIOD ENDED 28 FEBRUARY 2023**

SUMMARY INFORMATION - GRAPHS

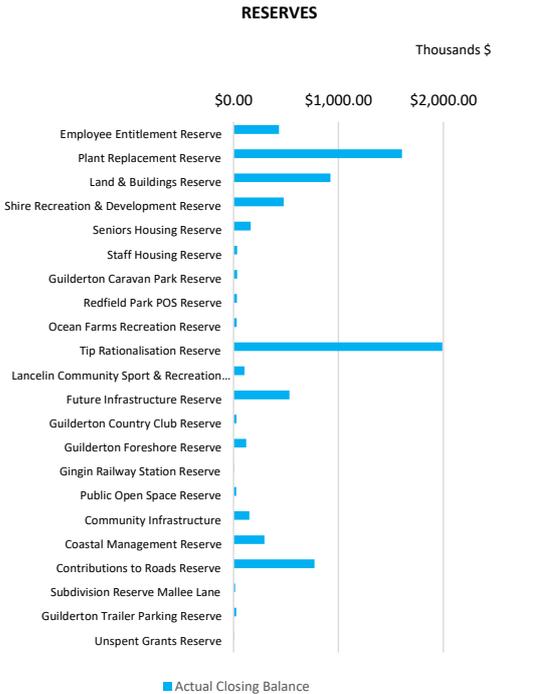
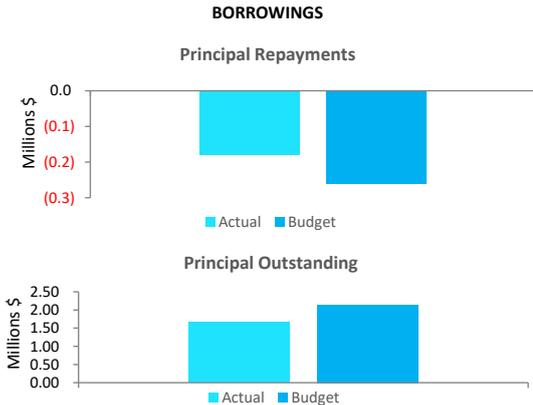
OPERATING ACTIVITIES



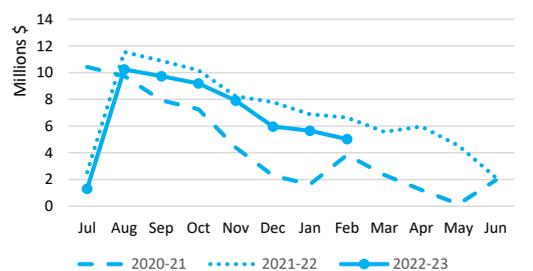
INVESTING ACTIVITIES



FINANCING ACTIVITIES



Closing funding surplus / (deficit)



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

**MONTHLY FINANCIAL REPORT
FOR THE PERIOD ENDED 28 FEBRUARY 2023**

EXECUTIVE SUMMARY

Funding surplus / (deficit) Components

Funding surplus / (deficit)				
	Amended Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)
Opening	\$2.64 M	\$2.64 M	\$2.15 M	(\$0.49 M)
Closing	\$0.00 M	\$3.58 M	\$5.02 M	\$1.44 M

Refer to Statement of Financial Activity

Cash and cash equivalents		
	\$	% of total
Unrestricted Cash	\$6.13 M	44.0%
Restricted Cash	\$7.81 M	56.0%

Refer to Note 2 - Cash and Financial Assets

Payables		
	\$	% Outstanding
Trade Payables	\$0.51 M	
0 to 30 Days		99.8%
Over 30 Days		0.1%
Over 90 Days		0%

Refer to Note 5 - Payables

Receivables		
	\$	% Collected
Rates Receivable	\$1.40 M	85.8%
Trade Receivable	\$1.49 M	
Over 30 Days		11.8%
Over 90 Days		8%

Refer to Note 3 - Receivables

Key Operating Activities

Amount attributable to operating activities			
Amended Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)
\$0.63 M	\$3.68 M	\$4.86 M	\$1.18 M

Refer to Statement of Financial Activity

Rates Revenue		
	\$	% Variance
YTD Actual	\$9.43 M	
YTD Budget	\$9.42 M	0.1%

Refer to Statement of Financial Activity

Operating Grants and Contributions		
	\$	% Variance
YTD Actual	\$1.16 M	
YTD Budget	\$1.07 M	8.5%

Refer to Note 12 - Operating Grants and Contributions

Fees and Charges		
	\$	% Variance
YTD Actual	\$2.96 M	
YTD Budget	\$2.66 M	11.3%

Refer to Statement of Financial Activity

Key Investing Activities

Amount attributable to investing activities			
Amended Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)
(\$5.34 M)	(\$3.05 M)	(\$1.73 M)	\$1.32 M

Refer to Statement of Financial Activity

Proceeds on sale		
	\$	%
YTD Actual	\$0.04 M	
Amended Budget	\$0.34 M	(88.9%)

Refer to Note 6 - Disposal of Assets

Asset Acquisition		
	\$	% Spent
YTD Actual	\$4.72 M	
Amended Budget	\$13.78 M	(65.8%)

Refer to Note 7 - Capital Acquisitions

Capital Grants		
	\$	% Received
YTD Actual	\$2.95 M	
Amended Budget	\$8.09 M	(63.5%)

Refer to Note 7 - Capital Acquisitions

Key Financing Activities

Amount attributable to financing activities			
Amended Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)
\$2.07 M	\$0.31 M	(\$0.27 M)	(\$0.57 M)

Refer to Statement of Financial Activity

Borrowings	
Principal repayments	\$0.18 M
Interest expense	\$0.04 M
Principal due	\$1.66 M

Refer to Note 8 - Borrowings

Reserves	
Reserves balance	\$7.81 M
Interest earned	\$0.06 M

Refer to Note 10 - Cash Reserves

Lease Liability	
Principal repayments	\$0.02 M
Interest expense	\$0.00 M
Principal due	\$0.06 M

Refer to Note 9 - Lease Liabilities

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

**KEY TERMS AND DESCRIPTIONS
FOR THE PERIOD ENDED 28 FEBRUARY 2023**

NATURE OR TYPE DESCRIPTIONS

REVENUE

EXPENSES

RATES

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

EMPLOYEE COSTS

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

OPERATING GRANTS, SUBSIDIES AND CONTRIBUTIONS

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

MATERIALS AND CONTRACTS

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

NON-OPERATING GRANTS, SUBSIDIES AND CONTRIBUTIONS

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

UTILITIES (GAS, ELECTRICITY, WATER)

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

REVENUE FROM CONTRACTS WITH CUSTOMERS

Revenue from contracts with customers is recognised when the local government satisfies its performance obligations under the contract.

INSURANCE

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

FEES AND CHARGES

Revenues (other than service charges) from the use of facilities and charges made for local government services, sewerage rates, rentals, hire charges, fee for service, photocopying charges, licences, sale of goods or information, fines, penalties and administration fees. Local governments may wish to disclose more detail such as rubbish collection fees, rental of property, fines and penalties, and other fees and charges.

LOSS ON ASSET DISPOSAL

Shortfall between the value of assets received over the net book value for assets on their disposal.

SERVICE CHARGES

Service charges imposed under *Division 6 of Part 6 of the Local Government Act 1995. Regulation 54 of the Local Government (Financial Management) Regulations 1996* identifies these as television and radio broadcasting, underground electricity and neighbourhood surveillance services. Exclude rubbish removal charges.

DEPRECIATION ON NON-CURRENT ASSETS

Depreciation expense raised on all classes of assets. Excluding Land.

INTEREST EARNINGS

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

INTEREST EXPENSES

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

OTHER REVENUE / INCOME

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

OTHER EXPENDITURE

Statutory fees, taxes, allowance for impairment of assets, member's fees or State taxes. Donations and subsidies made to community groups.

PROFIT ON ASSET DISPOSAL

Excess of assets received over the net book value for assets on their disposal.

**STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 28 FEBRUARY 2023**

BY NATURE OR TYPE

	Ref	Amended Budget	YTD Budget	YTD Actual	Variance \$	Variance %	Var.
	Note	(a)	(b)	(c)	(c) - (b)	((c) - (b))/(b)	
		\$	\$	\$	\$	%	
Opening funding surplus / (deficit)	1(c)	2,640,221	2,640,221	2,148,491	(491,730)	(18.62%)	▼
Revenue from operating activities							
Rates		9,416,965	9,416,965	9,426,021	9,056	0.10%	
Rates (excluding general rate)		5,800	0	0	0	0.00%	
Operating grants, subsidies and contributions	12	1,332,638	1,072,415	1,163,934	91,519	8.53%	
Fees and charges		3,941,679	2,660,257	2,962,120	301,863	11.35%	▲
Interest earnings		113,775	48,906	175,519	126,613	258.89%	▲
Other revenue		237,509	162,060	216,658	54,598	33.69%	▲
Profit on disposal of assets	6	0	0	13,672	13,672	0.00%	
		15,048,366	13,360,603	13,957,924	597,321	4.47%	
Expenditure from operating activities							
Employee costs		(6,254,772)	(4,168,648)	(3,964,006)	204,642	4.91%	
Materials and contracts		(6,781,869)	(4,570,689)	(4,120,384)	450,305	9.85%	
Utility charges		(474,691)	(303,408)	(305,272)	(1,864)	(0.61%)	
Depreciation on non-current assets		(4,922,951)	(3,281,968)	(21,628)	3,260,340	99.34%	▲
Interest expenses		(92,430)	(64,253)	(44,883)	19,370	30.15%	
Insurance expenses		(350,872)	(233,984)	(369,346)	(135,362)	(57.85%)	▼
Other expenditure		(460,465)	(340,658)	(280,760)	59,898	17.58%	▲
		(19,338,050)	(12,963,608)	(9,106,279)	3,857,329	(29.76%)	
Non-cash amounts excluded from operating activities	1(a)	4,922,951	3,281,968	7,956	(3,274,012)	(99.76%)	▼
Amount attributable to operating activities		633,267	3,678,963	4,859,601	1,180,638	32.09%	
Investing activities							
Proceeds from non-operating grants, subsidies and contributions	13	8,088,343	3,292,067	2,949,420	(342,647)	(10.41%)	▼
Proceeds from disposal of assets	6	337,000	30,000	37,273	7,273	24.24%	
Proceeds from financial assets at amortised cost - self supporting loans	8	2,278	0	1,133	1,133	0.00%	
Payments for financial assets at amortised cost - advances	8	10,974	960	960	0	(0.03%)	
Payments for property, plant and equipment and infrastructure	7	(13,782,464)	(6,372,116)	(4,715,730)	1,656,386	25.99%	▲
Amount attributable to investing activities		(5,343,869)	(3,049,089)	(1,726,944)	1,322,145	(43.36%)	
Financing Activities							
Proceeds from new debentures	8	550,000	0	0	0	0.00%	
Transfer from reserves	10	2,342,497	524,000	0	(524,000)	(100.00%)	▼
Payments for principal portion of lease liabilities	9	(32,001)	(21,336)	(21,759)	(423)	(1.98%)	
Repayment of debentures	8	(250,520)	(181,286)	(181,286)	0	0.00%	
Transfer to reserves	10	(539,595)	(14,560)	(62,384)	(47,824)	(328.46%)	▼
Amount attributable to financing activities		2,070,381	306,818	(265,429)	(572,247)	(186.51%)	
Closing funding surplus / (deficit)	1(c)	0	3,576,913	5,015,719	1,438,806	(40.22%)	▲

KEY INFORMATION

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

Refer to Note 16 for an explanation of the reasons for the variance.

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

**MONTHLY FINANCIAL REPORT
FOR THE PERIOD ENDED 28 FEBRUARY 2023**

BASIS OF PREPARATION

BASIS OF PREPARATION

The financial report 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 Act 1995* and accompanying Regulations take precedence over Australian Accounting Standards where they are inconsistent.

The *Local Government (Financial Management) Regulations 1996* specify that vested land is a right-of-use asset to be measured at cost, and is considered a zero cost concessionary lease. All right-of-use assets under zero cost concessionary leases are measured at zero cost rather than at fair value, except for vested improvements on concessionary land leases such as roads, buildings or other infrastructure which continue to be reported at fair value, as opposed to the vested land which is measured at zero cost. The measurement of vested improvements at fair value is a departure from AASB 16 which would have required the Shire to measure any vested improvements at zero cost.

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 financial 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 Shire controls resources to carry on its functions have been included in the financial statements forming part of this financial report.

All monies held in the Trust Fund are excluded from the financial statements. A separate statement of those monies appears at Note 14 to these financial statements.

SIGNIFICANT ACCOUNTING POLICIES

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 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 not readily apparent from other sources. Actual results may differ from these estimates.

The balances, transactions and disclosures impacted by accounting estimates are as follows:

- estimation of fair values of certain financial assets
- estimation of fair values of fixed assets shown at fair value
- impairment of financial assets

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.

ROUNDING OFF FIGURES

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

PREPARATION TIMING AND REVIEW

Date prepared: All known transactions up to 28 February 2023

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 28 FEBRUARY 2023**

**NOTE 1
STATEMENT OF FINANCIAL ACTIVITY INFORMATION**

(a) Non-cash items excluded from operating activities

The following non-cash revenue and expenditure has been excluded from operating activities within the Statement of Financial Activity in accordance with *Financial Management Regulation 32*.

	Notes	Original Budgeted Closing Balance 30 June 2022	Actual Closing Balance 30 June 2022	YTD Actual 28/02/2023
		\$	\$	\$
Non-cash items excluded from operating activities				
Adjustments to operating activities				
Less: Profit on asset disposals	6	0	0	(13,672)
Movement in pensioner deferred rates (non-current)		(10,511)	0	0
Add: Loss on asset disposals	6	4,040	0	0
Add: Depreciation on assets		6,040,267	4,922,951	21,628
Total non-cash items excluded from operating activities		6,033,796	4,922,951	7,956

(b) Adjustments to net current assets in the Statement of Financial Activity

The following current assets and liabilities have been excluded from the net current assets used in the Statement of Financial Activity in accordance with *Financial Management Regulation 32* to agree to the surplus/(deficit) after imposition of general rates.

		Original Budgeted Closing Balance 30 June 2022	Actual Closing Balance 30 June 2022	YTD Actual 28 February 2023
Adjustments to net current assets				
Less: Reserves - restricted cash	10	(7,811,748)	(7,745,215)	(7,807,599)
Less: - Financial assets at amortised cost - self supporting loans	4	0	(4,207)	(2,114)
Add: Borrowings	8	250,521	250,521	69,235
Add: Lease liabilities	9	32,001	31,608	9,849
Total adjustments to net current assets		(7,529,226)	(7,467,293)	(7,730,628)

(c) Net current assets used in the Statement of Financial Activity

Current assets

Cash and cash equivalents	2	13,598,358	13,598,004	13,933,034
Rates receivables	3	376,190	399,663	1,397,053
Receivables	3	1,563,864	1,576,106	1,490,366
Other current assets	4	409,202	72,423	161,334
Less: Current liabilities				
Payables	5	(3,392,338)	(3,407,473)	(1,239,291)
Borrowings	8	(250,521)	(250,521)	(69,235)
Contract liabilities	11	(1,098,968)	(1,410,754)	(1,987,007)
Lease liabilities	9	(32,001)	(31,608)	(9,849)
Provisions	11	(1,004,339)	(930,057)	(930,057)
Less: Total adjustments to net current assets	1(b)	(7,529,226)	(7,467,293)	(7,730,628)
Closing funding surplus / (deficit)		2,640,221	2,148,491	5,015,719

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. Unless otherwise stated assets or liabilities are classified as current if expected to be settled within the next 12 months, being the Council's operational cycle.

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 28 FEBRUARY 2023**

**OPERATING ACTIVITIES
NOTE 2
CASH AND FINANCIAL ASSETS**

Description	Classification	Unrestricted	Restricted	Total Cash	Institution	Interest Rate	Maturity Date
		\$	\$	\$			
Municipal Bank Account	Cash and cash equivalents	2,090,064	0	2,090,064	Bendigo Bank	0.00%	At Call
Reserve Bank Account	Cash and cash equivalents	0	245,215	245,215	Bendigo Bank	0.00%	At Call
Cash on hand	Cash and cash equivalents	2,100	0	2,100	Petty Cash/Till float	N/A	At Call
Municipal Investment 424373	Cash and cash equivalents	4,033,271	0	4,033,271	Bendigo Bank	3.30%	7/03/2023
Reserve Investment 4124372	Cash and cash equivalents	(0)	7,562,384	7,562,384	Bendigo Bank	4.00%	6/06/2023
Total		6,125,435	7,807,599	13,933,033			
Comprising							
Cash and cash equivalents		6,125,435	7,807,599	13,933,033			
		6,125,435	7,807,599	13,933,033			

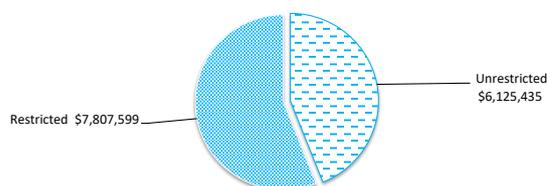
KEY INFORMATION

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

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

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

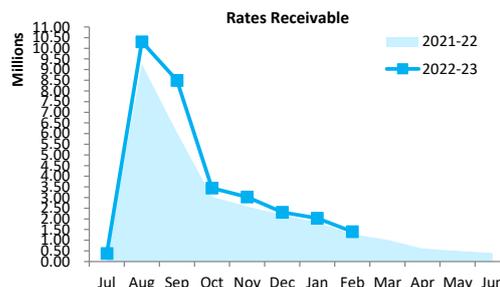
Financial assets at amortised cost held with registered financial institutions are listed in this note other financial assets at amortised cost are provided in Note 4 - Other assets.



