



*'The Council and Staff of the Shire of Boddington, in partnership with the community,  
are committed to operating effectively and efficiently to provide quality lifestyle  
opportunities  
that encourage population growth and development'*

## AGENDA

For The  
Ordinary Meeting of Council  
To Be Held At

Thursday 20 February 2020

At 5:00pm

Council Chambers

Council Chambers  
39 Bannister Rd, Boddington

# DISCLAIMER

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

In particular and with derogating in any way from the broad disclaimer above, in any discussion regarding any planning application or application for a licence, any statement or limitation of approval made by a member or officer of the Shire of Boddington during the course of any meeting is not intended to be and is not taken as notice or approval from the Shire of Boddington. The Shire of Boddington warns that anyone who has an application lodged with the Shire of Boddington must obtain and only should rely on WRITTEN CONFIRMATION of the outcome of that application and any conditions attaching to the decision made by the Shire of Boddington in respect of the application.

# Agenda

1.	DECLARATION OF OPENING:	4
2.	ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE:	4
2.1.1	Attendance	4
2.1.2	Apologies	4
2.1.3	Leave of Absence	4
3.	DISCLOSURE OF FINANCIAL INTEREST:	4
4.	PUBLIC QUESTION TIME:	4
4.1	RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE:	4
4.2	WRITTEN QUESTIONS PROVIDED IN ADVANCE:	4
4.3	PUBLIC QUESTIONS FROM THE GALLERY:	4
5.	PETITIONS/DEPUTATIONS/PRESENTATIONS/ SUBMISSIONS:	4
6.	CONFIRMATION OF MINUTES:	5
6.1.1	Ordinary Meeting of Council held on Thursday 23 <sup>rd</sup> January 2020 and Annual General Electors Meeting held on Thursday 6 <sup>th</sup> February 2020	5
7.	ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION:	5
8.	REPORTS OF OFFICERS AND COMMITTEES:	5
8.1	PLANNING CONSULTANT:	5
8.2	MANAGER FINANCIAL SERVICES:	6
8.2.1	Monthly Financial Statements – for January 2020	6
8.2.2	List of Payments – for January 2020	19
8.3	PRINCIPAL ENVIRONMENTAL HEALTH OFFICER/ BUILDING SURVEYOR:	21
8.4	MANAGER WORKS & SERVICES:	21
8.5	DIRECTOR CORPORATE & COMMUNITY SERVICES:	21
8.5.1	Draft Related Party Disclosures Policy	21
8.5.2	Request for Assistance – Wandering Boddington Clay Target Club	44
8.5.3	Proposed Change to Pool Opening Hours	48
8.6	CHIEF EXECUTIVE OFFICER:	51
8.6.1	Action Sheet	51
8.6.2	Actions Performed Under Delegated Authority for the Month of January 2020	52
8.6.3	Southern Dirt Funding Commitment	54
8.6.4	2 <sup>nd</sup> Acquisitive Sculpture Competition	55
9.	ELECTED MEMBERS' MOTION OF WHICH PREVIOUS MOTION HAS BEEN GIVEN:	58
10.	URGENT BUSINESS WITHOUT NOTICE WITH THE APPROVAL OF THE PRESIDENT OR MEETING:	58
11.	CONFIDENTIAL ITEM:	58
12.	CLOSURE OF MEETING:	58

1. DECLARATION OF OPENING:

"I would like to acknowledge the traditional custodians of the land, the Nyoongar People, and pay my respects to Elders, past and present".

2. ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE:

2.1.1	Attendance
-------	------------

2.1.2	Apologies
-------	-----------

Cr McSwain

2.1.3	Leave of Absence
-------	------------------

3. DISCLOSURE OF FINANCIAL INTEREST:

4. PUBLIC QUESTION TIME:

4.1 RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE:

4.2 WRITTEN QUESTIONS PROVIDED IN ADVANCE:

4.3 PUBLIC QUESTIONS FROM THE GALLERY:

5. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS:



6. CONFIRMATION OF MINUTES:

6.1.1	Ordinary Meeting of Council held on Thursday 23 <sup>rd</sup> January 2020 and Annual General Electors Meeting held on Thursday 6 <sup>th</sup> February 2020
-------	---

That the minutes of the Ordinary Meeting of Council held on Thursday 23<sup>rd</sup> 2020 be confirmed as a true record of proceedings

That the minutes of the Annual General Electors Meeting held on Thursday 6<sup>th</sup> February 2020 be confirmed as a true record of proceedings.

7. ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION:

8. REPORTS OF OFFICERS AND COMMITTEES:

8.1 PLANNING CONSULTANT:

Nil.

## 8.2 MANAGER FINANCIAL SERVICES:

### 8.2.1 Monthly Financial Statements – for January 2020

Disclosure of Interest: Nil  
Date: 14 February 2020  
Author: J Rendell – Manager Financial Services  
Attachments: 8.2.1A Financial Statements – January 2020

#### Summary

**Council is to consider Monthly Financial Reports for January 2020.**

#### Background

In accordance with Local Government (Financial Management) Regulations 1996 Council is to adopt Monthly Financial Report including the Operating Statement, Statement of Financial Position at the end of each month. Council has also wishes to consider a summary of financial reconciliations on a monthly basis.

Councillors have the opportunity to query financials before the meeting to satisfy themselves before the item comes before Council.

#### Comment

The Operating Statement, Statement of Financial Position, Statement of Cash flow, Statement of Financial Activity and Summary of Reconciliations are submitted for the month of January 2020.

### FINANCIAL SUMMARY YEAR TO DATE

#### **FINANCIAL SUMMARY YEAR TO DATE JANUARY 2020**

The following commentary is provided to assist in the understanding of Councils financial position. It is emphasised that the comparatives and comments are relative to the YTD budget and are against the revised budget. It is acknowledged that there will be minor changes in the actual financial; result after all of the end-of-year processes have been undertaken. We have audit sign off, the Annual financial accounts for Year ended 30 June 2019 were presented to Council and the community at the Annual Electors Meeting held on 6<sup>th</sup> February 2020.

The year to date financial result as at January 2020 is more than halfway through the financial year and most of the commentary is based around timing differences only at this stage. Where material differences have been identified in this year's budget comment will be made, it is acknowledged that these items will be adjusted for in the mid-year budget review, which will be undertaken using YTD January 2020 as the working point.

#### **OPERATING RESULT**

#### **REVENUE**

Revenue is 1.0% or \$62k unfavourable to budget. Within the main items, the following is noted:-

- **Operating Grants** is 24.4% or \$87k unfavourable to budget, it is emphasised that Council received 50% or \$161k, of the 2019/20 FAG (Financial Assistance Grant) and untied road grant from the WA Grants commission in the year 2018/19. This will be adjusted in the budget review.
- **Fees & Charges** is 2.1% or \$19k unfavourable to budget.
- **Interest Earnings** is 19.8% or \$16k unfavourable to budget.
- **Other Revenue** is 97.9% or \$37k favourable to budget.
- **Profit from Asset sales** is \$29k favourable to budget, it is noted that there was not expected to be any profit from asset sales.

## EXPENDITURE

Expenditure is 3.9% or \$177k favourable to budget within the main items, the following is noted:-

- **Employee costs** are 6.1% or \$98k favourable to budget.
- **Materials and contracts** are collectively 9.6% or \$106k favourable to budget.
- **Utility charges** are 10.3% or \$24k favourable to budget.
- **Depreciation expense** is 5.8% or \$70k unfavourable to budget.
- **Insurance expenses** is 11.0% or \$28k favourable to budget.
- **Other expenditure** is 11.3% or \$9k unfavourable to budget.

## NET RESULT

The net result is 7.0% or \$115k favourable result to budget, due to total revenue being \$62k unfavourable and expenditure being \$177k favourable to budget.

## FINANCIAL SUMMARY YEAR TO DATE JANUARY 2020

### CAPITAL ITEMS

Capital revenue is \$88k unfavourable to YTD budget.

Capital expenditure is 59% or \$1,194k favourable to budget. For a more detailed understanding refer to the Capital Expenditure by Asset Class report. In some cases there is a direct relationship between Capital income and Capital expenditure. Included within this year is an amount of \$3.96M for Councillor New Initiatives in accord with items contained in the Strategic Community Plan.

### FUNDING ITEMS

Repayment of loan principal is on budget.

### CASH & INVESTMENTS

Cash and investments sits at \$6.5M, this represents a decrease of \$0.3M from the previous month, mainly due to significant rate income being received. It is emphasised however that the majority of funds is tagged as "restricted" and therefore cannot form part of Council's unrestricted or free cash, this will be disclosed at final year end in the Annual financial statements embedded in the Annual Report.

## SUMMARY

The overall financial result 106.6% or \$1,265k favourable to budget.

The result is pleasing in that the Shire of Boddington finances are in line with both the annual budget and long term financial plan, and augers well for the financial sustainability, additionally it indicates that the financial reform undertaken over the last 3 years is bringing Statutory Environment - Local Government (Financial Management) Regulations 1996

OFFICER'S RECOMMENDATION – 8.2.1
----------------------------------

That Council adopt the:

1. monthly financial statements for the period ending 31 January 2020; and
2. summary of reconciliations for the period ending 31 January 2020

# ATTACHMENT 8.2.1A

## SHIRE OF BODDINGTON

Interim - Financial Reports for the period ended

31-Jan-20

<b>Report Type</b>	<b>Page No.</b>
Summary of Financial Activity	1
Comprehensive Income Statement by Nature/type	2
Comprehensive Income Statement by Programme	3
Rate Setting Statement	4
Statement of Financial Position	5
Loan Repayments & Net Current Asset Position	6
Capital Expenditure by Asset type	7
Existing Buildings Capital Expenditure by Jobs	8
Financial Graphs	9

# ATTACHMENT 8.2.1A

**SHIRE OF BODDINGTON**  
**SUMMARY OF FINANCIAL ACTIVITY by Nature or Type**  
 Provisional - for the period ended 31-Jan-20

