



AGENDA

Special Council Meeting

28 December 2022

10:00am

Electronic Meeting

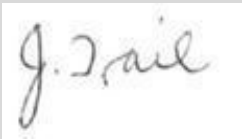
Meeting ID: 894 965 9096

SHIRE OF COOLGARDIE

NOTICE OF

Dear Elected Member

The next Special Council Meeting of the Shire of Coolgardie will be held on Wednesday 28 December 2022 commencing at 10:00am.

A rectangular box containing a handwritten signature in cursive script that reads "J. Trail".

**JAMES TRAIL
CHIEF EXECUTIVE OFFICER**

SPECIAL COUNCIL MEETING**28 December 2022**

Welcome to the Special Council Meeting of the Shire of Coolgardie.

The dates, times and locations of the Ordinary Council Meetings for 2022 are listed hereunder.

<u>Day</u>	<u>Date</u>	<u>Time</u>	<u>Venue</u>
Tuesday	January 2022	N/A	-
Tuesday	22 February 2022	6.00pm	Kambalda
Tuesday	22 March 2022	6.00pm	Coolgardie
Tuesday	26 April 2022	6.00pm	Kambalda
Tuesday	24 May 2022	6.00pm	Coolgardie
Tuesday	28 June 2022	6.00pm	Kambalda
Tuesday	26 July 2022	6.00pm	Coolgardie
Tuesday	23 August 2022	6.00pm	Kambalda
Tuesday	27 September 2022	6.00pm	Coolgardie
Tuesday	25 October 2022	6.00pm	Kambalda
Tuesday	22 November 2022	6.00pm	Coolgardie
Tuesday	20 December 2022	6.00pm	Kambalda



James Trail
Chief Executive Officer

DISCLAIMER

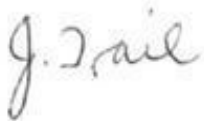
INFORMATION FOR PUBLIC ATTENDING COUNCIL MEETINGS

PLEASE NOTE:

THE RECOMMENDATIONS CONTAINED IN THIS AGENDA ARE OFFICERS RECOMMENDATIONS ONLY AND SHOULD NOT BE ACTED UPON UNTIL COUNCIL HAS RESOLVED TO ADOPT THOSE RECOMMENDATIONS.

THE RESOLUTIONS OF COUNCIL SHOULD BE CONFIRMED BY PERUSING THE MINUTES OF THE COUNCIL MEETING AT WHICH THESE RECOMMENDATIONS WERE CONSIDERED.

MEMBERS OF THE PUBLIC SHOULD ALSO NOTE THAT THEY ACT AT THEIR OWN RISK IF THEY ENACT ANY RESOLUTION PRIOR TO RECEIVING OFFICIAL WRITTEN NOTIFICATION OF COUNCILS DECISION.



James Trail
CHIEF EXECUTIVE OFFICER

COUNCIL MEETING INFORMATION NOTES

1. Your Council generally handles all business at Ordinary or Special Council Meetings.
2. From time to time Council may form a Committee to examine subjects and then report to Council.
3. Generally all meetings are open to the public; however, from time to time Council will be required to deal with personal, legal and other sensitive matters. On those occasions Council will generally close that part of the meeting to the public. Every endeavour will be made to do this as the last item of business of the meeting.
4. Public Question Time. It is a requirement of the Local Government Act 1995 to allow at least fifteen (15) minutes for public question time following the opening and announcements at the beginning of the meeting. Should there be a series of questions the period can be extended at the discretion of the Chairman.

Written notice of each question should be given to the Chief Executive Officer prior to 2:30pm on the day of the meeting. A summary of each question and response is included in the Minutes.

When a question is not able to be answered at the Council Meeting a written answer will be provided after the necessary research has been carried out. Council staff will endeavour to provide the answers prior to the next meeting of Council.

5. **Councillors** may from time to time have a financial interest in a matter before Council. Councillors must declare an interest and the extent of the interest in the matter on the Agenda. However, the Councillor can request the meeting to declare the matter **trivial, insignificant or in common with a significant number of electors or ratepayers**. The Councillor must leave the meeting whilst the matter is discussed and cannot vote unless those present agree as above.

Members of staff, who have delegated authority from Council to act on certain matters, may from time to time have a financial interest in a matter on the Agenda. The member of staff must declare that interest and generally the Chairman of the meeting will advise the Officer if he/she is to leave the meeting.

6. Agendas including an Information Bulletin are delivered to Councillors within the requirements of the Local Government Act 1995, i.e. seventy-two (72) hours prior to the advertised commencement of the meeting. Whilst late items are generally not considered there is provision on the Agenda for items of an urgent nature to be considered.

