



SECTION 15

Reports of Committees

For the Ordinary Meeting of Council

25 March 2021

Item 15.1 – AC Minutes 4 March 2021



**UNCONFIRMED
MINUTES**

Audit Committee

4 March 2021

AUDIT COMMITTEE

MINUTES

4 March 2021

(REF: D2021/02329)

A meeting of the Audit Committee was held at the EMRC Administration Office, 1st Floor, 226 Great Eastern Highway, ASCOT WA 6104 on **Thursday, 4 March 2021**. The meeting commenced at **6:00pm**.

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1 DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS

The Chairman opened the meeting at 6:00pm, welcomed visitors and acknowledged the traditional custodians of the land on which the meeting was held and paid respects to the elders past, present and future.

2 ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE (PREVIOUSLY APPROVED)

Councillor Attendance

Cr Mel Congerton (Chairman)	EMRC Member	City of Swan
Cr Lesley Boyd (Deputy Chairman)	EMRC Member	City of Kalamunda
Cr Kathryn Hamilton	EMRC Member	Town of Bassendean
Cr Lorna Clarke (<i>arrived 6:01pm</i>)	EMRC Member	City of Bayswater
Cr Doug Jeans	EMRC Member	Shire of Mundaring

EMRC Apologies

Cr Janet Powell	EMRC Member	City of Belmont
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EMRC Officers

Mr Marcus Geisler	Chief Executive Officer
Mr Hua Jer Liew	Chief Financial Officer
Mr Douglas Bruce	Chief Project Officer
Mrs Wendy Harris	Chief Sustainability Officer
Mr Brad Lacey	Chief Operating Officer
Mr David Ameduri	Manager Financial Services
Ms Izabella Krzysko	Manager Procurement and Governance
Mrs Lee Loughnan	Personal Assistant to Chief Financial Officer (Minutes)

EMRC Observers

Ms Theresa Eckstein	Executive Assistant to the Chief Executive Officer
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3 DISCLOSURE OF INTERESTS

Nil

4 ANNOUNCEMENTS BY THE CHAIRMAN OR PRESIDING MEMBER WITHOUT DISCUSSION

Nil

5 PETITIONS, DEPUTATIONS AND PRESENTATIONS

Nil



6 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

6.1 MINUTES OF AUDIT COMMITTEE MEETING HELD ON 19 NOVEMBER 2020

That the Minutes of the Audit Committee meeting held on 19 November 2020 which have been distributed, be confirmed.

AC RESOLUTION

MOVED CR BOYD

SECONDED CR JEANS

THAT THE MINUTES OF THE AUDIT COMMITTEE MEETING HELD ON 19 NOVEMBER 2020 WHICH HAVE BEEN DISTRIBUTED, BE CONFIRMED.

CARRIED UNANIMOUSLY

7 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

Nil

8 QUESTIONS BY MEMBERS WITHOUT NOTICE

Nil

9 ANNOUNCEMENT OF CONFIDENTIAL MATTERS FOR WHICH MEETINGS MAY BE CLOSED TO THE PUBLIC

Nil

10 BUSINESS NOT DEALT WITH FROM A PREVIOUS MEETING

Nil



11 REPORTS OF EMPLOYEES

11.1 HALF YEAR BUDGET REVIEW 2020/2021

REFERENCE: D2021/02448

PURPOSE OF REPORT

The purpose of this report is to provide Council, via the Audit Committee, with details of the Eastern Metropolitan Regional Council's (EMRC's) 2020/2021 half year budget review for adoption and subsequent submission to the Department of Local Government, Sport and Cultural Industries.

KEY POINTS AND RECOMMENDATION(S)

- It is a requirement of the *Local Government (Financial Management) Regulations 1996* r.33A that a Local Government, between 1 January and 31 March in each year, is to carry out a review of its annual budget for that year.
- Council receives monthly financial reports inclusive of end of year forecasts. Forecasts have been constantly monitored and reviewed based on current information and circumstances available to provide a more accurate forecast of the year end result.

Recommendation(s)

That Council, by an absolute majority in accordance with the provisions of the *Local Government (Financial Management) Regulations 1996* r.33A, adopts the review of the 2020/2021 budget and approves its submission to the Department of Local Government, Sport and Cultural Industries within 30 days.

SOURCE OF REPORT

Chief Financial Officer

BACKGROUND

It is a requirement of the *Local Government (Financial Management) Regulations 1996* r.33A that a Local Government, between 1 January and 31 March in each year, is to carry out a review of its annual budget for that year.

Regulation 33A also states that 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 who is to consider the review submitted to it and is to determine, by absolute majority, whether or not to adopt the review, any parts of the review or any recommendation made to the review.

Submitted to each meeting of Council is a financial report and summaries which provide an overview of year to date budget performance for operating activities and capital works. Variances greater than 10% or \$20,000, whichever is the greater, within each nature and type category on the Statement of Comprehensive Income are reported on in the body of the report. Also included are end of year forecasts by nature and type for operating activities and end of year forecasts for each capital works project. These forecasts are reviewed regularly in order to provide an accurate forecast of the end of year result.

The half year budget review was undertaken during January/February 2021 and is reflected in this report.



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REPORT

Whilst the budget review is a statutory requirement, due to the commercial nature of the EMRC's waste operations, forecasts are conducted throughout the year in order to adjust costs (where possible) in relation to available tonnage throughput.

Format of Budget Review

The format of the statutory review undertaken is based on an examination by officers of all EMRC accounts (operating income, operating expenditure and capital expenditure accounts) within their area of responsibility.

A review of the tonnages budgeted to be received at the Red Hill Waste Management Facility is also undertaken. Tonnage budgets are reviewed to provide a forecast of volumes expected to be received by 30 June 2021. These forecasts, when calculated against the previously adopted disposal rates, provide financial forecasts relating to the following:

- Income from normal operations (including landfill levy);
- Secondary Waste Income;
- Landfill Levy Expenditure;
- Waste Education Levy Income; and
- Cell usage and depreciation.

All forecasts, which are an actual review of the budgets set against each account, are entered into the financial management system in order to provide a more accurate forecast of the end of year result.

The year to date monthly budget allocations are also reviewed in order to match the appropriate timing for the various projects budgeted to be undertaken. A review is undertaken to ensure that the year to date budget allocations best reflect the timing applicable either to expenditure expected to be incurred or income to be received. This process commences immediately following adoption of the budget and is constantly being monitored and reviewed based on current information and circumstances available. This process provides a better comparison between the year to date actual and year to date budget figures.

Adjustments resulting from Budget Review

EMRC officers undertook the latest review based on the actual financial data provided for the period ended 31 December 2020. The financial report relating to the period ended 31 January 2021 was submitted to Council at its meeting held on 25 February 2021. However, that report did not include the revised forecasts that have result from the half year budget review.

In accordance with the process followed in previous years, the original budget is not updated with the revised forecasts, as relevant regulations require the end of year results to be compared to the original adopted annual budget, rather than the reviewed budget.

Whilst it is accepted that many costs are incurred generally within a specific pattern, many are not. These include significant costs incurred relating to operating and capital projects, which depend solely on the timing of when the project is undertaken.



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The following is a summary of the forecast changes to operating budget provisions resulting from the half year budget review:

Changes In	Total
Increase / (Decrease) in Operating Income	(\$1,932,548)
(Increase) / Decrease in Operating Expenditure	\$1,109,264
Increase / (Decrease) in Net Assets from Operations	(\$823,284)

Provided below is a summary of changes between the original budget and the forecast for the financial year ending 30 June 2021. Comments are provided for significant variances using Council's adopted criteria of 10% or \$20,000, whichever is the greater, as a guide:

Operating Income

User Charges

- Current Budget: \$35,838,110 Forecast Budget: \$32,417,978 Variance: (\$3,420,132); (9.54%)

Net User Charges (User Charges less Landfill Levy charges)

- Current Budget: \$21,333,717 Forecast Budget: \$19,276,063 Variance: (\$2,057,654); (9.65%)

Special Charges

- Current Budget: \$482,683 Forecast Budget: \$477,568 Variance: (\$5,115); (1.06%)

Secondary Waste Charge (Other Revenues)

- Current Budget: \$4,738,691 Forecast Budget: \$4,803,276 Variance: \$64,585; 1.36%

Contributions

- Current Budget: \$423,955 Forecast Budget: \$391,708 Variance: (\$32,247); (7.61%)

Operating Grants

- Current Budget: \$415,000 Forecast Budget: \$275,437 Variance: (\$139,563); (33.63%)

The full year forecast for Operating Grants is below the annual budget by \$139,563 (33.63%). The variance is due to grants totalling \$288,000 relating to the following projects that were not received (associated costs relating specifically to these grants have not been incurred).

