



# **UNCONFIRMED MINUTES**

**OF THE**

**AUDIT AND RISK COMMITTEE MEETING**

**14 FEBRUARY 2023**

These minutes were confirmed at a meeting held and signed below by the Presiding Person, at the meeting these minutes were confirmed.

Signed:

**SHIRE OF BROOME**  
**AUDIT AND RISK COMMITTEE MEETING**  
**TUESDAY 14 FEBRUARY 2023**  
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**MINUTES OF THE AUDIT AND RISK COMMITTEE MEETING OF THE SHIRE OF BROOME,  
HELD IN THE COUNCIL CHAMBERS, CORNER WELD AND HAAS STREETS, BROOME,  
ON TUESDAY 14 FEBRUARY 2023, COMMENCING AT 3:00PM.**

**1. OFFICIAL OPENING**

The Chair welcomed Councillors and officers and declared the meeting open at 3:01 PM.

**2. ATTENDANCE AND APOLOGIES**

**ATTENDANCE**

<b>Members:</b>	Cr D Male Cr C Mitchell Cr B Rudeforth	Chair, Deputy Shire President  Via Teams
<b>Apologies:</b>	Nil	
<b>Leave of Absence:</b>	Nil	
<b>Officers:</b>	Mr S Mastrolembo Mr J Hall Mr J Watt Mr K Williams Ms E French Mr D Kennedy	Chief Executive Officer Director Infrastructure Services Director Corporate Services Director Development Manager Finance Manager Strategy Governance & Risk

**3. DECLARATIONS OF FINANCIAL INTEREST / IMPARTIALITY**

Committee Member	Item No	Item	Nature of Interest
Cr Desiree Male	5.4	2 <sup>nd</sup> Quarter Finance and Costing Review	Financial – Broome Turf Club is a client of my business

**4. CONFIRMATION OF MINUTES**

**COMMITTEE RESOLUTION:**

**Minute No. AR/0223/001**

**Moved: Cr C Mitchell**

**Seconded: Cr B Rudeforth**

***That the Minutes of the Audit and Risk Committee held on 12 December 2022, as published and circulated, be confirmed as a true and accurate record of that meeting, subject to correction of the date in the confirmation of minutes resolution at item 4, by deleting “8 November” and inserting “27 April”.***

**CARRIED UNANIMOUSLY 3/0**

## 5. REPORTS OF OFFICERS

### 5.1 COMPLIANCE AUDIT RETURN 2022

<b>LOCATION/ADDRESS:</b>	Nil
<b>APPLICANT:</b>	Nil
<b>FILE:</b>	LCR02
<b>AUTHOR:</b>	Senior Governance & Administration Officer
<b>CONTRIBUTOR/S:</b>	Manager Governance, Strategy & Risk
<b>RESPONSIBLE OFFICER:</b>	Director Corporate Services
<b>DISCLOSURE OF INTEREST:</b>	Nil

#### SUMMARY:

The purpose of this report is to present to the Audit and Risk Committee (ARC) the 2022 Compliance Audit Return (CAR) for review, and to request that the ARC recommend that Council adopt the 2022 CAR for submission to the Department of Local Government, Sport and Cultural Industries (DLGSC) by 31 March 2023.

## BACKGROUND

### Previous Considerations

Local governments are required to complete a compliance audit for the previous calendar year by the 31 March. The DLGSC provides the questions each year with the compliance audit being an in-house self audit that is undertaken by the appropriate responsible officer.

In accordance with Regulation 14 of the *Local Government (Audit) Regulations 1996* the ARC is to review the CAR and is to report to Council the results of that review. The CAR is to be:

1. presented to an Ordinary Meeting of Council
2. adopted by Council; and
3. recorded in the minutes of the meeting at which it is adopted.

Following the adoption by Council of the CAR, a certified copy of the return, along with the relevant section of the minutes and any additional information detailing the contents of the return are to be submitted to the DLGSC by 31 March 2023.

The return requires the Shire President and the Chief Executive Officer to certify that the statutory obligations of the Shire of Broome have been complied with.

## COMMENT

The DLGSC continues to focus on high risk areas of compliance and statutory reporting as prescribed in Regulation 13 of the *Local Government (Audit) Regulations 1996*.

The CAR for the period 1 January to 31 December 2022 comprises a total of 94 questions, down from 98 questions the previous year. The majority of questions are similar to the previous year with the removal of four questions relating to the adoption of a mandatory Code of Conduct for elected members, committee members and employees in 2021 and

one question in relation to CEO recruitment. A new question has been added in relation to the complaints register.

The key focus areas covered in the CAR are as follows:

Focus Area	2021 Q's	2022 Q's	Comments
Commercial Enterprises by Local Governments	5	5	No change.
Delegation of Power/Duty	13	13	No change.
Disclosure of Interest	25	21	Four questions were only applicable up until 2 Feb 2021 prior to the mandatory code of conduct for council members, committee members and candidates being implemented, therefore have been removed.
Disposal of Property	2	2	No change.
Elections	3	3	No change.
Finance	7	7	No change.
Integrated Planning and Reporting	3	3	No change.
Local Government Employees	6	5	Question removed in relation to Admin Reg 18C and the process for recruiting the CEO.
Official Conduct	3	4	New question relating to complaints register content.  Reference to senior employee removed from question one (1).
Optional Questions	9	9	The word 'Financial' has been added to question two (2) between the words 'three' and 'years'.
Tenders for Providing Goods and Services	22	22	No changes.
<b>Total</b>	<b>98</b>	<b>94</b>	

During 2022, responsible officers monitored compliance in each of the focus areas through the Shire's cloud-based compliance system, Attain. This has continued to increase the awareness of compliance obligations and allowed the capture of compliance evidence in one central repository throughout the year. This compliance system reduces the risk of non-compliance and streamlines compilation of the annual return.

A compliance rating of 96% has been achieved for 2022 with two minor non compliances identified below, however these are a result of the Office of Auditor General (OAG) not supplying the auditor's report by 31 December 2022. The DLGSC were notified of this on 14 December 2022.

Focus Area	Question	Comments
Finance	Was the auditor's report for the financial year ended 30 June 2022	The Office of the Auditor General (OAG) advised that the auditor's report will be

	received by the local government by 31 December 2022?	completed Feb/March 2023. DLGSC were notified 14 December 2022.
Finance	Was the auditor's report for the financial year ending 30 June 2022 received by the local government within 30 days of completion of the audit?	The Office of the Auditor General (OAG) advised that the auditor's report will be completed Feb/March 2023. DLGSC were notified 14 December 2022.

The CAR result continues the Shire's strong history of compliance with the requirements of the *Local Government Act (1995)*, with minimal non compliances reported over the last 5 years and none of a significant risk nature.

It is important to emphasise that the CAR is limited in scope.

Local Governments are also required to comply with upwards of 200 other pieces of legislation. The use of the Attain Compliance system during 2022 provided the ability to continually improve the monitoring and assurance of other significant pieces of legislation on a prioritised basis.

## CONSULTATION

Department of Local Government, Sport and Cultural Industries.

## STATUTORY ENVIRONMENT

### **Local Government (Audit) Regulations 1996**

#### **14. Compliance audits by local governments**

- (1) A local government is to carry out a compliance audit for the period 1 January to 31 December in each year.
- (2) After carrying out a compliance audit the local government is to prepare a compliance audit return in a form approved by the Minister.
- (3A) The local government's audit committee is to review the compliance audit return and is to report to the council the results of that review.
- (3) After the audit committee has reported to the council under subregulation (3A), the compliance audit return is to be —
  - (a) presented to the council at a meeting of the council; and
  - (b) adopted by the council; and
  - (c) recorded in the minutes of the meeting at which it is adopted.

#### **15. Compliance audit return, certified copy of etc. to be given to Departmental CEO**

- (1) After the compliance audit return has been presented to the council in accordance with regulation 14(3) a certified copy of the return together with —
  - (a) a copy of the relevant section of the minutes referred to in regulation 14(3)(c); and
  - (b) any additional information explaining or qualifying the compliance audit,

is to be submitted to the Departmental CEO by 31 March next following the period to which the return relates.

**POLICY IMPLICATIONS**

Nil.

**FINANCIAL IMPLICATIONS**

Nil.

**RISK**

There is a reputational risk with the DLGSC should the CAR not be completed on time or if significant non compliances are reported.

The likelihood of this occurring is rare.

**STRATEGIC ASPIRATIONS**

**Performance - We will deliver excellent governance, service & value for everyone.**

**Outcome 11 - Effective leadership, advocacy and governance**

**Objective** 11.2 Deliver best practice governance and risk management.

**VOTING REQUIREMENTS**

*Simple Majority*

**COMMITTEE RESOLUTION:**

**(REPORT RECOMMENDATION)**

**Minute No. AR/0223/002**

**Moved: Cr C Mitchell**

**Seconded: Cr B Rudeforth**

***That the Audit and Risk Committee recommends that Council:***

- 1. Adopt the attached 2022 Compliance Audit Return as the official return for the Shire of Broome; and***
- 2. Requests the Chief Executive Officer to submit the certified return and a copy of the minutes relative to this report to the Department of Local Government, Sport and Cultural Industries prior to 31 March 2023.***

**CARRIED UNANIMOUSLY 3/0**

**Attachments**

1. Compliance Audit Return 2022



## Compliance Audit Return 2022

Commercial Enterprises by Local Governments					
No	Reference	Question	Response	Comments	Respondent
1	s3.59(2)(a) F&G Regs 7,9,10	Has the local government prepared a business plan for each major trading undertaking that was not exempt in 2022?	N/A	No major trading undertaking considered by Council during 2022. SAGO On behalf of Manager Governance, Strategy and Risk (MGSR).	Kristen Cookson
2	s3.59(2)(b) F&G Regs 7,8A, 8, 10	Has the local government prepared a business plan for each major land transaction that was not exempt in 2022?	Yes	Business Plan for the Sanctuary Road Caravan Park prepared and released April 2022. SAGO on behalf of MGSR.	Kristen Cookson
3	s3.59(2)(c) F&G Regs 7,8A, 8, 10	Has the local government prepared a business plan before entering into each land transaction that was preparatory to entry into a major land transaction in 2022?	Yes	Business Plan for the Sanctuary Road Caravan Park prepared and released April 2022. SAGO on behalf of MGSR.	Kristen Cookson
4	s3.59(4)	Has the local government complied with public notice and publishing requirements for each proposal to commence a major trading undertaking or enter into a major land transaction or a land transaction that is preparatory to a major land transaction for 2022?	Yes	Business Plan advertised in the West 31/8/2022, Broome Advertiser 1/9/2022 and on the Shire website. SAGO on behalf of MGSR.	Kristen Cookson
5	s3.59(5)	During 2022, did the council resolve to proceed with each major land transaction or trading undertaking by absolute majority?	Yes	OMC 17 November 2022 C/1122/141 Council resolved to proceed with the Sanctuary Road Caravan Park, Key Worker and Over 55s Village Business Plan. SAGO on behalf of MGSR.	Kristen Cookson

Delegation of Power/Duty					
No	Reference	Question	Response	Comments	Respondent
1	s5.16	Were all delegations to committees resolved by absolute majority?	Yes	The Behavioural Complaints Committee established in 2021 is the only Committee with delegated authority. This was provided by Absolute Majority C/0422/017. SAGO on behalf of MGSR.	Kristen Cookson
2	s5.16	Were all delegations to committees in writing?	Yes	Provided at OMC 28 April 2022 - C/0422/017. SAGO on behalf of MGSR.	Kristen Cookson
3	s5.17	Were all delegations to committees within the limits specified in section 5.17 of the <i>Local Government Act 1995</i> ?	Yes	Behavioural Complaints Committee has delegated authority under Clause 12 and 13 of the Code of Conduct to deal with and / or dismiss a complaint. SAGO on behalf of MGSR.	Kristen Cookson
4	s5.18	Were all delegations to committees recorded in a register of delegations?	Yes	Behavioural Complaints Committee delegated authority contained within the Shire delegation register maintained in Attain. SAGO on behalf of MGSR.	Kristen Cookson
5	s5.18	Has council reviewed delegations to its committees in the 2021/2022 financial year?	Yes	Reviewed and approved by Council at the 28 April 2022 OMC - C/0422/017. SAGO on behalf of MGSR.	Kristen Cookson
6	s5.42(1) & s5.43 Admin Reg 18G	Did the powers and duties delegated to the CEO exclude those listed in section 5.43 of the <i>Local Government Act 1995</i> ?	Yes	Delegations register aligned to WALGA Delegations register template. No delegations in breach of s5.43 of LGA or s214 of Planning and Development Act 2005 provided. SAGO on behalf of MGSR.	Kristen Cookson
7	s5.42(1)	Were all delegations to the CEO resolved by an absolute majority?	Yes	Reviewed and approved by Council at the 28 April 2022 OMC - C/0422/017. SAGO on behalf of MGSR.	Kristen Cookson



8	s5.42(2)	Were all delegations to the CEO in writing?	Yes	Delegation register maintained in the cloud based Attain compliance system which provides electronic delivery of each delegation. SAGO on behalf of MGSR.	Kristen Cookson
9	s5.44(2)	Were all delegations by the CEO to any employee in writing?	Yes	Delegation register maintained in the cloud based Attain compliance system which provides electronic delivery to each officer with delegation. SAGO on behalf of MGSR.	Kristen Cookson
10	s5.16(3)(b) & s5.45(1)(b)	Were all decisions by the council to amend or revoke a delegation made by absolute majority?	Yes	OMC 28 April 2022 - C/0422/017 Annual review OMC 25 August 2022 - C/0822/109 reinstatement of delegation 5.1.10. SAGO on behalf of MGSR.	Kristen Cookson
11	s5.46(1)	Has the CEO kept a register of all delegations made under Division 4 of the Act to the CEO and to employees?	Yes	Delegation register maintained in the Attain online compliance system. SAGO on behalf of MGSR.	Kristen Cookson
12	s5.46(2)	Were all delegations made under Division 4 of the Act reviewed by the delegator at least once during the 2021/2022 financial year?	Yes	Reviewed and approved by Council at the 28 April 2022 OMC - C/0422/017. SAGO On behalf of MGSR.	Kristen Cookson
13	s5.46(3) Admin Reg 19	Did all persons exercising a delegated power or duty under the Act keep, on all occasions, a written record in accordance with Local Government (Administration) Regulations 1996, regulation 19?	Yes	As far as can be ascertained. All delegations require delegate and/or sub delegate to maintain appropriate records in the Shire's Records Management System or in Attain. SAGO on behalf of MGSR.	Kristen Cookson