	2019/20 Budget			Actual Proposed	Variance YTD	% Variance YTD
	Proposed	Amended	YTD Budget			
<b>Opening Funding Surplus (Deficit)</b>	279,975	279,975	279,975	279,975	-	0.0%
<b>Revenue</b>						
Rates	4,580,000	4,580,000	4,574,413	4,569,280	- 5,133	-0.1%
Operating Grants, Subsidies and Contributions	550,704	550,704	358,881	271,445	- 87,436	-24.4%
Fees and Charges	1,274,019	1,274,019	863,967	845,445	- 18,522	-2.1%
Interest Earnings	132,779	132,779	80,210	64,356	- 15,854	-19.8%
Other Revenue	56,478	56,478	37,552	74,311	36,759	97.9%
Profit from Asset Sales	-	-	-	28,505	28,505	
<b>OPERATING INCOME</b>	<b>6,593,981</b>	<b>6,593,981</b>	<b>5,915,023</b>	<b>5,853,343</b>	<b>- 61,680</b>	<b>-1.0%</b>
<b>Expenses</b>						
Employee Costs	- 2,746,307	- 2,746,307	- 1,601,744	- 1,503,315	98,429	6.1%
Materials and Contracts	- 1,793,894	- 1,793,894	- 1,104,913	- 999,200	105,713	9.6%
Utility Charges	- 339,677	- 339,677	- 234,118	- 210,103	24,015	10.3%
Depreciation on Non-Current Assets	- 2,087,079	- 2,087,079	- 1,217,398	- 1,287,639	70,241	-5.8%
Interest Expenses	- 89,044	- 89,044	- 45,624	- 47,850	2,226	-4.9%
Insurance Expenses	- 247,880	- 247,880	- 251,102	- 223,594	27,508	11.0%
Loss on Asset Sales	- 16,800	- 16,800	- 9,800	- 7,692	2,108	21.5%
Other Expenditure	- 162,795	- 162,795	- 75,808	- 84,364	8,556	-11.3%
<b>OPERATING EXPENDITURE</b>	<b>- 7,483,476</b>	<b>- 7,483,476</b>	<b>- 4,540,507</b>	<b>- 4,363,756</b>	<b>176,751</b>	<b>3.9%</b>
<b>Net Result (incl. c/f surplus position)</b>	<b>- 609,520</b>	<b>- 609,520</b>	<b>1,654,491</b>	<b>1,769,562</b>	<b>115,071</b>	<b>7.0%</b>
<b>Adjustments for Non-Cash Items</b>						
Depreciation	2,087,079	2,087,079	1,217,398	1,287,639	70,241	5.8%
Loss on Asset Disposals	16,800	16,800	9,800	7,692	- 2,108	-21.5%
(Profit) on Asset Disposals	-	-	-	28,505	28,505	
Provisions and Accruals	-	-	-	-	-	
	<b>2,103,879</b>	<b>2,103,879</b>	<b>1,227,198</b>	<b>1,266,826</b>	<b>39,628</b>	<b>3.2%</b>
<b>Net Result before funding and Capex items</b>	<b>1,494,359</b>	<b>1,494,359</b>	<b>2,881,689</b>	<b>3,036,387</b>	<b>154,698</b>	<b>5.4%</b>
<b>Capital Income and Expenditure</b>						
Non-operating Grants & contributions	1,862,779	1,862,779	333,779	245,692	- 88,087	
Purchase Land & Buildings	- 180,000	- 180,000	- 105,000	- 174,323	- 69,323	-66.0%
Purchase Plant & Equipment	- 713,185	- 713,185	- 686,096	- 242,316	443,780	64.7%
Purchase Roads, Streets & Bridges	- 2,080,970	- 2,080,970	- 291,706	- 319,343	- 27,637	-9.5%
Purchase Other Infrastructure	- 35,000	- 35,000	- 14,581	- 13,720	861	5.9%
New Initiatives	- 3,936,881	- 3,936,881	- 910,661	- 64,353	846,308	92.9%
Proceeds from Asset Sales	184,500	184,500	105,000	106,993	1,993	-1.9%
<b>Net Capital Items</b>	<b>- 4,898,757</b>	<b>- 4,898,757</b>	<b>- 1,569,265</b>	<b>- 461,369</b>	<b>1,107,896</b>	<b>70.6%</b>
<b>Funding Items</b>						
Proceeds from New loans	1,000,000	1,000,000	-	-	-	
Repayment of Loan Principal	- 240,532	- 240,532	- 125,953	- 123,696	2,257	1.8%
Self Supporting Loan Principal Income	-	-	-	-	-	
<b>Total Funding Items</b>	<b>759,468</b>	<b>759,468</b>	<b>- 125,953</b>	<b>- 123,696</b>	<b>2,257</b>	<b>1.8%</b>
<b>Reserve Items</b>						
Transfers to Reserves	- 17,519	- 17,519	-	-	-	#DIV/0!
Transfers from Reserves	2,953,482	2,953,482	-	-	-	#DIV/0!
<b>Net Reserve movement</b>	<b>2,935,963</b>	<b>2,935,963</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>#DIV/0!</b>
<b>Closing Funding Surplus (Deficit)</b>	<b>291,034</b>	<b>291,034</b>	<b>1,186,472</b>	<b>2,451,323</b>	<b>1,264,851</b>	<b>106.6%</b>

# ATTACHMENT 8.2.1A

SHIRE OF BODDINGTON						
STATEMENT OF COMPREHENSIVE INCOME BY NATURE/TYPE						
Provisional - for the period ended						
31-Jan-20						
	2019/20 Budget			Actual YTD	Variance YTD	% Variance YTD
	Proposed	Amended	YTD Budget			
<b>Revenue</b>						
Rates	4,580,000	4,580,000	4,574,413	4,569,280	-	-0.1%
Operating Grants, Subsidies and Contributions	550,704	550,704	358,881	271,445	-	-24.4%
Fees and Charges	1,274,019	1,274,019	863,967	845,445	-	-2.1%
Interest Earnings	132,779	132,779	80,210	64,356	-	-19.8%
Other Revenue	56,478	56,478	37,552	74,311	-	97.9%
<b>OPERATING INCOME</b>	<b>6,593,981</b>	<b>6,593,981</b>	<b>5,915,023</b>	<b>5,824,838</b>	<b>-</b>	<b>-1.5%</b>
<b>Expenses</b>						
Employee Costs	-	2,746,307	-	1,503,315	98,429	6.1%
Materials and Contracts	-	1,793,894	-	999,200	105,713	9.6%
Utility Charges	-	339,677	-	210,103	24,015	10.3%
Depreciation on Non-Current Assets	-	2,087,079	-	1,287,639	70,241	-5.8%
Interest Expenses	-	89,044	-	47,850	2,226	-4.9%
Insurance Expenses	-	247,880	-	223,594	27,508	11.0%
Other Expenditure	-	162,795	-	84,364	8,556	-11.3%
<b>OPERATING EXPENDITURE</b>	<b>-</b>	<b>7,466,676</b>	<b>-</b>	<b>4,356,064</b>	<b>174,643</b>	<b>3.9%</b>
Net Result before Capital Income	-	872,695	-	1,468,773	84,457	6.1%
Non-Op. Grants, Subsidies and Contributions	1,862,779	1,862,779	333,779	245,692	-	88,087
Profit on Asset Disposals	-	-	-	28,505	-	28,505
Loss on Asset Disposals	-	16,800	-	7,692	-	2,108
<b>OTHER</b>	<b>1,845,979</b>	<b>1,845,979</b>	<b>323,979</b>	<b>266,505</b>	<b>-</b>	<b>-17.7%</b>
<b>NET RESULT</b>	<b>973,284</b>	<b>973,284</b>	<b>1,708,295</b>	<b>1,735,279</b>	<b>26,984</b>	<b>1.6%</b>
<b>Other Comprehensive Income</b>						
Changes on Revaluation of Non-Current Assets	-	-	-	-	-	-
<b>Total Other Comprehensive Income</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>
<b>TOTAL COMPREHENSIVE INCOME</b>	<b>973,284</b>	<b>973,284</b>	<b>1,708,295</b>	<b>1,735,279</b>	<b>26,984</b>	<b>1.6%</b>

# ATTACHMENT 8.2.1A

**SHIRE OF BODDINGTON**  
**STATEMENT OF COMPREHENSIVE INCOME BY PROGRAM**  
 Provisional - for the period ended

31-Jan-20

	2018/19 Budget		YTD Budget	Actual YTD	Variance YTD	% Variance YTD
	Proposed	Amended				
<b>Revenue</b>						
Governance	4,931,865	4,931,865	4,765,515	4,721,808 -	43,707	-0.9%
General Purpose Funding	59,287	59,287	37,123	52,676	15,553	41.9%
Law, Order, Public Safety	94,777	94,777	53,412	108,935	55,523	104.0%
Health	29,538	29,538	23,537	11,248 -	12,289	-52.2%
Education and Welfare	612,089	612,089	361,992	325,337 -	36,655	-10.1%
Housing	6,812	6,812	3,962	14,047	10,085	254.5%
Community Amenities	335,446	335,446	297,918	274,899 -	23,019	-7.7%
Recreation and Culture	69,928	69,928	40,323	32,602 -	7,721	-19.1%
Transport	122,247	122,247	91,748	82,415 -	9,333	-10.2%
Economic Services	299,293	299,293	220,425	165,140 -	55,285	-25.1%
Other Property and Services	32,700	32,700	19,068	64,236	45,168	236.9%
	<b>6,593,981</b>	<b>6,593,981</b>	<b>5,915,023</b>	<b>5,853,343 -</b>	<b>61,680</b>	<b>-1.0%</b>
<b>Expenses excluding Finance Costs</b>						
Governance	9,862	9,862 -	53,662	13,771	67,433	125.7%
General Purpose Funding	34,368 -	34,368 -	17,421 -	8,566	8,855	50.8%
Law, Order, Public Safety	474,054 -	474,054 -	292,242 -	322,502 -	30,260	-10.4%
Health	210,125 -	210,125 -	125,631 -	150,078 -	24,447	-19.5%
Education and Welfare	816,185 -	816,185 -	483,394 -	458,351	25,043	5.2%
Housing	37,409	37,409	17,248	16,672 -	576	3.3%
Community Amenities	738,902 -	738,902 -	430,877 -	419,828	11,049	2.6%
Recreation and Culture	1,745,353 -	1,745,353 -	1,044,163 -	1,129,126 -	84,963	-8.1%
Transport	2,720,320 -	2,720,320 -	1,603,264 -	1,545,009	58,255	3.6%
Economic Services	741,507 -	741,507 -	475,758 -	336,836	138,922	29.2%
Other Property and Services	39,109	39,109	14,281	23,947	9,666	-67.7%
	<b>7,394,434 -</b>	<b>7,394,434 -</b>	<b>4,494,883 -</b>	<b>4,315,906</b>	<b>178,977</b>	<b>4.0%</b>
<b>Finance Costs</b>						
Governance	26,285 -	26,285 -	13,142 -	13,771	629	
General Purpose Funding	-	-	-	-	-	
Law, Order, Public Safety	-	-	-	-	-	
Health	-	-	-	-	-	
Education and Welfare	8,354 -	8,354 -	4,176 -	4,301	125	
Housing	28,691 -	28,691 -	15,449 -	16,672	1,223	-7.9%
Community Amenities	-	-	-	-	-	
Recreation and Culture	25,715 -	25,715 -	12,857 -	13,106	249	
Transport	-	-	-	-	-	
Economic Services	-	-	-	-	-	
Other Property and Services	-	-	-	-	-	
	<b>89,044 -</b>	<b>89,044 -</b>	<b>45,624 -</b>	<b>47,850</b>	<b>2,226</b>	<b>-4.9%</b>
Net Result before Capital Income	889,497 -	889,497 -	1,374,516	1,489,587	119,523	
<b>Non Operating Grants, Subsidies and Contributions</b>						
General Purpose Funding	664,500	664,500	-	-	-	
Law, Order, Public Safety	-	-	-	-	-	
Education and Welfare	-	-	-	-	-	
Recreation and Culture	200,000	200,000	-	15,893	15,893	
Transport	998,279	998,279	333,779	229,799 -	103,980	
Economic Services	-	-	-	-	-	
Other Property and Services	-	-	-	-	-	
	<b>1,862,779</b>	<b>1,862,779</b>	<b>333,779</b>	<b>245,692 -</b>	<b>88,087</b>	
<b>Other Comprehensive Income</b>						
Changes on Revaluation of Non-Current Assets	-	-	-	-	-	
<b>TOTAL COMPREHENSIVE INCOME</b>	<b>973,282</b>	<b>973,282</b>	<b>1,708,295</b>	<b>1,735,279</b>	<b>26,984</b>	<b>1.6%</b>