- \$108,000 - Regional Spatial Mapping; and
- \$180,000 - Avon Descent.

This is offset by the following successful grant not previously budgeted for that have been received:

- \$65,775 - Tackling the Troublesome Two Project; and
- \$50,000 - Circular Economy Training and Capacity Building Project.



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Interest Municipal Cash & Investments

- Current Budget: \$170,000 Forecast Budget: \$132,000 Variance: (\$38,000); (22.35%)

The full year forecast for Interest on Municipal Fund Cash and Investment is \$38,000 (22.35%) below the budget of \$170,000. This is attributable to the lower level of funds held in the Municipal Fund and a lower average interest rate expected to be received for the 2020/2021 financial year (1.055% as at 31 January 2021 compared to the budgeted rate of 1.14%).

Interest Restricted Cash Investments

- Current Budget: \$929,975 Forecast Budget: \$940,123 Variance: \$10,148; 1.09%

Reimbursements

- Current Budget: \$1,060,390 Forecast Budget: \$1,617,156 Variance: \$556,766; 52.51%

The variance relates to the reimbursement of repair costs resulting from fire damage to the Hamel Shredder that was used to process mattresses at the Hazelmere Resource Recovery Facility (HRRF) and the resulting business interruption claim (approximately \$250,000), together with additional reimbursements from the management of the Coppin and Mathieson Transfer Stations which is based on a cost-plus basis and is reliant on the level of income generated from the sale of products at the sites.

Other Income

- Current Budget: \$2,440,311 Forecast Budget: \$2,114,025 Variance: (\$326,286); (13.37%)

The full year forecast for Other Income is below the annual budget by \$326,286 (13.37%). The variance is attributable to a \$0 forecast for electricity sales from the WWtE facility (compared to a budget of \$559,650), and the sale of products from the WWtE facility (\$0 forecast compared to a budget of \$112,500) due to the delay in the commissioning of the Wood Waste to Energy (WWtE) facility.

This is offset by additional income from the sale of products from the Class IV Cell (\$175,000 forecast compared to a budget of \$0), additional sales of products from the Woodwaste Project (\$807,716 forecast compared to a budget of \$700,000) and the additional sale of products from the Baywaste Transfer Station (\$60,000 forecast compared to a budget of \$0).

Proceeds from Sale of Assets (Other Revenues)

- Current Budget: \$275,000 Forecast Budget: \$309,818 Variance: 34,818; 12.66%

The full year forecast for Proceeds from Sale of Assets is \$34,818 above the budget of \$275,000. The variance relates specifically to the timing of various items of plant and vehicles not previously budgeted for change over during the 2020/2021 financial year that have now been forecast to be changed over as they will have attained the specified change over criteria.



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Operating Expenditure

Salary Expenses

- Current Budget: \$10,801,281 Forecast Budget: \$10,224,688 Variance: (\$576,593); (5.34%)

Contract Expenses

- Current Budget: \$5,627,716 Forecast Budget: \$6,340,838 Variance: \$713,122; 12.67%

The full year forecast for Contract Expenses is \$713,122 (12.67%) above the budget of \$6,340,838. The variance relates primarily to additional contract labour and material expenses of \$619,079 and additional legal expenses of \$160,190. The additional contract labour expense is primarily as a result of staff vacancies. This is reflected in an end of year forecast that is \$576,593 lower than budget in the salary expenses.

Material Expenses

- Current Budget: \$1,555,489 Forecast Budget: \$1,531,494 Variance: (\$23,995); (1.54%)

Utility Expenses

- Current Budget: \$356,911 Forecast Budget: \$301,380 Variance: (\$55,531); (15.56%)

The full year forecast for Utility Expenses is \$55,531 (15.56%) below the budget of \$356,911. The variance relates primarily to the lower than budgeted electricity usage across the EMRC facilities together with anticipated savings based on renegotiated charges with the electricity supplier.

Fuel Expenses

- Current Budget: \$827,183 Forecast Budget: \$669,409 Variance: (\$157,774); (19.07%)

The full year forecast for Fuel Expenses is \$157,774 below the budget by \$669,409 (19.07%). The variance is attributable to the lower purchase price of distillate compared to budget together with the lower level of commercial tonnages forecast to be received as at year end compared to budget.

Insurance Expenses

- Current Budget: \$318,484 Forecast Budget: \$337,684 Variance: \$19,200; 6.03%

Depreciation Expenses

- Current Budget: \$5,537,697 Forecast Budget: \$4,606,502 Variance: (\$931,195); (16.82%)

The full year forecast for Depreciation Expenses is \$931,195 (16.82%) below the budget of \$5,537,697. The variance is principally due to the lower level of capital expenditure as at 31 January 2021 (\$7,855,070 compared to a full year budget of \$19,616,114).

Miscellaneous Expenses (excluding Landfill Levy expenses)

- Current Budget: \$1,293,452 Forecast Budget: \$1,117,974 Variance: (\$175,478); (13.57%)

The full year forecast for Miscellaneous Expenses (excluding the Landfill Levy expenses) is \$175,478 (13.57%) below the budget of \$1,293,452. This variance is attributable to the lower level of travel and accommodation expenses (\$39,690 compared to a budget of \$66,774), Advertising Expenses associated with the advertising of the Avon Descent (\$0 compared to a budget of \$48,000), other miscellaneous advertising (\$120,375 compared to a budget of \$144,509), lower contribution expenses (\$28,000 compared to a budget of \$55,000), lower internet service provider expenses (\$83,104 compared to a budget of \$104,104) and lower general miscellaneous expenses across all directorates of the EMRC (\$107,428 compared to a budget of \$144,224).



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Provision Expenses

- Current Budget: \$900,658 Forecast Budget: \$813,480 Variance: (\$87,178); (9.68%)

Costs Allocated

- Current Budget: (\$854,401) Forecast Budget: (\$700,658) Variance: \$153,743; 17.99%

The full year forecast for Cost Allocations is \$153,743 (17.99%) below the budget of \$854,401. This variance relates specifically to internal costs allocated to various capital expenditure projects that were budgeted to utilise the EMRC's plant and have subsequently been reduced as part of the half year budget review process.

Carrying Amount of Assets Disposed Of (Other Expenses)

- Current Budget: \$252,738 Forecast Budget: \$265,153 Variance: \$12,415; 4.91%

Capital Expenditure

- Current Budget: \$19,616,114 Forecast Budget: \$18,797,687 Variance: (\$818,427); (4.17%)

The Capital Expenditure budgets as at year end have been reviewed throughout the year and in particular as part of the half year budget review undertaken during January/February 2021 in order to reflect the actual timing of various projects and match expenditure requirements in relation to tonnage forecasts.

Full Year Capital Expenditure has been forecast to be \$818,427 (4.17%) below the budget of \$19,616,114.

Significant reductions to capital budgets where savings have been achieved, or where project expenditure has been deferred due to delays and/or carried forward or not required include the following:

- Liquid Waste Project - Red Hill Landfill Facility (RHLF) - \$1,500,000 (c/fwd);
- Construct Workshop No 3 - RHLF - \$624,811 (c/fwd);
- Construct Class III Cell Stage 16 - RHLF - \$574,285;
- Liquid Waste Project Plant - Red Hill Landfill Facility (RHLF) - \$550,000 (c/fwd);
- Purchase / Replace Minor Plant & Equipment - RHLF - \$260,562;
- Construct Class III Cell Stage 17 - RHLF - \$250,000 (c/fwd);
- Construct Hazelmere Resource Recovery Park (HRRP) - Reuse Store Infrastructure - \$250,000;
- WWtE Plant and Equipment - HRRP - \$234,799;
- Purchase Waste Management Land - RHLF - \$219,093;
- Upgrade Power Supply to Workshop No 2 - RHLF - \$210,000 (c/fwd);
- Construct Drainage Diversion & Infrastructures - RHLF - \$200,000 (c/fwd).
- Construct Waste Management Facility Buildings - RHLF - \$180,000 (\$100,000 c/fwd);
- Woodwaste to Energy Project (WWtE) Utilities / Infrastructure - HRRP - \$170,727;
- Construct Leachate & Stormwater Infrastructure/Siltation Ponds - RHLF - \$115,926 (c/fwd);

This is offset by an increase in the following Capital Expenditure budget provision following a review of the capital expenditure program:

- Construct Site Workshop (HRRP) - \$1,465,750;
This was subject to a confidential report submitted to Council and approved by Council at its meeting held on 17 September 2020.