**Disclosure of Interest**

No	Reference	Question	Response	Comments	Respondent
1	s5.67	Where a council member disclosed an interest in a matter and did not have participation approval under sections 5.68 or 5.69 of the <i>Local Government Act 1995</i> , did the council member ensure that they did not remain present to participate in discussion or decision making relating to the matter?	Yes	Yes. Recorded in the minutes accordingly.	Kristen Cookson
2	s5.68(2) & s5.69(5) Admin Reg 21A	Were all decisions regarding participation approval, including the extent of participation allowed and, where relevant, the information required the Local Government (Administration) Regulations 1996 regulation 21A, recorded in the minutes of the relevant council or committee meeting?	N/A	No participation approval required for any decisions.	Kristen Cookson
3	s5.73	Were disclosures under section sections 5.65, 5.70 or 5.71A(3) of the <i>Local Government Act 1995</i> recorded in the minutes of the meeting at which the disclosures were made?	Yes	All interest disclosures recorded in minutes and Synergy.	Kristen Cookson
4	s5.75 Admin Reg 22, Form 2	Was a primary return in the prescribed form lodged by all relevant persons within three months of their start day?	Yes	Yes, primary and annual returns recorded and managed in Attain.	Kristen Cookson
5	s5.76 Admin Reg 23, Form 3	Was an annual return in the prescribed form lodged by all relevant persons by 31 August 2022?	Yes	All annual returns lodged and recorded in Attain.	Kristen Cookson
6	s5.77	On receipt of a primary or annual return, did the CEO, or the mayor/president, give written acknowledgment of having received the return?	Yes	Managed in the Attain system.	Kristen Cookson
7	s5.88(1) & (2)(a)	Did the CEO keep a register of financial interests which contained the returns lodged under sections 5.75 and 5.76 of the <i>Local Government Act 1995</i> ?	Yes	Managed in the Attain system.	Kristen Cookson
8	s5.88(1) & (2)(b) Admin Reg 28	Did the CEO keep a register of financial interests which contained a record of disclosures made under sections 5.65, 5.70, 5.71 and 5.71A of the <i>Local Government Act 1995</i> , in the form prescribed in the Local Government (Administration) Regulations 1996, regulation 28?	Yes	Recorded in File GOC02 within Synergy.	Kristen Cookson
9	s5.88(3)	When a person ceased to be a person required to lodge a return under sections 5.75 and 5.76 of the <i>Local Government Act 1995</i> , did the CEO remove from the register all returns relating to that person?	Yes	Managed in Attain system, removed from File GOC02 to GOC02.3 for retention of 5 years.	Kristen Cookson
10	s5.88(4)	Have all returns removed from the register in accordance with section 5.88(3) of the Local Government Act 1995 been kept for a period of at least five years after the person who lodged the return(s) ceased to be a person required to lodge a return?	Yes	Managed in Attain system.	Kristen Cookson
11	s5.89A(1), (2) & (3) Admin Reg 28A	Did the CEO keep a register of gifts which contained a record of disclosures made under sections 5.87A and 5.87B of the Local Government Act 1995, in the form prescribed in the Local Government (Administration) Regulations 1996, regulation 28A?	N/A	No gifts disclosed in 2022.	Kristen Cookson
12	s5.89A(5) & (5A)	Did the CEO publish an up-to-date version of the gift register on the local government's website?	N/A	Register not required to be updated due to no gift disclosures in 2022.	Kristen Cookson

13	s5.89A(6)	When people cease to be a person who is required to make a disclosure under section 5.87A or 5.87B of the Local Government Act 1995, did the CEO remove from the register all records relating to those people?	N/A	No gifts were disclosed for any people ceasing to be a person required to disclose.	Kristen Cookson
14	s5.89A(7)	Have copies of all records removed from the register under section 5.89A(6) Local Government Act 1995 been kept for a period of at least five years after the person ceases to be a person required to make a disclosure?	N/A	No records required to be removed.	Kristen Cookson
15	s5.70(2) & (3)	Where an employee had an interest in any matter in respect of which the employee provided advice or a report directly to council or a committee, did that person disclose the nature and extent of that interest when giving the advice or report?	N/A	No such disclosures made in 2022.	Kristen Cookson
16	s5.71A & s5.71B(5)	Where council applied to the Minister to allow the CEO to provide advice or a report to which a disclosure under s5.71A(1) of the Local Government Act 1995 relates, did the application include details of the nature of the interest disclosed and any other information required by the Minister for the purposes of the application?	N/A	No gifts received.	Kristen Cookson
17	s5.71B(6) & s5.71B(7)	Was any decision made by the Minister under subsection 5.71B(6) of the Local Government Act 1995 recorded in the minutes of the council meeting at which the decision was considered?	N/A	No gifts received.	Kristen Cookson
18	s5.104(1)	Did the local government prepare and adopt, by absolute majority, a code of conduct to be observed by council members, committee members and candidates within 3 months of the prescribed model code of conduct coming into operation (3 February 2021)?	Yes	Adopted OMC 29 April 2021. Resolution C/0421/009.	Kristen Cookson
19	s5.104(3) & (4)	Did the local government adopt additional requirements in addition to the model code of conduct? If yes, does it comply with section 5.104(3) and (4) of the Local Government Act 1995?	N/A	The Mandatory Code of Conduct as legislated was adopted without any additional requirements.	Kristen Cookson
20	s5.104(7)	Has the CEO published an up-to-date version of the code of conduct for council members, committee members and candidates on the local government's website?	Yes	Published 3 May 2021 following adoption at the April Ordinary Meeting of Council.	Kristen Cookson
21	s5.51A(1) & (3)	Has the CEO prepared and implemented a code of conduct to be observed by employees of the local government? Has the CEO published an up-to-date version of the code of conduct for employees on the local government's website?	Yes	Code of Conduct for Employees was approved by the CEO 17 February 2021. Up to date version published on website.	Kristen Cookson

#### Disposal of Property

No	Reference	Question	Response	Comments	Respondent
1	s3.58(3)	Where the local government disposed of property other than by public auction or tender, did it dispose of the property in accordance with section 3.58(3) of the Local Government Act 1995 (unless section 3.58(5) applies)?	Yes	SAGO on behalf of Senior Property and Leasing Officer.	Kristen Cookson
2	s3.58(4)	Where the local government disposed of property under section 3.58(3) of the Local Government Act 1995, did it provide details, as prescribed by section 3.58(4) of the Act, in the required local public notice for each disposal of property?	Yes	SAGO on behalf of Senior Property and Leasing Officer.	Kristen Cookson

#### Elections

No	Reference	Question	Response	Comments	Respondent
1	Elect Regs 30G(1) & (2)	Did the CEO establish and maintain an electoral gift register and ensure that all disclosure of gifts forms completed by candidates and donors and received by the CEO were placed on the electoral gift register at the time of receipt by the CEO and in a manner that clearly identifies and distinguishes the forms relating to each candidate in accordance with regulations 30G(1) and 30G(2) of the Local Government (Elections) Regulations 1997?	N/A	No election took place in 2022.	Kristen Cookson
2	Elect Regs 30G(3) & (4)	Did the CEO remove any disclosure of gifts forms relating to an unsuccessful candidate, or a successful candidate that completed their term of office, from the electoral gift register, and retain those forms separately for a period of at least two years in accordance with regulation 30G(4) of the Local Government (Elections) Regulations 1997?	N/A	No election took place in 2022.	Kristen Cookson
3	Elect Regs 30G(5) & (6)	Did the CEO publish an up-to-date version of the electoral gift register on the local government's official website in accordance with regulation 30G(5) of the Local Government (Elections) Regulations 1997?	N/A	No election took place in 2022.	Kristen Cookson

#### Finance

No	Reference	Question	Response	Comments	Respondent
1	s7.1A	Has the local government established an audit committee and appointed members by absolute majority in accordance with section 7.1A of the Local Government Act 1995?	Yes	Audit Committee members appointed following October 2021 election at SMC held 28 October 2021. SAGO on behalf of MFS.	Kristen Cookson

2	s7.1B	Where the council delegated to its audit committee any powers or duties under Part 7 of the <i>Local Government Act 1995</i> , did it do so by absolute majority?	N/A	No delegated authority. SAGO on behalf of MFS.	Kristen Cookson
3	s7.9(1)	Was the auditor's report for the financial year ended 30 June 2022 received by the local government by 31 December 2022?	No	No. Office of the Auditor General (OAG) advised the auditor's report will be completed Feb/March 2023. DLGSC were notified 14 December 2022. SAGO on behalf of MFS.	Kristen Cookson
4	s7.12A(3)	Where the local government determined that matters raised in the auditor's report prepared under section 7.9(1) of the <i>Local Government Act 1995</i> required action to be taken, did the local government ensure that appropriate action was undertaken in respect of those matters?	N/A	The auditor's report has not been received. Once received, any actions arising from the report will be actioned by the Shire of Broome. SAGO on behalf of MFS.	Kristen Cookson
5	s7.12A(4)(a) & (4)(b)	Where matters identified as significant were reported in the auditor's report, did the local government prepare a report that stated what action the local government had taken or intended to take with respect to each of those matters? Was a copy of the report given to the Minister within three months of the audit report being received by the local government?	N/A	The auditor's report has not been received. Once received, any actions arising from the report will be actioned by the Shire of Broome. SAGO on behalf of MFS.	Kristen Cookson
6	s7.12A(5)	Within 14 days after the local government gave a report to the Minister under section 7.12A(4)(b) of the <i>Local Government Act 1995</i> , did the CEO publish a copy of the report on the local government's official website?	N/A	The auditor's report has not been received. Once received, any actions arising from the report will be actioned by the Shire of Broome. SAGO on behalf of MFS.	Kristen Cookson
7	Audit Reg 10(1)	Was the auditor's report for the financial year ending 30 June 2022 received by the local government within 30 days of completion of the audit?	No	No. Office of the Auditor General (OAG) advised the auditor's report will be completed Feb/March 2023. DLGSC were notified 14 December 2022. SAGO on behalf of MFS.	Kristen Cookson

#### Integrated Planning and Reporting

No	Reference	Question	Response	Comments	Respondent
1	Admin Reg 19C	Has the local government adopted by absolute majority a strategic community plan? If Yes, please provide the adoption date or the date of the most recent review in the Comments section?	Yes	Council completed 2 year desktop review of SCP at the 15 December 2022 Ordinary Meeting of Council. SCP document to be updated and reprinted prior to 30 June 2023. SAGO on behalf of MGSR.	Kristen Cookson
2	Admin Reg 19DA(1) & (4)	Has the local government adopted by absolute majority a corporate business plan? If Yes, please provide the adoption date or the date of the most recent review in the Comments section?	Yes	Council completed annual review of CBP at the 15 December 2022 Ordinary Meeting of Council. CBP document to be updated and reprinted prior to 30 June 2023. SAGO on behalf of MGSR.	Kristen Cookson
3	Admin Reg 19DA(2) & (3)	Does the corporate business plan comply with the requirements of Local Government (Administration) Regulations 1996 19DA(2) & (3)?	Yes	CBP valid for 4 year period and is updated annually. Meets requirements of Admin Reg 19DA (2) & (3). SAGO on behalf of MGSR.	Kristen Cookson

#### Local Government Employees

No	Reference	Question	Response	Comments	Respondent
1	s5.36(4) & s5.37(3) Admin Reg 18A	Were all CEO and/or senior employee vacancies advertised in accordance with Local Government (Administration) Regulations 1996, regulation 18A?	N/A	No senior employees recruited in 2022. SAGO on behalf of Manager People and Culture (MPC).	Kristen Cookson
2	Admin Reg 18E	Was all information provided in applications for the position of CEO true and accurate?	N/A	No CEO recruitment in 2022. SAGO on behalf of MPC.	Kristen Cookson
3	Admin Reg 18F	Was the remuneration and other benefits paid to a CEO on appointment the same remuneration and benefits advertised for the position under section 5.36(4) of the <i>Local Government Act 1995</i> ?	N/A	No CEO recruitment in 2022. SAGO on behalf of MPC.	Kristen Cookson
4	s5.37(2)	Did the CEO inform council of each proposal to employ or dismiss senior employee?	N/A	No senior employees dismissed or recruited in 2022. SAGO on behalf of MPC.	Kristen Cookson
5	s5.37(2)	Where council rejected a CEO's recommendation to employ or dismiss a senior employee, did it inform the CEO of the reasons for doing so?	N/A	No senior employees dismissed or recruited in 2022. SAGO on behalf of MPC.	Kristen Cookson

Official Conduct			Response	Comments	Respondent
No	Reference	Question			

1	s5.120	Has the local government designated an employee to be its complaints officer?	N/A	The CEO is currently the complaints officer for the purposes of s5.37. SAGO on behalf of MGSR.	Kristen Cookson
2	s5.121(1) & (2)	Has the complaints officer for the local government maintained a register of complaints which records all complaints that resulted in a finding under section 5.110(2)(a) of the <i>Local Government Act 1995</i> ?	Yes	No complaints resulted in a finding under section 5.110(2)(a). SAGO on behalf of MGSR.	Kristen Cookson
3	S5.121(2)	Does the complaints register include all information required by section 5.121(2) of the <i>Local Government Act 1995</i> ?	N/A	No minor breaches have been substantiated that require recording in the complaints register. SAGO on behalf of MGSR.	Kristen Cookson
4	s5.121(3)	Has the CEO published an up-to-date version of the register of the complaints on the local government's official website?	N/A	No minor breaches have been substantiated that require online register to be published. SAGO on behalf of MGSR.	Kristen Cookson