## ATTACHMENT 8.2.1A

SHIRE OF BODDINGTON RATE SETTING STATEMENT							31-Jan-20
Provisional - for the period ended							
	2019/20 Budget			Actual	Variance	% Variance	
	Proposed	Amended	YTD Budget	YTD	YTD	YTD	
<b>Revenue</b>							
Operating Grants, Subsidies and Contributions	550,704	550,704	358,881	271,445 -	87,436	-24.4%	
Fees and Charges	1,274,019	1,274,019	863,967	845,445 -	18,522	-2.1%	
Interest Earnings	132,779	132,779	80,210	64,356 -	15,854	-19.8%	
Other Revenue	56,478	56,478	37,552	74,311	36,759	97.9%	
Profit from Asset Sales	-	-	-	28,505	28,505		
<b>Total Operating Revenue excluding Rates</b>	<b>2,013,981</b>	<b>2,013,981</b>	<b>1,340,610</b>	<b>1,284,064 -</b>	<b>56,547</b>	<b>-4.2%</b>	
<b>Expenses</b>							
Employee Costs	- 2,746,307 -	- 2,746,307 -	- 1,601,744 -	- 1,503,315	98,429	6.1%	
Materials and Contracts	- 1,793,894 -	- 1,793,894 -	- 1,104,913 -	- 999,200	105,713	9.6%	
Utility Charges	- 339,677 -	- 339,677 -	- 234,118 -	- 210,103	24,015	10.3%	
Depreciation on Non-Current Assets	- 2,087,079 -	- 2,087,079 -	- 1,217,398 -	- 1,287,639 -	70,241	-5.8%	
Interest Expenses	- 89,044 -	- 89,044 -	- 45,624 -	- 47,850 -	2,226	-4.9%	
Insurance Expenses	- 247,880 -	- 247,880 -	- 251,102 -	- 223,594	27,508	11.0%	
Loss on Asset Sales	- 16,800 -	- 16,800 -	- 9,800 -	- 7,692	2,108		
Other Expenditure	- 162,795 -	- 162,795 -	- 75,808 -	- 84,364 -	8,556	-11.3%	
<b>Operating Expenditure</b>	<b>- 7,483,476 -</b>	<b>- 7,483,476 -</b>	<b>- 4,540,507 -</b>	<b>- 4,363,756</b>	<b>176,751</b>	<b>3.9%</b>	
<b>Operating Result Excluding Rates Income</b>	<b>- 5,469,495 -</b>	<b>- 5,469,495 -</b>	<b>- 3,199,897 -</b>	<b>- 3,079,692</b>	<b>120,204</b>	<b>4%</b>	
<b>Adjustments for Non-Cash Items</b>							
Depreciation	2,087,079	2,087,079	1,217,398	1,287,639	70,241	-5.8%	
(Profit)/Loss on Asset Disposals	16,800	16,800	9,800 -	20,813 -	30,613		
Provisions & Accruals	-	-	-	-	-		
	<b>2,103,879</b>	<b>2,103,879</b>	<b>1,227,198</b>	<b>1,266,826</b>	<b>39,628</b>	<b>-3.2%</b>	
<b>Capital Income and Expenditure</b>							
Purchase of Capital Expenditure	- 6,946,036 -	- 6,946,036 -	- 2,008,044 -	- 814,054	1,193,990	59.5%	
Non-operating Grants & contributions	1,862,779	1,862,779	333,779	245,692 -	88,087		
Proceeds from Asset Sales	184,500	184,500	105,000	106,993	1,993	-1.9%	
	<b>- 4,898,757 -</b>	<b>- 4,898,757 -</b>	<b>- 1,569,265 -</b>	<b>- 461,369</b>	<b>1,107,896</b>	<b>70.6%</b>	
<b>Funding &amp; Reserve Items</b>							
Proceeds from New loans	1,000,000	1,000,000	-	-	-		
Repayment of Loan Principal	- 240,532 -	- 240,532 -	- 125,953 -	- 123,696	2,257	1.8%	
Transfers to Reserves	- 17,519 -	- 17,519 -	-	-	-		
Transfers from Reserves	2,953,482	2,953,482	-	-	-		
	<b>3,695,431</b>	<b>3,695,431 -</b>	<b>- 125,953 -</b>	<b>- 123,696</b>	<b>2,257</b>	<b>1.8%</b>	
Estimated Surplus/(Deficit) July 1 B/Fd.	279,974	279,974	279,974	279,974	-		
Estimated Surplus/(Deficit) C/F or YTD.	291,034	291,034	1,186,472	2,451,323 -	1,264,851	106.6%	
<b>Amount required from General Rate</b>	<b>- 4,580,000 -</b>	<b>- 4,580,000 -</b>	<b>- 4,574,414 -</b>	<b>- 4,569,280 -</b>	<b>5,134</b>	<b>-0.1%</b>	

## ATTACHMENT 8.2.1A

SHIRE OF BODDINGTON		
STATEMENT OF FINANCIAL POSITION		
Provisional - for the period ended		
	30-Jun-19	31-Jan-20
	<b>Unaudited</b>	<b>YTD Actual</b>
<b>CURRENT ASSETS</b>		
Cash and Cash Equivalents	5,052,930	6,532,090
Equity Reserve Investments	-	-
Trade & Other Receivables	590,068	892,588
Inventories	-	-
<b>TOTAL CURRENT ASSETS</b>	<b>5,642,998</b>	<b>7,424,678</b>
<b>NON CURRENT ASSETS</b>		
Trade and Other Receivables	-	-
Property Plant & Equipment	29,711,541	29,670,492
Land Held for Resale	272,539	272,539
Infrastructure	53,384,328	52,866,426
<b>TOTAL NON CURRENT ASSETS</b>	<b>83,368,408</b>	<b>82,809,457</b>
<b>TOTAL ASSETS</b>	<b>89,011,404</b>	<b>90,234,135</b>
<b>CURRENT LIABILITIES</b>		
Trade & Other Payables	569,285	181,537
Employee Provisions	323,626	323,626
Borrowings	240,532	116,836
Trusts	92,929	91,823
<b>TOTAL CURRENT LIABILITIES</b>	<b>1,226,372</b>	<b>713,823</b>
<b>NON CURRENT LIABILITIES</b>		
Trade & Other Payables - Specific	300,000	300,000
Borrowings	1,818,039	1,818,040
Employee Provisions	45,024	45,024
<b>TOTAL NON CURRENT LIABILITIES</b>	<b>2,163,063</b>	<b>2,163,064</b>
<b>TOTAL LIABILITIES</b>	<b>3,389,435</b>	<b>2,876,887</b>
<b>EQUITY</b>		
Retained Earnings	32,701,686	34,436,966
Reserves Cash Backed	4,365,804	4,365,802
Revaluation Reserve	48,554,479	48,554,481
<b>TOTAL EQUITY</b>	<b>85,621,969</b>	<b>87,357,248</b>
<b>TOTAL LIABILITIES &amp; EQUITY</b>	<b>89,011,404</b>	<b>90,234,135</b>

## ATTACHMENT 8.2.1A

LOAN PRINCIPAL REPAYMENTS							
COA	Description	IE Summary	Inc/Exp Analysis Summary	Original Budget	Amended	YTD Budget	YTD Actual
3042460	PRINCIPAL ON LOAN 105	71	Other Expenses	\$126,681	\$126,681	\$63,340.50	\$62,712
2113200	LOAN 106 - REC CENTRE	71	Other Expenses	\$0	\$0	\$0.00	\$0
3074200	PRINCIPAL LOAN 83	71	Other Expenses	\$11,373	\$11,373	\$11,373.00	\$10,332
3083000	PRINCIPAL ON LOAN 100	71	Other Expenses	\$15,710	\$15,710	\$7,855.00	\$7,731
3091402	PRINCIPAL ON LOAN 91	71	Other Expenses	\$0	\$0	\$0.00	\$0
3091460	PRINCIPAL ON LOAN 94	71	Other Expenses	\$13,437	\$13,437	\$6,718.50	\$6,612
3091470	PRINCIPAL ON LOAN 97	71	Other Expenses	\$13,627	\$13,627	\$6,813.50	\$6,705
3113046	PRINCIPAL - LOAN 103	71	Other Expenses	\$0	\$0	\$0.00	\$0
3113048	PRINCIPAL - LOAN 106 REC CENTRE	71	Other Expenses	\$59,704	\$59,704	\$29,852.00	\$29,603
3121100	PRINCIPAL LOAN 102	71	Other Expenses	\$0	\$0	\$0.00	\$0
<b>TOTAL</b>				<b>\$240,532</b>	<b>\$240,532</b>	<b>\$125,953</b>	<b>\$123,696</b>

### MOVEMENT NET CURRENT ASSET POSITION - RECONCILIATION

	2019/20 Budget		Actual YTD
	Approved	Forecast	
<b>NCA items from Statement of Financial Activity</b>			
Current Assets	3,647,169	3,647,169	7,414,111
Less: Current Liabilities	- 412,044	- 412,044	- 596,987
Add: Restricted Assets/Principal Repayment	- 2,946,301	- 2,946,301	- 4,365,802
<b>Net Current Assets</b>	<b>288,823</b>	<b>288,823</b>	<b>2,451,323</b>
<b>REPRESENTED BY - (From Financial Position) Movement</b>			
Net Current Assets	288,823	288,823	2,451,323
<b>REPRESENTED BY - (From Rate Setting Statement) Movement</b>			
Closing Surplus Position	291,034	291,034	2,451,323
Net Current Assets	291,034	291,034	2,451,323

## ATTACHMENT 8.2.1A

SHIRE OF BODDINGTON  
Printed : at 11:00 AM on 11/02/2020

### SHIRE OF BODDINGTON CAPITAL EXPENDITURE BY ASSET CLASS

		Provisional - for the period ended				31-Jan-20
COA	Description	Asset Type	Budget	Amended	YTD Budget	YTD Actual
3042202	EXISTING BUILDINGS 17/18	Land & Buildings	180,000	180,000	105,000	174,323
3132008	VISITOR CENTRE	Land & Buildings	-	-	-	-
		<b>Land &amp; Buildings Total</b>	<b>180,000</b>	<b>180,000</b>	<b>105,000</b>	<b>174,323</b>
3102201	REFUSE SITE	Other Infrastructure	10,000	10,000	-	-
3105050	OVALS PARKS & CEMETERIES	Other Infrastructure	25,000	25,000	14,581	-
3113000	CCTV PROJECT CAPITAL EXPENDITURE	Other Infrastructure	-	-	-	-
3113082	DAM IMPROVEMENTS - WATER TO OVAL	Other Infrastructure	-	-	-	13,720
		<b>Other Infrastructure Total</b>	<b>35,000</b>	<b>35,000</b>	<b>14,581</b>	<b>13,720</b>
3042209	COMPUTER EQUIPMENT	Plant & Equip	25,000	25,000	14,581	3,659
3042208	OFFICE EQUIPMENT	Plant & Equip	25,000	25,000	25,000	-
3042219	VEHICLE COST UPGRADE	Plant & Equip	251,000	251,000	251,000	-
3051220	Fire Tender Boddington	Plant & Equip	-	-	-	10,255
3121096	LOADER	Plant & Equip	215,000	215,000	215,000	214,000
3121097	TRACTOR	Plant & Equip	30,000	30,000	30,000	-
3121066	ROAD SWEEPER & MINI DIGGER	Plant & Equip	127,185	127,185	127,184	-
3139302	MINOR CAPITAL ITEMS	Plant & Equip	40,000	40,000	23,331	14,402
		<b>Plant &amp; Equip Total</b>	<b>713,185</b>	<b>713,185</b>	<b>686,096</b>	<b>242,316</b>
3121086	Main Roads Bridge Program	Roads Infrastructure	1,329,000	1,329,000	-	-
3112220	CULVERTS & DRAINAGE	Roads Infrastructure	100,000	100,000	58,331	13,390
3121090	ROADS TO RECOVERY	Roads Infrastructure	133,779	133,779	44,147	-
3121704	RESEALS - MUNI	Roads Infrastructure	146,221	146,221	48,251	-
3121710	GRAVEL ROAD RESHEETS	Roads Infrastructure	-	-	-	-
3121800	ROAD CONST. - RRG	Roads Infrastructure	300,000	300,000	98,998	297,963
3121803	FOOTPATHS	Roads Infrastructure	71,970	71,970	41,979	7,991
		<b>Roads Infrastructure Total</b>	<b>2,080,970</b>	<b>2,080,970</b>	<b>291,706</b>	<b>319,343</b>
3105225	BODDINGTON CEMETERY	Councillor New Initiatives	22,500	22,500	22,500	-
3112100	SKATEPARK	Councillor New Initiatives	700,000	700,000	-	-
3112205	PUMP TRACK	Councillor New Initiatives	618,750	618,750	-	-
3105250	NATURE PLAYGROUND	Councillor New Initiatives	400,000	400,000	-	-
3105500	FORESHORE LANDSCAPE/DESIGN	Councillor New Initiatives	1,042,750	1,042,750	782,062	12,795
3113010	LOVING RANFORD	Councillor New Initiatives	30,000	30,000	30,000	15,583
3113205	TULLIS BRIDGE PROJECT	Other Infrastructure	1,000,000	1,000,000	-	-
3113005	RANFORD POOL INFO BAY/ENTRY STATEMENTS	Councillor New Initiatives	10,623	10,623	10,621	2,578
3113120	OTHER COUNCILLOR INITIATIVES	Councillor New Initiatives	27,082	27,082	15,792	2,636
3146203	ENTRY STATEMENTS & PUBLIC ART	Councillor New Initiatives	85,176	85,176	49,686	30,760
		<b>Councillor New Initiatives Total</b>	<b>3,936,881</b>	<b>3,936,881</b>	<b>910,661</b>	<b>64,353</b>
		<b>Grand Total</b>	<b>6,946,036</b>	<b>6,946,036</b>	<b>2,008,044</b>	<b>814,054.20</b>