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- WWtE Building (HRRP) - \$458,711;
This expenditure relates to the correct allocation of budget provisions for the class of asset relating to the WWtE project. This off-sets the WWtE budgeted provisions for Utilities / Infrastructure and Plant and Equipment which have been reduced by \$405,526.
- Refurbish Plant - HRRP - \$404,984;
This expenditure relates to the refurbishment of plant that was expected to be completed and provided for in the previous financial year (2019/2020). There was no carried forward provision made in the 2020/2021 financial year for this expenditure and the resulting 2019/2020 total expenditure was below the expected forecast.
- Implementation of the FOGO Recovery Strategy - RHLF - \$400,000;
This was subject to a report submitted to Council and approved by Council at its meeting held on 17 September 2020 for the permanent FOGO facility.
- Construct Access Road and Develop Lots 8, 9 & 10 - RHLF - \$372,039;
This expenditure relates to the construction of the access road and development of Lots 8, 9 & 10 at the RHLF that was expected to be completed and provided for in the previous financial year (2019/2020). There was no carried forward provision made in the 2020/2021 financial year for this expenditure and the resulting 2019/2020 total expenditure was below the expected forecast.
- Purchase FOGO Processing Plant - RHLF - \$315,000;
This additional expenditure relates to the purchase of the FOGO Processing Plant at the RHLF that was expected to be purchased in the previous financial year (2019/2020). There was no carried forward provision made in the 2020/2021 financial year for this expenditure and the resulting 2019/2020 total expenditure was below the budgeted provision.
- Air Pollution Control Residue Facility (APCR) - RHLF - \$300,000;
This expenditure relates to the set up and licencing costs for the construction of the APCR facility for the acceptance of fly-ash material at the RHLF. This project will be subject to a Business Plan and authorisation by Council.
- Gas Extraction System Wells - RHLF - \$260,562;
This expenditure is associated with the EMRC's contracted share of the gas extraction wells. Funding is provided from the Purchase / Replace Minor Plant & Equipment provision which has been reduced by the same amount.
- Capital Improvement - Ascot Place Administration Building - \$150,000;
This relates to the increased cost of refurbishment of the Ascot Place Toilets and undercover car parking bays.
- Design and Construct Class IV Cell Stage 3 - RHLF - \$150,000;
This was subject to a report submitted to Council and approved by Council at its meeting held on 17 September 2020.
- Construct FOGO Processing Area - RHLF - \$130,000;
This expenditure relates to the construction of the FOGO Processing Area at the RHLF that was expected to be completed and provided for in the previous financial year (2019/2020). There was no carried forward provision made in the 2020/2021 financial year for this expenditure and the resulting 2019/2020 total expenditure was below the expected forecast.
- Construct Site Infrastructure - HRRP - \$100,000;
This additional expenditure relates to the ongoing construction of the site infrastructure at the HRRP that was expected to be completed and provided for in the previous financial year (2019/2020). There was no carried forward provision made in the 2020/2021 financial year for this expenditure and the resulting 2019/2020 total expenditure was below the budgeted provision.



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STRATEGIC/POLICY IMPLICATIONS

Key Result Area 3 - Good Governance

- 3.3 To provide responsible and accountable governance and management of the EMRC
- 3.4 To continue to improve financial and asset management practices

FINANCIAL IMPLICATIONS

As detailed in the report.

SUSTAINABILITY IMPLICATIONS

Nil

RISK MANAGEMENT

RISK: Non-compliance with Financial Regulations		
Consequence	Likelihood	Rating
Moderate	Unlikely	Moderate
Action / Strategy		
<ul style="list-style-type: none"> • The financial report is scrutinised by the EMRC Council to ensure that all statutory requirements are met. • Internal Audit reviews to ensure compliance with Financial Regulations. • External Audit confirms compliance. 		

MEMBER COUNCIL IMPLICATIONS

<p>Member Council</p> <p>Town of Bassendean City of Bayswater City of Belmont City of Kalamunda Shire of Mundaring City of Swan</p>	<p>Implication Details</p> <p>} As outlined in the report.</p>
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Item 11.1 continued

ATTACHMENT(S)

1. Statement of Comprehensive Income by Nature and Type (Ref: D2021/02554)
2. Capital Expenditure Statement (Ref: D2021/02555)
3. Statement of Financial Position (Ref: D2021/02556)
4. Statement of Cash and Investments (Ref: D2021/02557)

VOTING REQUIREMENT

Absolute Majority

RECOMMENDATION(S)

That Council, by an absolute majority in accordance with the provisions of the *Local Government (Financial Management) Regulations 1996* r.33A, adopts the review of the 2020/2021 budget and approves its submission to the Department of Local Government, Sport and Cultural Industries within 30 days.

AC RECOMMENDATION(S)

MOVED CR HAMILTON

SECONDED CR JEANS

That Council, by an absolute majority in accordance with the provisions of the *Local Government (Financial Management) Regulations 1996* r.33A, adopts the review of the 2020/2021 budget and approves its submission to the Department of Local Government, Sport and Cultural Industries within 30 days.

CARRIED UNANIMOUSLY



STATEMENT OF COMPREHENSIVE INCOME

Nature and Type

JANUARY 2021

Year to Date

Full Year

Actual	Budget	Variance			Forecast	Budget	Variance		
Operating Income									
\$18,890,052	\$21,175,193	(\$2,285,141)	(U)	User Charges	\$32,417,978	\$35,838,110	(\$3,420,132)	(U)	
(\$7,959,080)	(\$8,460,886)	\$501,806	(F)	<u>Less</u> Landfill Levy Charges	(\$13,141,915)	(\$14,504,393)	\$1,362,478	(F)	
\$10,930,972	\$12,714,307	(\$1,783,335)	(U)	Net User Charges	\$19,276,063	\$21,333,717	(\$2,057,654)	(U)	
\$287,816	\$289,183	(\$1,367)	(U)	Special Charges	\$477,568	\$482,683	(\$5,115)	(U)	
\$3,124,856	\$3,059,666	\$65,190	(F)	Secondary Waste Charge	\$4,803,276	\$4,738,691	\$64,585	(F)	
\$398,685	\$334,725	\$63,960	(F)	Contributions	\$391,708	\$423,955	(\$32,247)	(U)	
\$265,437	\$72,500	\$192,937	(F)	Operating Grants	\$275,437	\$415,000	(\$139,563)	(U)	
\$70,905	\$89,162	(\$18,257)	(U)	Interest Municipal Cash Investments	\$132,000	\$170,000	(\$38,000)	(U)	
\$475,360	\$538,451	(\$63,091)	(U)	Interest Restricted Cash Investments	\$940,123	\$929,975	\$10,148	(F)	
\$901,177	\$749,815	\$151,362	(F)	Reimbursements	\$1,617,156	\$1,060,390	\$556,766	(F)	
\$989,572	\$1,016,246	(\$26,674)	(U)	Other	\$2,114,025	\$2,440,311	(\$326,286)	(U)	
\$245,727	\$235,000	\$10,727	(F)	Proceeds from Sale of Assets	\$309,818	\$275,000	\$34,818	(F)	
\$17,690,507	\$19,099,055	\$1,408,548	(U)	Total Operating Income	\$30,337,174	\$32,269,722	(\$1,932,548)	(U)	
Operating Expenditure									
\$5,725,294	\$6,030,842	\$305,548	(F)	Salary Expenses	\$10,224,688	\$10,801,281	\$576,593	(F)	
\$3,057,225	\$3,048,230	(\$8,995)	(U)	Contract Expenses	\$6,340,838	\$6,627,716	(\$713,122)	(U)	
\$753,074	\$766,341	\$13,267	(F)	Material Expenses	\$1,531,494	\$1,555,489	\$23,995	(F)	
\$190,834	\$183,477	(\$7,357)	(U)	Utility Expenses	\$301,380	\$356,911	\$55,531	(F)	
\$312,200	\$447,454	\$135,254	(F)	Fuel Expenses	\$669,409	\$827,183	\$157,774	(F)	
\$193,460	\$185,584	(\$7,876)	(U)	Insurance Expenses	\$337,684	\$318,484	(\$19,200)	(U)	
\$2,525,493	\$2,690,156	\$164,663	(F)	Depreciation Expenses	\$4,606,502	\$5,537,697	\$931,195	(F)	
\$564,979	\$599,319	\$34,340	(F)	Miscellaneous Expenses	\$1,117,974	\$1,293,452	\$175,478	(F)	
\$475,586	\$525,371	\$49,785	(F)	Provision Expenses	\$813,480	\$900,658	\$87,178	(F)	
(\$420,667)	\$0	\$420,667	(F)	Costs Allocated	(\$700,658)	(\$854,401)	(\$153,743)	(U)	
\$160,242	\$165,238	\$4,996	(F)	Carrying Amount of Assets Disposed Of	\$265,153	\$252,738	(\$12,415)	(U)	
\$13,537,720	\$14,642,012	\$1,104,292	(F)	Total Operating Expenditure	\$25,507,944	\$26,617,208	\$1,109,264	(F)	
\$4,152,787	\$4,457,043	(\$304,256)	(U)	NET RESULT BEFORE OTHER COMPREHENSIVE INCOME	\$4,829,230	\$5,652,514	(\$823,284)	(U)	
Surplus	Surplus				Surplus	Surplus			
Realised/Unrealised (Gain)/Loss From Change in Fair Value of Investments									
\$0	\$0	\$0	(F)	Unrealised (Gain)/Loss	\$0	\$0	\$0	(F)	
\$0	\$0	\$0	(F)	Realised (Gain)/Loss	\$0	\$0	\$0	(F)	
\$0	\$0	\$0	(F)	Total (Gain)/Loss from change in Fair Value of Investments	\$0	\$0	\$0	(F)	
Other Comprehensive Income									
\$0	\$0	\$0	(F)	Revaluation of Assets/Accumulated Depreciation Reversal	\$0	\$0	\$0	(F)	
\$0	\$0	\$0	(F)	Other Comprehensive Income	\$0	\$0	\$0	(F)	
\$0	\$0	\$0	(F)	Total Other Comprehensive Income	\$0	\$0	\$0	(F)	
\$4,152,787	\$4,457,043	(\$304,256)	(U)	CHANGE IN NET ASSETS FROM OPERATIONS	\$4,829,230	\$5,652,514	(\$823,284)	(U)	
Surplus	Surplus				Surplus	Surplus			