#### Optional Questions

No	Reference	Question	Response	Comments	Respondent
1	Financial Management Reg 5(2)(c)	Did the CEO review the appropriateness and effectiveness of the local government's financial management systems and procedures in accordance with the Local Government (Financial Management) Regulations 1996 regulations 5(2)(c) within the three years prior to 31 December 2022? If yes, please provide the date of council's resolution to accept the report.	Yes	FMR completed by Stanton during 2022. Audit recommendation resolution AR/1222/004 Council resolution C/1222/20. SAGO on behalf of MGSR.	Kristen Cookson
2	Audit Reg 17	Did the CEO review the appropriateness and effectiveness of the local government's systems and procedures in relation to risk management, internal control and legislative compliance in accordance with Local Government (Audit) Regulations 1996 regulation 17 within the three financial years prior to 31 December 2022? If yes, please provide date of council's resolution to accept the report.	Yes	Completed December 2021. Not due again until December 2024. SAGO on behalf of MGSR.	Kristen Cookson
3	s5.87C	Where a disclosure was made under sections 5.87A or 5.87B of the <i>Local Government Act 1995</i> , were the disclosures made within 10 days after receipt of the gift? Did the disclosure include the information required by section 5.87C of the Act?	N/A	No gifts disclosed in 2022. SAGO on behalf of MGSR.	Kristen Cookson
4	s5.90A(2) & (5)	Did the local government prepare, adopt by absolute majority and publish an up-to-date version on the local government's website, a policy dealing with the attendance of council members and the CEO at events?	Yes	Policy adopted on 23/9/2020. Not due for review until December 2023. SAGO on behalf of MGSR.	Kristen Cookson
5	s5.96A(1), (2), (3) & (4)	Did the CEO publish information on the local government's website in accordance with sections 5.96A(1), (2), (3), and (4) of the <i>Local Government Act 1995</i> ?	Yes	Compliant. SAGO on behalf of MGSR.	Kristen Cookson
6	s5.128(1)	Did the local government prepare and adopt (by absolute majority) a policy in relation to the continuing professional development of council members?	Yes	Reviewed following October 2021 Election - C/1121/018. Will be reviewed again in November 2023 in accordance with s5.128(5)(a). SAGO on behalf of MGSR.	Kristen Cookson
7	s5.127	Did the local government prepare a report on the training completed by council members in the 2021/2022 financial year and publish it on the local government's official website by 31 July 2022?	Yes	Compliant and all current elected members have completed the Council Members Essentials course. Website updated in July 2022. SAGO on behalf of MGSR.	Kristen Cookson
8	s6.4(3)	By 30 September 2022, did the local government submit to its auditor the balanced accounts and annual financial report for the year ending 30 June 2022?	Yes	Submitted to OAG. SAGO on behalf of MGSR.	Kristen Cookson
9	s.6.2(3)	When adopting the annual budget, did the local government take into account all its expenditure, revenue and income?	Yes	Adoption of 2022-23 Annual Budget included consideration of the impact of carryovers from the prior year. SCM 5 July 2022 Item 5.4.1. SAGO on behalf of MGSR.	Kristen Cookson

#### Tenders for Providing Goods and Services

No	Reference	Question	Response	Comments	Respondent
1	F&G Reg 11A(1) & (3)	Did the local government comply with its current purchasing policy, adopted under the Local Government (Functions and General) Regulations 1996, regulations 11A(1) and (3) in relation to the supply of goods or services where the consideration under the contract was, or was expected to be, \$250,000 or less or worth \$250,000 or less?	Yes	Compliant. SAGO on behalf of Senior Procurement and Risk Officer (SPRO)	Kristen Cookson

2	s3.57 F&G Reg 11	Subject to Local Government (Functions and General) Regulations 1996, regulation 11(2), did the local government invite tenders for all contracts for the supply of goods or services where the consideration under the contract was, or was expected to be, worth more than the consideration stated in regulation 11(1) of the Regulations?	Yes	Compliant with the regulation. Any tender over \$250,000 that was not publicly published was in compliance with F&G Reg 11(2.) SAGO on behalf of SPRO.	Kristen Cookson
3	F&G Regs 11(1), 12(2), 13, & 14(1), (3), and (4)	When regulations 11(1), 12(2) or 13 of the Local Government (Functions and General) Regulations 1996, required tenders to be publicly invited, did the local government invite tenders via Statewide public notice in accordance with Regulation 14(3) and (4)?	Yes	Compliant. SAGO on behalf of SPRO.	Kristen Cookson
4	F&G Reg 12	Did the local government comply with Local Government (Functions and General) Regulations 1996, Regulation 12 when deciding to enter into multiple contracts rather than a single contract?	Yes	Compliant. SAGO on behalf of SPRO.	Kristen Cookson
5	F&G Reg 14(5)	If the local government sought to vary the information supplied to tenderers, was every reasonable step taken to give each person who sought copies of the tender documents or each acceptable tenderer notice of the variation?	Yes	Compliant. SAGO on behalf of SPRO.	Kristen Cookson
6	F&G Regs 15 & 16	Did the local government's procedure for receiving and opening tenders comply with the requirements of Local Government (Functions and General) Regulations 1996, Regulation 15 and 16?	Yes	Compliant. SAGO on behalf of SPRO.	Kristen Cookson
7	F&G Reg 17	Did the information recorded in the local government's tender register comply with the requirements of the Local Government (Functions and General) Regulations 1996, Regulation 17 and did the CEO make the tenders register available for public inspection and publish it on the local government's official website?	Yes	Register updated regularly. SAGO on behalf of SPRO.	Kristen Cookson
8	F&G Reg 18(1)	Did the local government reject any tenders that were not submitted at the place, and within the time, specified in the invitation to tender?	N/A	By utilising VendorPanel for Tender publishing, potential respondents are unable to submit a responses following the deadline. SAGO on behalf of SPRO	Kristen Cookson
9	F&G Reg 18(4)	Were all tenders that were not rejected assessed by the local government via a written evaluation of the extent to which each tender satisfies the criteria for deciding which tender to accept?	Yes	Extensive evaluation in tender responses undertaken. SAGO on behalf of SPRO.	Kristen Cookson
10	F&G Reg 19	Did the CEO give each tenderer written notice containing particulars of the successful tender or advising that no tender was accepted?	Yes	Compliant. SAGO on behalf of SPRO.	Kristen Cookson
11	F&G Regs 21 & 22	Did the local government's advertising and expression of interest processes comply with the requirements of the Local Government (Functions and General) Regulations 1996, Regulations 21 and 22?	N/A	No EOI's undertaken in the past 12 months. SAGO on behalf of SPRO.	Kristen Cookson
12	F&G Reg 23(1) & (2)	Did the local government reject any expressions of interest that were not submitted at the place, and within the time, specified in the notice or that failed to comply with any other requirement specified in the notice?	N/A	No EOI's undertaken in the past 12 months. SAGO on behalf of SPRO.	Kristen Cookson
13	F&G Reg 23(3) & (4)	Were all expressions of interest that were not rejected under the Local Government (Functions and General) Regulations 1996, Regulation 23(1) & (2) assessed by the local government? Did the CEO list each person as an acceptable tenderer?	N/A	No EOI's undertaken in the past 12 months. SAGO on behalf of SPRO.	Kristen Cookson
14	F&G Reg 24	Did the CEO give each person who submitted an expression of interest a notice in writing of the outcome in accordance with Local Government (Functions and General) Regulations 1996, Regulation 24?	N/A	No EOI's undertaken in the past 12 months. SAGO on behalf of SPRO.	Kristen Cookson
15	F&G Regs 24AD(2) & (4) and 24AE	Did the local government invite applicants for a panel of pre-qualified suppliers via Statewide public notice in accordance with Local Government (Functions and General) Regulations 1996, Regulations 24AD(4) and 24AE?	Yes	Compliant. SAGO on behalf of SPRO.	Kristen Cookson
16	F&G Reg 24AD(6)	If the local government sought to vary the information supplied to the panel, was every reasonable step taken to give each person who sought detailed information about the proposed panel or each person who submitted an application notice of the variation?	Yes	Compliant. SAGO on behalf of SPRO.	Kristen Cookson
17	F&G Reg 24AF	Did the local government's procedure for receiving and opening applications to join a panel of pre-qualified suppliers comply with the requirements of Local Government (Functions and General) Regulations 1996, Regulation 16, as if the reference in that regulation to a tender were a reference to a pre-qualified supplier panel application?	Yes	Compliant. SAGO on behalf of SPRO.	Kristen Cookson
18	F&G Reg 24AG	Did the information recorded in the local government's tender register about panels of pre-qualified suppliers comply with the requirements of Local Government (Functions and General) Regulations 1996, Regulation 24AG?	Yes	Compliant. SAGO on behalf of SPRO.	Kristen Cookson
19	F&G Reg 24AH(1)	Did the local government reject any applications to join a panel of pre-qualified suppliers that were not submitted at the place, and within the time, specified in the invitation for applications?	N/A	As we are utilising VendorPanel, respondents are not able to submit responses after the deadline. SAGO on behalf of SPRO.	Kristen Cookson

20	F&G Reg 24AH(3)	Were all applications that were not rejected assessed by the local government via a written evaluation of the extent to which each application satisfies the criteria for deciding which application to accept?	Yes	Compliant. SAGO on behalf of SPRO.	Kristen Cookson
21	F&G Reg 24AI	Did the CEO send each applicant written notice advising them of the outcome of their application?	Yes	Compliant. SAGO on behalf of SPRO.	Kristen Cookson
22	F&G Regs 24E & 24F	Where the local government gave regional price preference, did the local government comply with the requirements of Local Government (Functions and General) Regulations 1996, Regulation 24E and 24F?	Yes	Compliant. SAGO on behalf of SPRO.	Kristen Cookson

## **5.2 RFQ22-34 SUPPLY AND DELIVERY OF THIRTEEN LIGHT VEHICLES - CONFIRMATION OF CONTRACT AWARDING**

<b>LOCATION/ADDRESS:</b>	Nil
<b>APPLICANT:</b>	Nil
<b>FILE:</b>	RQT22-34
<b>AUTHOR:</b>	Manager Operations
<b>CONTRIBUTOR/S:</b>	Manager Governance, Strategy & Risk
<b>RESPONSIBLE OFFICER:</b>	Director Infrastructure
<b>DISCLOSURE OF INTEREST:</b>	Nil

### **SUMMARY:**

This report considers quotes received from WALGA preferred suppliers for the supply and delivery of thirteen (13) light vehicles and seeks Council's retrospective endorsement of the recommendation contained within the attached confidential Evaluation Report.

### **BACKGROUND**

Each year, as a part of the annual budget process the Shire of Broome allocates funds towards plant replacement. The allocations are made in accordance with the Long Term Financial Plan which is informed by the Shire's 10 Year Plant Replacement Program.

The Plant Replacement Program is reviewed annually to ensure plant replacement is optimised based on best practice replacement timeframes, plant utilisation rates and market conditions.

As part of the adopted budget for 2022/23 twelve (12) light vehicles were funded for replacement. Following the budget adoption and before seeking quotes a light vehicle was written off through a road accident and the replacement approved through our insurer.

The final request for quotation therefore included thirteen (13) light fleet vehicles.

### **COMMENT**

#### Scope

On 3 November 2022 the Shire issued RFQ22-34 Supply and Delivery of Thirteen (13) Light Vehicles. The request was issued using Vendor Panel with a closing date of 30 November 2022.

#### Procurement Process

The request was sent to five reputable Kimberley and Perth based suppliers all deemed to have the capacity to supply and deliver the vehicles.

- Broome Motors
- Maddington Toyota
- City Toyota,
- Avon Valley Toyota and Isuzu
- North West Motor Group Pty Ltd

No clarifications were received during the request period and two quotations were received before the deadline. One from North West Motor Group Pty Ltd and the other from City Toyota.

### Compliance / Qualitative Assessment

In accordance with the Request for Quotation document officers assessed the response against the Compliance and Qualitative Criteria.

Compliance Criteria	Pass/ Fail
Respondents are to provide acknowledgement that their organisation has submitted in accordance with the Conditions of this RFQ	Y/N
Compliance with the specification contained in the request	Y/N
Compliance with the delivery dates	Y/N

Qualitative Criteria	Weighting %
Resources, Service and Maintenance	40%
Operator & Mechanical Assessment	30%
Demonstrated Understanding	30%

The formal evaluation process was completed separately by three (3) Shire officers considered to have the relevant qualifications and skills and the evaluation report completed (**Confidential Attachment1**).

An evaluation report was prepared with a recommendation that North West Motor Group (supplied by Broome Toyota) be selected as the preferred respondent. The evaluation report was approved by the Chief Executive Officer. (CEO)

### Delegation Breach

The total purchase price for the 13 vehicles as outlined in the Financial Implications section below amounted to \$690,745 (ex GST).

Following approval of the evaluation report by the CEO, Shire officers incorrectly proceeded to commit the Shire contractually to the purchase by issuing thirteen separate purchase orders to the preferred respondent - North West Motor Group (Purchase order numbers 107434, 107435, 107466, 107467, 107477, 107478, 107479, 107480, 107482, 107484, 107487, 107488 & 107489). Separate orders were thought to be the best approach by officers at the time due to the differing specifications of each vehicle and the fact that several expenditure accounts were used.

Proceeding directly to purchase was in breach of Delegation 1.2.16 Tenders for Goods and Services which limits the CEO's authority to procurements less than \$500,000. Request for Tender (RFT) and Requests for Quotation (RFQ) above this amount require Council endorsement.

Officers are seeking retrospective endorsement of the confidential Evaluation Report in **Confidential Attachment 1**.

Governance staff have worked with the relevant staff involved to ensure that they understand the compliance issues surrounding this purchasing process and will continue to roll out purchasing training to staff in an effort to build capability in this area.