**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 28 FEBRUARY 2023**

**OPERATING ACTIVITIES
NOTE 3
RECEIVABLES**

Rates receivable	30 June 2022	28 Feb 2023
	\$	\$
Opening arrears previous years	817,748	399,663
Levied this year	8,889,160	9,426,021
Less - collections to date	(9,307,245)	(8,428,631)
Gross rates collectable	399,663	1,397,053
Net rates collectable	399,663	1,397,053
% Collected	95.9%	85.8%



Receivables - general	Credit	Current	30 Days	60 Days	90+ Days	Total
	\$	\$	\$	\$	\$	\$
Receivables - general	(18,733)	1,202,887	48,326	2,054	106,662	1,341,196
Percentage	(1.4%)	89.7%	3.6%	0.2%	8%	
Balance per trial balance						
Sundry receivable						1,341,196
GST receivable						63
Allowance for impairment of receivables from contracts with customers						(9,024)
Legal costs - recovery of rates						79,685
Rubbish fees						78,446
Total receivables general outstanding						1,490,366

Amounts shown above include GST (where applicable)

KEY INFORMATION

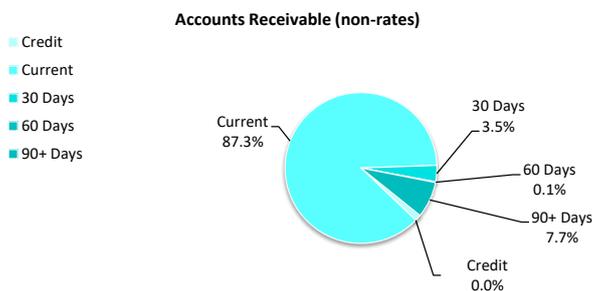
Trade and other receivables include amounts due from ratepayers for unpaid rates and service charges and other amounts due from third parties for goods sold and services performed in the ordinary course of business.

Trade receivables are recognised at original invoice amount less any allowances for uncollectable amounts (i.e. impairment). The carrying amount of net trade receivables is equivalent to fair value as it is due for settlement within 30 days.

Classification and subsequent measurement

Receivables which are generally due for settlement within 30 days except rates receivables which are expected to be collected within 12 months are classified as current assets. All other receivables such as, deferred pensioner rates receivable after the end of the reporting period are classified as non-current assets.

Trade and other receivables are held with the objective to collect the contractual cashflows and therefore the Shire measures them subsequently at amortised cost using the effective interest rate method.



**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 28 FEBRUARY 2023**

**OPERATING ACTIVITIES
NOTE 4
OTHER CURRENT ASSETS**

	Opening Balance 1 July 2022	Asset Increase	Asset Reduction	Closing Balance 28 February 2023
	\$	\$	\$	\$
Other current assets				
Other financial assets at amortised cost				
Financial assets at amortised cost - self supporting loans	2,278	0	(1,133)	1,145
Financial assets at amortised cost - loan advances	1,929	0	(960)	969
Inventory				
Fuel	34,026	0	0	144,355
History books	14,865	110,329	0	14,865
Other Assets				
Prepayments	19,325	0	(19,325)	0
Total other current assets	72,423	110,329	(21,418)	161,334
Amounts shown above include GST (where applicable)				

KEY INFORMATION

Other financial assets at amortised cost

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

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

Inventory

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 2023**

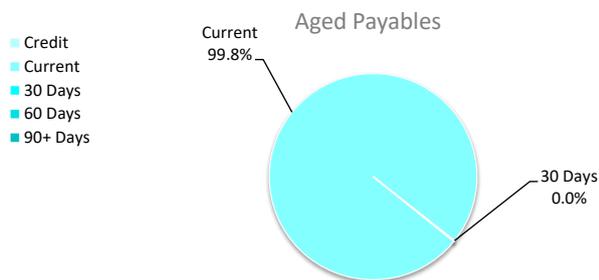
**OPERATING ACTIVITIES
NOTE 5
PAYABLES**

Payables - general	Credit	Current	30 Days	60 Days	90+ Days	Total
	\$	\$	\$	\$	\$	\$
Payables - general	0	511,784	0	660	215	512,659
Percentage	0%	99.8%	0%	0.1%	0%	
Balance per trial balance						
Sundry creditors						512,659
ATO liabilities						(9)
Prepaid rates						106,497
Bonds & deposits						620,144
Total payables general outstanding						1,239,291

Amounts shown above include GST (where applicable)

KEY INFORMATION

Trade and other payables represent liabilities for goods and services provided to the Shire prior to the end of the period that are unpaid and arise when the Shire 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. The carrying amounts of trade and other payables are considered to be the same as their fair values, due to their short-term nature.

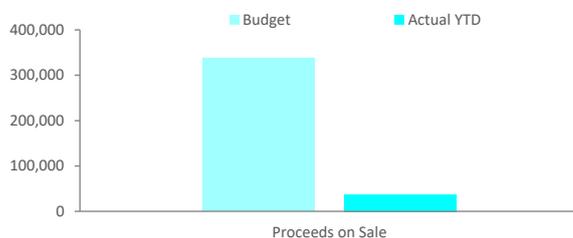


**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 28 FEBRUARY 2023**

**OPERATING ACTIVITIES
NOTE 6
DISPOSAL OF ASSETS**

Asset Ref.	Asset description	Budget				YTD Actual			
		Net Book Value	Proceeds	Profit	(Loss)	Net Book Value	Proceeds	Profit	(Loss)
		\$	\$	\$	\$	\$	\$	\$	\$
	Plant and equipment								
	Law, order, public safety								
	Sale of utility - GG073	15,000	15,000	0	0	15,001	16,364	1,362	0
	Sale of utility - GG070	15,000	15,000	0	0	0	0	0	0
	Sale of utility - GG074	15,000	15,000	0	0	0	0	0	0
	Sale of utility - GG09	10,000	10,000	0	0	0	0	0	0
	Health								
	Sale of vehicle - 3GG	15,000	15,000	0	0	0	0	0	0
	Sale of vehicle - GG098 (LA)	10,000	10,000	0	0	0	0	0	0
	Community amenities								
	Sale of vehicle - 4GG	18,000	18,000	0	0	0	0	0	0
	Sale of vehicle - 8GG	15,000	15,000	0	0	0	0	0	0
	Recreation and culture								
	Sale of utility - GG033	16,000	16,000	0	0	0	0	0	0
	Sale of utility - GG017	16,000	16,000	0	0	0	0	0	0
	Sale of mower - GG034	7,000	7,000	0	0	0	0	0	0
	Sale of mower - GG041	7,000	7,000	0	0	0	0	0	0
	Transport								
	Sale of loader - GG006	40,000	40,000	0	0	0	0	0	0
	Sale of trailer - GG6015	1,000	1,000	0	0	0	0	0	0
	Sale of utility - GG013	15,000	15,000	0	0	0	0	0	0
	Sale of utility - GG049	15,000	15,000	0	0	8,599	20,909	12,310	0
	Sale of utility - GG050	16,000	16,000	0	0	0	0	0	0
	Sale of utility - GG051	20,000	20,000	0	0	0	0	0	0
	Sale of slasher	5,000	5,000	0	0	0	0	0	0
	*Sale of tractor GG012	30,000	30,000	0	0	0	0	0	0
	Economic services								
	Sale of utility - GG044	16,000	16,000	0	0	0	0	0	0
	Sale of mower - GU c/park	5,000	5,000	0	0	0	0	0	0
	Other property and services								
	Sale of vehicle - 6GG	15,000	15,000	0	0	0	0	0	0
		337,000	337,000	0	0	23,600	37,273	13,672	0

* A result of a Council approved budget variation



**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 28 FEBRUARY 2023**

**INVESTING ACTIVITIES
NOTE 7
CAPITAL ACQUISITIONS**

Capital acquisitions	Amended		YTD Actual	YTD Actual Variance
	FY Amended Budget	YTD Amended Budget		
	\$	\$	\$	\$
Buildings - non-specialised	742,400	176,680	43,232	(133,448)
Buildings - specialised	841,828	571,232	358,578	(212,654)
Plant and equipment	5,173,200	779,000	1,008,530	229,530
Infrastructure - roads	4,958,059	3,400,344	3,093,298	(307,047)
Infrastructure - footpaths	20,000	20,000	25,119	5,119
Infrastructure - parks & ovals	1,390,146	1,143,628	161,472	(982,156)
Infrastructure - other	526,831	151,232	25,500	(125,732)
Infrastructure - bridges	130,000	130,000	0	(130,000)
Payments for Capital Acquisitions	13,782,464	6,372,116	4,715,730	(1,656,386)
Capital Acquisitions Funded By:				
	\$	\$	\$	\$
Capital grants and contributions	8,088,343	3,292,067	2,949,420	(342,647)
Borrowings	550,000	0	0	0
Other (disposals & C/Fwd)	337,000	30,000	37,273	7,273
Cash backed reserves	1,818,497	2,342,497	524,000	(1,818,497)
Contribution - operations	2,988,624	707,552	1,205,037	497,485
Capital funding total	13,782,464	6,372,116	4,715,730	(1,656,386)

SIGNIFICANT ACCOUNTING POLICIES

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

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

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

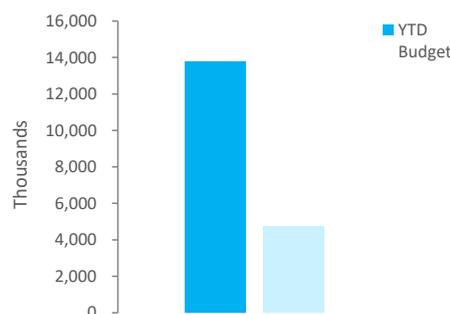
Initial recognition and measurement for assets held at cost

Plant and equipment including furniture and equipment is recognised at cost on acquisition in accordance with *Financial Management Regulation 17A*. Where acquired at no cost the asset is initially recognise at fair value. Assets held at cost are depreciated and assessed for impairment annually.

Initial recognition and measurement between mandatory revaluation dates for assets held at fair value

In relation to this initial measurement, cost is determined as the fair value of the assets given as consideration plus costs incidental to the acquisition. For assets acquired at zero cost or otherwise significantly less than fair value, cost is determined as fair value at the date of acquisition. The cost of non-current assets constructed by the Shire includes the cost of all materials used in construction, direct labour on the project and an appropriate proportion of variable and fixed overheads.

Payments for Capital Acquisitions

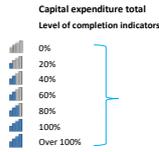


MINUTES ORDINARY COUNCIL MEETING 21 MARCH 2023

APPENDIX 12.6.1

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY FOR THE PERIOD ENDED 28 FEBRUARY 2023

INVESTING ACTIVITIES NOTE 7 CAPITAL ACQUISITIONS (CONTINUED)



Percentage Year to Date Actual to Annual Budget expenditure where the expenditure over budget highlighted in red.

Level of completion indicator, please see table at the end of this note for further detail.

	Account Description	FY Budget	Amended	YTD Budget	YTD Actual	Variance (Under)/Over
		\$		\$	\$	\$
█	BC1100-141103120		4,750	3,168	0	(3,168)
█	BC1102-141103120		20,000	13,336	0	(13,336)
█	BC1140-141101120		40,000	26,672	12,450	(14,222)
█	BC1119-141103120		10,618	7,080	0	(7,080)
█	BC11261-141102120		9,759	6,504	3,480	(3,024)
█	BC11290-141102140		10,000	6,664	15,579	8,915
█	BC11309-141103120		5,000	3,336	2,500	(836)
█	BC11310-141103120		15,125	10,080	10,588	508
█	BC11312-141103120		60,000	40,000	8,195	(31,805)
█	BC11318-141103120		30,000	30,000	0	(30,000)
█	BC11319-141103120		106,684	71,128	2,410	(68,718)
█	BC11700-141107140		4,000	2,664	3,773	1,109
█	BC1180-141103120		6,000	4,000	6,300	2,300
█	BC1181-141103120		10,000	6,664	0	(6,664)
█	BC1182-141007140		60,000	40,000	20,650	(19,350)
█	BC12290-141201140		20,000	13,336	568	(12,768)
█	BC1320-141302120		13,934	9,288	0	(9,288)
█	BC1321-141302120		20,000	13,336	0	(13,336)
█	BC13210-141302120		0	0	151	151
█	BC13233-141302120		15,000	10,000	9,804	(196)
█	BC14200-141402120		25,000	16,664	5,600	(11,064)
█	BC5100-140501120		320,788	213,864	273,378	59,514
█	BC5160-140501120		25,000	16,664	0	(16,664)
█	BC5180-140501120		5,000	3,336	3,200	(136)
█	BC5500-140501120		65,000	43,328	3,584	(39,744)
█	BC7700-140707140		5,000	3,336	0	(3,336)
█	BC7740-140707140		20,000	13,336	0	(13,336)
█	BC7791-140707120		22,500	15,000	7,100	(7,900)
█	BC8290-140802120		6,670	4,448	9,840	5,392
█	BC9490-140904140		146,000	97,344	2,663	(94,681)
█	CH90201-140902140		477,400	0	0	0
█	P005-140507300		45,000	0	0	0
█	P006-141203300		230,000	0	0	0
█	P013-141203300		41,000	0	0	0
█	P017-141203300		46,000	0	0	0
█	P018-141203300		0	0	7,136	7,136
█	P02-140501300		400,000	0	0	0
█	P033-141203300		46,000	0	0	0
█	P034-141203300		40,000	0	0	0
█	P04-140501300		400,000	0	0	0
█	P041-141203300		40,000	0	0	0
█	P049-141203300		41,000	0	0	0
█	P050-141203300		45,000	0	0	0
█	P051-140501300		170,000	170,000	236,938	66,938
█	P057-140501300		340,000	170,000	236,841	66,841
█	P06-140501300		170,000	0	0	0
█	P069-140501300		170,000	170,000	236,921	66,921
█	P070-140503300		41,000	0	0	0
█	P073-140503300		80,000	0	53,749	53,749
█	P074-140503300		41,000	0	0	0
█	P075-140501300		170,000	170,000	236,946	66,946
█	P090-140501300		400,000	0	0	0
█	P3-140704300		38,000	0	0	0
█	P4-140704300		43,000	0	0	0
█	P6-141402300		38,000	0	0	0
█	P8-141006300		38,000	0	0	0
█	PNEW1-141203300		120,000	69,000	0	(69,000)
█	PNEW2-141203300		120,000	30,000	0	(30,000)
█	-140401120		5,000	3,336	0	(3,336)
█	-140501300		1,235,000	0	0	0
█	-140707300		20,000	0	0	0
█	-141203300		565,200	0	0	0
█	B8836-141201670		130,000	130,000	0	(130,000)
█	CC10070-141007700		87,910	58,600	0	(58,600)
█	DC000-141201650		33,000	(22,000)	2,597	24,597
█	DC278-141201650		100,000	85,000	45,858	(39,142)
█	DC281-141201660		45,000	45,000	345	(44,655)
█	DC294-141201660		50,000	50,000	345	(49,655)
█	FC098-141201700		0	0	2,730	2,730
█	FC11261-141201700		20,000	20,000	0	(20,000)
█	FC117-141201700		0	0	3,219	3,219
█	FC321-141201700		0	0	19,170	19,170
█	LRCI0001-141201610		50,000	33,336	25,000	(8,336)
█	LRCI0002-140503900		80,000	53,336	0	(53,336)
█	LRCI0003-141103700		200,000	133,336	36,467	(96,869)
█	LRCI013-141201610		127,354	84,904	28,836	(56,068)
█	LRCI114-141201610		114,000	76,000	56,233	(19,767)
█	LRCI128-141201610		25,000	16,664	23,420	6,756
█	LRCI130-141201610		25,000	16,664	25,000	8,336
█	LRCI135-141201610		25,000	16,664	24,849	8,185
█	LRCI136-141201610		43,000	28,664	43,000	14,336

MINUTES ORDINARY COUNCIL MEETING 21 MARCH 2023

APPENDIX 12.6.1

INVESTING ACTIVITIES NOTE 7 CAPITAL ACQUISITIONS (CONTINUED)