Notes:

1. User Charges - include member Councils and casual users pertaining to waste, risk management and environmental services fees and charges;
2. Special Charges - Waste Education Levy;
3. Contributions - member Councils' contributions to projects and services;
4. Operating Grants - grant income predominantly from government agencies; and
5. Other Operating Income - includes income from the sale of products;

(F) denotes Favourable variance and (U) denotes Unfavourable variance



CAPITAL EXPENDITURE STATEMENT

JANUARY 2021

Year to Date			On Order		Full Year		
Actual	Budget	Variance			Forecast	Budget	Variance
Business Support							
\$120,741	\$121,000	\$259	\$891	Purchase Vehicles - Ascot Place (24440/00)	\$200,000	\$200,000	\$0
\$0	\$15,000	\$15,000	\$0	Purchase Furniture Fittings & Equipment - Corporate Services (24510/01)	\$62,000	\$62,000	\$0
\$5,725	\$110,000	\$104,275	\$15,999	Purchase Information Technology & Communication Equipment (24550/00)	\$464,000	\$405,000	(\$59,000)
\$10,892	\$138,702	\$127,810	\$3,049	Capital Improvement Administration Building - Ascot Place (25240/01)	\$458,000	\$308,000	(\$150,000)
\$0	\$5,000	\$5,000	\$0	Upgrade Security Equipment - Ascot Place (25530/01)	\$5,000	\$5,000	\$0
\$137,358	\$389,702	\$252,344	\$19,939		\$1,189,000	\$980,000	(\$209,000)



CAPITAL EXPENDITURE STATEMENT

JANUARY 2021

Year to Date			On Order		Full Year		
Actual	Budget	Variance			Forecast	Budget	Variance
Sustainability Team							
\$0	\$0	\$0	\$41,799	Purchase Polystyrene Compactor (Grant allocation) (24410/13)	\$44,990	\$0	(\$44,990)
\$0	\$0	\$0	\$41,799		\$44,990	\$0	(\$44,990)



CAPITAL EXPENDITURE STATEMENT

JANUARY 2021

Year to Date			On Order	Full Year		
Actual	Budget	Variance		Forecast	Budget	Variance
Operations Team						
\$0	\$0	\$0	\$0	Gas Extraction System Wells - Red Hill Landfill Facility (24399/20)	\$260,562	\$0 (\$260,562)
\$246,372	\$631,372	\$385,000	\$0	Purchase / Replace Plant - Red Hill Landfill Facility (24410/00)	\$1,856,842	\$1,935,000 \$78,158
\$263,622	\$265,000	\$1,378	\$167,600	Purchase / Replace Plant - Hazelmere (24410/01)	\$595,000	\$595,000 \$0
\$10,360	\$167,860	\$157,500	\$61,200	Purchase / Replace Minor Plant and Equipment-Red Hill Landfill Facility (24420/00)	\$264,438	\$525,000 \$260,562
\$0	\$0	\$0	\$0	Purchase / Replace Minor Plant and Equipment - Hazelmere (24420/02)	\$34,000	\$34,000 \$0
\$118,832	\$129,000	\$10,168	\$891	Purchase / Replace Vehicles - Red Hill Landfill Facility (24430/00)	\$129,000	\$129,000 \$0
\$5,315	\$0	(\$5,315)	\$0	Purchase / Replace Office Equipment - Red Hill Landfill Facility (24510/08)	\$5,315	\$0 (\$5,315)
\$0	\$10,000	\$10,000	\$0	Purchase Fire Fighting System/Equipment - Hazelmere (24520/07)	\$5,000	\$10,000 \$5,000
\$6,670	\$70,000	\$63,330	\$21,850	Purchase / Replace Security System - Red Hill Waste Management Facility (24530/08)	\$170,000	\$170,000 \$0
\$11,356	\$41,356	\$30,000	\$0	Purchase / Replace Other Equipment - Red Hill Landfill Facility (24590/00)	\$74,685	\$80,000 \$5,315
\$78,158	\$0	(\$78,158)	\$0	Refurbish Plant - Red Hill Landfill Facility (25410/00)	\$78,158	\$0 (\$78,158)
\$404,984	\$0	(\$404,984)	\$0	Refurbish Plant - Hazelmere (25410/01)	\$404,984	\$0 (\$404,984)
\$1,145,669	\$1,314,588	\$168,919	\$251,541		\$3,877,984	\$3,478,000 (\$399,984)



CAPITAL EXPENDITURE STATEMENT

JANUARY 2021

Year to Date			On Order		Full Year		
Actual	Budget	Variance			Forecast	Budget	Variance
Projects Team							
\$2,015,907	\$2,015,907	\$0	\$0	Purchase Waste Management Land (24150/02)	\$2,015,907	\$2,235,000	\$219,093
\$0	\$75,000	\$75,000	\$0	Construct Waste Management Facility Buildings - Red Hill Landfill Facility (24250/01)	\$20,000	\$200,000	\$180,000
\$32,528	\$396,666	\$364,139	\$78,241	Construct Workshop No 3 - Red Hill Landfill Facility (24250/08)	\$175,689	\$800,500	\$624,811
\$388,461	\$181,750	(\$206,711)	\$1,426	Construct Wood Waste to Energy Building - HRRP (24259/05)	\$640,461	\$181,750	(\$458,711)
\$57,837	\$100,000	\$42,163	\$0	Construct Community Recycling Centre (CRC) - HRRP (24259/06)	\$130,000	\$100,000	(\$30,000)
\$15,553	\$100,000	\$84,448	\$119,415	Construct Commercial Transfer Station - HRRP (24259/10)	\$135,000	\$100,000	(\$35,000)
\$60,654	\$0	(\$60,654)	\$1,296,569	Construct Site Workshop - HRRP (24259/13)	\$1,465,750	\$0	(\$1,465,750)
\$0	\$50,000	\$50,000	\$0	Upgrade Power Supply to Workshop No 2 - Red Hill Landfill Facility (24259/15)	\$40,000	\$250,000	\$210,000
\$3,240	\$0	(\$3,240)	\$0	Construct Class III Cell Stage 14 - Red Hill Landfill Facility (24310/12)	\$3,240	\$0	(\$3,240)
\$654,578	\$1,361,607	\$707,029	\$1,729,618	Construct Class III Cell Stage 16 - Red Hill Landfill Facility (24310/19)	\$3,171,717	\$3,746,002	\$574,285
\$0	\$0	\$0	\$0	Construct Class III Cell Stage 17 - Red Hill Landfill Facility (24310/21)	\$0	\$250,000	\$250,000
\$0	\$0	\$0	\$0	Design and Construct Class IV Cell Stage 3 - Red Hill Landfill Facility (24330/05)	\$150,000	\$0	(\$150,000)
\$254,668	\$284,074	\$29,406	\$29,205	Construct Leachate and Stormwaste Infrastructure and Siltation Ponds - Red Hill Landfill Facility (24350/01)	\$284,074	\$400,000	\$115,926