**CONSULTATION**

WALGA Governance

**STATUTORY ENVIRONMENT****Local Government Act 1995****Local Government (Functions and General) Regulations 1996****11. When tenders have to be publicly invited****Shire of Broome Delegations Register****Delegation 1.2.16 Tenders for Goods and Services****POLICY IMPLICATIONS**

Purchasing

The Purchasing Policy was complied with in terms of seeking the correct number of quotes etc. An administrative oversight resulted in purchase orders committing the Shire being released in excess of Delegation 1.2.16.

**FINANCIAL IMPLICATIONS**

The Plant Replacement Program budget for the thirteen light vehicles is spread across five expenditure accounts.

<b>Expenditure Account</b>	<b>Budget Expenditure (excl. GST)</b>	<b>Purchase amounts (excl. GST)</b>
148611	\$120,000	\$107,763
148611 (Write off)	\$42,272	\$51,289
106184	\$165,000	\$151,791
148021	\$60,000	\$52,143
143610	\$110,000	\$106,544
1042510	\$58,000	\$70,042
148004	\$165,000	\$151,171
<b>TOTAL</b>	<b>\$720,272</b>	<b>\$690,745</b>

The overall budgeted expenditure for the replacement of the thirteen light vehicles is \$720,272 excluding GST. The quotation from North West Motor Group Pty Ltd for the thirteen vehicles was \$690,745 excluding GST or \$29,527 excluding GST under budget.

**RISK**

<b>Risk</b>	<b>Type</b>	<b>Rank</b>	<b>Mitigation</b>
Non compliance	Compliance Reputation	Moderate	Obtain retrospective Council approval of the Evaluation Report

			Highlight the non-compliance with Auditors to evidence complete transparency.
Breach of Contract	Financial	Moderate	Purchase orders commit the Shire to purchase under contract law. Attempting to void the contract would potentially expose the Shire to Breach of Contract claim

## STRATEGIC ASPIRATIONS

**Performance - We will deliver excellent governance, service & value for everyone.**

**Outcome 11 - Effective leadership, advocacy and governance**

**Objective** 11.2 Deliver best practice governance and risk management.

## VOTING REQUIREMENTS

*Simple Majority*

### **COMMITTEE RESOLUTION:**

**(REPORT RECOMMENDATION)**

**Minute No. AR/0223/003**

**Moved: Cr C Mitchell**

**Seconded: Cr B Rudeforth**

***That the Audit and Risk Committee recommends that Council:***

- 1. Note the recommendation in the Evaluation Report for RFQ23-34 Supply and Delivery of Thirteen (13) Light Vehicles presented in Confidential Attachment 1;***
- 2. Endorses retrospectively the Quotation provided by North West Motor Group Pty Ltd for RFQ23-34 Supply and Delivery of Thirteen (13) Light Vehicles to a maximum value of \$690,745 excluding GST as the preferred response; and***
- 3. Notes that Delegation 1.2.16 Tenders for Goods and Services has been breached and endorses retrospectively the issuing of Purchase Orders 107434, 107435, 107466, 107467, 107477, 107478, 107479, 107480, 107482, 107484, 107487, 107488 & 107489.***

**CARRIED UNANIMOUSLY 3/0**

## Attachments

- RFQ 23-34 Quotation Evaluation Report (*Confidential to Councillors and Directors Only*)

***This attachment is confidential in accordance with section 5.23(2) of the Local Government Act 1995 section 5.23(2)(c) as it contains "a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting", and section 5.23(2)((e)(ii)) as it contains "a matter that if disclosed, would reveal information that has a commercial value to a person, where the information is held by, or is about, a person other than the local government".***

**5.3 CARRY OVER BUDGETS FOR 2022/23 AND REVIEW OF CLOSING FINANCIAL POSITION**

<b>LOCATION/ADDRESS:</b>	Nil
<b>APPLICANT:</b>	Nil
<b>FILE:</b>	FRE02
<b>AUTHOR:</b>	Manager Financial Services
<b>CONTRIBUTOR/S:</b>	Nil
<b>RESPONSIBLE OFFICER:</b>	Director Corporate Services
<b>DISCLOSURE OF INTEREST:</b>	Nil

**SUMMARY:**

To present the actual 2022/23 carry over list of income and expenditure to the Audit and Risk Committee for adoption, and present the closing position for the 2021/22 financial year, noting the findings of a review of prior financial year closing positions.

**BACKGROUND**

The 2021/22 annual financial report is awaiting signoff by the auditor (Office of the Auditor General, OAG) and is anticipated to be received in March. The delay has impacted the adoption of budget amendments to align the carry over income and expenditure budgets to the actual results. Officers require Council approval for all budget amendments.

As prescribed under the *Local Government Act 1995* and following the completion of the financial year to 30 June, the audited annual financial report is presented to the Audit and Risk Committee. Within the report is a breakdown of the items making up the closing position for the financial year, which are summarised as:

- income and expenditure carry overs (grant or reserve-funded projects, or expenditure which has been committed to, but not yet undertaken),
- Commonwealth financial assistance grant (FAGS – a significant portion of the annual grant is regularly paid in advance of the financial year it relates to and while it is “untied”, it is already committed to the following year’s budget operations), and
- If there is a difference between the closing position and the above commitments, there is either an untied surplus or deficit, and officers will recommend how best to proceed with the difference.

Moore Australia (Moore), an accounting firm specialising in local government, were engaged to update Council’s Long Term Financial Plan (LTFP) in November 2022. Based on their findings while assessing prior years financial statements as part of the LTFP review, Moore were engaged to undertake a detailed review of prior year opening and closing positions.

**COMMENT***Closing Financial Position*

Late in 2020 accounting standards changed, affecting the treatment of contract liabilities associated with restricted cash and how they are reflected in municipal and reserve funds. The changes primarily relate to establishing the timing of when income should be recognised where there are obligations tied to the income, and apply mainly to grant funding received by Council. The standards stipulate that should contract obligations exist

and income is not spent in the year it is received, that revenue is required to be reflected as a contract liability and treated as income in the financial year in which it is expended.

The changes were required to take effect in the Annual Financial Report for the year ended 30 June 2020. The advice at the time was not clear and professional opinions in the industry were mixed given the late notice of the changes. Officers interpreted the changes with guidance from the auditors; the Shire of Broome is directly audited by OAG. The financials for 2020/21 were treated consistently with the prior year, and both annual financial reports for 2019/20 and 2020/21 were audited and signed off by the OAG.

The 2021/22 financials were positioned to follow the same treatment as prior years which would have presented an untied surplus similar to prior year closing positions, however following the review of the closing position for the last two financial years by Moore it was recognised that this approach was flawed.

Following their review Moore presented the adjusted closing positions as follows, with the amended position reflecting the adjustment to the treatment of contract liabilities over the 3 year period:

	<b>Audited Closing Position</b>	<b>Adjusted Closing Position</b>	<b>Variance</b>
<b>2020 Actual</b>	4,188,392	2,828,740	(1,359,652)
<b>2021 Actual</b>	4,839,446	4,535,688	(303,758)
<b>2022 Actual</b>	* 4,145,052	2,963,867	(1,181,185)

*\*2022 Budgeted closing position. The Adjusted closing position has been reflected in the current financials presented to OAG.*

It is important to note that the variances identified for each financial year are not cumulative; the new treatment of contract liabilities associated with restricted cash essentially reverse the previous treatments.

The closing position adjustments have effectively identified discrepancies in the Shire's financial position over this period and therefore it has become apparent that recommendations and decisions have been made to allocate surplus funds to Reserve, which were not available. A review of these Reserve transfers has been undertaken and there is the ability to reverse some of these transfers if required.

In the first instance however, and to confirm our 22/23 FY position, there are also adjustments to consider that have occurred between budgeted carry overs and the audited figures.

Maintaining commitments from 2021/22 (income and expenditure budget carry overs) and utilising advanced FAGS supporting the 2022/23 budget results in a closing position deficit of \$715,622. This deficit deals with the impacts of the historic variance in the 2021/22 annual financial report. The breakdown is summarised as follows:

	<b>Budgeted Closing Position 30/06/22</b>	<b>Audited Closing Position 30/06/22</b>	<b>Variance</b>
<b>Expenditure budget carry over</b>	9,706,606	9,682,820	(23,786)
<b>Income budget carry over</b>	(7,099,034)	(7,540,811)	(441,777)
<b>Advanced FAGS carry over</b>	1,537,480	1,537,480	0
<b>Actual deficit</b>		(715,622)	(715,622)

<b>Closing Position</b>	<b>4,145,052</b>	<b>2,963,867</b>	<b>(1,181,185)</b>
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The itemised carry over list has been scrutinised by the Executive Management Group to ensure every project is critical to keep. These are either grant or reserve funded projects, committed projects, or asset management plan (AMP) renewal (any expenditure committed through AMP renewal would transfer to the appropriate reserve for use in a future year).

#### Carry over projects

Carry over income and expenditure are presented in the budget with the best information on hand at the time of adoption, so there is potential for differences between the estimated and final remaining balances of these projects. Once the annual financial report is audited and presented to Council, there is certainty that these will not change further, and Council resolution is required to make the amendments to the adopted budget.

Given that the financial annual report for 2021/22 is currently with the auditors (OAG) and awaiting final signoff, the final carry over list has not previously been presented to Council. Officers have sought advice, and these adjustments can be recommended outside of the presentation of the annual financial report, with the understanding that the OAG may propose amendments which affect the closing position up to the point of signoff. The actual carry over adjustments are presented in Attachment 1. Endorsement of the carryover adjustments will give officers clarity and authorisation to finalise these outstanding projects.

#### Treatment of Deficit

Decisions that were made in prior financial years were correct to the best of the knowledge on hand at that point in time, and the interpretation of accounting standard changes and subsequent treatment of these funds were appropriate and received OAG sign off in relevant audits. It is not possible for those decisions to be reversed as funds were subsequently allocated to projects and expended in the relevant financial years. Instead, officers have sought the most appropriate resolution without reducing existing service levels.

To immediately reduce the deficit of \$715,622, officers propose to reverse transfers to the Public Open Space (POS) Reserve that were budgeted and actioned in 2021/22. The first proposal is to reverse \$350,830 relating to the 2020/21 net surplus, which was transferred to the POS reserve. Adjusted calculations established that an untied surplus of \$350,830 was not available and as such officers believe that reversing this allocation is a logical step in reducing the revised closing position deficit.

On review of the POS reserve an unspecified transfer of \$46,381 in the 2021-22 budget was not tied to a specific project. It is recommended that these funds are also utilised to further offset the closing position deficit.

These transfers from Reserve will reduce the actual untied deficit of \$715,622 down to \$318,411, as reflected in the table below. This deficit position aligns with the net result of the 2021-22 Quarter 3 FACR, which estimated a projected budget deficit position of \$356,599 to 30 June 2022.

These proposed actions reduce the closing deficit to a more manageable figure that is below the materiality threshold. To further reduce the deficit position officers recommend that organisational savings are identified through the quarter 2 and quarter 3 Finance and Costing Review (FACR) processes. Alternatively, the Audit and Risk Committee could recommend Council fund the deficit from Reserves, using funds allocated to projects

through savings identified during FACR processes in 2021-22. This would potentially reduce the funding available for future commitments (specified projects or asset renewal). Officers are confident that through astute management of the budget through to 30 June 2023 savings can be delivered to balance the deficit position by year end.

	<b>Audited Closing Position 30/06/22</b>
Expenditure Budget carry over	9,682,820
Income Budget carry over	(7,540,811)
Advanced FAGS carry over	1,537,480
<i>Reversal of transfer to POS Reserve (Net surplus from FY 2020/21 allocated for future projects)</i>	<i>(350,830)</i>
<i>Reversal of transfer to POS Reserve (Unallocated budget transfer)</i>	<i>(46,381)</i>
<b>Actual deficit</b>	<b>(318,411)</b>
Closing Position	2,963,867

## CONSULTATION

Moore Australia

Department of Local Government, Sport and Cultural Industries (DLGSC)

Office of the Auditor General (OAG)

## STATUTORY ENVIRONMENT

### **Local Government Act 1995**

6.4 Financial report

7.9 Audit to be conducted

### **Local Government (Audit) Regulations 1996**

### **Local Government (Financial Management) Regulations 1996**

Local governments are required to present to Council an audited annual financial report for the preceding financial year, within specified timeframes as prescribed.

The Office of the Auditor General advised that the audit report would not be received by 31 December 2022 as prescribed. Officers wrote to Department of Local Government, Sport and Cultural Industries to confirm that the timeframe would not be met.

## POLICY IMPLICATIONS

Nil.

## FINANCIAL IMPLICATIONS

The report presenting the 2022/23 annual budget (adopted at the Special Meeting of Council on 5 July 2022) identified the tolerable organisational deficit as 1% of operating revenues, or a deficit of \$402,749 which is more than twice the risk matrix financial impact threshold of \$150K, placing it beyond the extreme level. As per the risk matrix, the remedial outcome requires immediate intervention when the overall deficit is expected to exceed the \$150K risk matrix threshold.

To immediately reduce the deficit of \$715,622, officers propose to reverse transfers to the Public Open Space (POS) Reserve that were budgeted and actioned in 2021/22.

The first proposal is to reverse \$350,830 relating to the 2020/21 net surplus which was transferred to the POS reserve. Adjusted calculations established that an untied surplus of \$350,830 was not available and as such officers believe that reversing this allocation is a logical step in reducing the revised closing position deficit.

On review of the POS reserve an unspecified transfer of \$46,381 in the original budget was not tied to a specific project. It is recommended to utilise these funds to further offset the closing position deficit.

These transfers from Reserve will reduce the actual untied deficit of \$715,622 down to \$318,411, as reflected in the table below.