Should an elector wish to have a matter placed on the Agenda the relevant information should be forwarded to the Chief Executive Officer in time to allow the matter to be fully researched by staff. An Agenda item including a recommendation will then be submitted to Council for consideration.

The Agenda closes the Monday week prior to the Council Meeting (i.e. ten (10) days prior to the meeting).

The Information Bulletin produced as part of the Agenda includes items of interest and information, which does not require a decision of Council.

7. Agendas for Ordinary Meetings are available in the Coolgardie and Kambalda Offices/Libraries seventy-two (72) hours prior to the meeting and the public are invited to secure a copy.
8. Agenda items submitted to Council will include a recommendation for Council consideration. Electors should not interpret and/or act on the recommendations until after they have been considered by Council. Please note the Disclaimer in the Agenda (page 3).
9. Public Question Time – Statutory Provisions – Local Government Act 1995

Time is to be allocated for questions to be raised by members of the public and responded to at:

- (a) Every ordinary meeting of a council; and
- (b) Such other meetings of councils or committees as may be prescribed

Procedures and the minimum time to be allocated for the asking of and responding to questions raised by members of the public at council or committee meetings are to be in accordance with regulations.

9A. Question Time for the Public at Certain Meetings – s5.24 (1) (b)

Local Government (Administration) Regulations 1996

Reg 5 For the purpose of section 5.24(1)(b), the meetings at which time is to be allocated for questions to be raised by members of the public and responded to are:

- (a) every special meeting of a council; and
- (b) every meeting of a committee to which the local government has delegated a power or duty.

Minimum Question Time for the Public – s5.24 (2)

- Reg 6 (1) The minimum time to be allocated for the asking of and responding to questions raised by members of the public at ordinary meetings of councils and meetings referred to in regulation 5 is fifteen (15) minutes.
- (2) Once all the questions raised by members of the public have been asked and responded to at a meeting referred to in sub regulation (1), nothing in these regulations prevents the unused part of the minimum question time period from being used for other matters.

Procedures for Question Time for the Public – s5.24 (2)

Local Government (Administration) Regulations 1996

- Reg 7 (1) Procedures for the asking of and responding to questions raised by members of the public at a meeting referred to in regulation 6 (1) are to be determined:
- (a) by the person presiding at the meeting; or
 - (b) in the case where the majority of members of the council or committee present at the meeting disagree with the person presiding, by the majority of members, having regard to the requirements of sub regulations (2) and (3).
- (2) The time allocated to the asking and responding to questions raised by members of the public at a meeting referred to in regulation 6(1) is to precede the discussion of any matter that requires a decision to be made by the council or the committee, as the case may be.
- (3) Each member of the public who wishes to ask a question at a meeting referred to in regulation 6(1) is to be given an equal and fair opportunity to ask the question and receive a response.
- (4) Nothing in sub regulation (3) requires:
- (a) A council to answer a question that does not relate to a matter affecting the local government;
 - (b) A council at a special meeting to answer a question that does not relate to the purpose of the meeting; or
 - (c) A committee to answer a question that does not relate to a function of the committee.

2. Public Inspection of Unconfirmed Minutes (Reg 13)

A copy of the unconfirmed Minutes of Ordinary and Special Meetings will be available for public inspection in the Coolgardie and Kambalda Offices/Libraries within ten (10) working days after the Meeting.

NOTE:

10.3 Unopposed Business

- (1) Upon a motion being moved and seconded, the person presiding may ask the meeting if any member opposes it.
- (2) If no member signifies opposition to the motion the person presiding may declare the motion in sub clause (1) carried without debate and without taking a vote on it,
- (3) A motion carried under sub clause (2) is to be recorded in the minutes as a unanimous decision of the Council or committee.
- (4) If a member signifies opposition to a motion the motion is to be dealt with according to this Part.
- (5) This clause does not apply to any motion or decision to revoke or change a decision which has been made at a Council or committee meeting.

QUESTION TIME FOR THE PUBLIC

(Please Write Clearly)

DATE: _____

NAME: _____

TELEPHONE: _____

ADDRESS: _____

QUESTION TO THE PRESIDENT:-

- **GENERAL QUESTION / QUESTION RELATED TO THE AGENDA**
(Strike out unnecessary words)

ITEM NO: _____ PAGE NO: _____

QUESTIONS CAN BE SUBMITTED UP UNTIL 09.30AM ON THE DAY OF THE MEETING, AT THE KAMBALDA ADMINISTRATION OFFICE TO THE CHIEF EXECUTIVE OFFICER.