CAPITAL EXPENDITURE STATEMENT

JANUARY 2021

Year to Date			On Order		Full Year		
Actual	Budget	Variance			Forecast	Budget	Variance
Projects Team							
\$0	\$60,000	\$60,000	\$24,998	Construct Roads / Carparks - Red Hill Landfill Facility (24370/00)	\$124,401	\$124,401	\$0
\$122,858	\$50,000	(\$72,858)	\$0	Construct Access Road to Lots 8 9 10 - Red Hill Landfill Facility (24370/02)	\$250,000	\$50,000	(\$200,000)
\$0	\$100,000	\$100,000	\$0	Construct Drainage Diversion and Earthworks Infrastructures - Red Hill Landfill Facility (24380/00)	\$50,000	\$250,000	\$200,000
\$0	\$0	\$0	\$0	Construct Litter Fence - Redhill Landfill Facility (24394/05)	\$0	\$50,000	\$50,000
\$0	\$50,000	\$50,000	\$0	Resource Recovery Park - Noise Control Fencing (24394/06)	\$150,000	\$150,000	\$0
\$0	\$0	\$0	\$0	Construct Hardstand and Road - Hazelmere (24395/01)	\$0	\$55,000	\$55,000
\$125,332	\$0	(\$125,332)	\$0	Construct FOGO Processing Area - Red Hill Landfill Facility (24395/05)	\$130,000	\$0	(\$130,000)
\$0	\$0	\$0	\$0	Undertake FOGO Reference Site Tours (24395/06)	\$0	\$62,500	\$62,500
\$100,609	\$0	(\$100,609)	\$0	Implementation of the FOGO Recovery Strategy (24395/07)	\$400,000	\$0	(\$400,000)
\$22,000	\$20,000	(\$2,000)	\$0	Construct Monitoring Bores - Red Hill Landfill Facility (24396/00)	\$50,000	\$20,000	(\$30,000)
\$0	\$0	\$0	\$0	Construct Monitoring Bores - Hazelmere (24396/02)	\$35,000	\$0	(\$35,000)
\$214,565	\$291,677	\$77,112	\$24,095	Construct Site Infrastructure - HRRP (24399/01)	\$400,000	\$300,000	(\$100,000)
\$0	\$0	\$0	\$0	Construct Reuse Store Infrastructure (Car Park) - HRRP (24399/07)	\$0	\$250,000	\$250,000
\$0	\$25,000	\$25,000	\$0	Air Supply lines - Waste Management Structures - Red Hill Landfill Facility (24399/10)	\$25,000	\$75,000	\$50,000



CAPITAL EXPENDITURE STATEMENT

JANUARY 2021

Year to Date			On Order		Full Year		
Actual	Budget	Variance			Forecast	Budget	Variance
Projects Team							
\$6,031	\$336,976	\$330,945	\$11,604	Wood Waste to Energy Utilities/Infrastructure - HRRP (24399/11)	\$344,273	\$515,000	\$170,727
\$0	\$0	\$0	\$0	Liquid Waste Project - Red Hill Landfill Facility (24399/16)	\$150,000	\$1,650,000	\$1,500,000
\$1,727,275	\$1,787,961	\$60,686	\$360,842	Develop Lots 8 9 & 10 For Future Waste Activities - Red Hill Landfill Facility (24399/19)	\$1,960,000	\$1,787,961	(\$172,039)
\$0	\$0	\$0	\$0	Air Pollution Control Residue Facility (APCR) - Red Hill Landfill Facility (24399/21)	\$300,000	\$0	(\$300,000)
\$313,072	\$855,000	\$541,928	\$278,397	Purchase Wood Waste to Energy Plant & Equipment - HRRP (24410/03)	\$620,201	\$855,000	\$234,799
\$456,877	\$150,000	(\$306,877)	\$1,500	Purchase FOGO Processing Plant - Red Hill Landfill Facility (24410/10)	\$465,000	\$150,000	(\$315,000)
\$0	\$0	\$0	\$0	Liquid Waste Project Plant - Red Hill Landfill Facility (24410/11)	\$0	\$550,000	\$550,000
\$6,572,043	\$8,291,618	\$1,719,575	\$3,955,909		\$13,685,713	\$15,158,114	\$1,472,401
\$7,855,070	\$9,995,908	\$2,140,838	\$4,269,188	TOTAL CAPITAL EXPENDITURE	\$18,797,687	\$19,616,114	\$818,427



STATEMENT OF FINANCIAL POSITION

JANUARY 2021

Actual June 2020	Actual Year to Date	(F) = Favourable variation (U) = Unfavourable variation	Full Year		
			Forecast	Budget	Variance
Current Assets					
\$1,102,124	\$3,393,062	Cash and Cash Equivalents	\$1,109,530	\$1,109,530	\$0 (F)
\$85,324,608	\$78,366,346	Investments	\$70,246,502	\$71,082,961	(\$836,459) (U)
\$2,987,058	\$3,951,938	Trade and Other Receivables	\$2,716,470	\$2,716,470	\$0 (F)
\$39,035	\$25,062	Inventories	\$54,739	\$54,739	\$0 (F)
\$67,382	\$465,000	Other Assets	\$42,555	\$42,555	\$0 (F)
\$89,520,206	\$86,201,408	Total Current Assets	\$74,169,796	\$75,006,255	(\$836,459) (U)
Current Liabilities					
\$6,160,299	\$3,382,463	Trade and Other Payables	\$5,541,725	\$5,541,725	\$0 (F)
\$1,835,255	\$1,835,255	Provisions	\$1,676,448	\$1,676,448	\$0 (F)
\$7,995,554	\$5,217,718	Total Current Liabilities	\$7,218,173	\$7,218,173	\$0 (F)
\$81,524,652	\$80,983,690	Net Current Assets	\$66,951,623	\$67,788,082	(\$836,459) (U)
Non Current Assets					
\$50,570,000	\$52,585,907	Land	\$52,805,000	\$52,805,000	\$0 (F)
\$7,292,678	\$7,226,095	Buildings	\$11,087,739	\$11,071,240	\$16,499 (F)
\$21,123,020	\$19,829,219	Structures	\$31,013,251	\$30,764,213	\$249,038 (F)
\$12,895,549	\$13,622,040	Plant	\$19,376,941	\$18,788,644	\$588,297 (F)
\$606,150	\$547,965	Equipment	\$1,147,719	\$1,080,598	\$67,121 (F)
\$135,079	\$129,995	Furniture and Fittings	\$156,124	\$158,299	(\$2,175) (U)
\$17,736,763	\$21,587,353	Work in Progress	\$12,592,903	\$13,411,330	(\$818,427) (U)
\$110,359,239	\$115,528,574	Total Non Current Assets	\$128,179,677	\$128,079,324	\$100,353 (F)
Non Current Liabilities					
\$7,432,011	\$7,907,597	Provisions	\$5,721,209	\$5,634,031	(\$87,178) (U)
\$7,432,011	\$7,907,597	Total Non Current Liabilities	\$5,721,209	\$5,634,031	(\$87,178) (U)
\$184,451,880	\$188,604,667	Net Assets	\$189,410,091	\$190,233,375	(\$823,284) (U)
Equity					
\$58,106,903	\$66,352,626	Accumulated Surplus/Deficit	\$75,379,157	\$75,379,157	\$0 (F)
\$75,968,089	\$75,968,089	Cash Backed Reserves	\$67,070,539	\$67,070,539	\$0 (F)
\$42,131,165	\$42,131,165	Asset Revaluation Reserve	\$42,131,165	\$42,131,165	\$0 (F)
\$8,245,723	\$4,152,787	Net change in assets from operations	\$4,829,230	\$5,652,514	(\$823,284) (U)
\$184,451,880	\$188,604,667	Total Equity	\$189,410,091	\$190,233,375	(\$823,284) (U)