	<b>Audited Closing Position 30/06/22</b>
Expenditure Budget carry over	9,682,820
Income Budget carry over	(7,540,811)
Advanced FAGS carry over	1,537,480
<i>Reversal of transfer to POS Reserve (Net surplus from FY 2020/21 allocated for future projects)</i>	<i>(350,830)</i>
<i>Reversal of transfer to POS Reserve (Unallocated budget transfer)</i>	<i>(46,381)</i>
<b>Actual deficit</b>	<b>(318,411)</b>
Closing Position	2,963,867

## RISK

Should Council not endorse the officer recommendation there is a high risk of non-compliance and action by the OAG and DLGSC.

Additional risk is associated with officer compliance; officers are required to keep within adopted budgets, so delaying the adjustments to carry over budgets has the potential for further issues and non-compliance until the actual budgets are adopted, including:

- Officers spending in line with original budgets; where carry over budgets are less than expected, could lead to erroneously overspending,
- Officer spending in line with the know actual carry over budgets; where carry overs are larger than expected, could lead to non-compliance as Council have not authorised the amended budget,
- Officers delay the carry over project until Council have adopted the budget amendments, and the timing results in the project being a carry over into the next financial year,
- Where carry over projects have been completed, and there is overspend or savings to resolve, allowing Officers time to make appropriate recommendations within quarter 3 FACR.

Officers have assessed these risks, and the outcomes associated with delaying a Council resolution outweigh other risks. The risk matrix requires immediate action to reduce the deficit; delaying remediation potentially creates further and future issues, and there is a greater likelihood that audit suggested changes will be tabled as misstatements rather than actual adjustments within the annual financial report. Resolving these issues now also provides clarity for officers while preparing the 2023/24 annual budget.

There is a risk that the carryover adjustment figures change as a result of the finalisation of the 2021-22 audit. Should this risk eventuate officers will inform Council and update the relevant accounts. This is considered a low risk.

## STRATEGIC ASPIRATIONS

**Performance - We will deliver excellent governance, service & value for everyone.**

### **Outcome 13 - Value for money from rates and long term financial sustainability**

**Objective** 13.1 Plan effectively for short- and long-term financial sustainability

**Actions** 13.1.1 **Provide** sound long-term financial planning and transparent, regular financial reporting.

13.1.2 **Provide** annual budgets.

## VOTING REQUIREMENTS

*Absolute Majority*

### OFFICER RECOMMENDATION:

*That the Audit and Risk Committee recommends that Council:*

1. *Adopt the actual carryover income and expenditure budgets for 2022/23 as presented in Attachment 1, and amend the General Ledger budgets accordingly;*
2. *Recognise the adjusted closing positions for the 2019/20 and 2020/21 financial years as \$2,828,740 and \$4,535,688 respectively, and the closing position for 2021/22 as \$2,963,867;*
3. *Notes a closing position deficit of \$715,622 for the 2021/22 financial year;*
4. *Adopts the officer recommendation to immediately reduce the deficit by transferring \$397,211 from the Public Open Space (POS) Reserve, and approving those changes in the 2022/23 annual budget, being:*
  - (a) Reversal of the \$350,830 2020/21 net surplus transferred to POS Reserve, accepting that there was no surplus available;*
  - (b) Reversal of the \$46,381 transfer to POS Reserve as budgeted in 2021/22 which was not specifically allocated;*
5. *Request the Chief Executive Officer to remediate the remaining untied deficit of \$318,411 within the Finance and Costing Review (FACR) process; and*
6. *Note that the audited annual financial report will be presented through the Audit and Risk Committee, and any variances to the outcome will be addressed through the Quarter 3 Finance and Costing Review process.*

### COMMITTEE RESOLUTION:

**Minute No. AR/0223/004**

**Moved: Cr C Mitchell**

**Seconded: Cr D Male**

***That the Audit and Risk Committee recommends that Council:***

1. ***Adopt the actual carryover income and expenditure budgets for 2022/23 as presented in Attachment 1, and amend the General Ledger budgets accordingly;***



2. **Recognise the adjusted closing positions for the 2019/20 and 2020/21 financial years as \$2,828,740 and \$4,535,688 respectively, and the closing position for 2021/22 as \$2,963,867;**
3. **Notes a closing position deficit of \$715,622 for the 2021/22 financial year;**
4. **Adopts the officer recommendation to immediately reduce the deficit by transferring \$397,211 from the Public Open Space (POS) Reserve, and approving those changes in the 2022/23 annual budget, being:**
  - (a) **Reversal of the \$350,830 2020/21 net surplus transferred to POS Reserve, accepting that there was no surplus available;**
  - (b) **Reversal of the \$46,381 transfer to POS Reserve as budgeted in 2021/22 which was not specifically allocated;**
5. **Request the Chief Executive Officer to remediate the remaining untied deficit of \$318,411 within the Finance and Costing Review (FACR) process; and**
6. **Note that the audited annual financial report will be presented through the Audit and Risk Committee, and any variances to the outcome will be addressed through the Quarter 3 Finance and Costing Review process.**
7. **Request the Shire President, the Chair of the Audit and Risk Committee and the Chief Executive Officer seek a meeting with the Auditor General of the Office of the Auditor General to express concerns with the issues surrounding the closing position in each of the 2019/20, 2020/21 and 2021/22 Audited Financial Statements and the implications resulting from changes to Australian Accounting Standards AASB 15 and AASB 1058.**

**CARRIED UNANIMOUSLY BY ABSOLUTE MAJORITY 3/0**

#### **Attachments**

1. 2021/22 Carryover Adjustments

SHIRE OF BROOME  
BUDGET CARRYOVER TO 2022/23  
30 JUNE 2022

Carryover Project	Account	Job	Expenditure	Grants	Reserves	Borrowings	Contributions	Total	Comments
<b>Capital</b>					-	-			
Community Recycling Centre (RRRP Detailed Design)	101896	101897	447,137	-	(447,137)	-	-	-	Fully reserve funded
Surf Club Building Upgrade	53239		2,689,197	(1,305,823)	(94,240)	(690,746)	(495,884)	102,504	Shire's remaining muni contribution
Building Renewal AMP	147500		265,515	-	-	-	-	265,515	21/22 Muni funded AMP renewal Civic Centre Fire Suppression tanks renewal \$110,000 Public Library – air-conditioning \$120,000 Depot – ablution facilities \$5,476 Men's Shed – Air-conditioning \$30,039
Relocation of public art Napier Terrace	1367404	1367414 /16	43,900	-	-	-	-	43,900	Three Wise Men Relocation
Lawrence Road Upgrade	121501	121587	-	-	-	-	-	-	Fully expended budget 21/22
State Blackspot - Frederick Street Off-street Carpark	125000	125045	1,034,915	(490,721)	-	-	(259,881)	284,313	
Surf Club Bridge Upgrade	125300	125921	82,700	-	-	-	-	82,700	21/22 Muni funded AMP renewal
Various Footpath renewals	125300	VARPAT H	58,325	-	-	-	-	58,325	21/22 Muni funded AMP renewal
Town Beach Redevelopment	1181407		31,860	(325,838)	-	-	-	(293,978)	Greenspace Stage 2 - Final expenditure and Lotterywest drawdown
Cable Beach Redevelopment	1181425	1181426	233,274	(68,988)	-	-	-	164,286	Detailed Design Phase
Nipper Roe Lighting Upgrade	117450	117452	32,938	-	-	-	-	32,938	Shire's remaining muni contribution
Pump Track (Tracks and Trails)	1181420	YBRA00 1	100,247	-	-	-	-	100,247	
Skatepark Construction	113027	113029	727,612	(508,444)	(58,000)	-	-	161,167	Construction continued into 2022/23
BRAC Ovals Renewal (Nipper Roe)	117455	117456	208,214	-	-	-	-	208,214	20/21 and 21/22 carry forward budgets as per AMP allocation. If unspent, should be transferred to POS reserve.
BRAC Aquatic tank renewal	113551	113795	111,359	-	-	-	-	111,359	Remaining 21/22 Parks AMP budget including tank replacements. If unspent, should be transferred to POS reserve.

SHIRE OF BROOME  
BUDGET CARRYOVER TO 2022/23  
30 JUNE 2022

Carryover Project	Account	Job	Expenditure	Grants	Reserves	Borrowings	Contributions	Total	Comments
Cape Leveque Tourist Bay Signage	116125	116132	35,000	-	-	-	-	35,000	Shire commitment to complete signage works.
Streeter's Jetty Refurbishment	1367405	1367419	-	-	-	-	-	-	Fully expended budget 21/22
Broome Cemetery Fencing	107550	107563	159,345	(146,599)	-	-	-	12,746	LRCI Funded project
BRAC Grid Solar Connection	117399	117420	224,300	-	(224,300)	-	-	-	Fully reserve funded
Vehicle & Mobile Plant Renewal	101510		367,000	-	(202,000)	-	(165,000)	-	Plant replacement fully funded through Reserves and trade-ins
Vehicle & Mobile Plant Renewal	106184		78,448	-	-	-	(22,000)	56,448	P118. The reserve transfer of \$12,000 was completed in 21/22.
Vehicle & Mobile Plant Renewal	117398		45,000	-	-	-	(13,000)	32,000	Plant replacement funded by muni and trade-in
Vehicle & Mobile Plant Renewal	142550		45,000	-	-	-	-	45,000	Plant replacement funded by muni. No trade as it is a new vehicle.
Vehicle & Mobile Plant Renewal	143610		646,326	-	(173,284)	-	(175,500)	297,542	Plant replacement partially muni funded.
Vehicle & Mobile Plant Renewal	148611		715,841	-	-	-	(165,000)	550,841	Plant replacement funded by muni and trade-in
Vehicle & Mobile Plant Renewal	1042510		150,000	-	(120,000)	-	(30,000)	-	Plant replacement fully funded through Reserves and trade-ins

SHIRE OF BROOME  
BUDGET CARRYOVER TO 2022/23  
30 JUNE 2022

Carryover Project	Account	Job	Expenditure	Grants	Reserves	Borrowings	Contributions	Total	Comments
<b>Operating</b>									
Conti Foreshore Footpath	125140	125183	142,584	(47,221)	(50,757)	-	-	44,607	
Software projects - Altus Payroll Project, PerfectMinds	146122		73,926	-	-	-	-	73,926	Committed projects implemented in 2022/23.
IT Contract Consultants	146111		-	-	-	-	-	-	Operating budget not recommended for carry over.
Minor Assets<\$5000 - IT Exp	146110		-	-	-	-	-	-	Operating budget not recommended for carry over.
Arts and Culture Strategy	116085		17,000	-	-	-	-	17,000	
Broome Air Raid 80th Anniversary	23017		30,760	-	-	-	-	30,760	Event was postponed in 21/22. Additional \$10k in contract liabilities
Old Broome and Cable Beach Precinct Plans	106030	106055	75,000	-	-	-	-	75,000	21/22 Muni funded project - consultants engaged/in progress
Local Planning Scheme and Local Planning Strategy Review	106030	106055	21,792	-	-	-	-	21,792	21/22 Muni funded project - consultants engaged/in progress
Public Open Space Strategy	113704	113707	29,768	-	-	-	-	29,768	21/22 Muni funded project
Contaminated Site Remediation - Wattle Drive	101050		554,496	-	(554,496)	-	-	-	Fully reserve funded
Financial Management Review Audit	22200		20,200	-	-	-	-	20,200	Committed contract actioned in 2022/23.
Foreshore Development Plan	105546	105550	37,500	(12,500)	-	-	-	25,000	Coastwest funding 2nd payment
Risk Management Expenses	142232		17,894	-	-	-	-	17,894	Committed contract actioned in 2022/23.
<b>New Carryovers</b>									
Footpath Various	125140	125172	106,949	-	-	-	-	106,949	Remaining 2021/22 Subdivisional footpath program. Reserve transfers completed 21/22
Occupation Health & Safety - LGIS Consultant	142261		21,500	-	-	-	-	21,500	Prior year commitment - LGIS
Dep't Premier & Cabinet Natural Disaster Grant - Cape Leveque Rd	120306		-	(693,453)	-	-	-	(693,453)	ADDITIONAL CARRYOVER Remaining WANDRRA claims yet to be received at 30 June 2022
					-	-	-	-	

SHIRE OF BROOME  
BUDGET CARRYOVER TO 2022/23  
30 JUNE 2022

Carryover Project	Account	Job	Expenditure	Grants	Reserves	Borrowings	Contributions	Total	Comments
					-	-		-	
<b>Total</b>			<b>9,682,821</b>	<b>(3,599,587)</b>	<b>(1,924,214)</b>	<b>(690,746)</b>	<b>(1,326,265)</b>	<b>2,142,009</b>	

**Cr D Male declared a financial interest in item 5.4, the reason being "The Broome Turf Club is a client of my business."**

**APPOINTMENT OF PRESIDING MEMBER::**

**Minute No. AR/0223/005**

**Moved: Cr D Male**

**Seconded: Cr B Rudeforth**

**That Cr C Mitchell assume the position of chair.**

**CARRIED UNANIMOUSLY 3/0**

**Cr Male left the meeting at 4:55pm.**

**Cr C Mitchell assumed the chair.**

**5.4 2ND QUARTER FINANCE AND COSTING REVIEW 2022-23**

<b>LOCATION/ADDRESS:</b>	Nil
<b>APPLICANT:</b>	Nil
<b>FILE:</b>	FRE02
<b>AUTHOR:</b>	Manager Financial Services
<b>CONTRIBUTOR/S:</b>	Nil
<b>RESPONSIBLE OFFICER:</b>	Director Corporate Services
<b>DISCLOSURE OF INTEREST:</b>	Nil

**SUMMARY:**

The Audit and Risk Committee is requested to consider results of the 2<sup>nd</sup> Quarter Finance and Costing Review (FACR) of the Shire's budget for the period ended 31 December 2022, including forecast estimates and budget recommendations to 30 June 2023.

**BACKGROUND**

Previous Considerations

SMC 5 July 2022	Item 5.4.1
ARC December 2022	Item 5.3

The Shire of Broome has carried out its 2<sup>nd</sup> Quarter Finance and Costing Review (FACR) for the 2022-23 financial year. This review of the 2022-23 Annual Budget is based on actuals and commitments for the first six months of the year from 1 July 2022 to 31 December 2022, and forecasts for the remainder of the financial year.