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1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS**1.1 WELCOME TO COUNTRY ANNOUNCEMENT**

“The Shire of Coolgardie acknowledges the Traditional Owners of the land, on which we meet and pay our respects to Elder’s past, present and emerging”

2 DECLARATION OF COUNCIL MEMBERS

The Shire President to invite Council Members to declare that they have read the agenda and supporting documents and able to make informed decision on all matters accordingly.

3 RECORD OF ATTENDANCE / APOLOGIES / APPROVED LEAVE OF ABSENCE**4 DECLARATIONS OF INTEREST****4.1 Declarations of Financial Interests – Local Government Act Section 5.60A****4.2 Declarations of Proximity Interests – Local Government Act Section 5.60B****4.3 Declarations of Impartiality Interests –Shire of Coolgardie Code of Conduct for Council Members, Committee Members and Candidate for Election, Code of Conduct for Employees****5 PUBLIC QUESTION TIME****6 APPLICATIONS FOR LEAVE OF ABSENCE****7 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS****8 REPORTS OF COMMITTEES**

Nil

9 REPORTS OF OFFICERS**9.1 Executive Services****9.1.1 ANNUAL REPORT 2021-2022**

Location: Nil
Applicant: Nil
Disclosure of Interest: Nil
Date: 23 December 2021
Author: James Trail, Chief Executive Officer

SUMMARY

That Council;

1. Adopt the Draft Annual Report for the year ended 30 June 2022 in accordance with Section 5.54 of the Local Government Act 1995,
2. Set the date for the Annual meeting of Electors to be Tuesday 31 January 2023 at 6.30pm at the Coolgardie Recreation Centre.

BACKGROUND

At the Audit Committee Meeting held on 22nd December 2022. The committee resolved;

AUDIT COMMITTEE RESOLUTION AND OFFICER RECOMMENDATION #280/2022

Moved: Cr Kathie Lindup
Seconded: Cr Tamme Keast

That Audit Committee,

1. Recommend to Council to adopt the Draft Annual Report for the year ended 30 June 2022 in accordance with Section 5.54 of the Local Government Act 1995,
2. Recommend to Council to set the date for the Annual meeting of Electors to be Tuesday 31 January 2023 at 6.30pm at the Coolgardie Recreation Centre.

In Favour: Crs Malcolm Cullen, Tracey Rathbone, Rose Mitchell, Kathie Lindup and Tamme Keast

Against: Nil

CARRIED 5/0

The annual Meeting of Electors is to consider the Annual Report for the year ended 30 June 2022. If Council were like minded the meeting could be held in Coolgardie on Tuesday 31 January 2023.

COMMENT

The Shire's Auditors RSM made the following comments and findings in their closing report for year ended 30 June 2022;

- *Based on our work, nothing has come to our attention to indicate that there aren't proper processes and controls to manage the risk of management override of controls and that material key estimates and judgments are properly assessed and recognised.*

- *The Long Term Financial Plan indicates that whilst the Shire will return to a net current asset position only in FY26-27, it will generate a cash surplus from FY23-24 after the repayment of borrowing instalments. Our discussions with management suggest that the accommodation and aerodrome projects are on track for completion and revenue is expected to be realised as per plans.*
- *Based on our work, nothing has come to our attention to indicate that the going concern assumption is not appropriate. This has also been disclosed in Note 1 Basis of Preparation of the financial statements.*
- *Based on our work within the scope of our engagement, nothing came to our attention to indicate the key controls around compliance with laws and regulations are ineffective.*
- *Based on our work within the scope of our engagement, nothing came to our attention to indicate the contingent liabilities or commitments are not adequately disclosed within the financial report.*
- *Other than as noted in section 3 above, no events or conditions have been identified during the audit that may cast doubt on the Local Government's ability to continue as a going concern for 12 months from the date of our auditor's report.*

The Annual Report for the year ended 30 June 2022 is presented to Council for adoption. The report will be available to the public at the Administration Office and the Library, Barnes Drive Kambalda, and the Library in the Recreation Centre, Sylvester Street Coolgardie.

The Annual Financial Report is included in the Annual Report and it is noted the following matter to be reported in accordance with Reg 10(3) of the Local Government (Audit) Regulations 1996:

The primary tool set by the Department of Local Government and Communities for the measurement of the performance of each local government were the financial ratios. These were presented for many years. There is now no longer a requirement for OAG to report against the financial ratio's.

The Shire ended the financial year with Cash and Cash Equivalents of \$1.9 million up from \$1.3 million the year before. Capital expenditure this year amounted to \$7,366,528 on infrastructure assets and \$3,609,416 on property, plant and equipment. This is up \$6,343,984 from the previous year. A massive increase in investment in Shire Infrastructure.