CASH AND INVESTMENTS JANUARY 2021

Actual June 2020	Actual Year to Date		Full Year		
			Forecast	Budget	Variance
Municipal Cash and Investments					
1,098,174	3,389,012	Cash at Bank - Municipal Fund 01001/00	1,105,580	1,105,580	0 (F)
3,950	4,050	Cash on Hand 01019/00 - 02	3,450	3,450	0 (F)
9,031,911	1,598,289	Investments - Municipal Fund 02021/00	2,175,425	2,988,240	(812,815) (U)
10,134,035	4,991,351	Total Municipal Cash	3,284,455	4,097,270	(812,815) (U)
Restricted Cash and Investments					
141,856	142,665	Restricted Investments - Plant and Equipment 02022/01	267,120	267,120	0 (F)
4,986,647	5,015,110	Restricted Investments - Post Closure Site Rehabilitation Red Hill 02022/02	3,525,256	3,525,256	0 (F)
18,263,389	18,367,636	Restricted Investments - Future Development 02022/03	15,072,575	15,072,575	0 (F)
2,350,987	2,364,407	Restricted Investments - Environmental Monitoring Red Hill 02022/04	1,545,172	1,545,172	0 (F)
46,892	47,160	Restricted Investments - Environmental Insurance Red Hill 02022/05	57,268	57,268	0 (F)
15,631	15,720	Restricted Investments - Risk Management 02022/06	15,699	15,699	0 (F)
649,866	653,576	Restricted Investments - Class IV Cells Red Hill 02022/07	710,295	710,295	0 (F)
321,607	323,443	Restricted Investments - Regional Development 02022/08	322,511	322,511	0 (F)
45,240,494	45,498,725	Restricted Investments - Secondary Waste Processing 02022/09	44,803,335	44,803,335	0 (F)
2,873,244	2,889,645	Restricted Investments - Class III Cells 02022/10	482,686	482,686	0 (F)
78,920	79,370	Restricted Investments - Building Refurbishment (Ascot Place) 02022/11	79,259	79,259	0 (F)
324,608	366,346	Restricted Investments - Accrued Interest 02022/19	189,362	189,362	0 (F)
0	0	Restricted Investments - Unrealised Loss/Gain on Investments 02022/20	0	0	0 (F)
998,556	1,004,255	Restricted Investments - Long Service Leave 02022/90	1,024,683	1,024,683	0 (F)
76,292,697	76,768,058	Total Restricted Cash	68,095,221	68,095,221	0 (F)
86,426,732	81,759,409	TOTAL CASH AND INVESTMENTS	71,379,676	72,192,491	(812,815) (U)

The Cash at Bank - Municipal Fund represents the balance on the last day of the relevant month. Any portion of the balance available for investment is transferred into the Investment - Municipal Fund account in the following period. Funds held in the Cash at Bank - Municipal Fund continue to accrue interest as per the Westpac commercial rates.



11.2 COMPLIANCE AUDIT RETURN 2020

REFERENCE: D2021/02421

PURPOSE OF REPORT

The purpose of this report is to present to Council for adoption the Compliance Audit Return (CAR) for the year ending 31 December 2020.

KEY POINTS AND RECOMMENDATION(S)

- Each local government is required to complete a CAR at the end of each calendar year.
- The CAR is required to be reviewed by the Audit Committee (AC) before being adopted by Council, certified by the Chairman and Chief Executive Officer (CEO) and uploaded to the Department of Local Government, Sport and Cultural Industries Smart Hub portal by 31 March 2021.

Recommendation(s)

That Council adopts the draft Compliance Audit Return 2020, forming an attachment to this report, that it be certified by the Chairman and Chief Executive Officer and submitted to the Department of Local Government, Sport and Cultural Industries by 31 March 2021.

SOURCE OF REPORT

Chief Financial Officer

BACKGROUND

The audit and applicable return are completed in accordance with the requirements of Regulations 14 and 15 of the *Local Government (Audit) Regulations 1996*. It is a compliance audit for the period 1 January to 31 December 2020 against the requirements included in the Compliance Audit Return for that period.

Regulation 14 requires the Audit Committee to review the CAR and to report the results of the review to Council prior to adoption by Council.

REPORT

The CAR, as required by the *Local Government Act 1995* (the Act) and relevant Regulations, is now completed and submitted via the Department of Local Government, Sport and Cultural Industries Smart Hub portal.

The CAR sought advice on the extent of compliance by the EMRC to a range of sections of the Act and the local government regulations.

The review process includes a rigorous assessment being undertaken by responsible officers for each section. It is then input by the Manager Financial Services and Manager Procurement & Governance which is why their names appear on the "respondent" column of the CAR document.

A high level of compliance was achieved. Where applicable, the details and explanations relating to the completion of the return appear in the relevant comment sections of the CAR.

After the CAR has been adopted by Council a certified copy of the Return along with the relevant section of the minutes and additional information explaining or qualifying the compliance audit, is to be uploaded to the Department of Local Government, Sport and Cultural Industries Smart Hub portal by 31 March 2021.



Item 11.2 continued

STRATEGIC/POLICY IMPLICATIONS

Key Result Area 3 – Good Governance

3.3 To provide responsible and accountable governance and management of the EMRC

FINANCIAL IMPLICATIONS

Nil

SUSTAINABILITY IMPLICATIONS

Nil

RISK IMPLICATIONS

RISK: Non-compliance with the <i>Local Government Act 1995</i> and EMRC’s responsibility to maintain responsible and accountable governance and management of the organisation.		
Consequence	Likelihood	Rating
Moderate	Unlikely	Moderate
Action/Strategy		
Council to adopt the draft Compliance Audit Return 2020, that it be certified by the Chairman and Chief Executive Officer and submitted to the Department of Local Government, Sport and Cultural Industries by 31 March 2021.		

MEMBER COUNCIL IMPLICATIONS

Member Council	Implication Details
Town of Bassendean	} Nil
City of Bayswater	
City of Belmont	
City of Kalamunda	
Shire of Mundaring	
City of Swan	

ATTACHMENT(S)

EMRC - Compliance Audit Return Regional Local Government 2020 (Ref: D2021/02421)

VOTING REQUIREMENT

Simple Majority



Item 11.2 continued

RECOMMENDATION(S)

That Council adopts the draft Compliance Audit Return 2020, forming an attachment to this report, that it be certified by the Chairman and Chief Executive Officer and submitted to the Department of Local Government, Sport and Cultural Industries by 31 March 2021.

AC RECOMMENDATION(S)

MOVED CR HAMILTON

SECONDED CR BOYD

That Council adopts the draft Compliance Audit Return 2020, forming an attachment to this report, that it be certified by the Chairman and Chief Executive Officer and submitted to the Department of Local Government, Sport and Cultural Industries by 31 March 2021.

CARRIED UNANIMOUSLY

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



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

Eastern Metropolitan Regional Council - Compliance Audit Return Regional Local Government 2020

Certified Copy of Return

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



Commercial Enterprises by Local Governments					
No	Reference	Question	Response	Comments	Respondent
1	s3.59(2)(a) F&G Regs 7,9,10	Has the local government prepared a business plan for each major trading undertaking that was not exempt in 2020?	N/A	In relation to the proposed FOGO processing facility, legal advice was obtained by the EMRC which advises that given that the preferred FOGO processing model will not be known until after the tender process has been completed, it would appear that there would be a significantly reduced utility in attempting to publish a business plan for public comment at this stage. I.e. it is difficult to publish a business plan for public comment when the model is not yet known.	Izabella Krzysko
2	s3.59(2)(b) F&G Regs 7,8,10	Has the local government prepared a business plan for each major land transaction that was not exempt in 2020?	No		Izabella Krzysko
3	s3.59(2)(c) F&G Regs 7,8,10	Has the local government prepared a business plan before entering into each land transaction that was preparatory to entry into a major land transaction in 2020?	N/A		Izabella Krzysko
4	s3.59(4)	Has the local government complied with public notice and publishing requirements for each proposal to commence a major trading undertaking or enter into a major land transaction or a land transaction that is preparatory to a major land transaction for 2020?	N/A	In relation to the proposed FOGO processing facility, legal advice was obtained by the EMRC which advises that given that the preferred FOGO processing model will not be known until after the tender process has been completed, it would appear that there would be a significantly reduced utility in attempting to publish a business plan for public comment at this stage. I.e. it is difficult to publish a business plan for public comment when the model is not yet known.	Izabella Krzysko
5	s3.59(5)	During 2020, did the council resolve to proceed with each major land transaction or trading undertaking by absolute majority?	No		Izabella Krzysko