This process aims to highlight over and under expenditure of funds and over and under achievement of income targets for the benefit of Executive and Responsible Officers to ensure good fiscal management of their projects and programs.

Once this process is completed, a report is compiled identifying budgets requiring amendments to be adopted by Council. Additionally, a summary provides the financial impact of all proposed budget amendments to the Shire of Broome's adopted end-of-year forecast, to assist Council to make an informed decision.

It should be noted that the 2022-23 annual budget was adopted at the Special Meeting of Council on 5 July 2022 as a balanced budget.

The Quarter 2 FACR commenced on 23 January 2023. At the start of the Q2 FACR, a net deficit of \$111,933 was forecast arising from past budget amendments adopted by Council, including the Q1 FACR. Significant amendments approved through the Q1 FACR included:

- a \$180,000 reduction in property valuation expenses as the revaluations were completed in 2021/22;
- a \$213,549 reduction in budgeted Western Australian Local Government Grant Commission Road Grants (Local Roads component of FAGS);
- an \$50,000 increase in expenditure for maintenance on the Town Beach Cafe building to ensure compliance and allow it to continue operation under a new lease;
- a \$35,000 reduction in grant revenue associated with Discovery Festival, expenditure was removed from the adopted budget but the offsetting income was retained;
- an \$34,750 increase in rental revenue from new tenancy at the Broome Visitor Centre not included in the adopted budget.

## COMMENT

The Q2 FACR identifies a cumulative net deficit forecast of **\$277,233**.

The above figure represents a budget forecast should all expenditure and income occur as expected. It does not represent the actual end-of-year position which can only be determined as part of the normal annual financial processes at the end of the financial year.

While officers make every effort to ensure the net impact of each FACR is minimal, the net deficit forecast mainly relates to the following proposed amendments:

- \$185,000 in increased interest revenue due to higher than anticipated interest rates

- \$157,023 reduction of income identified within the Kimberley Regional Office budget due to a double up of budgeted income;
- \$150,000 savings in the Skatepark project;
- \$100,000 in increased revenue from Discovery Parks Broome;
- \$50,000 savings stemming from the deferral of the Broome Library Feasibility Study, the timing of which was adjusted by Council through the most recent review of the Corporate Business Plan;
- In addition, several budget upload errors were identified during the Q2 FACR resulting in proposed amendments totalling \$58,800. Where possible these have been offset by identified savings.

A comprehensive list of accounts (refer to Attachment 1) has been included for perusal by the committee, summarised by Directorate.

### Adjusted Prior Year Capital Projects

In addition to the amendments identified through the Q2 FACR several capital projects were omitted from the budget despite gaining Council approval for inclusion during the adoption of the 2022/23 Annual Budget. These projects are listed within the report attached (Attachment 1) and have a cumulative deficit impact of \$209,424. This figure has been included in the cumulative net deficit forecast of **\$277,233**.

### Adjusted 2021-22 Closing Position

The 2021-22 Closing Position has been adjusted to reflect the identification of the mistreatment of contract liabilities in the 2019-20 and 2020-21 financial years. The adjusted closing position deficit of \$318,411 is explained in detail in the "Carry Over Budgets for 2022/23 and Review of Closing Position" agenda item contained within this agenda (Agenda Item 5.3).

### Quarter 2 FACR Result

A summary of the Q2 FACR results is as follows:

SHIRE OF BROOME SUMMARY REPORT				
BUDGET IMPACT				
	2022/23 Adopted Budget (Inc) / Exp	YTD Adopted Budget Amendments (Inc) / Exp	FACR Q2 Overall (Inc) / Exp	YTD Impact (Org Savings Subtracted)
Office of the CEO	\$0	\$50,000	-\$38,800	\$11,200



Corporate Services	\$0	\$22,806	-\$286,000	-\$263,194
Development Services	\$0	\$46,563	\$5,000	\$51,563
Infrastructure Services	\$0	-\$21,436	-\$42,735	-\$64,171
Council approved budget amendments	\$0	\$14,000	\$0	\$14,000
Prior year adjustments for Capital Projects	\$0	\$0	\$209,424	\$209,424
2021-22 Adjusted Closing Position Deficit	\$0	\$0	\$318,411	\$318,411
	<b>0,000*</b>	<b>\$111,933</b>	<b>\$165,299</b>	<b>\$277,233</b>

## CONSULTATION

All amendments have been proposed after consultation with Executive and Responsible Officers at the Shire.

## STATUTORY ENVIRONMENT

### *Local Government (Financial Management) Regulation 1996*

#### **r33A. Review of Budget**

- (1) Between 1 January and 31 March in each financial year a local government is to carry out a review of its annual budget for that year.
- (2A) The review of an annual budget for a financial year must —
  - (a) consider the local government's financial performance in the period beginning on 1 July and ending no earlier than 31 December in that financial year; and
  - (b) consider the local government's financial position as at the date of the review; and
  - (c) review the outcomes for the end of that financial year that are forecast in the budget.

- (2) Within 30 days after a review of the annual budget of a local government is carried out it is to be submitted to the council.
- (3) A council is to consider a review submitted to it and is to determine\* whether or not to adopt the review, any parts of the review or any recommendations made in the review.  
\*Absolute majority required.
- (4) Within 30 days after a council has made a determination, a copy of the review and determination is to be provided to the Department.

## **Local Government Act 1995**

### **6.8. Expenditure from municipal fund not included in annual budget**

- 1) A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure —
  - (a) is incurred in a financial year before the adoption of the annual budget by the local government;
  - (b) is authorised in advance by resolution\*; or
  - (c) is authorised in advance by the mayor or president in an emergency.
- (1a) In subsection (1) —

“additional purpose” means a purpose for which no expenditure estimate is included in the local government’s annual budget.

## **POLICY IMPLICATIONS**

Nil.

It should be noted that according to the materiality threshold set at the budget adoption, should a deficit achieve 1% of Shire's operating revenue (\$402,749) the Shire must formulate an action plan to remedy the over expenditure.

## **FINANCIAL IMPLICATIONS**

The overall result of the Quarter 2 FACR estimates a total budget deficit position of **\$277,233** to 30 June 2023.

## **RISK**

The Finance and Costing Review (FACR) seeks to provide a best estimate of the end-of-year position for the Shire of Broome at 30 June 2023. Contained within the report are recommendations of amendments to budgets which have financial implications on the estimate of the end-of-year position.

The review does not, however, seek to make amendments below the materiality threshold unless strictly necessary. The materiality thresholds are set at \$10,000 for operating budgets and \$20,000 for capital budgets. Should a number of accounts exceed their budget within these thresholds, it poses a risk that the predicted final end-of-year position may be understated.

In order to mitigate this risk, the CEO enacted the FACRs to run quarterly and Executive examine each job and account to ensure compliance. In addition, the monthly report provides variance reporting highlighting any discrepancies against budget.

It should also be noted that should Council decide not to adopt the recommendations, it could lead to some initiatives being delayed or cancelled in order to offset the additional expenditure associated with running the Shire's operations.

## **STRATEGIC ASPIRATIONS**

**Performance – We will deliver excellent governance, service and value, for everyone.**

**Outcome 11 - Effective leadership, advocacy and governance:**

**Objective** 11.2 Deliver best practice governance and risk management.

**Outcome 13 - Value for money from rates and long term financial sustainability:**

**Objective** 13.1 Plan effectively for short and long term financial sustainability.

## **VOTING REQUIREMENTS**

*Absolute Majority*

### **COMMITTEE RESOLUTION:**

**(REPORT RECOMMENDATION)**

**Minute No. AR/0223/006**

**Moved: Cr B Rudeforth**

**Seconded: Cr C Mitchell**

**That the Audit and Risk Committee recommends that Council:**

- 1. Receives the Quarter 2 Finance and Costing Review Report for the period ended 31 December 2022;**
- 2. Adopts the operating and capital budget amendment recommendations for the year ended 30 June 2023 as attached;**
- 3. Notes a forecast end-of-year deficit position to 30 June 2023 of \$277,233.**

**CARRIED UNANIMOUSLY BY ABSOLUTE MAJORITY 2/0**

## Attachments

## 1. Q2 FACR Results

SHIRE OF BROOME SUMMARY REPORT				
BUDGET IMPACT				
	2022/23 Adopted Budget (Inc) / Exp	YTD Adopted Budget Amendments (Inc) / Exp	FACR Q2 Overall (Inc) / Exp	YTD Impact (Org Savings Subtracted)
Office of the CEO	\$0	\$50,000	-\$38,800	\$11,200
Corporate Services	\$0	\$22,806	-\$286,000	-\$263,194
Development Services	\$0	\$46,563	\$5,000	\$51,563
Infrastructure Services	\$0	-\$21,436	-\$42,735	-\$64,171
Council approved budget amendments	\$0	\$14,000	\$0	\$14,000
Prior year adjustments for Capital Projects	\$0	\$0	\$209,424	\$209,424
2021-22 Adjusted Closing Position Deficit	\$0	\$0	\$318,411	\$318,411
	0,000*	\$111,933	\$165,299	\$277,233

SHIRE OF BROOME FINANCE & COSTING REVIEW QUARTER 2 2022-23									
COA Code	Job Number	IE Code	Job Description	2022/23 Full Year Current Budget	2022/23 YTD Actuals	Proposed Budget Amendment	Proposed Budget	Reserve Movement	Amendment Description
<b>OFFICE OF C.E.O.</b>									
<b>ADMIN2 - Personal Assistant To CEO - L Berkrey</b>									
23015		34	Executive Travel & Accom - Op Exp - Other Governance	\$22,000	\$822	-\$12,000	\$10,000		Minimal travel has occurred to date and anticipated to end of FY.
						-\$12,000		0	
<b>BC - Marketing &amp; Communications Coordinator - D Bonnici</b>									
11709		34	Quarterly Marketing Campaigns - CEO202209 - Op Ex	\$30,000	\$2,285	-\$15,000	\$15,000		Vacancy in role has impacted rollout of campaign. Adjusted to reflect planned Q3/4 spend in line with Corporate and Communications Strategy
22290		34	Sister City Relations/Japanese Youth Ambassador - Op Exp - Other Governance	\$17,800	\$0	-\$17,800	\$0		Taiji visiting Broome in August 2023. St Mary's going to Taiji in April 2024. Funds will be requested through 23/24 budget.
						-\$32,800		0	
<b>CMS2 - Manager Community Engagement &amp; Projects - N Roukens</b>									
115260		34	Consultancy - Op Exp - Libraries	\$50,000	\$0	-\$50,000	\$0		Review of Corporate Business Plan delayed project to 24/25
						-\$50,000		0	
<b>CS3 - Manager People and Culture - J Maccarone</b>									
142048		34	HRM Consultancy - Op Exp	\$40,000	\$9,936	\$15,000	\$55,000		\$15K for staff survey - Catalyse
142261		34	Occupation Health & Safety - Op Exp - General Admin O'Heads	\$25,000	\$1,990	\$15,000	\$40,000		LGIS 2021 contract invoice due (\$35k).
						\$30,000		0	
<b>ES7 - Special Projects Coordinator - A Clark- Hale</b>									
101896	101897	34	Community Recycling Centre - RRP - Cap Exp	\$419,181	\$323,982	\$119,044	\$538,225		Additional out of scope variations \$34k Bi Annual ground water monitoring \$12K Accelerated Liquid Waste Works Approval Works Approval RFI Response #1 \$24k Works Approval RFI Response #2 \$20k Works Approval RFI Response #3 \$6k Clearing Permit RFI Response #1 22k Other Fees and Design Including Horizon Power Design \$10k Total Variations and Fees \$130,000

SHIRE OF BROOME FINANCE & COSTING REVIEW QUARTER 2 2022-23									
COA Code	Job Number	IE Code	Job Description	2022/23 Full Year Current Budget	2022/23 YTD Actuals	Proposed Budget Amendment	Proposed Budget	Reserve Movement	Amendment Description
101995		26	Transfer from Reserve	-\$419,181	\$0	-\$119,044	-\$538,225	-\$119,044	Offset additional expenditure in account 101896

SHIRE OF BROOME FINANCE & COSTING REVIEW QUARTER 2 2022-23									
COA Code	Job Number	IE Code	Job Description	2022/23 Full Year Current Budget	2022/23 YTD Actuals	Proposed Budget Amendment	Proposed Budget	Reserve Movement	Amendment Description
113128		10	Cable Beach - Non Op Grant	-\$4,547,771		\$1,096,406	-\$3,451,365		BBRF Grant - additional income of \$185,594 Increasing grant funding towards design, reducing available funding for stage 1 PACP Grant - not anticipating receipt of further grant funds this FY \$1,282,000
1181425		34	Cable Beach Redevelopment (Detailed Design)	\$7,498,102		-\$2,735,406	\$4,762,696		Net reduction of expenditure matching adjustment to grant funding \$1,096,406 Shire in-kind contribution \$1,639,000 budgeted as both Shire resources (labour and plant) and materials and contracts.
113128		25	Cable Beach - Non Op Grant	-\$2,363,454		\$1,639,000	-\$724,454		Grant funding received in 21/22 which is not intended to be used in 22/23. PACP (reducing \$2,318,000 allocation to \$724,454) and Changing Places (\$45,454)
						\$0		-\$119,044	
<b>REQ36 - Place Activation and Engagement Officer (Youth and Community Safety) - C Lawton</b>									
23040		34	Youth Development Programme & Working Group - Op Exp - Other Governance	\$30,000	\$7,848	\$35,000	\$65,000		Rio Tinto funding that was recieved in November 2022. Any amounts not spent to be carried over for spending in 2023/24 FY.
82675		11	Grants For Community Programs - Op Inc - Community Services	-\$20,000	\$0	-\$40,000	-\$60,000		Rio Tinto Youth Partnership Agreement (2022 - 2025) First Year Payment \$60,000 compromising of \$40k program delivery and \$20k salary.
						-\$5,000		0	
<b>REQ54 - Activation &amp; Engagement Coordinator - M Nutt</b>									
116085		34	Arts, Culture and Heritage Strategy - Op Exp - Other Culture	\$18,305	\$18,033	\$6,000	\$24,305		\$2500 spent to date on further engagement activity. \$3500 committed to further engagement.
136723	CT00	34	Chinatown Activation - Budget Only	\$59,500	\$0	-\$59,500	\$0		Budget reallocation to 1367457
1367218	TB01	34	Town Beach Activation	\$59,500	\$0	-\$59,500	\$0		Budget reallocation to 1367457
1367457		34	Place Activation Plan	\$0	\$71,379	\$119,000	\$119,000		[RO: REQ1 Place Activation & Engagement Officer] Budget reallocation from 0136723 (CT Place Activation) and 1367218 (TB Place Activation)
						\$6,000		0	