Highlights for this year include :

- Upgrades and renewal on Coolgardie North Road, Jaurdi Hills Road, Cave Hill Road and Carins Road \$1,201,322
- Provision of primary health and medical services through St John, \$416,000..
- Coolgardie Cultural and Community Hub(Post Office precinct) commencement,\$1,125,940
- Project works at Coolgardie Landfill. Excavation ,roadworks, weighbridge preparation,\$3,594,875
- Renewal and Upgrade of Kambalda Aerodrome \$1,875,950

The Shire economy, like the WA economy is emerging from COVID-19 related restrictions and faces a raft of new challenges in the form of supply chain disruptions, labour shortages and rising costs, punctuated by the 7.6% increase in the Perth Consumer Price Index (CPI) over the year to March 2022. Furthermore, the Shire has undergone a Gross Rental Revaluation the last one occurring 6 years ago. The revaluation has resulted in gross rental valuations in Kambalda decreasing on average by 10.5% and in Coolgardie on average by 8%. For the Shire to continue to strive to deliver improved and efficient services to the community with costs increasing as a minimum in excess of 7% and a decrease in gross rental values resulting in a decrease in rate revenue is impossible without generating other sources of revenue.

The Shire estimates the impact of the 7.6% increase in Perth CPI, increases in insurance, contractors, employee and operational costs to be in excess of \$1.3 million on the Shire annual operating and capital expenditure

budget. In order to provide services to the community at the same level as it has done in 2021/2022 simply on rates revenue alone, given an estimated increase of in excess of \$1.3 million, would require a rate increase of in excess of 100% on residential, commercial, generally industry and light industry rate payers. Clearly this is not an action the Council could ever consider.

In order to maintain or increase the level of services to the community, in an environment of escalation costs and decrease in valuation of the majority of residential, commercial, generally industry and light industry properties in the Shire, Council has displayed exceptional leadership in planning for and progressing new revenue generating opportunities. In doing so it was in a unique position to be able to advertise only a 5% increase in the rate in the \$ for residential, commercial, generally industry and light industry rate payers in the Shire generating an estimated revenue increase of only \$81,000. The estimated increase of \$8.5 million in fees and charges associated with workers accommodation, waste facilities and the Kambalda Airport has enabled the Shire to not only improve the level of services to the community but increase the level of expenditure on renewing and maintaining roads, footpaths, drainage, buildings, and community infrastructure. Furthermore, it has enabled the Council to consider only a 3% increase in the rate in the \$ for residential, commercial, generally industry and light industry rate payers in the Shire generating an estimated revenue increase of \$48,600.

The Shire has worked extremely hard over the past three years to create strong collaborative relationships with the Mining Sector, connected businesses and industry and the State Government. Consequently, the strength of these partnerships has enabled the Shire to progress revenue generating opportunities to ensure that the residential, commercial, generally industry and light industry rate payers are not burdened with massive rate increases now and into the future.

The most significant impact on the estimated surplus for 2021/2022 and the draft budget for 2022/23 has been the timing of construction of several major infrastructure projects including the Coolgardie Class III Waste Facility, Kambalda Aerodrome Refurbishment and the construction of the Kambalda Workers Accommodation Facility.

In the short term this has also placed pressure on cashflow. It is anticipated that with the completion of the three above mentioned projects there is expected to be significant revenue generated in the 2022/23 financial year that will have a significant positive impact on cashflow, revenue and reserves in long term.

The 2022/2023 Annual Draft Budget highlights operating revenue of \$26,895,575 compared to \$13,821,180 in 2021/2022 and operating expenditure of \$24,079,858 compared to \$16,728,630 in 2021/2022. Consequently, for the 2022/2023 year the budget operating surplus is \$2,815,717 compared to an operating deficit in 2021/2022 of \$2,907,450. This extraordinary turn around estimated at \$5,723,167 is a direct result of the progression of new revenue generating opportunities. Furthermore, for the first time, the Shire will end up with an estimated positive operating surplus ratio.

The 2022/2023 Annual Draft Budget also highlights an estimated \$7,296,251 net cash provided by operating activities. The significance of this cannot be underestimated. Very few local governments in WA would have a ratio of 74% of rates revenue contributing to the renewal of road, building, footpath, drainage and community infrastructure

CONSULTATION

Auditor – RSM

Auditor General

Shire Staff

Shire Contractor

STATUTORY ENVIRONMENT

Section 5.54 Local Government Act 1995 as amended.

Local Government (Financial Management) Regulations 1996

POLICY IMPLICATIONS

N/A

FINANCIAL IMPLICATIONS

N/A

STRATEGIC IMPLICATIONS

Accountable and effective leaders

High quality corporate governance, accountability and compliance

ATTACHMENTS

1. Draft Annual Report 2022

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION

That Council,

1. Adopt the Draft Annual Report for the year ended 30 June 2022 in accordance with Section 5.54 of the Local Government Act 1995,
2. Set the date for the Annual meeting of Electors to be Tuesday 31 January 2023 at 6.30pm at the Coolgardie Recreation Centre.