Page 7

11/02/2020Financials Format Jan 2020Capital Expenditure

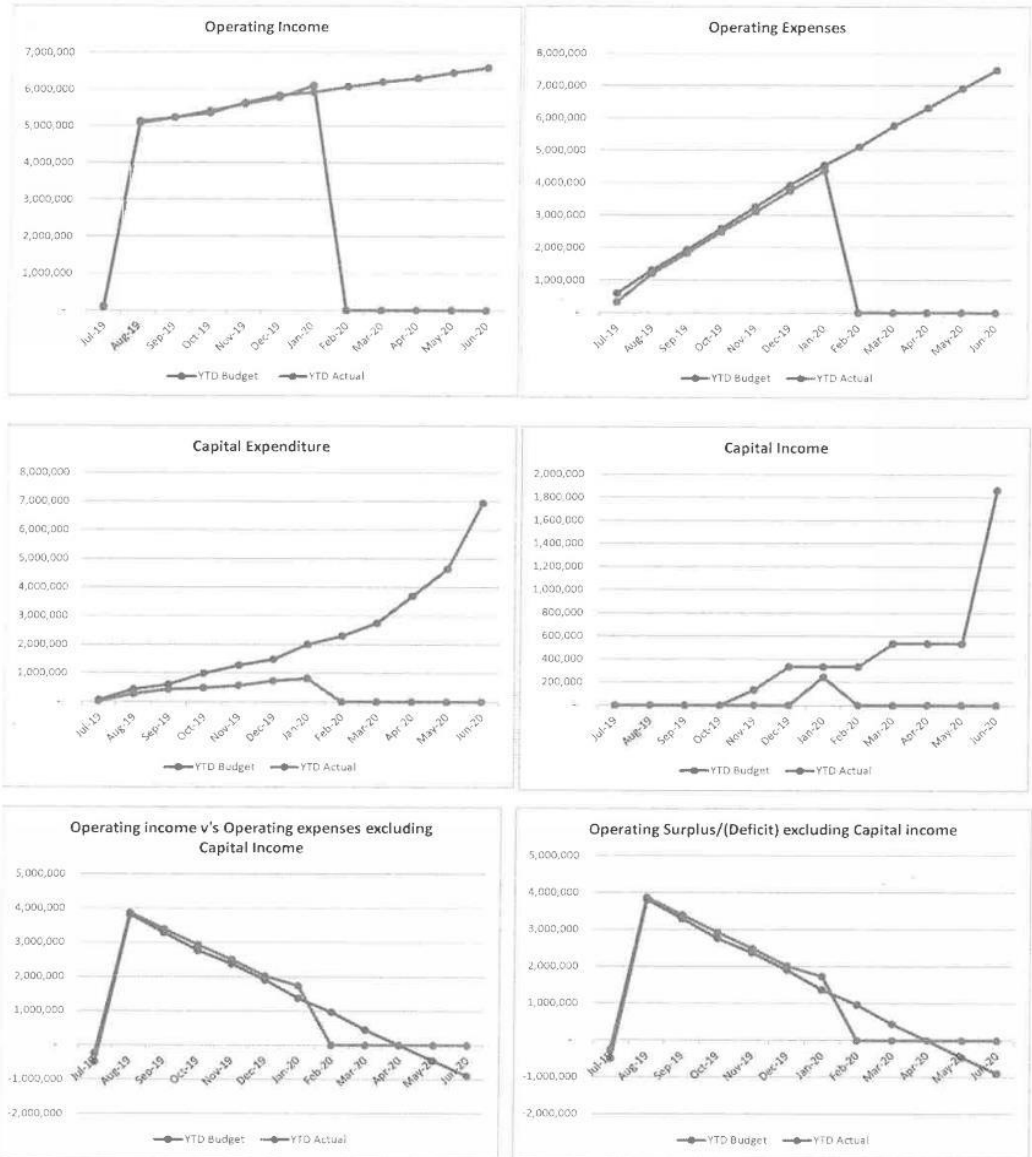
**ATTACHMENT 8.2.1A**

<b>CAPITAL EXPENDITURE - EXISTING BUILDINGS - By JOBS</b>					31-Jan-20
<b>Job</b>	<b>Description</b>	<b>Original Budget</b>	<b>Amended</b>	<b>YTD Budget</b>	<b>YTD Actual</b>
BAC1999	Bannister Road Shire Office - Capital	-	-	-	-
BCC1028	Pollard Street Child Care Centre - Capital	-	-	-	-
BCC1029	Johnstone Street Community Newspaper - Capital	-	-	-	-
BCC1999	Bannister Road - Caravan Park Caretaker Residence - Capital	-	-	-	-
BCC3999	Bannister Road - Caravan Park Caretaker Residence - Capital	-	-	-	-
BDC1015	Farmer Ave - Depot Lunch Room - Capital	-	-	-	-
BDC2015	Farmer Ave - Depot Lunch Room - Capital	-	-	-	-
BEC1029	Johnstone Street Emergency Services Shed - Capital	-	-	-	-
BFC1039	Wurraming Ave - Foreshore Toilet Block - Capital	-	-	-	-
BFC1049	Boddington Vbfb/Ses - Capital	-	-	-	3,721
BIC1024	Hotham Street Ic Unit 1 - Capital	-	-	-	-
BIC2024	Hotham Street Ic Unit 2 - Capital	-	-	-	-
BIC3024	Hotham Street Ic Unit 3 - Capital	-	-	-	2,640
BIC4024	Hotham Street Ic Unit 4 - Capital	-	-	-	-
BMC1024	Hotham Street Medical Centre - Capital	-	-	-	5,984
BOC1025	Forrest Street Old School - Main Classroom - Capital	-	-	-	-
BOC2025	Forrest Street Old School - Main Classroom - Capital	-	-	-	14,950
BOC3025	Forrest Street Old School Storeroom - Capital	-	-	-	-
BOC4025	Forrest Street Old School - Main Classroom - Capital	-	-	-	-
BPC1999	Bannister Road Public Toilets - Capital	-	-	-	-
BRC1025	Forrest Street Retirement Unit 1 - Capital	-	-	-	-
BRC2025	Forrest Street Retirement Unit 2 - Capital	-	-	-	-
BRC3025	Forrest Street Retirement Unit 3 - Capital	-	-	-	-
BRC4025	Forrest Street Retirement Unit 4 - Capital	-	-	-	-
BRC1999	Bannister Road Recreation Centre - Capital	-	-	-	-
BRC4040	Hakea Road Rodeo Grounds - Mens Toilets - Capital	-	-	-	71,741
BRC5040	Hakea Road Rodeo Grounds Ablutions No 2 - Capital	-	-	-	59,923
BSC1027	Hill Street 34 (Staff Housing) - Capital	-	-	-	-
BSC1028	Pollard Street Swimming Pool Ablutions - Capital	-	-	-	-
BSC1045	Pecan Place 3 (Staff Housing) - Capital	-	-	-	-
BSC1050	Prussian Way 20 (Staff Housing) - Capital	-	-	-	-
BSC1054	Blue Gum Close 15 (Staff Housing) - Capital	-	-	-	-
BSC1063	Club Drive Sporting Complex - Capital	-	-	-	15,363
BSC2029	Johnstone Street 46 (Staff Housing) - Capital	-	-	-	-
BSC2054	Blue Gum Close 16 (Staff Housing) - Capital	-	-	-	-
BSC3028	Pollard Street Swimming Pool Kiosk/Pump Room - Capital	-	-	-	-
BTC1029	Community Hub Visitor Ctr - Capital	-	-	-	-
BVC1039	Johnstone Street Town Hall - Capital	-	-	-	-
BWC1013	Robins Road Waste Site Office - Capital	-	-	-	-
BYC1999	Bannister Road Youth Centre - Capital	-	-	-	-
<b>TOTAL EXISTING BUILDINGS</b>		<b>-</b>	<b>-</b>	<b>-</b>	<b>174,323</b>
<b>REPRESENTED BY:</b>					
COA					
<b>3042202 EXISTING BUILDINGS 17/18</b>		<b>180,000</b>	<b>180,000</b>	<b>105,000</b>	<b>174,323</b>

# ATTACHMENT 8.2.1A

## GRAPHICAL DISCLOSURE OF FINANCIAL PERFORMANCE For the period ended

31-Jan-20



11/02/2020: \\Corporate Services\Manager Finance\Financial Reports\Council\2019-20\Jan 2020\Data for Graphs

## 8.2.2 List of Payments – for January 2020

Disclosure of Interest: Nil  
Date: 6 February 2020  
Author: J Rendell  
Attachments: 8.2.2A List of Payments- January 2020 (CONFIDENTIAL)

### Summary

The Local Government (Financial Management) Regulations 1996 require the preparation of a List of Payments made from the Council's bank accounts.

### Background

A list of the payments made in each month is to be prepared and presented to a meeting of Council in the following month.

This list of payments is to be reviewed by Council separately from the monthly financial statements. This will ensure that the requirement of the Financial Regulations for the list of payments made in one month to be presented to the Council meeting in the following month, will be met even if the financial statements are not presented to that meeting.

Councillors have the opportunity to query or inspect invoices before the meeting to satisfy themselves before the item comes before Council.

### Comment

The List of Payments for the month of January 2020 is presented in Attachment 8.2.2A.

### Statutory Environment

Local Government (Financial Management) Regulations 1996

13. Payments from municipal fund or trust fund by CEO, CEO's duties as to etc.

- (1) If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared –
  - (a) the payee's name; and
  - (b) the amount of the payment; and
  - (c) the date of the payment; and
  - (d) sufficient information to identify the transaction.
- (2) A list of accounts for approval to be paid is to be prepared each month showing –
  - (a) for each account which requires council authorisation in that month –
    - (i) the payee's name; and
    - (ii) the amount of the payment; and
    - (iii) sufficient information to identify the transaction; and
  - (b) the date of the meeting of the council to which the list is to be presented.

- (3) A list prepared under subregulation (1) or (2) is to be –
- (a) presented to the council at the next ordinary meeting of the council after the list is prepared; and
  - (b) recorded in the minutes of that meeting.

Policy Implications - Nil

OFFICER'S RECOMMENDATION – 8.2.2

That Council adopts the list of payments for the period ending January 2020; at Attachment 8.2.2A.



### 8.3 PRINCIPAL ENVIRONMENTAL HEALTH OFFICER/ BUILDING SURVEYOR:

Nil at this time.

### 8.4 MANAGER WORKS & SERVICES:

Nil at this time.

### 8.5 DIRECTOR CORPORATE & COMMUNITY SERVICES:

8.5.1	Draft Related Party Disclosures Policy
-------	--

Applicant:	Nil
File Ref. No:	TBA
Disclosure of Interest:	Nil
Date:	14/01/2020
Author:	Graham Stanley
Attachments:	8.5.1 Draft - Related Party Disclosures Policy 8.5.1B Draft Procedure – Related Party Disclosures 8.5.1C Draft Related Party Disclosures - Form

#### Summary

A draft policy, procedure and form on Related Party Disclosures required by Australian Accounting Standard AASB124 *Related Party Disclosures* is presented for Council's consideration and adoption.

#### Background

In the 2018-19 Annual Audit the Auditor General found that *"the Shire of Boddington does not currently have a Related Party Disclosures Policy in place nor are Key Management Personnel (KMP) required to complete a Related Party Declaration"*. As a result the Auditor General recommended that *"the Shire of Boddington develops and implements a Related Party Disclosure Policy which requires the declaration to be performed by key management personnel on a yearly basis"*. A draft policy, draft procedure and draft Related Party Disclosures Form has been prepared, based on a Local Government template and is now submitted to Council for consideration and adoption.

#### Comment

The Australian Accounting Standards Board extended the application of *ASSB 124 Related Party Disclosures* (the 'Standard') to include Not-for-Profit Public Sector Entities. Local Governments, from 1 July 2016, are therefore required to comply with disclosure requirements of this standard in their financial statements. The objective of this Standard is to ensure that an entity's financial statements contain the disclosures necessary to draw attention to the possibility that its financial position and profit or loss may have been affected by the existence of related parties and by transactions and outstanding balances, including commitments, with such parties.

The Standard is not intended to assess governance or probity issues. Related party relationships are a normal part of doing business. It is acknowledged that the Shire collects

information on conflict of interest and related party transactions for other purposes that may then also be utilized to satisfy AASB 124.