SHIRE OF BROOME FINANCE & COSTING REVIEW QUARTER 2 2022-23									
COA Code	Job Number	IE Code	Job Description	2022/23 Full Year Current Budget	2022/23 YTD Actuals	Proposed Budget Amendment	Proposed Budget	Reserve Movement	Amendment Description
<b>REQ4 - Special Projects Coordinator - M Renton</b>									
0112054		34	Town Beach Café preliminary site investigations -	\$0	\$0	\$60,000	\$60,000		Town Beach Café preliminary site investigations - RFQ closed and shortfall of \$40K
23450		34	Consultants - Op Exp	\$120,000	\$81,040	-\$60,000	\$60,000		[RO: ADMIN 1 Chief Executive Officer] Allocate \$60K to Town Beach site investigations. Journal required for LTFP and work already undertaken on Town Beach site investigation
1138334		34	Turf Club Masterplan Review - Op Ex- Other Cult	\$0	\$0	\$50,000	\$50,000		Turf Club Masterplan Review required following consultation with stakeholders
1138333		12	Turf Club contribution to Masterplan Reviews - C	\$0	\$0	-\$25,000	-\$25,000		Turf Club contribution to Masterplan Review
						\$25,000		0	
			<b>Office of the CEO - DEPT. SAVINGS/EXPENSE</b>			-\$38,800		-\$119,044	
<b>Corporate Services</b>									
<b>CS1 - Director Corporate Services - J Watt</b>									
22124		58	Contribution to Kimberley Zone Secretariat	\$50,000	\$0	-\$10,000	\$40,000		22-23 Zone Budget requesting \$40K contribution per member. Awaiting Zone request for transfer of funds.
142231		34	Consultants Corp Services - Op Ex	\$10,000	\$4,998	\$10,000	\$20,000		LTFP review anticipated to be done in house however required consultant
						-\$10,000		0	
<b>BA - Coordinator Financial Services - D Cerbino</b>									
142212		20	Interest Rec on Muni Investment - Op Inc - General Administration O'Heads	-\$7,521	-\$171,356	-\$185,000	-\$192,521		Muni funds interest higher than expected.
						-\$185,000		0	
<b>BRAC1 - Manager Community Facilities - A Morris</b>									
117010	117011	34	Aquatic Building & Pool General Maint Exp	\$17,000	\$10,468	\$10,000	\$27,000		Reactive maintenance for aquatic area. Based on review of historical expenditure
117081	117082	34	General Building & Facility Maint - BRAC Dry - Op Exp	\$20,000	\$22,955	\$15,000	\$35,000		Increased reactive maintenance required at the recreation centre.
117156		34	Program Annual Events - Op Exp - BRAC Dry	\$10,000	\$109	-\$5,000	\$5,000		Unable to secure traffic management for BRAC 2 Beach. Reducing expenses accordingly.
						\$20,000		0	



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<b>CMS4 - Venue Supervisor - S Bowra</b>									
116470	116471	34	Broome Civic Centre Building General Maint Exps - Op Exp Bme Civic Centre	\$29,000	\$15,432	\$5,000	\$34,000		Requesting budget increase for remaining 6 months to cover reactive and maintenance. As building and equipment are all coming to anticipated end of life expectancy, renewals are being charged to this account.
116483		11	Broome Civic Centre Operational Grants & Contributions - Op Inc - Bme Civic Centre	\$0	-\$50,000	-\$80,000	-\$80,000		\$50,000 grant income from DLGSC. A further \$60,000, DLGSC In the House grant will be received in 2023 with \$30,000 to be used in 22/23 and the remainder in 23/24. Propose use of \$35k for Pigram Garden Theatre furniture upgrade (account 116140)
116491		34	Minor Assets - Op Exp - Bme Civic Centre	\$8,000	\$4,181	\$50,000	\$58,000		Remainder of \$50K DLGSC grant proposed to be used for minor asset replacement
116489		34	Operational Expenses - Broome Civic Centre - Production/Events	\$70,000	\$38,723	\$10,000	\$80,000		Operational expenses are up, in line with reimbursable income account- 116540.
116540		14	Broome Civic Centre Reimbursements Received - Op Inc - Bme Civic Centre	-\$30,000	\$0	-\$10,000	-\$40,000		Increased reimbursements received are in line with increases in op expenses. Confident that the variance will exceed \$10k in Q2&3.
						-\$25,000		0	
<b>CS2 - Manager Financial Services - E French</b>									
30107		1	Rates Concessions - Op Inc - Rates	\$54,910	\$45,131	-\$9,779	\$45,131		Rates Concessions - confirmed list of concession properties received after budget adoption. Some properties are no longer eligible for concession.
143390		14	Reimb Received No GST Incl Diesel Fuel Rebate & Insurance - Op Inc	-\$65,000	-\$19,348	\$9,779	-\$55,221		The fuel excise was halved across Australia to ease cost-of-living pressures for 6 months, affecting the ability to claim fuel tax credits. From 29/09/22, credits for heavy vehicles were re-introduced.
32492		1	Back Rates - Op Inc - Rates	\$0	-\$11,679	-\$13,000	-\$13,000		Additional rates income from minor improvements and new buildings, where the new valuation was received after 30/06/22, and the change occurred prior to 30/06/22.
30146		23	Interest - Rates Instalments - Op Inc	-\$135,000	-\$121,707	\$13,000	-\$122,000		Not expecting any significant income from new instalment arrangements going forward.
						\$0		0	

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<b>CS4 - Manager Governance, Strategy &amp; Risk - D Kennedy</b>									
24010		34	Conferences Travel & Accom Op Exp - Members	\$42,000	\$23,373	-\$10,000	\$32,000		Reduced travel to communities due to COVID concerns.
113411		2	Venue Hire Inc - Cable Beach & Amphitheatre - Op Inc - Other Rec & Sport	-\$6,000	-\$4,970	-\$5,000	-\$11,000		Increased usage
113413		2	Town Beach Hire - Op Inc - Parks & Ovals	-\$2,000	-\$21,146	-\$20,000	-\$22,000		Shinju hire income
113421		2	Event Application Fee (No GST) Parks & Ovals & Oth Rec Areas (not Ovals) - Op Inc - Other Rec & Sport	-\$1,000	-\$5,801	-\$6,000	-\$7,000		Shinju hire income \$4,500; Midnight Oil one off event fee \$1,200
142500		2	Local Number Plate Sales Op Inc - Gen Admin	-\$4,800	-\$6,691	-\$5,000	-\$9,800		Increase in plates sold
142548		34	Local Number Plate Purchases - Op Exp - General Administration O'Heads	\$2,000	\$4,600	\$5,000	\$7,000		Corresponding increase in plate expenses
						-\$41,000		0	
<b>CS6 - Manager Information Services - C Chong</b>									
146120		34	Equip & H'ware >\$5000 Cap Exp - IT	\$163,000	\$72,188	-\$50,000	\$113,000		Chambers AV Improvements (\$35K) complete. Switching and Firewall lease payment \$8649.78 per quarter from Q3 resulting in \$50K savings. \$15K requested to be transferred to 146111 for ICT Policy Development consultant & subscription
146110		34	Minor Assets < \$5000 - IT Exp	\$119,000	\$44,041	-\$20,000	\$99,000		\$28K required for Q4 device renewal lease. Estimate \$20K savings.
146111		34	IT Contract Consultants - Exp	\$123,907	\$74,112	\$15,000	\$138,907		NGIS service cancelled in place with Techone \$30k. \$48k savings from NGIS contract to be used to fund external systems administration resource to cover long term leave cover. \$15K ICT Policy development & subscription funded through savings in 146120.
						-\$55,000		0	
			<b>Corporate Services</b>			-\$286,000		0	
<b>Development Services</b>									
<b>BS1 - Acting Manager Planning &amp; Building Services - M Cosson</b>									
106030	106055	34	Planning General Project Consult - Op Exp Town Planning/Reg Dev	\$207,063	\$132,629	\$5,000	\$212,063		Request for additional \$5,000 per year for 4 years for the Future Climate, Future Home research program.
						\$5,000		0	

SHIRE OF BROOME FINANCE & COSTING REVIEW QUARTER 2 2022-23									
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			Development Services			\$5,000		0	

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<b>Infrastructure Services</b>									
<b>ES3 - Manager Works - J Welshman</b>									
141450		2	Works Private Works Income - Not Prepaid	\$0	-\$62,475	-\$65,000	-\$65,000		\$30K DFES fire fighting. \$18K Shinju traffic management. Various sweeping and patching works.
148100	148105	34	Depot - Reactive Maint - Op Exp	\$4,000	\$11,731	\$18,000	\$22,000		Increased costs associated with air conditioner failure. PO for Q4 cleaning needs to be raised. Nursery fence, second section falling over.
						-\$47,000		0	
<b>ES8 - Manager Waste- M Mitchell</b>									
101411		2	C'van Pk & Additional Services - Op Inc - Sanitation Gen Refuse	-\$40,162	-\$75,705	-\$35,000	-\$75,162		Additional income through billing
101090		34	Transfer Station Tyres	\$150,450	\$134,009	\$150,000	\$300,450		Tyre recycling to meet licence storage conditions
101091		34	Transfer Station Concrete	\$450,450	\$300,623	-\$150,000	\$300,450		Crushing campaign complete, funds not required in FY23
101423		18	Sundry Income (Inc. GST) - Op Inc - Sanitation Gen Refuse	-\$126,000	-\$199,974	-\$70,000	-\$196,000		Additional income for light and heavy gauge steel
101895		43	Transfer to RRRP Reserve	\$0	\$203,280	\$105,000	\$105,000	\$105,000	\$105K income to reserve for RRRP. Additional income already in account related to increased interest rate of funds held in reserve.
						\$0		\$105,000	
<b>ES9 - Manager Engineering - L McKenzie</b>									
107034		34	Broome Cemetery Survey & Other - Op Exp - Other Comm Amen	\$5,100	\$6,476	\$5,000	\$10,100		Higher than expected burial setouts and other minor repairs and works.
113027	113029	34	Skatepark New Infrs Const - Cap Exp - Other Rec & Sport	\$815,205	\$469,968	-\$150,000	\$665,205		Project has significant underspend @\$215K with \$150K savings. Remaining \$65K required for further works and inhouse costs already incurred.

SHIRE OF BROOME FINANCE & COSTING REVIEW QUARTER 2 2022-23									
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1254421		34	Access & Inclusion Improvements New Infra - Cap Exp	\$0	\$4,100	\$15,000	\$15,000		Black spot funded projects - correct budget allocations as per the original project briefs.
121100	121715	34	Frederick Street/Hamersley Street Intersection Lighting Upgrades	\$15,591	\$0	-\$1,591	\$14,000		Black spot funded projects - correct budget allocations as per the original project briefs.
121100	121716	34	Port/Guy Intersection	\$825,640	\$11,335	\$99,331	\$924,971		Black spot funded projects - correct budget allocations as per the original project briefs.
121100	121716	755	Port/Guy Intersection	\$0	\$44,002	\$31,899	\$31,899		Black spot funded projects - correct budget allocations as per the original project briefs.
121771		10	Black Spot State Non Op Grant	-\$1,020,275	\$0	-\$289,279	-\$1,309,554		Remainder of Frederick Street carpark grants expected for the project total \$708,000. The full GL budget includes Black spot grant allocations for Port/Guy \$520,221 and Frederick Street lighting \$9,333)
121771		25	Black Spot State Non Op Grant	-\$144,640	\$0	\$144,640	\$0		Additional Blackspot funding received in 21/22, allocated towards Port/Guy project, so no receipt of income anticipated in 22/23 (contract liability)
121100	121715	62	Frederick Street/Hamersley Street Intersection Lighting Upgrades	\$8,668	\$0	-\$8,668	\$0		Works staff labour and overheads as per business plan for Port/Guy intersection, was allocated to lighting upgrades in the original budget.
121100	121715	69	Frederick Street/Hamersley Street Intersection Lighting Upgrades	\$15,740	\$0	-\$15,740	\$0		Works staff labour and overheads as per business plan for Port/Guy intersection, was allocated to lighting upgrades in the original budget.
121100	121716	62	Port/Guy Intersection	\$0	\$0	\$8,668	\$8,668		Works staff labour and overheads as per business plan for Port/Guy intersection, was allocated to lighting upgrades in the original budget.
121100	121716	69	Port/Guy Intersection	\$0	\$0	\$15,740	\$15,740		Works staff labour and overheads as per business plan for Port/Guy intersection, was allocated to lighting upgrades in the original budget.
125253	125045	12	Contribution Non Op - Broome SHS Carparking	-\$259,881	\$0	-\$250,000	-\$509,881		Additional \$250K contribution secured however project must be commenced by June 30. RFT closes end January for award at February Council meeting.
125000	125045	34	State Blackspot - Frederick Street off-street carpark Cap (Broome SHS) Exp	\$1,034,915	\$0	\$250,000	\$1,284,915		Corresponding increase to expenditure account