Account Description	FY Budget	YTD Budget	YTD Actual	Variance (Under)/Over	
	\$	\$	\$	\$	
LRC1150-141201610	LRCI - De Burgh Street, LP (Capital)	79,000	52,664	64,066	11,402
LRC1161-141201610	LRCI - Dewar Way, LP (Capital)	44,000	29,336	40,000	10,664
LRC1170-141201610	LRCI - Wardrop Street, GU (Capital)	25,000	16,664	25,000	8,336
LRC1174-141201610	LRCI - McCormick Street, SB (Capital)	44,000	29,336	0	(29,336)
LRC1182-141201610	LRCI - Douglas Street, SB (Capital)	32,000	21,336	0	(21,336)
LRC1202-141201610	LRCI - Gee Street, GU (Capital)	31,000	20,664	0	(20,664)
LRC1238-141201610	LRCI - Collett Street, GU (Capital)	31,000	20,664	31,000	10,336
LRC1249-141201610	LRCI - Kendall Road, LA (Capital)	114,000	76,000	78,590	2,590
LRC1301-141201610	LRCI - Rodrigues Crescent, LP (Capital)	82,000	54,664	74,545	19,881
LRC1315-141201610	LRCI - Lawrence Place, LP (Capital)	22,224	14,816	20,204	5,388
LRC1319-141201610	LRCI - Harold's Way, SB (Capital)	48,000	32,000	0	(32,000)
OC10570-141005900	Seabird Erosion Solution	10,200	6,800	0	(6,800)
OC10571-141005900	Seabird Erosion Project - Repairs to seawall & boa	5,000	3,336	0	(3,336)
OC11200-141102900	Gingin Swimming Pool Infrastructure (Capital) MUN	43,500	29,000	25,500	(3,500)
OC11264-141102900	Guilderton Foreshore - boardwalk replace timbers	63,131	42,096	0	(42,096)
OC11265-141302900	Guilderton Caravan Park - Replace Camping Power Po	10,000	6,664	0	(6,664)
OC11293-141102700	Lancelin Foreshore Development - Cunliffe St	588,593	588,593	0	(588,593)
OC8791140804900	Horan St - Lions Mens Shed Carpark	15,000	10,000	0	(10,000)
PC1101141103700	Gingin Outdoor Activity Space (Regional Playground	63,180	42,128	46,730	4,602
PC11100141103700	Granville Park Dam Barrier	50,000	33,336	0	(33,336)
PC111314141103700	Gingin Regional Hardcourt Facility - Repair cracks	11,492	7,664	0	(7,664)
PC111380141103700	Ledge Point Recreation Ground - Replace & Upgrade	50,000	33,336	0	(33,336)
PC111391141103700	Lancelin Sporting Complex - second netball/basketb	270,000	180,000	0	(180,000)
PC1170141103700	Seabird Douglas Park	7,000	4,664	0	(4,664)
PC1189141103700	Ledge Point Off-Road Vehicle Area - Capital works	61,971	61,971	78,276	16,305
R2R002141201450	Gingin Brook Road (R2R)	116,000	77,336	128,000	50,664
R2R004141201460	Beermullah Road West (R2R)	596,373	397,584	304,417	(93,167)
R2R145141201440	Moore River Drive (R2R)	145,000	96,664	160,557	63,893
R2R254141201450	Todman Road (R2R)	15,000	10,000	0	(10,000)
R2R28641201450	Hoy Road (R2R)	266,920	266,920	270,000	3,080
RC002141201410	Gingin Brook Road (Capital)	67,847	45,232	597	(44,635)
RC012141201420	Wannamal Road West (Capital)	541,432	360,944	575,246	214,302
RC215141201400	Weld Street (Capital)	0	0	4,519	4,519
RC286141201420	Hoy Road (Capital)	0	0	4,362	4,362
RRG001141201490	Moolabeenee Road (RRG)	983,073	655,392	87,693	(567,699)
RRG003141201490	Cowalla Road (RRG)	28,473	18,984	95,640	76,656
SC10300141003900	Guilderton Caravan Park - Replace Waste Water - de	300,000	0	0	0
WSFN008141201620	KW ROAD - WSFN Funding	461,312	307,544	307,090	(454)
WSFN009141201620	KW Road WSFN - Intersection KW & Sappers Rd	547,051	364,704	546,289	181,585
		13,782,464	6,372,116	4,715,730	(1,656,386)

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 28 FEBRUARY 2023**

**FINANCING ACTIVITIES
NOTE 8
BORROWINGS**

Repayments - borrowings

Information on borrowings Particulars	Loan No.	1 July 2022	New Loans		Principal Repayments		Principal Outstanding		Interest Repayments	
			Actual	Budget	Actual	Budget	Actual	Budget	Actual	Budget
		\$	\$	\$	\$	\$	\$	\$	\$	
Health										
Gingin Medical Centre	100	69,891	0	0	(33,809)	(33,809)	36,082	36,082	(2,098)	(4,009)
Community amenities										
Tip Rationalisation Site	111	396,226	0	0	(21,386)	(21,386)	374,840	374,840	(15,713)	(25,374)
Seabird Sea Wall	127	102,876	0	0	(21,874)	(21,874)	81,002	81,002	(1,340)	(2,446)
Lancelin Caravan Park Assets	128	21,146	0	0	(21,146)	(21,146)	0	0	(68)	(266)
Recreation and culture										
Guilderton Country Club Hall Extension	114	296,110	0	0	(20,198)	(41,117)	275,912	254,993	(8,158)	(20,421)
Regional Hardcourt Facility	120	218,299	0	0	(12,485)	(25,386)	205,814	192,913	(6,813)	(14,165)
Regional Hardcourt Facility	124A	211,538	0	0	(11,292)	(22,817)	200,246	188,721	(3,724)	(8,503)
Gingin Swimming Pool Tiling	126	65,584	0	0	(15,647)	(15,647)	49,937	49,937	(1,082)	(1,913)
Gingin Outdoor Activity Space	132	160,414	0	0	(8,382)	(16,824)	152,032	143,590	(1,067)	(2,237)
Lancelin Cunliffe Street Carpark	New	0	250,000	0	0	0	250,000	0	0	0
Economic services										
Guilderton Caravan Park Waste Water	New	0	0	300,000	0	0	300,000	0	0	0
Other property and services										
Altus Financials Suite	131	148,587	0	0	(4,645)	(9,334)	143,942	139,253	(1,338)	(2,835)
Lot 44 Weld Street, Gingin	123	135,491	0	0	(9,290)	(18,902)	126,201	116,589	(2,757)	(9,107)
		1,826,162	0	550,000	(180,153)	(248,242)	1,646,009	2,127,920	(44,157)	(91,276)
Self supporting loans										
Recreation and culture										
Ledge Point Country Club Cool Room	130	17,023	0	0	(1,133)	(2,278)	15,890	14,745	(144)	(355)
Ledge Point Country Club Security System - Advance	015	0	0	0	0	(1,929)	0	0	0	0
Guilderton Bowling Club Synthetic Greens - Advance	016	0	0	0	0	(9,045)	0	0	0	0
		17,023	0	0	(1,133)	(13,252)	15,890	14,745	(144)	(355)
Total		1,843,185	0	550,000	(181,286)	(261,494)	1,661,899	2,142,665	(44,301)	(91,631)
Current borrowings		261,494					69,235			
Non-current borrowings		1,581,691					1,592,664			
		1,843,185					1,661,899			

All debenture repayments were financed by general purpose revenue.

Self supporting loans are financed by repayments from third parties.

New borrowings 2022-23

Particulars	Amount Borrowed	Amount Borrowed	Institution	Loan Type	Term Years	Total Interest & Charges	Interest Rate	Amount (Used)		Balance Unspent
	Actual	Budget						Actual	Budget	
	\$	\$				%	\$	\$	\$	
Guilderton Caravan Park Waste Water	0	300,000					0	300,000	0	
Lancelin Cunliffe Street Carpark	0	250,000					0	250,000	0	
	0	550,000				0	0	550,000	0	

The Shire has no unspent debenture funds as at 30th June 2022, nor is it expected to have unspent funds as at 30th June 2023.

KEY INFORMATION

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

Fair values of borrowings are not materially different to their carrying amounts, since the interest payable on those borrowings is either close to current market rates or the borrowings are of a short term nature. Non-current borrowings fair values are based on discounted cash flows using a current borrowing rate.

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 28 FEBRUARY 2023**

FINANCING ACTIVITIES

NOTE 9

LEASE LIABILITIES

Movement in carrying amounts

Information on leases Particulars	Lease No.	1 July 2022	New Leases		Principal Repayments		Principal Outstanding		Interest Repayments	
			Actual	Budget	Actual	Budget	Actual	Budget	Actual	Budget
		\$	\$	\$	\$	\$	\$	\$	\$	\$
Other property and services										
Lancelin administration office	1	7,041	0	0	(5,153)	(7,041)	1,888	0	(47)	(50)
Postal franking machine	2	0	0	0	0	0	0	0	0	(50)
Photocopier - Ineo 958	3	10,181	0	0	(5,072)	(7,622)	5,109	2,559	(59)	(73)
IT Server	4	60,175	0	0	(11,534)	(17,338)	48,641	42,837	(475)	(676)
Total		77,397	0	0	(21,759)	(32,001)	55,638	45,396	(582)	(849)
Current lease liabilities		31,608					9,849			
Non-current lease liabilities		45,789					45,789			
		<u>77,397</u>					<u>55,638</u>			

All lease repayments were financed by general purpose revenue.

KEY INFORMATION

At inception of a contract, the Shire assesses if the contract contains or is a lease. A contract is or contains a lease, if the contract conveys the right to control the use of an identified asset for a period of time in exchange for consideration. At the commencement date, a right of use asset is recognised at cost and lease liability at the present value of the lease payments that are not paid at that date. The lease payments are discounted using that date. The lease payments are discounted using the interest rate implicit in the lease, if that rate can be readily determined. If that rate cannot be readily determined, the Shire uses its incremental borrowing rate.

All contracts classified as short-term leases (i.e. a lease with a remaining term of 12 months or less) and leases of low value assets are recognised as an operating expense on a straight-line basis over the term of the lease.

**MINUTES
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21 MARCH 2023**

APPENDIX 12.6.1

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 28 FEBRUARY 2023**

**OPERATING ACTIVITIES
NOTE 10
RESERVE ACCOUNTS**

Reserve accounts

Reserve name	Actual Opening Balance	Budget Interest Earned	Actual Interest Earned	Amended Budget Transfers In (+)	Actual Transfers In (+)	Amended Budget Transfers Out (-)	Actual Transfers Out (-)	Budget Closing Balance	Actual YTD Closing Balance
	\$	\$	\$	\$	\$	\$	\$	\$	\$
LSL, Annual, Sick Leave and Staff Contingency	429,670	2,912	3,461	0	0	0	0	432,582	433,131
Office Equipment Reserve	0	69	0	0	0	0	0	69	0
Plant and Equipment Reserve	1,593,152	8,985	12,832	0	0	(1,056,200)	0	545,937	1,605,984
Land and Buildings Reserve	916,406	4,976	7,381	0	0	(590,097)	0	331,285	923,787
Guilderton Caravan Park Reserve	34,018	246	274	0	0	0	0	34,264	34,292
Shire Recreation Development Reserve	469,779	518	3,784	0	0	0	0	470,297	473,563
Redfield Park Reserve	31,469	217	253	0	0	0	0	31,686	31,722
Ocean Farm Recreation Reserve	31,161	215	251	0	0	0	0	31,376	31,412
Tip Rationalisation Reserve	1,973,830	7,621	15,898	20,439	0	(55,000)	0	1,946,890	1,989,728
Lancelin Community Sport and Recreation Reserve	103,512	425	834	0	0	0	0	103,937	104,346
Community Infrastructure Reserve	36,530	0	294	12,000	0	0	0	48,530	36,824
Staff Housing	33,559	0	270	0	0	0	0	33,559	33,829
Future Infrastructure Reserve	529,306	0	4,263	0	0	0	0	529,306	533,569
Guilderton Country Club Reserve	27,237	0	219	0	0	0	0	27,237	27,456
Coastal Management Reserve - Coastal Inundation	292,391	0	2,355	0	0	(40,200)	0	252,191	294,746
Guilderton Foreshore Reserve	121,075	0	975	69,520	0	0	0	190,595	122,050
Unspent Grants Reserve - Youth Services Website Grant	5,014	0	40	0	0	0	0	5,014	5,054
Seniors Housing Reserve	162,145	0	1,306	80,957	0	(146,000)	0	97,102	163,451
Gingin Railway Station Reserve	5,747	0	46	0	0	0	0	5,747	5,793
Contributions to Roads Reserve - Cullalla Road Intersection	45,128	0	363	0	0	0	0	45,128	45,491
Contribution to Roads Reserve - Cowalla Road Intersection	16,046	0	129	0	0	0	0	16,046	16,175
Contribution to Roads Reserve - Chitna Road	3,009	0	24	0	0	0	0	3,009	3,033
Contribution to Roads Reserve - Balance of Muni Funds	700,377	0	5,641	300,000	0	(455,000)	0	545,377	706,018
Community Infrastructure Reserve - Lower Coastal Fire Control	25,266	15	204	0	0	0	0	25,281	25,470
Community Infrastructure Reserve - Gingin Logo Plates	8,030	0	65	0	0	0	0	8,030	8,095
Community Infrastructure Reserve - Gingin Ambulance	48,120	0	388	6,000	0	0	0	54,120	48,508
Community Infrastructure Reserve - Lancelin Ambulance	30,937	0	249	18,000	0	0	0	48,937	31,186
Subdivision Reserve - Mallee Lane Subdivision Contribution towards DUP Cheriton Rd to Brockman St	14,672	0	118	0	0	0	0	14,672	14,790
Public Open Space Reserve	26,050	0	210	0	0	0	0	26,050	26,260
Guilderton Trailer Parking Reserve	26,745	0	215	6,480	0	0	0	33,225	26,960
Gingin Outdoor Activity Space	4,834	0	39	0	0	0	0	4,834	4,873
	7,745,215	26,199	62,384	513,396	0	(2,342,497)	0	5,942,313	7,807,599

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 28 FEBRUARY 2023**

**OPERATING ACTIVITIES
NOTE 11
OTHER CURRENT LIABILITIES**

	Note	Opening Balance 1 July 2022	Liability transferred from/(to) non current	Liability Increase	Liability Reduction	Closing Balance 28 February 2023
		\$		\$	\$	\$
Other current liabilities						
Other liabilities						
- Contract liabilities		1,410,754	0	2,712,820	(2,136,566)	1,987,008
Total other liabilities		1,410,754	0	2,712,820	(2,136,566)	1,987,008
Employee Related Provisions						
Annual leave		539,939	0	0	0	539,939
Long service leave		269,574	0	0	0	269,574
Total Employee Related Provisions		809,513	0	0	0	809,513
Other Provisions						
Provision for sick leave		120,544	0	0	0	120,544
Total Other Provisions		120,544	0	0	0	120,544
Total other current assets		2,340,811	0	2,712,820	(2,136,566)	2,917,065
Amounts shown above include GST (where applicable)						

A breakdown of contract liabilities and associated movements is provided on the following pages at Note 12

KEY INFORMATION

Provisions

Provisions are recognised when the Shire has a present 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.

Employee Related Provisions

Short-term employee benefits

Provision is made for the Shire's 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's obligations for short-term employee benefits such as wages, salaries and sick leave are recognised as a part of current trade and other payables in the calculation of net current assets.

Other long-term employee benefits

The Shire's obligations for employees' annual leave and long service leave entitlements are recognised as employee related provisions in the statement of financial position.

Long-term employee benefits are measured at the present value of the expected future payments to be made to employees. Expected future payments incorporate anticipated future wage and salary levels, durations of service and employee departures and are discounted at rates determined by reference to market yields at the end of the reporting period on government bonds that have maturity dates that approximate the terms of the obligations. Any remeasurements for changes in assumptions of obligations for other long-term employee benefits are recognised in profit or loss in the periods in which the changes occur. The Shire's obligations for long-term employee benefits are presented as non-current provisions in its statement of financial position, except where the Shire does not have an unconditional right to defer settlement for at least 12 months after the end of the reporting period, in which case the obligations are presented as current provisions.

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.

Capital grant/contribution liabilities

Grants to acquire or construct recognisable non-financial assets to identified specifications be constructed to be controlled by the Shire are recognised as a liability until such time as the Shire satisfies its obligations under the agreement.

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 28 FEBRUARY 2023**

**NOTE 12
OPERATING GRANTS, SUBSIDIES AND CONTRIBUTIONS**

Provider	Unspent operating grant, subsidies and contributions liability					Operating grants, subsidies and contributions revenue		
	Liability	Increase in Liability	Decrease in Liability	Liability	Current Liability	Amended Annual Budget	YTD Amended Budget	YTD Revenue Actual
	1 July 2022		(As revenue)	28 Feb 2023	28 Feb 2023	Revenue	Budget	Actual
	\$	\$	\$	\$	\$	\$	\$	\$
Operating grants and subsidies								
General purpose funding								
Financial Assistance Grant - General Purpose	0	0	0	0	0	193,362	193,362	259,377
Financial Assistance Grant - Roads	0	0	0	0	0	103,078	103,078	138,639
Financial Assistance Grant - Bridges	0	262,546	0	262,546	262,546	0	0	0
Law, order, public safety								
Ledge Point Off-road Vehicle Area	46,971	0	(46,971)	0	0	46,971	46,971	46,971
DFES Operating Grant	0	0	0	0	0	251,308	167,536	188,481
Education and welfare								
Volunteering WA - Promotion of WA Marketing Grant	0	0	0	0	0	0	0	5,000
Community amenities								
Coastal Hazard Risk Management Plan Grant	50,000	0	(38,369)	11,631	11,631	47,587	31,728	38,369
CAP Grant Funding	0	0	0	0	0	109,900	73,264	34,835
Recreation and culture								
Library - Technology & Digital Grant	0	0	0	0	0	500	336	0
Transport								
Direct Road Grant MRWA	0	0	0	0	0	248,580	248,580	248,580
	96,971	262,546	(85,340)	274,177	274,177	1,001,286	864,855	960,252
Operating contributions								
General purpose funding								
Recovery of legal costs - rates	0	0	0	0	0	80,000	40,000	0
Law, order, public safety								
CESM Grant - DFES	0	0	0	0	0	61,285	40,856	48,953
BRMO Grant - DFES	23,734	122,467	(46,247)	99,954	99,954	122,467	81,648	46,247
MAF Mitigation - DFES	0	171,203	(23,891)	147,312	147,312	0	0	23,891
Health								
Sale of logo plates	0	0	0	0	0	0	0	136
Community amenities								
Claymont Estate - Planning contributions	0	0	0	0	0	14,400	9,600	(727)
Drum Muster	0	0	0	0	0	2,000	1,336	0
Waste and Rubbish Charges	0	1,477,600	(985,067)	492,533	492,533	0	0	0
Recreation and culture								
Naming Sponsorship - Gingin Aquatic Centre - Image	0	0	0	0	0	10,000	6,664	10,000
Contribution income for suite of events	0	0	0	0	0	12,000	8,000	12,682
Contributions - Library Services	0	0	0	0	0	100	64	0
Transport								
Contribution income for Aurisch Road Maintenance	0	0	0	0	0	0	0	62,500
Economic services								
Guilderton Caravan Park Deposit Liability	293,467	0	0	293,467	293,467	0	0	0
Other property and services								
Adminstration contributions	0	0	0	0	0	29,000	19,328	0
Workers compensation contribution provision	0	0	0	0	0	100	64	0
	317,201	1,771,270	(1,055,204)	1,033,266	1,033,266	331,352	207,560	203,681
TOTALS	414,172	2,033,816	(1,140,545)	1,307,443	1,307,443	1,332,638	1,072,415	1,163,934