9.1.2 FINANCIAL REPORT FOR THE YEAR ENDED 30TH JUNE 2022

Location: N/A
Applicant: N/A
Disclosure of Interest: Nil
Date: 23 December 2022
Author: James Trail, Chief Executive Officer

SUMMARY

That Council;

1. Receive the Chief Executive Officer response to the Audit Report for the period ending 30 June 2022 dated 16 December 2022
2. Receive the Management Action Report as attached and recommend the Report be received by Council
3. Receive the Audit Management Action Report dated 16 December 2022
4. Adopts the Annual Financial Report and OAG Audit Report for the year ended 30 June 2022
5. Requests the Chief Executive Officer to forward the action report to the Minister in accordance with s 7.12A (4) of the Local Government Act 1995.
6. Requests the Chief Executive Officer ensure bank reconciliations are addressed as an absolute priority and are completed and reviewed monthly
7. Includes the bank reconciliations as a KPI for the Chief Executive Officer

BACKGROUND

The Audit Committee met on the 22nd December 2022 to Consider the Financial Report for the Year Ended 30th June 2022. The Committee resolved;

AUDIT COMMITTEE RESOLUTION AND OFFICER RECOMMENDATION #281/2022

Moved: Cr Tracey Rathbone
Seconded: Cr Rose Mitchell

That the Audit Committee ACCEPT the alternate recommendation,

That the Audit Committee,

1. **Recommend Council receive the Chief Executive Officer response to the Audit Report for the period ending 30 June 2022 dated 16 December 2022**
2. **Receive the Management Action Report as attached and recommend the Report be received by Council**
3. **Recommend Council receive the Audit Management Action Report dated 16 December 2022**
4. **Recommend Council adopts the Annual Financial Report and OAG Audit Report for the year ended 30 June 2022**
5. **Recommend to Council that the action report be forwarded to the Minister in accordance with s 7.12A (4) of the Local Government Act 1995.**
6. **That the Audit Committee recommend to Council that the bank reconciliations not prepared on a timely basis be addressed as an absolute majority to ensure reconciliations are completed and reviewed in a timely manner going forward.**
7. **That the Audit Committee recommend to Council this be made a KPI to the Chief Executive Officer.**

In Favour: Crs Malcolm Cullen, Tracey Rathbone, Rose Mitchell, Kathie Lindup and Tamme Keast

Against: Nil

CARRIED BY ABSOLUTE MAJORITY 5/0

Pursuant to Section 7.9 of the *Local Government Act 1995* (“LGA”), an Auditor is required to examine the accounts and annual financial report submitted by a local government for audit. The Auditor is also required, by 31 December following the financial year to which the accounts and report relate, prepare a report thereon and forward a copy of that report to:

- (a) Mayor or President; and
- (b) The Chief Executive Officer; and
- (c) The Minister.

Furthermore, in accordance with Regulation 10(4) of the *Local Government (Audit) Regulations 1996* (“*Audit Regulations*”), where it is considered appropriate to do so, the Auditor may prepare a Management Report to accompany the Auditor’s Report, which is also to be forwarded to the persons specified in Section 7.9 of the LGA.

On finalisation of the Shire’s 2022 final audit, the Office of the Auditor General has forwarded the Annual Financials Statements along with the Audit Report and the Audit Findings.

The Audit Committee is required to examine the reports of the auditor after receiving a report from the Chief Executive Officer (“CEO”) on the matters reported and:

- Determine if any matters raised require action to be taken by the local government; and
- Ensure that appropriate action is taken in respect of those matters.

The Audit Committee is also required to review a report prepared by the CEO on any actions taken in respect of any matters raised in the report of the auditor and present the report to Council for adoption. A copy of the report is to be forwarded to the Minister prior to the end of the next financial year or 6 months after the last report prepared by the auditor is received, whichever is the latest in time.

The Audit Committee is requested to consider and recommend adoption of the annual financial report to Council.