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125140	125183	34	Conti foreshore Footpath Construction (Before Hamersley Street - New Footpath Construction)	\$97,978	\$153,684	\$11,000	\$108,978		Higher costs than expected originally
143485		2	Subdivision Engineering Supervision Charges - Op Inc - Eng Off	\$0	-\$25,116	-\$25,116	-\$25,116		Income from subdivision fees and charges.
1138332		11	Grant Income & Contributions - Op Inc - Other Culture	\$0	-\$6,137	-\$6,137	-\$6,137		Cash in lieu for reserve transfer to the carpark reserve as unallocated funds.
121390		43	Transfer to Carpark Reserve	\$16,050	\$6,208	\$6,137	\$22,187	\$6,137	\$6,137 Carpak cash in lieu
						-\$159,116		0	

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<b>PK3 - Parks &amp; Gardens Coordinator - C Hankinson</b>									
113000	113039	34	Streeters Jetty Park - P&G Maint	\$8,050	\$0	-\$8,050	\$0		Shire doesn't have responsibility to maintain the park.
113000	113591	34	Mackie Park - P&G Maint	\$14,620	\$0	-\$10,000	\$4,620		Savings against budget used to offset budget issues
113000	113070	34	Sunset Park - P&G Maint	\$4,970	\$245	\$8,780	\$13,750		Budget issue offset with savings above
113000	113076	34	Koel Park - P&G Maint	\$2,720	\$438	\$5,000	\$7,720		Budget issue offset with savings above
113000	113040	52	Cable Beach - P&G Maint	\$32,828	\$23,923	\$10,000	\$42,828		21/22 actuals significantly lower than prior years affecting formula used to develop average costs.
113000	113030	34	Frederick Street Lookout (R39556)- P&G Maint	\$850	\$3,819	\$6,000	\$6,850		Extra cleaning services required for VIP visits and anti social behaviour.
113000	113033	34	Haynes Oval - P&G Maint	\$24,165	\$21,310	\$13,000	\$37,165		\$13K for tank replacement due to white ant damage. Pursued restitution however unsuccessful. Insurance not applicable.
113000	113068	34	Chippindale Park - P&G Maint	\$27,750	\$82	-\$20,000	\$7,750		\$20K allocated through Parks & Gardens AMP for playground replacement. Transfer \$20K to reserve
111989		43	Transfer to P&G Reserve	\$773,779	\$60,992	\$20,000	\$793,779	\$20,000	\$20,000 allocation through AMP for playground replacement
117210	117211	34	BRAC Ovals - P&G Maint	\$111,082	\$21,449	-\$50,000	\$61,082		Project to upgrade lateral lines deferred to next year. \$50K transfer to reserve.
111989		43	Transfer to P&G Reserve	\$793,779	\$60,992	\$50,000	\$843,779	\$50,000	\$50,000 transfer of funds for BRAC lateral line upgrade
141600		2	P & G Private Works - Fees Charged	\$0	-\$8,821	-\$9,000	-\$9,000		Melen events repairs charged out
143384		14	Reimbursements - W. Comp & Sundry No GST P & G Ops - Op Inc	\$0	-\$17,163	-\$35,000	-\$35,000		LGIS workers compensation reimbursement
116283	PPART	34	Public Art, Monument andf Plaque P&G Maint	\$0	\$1,050	\$7,000	\$7,000		Budget upload error
						-\$12,270		\$70,000	
<b>ES1 - Director Infrastructure - J Hall</b>									
121782		12	Dev Contributions - Footpaths	0	(62,640)	-\$62,640	-\$62,640		Footpath contribution - WAPC 155527 STAGE 11C 2022, transfer to Reserve
125950		43	Transfer to Reserve	\$9,145	\$29,409	\$62,640	\$71,785	\$62,640	Offset additional contribution in account 121782
104482		12	Headworks Contribution - Non Op Inc - Urban Stormwater Drainage	\$0	-\$34,423	-\$34,423	-\$34,423		Drainage and footpath headworks from Roebuck Estate. To be transfer to reserve.
104281		43	Transfer to Reserve	\$10,336	\$25,919	\$34,423	\$44,759	\$34,423	Offset additional contribution in account 104482

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101230000	123000	33	Mtce Strees, Rds - Rural Summary Budget Only - Op Exp	\$11,868	\$0	\$115,225	\$127,093		Transfer of internal labour resources from Cable Beach Foreshore Redevelopment to Rural Road workings, Nil impact.
101230000	123000	42	Mtce Strees, Rds - Rural Summary Budget Only - Op Exp	\$12,988	\$0	\$102,488	\$115,476		Transfer of internal labour resources from Cable Beach Foreshore Redevelopment to Rural Road workings, Nil impact.
101230000	123000	62	Mtce Strees, Rds - Rural Summary Budget Only - Op Exp	\$7,757	\$0	\$42,022	\$49,779		Transfer of internal labour resources from Cable Beach Foreshore Redevelopment to Rural Road workings, Nil impact.
101230000	123000	69	Mtce Strees, Rds - Rural Summary Budget Only - Op Exp	\$14,086	\$0	\$76,307	\$90,393		Transfer of internal labour resources from Cable Beach Foreshore Redevelopment to Rural Road workings, Nil impact.
111814250		33	Cable Beach Redevelopment (Detailed Design) - Cap Exp	\$162,640	\$0	-\$115,225	\$47,415		Transfer of internal labour resources from Cable Beach Foreshore Redevelopment to Rural Road workings, Nil impact.
111814250		42	Cable Beach Redevelopment (Detailed Design) - Cap Exp	\$143,403	\$0	-\$102,488	\$40,915		Transfer of internal labour resources from Cable Beach Foreshore Redevelopment to Rural Road workings, Nil impact.
111814250		62	Cable Beach Redevelopment (Detailed Design) - Cap Exp	\$567,638	-\$2,113	-\$42,022	\$525,616		Transfer of internal labour resources from Cable Beach Foreshore Redevelopment to Rural Road workings, Nil impact.
111814250		69	Cable Beach Redevelopment (Detailed Design) - Cap Exp	\$1,030,774	\$0	-\$76,307	\$954,467		Transfer of internal labour resources from Cable Beach Foreshore Redevelopment to Rural Road workings, Nil impact.
101435080		34	Parks and Gardens	\$116,495	\$0	-\$116,495	\$0		Reversal of Materials and Contracts moved from Cable Beach Foreshore Redevelopment to Operations during FACR1.
101220000	121011	34	Sector 1 – Maintenance	\$138,297	\$18,950	-\$30,286	\$108,011		Reversal of Materials and Contracts moved from Cable Beach Foreshore Redevelopment to Operations during FACR1.
101220000	121025	34	Sector 2 – Maintenance	\$106,858	\$4,703	-\$19,506	\$87,352		Reversal of Materials and Contracts moved from Cable Beach Foreshore Redevelopment to Operations during FACR1.
101220000	121026	34	Sector 3 – Maintenance	\$127,224	\$12,573	-\$25,358	\$101,866		Reversal of Materials and Contracts moved from Cable Beach Foreshore Redevelopment to Operations during FACR1.
101220000	121027	34	Sector 4 – Maintenance	\$78,318	\$4,071	-\$17,966	\$60,352		Reversal of Materials and Contracts moved from Cable Beach Foreshore Redevelopment to Operations during FACR1.



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101220000	121028	34	Sector 5 – Maintenance	\$118,102	\$7,142	-\$20,327	\$97,775		Reversal of Materials and Contracts moved from Cable Beach Foreshore Redevelopment to Operations during FACR1.

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101220000	121029	34	Sector 6 – Maintenance	\$73,520	\$18,777	-\$14,886	\$58,634		Reversal of Materials and Contracts moved from Cable Beach Foreshore Redevelopment to Operations during FACR1.
101220000	121030	34	Sector 7 – Maintenance	\$113,509	-\$12,200	-\$17,453	\$96,056		Reversal of Materials and Contracts moved from Cable Beach Foreshore Redevelopment to Operations during FACR1.
111814250	1181426	34	Cable Beach Foreshore Redevelopment	\$7,498,102	\$495,090	\$262,277	\$7,760,379		Reversal of Materials and Contracts removed from the project during FACR1.
						\$0	\$10,341,060	\$97,063	
<b>PM2 - Asset and Building Coordinator - A Waddell</b>									
96101		34	Staff Housing - Reactive Maint - Op Exp	\$7,000	\$5,099	\$10,000	\$17,000		Additional costs due to short term staff, exit cleaning, unplanned aircon and pool chlorinator repairs and relocation of furniture
107028	107033	34	Cemetery Operating Expense - Op Exp	\$15,660	\$6,861	\$12,500	\$28,160		Decision made to keep toilets open daily necessitating additional cleaning.
107071	107071	52	Male Oval Ablutions - Operating Expense - Op Exp	\$2,500	\$10,505	\$17,500	\$20,000		New PO for Q4 cleaning needs to be raised Budget upload error
122000	121031	34	Lighting - Works Maint	\$0	\$9,824	\$20,600	\$20,600		Budget discrepancy identified
146020	141020	34	Mulberry Tree Child Care - Reactive Maint - Op Exp	\$500	\$12,820	\$12,820	\$13,320		Insurance works - income received in account 147585
146050	146052	34	4 Jones Place - Planned Maint & Minor Works - Op Exp	\$4,610	\$34,039	\$32,861	\$37,471		Insurance works - income received in account 147585
146670	146671	34	Bowling Club - Planned Maint & Minor Works - Op Exp	\$590	\$3,689	\$201,000	\$201,590		Bowling Club Insurance - Feb 22 flood damage to green
147585		14	Reimbursement of Insurance Claimable Costs - O	\$0	-\$361,971	-\$246,681	-\$246,681		Insurance claim received from 3 items above (Child Care, Bowling Club and Antenna at 4 Jones Place)
						\$60,600		0	
<b>PM3 - Property and Leasing Senior Officer - K Martin</b>									
96202		28	8/6 Ibis Way - Rent & Recoup Income - Op Inc	(19,293)	(14,710)	\$10,000	-\$9,293		Property income based on 80% occupation - currently vacant
96203		28	11/6 Ibis Way - Rent & Recoup Income - Op Inc	(24,507)	(10,128)	\$10,000	-\$14,507		Property income based on 80% occupation - currently vacant
112483		28	Town Beach Cafe - Rent & Recoup Income - Op Inc	(56,100)	(11,194)	\$35,000	-\$21,100		Reduced income due to vacancy.

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146408		28	Zanders - Rent & Recoup Income - Op Inc	(195,000)	(92,752)	-\$15,000	-\$210,000		7.6% CPI increase as per rise and fall clause in lease
132410		28	Roebuck Bay CP - Rent & Recoup Income - Op Inc	(283,457)	(230,362)	-\$100,000	-\$383,457		Revenue has exceeded budget estimations.
147489		14	User Charges KRO Outgoings - Op Inc - Office Properties Leased	(157,063)	(222,351)	\$157,063	\$0		Budget double up identified
147491		28	Old Broome Lock Up - Rent & Recoup Income - Op Inc	(10,488)	0	\$10,488	\$0		Vacancy - initially advertised with no interest. Currently being advertised with several parties expressing interest.
147865		28	Sam Male Lugger - Op Inc - Other Build Leased	(15,000)	(3,125)	\$7,500	-\$7,500		50% abatement to offset impact of lugger repairs
						\$115,051	-\$645,857	0	
			<b>Infrastructure Services</b>			-\$42,735		0	
						\$0			
<b>Prior year adjustments for Capital Projects</b>									
117399	117421	34	BRAC Water Fountain	-	-	\$11,780	\$11,780		Net Expense Increase - \$11,780 Budget error with upgrade budget not included in 22/23
125140		34	Footpath Construction New - Cap Exp - Cons Streets Roads Bridges	-	-	\$212,309	\$212,309		Net Expense - \$212,309 Budget error. Reserve transfer in budget for Project DIS202238 : Subdivisional Footpath but no offsetting expenditure.
125300		34	Footpath Const Renewal - Cap Exp - Cons Streets Roads Bridges	-	-	\$99,507	\$99,507		Net Expense - \$99,507 Budget error. Reserve transfer in budget for Project DIS202232 : Footpaths as per AMP but no offsetting expenditure.
124300		34	Car Park Upgrade Wks - Cap Exp - Car Park Const	-	-	\$28,424	\$28,424		Net Expense - \$28,424 Budget error. Expenditure for Carparks per Transport AMP (KRO, BPS) not included in budget.
143600		07	Proceeds from Sale of Assets - Cap Inc - Engineering Office	-	-	-\$66,000	-\$66,000		Net Revenue Increase \$66,000 Budget error. Renewal of plant for infrastructure light fleet but no offsetting sale proceeds.
143601		07	Proceeds from Sale of Assets - Cap Inc - Parks & Gardens Operations	-	-	-\$92,000	-\$92,000		Net Revenue Increase \$92,000 Budget error. Renewal of plant for parks operations but no offsetting sale proceeds.
148600		07	Proceeds from Sale of Assets - Cap Inc - Works Operations	-	-	-\$131,000	-\$131,000		Net Revenue Increase \$131,000 Budget error. Renewal of plant for works operations but no offsetting sale proceeds.

SHIRE OF BROOME FINANCE & COSTING REVIEW QUARTER 2 2022-23									
COA Code	Job Number	IE Code	Job Description	2022/23 Full Year Current Budget	2022/23 YTD Actuals	Proposed Budget Amendment	Proposed Budget	Reserve Movement	Amendment Description
148601		07	Proceeds From Sale of Assets - Cap Inc - Depot Operations	-	-	-\$6,830	-\$6,830		Net Revenue Increase \$6,830 Budget error. Renewal of plant for depot operations but no offsetting sale proceeds.
101550		34	Garbage Bin Replacement	-	-	\$153,234	\$153,234		Net Expense - \$153,234 Budget error. Reserve transfer in for bin replacement but no offsetting expenditure.
						\$209,424		0	

***Cr Male returned to the meeting at 4:58pm.***

***Cr Mitchell read aloud the committee resolution.***

***Cr Male resumed the Chair at 4:59pm.***

<b>6. MATTERS BEHIND CLOSED DOORS</b>
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Nil

<b>7. MEETING CLOSURE</b>
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There being no further business the Chair declared the meeting closed at 4:59 PM.