Delegation of Power/Duty					
No	Reference	Question	Response	Comments	Respondent
1	s5.16	Were all delegations to committees resolved by absolute majority?	Yes		Izabella Krzysko
2	s5.16	Were all delegations to committees in writing?	Yes		Izabella Krzysko
3	s5.17	Were all delegations to committees within the limits specified in section 5.17?	Yes		Izabella Krzysko
4	s5.18	Were all delegations to committees recorded in a register of delegations?	Yes		Izabella Krzysko
5	s5.18	Has council reviewed delegations to its committees in the 2019/2020 financial year?	Yes		Izabella Krzysko
6	s5.42(1) & s5.43 Admin Reg 18G	Did the powers and duties delegated to the CEO exclude those listed in section 5.43 of the Act and in sections 214(2), (3) or (5) of the Planning and Development Act 2005?	Yes		Izabella Krzysko
7	s5.42(1)	Were all delegations to the CEO resolved by an absolute majority?	Yes		Izabella Krzysko
8	s5.42(2)	Were all delegations to the CEO in writing?	Yes		Izabella Krzysko
9	s5.44(2)	Were all delegations by the CEO to any employee in writing?	Yes		Izabella Krzysko
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?	N/A		Izabella Krzysko
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		Izabella Krzysko
12	s5.46(2)	Were all delegations made under Division 4 of the Act reviewed by the delegator at least once during the 2019/2020 financial year?	Yes		Izabella Krzysko
13	s5.46(3) Admin Reg 19	Did all persons exercising a delegated power or duty under the Act keep, on all occasions, a written record in accordance with Admin Reg 19?	Yes		Izabella Krzysko

Disclosure of Interest					
No	Reference	Question	Response	Comments	Respondent
1	s5.67	Where a council member disclosed an interest in a matter and did not have participation approval under sections 5.68 or 5.69, did the council member ensure that they did not remain present to participate in discussion or decision making relating to the matter?	Yes		Izabella Krzysko



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



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No	Reference	Question	Response	Comments	Respondent
14	s5.89A(7)	Have copies of all records removed from the register under section 5.89A (6) been kept for a period of at least five years after the person ceases to be a person required to make a disclosure?	Yes		Izabella Krzysko
15	Rules of Conduct Reg 11(1), (2) & (4)	Where a council member had an interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person, did they disclose the interest in accordance with Rules of Conduct Reg 11(2)?	Yes		Izabella Krzysko
16	Rules of Conduct Reg 11(6)	Where a council member disclosed an interest under Rules of Conduct Reg 11 (2) was the nature of the interest recorded in the minutes?	Yes		Izabella Krzysko
17	s5.70(2) & (3)	Where an employee had an interest in any matter in respect of which the employee provided advice or a report directly to council or a committee, did that person disclose the nature and extent of that interest when giving the advice or report?	Yes		Izabella Krzysko
18	s5.71A & s5.71B (5)	Where council applied to the Minister to allow the CEO to provide advice or a report to which a disclosure under s5.71A(1) relates, did the application include details of the nature of the interest disclosed and any other information required by the Minister for the purposes of the application?	N/A		Izabella Krzysko
19	s5.71B(6) & s5.71B(7)	Was any decision made by the Minister under subsection 5.71B(6) recorded in the minutes of the council meeting at which the decision was considered?	N/A		Izabella Krzysko
20	s5.103 Admin Regs 34B & 34C	Has the local government adopted a code of conduct in accordance with Admin Regs 34B and 34C to be observed by council members, committee members and employees?	N/A	The current EMRC code of conduct applicable to council members, committee members and employees was adopted by Council in December 2007.	Izabella Krzysko
21	Admin Reg 34B(5)	Has the CEO kept a register of notifiable gifts in accordance with Admin Reg 34B(5)?	Yes		Izabella Krzysko



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

Finance					
No	Reference	Question	Response	Comments	Respondent
1	s7.1A	Has the local government established an audit committee and appointed members by absolute majority in accordance with section 7.1A of the Act?	Yes	The audit committee was last established on 4 November 2019.	Izabella Krzysko
2	s7.1B	Where the council delegated to its audit committee any powers or duties under Part 7 of the Act, did it do so by absolute majority?	N/A		Izabella Krzysko
3	s7.3(1) & s7.6(3)	Was the person or persons appointed by the local government to be its auditor appointed by an absolute majority decision of council?	N/A	Audit was undertaken by the OAG.	Izabella Krzysko
4	s7.3(3)	Was the person(s) appointed by the local government under s7.3(1) to be its auditor a registered company auditor or an approved auditor?	N/A	Audit was undertaken by the OAG.	Izabella Krzysko
5	s7.9(1)	Was the auditor's report for the financial year ended 30 June 2020 received by the local government by 31 December 2020?	Yes		Izabella Krzysko
6	s7.12A(3)	Where the local government determined that matters raised in the auditor's report prepared under s7.9(1) of the Act required action to be taken, did the local government ensure that appropriate action was undertaken in respect of those matters?	N/A	No matters were raised in the 2020 Audit Report.	Izabella Krzysko
7	s7.12A(4)(a)	Where matters identified as significant were reported in the auditor's report, did the local government prepare a report that stated what action the local government had taken or intended to take with respect to each of those matters?	N/A	No matters were raised as significant in the 2020 Audit Report.	Izabella Krzysko



No	Reference	Question	Response	Comments	Respondent
8	s7.12A(4)(b)	Where the local government was required to prepare a report under s.7.12A(4)(a), was a copy of the report given to the Minister within three months of the audit report being received by the local government?	N/A		Izabella Krzysko
9	s7.12A(5)	Within 14 days after the local government gave a report to the Minister under s7.12A(4)(b), did the CEO publish a copy of the report on the local government's official website?	N/A		Izabella Krzysko
10	Audit Reg 7	Did the agreement between the local government and its auditor include the objectives and scope of the audit, a plan for the audit, details of the remuneration and expenses paid to the auditor, and the method to be used by the local government to communicate with the auditor?	Yes		Izabella Krzysko
11	Audit Reg 10(1)	Was the auditor's report for the financial year ending 30 June received by the local government within 30 days of completion of the audit?	Yes	The Auditors report was issued on 25 November 2020 and the report was reviewed by Council on 3 December 2020.	Izabella Krzysko

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 adopted the 10 year Strategic Plan 2017 - 2027 on 18 August 2016 for implementation.	Izabella Krzysko
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	The Corporate Business Plan was adopted on 18 June 2020.	Izabella Krzysko
3	Admin Reg 19DA (2) & (3)	Does the corporate business plan comply with the requirements of Admin Reg 19DA(2) & (3)?	Yes		Izabella Krzysko



Local Government Employees					
No	Reference	Question	Response	Comments	Respondent
1	Admin Reg 18C	Did the local government approve a process to be used for the selection and appointment of the CEO before the position of CEO was advertised?	N/A	There was no recruitment for the role of CEO in 2020.	Izabella Krzysko
2	s5.36(4) & s5.37 (3) Admin Reg 18A	Were all CEO and/or senior employee vacancies advertised in accordance with Admin Reg 18A?	N/A		Izabella Krzysko
3	Admin Reg 18E	Was all information provided in applications for the position of CEO true and accurate?	N/A		Izabella Krzysko
4	Admin Reg 18F	Was the remuneration and other benefits paid to a CEO on appointment the same remuneration and benefits advertised for the position under section 5.36(4)?	N/A		Izabella Krzysko
5	s5.37(2)	Did the CEO inform council of each proposal to employ or dismiss senior employee?	No		Izabella Krzysko
6	s5.37(2)	Where council rejected a CEO's recommendation to employ or dismiss a senior employee, did it inform the CEO of the reasons for doing so?	N/A		Izabella Krzysko

Official Conduct					
No	Reference	Question	Response	Comments	Respondent
1	s5.120	Has the local government designated a senior employee as defined by section 5.37 to be its complaints officer?	No		Izabella Krzysko
2	s5.121(1)	Has the complaints officer for the local government maintained a register of complaints which records all complaints that resulted in a finding under section 5.110(2)(a)?	Yes		Izabella Krzysko
3	s5.121(2)	Does the complaints register include all information required by section 5.121 (2)?	Yes		Izabella Krzysko
4	s5.121(3)	Has the CEO published an up-to-date version of the register of the complaints on the local government's official website?	Yes		Izabella Krzysko