COMMENT

The Shire’s Auditors RSM made the following comments and findings in their closing report for year ended 30 June 2022;

- *Based on our work, nothing has come to our attention to indicate that there aren’t proper processes and controls to manage the risk of management override of controls and that material key estimates and judgments are properly assessed and recognised.*
- *The Long Term Financial Plan indicates that whilst the Shire will return to a net current asset position only in FY26-27, it will generate a cash surplus from FY23-24 after the repayment of borrowing instalments. Our discussions with management suggest that the accommodation and aerodrome projects are on track for completion and revenue is expected to be realised as per plans.*
- *Based on our work, nothing has come to our attention to indicate that the going concern assumption is not appropriate. This has also been disclosed in Note 1 Basis of Preparation of the financial statements.*

- *Based on our work within the scope of our engagement, nothing came to our attention to indicate the key controls around compliance with laws and regulations are ineffective.*
- *Based on our work within the scope of our engagement, nothing came to our attention to indicate the contingent liabilities or commitments are not adequately disclosed within the financial report.*
- *Other than as noted in section 3 above, no events or conditions have been identified during the audit that may cast doubt on the Local Government's ability to continue as a going concern for 12 months from the date of our auditor's report.*

Following is the CEO's report to the Audit Committee on matters arising from the audit management report.

Audit Report

1. Fair value of infrastructure assets - frequency of valuations

Finding

During the year, while the Shire revalued land, buildings and some classes of infrastructure assets (parks, ovals and reserves, sewerage and other infrastructure), management did not perform a robust annual fair value assessment of the other classes of infrastructure (roads, footpaths, drainage) as required by AASB 13 *Fair Value Measurement*.

We acknowledge that these infrastructure assets are expected to be valued in FY23.

Rating: Significant

Implication

Without a robust assessment of fair value of the Shire's infrastructure assets there is a risk that the fair value of infrastructure assets may not have been assessed adequately and in compliance with AASB 13 *Fair Value Measurement*, as well as Regulation 17A(4)(b) of the Local Government (Financial Management) Regulations 1996 (the Regulations).

Recommendation

The Shire to consider implementing as part of the preparation of financial statements a formal robust process to determine whether indicators exist annually, that would trigger a requirement to perform a formal revaluation of all classes of Infrastructure Assets. Where indicators exist, a robust fair value assessment should be performed capturing the requirements of AASB 13 *Fair Value Measurement*. This process is to ensure that the Shire's infrastructure assets are recorded at fair value in compliance with AASB 13 Fair Value Measurement and the Regulations.

This may entail obtaining relevant input from an independent valuer as to whether or not they consider there are any prevailing market factors which may indicate that the fair value of relevant assets is likely to have been impacted to any significant / material extent from the prior year. Where a fair value assessment has been performed internally the Shire may consider having this assessment peer reviewed by an independent valuer to obtain assurance over the valuation methodology applied, inputs and the reasonableness of the valuation model applied.

Management comment

Noted

Roads, footpaths and drainage asset classes will be revalued in the 2022/23 financial year meaning that by 30 June 2023 all asset classes would have been revalued within a 12 month period.

Responsible person: Robert Hicks, Deputy Chief Executive Officer
Completion date: June 2023

2. Bank reconciliations not prepared on a timely basis

Finding

Bank reconciliations are an essential control in managing the accuracy and completeness of the Local Government's accounting records and financial statements. Bank reconciliations are also a key aspect of internal controls over cash resources.

We reported in our interim management letter in August 2022 that bank reconciliations had not been prepared from 1 July 2021 to 30 April 2022. We subsequently noted that while the July to December 2021 bank reconciliations were prepared and reviewed in August 2022 and September 2022, the January to June 2022 bank reconciliations were prepared and reviewed only on 27 October 2022.

Rating: Significant

Implication

Failure to prepare and independently review bank reconciliations timely, increases the risk of fraud, errors and omissions remaining undetected, which in turn could lead to misstatements to the Shire's financial reporting.

There is further risk of non-compliance with Regulation 5(2)(a) of the *Local Government (Financial Management) Regulations 1996* which requires the CEO to ensure that the resources of the local government are effectively and efficiently managed.

Recommendation

Management should ensure that bank reconciliations are prepared on a monthly basis and reviewed by an independent senior staff member. The purpose of such review is to ensure that the reconciliations are prepared in a timely manner and contain only appropriate and current reconciling items.

Management comment

Agreed.

This has been addressed as an absolute priority to ensure reconciliations are completed & reviewed in a timely manner going forward.

Responsible person: Robert Hicks, Deputy Chief Executive Officer
Completion date: January 2023

3. No evidence of approval of asset disposed

Finding

Disposals are subject to Section 3.58 under the Local Government Act 1995 (the Act). Per Shire Policy, disposals are to be approved as part of Annual budget, or else must be approved by the Council who will decide on the appropriate way to dispose of the asset in line with the Act.

We noted an instance where an asset disposed during the year, was neither included in the Shire budget, nor was Council approval subsequently obtained. There was no formal procedure in place for the approval of asset disposals by the Shire Council.

Rating: Moderate

Implication

There may be an increased risk of theft or misappropriation of assets if assets are disposed without appropriate approvals, resulting in financial loss to the Shire. The Shire may also not be in compliance with the requirements of Section 3.58 of the Act.