The Shire must undertake the following:

1. identification of Related Party relationships;
2. identification of transactions and outstanding balances/commitments with Related Parties;
3. assessment of materiality of the transactions and outstanding balances/commitments; and
4. determine the level of disclosure required.

A related party, according to the Standard, is a person or entity that is related to the entity that is preparing its financial statements.

Related parties to the Shire include:

1. Entities where the entity is set up, controlled or is significantly influenced by the Shire;
2. Key Management Personnel (KMP) of the Shire;
3. Close family members of KMP; and
4. Entities that are controlled or jointly controlled by KMP or their close family members.

When determining whether an entity is a related party, the Shire will need to consider definitions as outlined in various Accounting Standards.

AASB 128 Investments in Associates and Joint Ventures provides the following relevant Definitions:

1. Joint Control – ‘is the contractually agreed sharing of control of an arrangement, which exists only when decisions about the relevant activities require the unanimous consent of the parties sharing control’.
2. Significant influence – ‘is the power to participate in the financial and operating policy decisions of the investee but is not control or joint control of those policies’.

The Standard defines KMP as ‘those persons having authority and responsibility for planning, directing and controlling the activities of the entity, directly or indirectly, including any director (whether executive or otherwise) of that entity’. In the Shire of Boddington’s case that would include the President, Councillors, CEO and senior staff.

Boddington has been including the required information in its Annual Financial Statements. Declarations were provided by Councillors in 2017 and this information was updated by the Director of Corporate and Community Services for the 2018 and 2019 Annual Reports. The Auditor General wants the Council to have a formal policy which requires Annual

Declarations to be made by Key Management Personnel and Councillors. To simplify the policy a procedure has been drafted in conjunction with the policy. The procedure indicates that the Annual Related Party Disclosures Declaration should be submitted at the same time the Annual Financial Return is submitted. As we are required to report on all Key Management Personnel employed during the year and all Councillors and from time staff leave, new staff commence and Councillors sometimes resign before their terms expire, a requirement has been included for relevant staff and Councillors to complete a declaration covering the period from the start of the financial year in which they resign to the date of their resignation in case any changes have occurred to their closely related parties since their previous declaration.

Strategic Implications - Nil

Statutory Environment

AASB 124 Related Party Disclosure  
Associated Regulatory Framework  
Local Government Act 1995  
Local Government (Financial Management) Regulations 1996  
State Records Act 2000

Policy Implications

Establishment of a new policy to meet statutory requirements.

Financial Implications - Nil

Economic Implications - Nil

Social Implications - Nil

Environmental Considerations - Nil

Consultation

Office of the Auditor General  
Shires of Jerramungup and Merredin  
Discussed at Councillor Info Session 6 February 2020

Options

1. Council may adopt the policy and procedure as present
2. Amend the policy and / or the procedure and then adopt the amended Policy and Procedure; or
3. Council may reject the policy and or procedure.

Voting Requirements - Simple Majority

OFFICER'S RECOMMENDATION – ITEM 8.5.1
---------------------------------------

That Council adopts without change:

1. the draft Related Party Disclosures Policy as presented in Attachment 8.5.1A.
2. the draft Procedure – Related Party Disclosures as presented in Attachment 8.5.1B.
3. the draft Related Party Disclosures Form as presented in Attachment 8.5.1C.

## ATTACHMENT 8.5.1A

### 09.21 RELATED PARTY DISCLOSURES POLICY

Policy Statement:

Council recognises the requirement to comply with AASB 124 and thus disclose Related Party Disclosures in each Annual Financial Report commencing from 1 July 2016.

The Shire of Boddington is committed to producing financial information with high standards, in delivering high standard financial information the Shire is committed to comply with the principles of transparency and good governance and compliance with the Accounting Standards prescribed by the Australia Accounting Standards Board (AASB), *Local Government Act 1995*, and *Local Government (Financial Management) Regulations 1996*.

The Related Party Disclosures Policy aims to assist the Shire in complying with disclosure requirements concerning key management personnel (KMP), their close family members and entities controlled or jointly controlled by any of them stipulated under the Australian Accounting Standard AASB 124 – Related Party Disclosures.

Objective:

To provide guidance to Elected Members and identified Key Management Personnel to assist in them making an informed judgement as to who is considered to be a related party and what transactions need to be considered when determining if disclosure is required.

<b>Relevant Legislation:</b>	<i>Local Government Act 1995</i> <i>Local Government (Financial Management) Regulations 1996</i> <i>Australian Accounting Standard AASB124 – Related Party Disclosures</i>
<b>Related Documents:</b>	Procedure – Related Party Disclosures Related Party Disclosures – Declaration Form

Resolution No:

Resolution Date:

## RELATED PARTY DISCLOSURES

### *POLICY: 9.21 Related Party Disclosures*

### **PROCEDURE:**

#### **OBJECTIVES**

This purpose of this procedure is to meet the disclosure requirements of AASB 124.

The scope of AASB 124 Related Party Disclosures was extended in July 2015 to include application by not-for-profit entities, including local governments. The operative date for local government is 1 July 2016, with the first disclosure to be made in the Financial Statements for year ended 30 June 2017. This procedure outlines required mechanisms to meet the disclosure requirements of AASB 124.

#### **PROCEDURE**

##### **Background**

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

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

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

##### **1. Identification of Related Parties**

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

Related parties includes a person who has a significant influence over the reporting entity, a member of the key management personnel (KMP) of the entity, or a close family member of that person who may be expected to influence that person.

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

For the purposes of determining the application of the standard, the Shire has identified the following persons as meeting the definition of Related Party:

- An elected Council member.
- Key management personnel being a person employed under section 5.36 of the Local Government Act 1995 in the capacity of Chief Executive Officer or Senior Manager (Director, Manager of Finance, Manager of Works, and Principal Environmental Health/Building Officer) of the Shire.
- Close members of the family of any person listed above, including that person's child, spouse or domestic partner, children of a spouse or domestic partner, dependents of that person or person's spouse or domestic partner.
- Entities that are controlled or jointly controlled by an elected Council member, KMP or their close family members. (Entities include companies, trusts, joint ventures, partnerships and non-profit associations such as sporting clubs).

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

## ATTACHMENT 8.5.1B

### 2. Identification of Related Party Transactions

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

For the purposes of determining whether a related party transaction has occurred, the following transactions or provision of services have been identified as meeting this criteria:

- Paying rates;
- Fines;
- Use of Shire owned facilities such as recreation centres, aquatic centres, civic centres, libraries, parks, ovals and other public open spaces, transfer stations and landfill sites (whether charged a fee or not);
- Attending Shire functions that are open to the public;
- Employee compensation whether it is for KMP or close family members of KMP;
- Application fees paid to the Shire for licences, approvals or permits;
- Lease agreements for housing rental (whether for a Shire owned property or property sub-leased by the Shire through a Real Estate Agent);
- Lease agreements for commercial properties;
- Monetary and non-monetary transactions between the Shire and any business or associated entity owned or controlled by the related party (including family) in exchange for goods and/or services provided by/to the Shire (trading arrangement);
- Sale or purchase of any property owned by the Shire, to a person identified above;
- Sale or purchase of any property owned by a person identified above, to the Shire;
- Loan arrangements; or
- Contracts and agreements for construction, consultancy or services.

Some of the transactions listed above, occur on terms and conditions no different to those applying to the general public and have been provided in the course of delivering public service objectives. These transactions are those that an ordinary citizen would undertake with the Shire and are referred to as an Ordinary Citizen Transaction (OCT). Where the Shire can determine that an OCT was provided at arms' length, and in similar terms and conditions to other members of the public and, that the nature of the transaction is immaterial, no disclosure in the Annual Financial Report will be required.

### 3. Disclosure Requirements

For the purposes of determining relevant transactions in point 2 above, elected Council members and key management personnel as identified above, will be required to complete a Related Party Disclosures – Declaration form for submission to the Director Corporate and Community Services.

#### Ordinary Citizen Transactions (OCTs)

Management will put forward a recommendation to the Council, declaring that in its opinion, based on the facts and circumstances, the following OCT that are provided on terms and conditions no different to those applying to the general public and which have been provided in the course of delivering public service objectives, are unlikely to influence the decision that users of the Council's financial statements make. As such no disclosure in the annual Related Party Disclosures – Declaration form will be required.

- Paying rates
- Paying fines and penalties
- Paying application fees for licences, approvals and permits
- Use of Shire owned facilities such as recreation centres, aquatic centres, town halls /civic centres, libraries, parks, ovals and other public open spaces, transfer stations and landfill sites (whether charged a fee or not)

## ATTACHMENT 8.5.1B

- Attending Shire functions that are open to the public

Where these services were not provided at arms' length and under the same terms and conditions applying to the general public, elected Council members and KMP will be required to make a declaration in the Related Party Disclosures – Declaration form about the nature of any discount or special terms received.

### **All other transactions**

For all other transactions listed in point 2 above, elected Council members and KMP will be required to make a declaration in the Related Party Disclosures – Declaration form.

### **Frequency of disclosures**

Elected Council members and KMP will be required to complete a Related Party Disclosure – Declaration form each year covering the period of the financial year that they were a member of Council or a KMP, to be submitted along with their Annual Financial Interests Declaration.

Disclosures must be made by all Councillors immediately prior to any ordinary or extraordinary election covering the period from 1<sup>st</sup> July of the financial year to the date of the declaration. Disclosures must be made immediately prior to the termination of employment of a KMP covering the period from the 1<sup>st</sup> July of the financial year until the date of the declaration.

### **Confidentiality**

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

#### **4. Materiality**

Management will apply professional judgement to assess the materiality of transactions disclosed by related parties and their subsequent inclusion in the financial statements.

In assessing materiality, management will consider both the size and nature of the transaction, individually and collectively.

### **APPLICATION**

This procedure applies to Elected Members of Council, Chief Executive Officer and Senior Officers of the Shire of Boddington.

### **TERMINOLOGY**

Explanatory Notes – Related Party Disclosures – Please refer to Appendix 1

### **GOVERNANCE REFERENCES**

#### **Statutory Compliance**

*AASB 124 Related Party Disclosure*

*Associated Regulatory Framework*

*Local Government Act 1995*

*Local Government (Financial Management) Regulations 1996*

*State Records Act 2000*



## ATTACHMENT 8.5.1B

### Internal Compliance

*Related Party Disclosures – Declaration form*

### Industry Compliance

Policy Number:	9.21 – Related Party Disclosures
Previous Policy Number:	N/A
Last Reviewed:	N/A
Next Reviewed	
Responsible Officer:	

## Appendix 1 – Explanatory Notes – Related Party Disclosures

### CLOSE FAMILY MEMBERS

Close family members include:

- A child, spouse or domestic partner
- Children of your spouse or domestic partner
- Dependents of you or your spouse or domestic partner
- Any other close family member

who may be expected to influence, or be influenced by, your dealings with the Shire. The following table may assist you in identifying your close family members:

Definitely a close family member	May be a close family member
Your spouse/domestic partner	Your brothers and sisters, if they could be expected to influence or be influenced by you in their dealings with the Shire
Your children and grandchildren	Your aunts, uncles and cousins, if they could be expected to influence or be influenced by you in their dealings with the Shire
Your dependants	Your parents and grandparents, if they could be expected to influence or be influenced by you in their dealings with the Shire
Children of your spouse/domestic partner	Your nieces and nephews, if they could be expected to influence or be influenced by you in their dealings with the Shire
Dependants of your spouse/domestic partner	Any other member of your family if they could be expected to influence or be influenced by you in their dealings with the Shire

There may be relationships that a Shire has which are not identified in this appendix but still meet the definition of a related party.

<p><b>Example: Cousin of Councillor</b></p> <p>A Councillor for the Shire has lived in the Shire her whole life. In fact her family has been in the area for generations.</p> <p>The Councillor’s cousin, owns and operates the local newsagent through a company ABC Pty Ltd, in which she owns 100% of the shares. The Councillor and her cousin have always been close and regularly socialise together.</p> <p>From these facts it would appear that the Councillor’s cousin is a close family member of the Councillor because she would be expected to influence, or be influenced by, that person in her dealings with Council.</p> <p>Both the cousin and the company she controls, ABC Pty Ltd would therefore be related parties of Council.</p> <p>Any transactions that the Council makes with the newsagent would need to be separately identified and may need to be disclosed.</p>
---

## ATTACHMENT 8.5.1B

### CONTROL IN ENTITIES

#### What is an entity that I, or my close family member, control or jointly control?

Entities include companies, trusts, incorporated and unincorporated associations such as clubs and charities, joint ventures and partnerships.