Optional Questions					
No	Reference	Question	Response	Comments	Respondent



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No	Reference	Question	Response	Comments	Respondent
1	Financial Management Reg 5 (2)(c)	Did the CEO review the appropriateness and effectiveness of the local government's financial management systems and procedures in accordance with Financial Management Reg 5(2)(c) within the three years prior to 31 December 2020? If yes, please provide the date of council's resolution to accept the report.	Yes	The review was tabled to Council at its meeting held on 20 June 2019.	Izabella Krzysko
2	Audit Reg 17	Did the CEO review the appropriateness and effectiveness of the local government's systems and procedures in relation to risk management, internal control and legislative compliance in accordance with Audit Reg 17 within the three years prior to 31 December 2020? If yes, please provide date of council's resolution to accept the report.	Yes	The review was tabled to Council at its meeting on 3 December 2020.	Izabella Krzysko
3	s5.87C(2)	Where a disclosure was made under sections 5.87A or 5.87B, was the disclosure made within 10 days after receipt of the gift?	Yes		Izabella Krzysko
4	s5.87C	Where a disclosure was made under sections 5.87A or 5.87B, did the disclosure include the information required by section 5.87C?	Yes		Izabella Krzysko
5	s5.90A(2)	Did the local government prepare and adopt by absolute majority a policy dealing with the attendance of council members and the CEO at events?	N/A	Member Conference, Seminar & Study Tour Attendance Policy was last reviewed and adopted by Council on 6 December 2018. The next policy review is to include the requirement for the policy to apply to the EMRC CEO and include other provisions i.e. ticketed events.	Izabella Krzysko
6	s.5.90A(5)	Did the CEO publish an up-to-date version of the attendance at events policy on the local government's official website?	Yes		Izabella Krzysko
7	s5.96A(1), (2), (3) & (4)	Did the CEO publish information on the local government's website in accordance with sections 5.96A(1), (2), (3), and (4)?	Yes		Izabella Krzysko
8	s5.128(1)	Did the local government prepare and adopt (by absolute majority) a policy in relation to the continuing professional development of council members?	No	Advice sought from the Department of Local Government in 2020 was that Regional Local Governments were not required to prepare and adopt a policy in relation to the continuing professional development of council members.	Izabella Krzysko



No	Reference	Question	Response	Comments	Respondent
9	s5.127	Did the local government prepare a report on the training completed by council members in the 2019/2020 financial year and publish it on the local government's official website by 31 July 2020?	N/A		Izabella Krzysko
10	s6.4(3)	By 30 September 2020, did the local government submit to its auditor the balanced accounts and annual financial report for the year ending 30 June 2020?	Yes		Izabella Krzysko

Tenders for Providing Goods and Services

No	Reference	Question	Response	Comments	Respondent
1	F&G Reg 11A(1) & (3)	Does the local government have a current purchasing policy that complies with F&G Reg 11A(3) in relation to contracts for other persons to supply goods or services where the consideration under the contract is, or is expected to be, \$250,000 or less or worth \$250,000 or less?	Yes		Izabella Krzysko
2	F&G Reg 11A(1)	Did the local government comply with its current purchasing policy in relation to the supply of goods or services where the consideration under the contract was, or was expected to be, \$250,000 or less or worth \$250,000 or less?	Yes		Izabella Krzysko
3	s3.57 F&G Reg 11	Subject to F&G Reg 11(2), did the local government invite tenders for all contracts for the supply of goods or services where the consideration under the contract was, or was expected to be, worth more than the consideration stated in F&G Reg 11(1)?	Yes		Izabella Krzysko
4	F&G Regs 11(1), 12(2), 13, & 14(1), (3), and (4)	When regulations 11(1), 12(2) or 13 required tenders to be publicly invited, did the local government invite tenders via Statewide public notice in accordance with F&G Reg 14(3) and (4)?	Yes		Izabella Krzysko
5	F&G Reg 12	Did the local government comply with F&G Reg 12 when deciding to enter into multiple contracts rather than a single contract?	Yes		Izabella Krzysko
6	F&G Reg 14(5)	If the local government sought to vary the information supplied to tenderers, was every reasonable step taken to give each person who sought copies of the tender documents or each acceptable tenderer notice of the variation?	Yes		Izabella Krzysko
7	F&G Regs 15 & 16	Did the local government's procedure for receiving and opening tenders comply with the requirements of F&G Regs 15 and 16?	Yes		Izabella Krzysko



No	Reference	Question	Response	Comments	Respondent
8	F&G Reg 17	Did the information recorded in the local government's tender register comply with the requirements of F&G Reg 17 and did the CEO make the tenders register available for public inspection and publish it on the local government's official website?	Yes		Izabella Krzysko
9	F&G Reg 18(1)	Did the local government reject any tenders that were not submitted at the place, and within the time, specified in the invitation to tender?	No	The EMRC did not reject any tenders that were not submitted at the place, and within the time, specified in the invitation to tender.	Izabella Krzysko
10	F&G Reg 18(4)	Were all tenders that were not rejected assessed by the local government via a written evaluation of the extent to which each tender satisfies the criteria for deciding which tender to accept?	Yes		Izabella Krzysko
11	F&G Reg 19	Did the CEO give each tenderer written notice containing particulars of the successful tender or advising that no tender was accepted?	Yes		Izabella Krzysko
12	F&G Regs 21 & 22	Did the local government's advertising and expression of interest processes comply with the requirements of F&G Regs 21 and 22?	Yes		Izabella Krzysko
13	F&G Reg 23(1) & (2)	Did the local government reject any expressions of interest that were not submitted at the place, and within the time, specified in the notice or that failed to comply with any other requirement specified in the notice?	N/A	The EMRC did not have any EOIs that were not submitted at the place and within time.	Izabella Krzysko
14	F&G Reg 23(3)	Were all expressions of interest that were not rejected assessed by the local government?	Yes		Izabella Krzysko
15	F&G Reg 23(4)	After the local government considered expressions of interest, did the CEO list each person considered capable of satisfactorily supplying goods or services as an acceptable tenderer?	Yes		Izabella Krzysko
16	F&G Reg 24	Did the CEO give each person who submitted an expression of interest a notice in writing of the outcome in accordance with F&G Reg 24?	Yes		Izabella Krzysko
17	F&G Regs 24AD(2) & (4) and 24AE	Did the local government invite applicants for a panel of pre-qualified suppliers via Statewide public notice in accordance with F&G Reg 24AD(4) and 24AE?	No	The EMRC uses the WALGA preferred supplier panel.	Izabella Krzysko
18	F&G Reg 24AD(6)	If the local government sought to vary the information supplied to the panel, was every reasonable step taken to give each person who sought detailed information about the proposed panel or each person who submitted an application notice of the variation?	N/A		Izabella Krzysko



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No	Reference	Question	Response	Comments	Respondent
19	F&G Reg 24AF	Did the local government's procedure for receiving and opening applications to join a panel of pre-qualified suppliers comply with the requirements of F&G Reg 16, as if the reference in that regulation to a tender were a reference to a pre-qualified supplier panel application?	N/A		Izabella Krzysko
20	F&G Reg 24AG	Did the information recorded in the local government's tender register about panels of pre-qualified suppliers comply with the requirements of F&G Reg 24AG?	N/A		Izabella Krzysko
21	F&G Reg 24AH(1)	Did the local government reject any applications to join a panel of pre-qualified suppliers that were not submitted at the place, and within the time, specified in the invitation for applications?	N/A		Izabella Krzysko
22	F&G Reg 24AH(3)	Were all applications that were not rejected assessed by the local government via a written evaluation of the extent to which each application satisfies the criteria for deciding which application to accept?	N/A		Izabella Krzysko
23	F&G Reg 24AI	Did the CEO send each applicant written notice advising them of the outcome of their application?	N/A		Izabella Krzysko
24	F&G Regs 24E & 24F	Where the local government gave regional price preference, did the local government comply with the requirements of F&G Regs 24E and 24F?	N/A		Izabella Krzysko

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

Signed Mayor/President, Eastern Metropolitan
Regional Council

Signed CEO, Eastern Metropolitan Regional
Council



12 REPORTS OF DELEGATES

Nil

13 NEW BUSINESS OF AN URGENT NATURE APPROVED BY THE CHAIRMAN OR PRESIDING MEMBER OR BY DECISION OF MEETING

Nil

14 CONFIDENTIAL MATTERS FOR WHICH THE MEETING MAY BE CLOSED TO THE PUBLIC

Nil

15 FUTURE MEETINGS OF THE AUDIT COMMITTEE

Meetings of the Audit Committee are covered under the Audit Committee Terms of Reference as follows.

“4 Meetings

4.1 The Audit Committee will meet as required at the discretion of the chairperson of the committee and at least three times per year to coincide with:

- a. Approval of strategic and annual plans;*
- b. Approval of the annual budget; and*
- c. The auditor’s report on the annual financial report.”*

Future Meetings 2021

Thursday	1 April	(if required)	at	EMRC Administration Office
Thursday	6 May	(if required)	at	EMRC Administration Office
Thursday	3 June		at	EMRC Administration Office
Thursday	5 August	(if required)	at	EMRC Administration Office
Thursday	2 September	(if required)	at	EMRC Administration Office
Thursday	7 October	(if required)	at	EMRC Administration Office
Thursday	4 November	(if required)	at	EMRC Administration Office

16 DECLARATION OF CLOSURE OF MEETING

There being no further business the meeting was closed at 6:09pm.