**MINUTES
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APPENDIX 12.6.1

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 28 FEBRUARY 2023

NOTE 13
NON-OPERATING GRANTS, SUBSIDIES AND CONTRIBUTIONS

Provider	Capital grant/contribution liabilities					Non operating grants, subsidies and contributions revenue					
	Liability 1 July 2022	Increase in Liability	Decrease in Liability (As revenue)	Liability 28 Feb 2023	Current Liability 28 Feb 2023	Amended Budget Revenue	YTD Budget	Annual Budget	Budget Variations	Expected	YTD Revenue Actual
	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
Non-operating grants and subsidies											
Law, order, public safety											
DFES - Capital Grant - Buildings	320,789	0	(273,378)	47,411	47,411	320,788	320,788	320,788	0	320,788	273,378
DFES - Capital Grant - Vehicles	0	0	0	0	0	3,455,000	680,000	3,455,000	0	3,455,000	947,645
LRCI - Unspent funds - CCTV	0	40,000	0	40,000	40,000	0	0	0	0	0	0
Community amenities											
CMPAP - Coastal Management Strategy	0	0	0	0	0	100,000	50,000	100,000	0	100,000	0
Coastal Hazard Risk Management Plan	0	0	0	0	0	26,450	13,226	26,450	0	26,450	0
Recreation and culture											
LRCI - Unspent funds	18,581	125,000	(3,480)	140,101	140,101	389,759	(241,742)	1,263,005	(873,246)	389,759	3,480
Cunliffe Street Redevelopment	0	0	0	0	0	250,000	125,000	250,000	0	250,000	0
CSRF - Lancelin Sports Complex Multi-court	0	0	0	0	0	90,000	45,000	90,000	0	90,000	0
Transport											
LRCI - Unspent Funds Roads	373,332	417,112	(719,163)	71,281	71,281	873,246	873,246	0	873,246	873,246	719,163
Roads to Recovery	283,880	96,892	0	380,772	380,772	1,078,130	674,065	2,225,135	0	2,225,135	0
Regional Road Group (Cowalla & Mooliabeenee Rd)	0	0	0	0	0	504,742	252,372	504,742	0	504,742	0
Wheatbelt Secondary Freight Network (KW Rd)	0	0	0	0	0	1,000,228	500,112	1,000,228	0	1,000,228	1,005,754
	996,582	679,004	(996,021)	679,565	679,565	8,088,343	3,292,067	9,235,348	0	9,235,348	2,949,420

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 28 FEBRUARY 2023**

**NOTE 14
TRUST FUND**

Funds held at balance date which are required by legislation to be credited to the trust fund and which are not included in the financial statements are as follows:

Description	Opening Balance	Amount	Amount	Closing Balance
	1 July 2022	Received	Paid	28 Feb 2023
	\$	\$	\$	\$
Public Open Space	11,326	0	0	11,326
	11,326	0	0	11,326

MINUTES ORDINARY COUNCIL MEETING 21 MARCH 2023

APPENDIX 12.6.1

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY FOR THE PERIOD ENDED 28 FEBRUARY 2023

NOTE 15 BUDGET AMENDMENTS

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

GL/Project Code	Description	Council Resolution	Classification	Non Cash Adjustment	Increase in Available Cash	Decrease in Available Cash	Amended Budget Running Balance
				\$	\$	\$	\$
151201810	Repair of Floodway Crossings on Maria and Laura Roads, Wanerie - transfer from reserve 31	OCM 18/10/2022 - 14.1	Capital Revenue	0	(95,000)	0	(95,000)
DC281	Repair of Floodway Crossings on Maria and Laura Roads, Wanerie	OCM 18/10/2022 - 14.1	Capital Expenses	0		45,000	(50,000)
DC294	Repair of Floodway Crossings on Maria and Laura Roads, Wanerie	OCM 18/10/2022 - 14.1	Capital Expenses	0	0	50,000	0
151201810	Cunliffe Street Development - transfer from reserve 31	OCM 18/10/2022 - 18.1	Capital Revenue	0	(100,000)	0	(100,000)
OC11293	Cunliffe Street Redevelopment	OCM 8/10/2022 - 18.1	Capital Expenses	0	0	100,000	0
120401040	Transfer \$3,100 from Council Member Ess. to 120402840 (AUD002) for 2022 Compliance Audit Return	Management Approval	Operating Expenses	0	(3,100)	0	(3,100)
AUD002	Compliance Audit Return - Management approval to transfer \$3,100 from Council Member Ess. to 120402840 (AUD002)	Management Approval	Operating Expenses	0	0	3,100	0
151203810	Transfer from Plant Reserve - Purchase of New 5.5T Excavator (amended from 3.5T Excavator)	OCM 15/11/2022 - 15.1	Capital Revenue	0	(69,000)	0	(69,000)
PNEW1	Purchase of New 5.5T Excavator (amended from 3.5T Excavator)	OCM 15/11/2022 - 15.1	Capital Expenses	0	0	69,000	0
SPI12303	Trade of John Deere tractor GG012	OCM 15/11/2022 - 15.1	Capital Revenue	0	(30,000)	0	(30,000)
PNEW2	Purchase of New Compact Track Loader (Skid Steer) additional implements	OCM 15/11/2022 - 15.1	Capital Expenses	0	0	30,000	0
GI12110	LRCI Phase 3 - Road works transferred from Rec & Cultrre	Management Approval	Capital Revenue	0	(873,246)	0	(873,246)
GI11300	LRCI Phase 3 - Road works transferred to Transport	Management Approval	Capital Revenue	0		873,246	0
151201810	Lennards Bridge Unbudgeted Expenditure	OCM 20/12/2022 - 14.1	Capital Revenue	0	(130,000)	0	(130,000)
BR836	LRCI Phase 3 - Road works transferred to Transport	OCM 20/12/2022 - 14.1	Capital Expenses	0	0	130,000	0
151201810	Pruning Trees along Dewar Road	OCM 20/12/2022 - 14.2	Capital Revenue	0	(50,000)	0	(50,000)
RM212	Pruning Trees along Dewar Road	OCM 20/12/2022 - 14.2	Capital Expenses	0	0	50,000	0
DC000	Road Assets Revaluation - Unbudgeted Expenditure	OCM 20/12/2022 - 14.2	Capital Expenses	0	(82,000)	0	(82,000)
RV14200	Road Assets Revaluation - Unbudgeted Expenditure	OCM 20/12/2022 - 14.2	Operating Expenses		0	82,000	0
151201810	Transfer from Road Reserve 31 - Lancelin Plaza unbudgeted Expenditure	OCM 17/01/2023 - 14.1	Capital Expenses	0	(80,000)	0	(80,000)
DC278	Lancelin Plaza Drainage	OCM 17/01/2023 - 14.1	Capital Expenses	0	0	80,000	0
				0	(1,512,346)	1,512,346	0

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY										NOTE 16	
FOR THE PERIOD ENDED 28 FEBRUARY 2023										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 Actual materially.											
The material variance adopted by Council for the 2022-23 year is \$20,000 or 10.00% whichever is the greater.											
Nature or type	Var. \$	Var. %		Explanation of positive cash variances		Explanation of negative cash variances					
				Timing	Permanent	Timing	Permanent				
	\$	%									
Opening funding surplus / (deficit)	(491,730)	(18.62%)	▼								Movement in employee provisions, contract liability late accounts payable invoices, reserve transfers and 21/22 asset batches including depreciation that was unable to be completed until the audit was signed off.
Revenue from operating activities											
Fees and charges	301,863	11.35%	▲	Guilderton Caravan Park fees; Aquatic Centre - swimming lessons;		Gross revenue share relating to Commercial Lease; Septic tank inspection fees; Waste site fees; Planning fees					
Interest earnings	126,613	258.89%	▲			Penalty and instalment interest on rates; Increase in interest rates has enabled funds to be reinvested meaning greater interest earnings than what was budgeted based on prior year					
Other revenue	54,598	33.69%	▲			Workers compensation reimbursements, Youth Website Project grant funds returned; Transport Licensing Commission					
Expenditure from operating activities											
Depreciation on non-current assets	3,260,340	99.34%	▲	Depreciation yet to be run for 2022/23.							
Insurance expenses	(135,362)	(57.85%)	▼				Insurance premiums paid in full by October 2022.				Public liability and workers compensation insurance
Other expenditure	59,898	17.58%	▲	Rates valuations, members travel & accommodation, FER charges, advertising & subscriptions							
Non-cash amounts excluded from operating activities	(3,274,012)	(99.76%)	▼	Depreciation yet to be run for 2022/23							
Investing activities											
Proceeds from non-operating grants, subsidies and contributions	(342,647)	(10.41%)	▼					Timing of works and acquittals			
Payments for property, plant and equipment and infrastructure	1,656,386	25.99%	▲	Timing of capital works program							
Financing activities											
Transfer from reserves	(524,000)	(100.00%)	▼					End of Year process			
Transfer to reserves	(47,824)	(328.46%)	▼					End of Year process			
Closing funding surplus / (deficit)	1,438,806	(40.22%)	▲								

13 REPORTS - REGULATORY AND DEVELOPMENT SERVICES

13.1 RESERVE 44225 LANCELIN - REQUEST CHANGE OF RESERVE PURPOSE & POWER TO LEASE

File	RES/7
Location	Reserve 44225, Lot 1021 Kendall Road, Lancelin
Owner	State of Western Australia Responsible Agency: Department of Planning, Lands & Heritage (DPLH)
Zoning	Parks & Recreation Reserve
Author	Kylie Bacon - Coordinator Strategic Planning & Projects
Reporting Officer	Bob Kelly - Executive Manager Regulatory and Development Services
Refer	Nil
Appendices	<ol style="list-style-type: none"> 1. Location Plan Reserve 44225 [13.1.1 - 1 page] 2. LPS 9 Zoning Map [13.1.2 - 1 page]

DISCLOSURES OF INTEREST

Nil

PURPOSE

To accept the change in reserve purpose from ‘Recreation’ to ‘Civic and Community purposes’ and the change in the Management Order to include a power to lease of Reserve 44225 (Lot 1021) Kendall Road Lancelin on Deposited Plan (DP) 219025.

BACKGROUND

In March 2022, the Lancelin District Community Association (LDCA) approached the Shire of Gingin and the Department of Planning, Lands and Heritage (DPLH) (the Lands Department within) with respect to acquiring a portion of land within the townsite of Lancelin to build a new recycling shed. Reserve 44225, which is located on Kendall Road, (refer to the **Location Plan** in **Appendices**) has been identified as a site.

The current status of the subject lot is that it is zoned “Parks and Recreation” Reserve under the Shire of Gingin’s Local Planning Scheme No. 9 (LPS 9). It is currently vested with the Shire of Gingin for the purpose of “Recreation” with no power to lease. The size of the Reserve is 7583m², with its primary and only access from Kendall Road. The subject lot abuts the “Mixed Business” zone to the south and west, “Residential R15” to the north-west and “Parks and Recreation” Reserve to the north and west (refer to the Zoning Map in **Appendices**).

As mentioned above, this request was initiated by the LDCA. The LDCA is a not for profit, incorporated association made up of residents, rate payers and past residents of Lancelin and surrounding communities. LDCA has a commercial relationship with a scrap steel dealer and a scrap metal specialist, each of these dealers provides them with specific containers. The group separates scrap items into base metals into a large bin for steel and smaller bins individually for copper wire, copper pipe, brass, etc. As each bin fills, it is returned to the respective dealer, the bins are weighed, and the LDCA is paid according to the latest commercial rate.

The site has been identified as a potentially suitable location as it provides easy access by foot or otherwise for members. In addition, from a zoning perspective, if the building envelope that is to be potentially leased to the LDCA is kept to the southern portion of the subject lot, it will abut the existing "Mixed Business" zone which is made up of land uses with similar amenity outputs. Securing the building envelope to the south-east portion of the site will also provide a greater setback/buffer to help protect and not detract from the residential amenity of the abutting "Residential" zone.

As part of the CHRMAP/Inundation project the Shire is undertaking, the predicted inundation on the Lancelin: 500-year ARI 2120 map identifies this lot as not being subject to inundation. Nor is it subject to any Native Title claim. Discussion regarding the interpretation of the objectives of zoning and land use definition is explained in more detail below.

As part of the process of locating a site for LDCA, it has been identified that the site would also benefit from future additional community land uses. Therefore, it is proposed that the whole reserve change its purpose from 'Recreation' to 'Civic and Community purposes' with the power to lease.

A Crown land enquiry was undertaken to start the above process. Through this, the DPLH has agreed to change the purpose of Reserve 44225 from 'Recreation' to 'Civic and Community purposes' and to amend the Management Order to include a power to lease. The documentation to finalise the matter is currently with DPLH.

COMMENT

PLANNING FRAMEWORK

Local Planning Scheme No. 9 (LPS 9) Planning Assessment

The current zoning of the reserve under LPS 9 is 'Parks and Recreation' with the reserve purpose as 'Recreation'. With the change in the reserve purpose to 'Civic and Community purposes' the zoning under LPS 9 will also need to be amended. This change has been identified in the LPS 9 omnibus amendment. The zoning is being changed to 'Civic and Community purposes' to be consistent with the change in the reserve purpose. The objective of the 'Civic and Community' reserve as outlined in the *Planning and Development (Local Planning Schemes) Regulations 2015* states:

Civic and Community Reserve

- *To provide for a range of community facilities which are compatible with surrounding development.*
- *To provide for public facilities such as halls, theatres, art galleries, educational, health, and social care facilities, accommodation for the aged, and other services by organisations involved in activities for community benefit.*

This zoning will be able to accommodate land uses that have a community benefit, including the LDCA's proposal with the additional use of the 'Resource Recovery Centre' to facilitate the recycling activities the group want to undertake. Noting though, the type of resource recovery that LDCA do is by far not that extensive than what the definition permits. Including that the operation is run by a community organisation and not a commercial entity, which would by nature be more intensive. Members visit the site only a few days a week, versus what would be full time if it was a commercial business, and the trucks visiting the site is generally once a month, again versus many times a week if it was a fully developed commercial business.

The site is not serviced. Any future development of the site will require servicing. Generally, this would be at the cost of the Applicant. However, these discussions are addressed through the lease arrangement with the Shire.

With respect to LDCA being able to build a recycling shed on a portion of the site will be subject to a lease agreement with the Shire and the appropriate development approval(s) which are further processes outside of this one. This request and the further zoning change under the LPS 9 omnibus amendment facilitates the compliance in terms of the land use being compatible/lawful with the reserve purpose and zoning.

Community Consultation

Under section 51 of the *Land Administration Act 1997* (LAA), community consultation is not required for this request. Notwithstanding, the proposed changes to the zoning will be advertised as part of the omnibus scheme amendment and any future advertising that may be required as part of the development approval process.

Summary

Amending the reserve purpose from 'Recreation' to 'Civic and Community purposes' with the power to lease will help facilitate a location where land uses that benefit the community can be located.

STATUTORY/LOCAL LAW IMPLICATIONS

Section 51 of the *Land Administration Act 1997*.

Planning and Development (Local Planning Schemes) Regulations 2015

clause 14 & 15 of *Shire of Gingin's Local Planning Scheme No. 9*

POLICY IMPLICATIONS

Nil

BUDGET IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Shire of Gingin Strategic Community Plan 2022-2032

Aspiration	3. Planning & Sustainability - Plan for Future Generations
Strategic Objective	3.3 Planning & Land Use - Plan the use of the land to meet future requirements incorporating economic development objectives and community amenity

VOTING REQUIREMENTS - SIMPLE MAJORITY

COUNCIL RESOLUTION/OFFICER RECOMMENDATION

MOVED: Councillor Johnson **SECONDED:** Councillor Vis

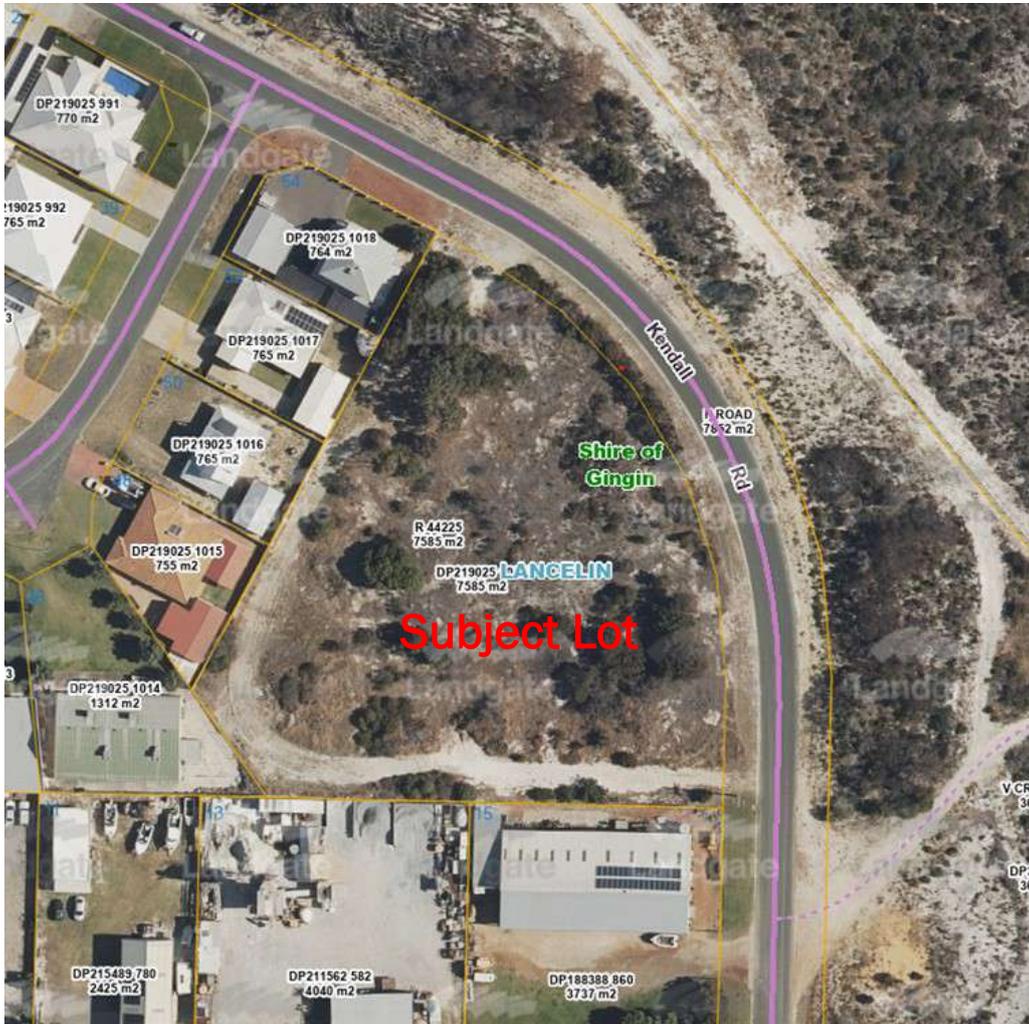
That Council accept the change in the reserve purpose from 'Recreation' to 'Civic and Community Purposes' and the Management Order with the power to lease for Reserve 44225, Lot 1021 Kendall Road Lancelin on Deposited Plan (DP) 219025.