You control an entity if you have:

- a) power over the entity;
- b) exposure, or rights, to variable returns from involvement with the entity; and
- c) the ability to use your power over the entity to affect the amount of your returns.

To jointly control an entity there must be contractually agreed sharing of control of the entity, which exists only when decisions about the relevant activities require the unanimous consent of the parties sharing control.

In some cases it will be obvious that you or a family member control or have joint control over an entity. In other cases it will be less clear.

If you are unsure whether you, or a close family member, has control or joint control of an entity then you should contact the Director Corporate and Community Services for a confidential discussion.

#### **Example 1: Clubs or other Incorporated Bodies**

A Shire Councillor is the President of the local football club.

This club is overseen by a committee which comprises the President and four other committee members. Each member has a single vote when making decisions at meetings. The committee members are not related and do not have agreements to vote with one another. The club has over 100 members that each have a vote in electing the committee members at the club's annual general meeting.

From these facts it would appear that the Councillor does not control or jointly control the football club so it will not be a related party of Council just because the Councillor is the president of the club.

#### **Example 2: Audit Committee Member**

The Shire's Audit Committee comprises two Councillors and a local retired accountant, Fred. Fred has no other connection with the Council.

The Audit Committee attends to the functions as required under the *Audit Regulations*. It does not make any decisions on behalf of the Council but simply provides reports, with recommendations, for the Mayor and Councillors to consider.

Based on the facts outlined Fred would not be a KMP of Council.

## ATTACHMENT 8.5.1B

### **Example 3: Son of DCEO employed by Council**

The Shire has recently employed Frank's son (George) in the Council's parks and garden's area. Frank is Council's Deputy Chief Executive Officer but was not involved in hiring George. This process was managed by the Director of Parks and Gardens and included an independent assessment process. Frank did not have any influence in George securing the job.

Frank has been identified as a KMP of council, which makes him a related party.

George will also be a related party of Council because he is a close family member of Frank. The recruitment process that was undertaken for George's position is irrelevant when assessing whether George is a related party.

### **Example 4: Cousin of President – related party commonly known but omitted from Declaration**

Gertrude, the President of Shire of Elsewhere forgets to include her cousin Mavis, and Mavis' company, when she completes her KMP declaration.

It is commonly known in the community that Gertrude and Mavis are close and that Gertrude would be expected to influence, or be influenced by, Mavis in her dealings with Council and vice versa.

Mavis and her company are related parties of Council, even though Gertrude omitted them from her declaration.

### **Example 5 : Example of Control**

Wilfred is the Mayor of Shire of Nowhere and owns 100% of the ordinary shares in Nowhere Development Company Pty Ltd (the company). The ordinary shares are the only shares in the company that have voting rights.

Wilfred controls the company because he has the power to affect the company's decisions and the return that he will get from the company.

Wilfred will need to include the company on his related party declaration.

### **Example 6 : Example of Joint Control**

Wilfred is the Mayor of Shire of Nowhere and owns 50% of the ordinary shares in Nowhere Development Company Pty Ltd (the company). Wilfred's brother Stan owns the other 50% of ordinary shares. Wilfred and Stan are the only Directors of the company and have equal voting rights on the board.

Wilfred and Stan have joint control of the company because any decisions require the unanimous consent of them both.

Wilfred will need to include the company on his related party declaration.





## ATTACHMENT 8.5.1C

<b>4. LEASING AGREEMENTS - DOMESTIC RESIDENTIAL</b>			
Did you, a close family member or related entity (as defined above), enter into a lease agreement with the Shire (either as lessee or lessor) for the provision of a domestic rental property (Includes properties owned by the Shire and privately owned properties sub-leased through the Shire from a real estate agent)?			
<input type="checkbox"/> None			
<b>Name of person / entity party to the lease</b>	<b>Property Address</b>	<b>Term of Lease &amp; Weekly rent</b>	<b>Detail of any special conditions received</b>
<b>5. LEASING AGREEMENTS - COMMERCIAL</b>			
Did you, a close family member or related entity, enter into a commercial leasing agreement with the Shire for the provision of a commercial property?			
<input type="checkbox"/> None			
<b>Name of person / entity party to the lease</b>	<b>Property Address</b>	<b>Term of Lease &amp; Weekly rent</b>	<b>Detail of any special conditions received</b>
<b>6. TRADING ARRANGEMENTS</b>			
Were you, a close family member or related entity, the owner of any business (or in a position to substantially control the business) that provided goods or services to the Shire?			
<input type="checkbox"/> None			
<b>Name of person / entity or business / company</b>	<b>Goods or services provided</b>	<b>Approximate value for the reporting period</b>	<b>Terms &amp; conditions</b>
<b>7. OTHER AGREEMENTS (Construction, Consultancy, Service Contracts)</b>			
Did you, a close family member or related entity, enter into any other agreements/arrangements with the Shire (whether or not a price was charged)? This may include (but is not limited to): construction contracts, consultancy services, service contracts (such as cleaning, maintenance, security).			
<input type="checkbox"/> None			
<b>Name of person / entity or business / company</b>	<b>Nature of agreement</b>	<b>Value of agreement</b>	<b>Terms &amp; conditions</b>



## ATTACHMENT 8.5.1C

<b>8. PURCHASE OF PROPERTY</b>			
Did you, a close family member or related entity, purchase any property or other assets from the Shire (including vehicles or other plant items, land or buildings)?			
<input type="checkbox"/> None			
<b>Name of person / entity</b>	<b>Property purchased</b>	<b>Value of the purchase</b>	<b>Terms &amp; conditions</b>
<b>9. SALE OF PROPERTY</b>			
Did you, a close family member or related entity, sell any property or other assets to the Shire (including vehicles or other plant items, land or buildings)?			
<input type="checkbox"/> None			
<b>Name of person / entity</b>	<b>Property sold</b>	<b>Value of the sale</b>	<b>Terms &amp; conditions</b>
<b>10. FEES &amp; CHARGES FOR APPLICATIONS</b>			
Did you, a close family member or related entity, make an application to Council for a trading, building, planning or development application, licence or approval, or any other type of permit or licence?			
<input type="checkbox"/> None			
<b>Name of person / entity</b>	<b>Application type</b>	<b>Application and/or receipt number</b>	
<b>11. SELF SUPPORTING LOANS</b>			
Did you, a close family member or related entity, enter into a loan agreement with the Shire? For e.g. a club for which you have control			
<input type="checkbox"/> None			
<b>Name of person / entity</b>	<b>Loan details</b>	<b>Value of the loan</b>	<b>Terms &amp; conditions</b>



## ATTACHMENT 8.5.1C

<b>12. OTHER AGREEMENTS</b> Please list any other agreement or arrangement between you, a close family member or related entity that you believe is a related party transaction and should be declared.			
<input type="checkbox"/> None			
<b>Name of person / entity or business / company</b>	<b>Nature of agreement</b>	<b>Value of agreement</b>	<b>Terms &amp; conditions</b>

I declare that all information and details provided in this form are true and correct to the best of my knowledge and belief and that no known relevant information has been omitted. I have made this declaration after reading the information supplied by Council which details the meaning of the definitions to which this declaration relates.

<b>OPTION 1: <input type="checkbox"/> Handwritten Signature</b>  Signature: _____ Date: ____/____/____  Once signed please provide to the Director Corporate and Community Services.
--

*OR*

<b>OPTION 2: <input type="checkbox"/> Electronic Signature</b>  This form can be sent by email to the Director Corporate and Community Services provided the email is sent by the person making the disclosure from their work or personal (e.g. Councillors) email account.
--

# ATTACHMENT 8.5.1C

## **APPENDIX 1**

### **PROCEDURE FOR RELATED PARTY DISCLOSURES**

The scope of AASB 124 *Related Party Disclosures* was extended in July 2015 to include application by not-for-profit entities, including local governments. The operative date for Local Government is 1 July 2016, with the first disclosures to be made in the Financial Statements for year ended 30 June 2017. This procedure outlines required mechanisms to meet the disclosure requirements of AASB 124.

#### **BACKGROUND**

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

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

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

#### **1. Identification of Related Parties**

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

Related parties includes a person who has significant influence over the reporting entity, a member of the key management personnel (KMP) of the entity, or a close family member of that person who may be expected to influence that person.

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

For the purposes of determining the application of the standard, the Shire has identified the following persons as meeting the definition of *Related Party*:

- An elected Council member
- Key management personnel being a person employed under section 5.36 of the Local Government Act 1995 in the capacity of Chief Executive Officer, Director or other "Senior Staff".
- Close members of the family of any person listed above, including that person's child, spouse or domestic partner, children of a spouse or domestic partner, dependents of that person or person's spouse or domestic partner.
- Entities that are controlled or jointly controlled by a Council member, KMP or their close family members. (Entities include companies, trusts, joint ventures, partnerships and non-profit associations such as sporting clubs).

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

#### **2. Identification of related party transactions**

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

For the purposes of determining whether a related party transaction has occurred, the following transactions or provision of services have been identified as meeting this criteria:

- Paying rates
- Fines

## ATTACHMENT 8.5.1C

- Use of Shire owned facilities such as Recreation Centre, Swimming Pool, library, parks, ovals and other public open spaces (whether charged a fee or not)
- Attending council functions that are open to the public
- Employee compensation whether it is for KMP or close family members of KMP
- Application fees paid to the Shire for licences, approvals or permits
- Lease agreements for housing rental (whether for a Shire owned property or property sub-leased by the Shire through a Real Estate Agent)
- Lease agreements for commercial properties
- Monetary and non-monetary transactions between the Shire and any business or associated entity owned or controlled by the related party (including family) in exchange for goods and/or services provided by/to the Shire (trading arrangement)
- Sale or purchase of any property owned by the Shire, to a person identified above.
- Sale or purchase of any property owned by a person identified above, to the Shire
- Loan Arrangements
- Contracts and agreements for construction, consultancy or services

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

### 3. Disclosure Requirements

For the purposes of determining relevant transactions in point 2 above, elected Council members and key management personnel as identified above, will be required to complete a *Related Party Disclosures - Declaration* form for submission to financial services.

#### Ordinary Citizen Transactions (OCTs)

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

- Paying rates
- Fines
- Use of Shire owned facilities such as Recreation Centre, Civic Centre, library, parks, ovals and other public open spaces (whether charged a fee or not)
- Attending council functions that are open to the public

Where these services were not provided at arms' length and under the same terms and conditions applying to the general public, elected Council members and KMP will be required to make a declaration in the *Related Party Disclosures - Declaration* form about the nature of any discount or special terms received.

#### All other transactions

For all other transactions listed in point 2 above, elected Council members and KMP will be required to make a declaration in the *Related Party Disclosures - Declaration* form.

## ATTACHMENT 8.5.1C

### Frequency of disclosures

Elected Council members and KMP will be required to complete a *Related Party Disclosures - Declaration* form each quarter.

Disclosures must be made by all Councillors immediately prior to any ordinary or extraordinary election.

Disclosures must be made immediately prior to the termination of employment of/by a KMP.

### Confidentiality

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

### 4. Materiality

Management will apply professional judgement to assess the materiality of transactions disclosed by related parties and their subsequent inclusion in the financial statements.

In assessing materiality, management will consider both the size and nature of the transaction, individually and collectively.

### **Associated Regulatory Framework**

*AASB 124 Related Party Disclosures*

*Local Government Act 1995*

*Local Government (Financial Management) Regulations 1996*

### **Further Information**

*Related Party Disclosures - Declaration form*



## ATTACHMENT 8.5.1C

### **APPENDIX 2**

#### Close Family Members

Close family members include:

- a child, spouse or domestic partner;
- children of your spouse or domestic partner;
- dependents of you or your spouse or domestic partner;
- any other close family member;

who may be expected to influence, or be influenced by, your dealings with Council.