Recommendation

We recommend that management develops and implements a policy that requires disposal of fixed assets to be initiated via an asset disposal request form and authorised by a delegated officer or the Council. The authorised form should be the basis for updating the fixed asset register and recording the asset disposal in Synergy.

Management comment

This matter has since been addressed and the procedure for asset disposals amended in the Uniqco Standard Operating Procedures manual to reflect the requirements of Section 3.58 of the Act.

Responsible person: Robert Hicks, Deputy Chief Executive Officer

Completion date: December 2022

4. Documentation of management valuation inputs

During our review of land and buildings valuations, we noted that two non-specialised buildings with a fair value of \$280,000 (revaluation gain of \$151,861) and one specialised building with a fair value of \$200,000 (revaluation gain of \$36,415) were not included in the valuation performed by management's third-party expert. These buildings were subsequently revalued by management. The buildings were valued based on management's best estimate, based on nearby housing valuations. However, management was unable to provide valid supporting documentation for the inputs used in the valuation of these assets.

Rating: Moderate**Implication**

Failure to maintain adequate documentation of inputs used in management's valuations of assets, increases the risk that the asset valuations may be materially misstated in the financial report.

Recommendation

Management should maintain adequate supporting documentation for the inputs used, where valuations are performed by management.

Management comment

Noted.

In future where management valuations are required and/or applied, a more robust rationale for the inputs used will be documented.

Responsible person: Robert Hicks, Deputy Chief Executive Officer

Completion date: June 2023

CONSULTATION

RSM

Office Auditor General

External Contractor

STATUTORY ENVIRONMENT**Local Government Act 1995****6.4. Financial report**

- (1) A local government is to prepare an annual financial report for the preceding financial year and such other financial reports as are prescribed.
- (2) The financial report is to —
 - (a) be prepared and presented in the manner and form prescribed; and
 - (b) contain the prescribed information.
- (3) By 30 September following each financial year or such extended time as the Minister allows, a local government is to submit to its auditor —
 - (a) the accounts of the local government, balanced up to the last day of the preceding financial year; and
 - (b) the annual financial report of the local government for the preceding financial year.

7.9. Audit to be conducted

- (1) An auditor is required to examine the accounts and annual financial report submitted for audit and, by the 31 December next following the financial year to which the accounts and report relate or such later date as may be prescribed, to prepare a report thereon and forward a copy of that report to —
 - (a) the mayor or president; and
 - (b) the CEO of the local government; and
 - (c) the Minister.
- (2) Without limiting the generality of subsection (1), where the auditor considers that —
 - (a) there is any error or deficiency in an account or financial report submitted for audit; or
 - (b) any money paid from, or due to, any fund or account of a local government has been or may have been misapplied to purposes not authorised by law; or
 - (c) there is a matter arising from the examination of the accounts and annual financial report that needs to be addressed by the local government,details of that error, deficiency, misapplication or matter, are to be included in the report by the auditor.
- (3) The Minister may direct the auditor of a local government to examine a particular aspect of the accounts and the annual financial report submitted for audit by that local government and to —
 - (a) prepare a report thereon; and
 - (b) forward a copy of that report to the Minister,and that direction has effect according to its terms.
- (4) If the Minister considers it appropriate to do so, the Minister is to forward a copy of the report referred to in subsection (3), or part of that report, to the CEO of the local government.

7.12A. Duties of local government with respect to audits

- (1) A local government is to do everything in its power to —
 - (a) assist the auditor of the local government to conduct an audit and carry out the auditor's other duties under this Act in respect of the local government; and
 - (b) ensure that audits are conducted successfully and expeditiously.
- (2) Without limiting the generality of subsection (1), a local government is to meet with the auditor of the local government at least once in every year.
- (3) A local government must —
 - (aa) examine an audit report received by the local government; and
 - (a) determine if any matters raised by the audit report, require action to be taken by the local government; and
 - (b) ensure that appropriate action is taken in respect of those matters.
- (4) A local government must —
 - (a) prepare a report addressing any matters identified as significant by the auditor in the audit report, and stating what action the local government has taken or intends to take with respect to each of those matters; and
 - (b) give a copy of that report to the Minister within 3 months after the audit report is received by the local government.
- (5) Within 14 days after a local government gives a report to the Minister under subsection (4)(b), the CEO must publish a copy of the report on the local government's official website.

5.54. Acceptance of annual reports

- (1) Subject to subsection (2), the annual report for a financial year is to be accepted* by the local government no later than 31 December after that financial year.

** Absolute majority required.*

- (2) If the auditor's report is not available in time for the annual report for a financial year to be accepted by 31 December after that financial year, the annual report is to be accepted by the local government no later than 2 months after the auditor's report becomes available.

Local Government (Audit) Regulations 1996**10. Report by auditor**

- (1) An auditor's report is to be forwarded to the persons specified in section 7.9(1) within 30 days of completing the audit.
- (2) The report is to give the auditor's opinion on —
 - (a) the financial position of the local government; and
 - (b) the results of the operations of the local government.
- (3) The report is to include —
 - (a) any material matters that in the opinion of the auditor indicate significant adverse trends in the financial position or the financial management practices of the local government; and
 - (b) any matters indicating non-compliance with Part 6 of the Act, the *Local Government (Financial Management) Regulations 1996* or applicable financial controls in any other written law; and

- (c) details of whether information and explanations were obtained by the auditor; and
- (d) a report on the conduct of the audit; and
- (e) the opinion of the auditor as to whether or not the following financial ratios included in the annual financial report are supported by verifiable information and reasonable assumptions —
 - (i) the asset consumption ratio; and
 - (ii) the asset renewal funding ratio.

(4A) In subregulation (3)(e) —

asset consumption ratio has the meaning given in the *Local Government (Financial Management) Regulations 1996* regulation 50(2);

asset renewal funding ratio has the meaning given in the *Local Government (Financial Management) Regulations 1996* regulation 50(2).

- (4) Where it is considered by the auditor to be appropriate to do so, the auditor is to prepare a management report to accompany the auditor's report and to forward a copy of the management report to the persons specified in section 7.9(1) with the auditor's report.

Local Government (Financial Management) Regulations 1996

17A. Assets, valuation of for financial reports etc.

- (1) In this regulation —

carrying amount, in relation to an asset, means the carrying amount of the asset determined in accordance with the AAS;

fair value, in relation to an asset, means the fair value of the asset measured in accordance with the AAS.

- (2) Subject to sub regulation (3), the value of an asset shown in a local government's financial reports must be the fair value of the asset.
 - (3) A local government must show in each financial report —
 - (a) for the financial year ending on 30 June 2013, the fair value of all of the assets of the local government that are plant and equipment; and
 - (b) for the financial year ending on 30 June 2014, the fair value of all of the assets of the local government —
 - (i) that are plant and equipment; and
 - (ii) that are —
 - (I) land and buildings; or
 - (II) infrastructure;
 - and
 - (c) for a financial year ending on or after 30 June 2015, the fair value of all of the assets of the local government.
- (4) A local government must revalue an asset of the local government —
 - (a) whenever the local government is of the opinion that the fair value of the asset is likely to be materially different from its carrying amount; and

- (b) in any event, within a period of at least 3 years but no more than 5 years after the day on which the asset was last valued or revalued.
- (5) An asset is to be excluded from the assets of a local government if the fair value of the asset as at the date of acquisition by the local government is under \$5 000.

[Regulation 17A inserted by Gazette 20 Apr 2012 p. 1699-700; amended by Gazette 21 Jun 2013 p. 2451; 26 Jun 2018 p. 2388.]

17B. CEO to take steps to protect excluded portable and attractive assets

A CEO must take all reasonable steps to prevent the theft or loss of —

- (a) a non-consumable asset that is susceptible to theft or loss due to its portable nature and attractiveness for personal use or resale; and
- (b) an asset referred to in regulation 17A(5).

[Regulation 17B inserted by Gazette 26 Jun 2018 p. 2388.]

POLICY IMPLICATIONS

Investment of Surplus Funds 02

Risk Management 21

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Accountable and effective leaders

High quality corporate governance, accountability and compliance

ATTACHMENTS

1. **Management Action Report 2022**
2. **Annual Financial Report 2022**
3. **OAG Audit Report 2022**

VOTING REQUIREMENT

Absolute Majority

OFFICER RECOMMENDATION

That Council,

1. Receive the Chief Executive Officer response to the Audit Report for the period ending 30 June 2022 dated 16 December 2022
2. Receive the Management Action Report as attached and recommend the Report be received by Council
3. Receive the Audit Management Action Report dated 16 December 2022
4. Adopts the Annual Financial Report and OAG Audit Report for the year ended 30 June 2022
5. Requests the Chief Executive Officer to forward the action report to the Minister in accordance with s 7.12A (4) of the Local Government Act 1995.
6. Requests the Chief Executive Officer ensure bank reconciliations are addressed as an absolute priority and are completed and reviewed monthly
7. Includes the bank reconciliations as a KPI for the Chief Executive Officer

- 10 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING**
- 10.1 Elected Members**
- 10.2 Council Officers**
- 11 CLOSURE OF MEETING**