**CARRIED UNANIMOUSLY
8 / 0**

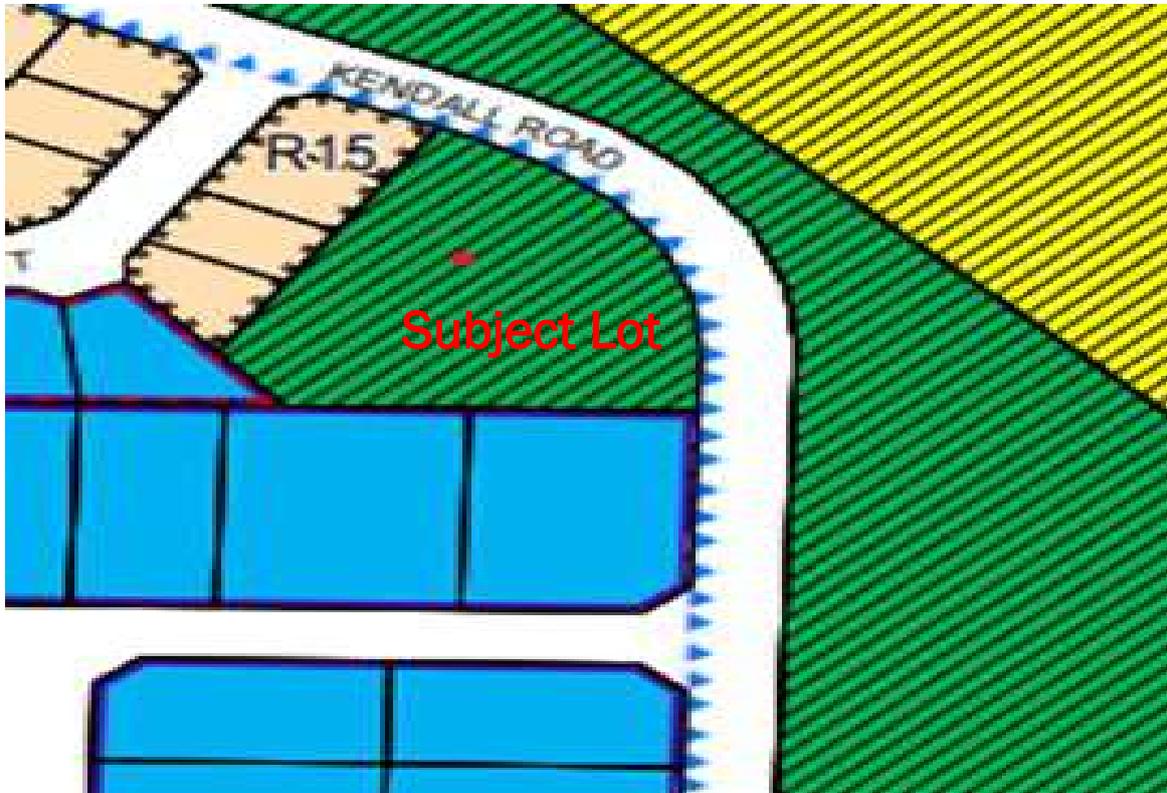
FOR: *Councillor Fewster, Councillor Rule, Councillor Balcombe, Councillor Johnson, Councillor Kestel, Councillor Peczka, Councillor Sorensen and Councillor Vis*

AGAINST: *Nil*

Location Plan Reserve 44225 – Lot 1021 Kendall Road, Lancelin



Shire of Gingin Local Planning Scheme No. 9 Zone Map – Zoned Parks and Recreation Reserve



13.2 WITHDRAWAL OF CAVEAT - LOT 601 BROCKMAN STREET, GINGIN

File	LND/195
Applicant	Acumen Development Solutions
Location	Lot 601 Brockman Street, Gingin
Owner	Acumen Development Solutions via contract of sale
Zoning	Parks and Recreation Residential 5, 10, 10/30 Town Centre
WAPC No	162831
Author	James Bayliss – Coordinator Statutory Planning
Reporting Officer	Bob Kelly - Executive Manager Regulatory and Development Services
Refer	3 May 2003 - Item 10.3.1 19 April 2005 – Item 10.3.4 3 May 2005 – Item 10.3.1 17 May 2005 – Item 10.3.2 20 September 2005 - Item 10.3.4 07 February 2006 - Item 11.3.2 16 May 2006 – Item 11.1.6 17 October 2006 - Item 14.1 21 November 2006 - Item 11.1.3 20 February 2007 - Item 11.1.1 04 December 2007 - Item 11.1.2 06 May 2008 - Item 11.3.1 18 March 2014 - Item 11.1.9 21 April 2015 – Item 15.1 20 September 2022 – Item 18.1 6 December 2022 – Item 13.1 6 December 2022 – Item 18.1
Appendices	Nil

DISCLOSURES OF INTEREST

Nil

PURPOSE

To consider authorising the withdrawal of a caveat lodged against the Certificate of Title for Lot 601 Brockman Street, Gingin.

BACKGROUND

The subject site is bounded by Brockman Street and Weld Street with the Shire of Gingin's administration offices located on the southern boundary of the site. At the Special Council Meeting on 6 December 2022, Council supported subdivision of the land into 103 freehold lots and referred suggested conditions to the Western Australian Planning Commission (WAPC).

In 2008, a Deed of Agreement (DoA) was entered into by the Shire of Gingin and the then landowner (George Gifford) which secured, amongst other things, financial developer contributions placed into a community facility provision. This Deed was entered into on 10 January 2008 prior to further rezoning.

On 19 August 2014, a new DoA was entered by the above parties in response to concerns raised by the landowner that provisions of the 2008 DoA were commercially unsuitable to progressing development over the land. The Deed was secured by a caveat being placed on the land title.

At the Special Council Meeting on 6 December 2022, Council resolved to enter into a Deed of Agreement (DoA) with Acumen Development Solutions (Acumen) in relation to subdividing the land as referenced above. Council should note that Acumen have created a subsidiary company, Gingin Development Pty Ltd, to implement the development of the subject property including the Deed provisions. The officer's recommendation has noted the change of party to the Deed.

It should be noted that the DoA does not include caveat provisions on the land title, on the basis that security is provided in the form of a cash bond and per lot fee payments at subdivision clearance. This departs from the Shire's general practice but was nevertheless agreed by Council.

This report seeks to formalise removal of the existing caveat required under earlier Deeds from the land title to enable the land transaction to occur.

COMMENT

Stakeholder Consultation

The Shire liaised extensively with the developer, Gingin Development Pty Ltd via Acumen Development Solutions.

Policy 2.33 – Execution of Documents

This policy establishes guidelines for the execution of documents and the application of the Shire of Gingin Common Seal, in accordance with s.9.49A of the *Local Government Act 1995*.

Section 9.49A of the *Local Government Act 1995* requires that, in order for a document to be executed by a local government, there must either be:

1. *A Council resolution to:*
 - a. *apply the Common Seal to that particular document; or*
 - b. *permit the application of the Seal to a range of documents which includes the document in question; or*
2. *A Council resolution authorising the Chief Executive Officer or another employee, or an agent of the Shire, to sign documents on behalf of the Shire.*

The withdrawal of a caveat is classified as a category 1B document under the Policy, which means that although a specific Council resolution to affix the Seal is not required, a Council decision is still required sanctioning a particular course of action that results in the document requiring execution. In this instance, the course of action is to withdraw the caveat.

Summary

The officer suggests that Council authorise the withdrawal of the caveat lodged against the Certificate of Title to Lot 601 Brockman Street, Gingin.

Furthermore, that Council note the entity change from Acumen Development Solutions to Gingin Development Pty Ltd in relation to the revised DoA for Lot 601 Brockman Street, Gingin.

STATUTORY/LOCAL LAW IMPLICATIONS

Local Government Act 1995
Part 9 – Miscellaneous provisions
Division 3 – Documents
Section 9.49A – Execution of documents

POLICY IMPLICATIONS

Policy 2.33 – Execution of Documents

BUDGET IMPLICATIONS

Administrative costs related to the caveat withdrawal is at the expense of Gingin Development Pty Ltd.

STRATEGIC IMPLICATIONS

Shire of Gingin Strategic Community Plan 2022-2032

Aspiration	3. Planning & Sustainability - Plan for Future Generations
Strategic Objective	3.3 Planning & Land Use - Plan the use of the land to meet future requirements incorporating economic development objectives and community amenity

VOTING REQUIREMENTS - SIMPLE MAJORITY

COUNCIL RESOLUTION/OFFICER RECOMMENDATION

MOVED: Councillor Kestel **SECONDED:** Councillor Rule

That Council:

1. Authorise the withdrawal of the caveat lodged against the Certificate of Title for 601 Brockman Street, Gingin.
2. Acknowledge the change of party details from Acumen Development Solutions to Gingin Development Pty Ltd in relation to the revised Deed of Agreement for Lot 601 Brockman Street, Gingin.

**CARRIED UNANIMOUSLY
8 / 0**

FOR: *Councillor Fewster, Councillor Rule, Councillor Balcombe, Councillor Johnson, Councillor Kestel, Councillor Peczka, Councillor Sorensen and Councillor Vis*

AGAINST: *Nil*

14 REPORTS - OPERATIONS AND ASSETS

14.1 SPEED LIMIT REDUCTION - GINGIN BROOK ROAD

File	RDS/66
Author	Danica Todd – Operations Support Officer
Reporting Officer	Vanessa Crispe - Executive Manager Operations and Assets
Refer	20 September 2022 - Item 21 January 2023 21 February 2023
Appendices	Nil

DISCLOSURES OF INTEREST

Nil

PURPOSE

For Council to consider reducing the speed limit along Gingin Brook Road from 110km/hr to 100km/hr as suggested by Main Roads WA (MRWA).

BACKGROUND

On 10 August 2022 at a meeting of the Local Emergency Management Committee, a discussion took place regarding a recent truck/trailer roll over during a particularly wet day where the trailer aquaplaned out to the right and when it came left again it gained grip and rolled.

It was unanimously recommended that Council agree to make application to MRWA to have a speed limit of 80 km/hr imposed on the section of Gingin Brook Road commencing at Brand Highway and terminating at Coonabidgee Road to reduce the danger to traffic.

A report was presented to Council at its 20 September 2022 meeting regarding the speed limit on Gingin Brook Road. Council resolved to make application to MRWA to have a speed limit of 80km/hour imposed on the section of Gingin Brook Road commencing at Brand Highway and terminating at Coonabidgee Road to reduce the danger to traffic.

On 30 September 2022 the Chief Executive Officer (CEO) wrote to MRWA addressing the above and seeking approval to reduce the speed limit.

On 19 December 2022, the CEO and Executive Manager Operations & Assets received feedback and recommendations from MRWA as below:

- *We thank the Shire for their request to reduce the 80km/h section of Gingin Brook Road from Brand Highway to Coonabidgee Road.*
- *As there has been no new development in this area, rather than reducing the speed zone in this area we recommend that a speed zone assessment is undertaken for the road in its entirety.*
- *We have undertaken an assessment.*
- *We propose that you discuss with Council and forward a resolution should council agree with the recommendation. On receipt of that resolution, we will forward our recommendations to Traffic Services team in Perth to consider for approval.*
- *We note that there has been 23 crashes in the period from 1 January 2017 to 31 December 2021 and five of these crashes have resulted in fatalities. Main Roads are also aware of a further fatality in 2022. We also note that Indian Ocean Drive is 100 km/h in close proximity to Gingin Brook Rd.*

Further to the above, the recommendations provided by MRWA are as follows:

Recommendation

Advise the Shire of Gingin that there is no 80 Kp/h speed zone on Gingin Brook Road between SLK 0.0 and SLK 0.50.

The CEO's letter has suggested the request was because of two truck crashes on the curve at SLK 3.5 to SLK 3.8 and that the curve tends to flood over with storm water after heavy rain and the best method of addressing the issue was either road modification or dropping the speed zone before that curve. The crash data does show two head on crashes on this curve.

Advise the Shire of Gingin that regulatory speed limits should not be used solely to control speed on isolated substandard alignments. In such conditions, it is generally found that speeds are better controlled by the use of alignment warning and advisory speed signs rather than speed zoning. WBR make an offer to the Shire of Gingin to do a speed survey of all the curves along Gingin Brook Road.

Due to the amount of crashes with fatalities along Gingin Brook Road. Reducing to 110 Kp/h speed zone to 100Kp/h from Slk 0.0 to Slk 16.22 and Slk 18.2 to Slk 29.25 should be considered as a measure to improve road safety.

At its meeting on 20 September 2023, Council resolved to make application to MRWA for the speed limit on that portion of Gingin Brook Road commencing at Brand Highway and terminating at Coonabidgee Road reduced to 80kp/h to reduce the danger to traffic. MRWA has responded with their recommendation being that the entire length of Gingin Brook Road be reduced to a speed limit of 100Kp/h. Staff appreciate this recommendation and feel that this will be a positive step moving forward, especially within the community.

Further to the above, on 9 February 2023, Sergeant Michael Paterson from Lancelin Police wrote to MRWA with his concerns with Gingin Brook Road and the speed limit. MRWA responded with the following:

Thank you for your feedback regarding the speed zone on Gingin Brook Rd.

Gingin Brook Rd is an asset of the Shire of Gingin and we have been in discussions recently with the Shire regarding the speed zone.

There have been 23 crashes in the period from 1 January 2017 to 31 December 2021 and five of these crashes have resulted in fatalities. We are also aware of a further fatality in 2022.

The Shire requested for Gingin Brook Rd between Brand Highway and Coonabidgee Road to be reduced to 80km/h.

As there has been no new development in this area, rather than reducing the speed zone in this area we recommended that a speed zone assessment is undertaken for the road in its entirety (which is consistent with your advice below).

We asked the CEO to let us know if Council agree with the recommendation so we could proceed with the speed zone review.

Sergeant Paterson then sent the Shire his concerns in an email received on 9 February 2023, as follows:

On behalf of Lancelin Police, I'd like to report an issue with the 'speed limit' on Gingin Brook Road, between Indian Ocean Drive and Brand Highway.

The speed limit on Indian Ocean Drive in this area is 100 km per hour.

It seems strange that vehicles can turn off a main road, like Indian Ocean Drive onto a less major road like Gingin Brook Road and the speed limit increases.

Over the past few years, we've seen an increase in serious and fatal crashes on Gingin Brook Road, of which I believe that speed is a major factor.

As per the below email from Main Road – I'm advised of 23 crashes on this road in the period from 1 January 2017 to 31 December 2021 and five of these crashes have resulted in fatalities. We are also aware of a further fatality in 2022.

As Gingin Brook Road is an east/west facing road, it's common for the road to be at its busiest when the sun is shining directly into the eyes of drivers, either in the morning or late afternoon.

I'd like to recommend that the Shire of Gingin and Main Roads consider reducing the speed limit- to increase community safety.

The speed limit issue on Gingin Brook Road is often raised with me at Community and Neighbourhood Watch Meetings.

It is prudent for Council to note that in the above email from MRWA it states that they have not had any feedback from the Shire with regards to the speed limit and the direction the Shire would like to take.

After the briefing on 21 January 2023, Council decided to not change the speed limit and only to respond back to MRWA in regard to their position on taking over the management of Gingin Brook Road.

This matter was further discussed by Council at its Briefing Session on 21 February 2023, with Council requesting that a further report be presented to the March Council meeting for formal consideration.

COMMENT

As Council is aware, Gingin Brook Road is notorious for accidents and unfortunately includes to date five fatalities from 2017.

Gingin Brook Road is used as a through road from Indian Ocean Drive by various road users. This road is also a school bus route with numerous bus stops.

MRWA will undertake a two week public advertising campaign and the Shire will assist as required through our public notification processes.

STATUTORY/LOCAL LAW IMPLICATIONS

Road Traffic Code 2000

Part 20 General

Regulation 297 Power to erect traffic-control signals and road signs

POLICY IMPLICATIONS

Nil

BUDGET IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Shire of Gingin Strategic Community Plan 2022-2032

Aspiration	2. Connections & Wellbeing - Grow and Nurture Community Connectedness and Wellbeing
Strategic Objective	2.1 Community Safety & Support - Provide support and advocacy to residents and visitors so that they feel safe and secure at home and in the environment

VOTING REQUIREMENTS - SIMPLE MAJORITY

OFFICER RECOMMENDATION

MOVED: Councillor Vis **SECONDED:** Councillor Sorensen

That Council agree to change the speed limit from 110km/hr to 100km/hr for the entire length of Gingin Brook Road as submitted by Main Roads WA to reduce the danger to traffic.

PROCEDURAL MOTION

MOVED: Councillor Fewster **SECONDED:** Councillor Kestel

That consideration of this matter be referred to a future meeting of Council in order to provide further opportunity for investigation and discussion.

**CARRIED
5 / 3**

FOR: *Councillor Fewster, Councillor Balcombe, Councillor Johnson, Councillor Kestel and Councillor Vis*

AGAINST: *Councillor Rule, Councillor Peczka and Councillor Sorensen*

14.2 UNBUDGETED EXPENDITURE - REPAIRS TO OLD GRANVILLE BUILDING

File	BLD/1068
Author	Sam Smith - Roads Technical Officer
Reporting Officer	Vanessa Crispe - Executive Manager Operations and Assets
Refer	Nil
Appendices	1. ASSESSMENT OF PRACTISING STRUCTURAL ENGINEER 2023 1032 REVIEW [14.2.1 - 36 pages]

DISCLOSURES OF INTEREST

Nil

PURPOSE

For Council to consider approving unbudgeted expenditure to carry out urgent repair works to the Old Granville Building known currently as CU@Park.

BACKGROUND

The Old Granville Building is situated at Lot 10A Weld Street, Gingin. The structure is a building, dating from 1860 and is listed under the Shire of Gingin's Heritage List as Category B. CU@Park Café currently holds the commercial lease on this building. The lease is on rolling 5 year terms, next expiring November 2024 with further options to November 2039.

The Shire's Health Department recently carried out an inspection of the building which highlighted several structural issues. The issues raised include failing floorboards and rising damp throughout the structure.

The Executive Manager Operations and Assets subsequently carried out a further inspection of the building. This inspection resulted in the Shire engaging a structural engineer to review the structure and provide a report and recommendations.

COMMENT

On 1 March 2023, the structural engineer carried out an inspection of the Old Granville Building. The building is brickwork external construction with a timber floor system.

Observations made during the inspection included rising damp around the location and moisture damage to the floor timbers which is affecting the structural integrity of the timber decking that is not designed for timber joist floors.

The inspection noted the main causes of moisture and rising damp in the structure were through an opening at the eaves and from foundation level where it appeared there may be insufficient water protection/barrier at the masonry wall below ground level.

Dampness tends to cause secondary damage to the building. The unwanted moisture enables the growth of various fungi in wood, causing rot or mould health issues and may eventually lead to sick building syndrome, plaster, and paint deterioration. Rising damp can also cause brickwork to become friable, and cause delamination between the brickwork and render layers. Friable brickwork is a problem because it can undermine the structural integrity of the brickwork and timber.

The report emphasised the need for additional drainage to reduce the water run off implications and the installation of flashing to prevent water ingress by wind driven rain entering the structure.

Listed below are the necessary remediation works required to improve the building's performance and integrity.

Shop and ordering area

Floor decking is inadequate and represents an immediate risk.

The repairs include the removal of existing decking to expose the joist support, strengthen, remediate or repair joists as necessary, a waterproof blanket over existing joists to prevent moisture ingress from joists and ensuring the plywood is treated for wet areas.

All other floor deck area

Floor decking requires repairs to prevent floor deck uplift and bounce.

Removal and replacement of floorboards to determine moisture content on joists and deck and replace damaged floorboards.

All floor decking within the shop area currently in contact with the ground is to be removed and review the condition of all joists and support to the ground and install and remediate the new flooring.

All open eaves

Open eaves are to be encapsulated to prevent wind-driven rain from entering the cavity construction.

Drainage

Installation of a new drainage provision to the main side elevation along the existing driveway.

To reduce numerous disruptions to the business, staff would endeavour to have all the abovementioned works undertaken at once.

Due to the building being listed under the Shire of Gingin’s Heritage List as Category B, the Officer has liaised with the Shire’s Planning Department. The Planning Department will consult with the Heritage Council of WA and seek their guidance as to the works being undertaken and how it’s done so that it doesn’t compromise the heritage integrity of the building.

Administration has based the approximate cost of \$300,000 to carry out the works on the structural engineers report, however this will be further determined by the outcome received by the Planning Department after discussion with the Heritage Council WA.

STATUTORY/LOCAL LAW IMPLICATIONS

Local Government Act 1995

Part 6 Financial management

Division 4 General financial provisions

Section 6.8 Expenditure from municipal fund not included in annual budget.

POLICY IMPLICATIONS

Policy 3.9 Purchasing and Ordering of Goods

Policy 3.10 Purchasing

BUDGET IMPLICATIONS

It is proposed this work be funded from the Land and Building Reserve which has a current balance of \$923,788, of which \$477,400 is committed to fund the H&H housing project.

If Council is supportive of the Officer’s recommendation, then the budget will be amended in accordance with the following table:

Account	Description	Current Budget \$	Revised Budget \$	Surplus/Deficit \$
141302120	Building – Specialised (Capital)	44,858	344,858	300,000
151306810	Transfer from Land and Building Reserve - ECON	0	(300,000)	(300,000)
Net				0

STRATEGIC IMPLICATIONS

Shire of Gingin Strategic Community Plan 2022-2032

Aspiration	4. Excellence & Accountability - Deliver Quality Leadership and Business Expertise
Strategic Objective	4.1 Management of Assets - Maintain civic buildings, sporting facilities, public places, plant and road and cycleway/pathways based on asset management plans and identified priorities

VOTING REQUIREMENTS - ABSOLUTE MAJORITY

PROCEDURAL MOTION

MOVED: Councillor Peczka **SECONDED:** Councillor Rule

That the motion be deferred for consideration during 2023/24 budget deliberations.

LOST
4 / 5

FOR: *Councillor Rule, Councillor Kestel, Councillor Peczka and Councillor Sorensen*

AGAINST: *Councillor Fewster, Councillor Balcombe, Councillor Johnson and Councillor Vis*

There being an equal number of votes for and against, the Shire President exercised his casting vote in the negative.

COUNCIL RESOLUTION/OFFICER RECOMMENDATION

MOVED: Councillor Kestel **SECONDED:** Councillor Balcombe

That Council agree to:

1. Engage in contractors to complete the required works; and
2. Amend its adopted 2022/23 Budget in accordance with the following table:

Account	Description	Current Budget \$	Revised Budget \$	Surplus/Deficit \$
141302120	Building – Specialised (Capital)	44,858	344,858	300,000
151306810	Transfer from Land and Building Reserve - ECON	0	(300,000)	(300,000)
Net				0

**CARRIED BY ABSOLUTE MAJORITY
5 / 3**

FOR: *Councillor Fewster, Councillor Balcombe, Councillor Johnson, Councillor Sorensen and Councillor Vis*

AGAINST: *Councillor Rule, Councillor Kestel and Councillor Peczka*

James Bayliss (Coordinator Statutory Planning) left the meeting at 4:16pm.



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STRUCTURAL ASSESSMENT

NRM 2023 – 1032

STRUCTURE DETAILS

Client / Owner's Name: GinGin Shire Council – CU@Park Cafe
Address: 10 Weld Street Granville Park – GinGin 6503
Description: Assessment of Floor and wall Cracking Issues.

Distribution Record

Revision	Reviewed By	Date Issued	Purpose of Issue	Issued To
A	NRM	7th March 2023	REVIEW	Stephen Nolan

Prepared by: Dr Nicholas Mills

Signed:	<i>N. R Mills</i>	Date:	7th March 2023
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NRM Project No:	2023_1032
NRM CONSULTANTS Project Title	CU@Park Café - GinGin

INTRODUCTION

- NRM Consultants have been requested to review the existing property for failing floorboards and for issues of rising dampness on the structure;
- The structure is a heritage building, dating from 1860, and is typically brickwork external construction, and timber floor system. The existing dated roof has been recovered with a roof sheeting system to protect the integrity of the old roof system.
- We reviewed the existing floor construction, limited by visual observations, and determined that some of the existing floors appeared to be in contact with the existing ground;
- We reviewed the existing floorboards and ascertained that a number of the floorboards were not supported directly by joists;

- We noted areas of rising dampness, that are causing dampness to the wall, and in some cases delamination of render to the structural wall.



Figure 1a: - Location of Property



Figure 1a: - Location of Property

2.0 Photographic Observations



Figure 2a: - Elevation showing rising damp

- *The left-hand side of Gable showed levels of rising dampness to the wall;*
- *In this location, the floor joists were in contact with the ground, if the ground gets wet then the joists are dampened by the wet ground, and this in turn rises towards the floorboards at the joist/floor plank interface;*



Figure 2b: - Elevation showing Rising Damp

- *This main elevation, particularly to the main server area and the shops showed rising damp issues in the external wall location;*
- *There appeared no rising dampness to the opposite walls to the other side of the shop/server area. We suggest that that elevation is well protected from water ingress around the perimeter of the walls;*



- *On this elevation, we have a wetted perimeter driving moisture around the foundation locations; the path into the wall is unclear, however, it could be that the wetted perimeter is not tanks or protected against direct moisture ingress at the foundation location;*
- *Or that the moisture is ingressing directly through the timbers to the floorboards and the walls. We suggest this is less likely than the wetting perimeter driving the moisture through the walls;*
- *In this location, the floor joists were in contact with the ground, if the ground gets wet then the joists are dampened by the wet ground, and this in turn rises towards the floorboards at the joist/floor plank interface;*
- *We notice that previous remediations have been undertaken on this elevation in the past. We note that several zones of the wall have previously been remediated against perhaps cracking, historical settlement or excessive rising damp issues;*
- *We note that rising dampness can also be caused by water ingress through the location of the eave at the gutter. The eaves/gutter around the property is open to wind-driven rain, this introduces water into the cavity location, settling internally at the foundation location, and driving rising dampness within the wall. We recommend that open eaves are closed against water ingress;*
- *The elevation has had in recent years additional Hardstanding pavement, this may be driving rain towards the property elevation and causing a consequential rising damp issue. There is no drainage provision against the water run-off in this location. We recommend some additional drainage to this location to reduce the water run-off implications to the side elevation.*



Figure 2c: - Open Gutter and Eaves to Property

- *We observe an open gutter/eaves to the main property. This is a source of water ingress, driven by wind-driven rain into the cavity. We recommend that the elevation is flashed to prevent this water ingress source.*



Figure 2d: - Remediated elevation

- We observe several locations of previous/historical remediation to the elevation; one render with a smooth finish, the other with brick demarcation, as shown above; we believe a nominal 50 – 100mm of render has been applied to these surfaces;
- We still note some reflective cracking through the wall render, suggesting that some damage is continuing this wall location;
- We would suggest that the wall is monitored for further settlement,
- The eventual removal of the damp and rising damp should reduce render delamination on the construction;



Figure 2e: - Ineffective drainage

- There is ineffective drainage run-off around the perimeter, this can be a water source for rising dampness, although we did not see rising dampness in this location;
- To the local cellar and floor void under the restaurant area here, there is a damaged render and potential damage to the existing foundation. We see no cracking to brickwork in this location, however, there does appear to be previous remediation or underpinning undertaken on the cellar location to this elevation;
- There is evidence of rising dampness in the RHS photo location.



Figure 2f: - Evidence of termite Damage

- *There is evidence of historical termite damage. We could not observe any other termite damage, but we suggest that the termite management plan is implemented to ensure the property is regularly inspected for termites, particularly in the roof zone.*



Figure 2g: - Moisture Ingress to wall and timber

- *There is localized moisture ingress around the whole perimeter in various locations. It was not significant in all locations, we discuss the rising damp location later in the report;*

- *The gutter/eaves are being protected to a certain degree by the eaves timber, however, some driven rain may ingress into the wall cavity at this location.*



Figure 2h – Clean Gutter of leaf debris

- *We noted the gutters were full of left debris, for effective water run-off these gutters should be regularly cleaned, and the use of gutter guard material is recommended.*

Floor Observations

The following shows the condition of the floor locations: -



Figure 2i: - Server Area Floor Zone and Shop Zone

- We noted the floor deck was saturated in this location;

- *We noted that the floor joists were supported on potentially wet ground, with moisture drawn up through the timber to the plank. The plank deck then gets saturated and rots unable to support the floor loads.*
- *This floor is located adjoining the concrete drive which allows water run-off to this server floor location. There is evidence of moisture through the timber and the deck.*
- *No steel supports are shown on engineering drawings;*
- *There is a construction deviation from engineering drawings.*



Figure 2j: - Existing Floor under server area

- *The existing floor is supported off ground. A wetted perimeter on the property is conducive to continue water ingress and rot issues;*



- *The ground looks reasonably dry at this time; however, the time of inspection was summer. During winter we would expect the ground to get saturated and allow an increased level of damp ingress;*
- *We also note that the floor decks are jointed midspan between the joists. This is not conducive to good deck performance;*
- *We did note that many floor planks had fractured at these mid-span joint locations. When the deck gets wet and rots, then the capacity is much reduced. There is no support for the planks at these locations;*
- *We noted a high degree of planks not supported at the joist location; all these locations are prone to failure. Where the plank has spanned between joists, we believe the timber decks are reasonably secure;*
- *We do not castor point loads onto the floor deck, these are a concern if the castor load location coincides with a poor floor plank. deck joint;*
- *The external wall is very damp at this location, evidence of efflorescence and dampness to the brick. Moisture is also observed in the ground at this location;*





Figure 2k_1: - Existing Floor Support Location

- In these photos, we provide a summary of where the joists appear to be supported on the ground;
- Where the joists are on the ground, there would be insufficient ventilation to remove moisture,
- The ground would potentially drive moisture to the timber and plank construction; where the floor is supported on joists in contact with the ground, we believe the floor deck is prone to moisture ingress at those locations;
- Where the joists are above ground, there is a reduced risk of water migration to the deck construction and reduced damage to the plank deck from timber rot;





Figure 2k_2: - Existing Floor Support Location

- In these photos, we provide a summary of where the joists appear to be supported on the ground;
- Where the joists are on the ground, there would be insufficient ventilation to remove moisture,
- The ground would potentially drive moisture to the timber and plank construction; where the floor is supported on joists in contact with the ground, we believe the floor deck is prone to moisture ingress at those locations;
- Where the joists are above ground, there is a reduced risk of water migration to the deck construction and reduced damage to the plank deck from timber rot;
- We also noted some planks were ineffectively fixed down to the joist under. We saw inadequate screw repair of the floor plank to the joist. Some fixings were just tacked-down nails with insufficient penetration into the timber joist and insufficient bond. In such circumstances, the repair would be ineffective. We recommend all floor planks that are remediated for fixity use appropriate woodscrews, installed at an angle and driven to a sufficient depth to engage the timber. The fixing should not be too large so that splitting of supporting joist occurs, and all holes to be pre-drilled to prevent splitting;



Figure 2I_1: - Existing Floorboard to main server area;



- *We believe the floor planks/deck installed in this location are unsuitable to protect footfall loads;*
- *We estimate that the floor joists are about 400 – 450mm centres. The planks are irregularly jointed so that the ends of the plank do not have effective support at the joint locations.*
- *Some of the planks appear only supported between adjoining planks. This plank system we suggest is used on the solid floor only. In our opinion, the whole floor deck cannot transfer the load to the joist. We cannot guarantee the load transfer of the plank to the joist, we suggest a covering over;*
- *At the mat location, the decking has already failed as discussed, where the plank is not effectively supported by floor joists under;*



Figure 2I_2: - Existing Floorboard to main server area;

- *We believe the floor planks/deck installed in this location are unsuitable to protect footfall loads;*
- *We estimate that the floor joists are about 400 – 450mm centres. The planks are irregularly jointed so that the ends of the plank do not have effective support at the joint locations.*

- Some of the planks appear only supported between adjoining planks. This plank system we suggest is used on the solid floor only. In our opinion, the whole floor deck cannot transfer the load to the joist. We cannot guarantee the load transfer of the plank to the joist, we suggest a covering over;
- At the mat location, the decking has already failed as discussed, where the plank is not effectively supported by floor joists under;
- The drainage channel under the floor may have contributed to the damp ground. There is evidence of potential more recent repair to this drainage;

Moisture Readings on Timber and Walls Obtained during the inspection.



Figure 2m_1: - Moisture Readings on Timber #1;

- We observed high moisture on timbers, considering the season is summer, we would expect the moisture readings to increase in the winter with the wetter ground;

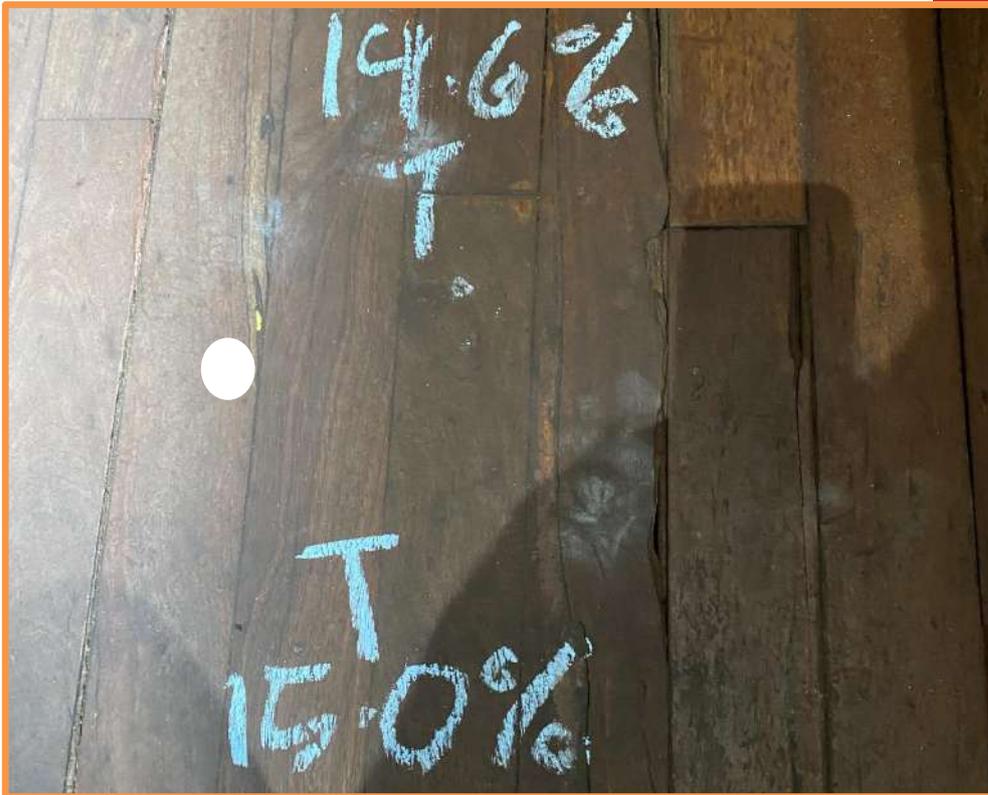


Figure 2m_2: - Moisture Readings on Timber #2;

- *We observed high moisture on timbers, considering the season is summer, we would expect the moisture readings to increase in the winter with the wetter ground;*



Figure 2n_1: - Timber Planks to another area;

- We observe no moisture issue that has caused damage to plank where the span of the plank is sufficient to span between joists;



- *The planks appear to have wet damage; however, they appear more robust than the planks utilized in the server area;*
- *These planks may be suffering some rot damage to the underside and a risk still exists of the failure of the plank; however, the plank is more robust;*
- *We still note some footfall uplift of planks around the property where rot is not an issue. We recommend that all planks are supported and fixed to the joist to the best industry standard and that all repairs are undertaken by competent contractors. Some repairs have been undertaken by the tenant and they are insufficient and represent a risk;*
- *Where plank joists do not coincide with joist support under, then there is a risk of fracture of timber at that location. All plank joints should be at the joist locations.*



Figure 2n_2: - Timber Planks to another area;

- *We observed planks moving under footfall which would be considered a trip and failure risk;*
- *We recommend that the floor is reviewed by a competent contractor to repair such planks in accordance with best industry practice.*

Moisture Content of Walls.

During our inspection, we undertook a moisture content of the walls.



Figure 2p_1: - Moisture Content within Brick Wall Locations around the shop area



- We noted significant moisture content with wall locations. The highest moisture readings were to external elevations that had an exposed external perimeter to water ingress;
- On location in the children's area, the wall was damp due we believe to poor guttering above that location at the roof valley location;
- The readings were taken in the summer, and represent the wall in a drier condition. During winter we expect moisture levels to elevate with increased moisture levels.



Figure 2p_2: - Moisture Content within Brick Wall Locations around shop/children's area

- We noted significant moisture content with wall locations. The highest moisture readings were to external elevations that had an exposed external perimeter to water ingress;
- On location in the children's area, the wall was damp due we believe to poor guttering above that location at the roof valley location;
- The readings were taken in the summer and represent the wall in a drier condition. During winter we expect moisture levels to elevate with increased moisture levels.



Figure 2q_1: - Moisture Content within Brick Wall Locations Around Rear Restaurant Area

- We noted significant moisture content with wall locations. The highest moisture readings were to external elevations that had an exposed external perimeter to water ingress;
- On location in the children's area, the wall was damp due we believe to poor guttering above that location at the roof valley location;



- *The readings were taken in the summer, and represent the wall in a drier condition. During winter we expect moisture levels to elevate with increased moisture levels.*

3.0 DISCUSSION: -

Rising Damp Issue: -

We observe rising dampness around the locations, it is tied to exposed external perimeters which are wetted by weather. The drive adjoining the server, store and kitchen area shows elevated moisture readings on the wall.

We would suggest that the rising dampness on the side elevation to the store/server/kitchen is from several sources;

- Exposure wetted perimeter to ground run-off from drainage and rain events. A continual source of moisture will drive rising dampness in the location;
- We also note open eaves at the gutter location. This may have been a traditional way of construction when the property was built, however, the open eaves allow wind-driven rain to enter the property from the top of the wall. This water then potentially ponds at the foundation level of the external cavity wall;
- If the floor joists are bearing onto a wall that is affected by dampness, then the moisture is transferred through capillary action into the timber and into the floor plank support locations;

Dampness tends to cause secondary damage to a building. The unwanted moisture enables the growth of various fungi in wood, causing rot or mould health issues and may eventually lead to sick building syndrome. Plaster and paint deteriorate, and wallpaper loosens. Stains, from the water, salts and mould, mar surfaces. The highest airborne mould concentrations are found in buildings where significant mould infestation has occurred, usually because of severe water intrusion or flood damage. The rising dampness can cause brickwork to become friable, and cause delamination between the brickwork and render layers. This delamination of the render is a sign of moisture travel and is an aesthetic issue. However, rendering more readily mitigates rising dampness. Friable brickwork is ultimately a problem because it can undermine the structural integrity of the brickwork and timber. Externally, mortar may crumble, and salt stains may appear on the walls. Steel and iron fasteners rust. It may also cause poor indoor air quality and respiratory illness in occupants. In extreme cases, mortar or plaster may fall away from the affected wall.

The rising dampness can potentially lead to health issues if mould is developed on the walls or zone of moisture. We suggest that appropriate experts are consulted. We don't believe we saw health issues, but the situation should be monitored. Moulds can grow on almost any surface and occur where there is a lot of moisture from structural problems such as leaky roofs or high humidity levels. Airborne mould concentrations have the potential to be inhaled and can have health effects.

Excess moisture leads – on almost all indoor materials – to the growth of microbes such as moulds, fungi and bacteria, which subsequently emit spores, cells, fragments and volatile organic compounds into the indoor air. Moreover, dampness initiates chemical and/or biological degradation of materials, which also causes pollution of the indoor air. Exposure to microbial



contaminants is clinically associated with respiratory symptoms, allergies, asthma, and immunological reactions. Dampness has therefore been suggested to be a strong and consistent indicator of risk for asthma and respiratory symptoms such as cough and wheezing. In our opinion, we saw no moulds to suggest a health hazard. We do not usually expect moulds to grow on rendered materials. The likelihood of mould is increased on gyprock materials and plastered walls and ceilings.

Rain penetration is most often associated with single skin walls, but can also occur through cavity walls. Single-skin brick walls of standard thickness have been considered to provide inadequate resistance to rain penetration.

"The resistance to penetration of rain should not be less than 270mm overall. brick cavity wall, properly designed and constructed with attention to detail at the heads and joints of openings. Whilst renders are often applied in an attempt to resist rain penetration, they must be maintained in good condition to fulfil this function. Even relatively small cracks in renders can allow rain penetration to pass into the underlying masonry.

Primary causes of rain penetration through walls in walls

- Porous masonry (i.e., under-fired bricks, porous stone, or porous mortar)
- Cracks;
- Defective pointing;
- Unfilled joints and perpend;
- Defective seals around doors and windows;
- Holes in walls – e.g., where cables or pipes protrude.
- Defective render;
- Roof defects such as faulty flashing, cracked or missing slates or tiles;
- Missing or defective mastic around windows and doors;
- Blocked weep holes or wall vents;
- Missing or defective trays in cavity walls.

During our observations, we believe the primary causes of moisture and rising dampness were through the opening at the eaves and from foundation level below ground where we believe there may be insufficient water protection/barrier at the masonry wall below ground level. Modern construction has a damp-proof membrane to prevent rising damp penetration on the walls.

Exacerbators of Rain Penetration

Where a wall suffers from one or more of the primary causes of rain penetration listed above, the problem can be made worse by one of the following exacerbators of rain penetration:

- Defective rainwater products;
- Moss/leaf growth on roof tiles (causing blockage of rainwater);
- Defective or missing window sills (causing high concentrations of rainwater to bear on a section of wall below the window);
- Non-breathable coatings such as acrylic masonry paints – especially where applied to a poorly prepared masonry substrate;
- Location/aspect of the wall – e.g. walls facing prevailing wind are more prone to rain penetration problems;



- Periods of extreme rainfall – walls that are normally thick enough to prevent rainfall from reaching the inner face can be overwhelmed during periods of heavy, persistent rainfall.

Floorboard Moisture Damage

We observe moisture damage to the floor timbers, particularly in the server area of the café. This failure of the timber in this location is exacerbated by the type of timber planks utilized. In our opinion, the timber decking is not suitable for joist floors, and this type of floor should be utilised only on solid floors such as concrete, and then with an appropriate moisture barrier between the concrete and the timber deck.

We observe that the jointing to the decking is not adequately supported by the joist and as a consequence will fail under direct foot traffic loading. Moisture and rot in the timber weaken the timber section further, but despite this, the existing timber is inadequate for joist floors.

In the shop area, we have a better floor deck system that seems to span over joist spacing, providing a more uniform and robust deck construction. Such continuity of the plank over the timber enables load transfer. However, such timbers can be softened by moisture ingress. Whilst the risk of failure reduces significantly, the failure under footfall load is low, however, the failure of the plank due to concentrated point load from heavy furnishings is still possible.

In the server and shop area, and some areas of the rear restaurant, the timber floor appears to be supported off ground. In such instances, the moisture from the ground is transferred to the deck and timber joists, leading to elevated moisture in the timber. So whilst the joist may not fail, as the load is directly transferred to the ground, the deck will eventually fail, and can lead to injury.

From our observations, the floor joists on the ground may be wetted but they ultimately transfer the loads down to the ground. The risk is on the floorboards.

Our immediate concern is the structural integrity of the timber decking that is not designed for timber joist floors. This decking should be removed/replaced or covered with additional coating. See remediation requirements.

4.0 RECOMMENDATIONS: -

The following are our recommendations for the improvement of the building's performance. We recommend that the works are undertaken in stages to reduce the disruption and spread the cost of remediation.

Priority #1: - (Shop and Drinks Server area) - IMMEDIATE

- The floor decking in the server area appears inadequate and represents an immediate risk;
- We recommend that the risk in the Shop and restaurant area is assessed by removing floorboards in damaged zones, reviewing the condition of the deck on the underside, and



reviewing the condition of the joists. Photographic evidence is to be provided to the Engineer for immediate review;

- An immediate remediation to the floor would be to coat it with a structural marine ply that bridges over the joists, ideally, the existing deck should be replaced, meaning that the current shop location is removed. The marine ply would protect against moisture through the deck;
 - This is considered a short-term solution until the other construction issues are planned, specified, and priced;
- By removing the decking then the condition of the joists can be observed, and repairs are undertaken as necessary; This allows GinGin council to plan better for the replacement of the floor if deemed necessary.
- However, we appreciate that for speed and urgency, that structural ply may be applied to the top of the existing decking. This does make the fixing of the new ply to the existing deck more difficult;
 - By placing the structural ply directly above the existing deck, the GinGin council lose the opportunity to preplan for joist replacement;
 - The ply is to be coated for aesthetics to accommodate the aesthetic of the property;
 - The marine ply would have good impact resistance against foot traffic and kitchen works, and the product is readily available;
 - However, if the existing floor is not level, then this can lead to voids under the ply if the ply is laid directly on top of the existing deck;
 - The ply is to be protected from termites; therefore a separation barrier may be required between the existing deck and the new ply layer;
 - The ply is to be structural. We do not recommend particle board as this is not moisture resistant and can soften under moisture ingress and it does not have the appropriate moisture protection, in our opinion;
 - The coating of the plywood is to be discussed with appropriate specialists and heritage architects.
- **Methodology for new ply coating Option #1 (more permanent solution)**
 - Remove existing decking to expose the joist support underneath the existing deck;
 - Strengthen, remediate, or repair joists as necessary if they are deemed an immediate structural danger;
 - Check joists for splitting, rusted nail or screw fixings remove as necessary; if split then joist removal is recommended as fixity cannot gain enough fixity provision;
 - If the joists are ground bearing, then no intermediate bearings may be provided, so no other option but to leave them as a ground bearing;
 - Provide a waterproof blanket over existing joists, Malthoid layer or bituminous strip to prevent moisture ingress from joists.
 - Provide nominal 21mm plywood or structural ply to floor system; (assuming floor joists at 450mm centres) (imposed load – 4.0KPa and Max concentrated load at 2.7KN;
 - Ensure the ply is treated for wet areas, ideally, the timber ply should have glue adhesive A or B.



- The provision of structural ply will strengthen the capacity of the joist through its inherent load transfer mechanism;
- Plywood over floor Joists: -
 - Panels should be installed staggered,
 - Panels should be installed with the longest side towards the joists;
 - Panels to be glued and screwed in accordance with industry best practice; glue/adhesive prevents floor squeaks;
 - Ply grain is to be installed with the grain going across the joist;
 - Lay larger sheets to improve the rigidity of the floor plate;
 - Add noggins between joists at plywood edges. This enables the side fixing of play panels at ply width locations, at the contractor's discretion as necessary but they will improve the structural performance of ply; we recommend edges of play are supported and screw fixed; and reduces flexibility;
 - If non-marine ply is used, we recommend the underside of the ply be primed on the underside and edges to reduce the effects of humidity. A latex-based primer should be acceptable;
 - We recommend 4 x 50 - 70mm would screw, galvanised to protect against inherent moisture. Screw every 150mm centre along the joist, we recommend pre-drilling to prevent splitting of timber and counter sunk.
 - Ensure all screw heads are level with the surface of the ply.
 - Avoid pipes and services.
 - Increased depth of penetration of screw into joist will improve performance and less maintenance will draw out of screw;
 - We recommend that joints are installed in the ply floor to allow for swelling of boards with changes in humidity and prevent lipping. A joint of 2 – 3mm should be sufficient.
- **Methodology for new ply coating Option #2**
 - Locate all timber joist locations on the floor plate. Ensure the centre line is marked for ease of fixity; panels are cut to suit as necessary;
 - Provide floating floor underlay similar to QEP silver laminate floating floor underlay; or similar to industry practice;
 - Provide nominal 21mm plywood or structural ply to floor system; (assuming floor joists at 450mm centres) (imposed load – 4.0KPa and Max concentrated load at 2.7KN;
 - We recommend a marine ply subject to industry review;
 - The provision of structural ply will strengthen the capacity of the joist through its inherent load transfer mechanism;
 - The disadvantage of this method is that the condition of the joists is unknown. The location of floor fixity into the joist cannot be controlled;
 - The floor will have reduced performance;
 - No ability to level the floor as necessary to achieve level floor;
 - Plywood over floor Joists: -
 - Panels should be installed staggered,



- Panels should be installed with the longest side towards the joists;
- Panels to be glued and screwed in accordance with industry best practice; glue/adhesive prevents floor squeaks;
- Ply grain is to be installed with the grain going across the joist;
- Lay larger sheets to improve the rigidity of the floor plate;
- Fix to all joists;
- Edge noggins cannot be added, so some deflection may be noted on the floor between joints; minimize joint edges wherever possible and allow for differential deflection between ply at joint locations;
- We recommend a 4 x 70mm wood screw, galvanised to protect against inherent moisture. Screw every 150mm centre along the joist, we recommend pre-drilling to prevent splitting of timber and counter sunk. Depth to suit existing decking, plus ply plus penetration into joists, i.e. 12 + 22 + 40 = say 80mm;
 - Ensure all screw heads are level with the surface of the ply
 - Avoid pipes and services.
 - Increased depth of penetration of screw into joist will improve performance and less maintenance will draw out of screw;
 - We recommend that joins are installed in the ply floor to allow for swelling of boards with changes in humidity and prevent lipping. A joint of 2 – 3mm should be sufficient.

Priority #2: - IMMEDIATE

All other floor deck areas are to be repaired to prevent floor deck uplift and bounce. Existing fixing repairs are unsatisfactory and do not penetrate the timber and will continue to be a source of maintenance;

- We recommend that the risk in the Shop and restaurant area is assessed by removing floorboards in damaged zones, reviewing the condition of the deck on the underside and reviewing the condition of the joists. Photographic evidence is to be provided to the Engineer for immediate review. Competent contractor to remove and replace floorboards, determine moisture content on joists and deck;
 - Replace damaged timber as necessary, if wet damaged, rotted, spilt or fractured;
 - Replace timber so that it is aesthetic with the existing timber and surrounds;
 - We recommend a nominal 2 Number per deck width, 3 x 70mm galvanised clipped head nails, galvanised to protect against inherent moisture. We recommend pre-drilling to prevent splitting of timber if practicable, ensuring the surface is flush with the deck, or as specified by the competent contractor;
 - Provide adhesive between plank and joist if possible to improve impact and sound performance, use Bostick Ultraset or similar to industry standard;

Priority #3: - SEVERAL MONTHS

All open eaves are to be encapsulated to prevent wind-driven rain from entering the cavity construction.



Clean all gutters to be free from leaf debris. Ensure that gutters flow adequately, particularly over external wetted elevations, and at the valley interface above the children's area of the property;

Priority #4: - SEVERAL MONTHS

Review termite protection as termite damage is evident although historical.

Longer term Priorities – 6MONTH – 1 YEAR

Priority #5: -

All floor decking within the server area is to be removed, if not undertaken already;

Review the condition of all joists and support to the ground;

Install and remediate the new floor system in accordance with Priority #1 Option #1

- Ensuring that new ply/deck layers are separated with a malthoid/bituminous layer.

Priority #6: -

Potentially Install new drainage provision to the main side elevation along the existing driveway. This may be a new ag drain system, 100mm dia with filter along the full side elevation. We would recommend a trench with an appropriate grave, similar to per attached detail below. The external wall will have to be waterproofed to prevent moisture ingress into the wall system. There are a number of options available to achieve this. However, the works have to be done in accordance with a heritage architect expert. As the rising dampness is caused by an apparent lack of a damp-proof membrane, common in buildings over 100 years old. A number of solutions are available. Any system has to be documented and review prior to specification. Detailed documentation will be required, we do provide a typical detail that may be appropriate for a system we utilized on a previous historical building. A land drain provision on its own is not sufficient.

- **Replacement physical damp proof course**

- A physical damp-proof course made from plastic can be installed into an existing building by cutting into short sections of the mortar course and installing short sections of the damp-proof course material. This method can provide an extremely effective barrier to rising damp but is not widely used as it requires experienced contractors to carry out if structural movement is to be avoided and takes considerably longer to install than other types of rising damp treatment. The cost is also several times higher than for other types of rising damp treatment.

- **Injection of a liquid or cream chemical damp proof course (DPC Injection)**

- The injection of a liquid or cream into bricks or mortar is the most common method of treating rising dampness.
- "As low down as possible in the wall of the building, or just above the floorboards when there are cellars below them, holes are bored into the wall 10 inches apart. If the wall is a thick one, the holes should extend quite through it. The fireboxes with air-blast, already described, are then set to work on both sides of the wall, at the level of the bore-holes, until the brickwork is thoroughly heated and dried whilst the brickwork is still quite hot, and therefore in a highly absorbent condition, pipes are screwed airtight into the holes, and employing a force pump bituminous oils are forced into the dried stratum of the wall."



- Liquid-injection products were introduced in the 1950s and were typically installed using funnels (gravity feed method) or pressured injection pumps. The effectiveness of liquid injection damp proofing products is dependent on the type of formulation and the skill of the installer. In practice injection times tend to be lower than those required to provide a damp-proof course of optimum effectiveness. A paper published in Building and Environment in 1990 made the following calculations about injection times:
 - The results of these calculations for a range of bricks and one building stone suggest that when the high-pressure injection is used the time of injection is unlikely to be less than five minutes per hole and may exceed 20 minutes per hole even for relatively permeable and porous materials. The times calculated for low-pressure infusion of repellents range from 8 hours to 44 hours.
- Since the early 2000s, damp-proofing creams have taken over from liquid products due to improved ease of application. As with liquid products, these are based on silane/siloxane active ingredients which line the pores of the mortar to repel dampness.
- The effectiveness of liquid and cream-based rising damp treatments varies considerably between products due to variations in product formulations.
- As with liquid injection systems, cream-based treatments rely on the competence of the installer for treatment to be successful. Injection holes need to be fully cleared of drill dust and debris before the cream is injected, and it is often difficult to know if each injection hole has been filled with cream. Furthermore, damp-proofing cream can sometimes drip out of the injection holes after treatment, reducing the effectiveness of the damp-proofing treatment.
- The render is to be removed 350mm above the damp proof course layer on both sides of the wall; so that the rods and cream can be installed;
- See contractor details in the Appendix for contractors that can undertake the works.

• **Damp-proofing rods**

- Damp-proofing rods use similar active ingredients to those found in liquid or cream-based rising damp treatments but are contained in a solid rod. They are generally considered to be easier to use than other types of rising damp treatment as the method of installation is simply to insert them into the correct sized holes drilled into a mortar bed;
- The rods are placed into holes drilled in the mortar course and the active ingredients diffuse along the mortar line before curing to form a damp-proof course.
- Damp-proofing rods are usually supplied in 180mm lengths suitable for inserting into a 225-thick wall;
- A benefit of damp-proofing rods compared with damp-proofing creams and liquids is that it is possible to guarantee a consistent dose of the active ingredient into each hole drilled in the mortar course – i.e., it is impossible to under-fill the holes.
- The render is to be removed 350mm above the damp proof course layer on both sides of the wall; so that the rods and cream can be installed;

- See contractor details in the Appendix for contractors that can undertake the works.
- **Land drainage**
 - It has been suggested that improving drainage around walls affected by rising dampness can help to reduce the height of rise by reducing the amount of water available to be absorbed into the capillaries of the wall. Typically, a trench would be excavated around the affected wall into which a porous pipe would be laid. The trench would then be back-filled with a porous material such as a single-sized aggregate,
 - Such a system would have the practical disadvantage of being suitable only for the treatment of outside walls and would be impractical where other buildings are close by or where a building has shallow footings. Although the theory of reducing rising dampness by reducing the amount of moisture in the underlying ground would appear to be sound, there is little data to suggest that it is effective in practice when used in isolation.
 - Any trench drain would be used with an appropriate waterproofing or damp course system as noted above. We do not recommend a trench drain in isolation.
 - A trench drain or swale may be appropriate subject to the incorporation of the damp-proof cream/tubes measures success. If the cream and tubes are successful then a trench drain may not be required.

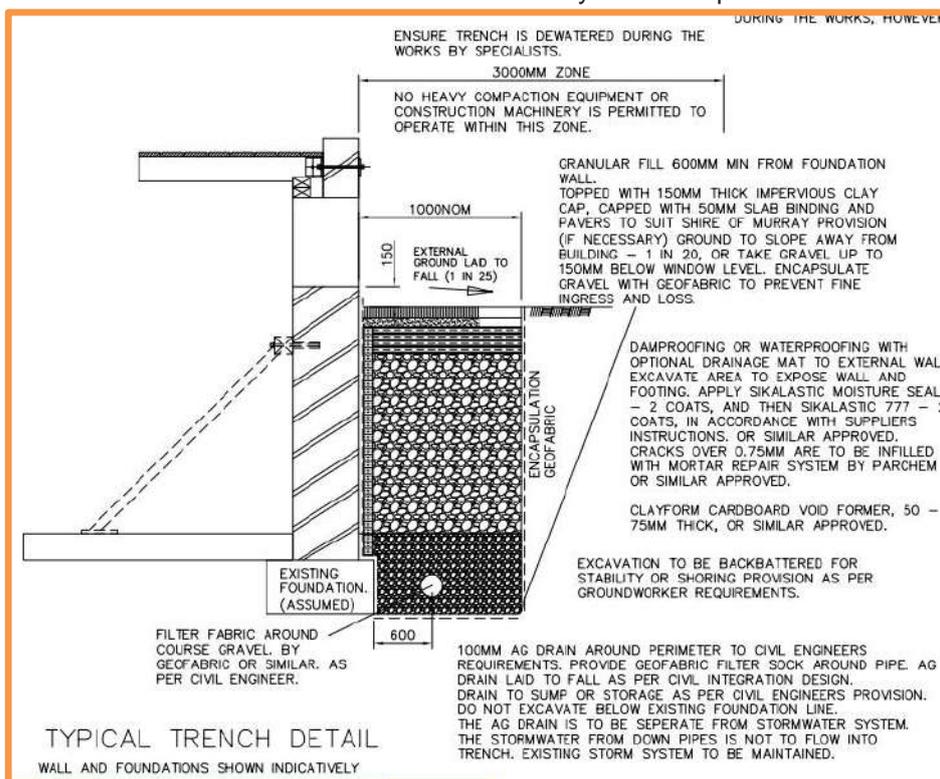


Figure 3a: - Typical Potential trench detail, (indicative only)

- In relation to Figure 3a, a swale drain is also appropriate with respect to drainage run-off from the water deluge. However, basic wall coatings or water protection will still be required on the wall.
- At this stage, a drain may not be required to protect the wall elevation. Damp-proof rods or cream may prove sufficient. However, the drain may improve the ground moisture under the kitchen/shop/server floor. However, under these floor zones it may be prudent to place moisture barriers between the ground and underside of the joist;

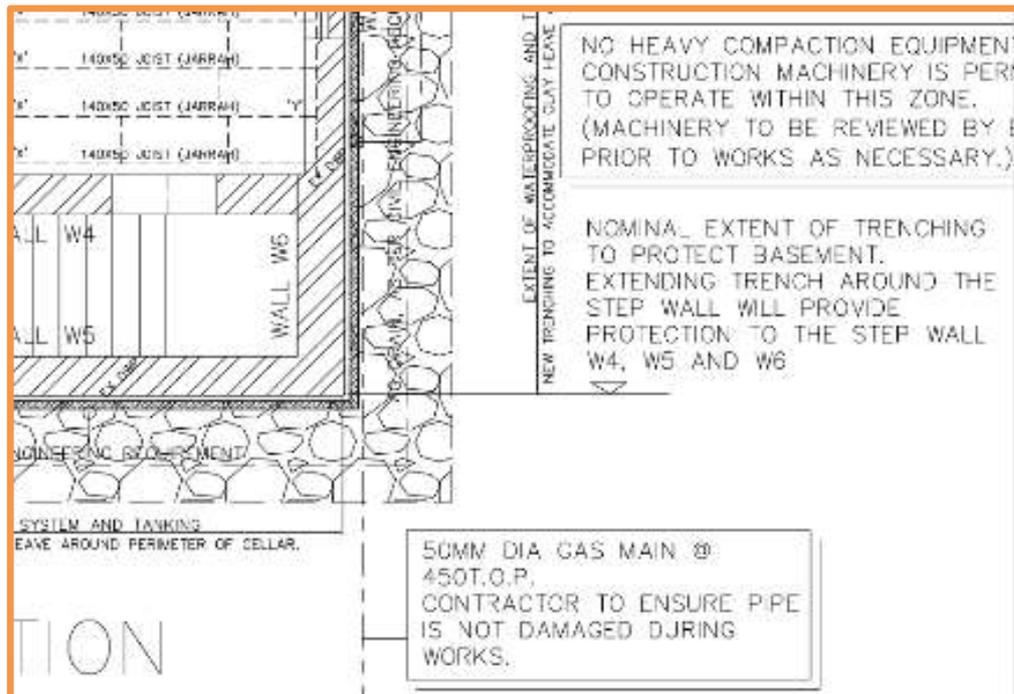


Figure 3b: - Typical Potential trench plan, (indicative only)

Post Wall Treatment

DRYING OUT OF THE WALL

After damp-course installation, the treated walls must be left to dry for several months before any re-plastering / re-rendering, painting, tuck-pointing and /or re-pointing is done. The solvent component of the damp-course material may evaporate out of the wall over the coming weeks, leaving a silicone component in the brickwork where it reacts with the moisture in the bricks forming a new durable plastic damp-course. During this drying-out period, the rising damp salts in the brickwork (above the new damp course) begin to migrate to the surface where they have accumulated in the existing wall surface.

The period of drying varies depending on the type of wall surface present.

Cement rendered walls.

Generally, it may take about a minimum of 3 months of drying before any re-plastering / re-rendering can be done. Very salty walls should be left to dry for a minimum of 6 months. During drying, the following should be followed:



- Remove any salt crystals that may appear on the plaster or the brickwork behind the loose skirting boards. DO NOT allow these salts to fall between the wall and the floor. Use a brush or dry cloth.
- Remove any droplets of salty water that may appear on the water-repellent bricks behind the skirting boards by wiping them with a dry cloth. DO NOT use a damp cloth as this will re-dissolve the salt back into the brickwork.

After treatment, the walls may appear worse, that is, seems damper. This should not cause alarm, as this is normal. The rising damp salts have migrated from the bricks onto the existing render/plaster, and it is these residual salts which absorb atmospheric moisture giving the wall a damp look and feel.

Painted brick or bare brick walls.

The drying-out period is much longer as there is no poultice on the brick surface to draw out the rising damp salts. This period can be in the order of 12 months plus. After treatment, salts will begin to migrate and appear on the surface. These should be immediately wiped away with a dry cloth or stiff bristled brush. This process should be performed once every 2-3 weeks until no more salts appear. If not removed, the wall will display damp patches, particularly during wet and humid climate conditions. In the case of painted brickwork, it is generally necessary to strip off the old paint to fully expose the original brickwork, clean the wall and allow sufficient drying time before painting or plastering is to commence.

RE-RENDERING AND RE-PLASTERING AFTER THE WALL HAS DRIED

All plaster and render contaminated with rising damp salts must be removed back to the bare bricks to a height of 350mm above the last visible signs of dampness. This refers to the removal of plaster and renders above where the damp-course installation was carried out. Failure to do so will result in continual dampness in the wall, thus surface decorations will not be successful and paintwork will continue to peel off the salt-contaminated surface.

Specification for re-plastering after the wall is dry:

- Remove the old plaster and render to reveal the bare bricks to a height of 350mm above the last visible signs of dampness. DO NOT allow this material to fall between the wall and the floor.
- Rake out and replace any salt-contaminated mortar joints and remove any salts present on any exposed brickwork. Replace any badly contaminated bricks. Wipe exposed brickwork with a dry cloth or stiff-bristled brush to remove any residual salts. This process may be repeated several times if any residual salts continue to emerge as the wall dries. Do Not allow these salts to fall between the wall and the floor.
- Apply a cement render finish approximately 15mm thick (preferred cement/sand ratio 1:3) containing a waterproofing admixture. The inclusion of this admixture inhibits the migration of residual salts through the new render. Suitable admixtures include:

Documented Solution to be obtained: -

- Trench/swale drain to be documented; on driveway elevation only; if required
 - The trench drain will protect the joists more than the wall, where the joist sits on the ground. A drain along the drive elevation will reduce the water ingress towards the internal joists;



- The use of damp-proof protection or coating is to be specified and recommended upon further review; the use of damp-proof creams or layers is recommended in this instance. Applied to all elevations and walls affected by rising dampness; we recommend the use of damp-proof rods or damp-proof creams, however, discussion with suppliers and contractors is recommended for the final solution. It may be better to provide a full damp-proof course but this is a slower process; as bricks are removed one at a time; along the wetted perimeter;
- The walls may require the render to be removed, with the potential use of dehumidifiers and poultice systems applied to the walls to remove moisture; this removes the moisture from the wall quicker than natural drying;
- The poultice system can take time to install and apply and draw out moisture and will need to be staged. The use of any materials is to be reviewed for appropriateness by a Heritage Architect.
 - Westox Cocoon Desalination system to existing masonry wall, x 2 coats application.

Priority #7: -

All floor decking within the shop area currently potentially in contact with the ground is to be removed. the area is to be removed, if not undertaken already;

Review the condition of all joists and support to the ground;

Install and remediate the new floor system in accordance with Priority #1 Option #1

- Ensuring that new ply/deck layers are separated with a malthoid/bituminous layer.
- Introduce noggins between joists;

Appendix

Damp Proof Course Cream by Tech-Dry or similar. Click on links.

[Damp Proof Course Cream \(DPC\) - Tech-Dry® Products \(techdry.com.au\)](http://techdry.com.au)

[Rising Damp Treatment - How to Fix Rising Damp | Tech-Dry® \(techdry.com.au\)](http://techdry.com.au)

[solid silane data sheet \(techdry.com.au\)](http://techdry.com.au)

[TECH-DRY BUILDING PROTECTION SYSTEMS PTY \(techdry.com.au\)](http://techdry.com.au)

Damp Proof Course Cream by Tech-Dry or similar. Click on links.

[Dryzone - Dampbusters Australia](http://dryzonesystem.com)

[Dryzone Damp-Proofing Cream \(dryzonesystem.com\)](http://dryzonesystem.com)

[dryzone-datasheet.pdf \(dryzonesystem.com\)](http://dryzonesystem.com)

[dryzone-system-guidelines-web \(dryzonesystem.com\)](http://dryzonesystem.com)

Damp Proof Rods by DryRod or similar. Click on links.

[Dryrod - Dampbusters Australia \(dryzone.com.au\)](http://dryzone.com.au)

Contractors

Southside Heritage – John Carroll.

Mobile: 0419 210 756

**MINUTES
ORDINARY COUNCIL MEETING
21 MARCH 2023**

APPENDIX 14.2.1



Email: info@southsideheritage.com.au
Website: www.southsideheritage.com.au

Stable Commercial

Mobile: 0401 743 430
Email: info@stablecommercial.com.au
Website: www.stablecommercial.com.au

Westox Cocoon Restoration and Preservation

[Westox Cocoon Desalination - Remove effects of rising damp, salt damp and salt attack](#)
[Westox Cocoon - Conservation Science - Combat rising damp, salt attack and salt damp](#)

Any queries please call the undersigned.

N R Mills

Dr Nicholas Mills Date: 8th March 2023.
Ph.D., B.Eng., MIEAust (#419295)

For and on behalf of NRM Consultants Pty Ltd



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15 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

16 COUNCILLORS' OFFICIAL REPORTS

16.1 WHEATBELT NORTH REGIONAL ROAD GROUP MEETING – 27 FEBRUARY 2023

File:	GOV/26
Councillor:	Councillor Wayne Fewster
Report Date:	21 March 2023

I attended the Wheatbelt Regional Road Group Meeting with Vanessa Crispe (Executive Manager Operations and Assets) on 27 February 2023. It is apparent that there is quite a bit of money out there to do roadworks but a lack of contractors to be able to undertake the work. It would be beneficial to investigate Commodity Funding to obtain funds and improve roads throughout the Shire.

16.2 WHEATBELT REGIONAL PLANNING WORKSHOP – 8 MARCH 2023

File:	GOV/26
Councillor:	Councillor Wayne Fewster
Report Date:	21 March 2023

I attended the Wheatbelt Regional Planning Workshop on 8 March 2023 with Kylie Bacon (Coordinator Strategic Planning and Projects) and James Bayliss (Coordinator Statutory Planning). We don't appear to have a lot of planning issues in common with the Wheatbelt. The Shires of Dandaragan and Gingin are in the same boat really in this regard as growing and diverse coastal communities.

16.3 10TH LIGHT HORSE SCULPTURE UNVEILING GUILDFORD

File:	GOV/26
Councillor:	Councillor Andrea Vis
Report Date:	21 March 2023

I was lucky enough to represent the Shire of Gingin at the unveiling of the 10th Light Horse Sculpture in Guildford on 12 March 2023. It was a wonderful event and well received with approximately 350 attendees. There were some great speakers and I was able to secure Di Ryder to speak at the Gingin District High School ANZAC Ceremony.

16.4 VOLUNTEERING IN THE SHIRE OF GINGIN – ENGAGING COMMITTEE MEMBERS

File:	GOV/26
Councillor:	Councillor Linda Balcombe
Report Date:	21 March 2023

I attended the Volunteering workshop in Woodridge on 8 March 2023 run by the Shire’s Community Development Team (Amy Gibbs and Mick Emmanuel). It had a great facilitator and there were very informative discussions.

17 NEW BUSINESS OF AN URGENT NATURE

Nil

18 MATTERS FOR WHICH MEETING IS TO BE CLOSED TO THE PUBLIC

Nil

19 CLOSURE

There being no further business, the Shire President declared the meeting closed at 4:32 pm.

The next Ordinary Council Meeting will be held in Council Chambers at the Shire of Gingin Administration Centre, 7 Brockman Street, Gingin on 18 April 2022, commencing at 3pm.