The following table may assist you in identifying your close family members:

Definitely a close family member	May be a close family member
Your spouse/domestic partner	Your brothers and sisters, if they could be expected to influence or be influenced by you in their dealings with Council
Your children	Your aunts, uncles and cousins, if they could be expected to influence or be influenced by you in their dealings with Council
Your dependants	Your parents and grandparents, if they could be expected to influence or be influenced by you in their dealings with Council
Children of your spouse/domestic partner	Your nieces and nephews, if they could be expected to influence or be influenced by you in their dealings with Council
Dependants of your spouse/domestic partner	Any other member of your family if they could be expected to influence or be influenced by you in their dealings with Council

There may be relationships that a Council has which are not identified in this appendix but still meet the definition of a related party.

#### **Example: Cousin of Councillor**

A Shire Councillor has lived in the Shire her whole life. In fact her family has been in the area for generations.

The Councillor's cousin owns and operates the local newsagent through a company ABC Pty Ltd, in which she owns 100% of the shares. The Councillor and her cousin have always been close and regularly socialise together.

From these facts it would appear that the Councillor's cousin is a close family member of the Councillor because she would be expected to influence, or be influenced by, that person in her dealings with Council.

Both the cousin and the company she controls would therefore be related parties of Council.

Any transactions that Council makes with the newsagent would need to be separately identified and may need to be disclosed.

## ATTACHMENT 8.5.1C

### Control in entities

#### What is an entity that I, or my close family member, control or jointly control?

Entities include companies, trusts, incorporated and unincorporated associations such as clubs and charities, joint ventures and partnerships.

You control an entity if you have

- a) power over the entity;
- b) exposure, or rights, to variable returns from involvement with the entity; and
- c) the ability to use your power over the entity to affect the amount of your returns.

To jointly control an entity there must be contractually agreed sharing of control of the entity, which exists only when decisions about the relevant activities require the unanimous consent of the parties sharing control.

In some cases it will be obvious that you or a family member control or have joint control over an entity. In other cases it will be less clear.

In some cases it will be obvious that you or a family member control or have joint control over an entity. In other cases it will be less clear.

If you are unsure whether you, or a close family member, has control or joint control of an entity then you should contact the Executive Manager Corporate Services for a confidential discussion.

#### **Example 1: Clubs or other incorporated bodies**

A Shire Councillor is the President of the local football club. The club is overseen by a committee which comprises the President and four other committee members. Each member has a single vote when making decisions at meetings. The committee members are not related and do not have agreements to vote with one another. The club has over 100 members that each have a vote in electing the committee members at the club's annual general meeting.

From these facts it would appear that the Councillor does not control or jointly control the football club so it will not be a related party of Council just because the Councillor is the president of the club.

#### **Example 2: Audit committee member**

Shire of Any where's audit committee comprises two Councillors and a local retired accountant, Fred. Fred has no other connection with Council.

The audit committee attends to the functions as required under the *Audit Regulations*. It does not make any decisions on behalf of Council but simply provides reports, with recommendations, for the President and Councillors to consider.

Based on the facts outlined Fred would not be a KMP of Council.

## ATTACHMENT 8.5.1C

### **Example 3: Son of DCEO employed by Council**

The Shire of Anywhere has recently employed Paul's son (George) in Council's parks and garden's area. Paul is Council's Deputy Chief Executive Officer but was not involved in hiring George. This process was managed by the Manager of Parks and Gardens and included an independent assessment process. Paul did not have any influence in George securing the job.

Paul has been identified as a KMP of Council, which makes him a related party.

George will also be a related party of Council because he is a close family member of Paul. The recruitment process that was undertaken for George's position is irrelevant when assessing whether George is a related party.

### **Example 4: Cousin of President - related party commonly known but omitted from declaration**

Shelley, the President of Shire of Anywhere forgets to include her cousin Mavis, and Mavis' company, when she completes her KMP declaration.

It is commonly known in the community that Shelley and Mavis are close and that Shelley would be expected to influence, or be influenced by, Mavis in her dealings with Council and vice versa.

Mavis and her company are related parties of Council, even though Shelley omitted them from her declaration.

### **Example 5: Example of control**

Fred is the President of Shire of Anywhere and owns 100% of the ordinary shares in ABC Development Company Pty Ltd (the company). The ordinary shares are the only shares in the company that have voting rights.

Fred controls the company because he has the power to affect the company's decisions and the return that he will get from the company.

Fred will need to include the company on his related party declaration.

### **Example 6: Example of joint control**

Fred is the President of Shire of Anywhere and owns 50% of the ordinary shares in ABC Development Company Pty Ltd (the company). Fred's brother Stan owns the other 50% of ordinary shares. Fred and Stan are the only Directors of the company and have equal voting rights on the board.

Fred and Stan have joint control of the company because any decisions require the unanimous consent of them both.

Fred will need to include the company on his related party declaration.

## 8.5.2 Request for Assistance – Wandering Boddington Clay Target Club

File Ref. No: CREL  
Disclosure of Interest: Nil  
Date: 12 February 2020  
Author: Graham Stanley – Director Corporate & Community Services  
Attachment: Nil

### Summary

Council is to consider a request from the Wandering-Boddington Clay Target Club for an interest-free loan of \$4,000 over a term of 4 years to be used to provide 50% of the cost of a second-hand 18kva Kubota generator.

### Background

Council has received a request for assistance from the Wandering Boddington Clay Target Club.

**From:** JohnGentle <WBCTC@hotmail.com>  
**Sent:** Sunday, January 5, 2020 8:54 PM  
**To:** Chris Littlemore <ceo@boddington.wa.gov.au>  
**Subject:** Upgrade power supply to WBCTC

Good Morning Chris,

*The Wandering Boddington Clay Target Club Inc has currently remote power supply from a 12kva generator.*

*With the inclusion of additional lighting and installation of electric clay throwing traps the above generator*

*Is operating at near capacity.*

*The generator service life in the near future will require a major overhaul to ensure reliability is maintained for the purpose of conducting our programme throughout the year.*

*The Club has received a quote of \$8000.00 for a 18kva Kubota generator with low hours (1000hrs)*

*The generator has been inspected by the club president Mr Murray Cornish and reported it was in exceptional condition. The new purchase price for the above generator is approx. \$15000.00*

*With the additional capacity this will allow all current and future needs for power supply to be meet. This will allow for more competitors to attend our complex, enjoying the rural surrounds and the communities within.*

*The Wandering Boddington Clay Target Club Inc. is seeking funds in the form of a loan to purchase the above generator.*

*Any assistance from the Shire of Boddington would be greatly appreciated to further develop our club and those who attend our complex. Thank you for your consideration in the above matter.*

Kind Regards,  
John Gentle  
Secretary  
WBCTC



When asked for an indication of the type and value of assistance requested, the club has come back to Council with this response.

**From:** John Gentle <WBCTC@hotmail.com>  
**Sent:** Wednesday, January 22, 2020 7:42 PM  
**To:** Chris Littlemore <ceo@boddington.wa.gov.au>  
**Subject:** RE: Upgrade power supply to WBCTC

Good morning Chris,  
The assistance that Wandering Boddington Clay Target Club is seeking from the Shire of Boddington is fifty percent of the purchase price with a term of four years.

With WBCTC being aligned with two shires, the Shire of Wandering has also been approached for financial assistance in purchasing the genset to upgrade our power supply.

Thank you for your consideration to present our request to the Shire of Boddington on the 20<sup>th</sup> of February.

For any queries on the above matter do not hesitate to contact Wandering Boddington Clay Target Club.

Kind Regards,  
John Gentle  
Secretary  
WBCTC

#### Comment

The Wandering Boddington Clay Target Club, whilst being located in the Wandering Shire is seen as a local organisation as it recognises Boddington in its name and has a number of members who reside in the Shire of Boddington. The request is a rather simple one of providing an interest free loan of \$4,000 repayable in 4 annual instalments of \$1,000 each. It can be easily managed with a simple loan agreement being drawn up, the funds being transferred to the Club's bank account following the signing of the loan agreement. Each year, for 4 years, an invoice would be sent to the club for the sum of \$1,000 approximately 1 month prior to the anniversary date.

The loan of \$4,000 is equal to 50% of the cost of the generator. The Shire of Wandering has been approached for a loan for the other 50%.

#### Strategic Implications

Consistent with the 2019-2029 Strategic Community Plan *Pillar 1: "A vibrant and connected community – Facilities & services that support lifelong wellbeing - 1.6 Support and diversify recreational activities for people of all ages."*

#### Statutory Environment

##### **Local Government Act 1995**

Section 2.7(2) – Provides that Council is to oversee the allocation of local government finances and resources and to determine the local government policies; and

Section 3.1 – (1) The general function of a local government is to provide for the good government of persons in its district.

(2) The scope of the general function of a local government is to be construed in the context of its other functions under this Act or any other written law and any constraints imposed by this Act or any other written law on the performance of its functions.

(3) A liberal approach is to be taken to the construction of the scope of the general function of a local government.

Policy Implications - Nil.

Financial Implications

The granting of the loan would have very little financial impact on the Shire apart from the loss of interest. Given the poor rates of return that are currently available on term deposits it would equate to less than \$200 over the 4 year term. It would have virtually no impact on the Shire's financial statements. A debtor would be created for the club meaning that Cash at Bank would be reduced by \$4,000 on the issuing of the loan and Accounts Receivable would increase by \$4,000. Each year as the payment is made the debtor account would be reduced by \$1,000 and the Cash at Bank would increase by \$1,000 until the loan is repaid.

Economic Implications – Nil

Social Implications

Providing support for local sporting and social clubs adds to the strength of our community and helps to make Boddington a more desirable place to live.

Environmental Considerations – Nil

Consultation

Discussed at Councillor Information session held 06 February 2020.

Belinda Knight, CEO Wandering Shire is putting a similar recommendation to their February Council meeting for the other 50%.

Options

Council can resolve to:

1. adopt the recommendations;
2. adopt the recommendations with further amendments; or
3. not accept the recommendation, giving reasons.

Voting Requirements - Simple Majority

COUNCIL RESOLUTION

Moved: Cr

That Council resolves:

1. To provide an interest free loan of \$4,000 to the Wandering Boddington Clay Target Club to be used to fund 50% of the purchase cost an 18kva generator with the loan to be repaid by 4 annual instalments of \$1,000 each, with the first payment due 12 months from the date of signing the agreement.

### 8.5.3 Proposed Change to Pool Opening Hours

File Ref. No: CSERV010  
Disclosure of Interest: Nil  
Date: 13 February 2020  
Author: Graham Stanley – Director Corporate & Community Services  
Attachment: Nil

#### Summary

Council is to consider a proposal to change the Boddington Swimming Pool Opening Hours.

#### Background

At the Annual General Meeting of Electors held on 6 February 2020, a request was received for Council to consider varying the pool opening hours so that on “early opening” days the morning session is extended until 10am and the reopening of the pool for the afternoon session is put back 1 hour to 1.00pm on all days the pool is open.

#### Comment

The current opening hours for the pool are as follows:

<b>Monday</b>	6am-8am; 12pm-7pm
<b>Wednesday</b>	12pm-7pm
<b>Thursday</b>	6am-8am; 12pm-7pm
<b>Friday</b>	6am -8am; 12pm-7pm
<b>Saturday</b>	12pm-7pm
<b>Sunday</b>	12pm-7pm
Closed on Tuesdays	

Under the proposal the new pool opening hours will be as follows:

<b>Monday</b>	6am-10am; 1pm-7pm
<b>Wednesday</b>	1pm-7pm
<b>Thursday</b>	6am-10am; 1pm-7pm
<b>Friday</b>	6am -10am; 1pm-7pm
<b>Saturday</b>	1pm-7pm
<b>Sunday</b>	1pm-7pm
Closed on Tuesdays	

The idea behind the change to hours is allow mothers with young children an opportunity to swim in the morning once they have dropped their kids off to school as usually they don't have that opportunity as they are getting their kids ready for school. The proposed change to opening hours will not result in any more or less opening hours for the pool therefore the cost to council will be nil as the two additional hours on Early Opening Days is offset by the reduction of one hour in the afternoon session on all days.

#### Strategic Implications

Consistent with the 2019-2029 Strategic Community Plan *Pillar 1: "A vibrant and connected community – Facilities & services that support lifelong wellbeing - 1.6 Support and diversify recreational activities for people of all ages."*

#### Statutory Environment

##### **Local Government Act 1995**

Section 2.7(2) – Provides that Council is to oversee the allocation of local government finances and resources and to determine the local government policies; and

Section 3.1 – (1) The general function of a local government is to provide for the good government of persons in its district.

(2) The scope of the general function of a local government is to be construed in the context of its other functions under this Act or any other written law and any constraints imposed by this Act or any other written law on the performance of its functions.

(3) A liberal approach is to be taken to the construction of the scope of the general function of a local government.

Policy Implications - Nil.

#### Financial Implications

There is no additional cost as overall opening hours are unchanged. The extended morning session should result in increased usage of the pool which should result in a small increase in pool revenue.

Economic Implications – Nil

#### Social Implications

The proposed change to pool hours should make the pool more accessible to the public resulting in an improved service.

Environmental Considerations – Nil

## Consultation

Discussed with Boddington Pool Manager, Mat Mildwaters, who is very keen for the change to occur. Mat advises that generally the first hour of opening in the afternoon session the pool is very quiet and he usually spends it cleaning the pool & surrounds. He has spoken with an elderly couple who do use the pool between 12 & 1 and they had no objection to the later start. Mat is of the opinion that extending the morning session will definitely increase pool attendances. He said that the only time the later start to the afternoon session would be on hot very hot days on weekends and as he would still be at the pool he would be prepared to open early on those days if sufficient numbers were turned up early.

It is suggested that the change to hours be implemented from Thursday 27<sup>th</sup> February which would allow it to be advertised in the next edition of the Bodd News.

## Options

Council can resolve to:

1. adopt the recommendations;
2. adopt the recommendations with further amendments; or
3. not accept the recommendation, giving reasons.

Voting Requirements - Simple Majority

OFFICER'S RECOMMENDATION – ITEM 8.5.3
---------------------------------------

That Council resolves:

To implement new opening hours for the Boddington Swimming Pool as follows:

Monday	6am-10am; 1pm-7pm
Wednesday	1pm-7pm
Thursday	6am-10am; 1pm-7pm
Friday	6am -10am; 1pm-7pm
Saturday	1pm-7pm
Sunday	1pm-7pm
Closed on Tuesdays	

and to advertise the changes in the Bodd News and on the Council website & facebook page to take effect from Thursday 27 February 2020.

## 8.6 CHIEF EXECUTIVE OFFICER:

### 8.6.1 Action Sheet

Disclosure of Interest: Nil  
Date: 14 February 2020  
Author: Chris Littlemore

#### Purpose of Report

To bring forward Councillors information the Action Report with actions taken on previous Council resolutions.

Meeting Date	Resolution Number	Responsible Officer	Subject	Date Completed	Comments Current Status
23/1/20	5/20	CEO	Councillor Representation – Committee Appointments	24/1/20	Completed. Note: Cr McGrath resigned from PHCC committee
23/1/20	6/20	CEO	Resignation Cr Glynn	25/1/20	AEC conducting the Election by postal vote. Notice of Enrolment advertised.
23/1/20	7/20	CEO	Application for the Keeping of Dogs	24/1/20	Completed. Letter sent to Applicant
23/1/20	8/20	CEO	Boddington Green Canopy Project	Pending	Advertised interest. Subcommittee pending.

For information only.

8.6.2	Actions Performed Under Delegated Authority for the Month of January 2020
-------	---

File Ref. No: ADM0686  
 Disclosure of Interest: Nil  
 Date: 17 February 2020  
 Author: Chief Executive Officer  
 Attachments: Nil

Summary

To report back to Council actions performed under delegated authority for the month of January 2020.

Background

There is no specific requirement to report on actions performed under delegated authority. But to increase transparency this report has been prepared for Council and includes all actions performed under delegated authority for the month of January 2020.

Affixing of Common Seal

One off delegations to the Chief Executive Officer;

Authorisation to call Tender

Building Permits issued;

Health Approvals issued;

Development Approvals issued

Subdivision

Land Administration

Comment

The following tables outline the action performed within the organization relative to delegated authority for the month of January 2020 and are submitted to Council for information.

Common Seal	
Date Affixed	Documentation

Authorisation to call Tenders	
Date	Action



One off Delegation	
Date Affixed	Documentation
14/1/20	10 x agreements Shire of Boddington and Water Corporation
30/1/20	Invoice 14479 Street Lights invoice short paid by \$6.00
30/1/20	Invoice 14123 Hire of Rec Centre - invoice was short paid by 20 cents.

Peter Haas - PEHO			
Building Applications			
Application No.	Applicant	Lot & Street	Type of Building Work
3227	Suez Recycling & Recovery (North Bannister Pty Ltd) 116 Kurnall Road Welshpool	Lot 2 No. 6364 Albany Highway North Bannister	Occupancy Permit Storage/Machinery/Workshop/Shed
3273	L Lumsden 1 Pecan Place Boddington	Lot 153 No 1 Pecan place Boddington	Garage/shed
3275	E & C Schreiber 51 Bannister Road Boddington	Lot 1 No 51 Bannister Road Boddington	Solar Panel Post office
3276	A & H Passmore 6 Knutsford Street Swanbourne	Lot 5 No 101 Reserve Road Boddington	Dwelling
<b>Health- Nil</b>			

Steve Thompson - Town Planning Consultant			
Development Approvals			
Application No.	Applicant	Lot & Street	Type of Approval
A172	Southwind/Bodiga	Lot 50 on Plan 72996 (No. 36) Bannister Road, Boddington	Proposed office and entry cover/canopy
Subdivision Applications			
Application No.	Applicant	Lot & Street	Action
Land Administration			
Application No.	Applicant	Lot & Street	Action

Strategic Implications – Nil

Statutory Environment

Regulation 19 of the *Local Government (Administration) Regulations 1996* requires delegates to keep a record of each occasion on which they exercise the powers or discharge the duties delegated to them.

Policy Implications - Nil  
Financial Implications - Nil  
Economic Implications – Nil  
Social Implications - Nil  
Environmental Considerations – Nil  
Consultation - Nil

Voting Requirements – Simple Majority

## OFFICER'S RECOMMENDATION – ITEM 8.6.2

That Council accept the report outlining the actions performed under delegated authority for the month of January 2020.

### 8.6.3 Southern Dirt Funding Commitment

File Ref. No:	Envn 001
Disclosure of Interest:	Nil
Date:	17 February 2020
Author:	Chris Littlemore – Chief Executive Officer
Attachment:	Nil

#### Summary

Council is to consider a three-year funding commitment for Southern Dirt's Peel Hub.

#### Background

Southern Dirt CEO Tracey Hodgkins presented to Councillor Information Session in September 2019. The gist of the presentation was to provide Council with information concerning their proposed activities in the Boddington District over the next few years and to seek Council support.

#### Comment

On 12 February 2020 Southern Dirt contacted Council to advise that they had received State Government commitment to fund their project in the Peel district.

Given the importance of agricultural industries to the local economy it makes very good sense for Council to support the operations of a Southern Dirt Peel Hub. Southern Dirt is also advised that they have a farmer representative from Boddington providing input into the activities of the Peel Hub.

Strategic Implications: - Business promotion and diverse if occasion of economic growth are key elements of Strategic Community Plan.

Policy Implications - Nil

Financial Implications - Funds are available in this year's economic development budget.

Economic Implications The introduction of a branch of Southern Dirt committed to advancing agriculture the district will have positive implications.

Social Implications – N/A

Environmental Considerations - Nil

Consultation: - Councillors

### Options

Council can:

1. adopt the recommendation/s;
2. adopt the recommendation/s with further amendments; or
3. not accept the recommendation/s, giving reasons..

Voting Requirements - Simple Majority

## OFFICER'S RECOMMENDATION – ITEM 8.6.3

That Council commit to \$5,000 annual financial support for Southern Dirt for a period of 3 years

## 8.6.4 2<sup>nd</sup> Acquisitive Sculpture Competition

File Ref. No:	ADM 0081
Disclosure of Interest:	Nil
Date:	17 February 2020
Author:	Chris Littlemore
Attachments:	Nil

### Summary

Council is to consider holding a second sculpture competition.

### Background

Council's efforts to create a significant number of sculpture pieces through sponsorship of an Artist in Residence Program (AiRP) and the holding of an acquisitive sculpture competition in 2019 has been very successful.

### Comment

Council learned significant lessons from the inaugural event which will hold it in good stead for the running of a second sculpture competition.

In order to continue to attract entries from talented sculptors, Council should to consider offering a substantial prizes. It is suggested that the following prize pool is consistent with offerings from other established competitions.

Prize table:

Category	1 <sup>st</sup> Prize (acquisitive)	2 <sup>nd</sup> Prize (acquisitive)	People's Choice (Non-Acquisitive)
Open Theme	\$10,000	\$6,000	\$250
Local Sculptor	\$4,000	\$2,000	\$250
Junior Sculptor (>18)	\$750	\$300	\$250
<b>Total</b>			\$23,800

An appropriate timeframe to allow sculptors sufficient time to create worthy pieces is suggested as follows:

Applications open	1 March 2020
Applications close	1 October 2020
Finalist notified	4 October 2020
Installation of sculptures	7 October to 30 October
Exhibition opening on	1 November 2020
Exhibition closes	31 March 2021

Council also has the opportunity to defray some of its prize-money expenses through consignment sales of non-winning entries during the period of the exhibition from November through March.

Conditions of entry:

1. Sculptors may submit up to 3 entries for selection as finalists in any category.
2. Sculptures submitted must be the original work of the sculptor and completed in the 12 months prior to the closing date.
3. Entries must be available for acquisition by Boddington Shire Council in exchange for the prize amount (except encouragement prizes).
4. Sculptures must be made of durable materials to ensure they can withstand the elements as long term external exhibits.
5. OH & S - Sculptures selected as finalists for the prize must not represent any risk or danger to the viewing public or any other person.
6. Installation and removal is the responsibility of the exhibitor.
7. All care will be taken whilst the sculptures are in Boddington but insurance is the responsibility of the sculptor.
8. All entries will be assessed for creativeness, suitability, durability and workmanship.
9. All accepted finalist sculptures must be available for viewing at Boddington Sculpture Park from 1 November 2020 through 31 March 2021.
10. All non-winning sculptures to be collected by artists or authorised agent by no later than 30 April 2020.
11. Any sculpture not collected by the due date becomes the property of Boddington Shire Council
12. Sculptures not winning a prize will be made available for sale during the exhibition, with sculptors nominating a sale price inc GST if applicable with 20% commission being payable to Council on pieces sold.
13. Judges decision is final and no correspondence will be entered into.
14. Sculptors may display for sale up to 2 pieces which are not entries in the competition. Sculptors will nominate a sale price inc GST if applicable with 30% commission being

payable to Council on pieces sold during the period that the sculptures are on display in Boddington.

Council may elect to broaden the depth of the judging panel by including Shire President, Len Zuks, Council CEO, a representative from the Boddington Arts Council and a representative from Regional Arts WA.

Strategic Implications – This project is consistent with Council’s long-term vision to attract more visitors to the district.

Statutory Environment - Nil

Policy Implications - Nil

Financial Implications - Council would need to include provision in the forthcoming budget.

Economic Implications - Nil

Social Implications - Nil

Environmental Considerations – Nil

Consultation: Councillors and public survey.

#### Options

Council can resolve to:

1. accept the Officer’s Recommendation; or
2. amend the Officer’s Recommendation; or
3. not accept the Officer’s Recommendation, giving reasons..

Voting Requirements – Simple Majority

OFFICER’S RECOMMENDATION – ITEM 8.6.4
---------------------------------------

That Council resolve to:

1. Hold an acquisitive sculpture competition in conjunction with the Boddington Lions Rodeo 2020;
2. Provide prize funds of \$23,800 in the 2020/21 budget;
3. Authorise the CEO to vary the conditions of entry as outlined in the report should it be necessary.
4. Authorise the CEO to form a judging panel as outlined in the report.

9. ELECTED MEMBERS' MOTION OF WHICH PREVIOUS MOTION HAS BEEN GIVEN:

Nil at this time.

10. URGENT BUSINESS WITHOUT NOTICE WITH THE APPROVAL OF THE PRESIDENT OR MEETING:

Nil at this time.

11. CONFIDENTIAL ITEM:

Nil

12. CLOSURE OF MEETING: