



SHIRE OF MENZIES

Agenda

**FOR THE ORDINARY MEETING OF COUNCIL
TO BE HELD ON**

30 April 2020

Commencing at 1.00pm

**30 April
2020**

Ordinary Meeting of Council

**SHIRE OF MENZIES
NOTICE OF ORDINARY MEETING OF COUNCIL**

Dear Council Member,

The next Ordinary Meeting of the Shire of Menzies will be held on 30 April 2020 in the Shire of Menzies Council Chambers commencing at 1pm.

Peter Money
Chief Executive Officer

22 April 2020

DISCLAIMER

No responsibility whatsoever is implied or accepted by the Shire of Menzies for any act or omission or statement or intimation occurring during this meeting.

It is strongly advised that persons do not act on what is heard at this meeting and should only rely on written confirmation of Council's decision, which will be provided within fourteen (14) days of this meeting.

FINANCIAL INTEREST

A financial interest occurs where a Councillor, or person with whom the Councillor is closely associated, has direct or indirect financial interest in the matter. That is, the person stands to make a financial gain or loss from the decision, either now or at some time in the future.

An indirect financial interest includes a reference to a financial relationship between that person and another person who requires a Local Government decision in relation to the matter.

Councillors should declare an interest:

- a) In a written notice given to the Chief Executive Officer (CEO) before the meeting: or
- b) At the meeting, immediately before the matter is discussed.

A member who has declared an interest must not:

- Preside at the part of the meeting relating to the matter: or
- Participate in or be present during the discussion of decision-making procedure relating to the matter unless the member is allowed to do so under Section 5.68 or 5.69 of the *Local Government Act 1995*.

**Councillor Attendance
at Shire of Menzies Council Meetings 2019/2020**

Council Meeting Date	Leave of Absence	Apologies	Electronic Attendance	Absent
28 February 2019	-	Cr D Hansen	Cr I Baird	
28 March 2019	-	-	-	-
24 April 2019	-	-	Cr D Hansen Cr I Baird	-
30 May 2019	-	-	-	-
27 June 2019	-	-	-	Cr D Hansen
25 July 2019	-	Cr D Hansen	-	-
29 August 2019	-	Cr I Tucker Cr J Lee	-	-
26 September 2019	Adjourned			
31 October 2019	-	-	-	-
28 November 2019	-	Cr D Hansen	-	-
12 December 2019	-	Cr I Baird Cr D Hansen	-	-
27 February 2020	-	-	Cr J Lee	-
26 March 2020	-	-	Crs I Baird & Hansen by video Crs Lee, Ashwin by telephone with Cr J Dwyer by telephone at 1.29 pm.-	-
30 April 2020				
28 May 2020				
25 June 2020				

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1 DECLARATION OF OPENING

The President declared the meeting open at_____pm.

2 ANNOUNCEMENT OF VISITORS

3 RECORD OF ATTENDANCE

Present

Councillors:

Cr G Dwyer Shire President
Cr I Baird Deputy Shire President
Cr J Dwyer
Cr J Lee
Cr V Ashwin
Cr D Hansen
Cr K Mader

Staff:

Mr P Money Chief Executive Officer
Mrs A Bryant A/DCEO
Mrs H Cooper A/Executive Officer

4 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

There were no questions from the public.

5 PUBLIC QUESTION TIME

Nil.

6 APPLICATIONS BY MEMBERS

Nil.

7 DECLARATIONS OF INTEREST

Nil.

8 NOTICE OF ITEMS TO BE DISCUSSED BEHIND CLOSED DOORS

Nil.

9 CONFIRMATION / RECEIVAL OF MINUTES

9.1 CONFIRMATION OF THE MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 26 MARCH 2020 (Provided under Separate Cover)

COUNCIL RESOLUTION:	No.
----------------------------	------------

MOVED: Cr

SECONDED: Cr

That the minutes of the Ordinary Meeting of Council held on Thursday 26 March 2020 be confirmed as a true and correct record.

Carried /

9.2 CONFIRMATION OF THE MINUTES OF THE SPECIAL COUNCIL MEETING HELD ON THURSDAY 26 MARCH 2020 (PROVIDED UNDER SEPARATE COVER)

COUNCIL RESOLUTION:	No.
----------------------------	------------

MOVED: Cr

SECONDED: Cr

That the minutes of the Special Council Meeting held on Thursday 26 March 2020 be confirmed as a true and correct record.

Carried /

10 PETITIONS / DEPUTATIONS / PRESENTATIONS

Nil.

11 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

11.1 PRESIDENTS REPORT FOR MONTH OF APRIL 2020

To be presented at the Ordinary Council Meeting 30 April 2020.

COUNCIL RESOLUTION:	No.
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MOVED: Cr

SECONDED: Cr

That the President's Report for the month of April 2020 be received.

Carried /

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12.1

FINANCE AND ADMINISTRATION

12.1.1

Statement of Financial Activity for March 2020

LOCATION:	Shire of Menzies
APPLICANT:	Shire of Menzies
DOCUMENT REF:	As Applicable
DISCLOSURE OF INTEREST:	The Author has no interest to disclose
DATE:	30 April 2020
AUTHOR:	Ally Bryant Acting DCEO
ATTACHMENT:	12.5.1-1 Monthly Financial Report for the period ending 31 March 2020

SUMMARY:

Statutory Financial Reports are submitted to Council as a record of financial activity for the year to 30 April 2020.

BACKGROUND:

The Financial Management *Regulation 34* requires Local Government entities to prepare each month a Statement of Financial Activity reporting on the sources and application of funds, as set out in the Annual Budget under *Regulation 22(1)(d)*:

- The annual budget estimates;
- Budget estimates to the end of the month to which the statement relates.
Actual amounts of expenditure, revenue and income to the end of the month to which the statement relates;
- Any material variations between year to date for income and expenditure and the relevant budget provisions to the end of the relevant reporting period;
- Identify any significant areas where activity is not in accordance with budget estimates for the relevant reporting period;
- Include an operating statement;
- Include the net current assets; and
- Any other relevant reporting notes

COMMENT:

This report contains annual budget estimates, actual amounts of expenditure and income to the end of the month. It shows the material variances between the budget and actual amounts where they are not associated to timing differences for the purpose of keeping Council informed of the current financial position.

CONSULTATION:

Moore Stephens

STATUTORY ENVIRONMENT:

Local Government Act 1995 Section 6.4

Local Government (Financial Management) Regulation 1996, 34

POLICY IMPLICATIONS:

Nil.

FINANCIAL IMPLICATIONS:

As detailed in the attachment.

RISK ASSESSMENT:

OP9 Budgets are inaccurately reported with differences in the Budget adopted by Council, and that exercised by Council administration

OP16 Council's statutory reports provide inaccurate financial information

STRATEGIC IMPLICATIONS:

14.3 Active civic leadership achieved

- Regularly review plans with community consultation on significant decisions affecting the shire.

VOTING REQUIREMENTS:

Simple majority.

OFFICERS RECOMMENDATION:

That Council receive the Statement of Financial Activity for the period ending 31 March 2020 as attached and note any material differences.

COUNCIL DECISION:

COUNCIL RESOLUTION:	No.
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MOVED: Cr

SECONDED: Cr

Carried /

SHIRE OF MENZIES

MONTHLY FINANCIAL REPORT (Containing the Statement of Financial Activity) For the Period Ended 31 March 2020

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

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**Shire of Menzies
Information Summary
For the Period Ended 31 March 2020**

Key Information

Report Purpose

This report is prepared to meet the requirements of *Local Government (Financial Management) Regulations 1996, Regulation 34*.

Overview

Summary reports and graphical progressive graphs are provided on pages 2 - 3.

Statement of Financial Activity by reporting program

Is presented on page 6 and shows a surplus as at 31 March 2020 of \$4,992,661.

Items of Significance

The material variance adopted by the Shire of Coorow for the 2019/20 year is \$10,000 and 10%. The following selected items have been highlighted due to the amount of the variance to the budget or due to the nature of the revenue/expenditure. A full listing and explanation of all items considered of material variance is disclosed in Note 2.

Income & Expenditure		Annual Budget		YTD Budget		YTD Actual
Operating Grants, Subsidies and Contributions	57%	\$ 2,166,568	\$	1,386,788	\$	1,241,126
Non-operating Grants, Subsidies and Contributions	76%	\$ 3,564,402	\$	1,925,570	\$	2,718,892
	69%	\$ 5,730,970	\$	3,312,358	\$	3,960,019
Rates Levied	103%	\$ 3,266,373	\$	3,279,042	\$	3,352,627
Materials & Contracts	57%	-\$ 2,246,605	-\$	1,640,157	-\$	1,290,068
Capital Projects						
Infrastructure Assets - Roads	12%	-\$ 2,316,771	-\$	1,551,774	-\$	270,969
Infrastructure Assets - Other	36%	-\$ 777,761	-\$	482,261	-\$	277,449

% Compares current ytd actuals to annual budget

Financial Position		This Time Last Year		31 Mar 2020
Adjusted Net Current Assets	276%	\$ 1,809,167	\$	4,992,662
Cash and Equivalent - Unrestricted	290%	\$ 1,504,295	\$	4,357,532
Cash and Equivalent - Restricted	104%	\$ 8,598,120	\$	8,912,467
Receivables - Rates	105%	\$ 926,862	\$	976,941
Receivables - Other	-225%	\$ 119,522	-\$	268,426
Payables	13%	\$ 606,816	\$	81,353

% Compares current ytd actuals to prior year actuals at the same time

Note: The Statements and accompanying notes are prepared based on all transactions recorded at the time of preparation and may vary due to transactions being processed for the reporting period after the date of preparation.

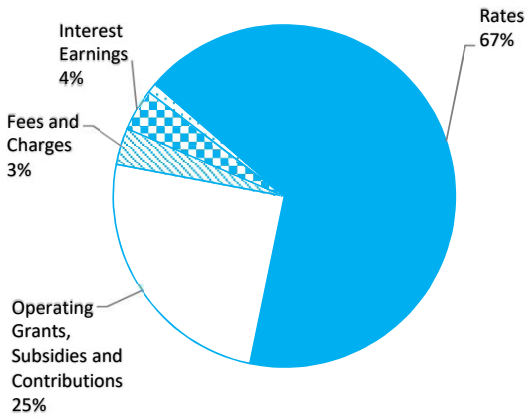
Preparation

Prepared by: Ally Bryant

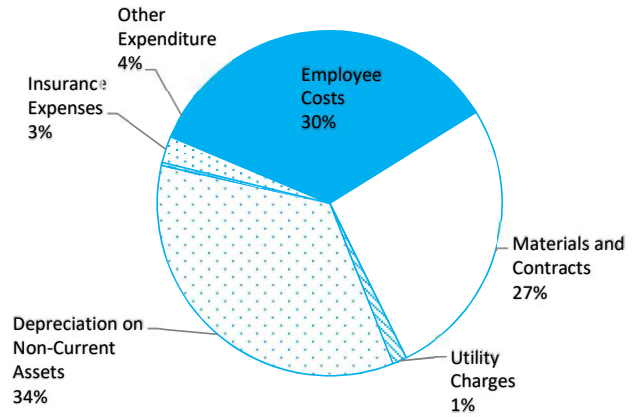
Date Prepared 14 Apr 2020

**Shire of Menzies
Information Summary
For the Period Ended 31 March 2020**

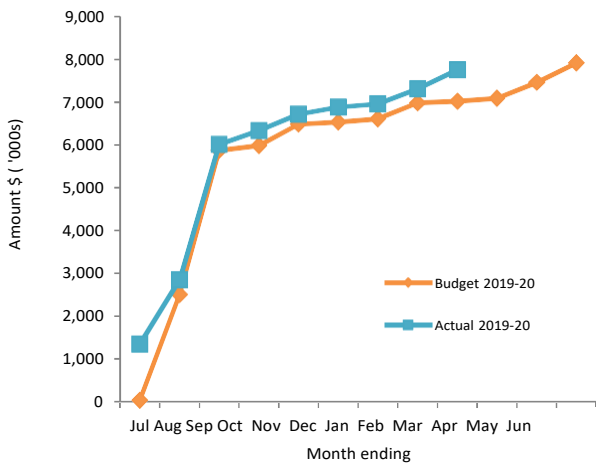
Operating Revenue



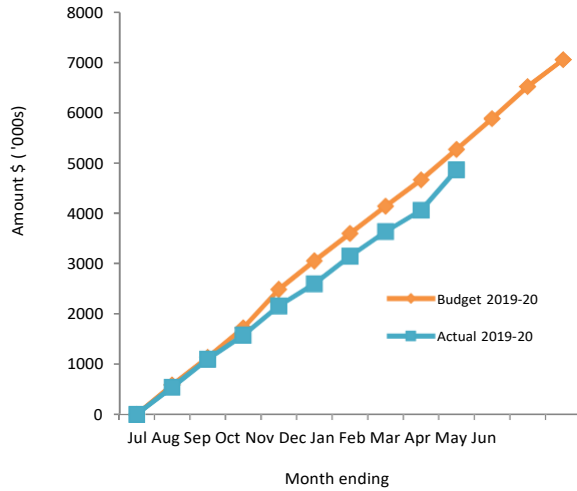
Operating Expenditure



Budget Operating Revenues -v- Actual (Refer Note 2)



Budget Operating Expenses -v- YTD Actual (Refer Note 2)



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

SHIRE OF MENZIES
STATEMENT OF FINANCIAL ACTIVITY
(Statutory Reporting Program)
For the Period Ended 31 March 2020

	Note	Amended Annual Budget	YTD Amended Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)	Var. % (b)- (a)/(a)	Var.
		\$	\$	\$	\$	%	
Opening Funding Surplus(Deficit)	3	1,994,974	1,994,974	1,994,974	(0)	(0%)	
Revenue from operating activities							
Governance		16,980	12,735	9,306	(3,429)	(27%)	
General Purpose Funding - Rates	9	3,266,373	3,279,042	3,335,291	56,249	2%	
General Purpose Funding - Other		1,126,704	849,702	806,547	(43,155)	(5%)	
Law, Order and Public Safety		10,569	6,294	7,787	1,493	24%	
Health		1,300	972	450	(522)	(54%)	
Education and Welfare		0	0	0	0		
Housing		100,600	75,447	67,980	(7,467)	(10%)	
Community Amenities		17,277	12,960	23,324	10,364	80%	
Recreation and Culture		800	603	16,730	16,127	2674%	
Transport		1,172,603	544,105	536,678	(7,426)	(1%)	
Economic Services		226,292	149,908	177,855	27,947	19%	P
Other Property and Services		28,983	21,735	33,384	11,649	54%	
		5,968,480	4,953,503	5,015,333	61,830	1%	
Expenditure from operating activities							
Governance		(951,320)	(709,239)	(716,992)	(7,753)	(1%)	
General Purpose Funding		(225,840)	(169,785)	(210,471)	(40,687)	(24%)	Q
Law, Order and Public Safety		(116,855)	(94,623)	(88,634)	5,989	6%	
Health		(112,337)	(84,249)	(29,965)	54,284	64%	P
Education and Welfare		0	0	0	0		
Housing		(206,258)	(170,047)	(96,894)	73,153	43%	P
Community Amenities		(315,359)	(221,897)	(238,473)	(16,576)	(7%)	
Recreation and Culture		(971,687)	(742,638)	(693,126)	49,512	7%	
Transport		(2,493,759)	(1,853,170)	(1,734,104)	119,066	6%	
Economic Services		(1,388,398)	(965,854)	(711,565)	254,288	26%	P
Other Property and Services		(301,447)	(253,928)	(340,002)	(86,074)	(34%)	Q
		(7,083,260)	(5,265,429)	(4,860,226)	405,203	8%	
Operating activities excluded from budget							
Add back Depreciation		1,986,269	1,521,117	1,677,109	155,992	10%	P
Adjust (Profit)/Loss on Asset Disposal	8	(3,876)	(3,876)	33,735	37,611	(970%)	
Adjust Provisions and Accruals				(2,313)	(2,313)		
Amount attributable to operating activities		867,613	1,205,315	1,863,639			
Investing Activities							
Non-operating Grants, Subsidies and Contributions	11	3,564,402	1,925,570	2,718,892	793,322	41%	P
Proceeds from Disposal of Assets	8	250,911	0	222,901	222,901		P
Land and Buildings	13	(1,867,000)	(1,559,500)	(86,847)	1,472,653	94%	P
Infrastructure Assets - Roads	13	(2,316,771)	(1,551,774)	(270,969)	1,280,805	83%	P
Infrastructure Assets - Other	13	(777,761)	(482,261)	(277,449)	204,812	42%	P
Infrastructure Assets - Footpaths	13	(220,000)	0	0	0		
Infrastructure Assets - Drainage	13	0	0	0	0		
Plant and Equipment	13	(836,585)	(796,585)	(760,319)	36,266	5%	
Amount attributable to investing activities		(2,202,804)	(2,464,550)	1,546,210	4,010,760	163%	P
Financing Activities							
Self-Supporting Loan Principal		0	0	0	0		
Transfer from Reserves	7	3,626,546	0	0	0		
Transfer from Restricted Cash		0	0	0	0		
Repayment of Debentures	10	0	0	0	0		
Transfer to Reserves	7	(4,262,750)	(393,744)	(409,918)	(16,174)	(4%)	
Amount attributable to financing activities		(636,204)	(393,744)	(409,918)	(16,174)	(4%)	
Closing Funding Surplus(Deficit)	3	23,580	341,995	4,992,661			

Indicates a variance between Year to Date (YTD) Budget and YTD Actual data as per the adopted materiality threshold.
Refer to Note 2 for an explanation of the reasons for the variance.

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

SHIRE OF MENZIES
STATEMENT OF FINANCIAL ACTIVITY
(By Nature or Type)
For the Period Ended 31 March 2020

	Note	Annual Budget	YTD Budget (a)	YTD Actual	Var. \$ (b)-(a)	Var. % (b)-(a)/(a)	Var.
		\$	\$	\$	\$	%	
Opening Funding Surplus (Deficit)	3	1,994,974	1,994,974	1,994,974	(0)	(0%)	
Revenue from operating activities							
Rates	9	3,266,373	3,279,042	3,352,627	73,585	2%	
Operating Grants, Subsidies and Contributions	11	2,137,567	1,386,788	1,241,126	(145,662)	(11%)	Q
Fees and Charges		241,847	185,930	174,367	(11,563)	(6%)	
Interest Earnings		233,789	177,507	198,047	20,541	12%	
Other Revenue		49,693	13,671	47,572	33,901	248%	P
Profit on Disposal of Assets	8	39,212	39,212	1,593	(37,619)	(96%)	
		5,968,481	5,082,150	5,015,333	(66,817)	(1%)	
Expenditure from operating activities							
Employee Costs		(2,066,237)	(1,546,765)	(1,446,178)	100,587	7%	
Materials and Contracts		(2,246,605)	(1,640,157)	(1,290,068)	350,089	21%	P
Utility Charges		(86,147)	(64,467)	(64,715)	(248)	(0%)	
Depreciation on Non-Current Assets		(1,986,269)	(1,521,117)	(1,677,109)	(155,992)	(10%)	Q
Non Operating Expenses		0	0	(13,110)	(13,110)		
Insurance Expenses		(149,012)	(149,964)	(122,358)	27,606	18%	P
Other Expenditure		(513,655)	(307,624)	(211,360)	96,264	31%	P
Loss on Disposal of Assets	8	(35,336)	(35,336)	(35,329)			
		(7,083,260)	(5,265,429)	(4,860,226)	405,203	8%	
Operating activities excluded from budget							
Add back Depreciation		1,986,269	1,521,117	1,677,109	155,992	10%	P
Adjust (Profit)/Loss on Asset Disposal	8	(3,876)	(3,876)	33,735	37,611	(970%)	
Adjust Provisions and Accruals		0		(2,313)	(2,313)		
Amount attributable to operating activities		867,613	1,333,962	1,863,639	529,677		
Investing activities							
Grants, Subsidies and Contributions	11	3,564,402	1,925,570	2,718,892	793,322	41%	P
Proceeds from Disposal of Assets	8	250,911	0	222,901	222,901		P
Land and Buildings	13	(1,867,000)	(1,559,500)	(86,847)	1,472,653	94%	P
Infrastructure Assets - Roads	13	(2,316,771)	(1,551,774)	(270,969)	1,280,805	83%	P
Infrastructure Assets - Other	13	(777,761)	(482,261)	(277,449)	204,812	42%	P
Infrastructure Assets - Footpaths	13	(220,000)	0	0	0		
Plant and Equipment	13	(836,585)	(796,585)	(760,319)	36,266	5%	
Furniture and Equipment	13	0	0	0	0		
Amount attributable to investing activities		(2,202,804)	(2,464,550)	1,546,210	4,010,760	163%	
Financing Activities							
Proceeds from New Debentures		0	0	0	0		
Proceeds from Advances		0	0	0	0		
Advances to Community Groups		0	0	0	0		
Transfer from Reserves	7	3,626,546	0	0	0		
Repayment of Debentures	10	0	0	0	0		
Transfer to Reserves	7	(4,262,750)	(393,744)	(409,918)	(16,174)	(4%)	
Amount attributable to financing activities		(636,204)	(393,744)	(409,918)	(16,174)	(4%)	
Closing Funding Surplus (Deficit)	3	23,580	470,642	4,992,661	4,522,020	961%	P

Indicates a variance between Year to Date (YTD) Budget and YTD Actual data as per the adopted materiality threshold.
Refer to Note 2 for an explanation of the reasons for the variance.

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

SHIRE OF MENZIES
STATEMENT OF CAPITAL ACQUISITIONS AND CAPITAL FUNDING
For the Period Ended 31 March 2020

Capital Acquisitions

	Note	YTD Actual New /Upgrade (a)	YTD Actual (Renewal Expenditure) (b)	Budget YTD Budget (d)	Annual Budget	YTD Actual Total (c) = (a)+(b)	Variance (d) - (c)
		\$	\$	\$	\$	\$	\$
Land and Buildings	13	86,847	0	1,559,500	1,867,000	86,847	(1,472,653)
Infrastructure Assets - Roads	13	270,969	0	1,551,774	2,316,771	270,969	(1,280,805)
Infrastructure Assets - Other	13	277,449	0	482,261	777,761	277,449	(204,812)
Infrastructure Assets - Footpaths	13	0	0	0	220,000	0	0
Infrastructure Assets - Drainage	13	0	0	0	0	0	0
Plant and Equipment	13	760,319	0	796,585	836,585	760,319	(36,266)
Capital Expenditure Totals		1,395,584	0	4,390,120	6,018,117	1,395,584	(2,994,536)
Capital acquisitions funded by:							
Capital Grants and Contributions				1,925,570	3,564,402	2,718,892	
Other (Disposals & C/Fwd)				0	250,911	222,901	
Council contribution - Cash Backed Reserves							
Building Reserve				0	1,832,000	0	
Plant Reserve				0	300,000	0	
Road Infrastructure Reserve				0	0	0	
					0	0	
Council contribution - operations				2,464,550	70,804	(1,546,210)	
Capital Funding Total				4,390,120	6,018,117	1,395,584	

SHIRE OF MENZIES
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 March 2020

Note 1: Significant Accounting Policies

The Shire of Coorow adopts its significant accounting policies at the time of adopting its annual budget. Significant accounting policies are set in relation to the following:

- a) Basis of preparation
- b) Prior year actual balances
- c) Rounding off figures
- d) Comparative figures
- e) Budget comparative figures
- f) Forecast fair value adjustments
- g) Rates, grants, donations & other contributions
- h) Goods and services tax (GST)
- i) Superannuation
- j) Cash and cash equivalents
- k) Trade and other payables
- l) Inventories
- m) Fixed assets
- n) Fair value of assets and liabilities
- o) Financial instruments
- p) Impairment of assets
- q) Trade and other payables
- r) Employee benefits
- s) Borrowing costs
- t) Provisions
- u) Leases
- v) Investments in associates
- x) Interests in joint arrangements
- y) Current and non-current classification

There have been no changes to the Shire of Menzies significant accounting policies since adopting the 2019/2020 budget.

SHIRE OF MENZIES
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 March 2020

Note 2: Explanation of Material Variances

The material variance thresholds are adopted annually by Council as an indicator of whether the actual expenditure or revenue varies from the year to date budget materially.

The material variance adopted by Council for the 2019/20 year is \$25,000 or 10% whichever is the greater.

Reporting Program	YTD Budget	YTD Actual	Var. \$	Var. %	Var.	Timing/ Permanent	Explanation of Variance
Operating Revenues			\$	%			
Governance	12,735	9,306	(3,429)	(27%)			
General Purpose Funding	4,128,744	4,141,838	56,249	(3%)			
Law, Order and Public Safety	6,294	7,787	1,493	24%			
Health	972	450	(522)	(54%)			
Education and Welfare	0	0	0				
Housing	75,447	67,980	(7,467)	(10%)			
Community Amenities	12,960	23,324	10,364	80%			
Recreation and Culture	603	16,730	16,127	2674%			
Transport	544,105	536,678	(7,426)	(1%)			
Economic Services	149,908	177,855	27,947	19%	P	Timing	Have received CRC grant prior to budgeted time
Other Property and Services	21,735	33,384	11,649	54%			
			61,830				
Operating Expense							
Governance	(709,239)	(716,992)	(7,753)	(1%)			
General Purpose Funding	(169,785)	(210,471)	(40,687)	(24%)	Q	Timing	Rates write off not yet occurred
Law, Order and Public Safety	(94,623)	(88,634)	5,989	6%			
Health	(84,249)	(29,965)	54,284	64%	P	Permanent	Shire is no longer liable for supply of nurse
Education and Welfare	0	0	0				
Housing	(170,047)	(96,894)	73,153	43%	P	Timing	Housing maintenance delayed.
Community Amenities	(221,897)	(238,473)	(16,576)	(7%)			
Recreation and Culture	(742,638)	(693,126)	49,512	7%			
Transport	(1,853,170)	(1,734,104)	119,066	6%			
Economic Services				26%	P	Timing	Rodeo under \$80,000 Visitors centre and Caravan park down \$85,000, Buildersbudget employee costs in wrong account \$110,000
	(965,854)	(711,565)	254,288				
Other Property and Services	(253,928)	(340,002)	(86,074)	(34%)	Q	Timing	Employee costs
Capital Revenues							
Grants, Subsidies and Contributions	1,925,570	2,718,892	793,322	41%	P	Timing	Budget Timing for roads

SHIRE OF MENZIES
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 March 2020

Note 2: Explanation of Material Variances

The material variance thresholds are adopted annually by Council as an indicator of whether the actual expenditure or revenue varies from the year to date budget materially.

The material variance adopted by Council for the 2019/20 year is \$25,000 or 10% whichever is the greater.

Reporting Program	YTD Budget	YTD Actual	Var. \$	Var. %	Var.	Timing/ Permanent	Explanation of Variance
Proceeds from Disposal of Assets	0	222,901	222,901		P	Timing	Budget allocated for incorrect time
Capital Expenses							
Land and Buildings	(1,559,500)	(86,847)	1,472,653	94%	P	Timing	Major building projects have commenced
Infrastructure - Roads	(1,551,774)	(270,969)	1,280,805	83%	P	Timing	Roads Projects have commenced
Infrastructure - Other	(482,261)	(277,449)	204,812	42%	P	Timing	Timing with Niagara dam, kookynie Airstrip and Grid replacement work.
Infrastructure - Footpaths	0	0	0				
Infrastructure - Drainage	0	0	0				
Plant and Equipment	(796,585)	(760,319)	36,266	5%			

SHIRE OF MENZIES
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 March 2020

Note 3: Net Current Funding Position

Positive=Surplus (Negative=Deficit)

		Last Years Closing	This Time Last Year	Current
	Note	30 June 2020	01 Apr 2019	31 Mar 2020
		\$	\$	\$
Current Assets				
Cash Unrestricted	4	2,136,522	1,504,295	4,357,532
Cash Restricted - Conditions over Grants	11	0	0	0
Cash Restricted	4	8,497,246	8,598,120	8,912,467
Receivables - Rates	6	767,983	926,862	976,941
Receivables - Other	6	(104,708)	119,522	(268,426)
Interest / ATO Receivable/Trust				
Inventories		10,706	17,594	3,035
		11,307,749	11,166,394	13,981,549
Less: Current Liabilities				
Payables		(816,653)	(606,816)	(81,353)
Provisions Loans		0	0	0
Provisions Leave		(138,351)	(152,291)	(129,659)
		(955,004)	(759,107)	(211,012)
Less: Cash Reserves	7	(8,497,246)	(8,598,120)	(8,912,467)
Less: Unspent Grants		0	0	0
Add: Loan Current		0	0	0
Less: SSL Repayments		0	0	0
Add: Leave Reserve		140,097	0	134,592
Trust imbalance (Department of Transport funds timing)			0	0
Net Current Funding Position		1,994,974	1,809,167	4,992,662

SHIRE OF MENZIES
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 March 2020

Note 4: Cash and Investments

	Unrestricted	Restricted	Trust	Total Amount	Institution
	\$	\$	\$	\$	
(a) Cash Deposits					
Cash At Bank	424,267			424,267	NAB
Cash At Call - Bank	1,922,973			1,922,973	NAB
Municipal Fund Term Deposits	2,008,972			2,008,972	NAB
Cash at Reserve - Bank		0		0	
Reserve Fund Term Deposits		8,912,467		8,912,467	NAB, Bankwest
Trust Fund Bank			0	0	NAB
Petty Cash Float	1,320			1,320	
Total	4,357,532	8,912,467	0	13,269,999	

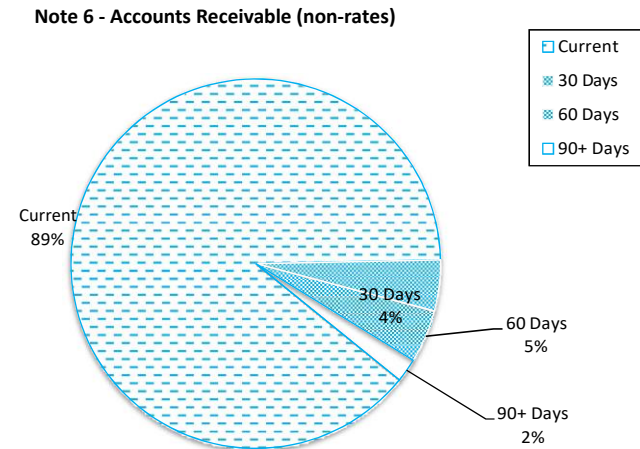
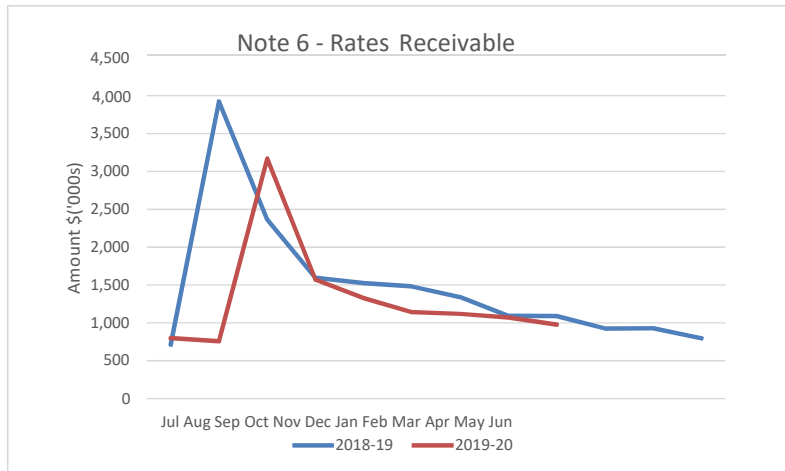
SHIRE OF MENZIES
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 March 2020

Note 6: Receivables

Receivables - Rates Receivable	31 Mar 2020	30 June 2019
	\$	\$
Opening Arrears Previous Years	767,983	648,784
Levied this year	3,381,104	3,237,134
Less Collections to date	3,172,145	3,117,935
Equals Current Outstanding	976,941	767,983
Net Rates Collectable	976,941	767,983
% Collected	76.45%	80.24%

Receivables - General	Current	30 Days	60 Days	90+ Days	Totals
	\$	\$	\$	\$	\$
Sundry Debtors	27,182	1,364	1,416	635	30,597
Balance per Trial Balance					
Sundry Debtors					30,597
Total Receivables General Outstanding					30,597

Amounts shown above include GST (where applicable)



SHIRE OF MENZIES
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 March 2020

Note 7: Cash Backed Reserve

Name	Opening Balance	Budget Interest Earned	Actual Interest Earned	Budget Transfers In (+)	Actual Transfers In (+)	Budget Transfers Out (-)	Actual Transfers Out (-)	Amended Budget Closing Balance	Actual YTD Closing Balance
	\$	\$	\$	\$	\$	\$	\$	\$	\$
Leave Reserve - Accumulation	61,300	2,966	2,549	0	0	0	0	64,266	63,849
Building Reserve Accumulation	2,438,421	33,805	29,053	560,180	0	(1,832,000)	0	1,200,406	2,467,474
Plant Reserve Accumulation	1,395,073	20,526	17,637	527,570	0	(515,785)	0	1,427,384	1,412,710
Roads Reserve Accumulation	1,529,390	22,497	19,335	1,200,000	0	(300,000)	0	2,451,887	1,548,725
Main Street Reserve Accumulation	138,105	2,032	1,746	0	0	(10,000)	0	130,137	139,851
Staff Amenities Reserve Accumulation	74,299	1,093	939	1,150,000	0	(650,000)	0	575,392	75,238
TV Reserve Accumulation	17,590	259	222	0	0	0	0	17,849	17,812
Caravan Park Reserve Accumulation	434,027	6,385	5,487	0	0	(20,650)	0	419,762	439,514
Bitumen Reserve Accumulation	397,088	5,841	5,020	200,000	0	0	0	602,929	402,108
Rates Creditors Reserve Accumulation	50,119	737	805	0	0	0	0	50,856	50,923
Niagara Dam Reserve Accumulation	1,349,520	19,851	17,061	0	0	(203,111)	0	1,166,260	1,366,581
Water Park Reserve Accumulation	98,143	1,444	1,241	200,000	0	0	0	299,587	99,383
Waste Management Reserve Accumulation	102,766	1,512	1,299	0	0	(45,000)	0	59,278	104,065
Former Post Office Reserve Accumulation	411,407	6,052	5,200	0	0	(50,000)	0	367,459	416,608
Commercial Enterprise Reserve - Accumulation	0	0	774	100,000	100,000	0	0	100,000	100,774
Land Purchase Reserve - Accumulation	0	0	1,548	200,000	200,000	0	0	200,000	201,548
	8,497,246	125,000	109,918	4,137,750	300,000	(3,626,546)	0	9,133,450	8,907,163

SHIRE OF MENZIES
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 March 2020

Note 8: Disposal of Assets

Asset Number	Asset Description	YTD Actual				Budget			
		Net Book Value	Proceeds	Profit	(Loss)	Net Book Value	Proceeds	Profit	(Loss)
Plant and Equipment									
517	P213 Toyota Landcruiser Dual Cab Ute - KBC 866N	57,013	57,073			35,637	57,273	21,636	
233	P0105 2008 Caterpillar 120M Grader MN980	116,430	83,601			132,000	100,000		(32,000)
34	Toyota Landcruiser LC200 4.5L 2018 1MN - P0218	67,754	65,255			53,788	65,455	11,667	
491	P0173 Digga Cleena Roadsweeper	1,011	1,218			825	455		(370)
495	P0189 Digga Slasher Mower	912	1,409			880	455		(425)
29	Nissan Xtrail ST-L 4WD CVT AUTO 2017 Rego 5MN P0214	14,345	14,345			18,905	16,364		(2,541)
393	P0183 Trayback ute VW Amarok with toolboxes fitted 1EER484					5,000	10,909	5,909	
		257,466	222,901			247,035	250,911	39,212	(35,336)

SHIRE OF MENZIES
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 March 2020

Note 9: Rating Information

RATE TYPE	Rate in	Number of Properties	Rateable Value	Rate Revenue	YTD Actual		Budget				
					Interim Rates	Back Rates	Total Revenue	Rate Revenue	Interim Rate	Back Rate	Total Revenue
	\$		\$	\$	\$	\$	\$	\$	\$	\$	\$
Differential General Rate											
GRV - Vacant	0.0864	4	20,956	1,811	0	0	1,811	1,811	0	0	1,811
GRV - General	0.0862	29	2,490,652	214,694	0	0	214,694	214,694	0	0	214,694
UV - Mining Lease	0.1655	220	14,454,262	2,390,135	23,145	0	2,413,280	2,349,951	0	0	2,349,951
UV - Exploration	0.1500	269	2,751,508	420,983	0	0	420,983	412,726	0	0	412,726
UV - Prospecting	0.1477	159	380,152	53,882	0	0	53,882	56,148	0	0	56,148
UV - Pastoral	0.0829	19	734,152	60,861	0	0	60,861	60,861	0	0	60,861
UV - Other	0.0829	61	300,937	24,978			24,978	24,948			24,948
Sub-Totals		761	21,132,619	3,167,344	23,145	0	3,190,489	3,121,139	0	0	3,121,139
Minimum Payment	\$										
GRV - Townsites	200.00	200	40,000	40,000	0	0	40,000	40,000	0	0	40,000
UV - Agricultural	317.00	11	3,487	3,487	0	0	3,487	3,487	0	0	3,487
UV - Mining	317.00	60	19,020	19,020	0	0	19,020	19,020	0	0	19,020
UV - Exploration	280.00	190	53,200	53,760	0	0	53,760	53,200	0	0	53,200
UV - Prospecting	248.00	105	26,040	25,048	0	0	25,048	26,040	0	0	26,040
UV - Pastoral	317.00	8	2,536	2,536	0	0	2,536	2,536	0	0	2,536
UV - Other	317.00	3	951	951			951	951			951
Sub-Totals		577	145,234	144,802	0	0	144,802	145,234	0	0	145,234
		1,338	21,277,853	3,312,146	23,145	0	3,335,291	3,266,373	0	0	3,266,373
Movement in Excess Rates							0				0
Discounts							0				0
Amount from General Rates							3,335,291				3,266,373
Write Offs							0				0
Ex-Gratia Rates							0				0
Specified Area Rates											0
Totals							3,335,291				3,266,373

Comments - Rating Information

SHIRE OF MENZIES
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 March 2020

Note 11: Grants and Contributions

	Grant Provider	Type	Opening	Amended Budget		YTD	Annual	Post	YTD Actual	
			Balance	Operating	Capital	Budget	Budget	Variations		
			(a)				(d)	(e)	(d)+(e)	
				\$	\$	\$			\$	
General Purpose Funding										
GEN PUR - Financial Assistance Grant - General	WALGGC	Operating	0	886,654	0	664,990	886,654		886,654	579,035
GEN PUR - Contributions & Donations		Operating	0	0	0	0	0		0	1,000
GEN PUR - Other Income	Landgate	Operating	0	268	0	198	268		268	432
Governance										
OTH GOV - Reimbursements		Operating	0	16,980	0	12,735	16,980		16,980	9,306
Law, Order and Public Safety										
FIRE - Grants	Dept. of Fire & Emergency Serv.	Operating	0	6,522	0	3,261	6,522		6,522	3,991
Housing										
OTH HOUSE - Rental Reimbursements		Operating	0	0	0	0	0		0	5,329
Recreation and Culture										
OTH CUL - Grants - Other Culture		Non-operating	0	0	25,570	25,570	25,570		25,570	11,744
Transport										
ROADC - Regional Road Group Grants (MRWA)	Main Roads WA	Non-operating	0	0	552,204	0	0		0	179,000
ROADC - Other Grants - Aboriginal Roads	Main Roads WA	Operating	0	128,647	0	128,647	128,647		128,647	0
ROADC - Roads to Recovery Grant	Commonwealth Gvt	Non-operating	0	0	700,628	0	0		0	341,915
ROADC - Other Grants - Aboriginal Roads	Commonwealth Gvt	Operating	0	0	0	0	0		0	0
ROADC - Other Grants - Flood Damage	Main Roads WA	Non-operating	0	0	1,900,000	1,900,000	1,900,000		1,900,000	2,065,646
ROADM - Street Lighting Subsidy		Operating	0	0	0	0	0		0	1,713
ROADM - Direct Road Grant (MRWA)	Main Roads WA	Operating	0	183,146	0	183,146	183,146		183,146	194,321
ROADM - Road Contribution Income	WALGGC	Operating	0	820,598	0	321,000	820,598		820,598	319,032
Economic Services										
TOUR - Other Income Relating to Tourism & Area Promotion		Operating	0	0	0	0	0		0	909
TOUR - Grants	Main Roads WA	Non-operating	0	0	386,000	0	0		0	120,588
OTH ECON - Community Resource Centre Income		Operating	0	0	0	0	0		0	55
OTH ECON - Grants	Indue, DPIRD	Operating	0	112,000	0	64,000	112,000		112,000	106,782
Other Property & Services										
ADMIN - Reimbursements	DFES	Operating	0	11,753	0	8,811	11,753		11,753	4,000
POC - Fuel Tax Credits Grant Scheme		Operating	0	0	0	0	0		0	5,772
PWO - Long Service Leave Recoup		Operating	0	0	0	0	0		0	9,450
TOTALS			0	2,166,568	3,564,402	3,312,358	4,092,138	0	4,092,138	3,960,019
SUMMARY										
Operating	Operating Grants, Subsidies and Contributions		0	2,166,568	0	1,386,788	2,166,568	0	2,166,568	1,241,126
Operating - Tied	Tied - Operating Grants, Subsidies and Contributions		0	0	0	0	0	0	0	0
Non-operating	Non-operating Grants, Subsidies and Contributions		0	0	3,564,402	1,925,570	1,925,570	0	1,925,570	2,718,892
TOTALS			0	2,166,568	3,564,402	3,312,358	4,092,138	0	4,092,138	3,960,019

SHIRE OF MENZIES
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 March 2020

Note 13: Capital Acquisitions

% of
Completion

Assets	Job	YTD Actual			Budget			
		New/Upgrade	Renewal	Total YTD	Annual Budget	YTD Budget	YTD Variance	
		\$	\$	\$	\$	\$	\$	
<i>Level of completion indicator, please see table at the end of this note for further detail.</i>								
Buildings								
Housing								
0.68	CEO's House - Lot 1 (37-39) Reid St - Building (Capital)	BC001	5,467	0	5,467	8,000	8,000	(2,533)
0.12	MFA's House - Lot - 1085 (39) Mercer St - Building (Capital)	BC002	2,305	0	2,305	20,000	20,000	(17,695)
0.00	MWS House Lot 165 (25) Onslow St - Building (Capital)	BC003	0	0	0	15,000	15,000	(15,000)
0.00	Lot 91 (40) Mercer St - Building (Capital)	BC004	0	0	0	20,000	5,500	(5,500)
0.00	Lot 93 (36) Mercer St - Building (Capital)	BC005	0	0	0	10,000	10,000	(10,000)
0.43	Lot 1086 (41) Mercer St - Building (Capital)	BC006	4,306	0	4,306	10,000	10,000	(5,694)
0.00	Duplex Lot 12a Walsh St (North Unit) - Building (Capital)	BC007	0	0	0	16,000	0	0
0.00	New Staff House 2020 - Building (Capital)	BC009	0	0	0	530,000	530,000	(530,000)
0.00	Unit Lot 45 (29b) Shenton (Back) - Building (Capital)	BC018	0	0	0	15,000	15,000	(15,000)
0.00	Old Post Office House Lot 102 (33) Walsh St - Building (Capital)	BC020	0	0	0	50,000	50,000	(50,000)
0.21	Teachers Unit Lot 1090 (53b) (14b) Walsh St - Building (Capital)	BC016	4,690	0	4,690	22,000	0	4,690
	Housing Total		16,769	0	16,769	716,000	663,500	(646,731)
Community Amenities								
0.04	Truck Bay Ablution Block - Building (Capital)	BC048	10,510	0	10,510	240,000	240,000	(229,490)
	Community Amenities Total		10,510	0	10,510	240,000	240,000	(229,490)
Recreation And Culture								
0.02	Town Hall (Hall) - Building (Capital)	BC026	3,765	0	3,765	160,000	70,000	(66,235)
0.23	Youth Centre - Building (Capital)	BC036	4,550	0	4,550	20,000	20,000	(15,450)
	Recreation And Culture Total		8,315	0	8,315	180,000	90,000	(81,685)
Transport								
0.70	Depot - Building (Capital)	BC037	21,148	0	21,148	30,000	30,000	(8,852)
	Transport Total		21,148	0	21,148	30,000	30,000	(8,852)
Economic Services								
	Caravan Park Unit (Disabled) - Building (Capital)	BC021	14,523	0	14,523	400,000	400,000	(385,477)
	Lady Shenton/CRC Lot 41 (37) Shenton St - Building (Capital)	BC028	2,465	0	2,465	40,000	25,000	(22,535)
	Church Hall Lot 8 (50) Shenton St - Building (Capital)	BC030	13,117	0	13,117	55,000	55,000	(41,883)
1.00	Station Masters House Goongarrie - Building (Capital)	BC031	0	0	0	0	0	0
	Goongarrie Cottage South - Building (Capital)	BC032	0	0	0	50,000	0	0
0.00	Caravan Park Upgrade	C0133	0	0	0	10,000	10,000	(10,000)
	Economic Services Total		30,105	0	30,105	555,000	490,000	(459,895)
Other Property & Services								
0.00	New Records Facility - Building (Capital)	BC049	0	0	0	100,000	0	0
0.00	Town Hall (Admin) - Building (Capital)	BC027	0	0	0	46,000	46,000	(46,000)
	Other Property & Services Total		0	0	0	146,000	46,000	(46,000)
0.05	Buildings Total		86,847	0	86,847	1,867,000	1,559,500	(1,472,653)

SHIRE OF MENZIES
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 March 2020

Note 13: Capital Acquisitions

% of
Completion

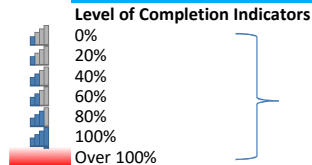
Assets	Job	YTD Actual			Budget			
		New/Upgrade	Renewal	Total YTD	Annual Budget	YTD Budget	YTD Variance	
		\$	\$	\$	\$	\$	\$	
Plant & Equipment (inc Furniture)								
Governance								
0.00	Administration Communications Equipment	C0141	0	0	0	10,000	10,000	(10,000)
0.72	Software and Systems	C0142	25,325	0	25,325	35,000	35,000	(9,675)
0.91	Vehicle Replacement CEO	CP001	66,376	0	66,376	73,000	73,000	(6,624)
	Governance Total		91,702	0	91,702	118,000	118,000	(26,298)
Transport								
0.88	Minor Plant Purchases	C0127	9,987	0	9,987	11,300	11,300	(1,313)
0.89	Ice Machine	C1216	5,770	0	5,770	6,500	6,500	(730)
1.38	Removable Frame for Service Truck	C1210	13,808	0	13,808	10,000	10,000	3,808
0.00	New ute to replace stolen one 2020	CP012	0	0	0	40,000	0	0
1.00	CAT Grader 12m	CP008	390,214	0	390,214	390,000	390,000	214
	Transport Total		419,779	0	419,779	457,800	417,800	1,979
Economic Services								
0.99	Community Bus	CP009	56,161	0	56,161	56,500	56,500	(339)
	Economic Services Total		56,161	0	56,161	56,500	56,500	(339)
Other Property & Services								
0.96	Vehicle Replacement Manager Finance and Administrati	CP002	41,161	0	41,161	43,000	43,000	(1,839)
0.92	Vehicle Replacement Works Supervisor	CP003	80,944	0	80,944	88,000	88,000	(7,056)
0.92	Vehicle Building Maintenance Utility	CP005	30,571	0	30,571	33,285	33,285	(2,714)
1.00	Toyota Landcruiser Prado rego 1GED860	CP011	40,000	0	40,000	40,000	40,000	0
	Other Property & Services Total		192,677	0	192,677	204,285	204,285	(11,608)
0.91	Plant & Equipment Total		760,319	0	760,319	836,585	796,585	(36,266)
Infrastructure Assets - Roads								
Transport								
0.00	Program Reseal	C1213	0	0	0	200,000	200,000	(200,000)
0.02	Connie Sue Rd (Capital)	RC048	5,090	0	5,090	300,000	0	5,090
0.02	Menzies North West Rd (R2R)	R2R007	24,525	0	24,525	1,100,000	825,003	(800,478)
0.00	Tjuntjunjarra Access Rd (R2R)	R2R049	0	0	0	190,000	0	0
0.13	Menzies North West Rd (RRG)	RRG007	15,319	0	15,319	121,008	121,008	(105,690)
0.04	Evanston Menzies Rd (RRG)	RRG008	10,894	0	10,894	254,755	254,755	(243,861)
1.71	Yarri Rd (RRG)	RRG039	207,454	0	207,454	121,008	121,008	86,446
0.26	Shire House Crossovers	C1214	7,687	0	7,687	30,000	30,000	(22,313)
	Transport Total		270,969	0	270,969	2,316,771	1,551,774	(1,280,805)
0.12	Infrastructure Roads Total		270,969	0	270,969	2,316,771	1,551,774	(1,280,805)

SHIRE OF MENZIES
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 March 2020

Note 13: Capital Acquisitions

% of
Completion

Assets	Job	YTD Actual			Budget			
		New/Upgrade	Renewal	Total YTD	Annual Budget	YTD Budget	YTD Variance	
		\$	\$	\$	\$	\$	\$	
Footpaths								
Transport								
0.00	Bicycle Path construction	C0125	0	0	0	100,000	0	0
0.00	Bicycle Track Menzies Town	C1212	0	0	0	120,000	0	0
	Transport Total		0	0	0	220,000	0	0
0.00	Footpaths Total		0	0	0	220,000	0	0
Other Infrastructure								
Community Amenities								
1.72	Menzies Refuse Site New Hole	C0101	51,544	0	51,544	30,000	30,000	21,544
0.61	Kookynie Refuse Site New Hole	C0102	9,154	0	9,154	15,000	15,000	(5,846)
0.00	Cometvale Cemetary fence	C0103	0	0	0	20,000	0	0
	Community Amenities Total		60,698	0	60,698	65,000	45,000	15,698
Recreation And Culture								
0.00	Rodeo Grounds Infrastructure	C0113	0	0	0	50,000	0	0
1.87	Sport Courts Adjustable Basketball Poles	C0114	16,815	0	16,815	9,000	9,000	7,815
0.00	Arbor for Fruit Trees	C0115	0	0	0	5,000	5,000	(5,000)
	Recreation And Culture Total		16,815	0	16,815	64,000	14,000	2,815
Transport								
1.61	Street Lights at Kookynie	C0122	11,240	0	11,240	7,000	7,000	4,240
0.66	Banners and Signage	C0128	6,640	0	6,640	10,000	10,000	(3,360)
0.00	Bores to Support Road Works	C0123	0	0	0	35,000	17,500	(17,500)
0.42	Grid Replacement Program	C0124	54,630	0	54,630	130,000	130,000	(75,370)
0.08	Truck Bay Wilson and Shenton	C1211	666	0	666	8,000	0	666
0.00	Town Dam Upgrade	C0121	0	0	0	200,000	0	0
0.00	Kookynie Airstrip Extension	C0126	0	0	0	20,000	20,000	(20,000)
	Transport Total		73,176	0	73,176	410,000	184,500	(111,324)
Economic Services								
0.58	Niagra Dam Capital Works	C0131	118,111	0	118,111	203,111	203,111	(85,000)
0.00	Goongarrie Security	C0137	0	0	0	25,000	25,000	(25,000)
0.81	Caravan Park Security Gate	C0134	8,649	0	8,649	10,650	10,650	(2,001)
	Economic Services Total		126,760	0	126,760	238,761	238,761	(112,001)
0.36	Other Infrastructure Total		277,449	0	277,449	777,761	482,261	(204,812)
0.23	Capital Expenditure Total		1,395,583	0	1,395,583	6,018,117	4,390,120	(2,994,537)



Percentage YTD Actual to Annual Budget
Expenditure over budget highlighted in red.

12.1.2**MONTHLY LISTING OF PAYMENTS FOR THE MONTH OF MARCH 2020**

LOCATION:	Shire of Menzies
APPLICANT:	Shire of Menzies
DOCUMENT REF:	FIN.935.1/NAM307
DISCLOSURE OF INTEREST:	The Author has no interest to disclose
DATE:	30 April 2020
AUTHOR:	Carol Mc Allan Finance Officer
ATTACHMENT:	12.1.2-1 Payment Listing for March 2020

SUMMARY:

The list of payments made for the month of March 2020 to be received by Council.

BACKGROUND:

Payments have been made by electronic funds transfer (EFT), cheque and direct transfer from Council's Municipal bank account and duly authorised as required by Council Policy. These payments have been made under authority delegated to the Chief Executive Office and are reported to Council.

COMMENT:

The EFT and Direct Debit payments that have been raised for the month of January 2020 are attached.

CONSULTATION:

N/A

STATUTORY Environment:

Local Government (Financial Management) Regulations 1996 Regulation 13

POLICY IMPLICATIONS:

Policy 4.7 – Creditors – Preparation for Payment

FINANCIAL IMPLICATIONS:

Nil.

RISK ASSESSMENTS:

OP7 Accounts payable amounts and disbursements are either inaccurately recorded or not recorded at all.

STRATEGIC IMPLICATIONS:

14.3 Active civic leadership achieved

- Regularly review plans with community consultation on significant decisions affecting the Shire.

VOTING REQUIREMENTS:

Simple Majority.

OFFICER RECOMMENDATION:

That Council receive the list of payments for the month of March 2020 totalling \$353,696.24 being:

- 1) No cheques were drawn;
- 2) Electronic Fund Transfer EFT4880 – EFT4956 payments in the Municipal Fund totalling \$278,772.26;
- 3) Direct Debit payments from the Municipal Fund totally \$74,923.98; and
- 4) Credit Card payments for the statement month of March 2020 included in Direct Debits.

COUNCIL DECISION:

COUNCIL RESOLUTION:	No.
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MOVED: Cr

SECONDED: Cr

Carried /

Shire of Menzies
Payments for the Month of March 2020

Chq/EFT	Date	Name	Description	Amount
		Cheques		\$(0.00)
		EFT		\$(278,772.26)
		Direct Debit		\$(74,923.98)
		Total Payments	<hr/>	\$(353,696.24) <hr/>
		Credit Card Payments (included in Direct Debit)		\$2,694.97

12.1.3

PROPOSED DIFFERENTIAL RATES

LOCATION:	Shire of Menzies
APPLICANT:	Shire of Menzies
DOCUMENT REF:	As Applicable
DISCLOSURE OF INTEREST:	Nil
DATE:	30 April 2020
AUTHOR:	Peter Money Chief Executive Officer
ATTACHMENT:	12.1.3-1 Objects and Reasons for Rates 2020 – 2021 12.1.3-2 Schedule of Workings

SUMMARY

The rate modelling is provided to enable Council to determine the rates its wishes to adopt for advertising the 2020/2021 financial year.

BACKGROUND

The rate modelling April 2020 (attached) has been calculated using the scenario based on the State Government request for a zero rate increase due to the Declared Health Emergency. However, Council is not obligated to comply with the State Government request.

In this scenario the rate in the dollar for each category and the minimum rates for each category also remain the same as 2019/2020.

The current Local Government Index (February 2020) and the inflation rate both were last recorded at about 1.8%. (December 2019 annual (ABS)). This is likely to change drastically over the next few months as the Australian and State economies recover from the economic upheaval.

COMMENT

Each year, prior to adopting the Annual Budget, Council's that rely on differential rates must, in compliance with the Local Government Act, advertise the proposed rate in the dollar (RID) and minimum rates for those categories affected by the differential rates.

The WALGA Economic Briefing issued in February 2020 predicted a State surplus of about \$2 billion, and improving economic conditions. However all these predictions should be considered irrelevant in the midst of the health crises as the longevity and full effects of the crisis are yet to emerge.

Clearly the economic conditions of the state will be very different than predicted and the State Government has asked local governments to freeze rates and fees and charges and at the same time expend funds even Reserve funds to create employment and economic stimulus to the State economy. Unlike other levels of government, local government must not run deficits nor spend beyond its means and its sources of income are limited to rates, fees and charges and grants. At this time the effect of the crisis on grants is unknown; the government will likely want to reign in its growing debt and at the same time not stifle recovery of employment.

Advertising:

Even though the rate in the dollar is the same as 2019/2020 it is still necessary for a local government to give local public notice of its intention to levy differential rates. These rates must be advertised for a period of no less than twenty-one days and advertisement cannot commence until May 1, 2020.

The valuations that form the rate base are set by the Valuer General. Council must determine the rate in the dollar to set to return sufficient income to ensure the effective operations of council for the forthcoming year.

The differential rates as proposed meet the requirements of the Local Government Act (1995).

A report will be made to the May Council Meeting detailing any comments or objections to the proposed rates.

CONSULTATION

Shire President
Acting Deputy Chief Executive Officer

STATUTORY ENVIRONMENT

Local Government Act 1995

(s6.36(1))

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

Nil.

RISK ASSESSMENT

Risk Statement	Level of Risk	Risk Mitigation Strategy
<p>Council does not raise the correct level of income</p> <p>Insufficient working capital to meet Council's financial commitments</p> <p>Inability to fund the maintenance, replacement and renewal of infrastructure assets</p>	<p>Low</p> <p>Low</p> <p>Low</p>	<p>Currently Council can fund its operations, and capital works and has adequate Reserves to draw on if necessary.</p> <p>Council needs to consider any works or projects that will contribute towards employment and support of businesses within the State, as requested by the State Government in its pandemic recovery correspondence.</p>

STRATEGIC IMPLICATIONS

Strategic Plan

14.1 Sustainable local economy encouraged

- A local economy accessing the commercial options and services in place, for timely development.
- The acquisition of appropriate resources to assist with economic and tourism planning and development.

14.2 Strong sense of community maintained

- Our community will be cohesive, inclusive and interactive, where people feel safe, are welcomed and can live comfortably.
- Our community will value each other, building relationships and networks to interact, socialise and for recreation.

14.3 Active civic leadership achieved

- Where possible, support opportunities to build the capacity of the community within the Shire of Menzies.
- Regularly monitor and report on the Shire's activities, budgets, plans and performance.
- Continue to engage with our community, to advocate on behalf of our community, to be accountable and to manage within our governance and legislative framework.
- Continue to participate in regional activities to the benefit of our community.

14.4 Heritage & Natural assets conserved

- Heritage and cultural places and items will be protected.
- A strengthening of our cultural and heritage awareness and values.

VOTING REQUIREMENTS

Simple majority.

OFFICERS RECOMMENDATION

That Council:

- 1) adopts the following rates for advertising for the 2020/2021 financial year noting there is a zero increase in each rate categories from 2019/2020:

GRV Vacant Land	Rate in the dollar 8.64c	minimum remain at \$200
GRV improved Land	Rate in the dollar 8.62c	minimum remain at \$317
UV Mining Lease	Rate in the dollar 16.55c	minimum remain at \$317
UV Exploration Lease	Rate in the dollar 15.00c	minimum remain at \$280
UV Prospecting Lease	Rate in the dollar 14.77c	minimum remain at \$248
UV Other (includes Pastoral and Kookynie Townsite)	Rate in the dollar 8.29c	minimum remain at \$317

- 2) Endorse the Objects of Rating and Reasons (as attached)
- 3) Consider objections received at the May 2020 Ordinary Meeting of Council.

COUNCIL DECISION

COUNCIL RESOLUTION:	No.
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MOVED: Cr

SECONDED: Cr

Carried /

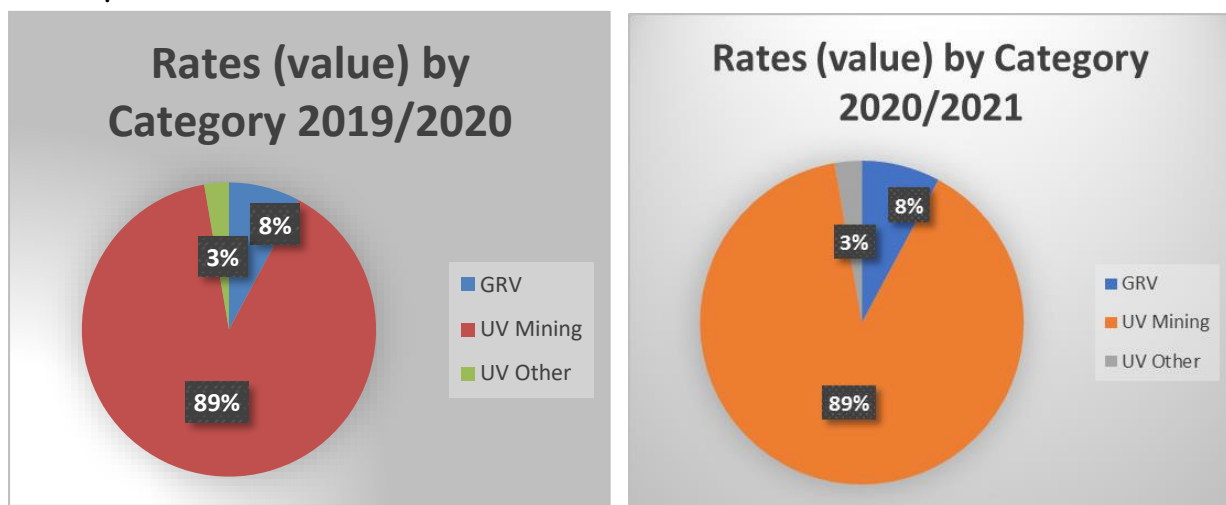


Objects and Reasons for Rating in the Shire of Menzies 2020/2021

The objective of Council's rates is to provide for the net funding requirements of Council's Operational and Capital Budget in order to achieve a balanced budget.

In arriving at the proposed zero dollar increase in rates, Council has taken into consideration many factors and attempted to balance the need for revenue to fund essential services, facilities and infrastructure to the entire community and the effects of COVID – 19 on our ratepayers.

The balance and contribution by each of the categories of ratepayers for the 2020/2021 Budget is materially the same as in 2019/2020. Once again, the Minimum for GRV Other has remained at \$200 to encourage owners of vacant lots in town to retain ownership and not surrender the blocks to the shire. The variance in all sectors reflects the changes to the rate in the dollar and the property valuation as set by the Valuer General



Rates Increase for 2020/2021.

For 2020/2021 year your Council has agreed to freeze all rate increases to assist our rate pays due to the effects of the COVID-19 Corona Virus on our Shire.

Basis of Rating

Property rates are calculated using the Gross Rental Value (GRV) and Unimproved Value (UV) provided for individual properties by the Valuer General's Office. A property's GRV represents the amount of the gross rental income the land might obtain if it is let on a tenancy from year to year. A property's UV represents the amount the land may reasonably be expected to obtain if it was sold and assuming no improvements to the land.

Updated Valuations

Updated unimproved values for rural properties are provided every year and updated gross rental values for residential, commercial and special rural properties are provided every five years.

Council's approach for 2020/2021 is to not apply an increase to the rate in the dollar for the all categories.

GRV Vacant Land	Remain at 8.64c	minimum remain at \$200
GRV improved Land	Remain at 8.62c	minimum remain at \$317
UV Mining Lease	Remain at 16.55c	minimum remain at \$317
UV Exploration Lease	Remain at 15.00c	minimum remain at \$280
UV Prospecting Lease	Remain at 14.77c	minimum remain at \$248
UV Other (includes Pastoral and Kookynie Townsite)	Remain at 8.29c	minimum remain at \$317

Objects and Reasons for Differential Rates.

GROSS RENTAL VALUE (GRV).

GRV covers properties within the townsite of Menzies and one mining camp. The average townsite non-vacant property rate is \$550 (excludes mining camp). Of the 39 properties in Menzies townsite, only five attract rates in excess of \$500 - three are commercial premises and two are multi residential.

The majority of the properties rated GRV are vacant lots. The minimum of \$200 has been set for these vacant lots. This represents a contribution to the community of \$3.85 per week, which although below expectation is considered to be fair to encourage owners of vacant blocks in town to retain ownership and not hand the blocks back into the Shire.

The reason for differentially rating this category is to meet the criteria of the Local Government Act 1995, which does not allow for a minimum rate exceeding \$200 per lot where the number of lots which attract the minimum rate is greater than 50% of the properties in the category (being GRV).

The Council resolves to apply a minimum of \$200 per property to the 200 properties rated as GRV Vacant to recognize the difficulty of developing land in Menzies. A more onerous rating position may result in properties being surrendered.

UNIMPROVED VALUATIONS (UV)

Mining, Exploration and Prospecting Leases are rated differentially to reflect the nature of the lease. Prospecting leases attract a lower minimum and rate in the dollar (RID) to acknowledge that these leases are not, for the most part, income producing.

As per previous years, the differential rate for UV Pastoral and Other has been set taking into account issues of rating equity including capacity to pay. The Pastoral and Other sector are increasingly taking the opportunities afforded to them to diversify, and it is believed that the capacity to pay for this sector has improved.

Objects and Reasons for Minimum Rates

The setting of minimum rates within rating categories is an important method of ensuring that all properties contribute an equitable rate amount. A minimum rate for UV Mining Exploration and UV Mining Prospecting categories has been set lower than other rating categories to reflect the Shire's goal to encourage mining in the district.

Rate CodesRATECODES PickList

Rate Code	Description		Total Properties	Total UV	Total GRV	Minimum Value	U.V. Rate %	G.R.V. Rate %	Calculated Rates	Total Minimum Properties	Total Minimum Adjust	Concessional Rate	Actual Rates to be raised
00	NON-RATEABLE	Non Rateable	34	\$ 9,200	\$ 2,724								\$0.00
01	GRV - VACANT	GRV Vacant	204	\$ -	\$ 62,037	200.00		8.6400	\$ 5,360	200	36450.75	\$0.00	\$ 41,810.60
02	GRV	GRV Improved	40	\$ -	\$ 2,505,965	317.00		8.6200	\$ 216,014	11	2167.00	\$0.00	\$ 218,181.21
09	UV - MINING OPERATIONAL	UV Mining	279	\$ 14,490,031	\$ -	317.00	16.5500		\$ 2,398,100	60	11054.64	\$0.00	\$ 2,409,154.90
10	UV - PASTORAL	UV Pastoral	27	\$ 750,995	\$ -	317.00	8.2900		\$ 62,257	8	1139.70	\$0.00	\$ 63,397.19
12	UV - OTHER	UV Other	64	\$ 308,000	\$ -	317.00	8.2900		\$ 25,533	3	395.57	\$0.00	\$ 25,928.77
13	UV MINING EXPLORATION	UV Mining Exploration	466	\$ 2,992,020	\$ -	280.00	15.0000		\$ 448,803	192	25940.40	\$0.00	\$ 474,743.40
14	UV MINING PROSPECTING	UV Mining Prospecting	253	\$ 456,260	\$ -	248.00	14.7700		\$ 67,390	101	11540.22	\$0.00	\$ 78,929.91
99	CATCHCODE												
			1367	\$ 19,006,506	\$ 2,570,726				\$ 3,223,458	575			\$3,312,145.98

Zero Percent Rate increase

12.1.4

RATES WRITE OFF

LOCATION:	Shire of Menzies
APPLICANT:	Shire of Menzies
DOCUMENT REF:	As Applicable
DISCLOSURE OF INTEREST:	Nil
DATE:	14 April 2020
AUTHOR:	Carol McAllan Finance Officer
ATTACHMENT:	12.1.4-1 - Rates Write-off spreadsheet.

SUMMARY:

This item is to request the write-off of rates plus interest to the value of \$20,645.89 on multiple properties that are deemed uncollectable as per the attached spreadsheet.

BACKGROUND:

Some of these overdue amounts have been on the Shire's Rates Book for many years. They are all Mining Tenements and for the majority, we have only received a Post Office Box address for correspondence.

Most of the companies have been de-registered, with one company under administration. However, administrators do not consider dead tenements as a matter of concern. Once a property has been surrendered / forfeited, it is not unusual for the owners to close their Post Office box and Shire correspondence is returned.

As these tenements are dead, much of the outstanding balance is penalty interest. Historically, a number of these debts have been handed to various debt collection agencies with no success obtaining monies owed.

COMMENT:

Staff have discussed this and consider that recovery is uncollectable as these debts are aged, making pursuit of the debtor more complicated.

The only possible resolution would be to try to find the debtor and ultimately try to seize assets in lieu of the debts.

This is considered too risky as the expense involved, like the existing debt is unlikely to be recovered.

CONSULTATION:

Ally Bryant – Acting Deputy Chief Executive Officer
Peter Money – Chief Executive Officer

STATUTORY ENVIRONMENT:

Local Government Act 1995 – Section 6.12

6.12. Power to defer, grant discounts, waive or write off debts

- (1) Subject to subsection (2) and any other written law, a local government may —
 - (a) when adopting the annual budget, grant* a discount or other incentive for the early payment of any amount of money; or
 - (b) waive or grant concessions in relation to any amount of money; or
 - (c) write off any amount of money,
 which is owed to the local government.

** Absolute majority required.*

- (2) Subsection (1)(a) and (b) do not apply to an amount of money owing in respect of rates and service charges.
- (3) The grant of a concession under subsection (1)(b) may be subject to any conditions determined by the local government.
- (4) Regulations may prescribe circumstances in which a local government is not to exercise a power under subsection (1) or regulate the exercise of that power.

[Section 6.12 amended: No. 64 of 1998 s. 39.]

POLICY IMPLICATIONS:

4.6 – Debt Recovery – Outstanding Rates and Sundry Debtors.

FINANCIAL IMPLICATIONS:

\$20,645.89

RISK ASSESSMENT:

Risk Statement	Level of Risk	Risk Mitigation Strategy
The cost involved in debt collection is high and is balanced against the possible recovery.	High	Debt write-off is considered the better option.

STRATEGIC IMPLICATIONS:

14.1 Sustainable local economy encouraged

- A local economy accessing the commercial options and services in place, for timely development.
- The acquisition of appropriate resources to assist with economic and tourism planning and development.

14.2 Strong sense of community maintained

- Our community will be cohesive, inclusive and interactive, where people feel safe, are welcomed and can live comfortably.
- Our community will value each other, building relationships and networks to interact, socialise and for recreation.
- Our community will have access to all necessary service requirements.

14.3 Active civic leadership achieved

- Where possible, support opportunities to build the capacity of the community within the Shire of Menzies.
- Regularly monitor and report on the Shire’s activities, budgets, plans and performance.
- Continue to engage with our community, to advocate on behalf of our community, to be accountable and to manage within our governance and legislative framework.

VOTING REQUIREMENTS:

Absolute Majority.

OFFICERS RECOMMENDATION:

That Council write off rates plus interest, to the value of \$20,645.89 on multiple properties that are deemed uncollectable as per the attached spreadsheet.

COUNCIL DECISION:

COUNCIL RESOLUTION:	No.
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MOVED: Cr

SECONDED: Cr

Carried /

12.1.4-1**Rates Write Off**

Assess	Name	Initial Status	Balance	Tenement ID	Comment
A2621	Great Southern Mines NI	Dead	\$696.24	E31/00405 MINING TENEMENT	NON-RATEABLE Deregistered
A4517	Ozwest Drilling Pty Ltd	Dead	\$752.75	E29/00820 MINING TENEMENT	NON-RATEABLE Deregistered
A4518	Ozwest Drilling Pty Ltd	Dead	\$752.75	E29/00821 MINING TENEMENT	NON-RATEABLE Deregistered
A3298	Piccadilly Prospecting Pty Ltd	Dead	\$3,460.58	UNIT E29/00664 MINING TENEMENT	NON-RATEABLE Deregistered
A2879	Zeus Resources Pty Ltd	Dead	\$1,397.85	E69/02304 MINING TENEMENT	NON-RATEABLE Deregistered
A5072	Capital Mining Limited	Dead	\$677.67	E29/00897 MINING TENEMENT	NON-RATEABLE Under administration
A4387	Goode	WD Dead	\$7,326.30	M30/00247 MINING TENEMENT	NON-RATEABLE Non-Payment to DMP
A3598	Jackson Gold Limited	Dead	\$2,495.13	UNIT E31/00659 MINING	NON-RATEABLE Non-Payment to DMP
A4404	Galea Downe	MU Dead	\$3,086.62	P31/01987 MINING TENEMENT	NON-RATEABLE Non-Payment to DMP
		<u>TOTAL</u>	<u>\$20,645.89</u>		

LOCATION:	Shire of Menzies
APPLICANT:	Shire of Menzies
DOCUMENT REF:	As Applicable
DISCLOSURE OF INTEREST:	Nil
DATE:	30 April 2020
AUTHOR:	Ally Bryant Acting Deputy Chief Executive Officer
ATTACHMENT:	12.1.5-1 COA Budget Adjustments & Amendment Report March 2020

SUMMARY

This item recommends a list of budget amendments required for a number of accounts to better reflect budgeted income/expenditure and definitions for statutory reporting programs, as well as to better align with the WA Local Government Accounting Manual (WALGAM).

BACKGROUND

During December 2019, the Shire's Enterprise Resource Planning (ERP) software system (SynergySoft) underwent a restructure of its Chart of Accounts (COA). The software providers of Synergy Soft, IT Vision, were engaged to facilitate the COA changeover with Shire of Menzies staff.

Part of the restructure / renumbering of the COA resulted in some accounts and their budgets being re-allocated to alternate accounts/programs, to better reflect income/expenditure by statutory reporting programs and the definitions for each program. Accounts and their associated program and sub programs have been assessed/reallocated based on definitions within the WALGAM.

For example, the recommended re-allocation of weed control expenses from 'Health' to 'Economic Services' – the WALGAM sets out 'Pest Control' should be included under the 'Health' program (preventative services sub-program) whereas 'Pest Plants' (i.e. weeds) should be included within sub-program 'rural services' included within the 'Economic Services' program. The budget amendments being recommended is to better align with the WALGAM as a result of the COA re-structure.

In addition to the budget amendments identified during the COA restructure, there were some imbalances noted following the COA changeover in the adopted budget allocations for some statutory reporting programs. The Shire of Menzies liaised with IT Vision to identify the cause of these imbalances and subsequently engaged Moore Stephens to assist with identifying and reconciling the COA budget to the Shire of Menzies adopted 2019/20 budget. Moore Stephens have also assisted with collating the list of budget amendments required to be considered by Council as part of the reconciliations performed.

COMMENT

When the COA restructure was undertaken, the budgets for accounts under the old COA were not all captured during the changeover. IT Vision have explained this was due to some jobs being mapped directly to general ledger accounts, which did not align to the mapping required for all accounts to be captured. These accounts were not identified by staff during the testing phase of the COA changeover, and when the restructure to the COA occurred, more detailed analysis of data was required to reconcile imbalances and list changes between programs.

The imbalances to the adopted budgets have now been corrected within the new COA by staff, and now the only remaining entries required are the budget amendments to correct budget account changes to alternate programs. These changes have no impact on the overall financial position of Council and are simply moving budget allocations from one program to another. The attached worksheet summarises the budget changes required for Council consideration, along with comments to explain the reasons for changes.

CONSULTATION

Tanya Browning - Moore Stephens
Michelle Martin - IT Vision

STATUTORY ENVIRONMENT

Local Government Act 1995 Section 6.8 (1) (b)

Requires that a local government is not to incur expenditure from its Municipal Fund for an additional purpose except where the expenditure has been authorised in advance by an absolute majority of Council.

The changes required to the adopted 2019-20 Annual Budget provisions to reconcile the re-allocation of income and expenses between reporting programs may be considered expenditure for an additional purpose, and the budget requires amendment to properly reflect the changes to budget allocations between programs.

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

Nil.

RISK ASSESSMENT

This item has been evaluated against the Shire's Risk Management Strategy, Risk Assessment Matrix. The perceived level of risk is medium prior to treatment. The perceived level of risk after treatment is low.

STRATEGIC IMPLICATIONS

14.3 Active civic leadership achieved

- Regularly monitor and report on the Shire's activities, budgets, plans and performance.

VOTING REQUIREMENTS

Absolute majority.

OFFICERS RECOMMENDATION

That Council adopt, by absolute majority, the budget amendments as contained within the attached Monthly Budget Adjustments and Amendment Report March 2020 - COA Changeover.

COUNCIL DECISION

COUNCIL RESOLUTION:	No.
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MOVED: Cr

SECONDED: Cr

Carried /

**Shire of Menzies
Budget COA Adjustment Worksheet
For the Month Ended 31 March 2020**

Old Job #	Old Account #	New Job #	New Account #	Account Description	Comment	Classification #	COA Budget Amendment Y/N	Increase in Available Cash (Muni) \$	Decrease in Available Cash (Muni) \$	Running Balance \$
M04012	13247			Sponsorship - Other	Old account number indicates budget provision was included as a Governance expense at some point and was adjusted to Economic	Operating Expenses	Y	7000.00		7000.00
			2040129	MEMBERS - Donations to Community Groups	Budget amendment to correct budget allocation from Economic Services to Governance	Operating Expenses	Y		-7000.00	0.00
L0001	14549			Legal - Gopel R - Health Prosecution	Change to reflect ongoing legal costs relating to health program.	Operating Expenses	Y	10000.00		10000.00
			2070485	HEALTH - Legal Expenses	Budget amendment to change budget allocation from Other Property and Services to Health	Operating Expenses	Y		-10000.00	0.00
M13405	13145			Weed Control Maintenance	Weed Control, previously in health program (to be correctly reported at Economic Services).	Operating Expenses	Y	1250.00		1250.00
		W0023	2130111	Weed Control Maintenance	Budget amendment to correct budget allocation from Health to Economic Services	Operating Expenses	Y		-1250.00	0.00
S13111	13145			RURAL - Noxious Weed Control	Cactus Control, previously in health program (to be correctly reported at Economic Services).	Operating Expenses	Y	5000.00		5000.00
			2130111	RURAL - Noxious Weed Control	Budget amendment to correct budget allocation from Health to Economic Services	Operating Expenses	Y		-5000.00	0.00
S13100	13145			Buffel Grass Management	Buffel grass mgt (pest plant), previously in health program (to be correctly reported at Economic Services).	Operating Expenses	Y	20000.00		20000.00
		W0036	2130111	Buffel Grass Management	Budget amendment to correct budget allocation from Health to Economic Services	Operating Expenses	Y		-20000.00	0.00
13246				Museum And Surrounds Maintenance	Museum expenses should be reflected in Recreation and Culture program (heritage sub program)	Operating Expenses	Y	7771.09		7771.09
		W0002	2110689	Museum And Surrounds Maintenance	Budget amendment to correct budget allocation from Economic Services to Recreation and Culture	Operating Expenses	Y		-7771.09	0.00
11345	SI1100			Town Dam Maintenance/Operations	Changed from Recreation and Culture to Transport	Operating Expenses	Y	4678.98		4678.98
		W0006	2120765	Town Dam Maintenance/Operations	Budget amendment to correct budget allocation from Recreation and Culture to Transport	Operating Expenses	Y		-4678.98	0.00

Old Job	Old Account	New Job	New Account	Account Description	Comment	Classification	COA Budget Amendment	Increase in Available Cash (Muni)	Decrease in Available Cash (Muni)	Running Balance
143099			2120399	Admin Allocated - Plant Operations	Admin allocation account not previously included and recorded in Transport. Budget amendment to be made to Council to reflect the change from Other Property and Services to Transport	Operating Expenses	Y		-106207.29	-106207.29
			2120399	PLANT - Administration Allocated	Budget amendment to correct budget allocation from Other Property and Services to Transport	Operating Expenses	Y	106207.29		0.00
	03127			ESL Penalty levied	Rates ESL shifted to LOPS to new ESL sub programme.	Operating Revenue	Y		-4046.93	-4046.93
			3050545	ESL BFB - Non-Payment Penalty Interest	Budget amendment to correct budget allocation from General Purpose Funding to LOPS	Operating Revenue	Y	4046.93		0.00
Amended Budget Surplus / (Deficit)							0	165954.29	-165954.29	

Local GoveLocal GoveLocal GoveLocal Government FM Reg 34 (1)

LOCATION:	Shire of Menzies
APPLICANT:	Shire of Menzies
DOCUMENT REF:	As Applicable
DISCLOSURE OF INTEREST:	Nil
DATE:	30 April 2020
AUTHOR:	Paul Warner Works Supervisor
ATTACHMENT:	Nil

SUMMARY

Works Supervisor's report for Council.

BACKGROUND

The Shire manages the Works section with a permanent staff of a Works Supervisor, and 4.5 full time equivalent workers. Additional resources are contracted as required

COMMENT

- The Menzies North West Road construction work has begun.
- The Menzies North West Road re sheeting work has begun.
- The new fence at the church is completed and new roses and trees planted.
- The Arbor for the church yard is ready for installation.
- The gate repairs to the back yards of 57 Walsh St and 12a and 12b Walsh St are completed.
- The new removable service unit is completed for the Shire ute.
- The Shire grader is grading from Sandstone boundary towards Menzies.
- The Contractor's grader is grading Mt Celia Road.
- Kurrajong trees were planted around the area of new toilet block in truck bay

Workshop:

- P0188 had air/con and electrical fault fixed.
- P0188 had 250-hour service done.
- P0206 had key replaced and is now back working.
- P0199 was sent to Geraldton to have keys replaced and is now back in Menzies.

Building:

- The new door frames for Niagara toilets are completed.
- The works on 39 Mercer Street are completed.
- All electrical items on housing per Triton Building Audit of 2019 are completed.
- The maintenance on the Administration and Hall building is completed.
- The maintenance on Lady Shenton is completed.
- Various works at 29a and 29b Shenton Street are completed.

CONSULTATION

Nil.

STATUTORY ENVIRONMENT

Nil.

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

Nil.

RISK ASSESSMENT

No Risk Assessment has been undertaken relating to this item.

STRATEGIC IMPLICATIONS*14.1 Sustainable local economy encouraged*

- The acquisition of appropriate resources to assist with economic and tourism planning and development.

14.2 Strong sense of community maintained

- Our community will be cohesive, inclusive and interactive, where people feel safe, are welcomed and can live comfortably.
- Our community will have access to all necessary service requirements.
- The Shire to review disability access throughout the Shire of Menzies.

14.3 Active civic leadership achieved

- Where possible, support opportunities to build the capacity of the community within the Shire of Menzies.
- Regularly monitor and report on the Shire’s activities, budgets, plans and performance.
- Continue to engage with our community, to advocate on behalf of our community, to be accountable and to manage within our governance and legislative framework.
- Continue to participate in regional activities to the benefit of our community.

14.4 Heritage & Natural assets conserved

- Heritage and cultural places and items will be protected.
- A strengthening of our cultural and heritage awareness and values.

VOTING REQUIREMENTS

Simple majority.

OFFICERS RECOMMENDATION

That Council receive the Works Supervisor’s Report for the month of March 2020.

COUNCIL DECISION

COUNCIL RESOLUTION:	No.
----------------------------	------------

MOVED: Cr

SECONDED: Cr

Carried /

12.3.1

HEALTH AND BUILDING

LOCATION:	Shire of Menzies
APPLICANT:	Shire of Menzies
DOCUMENT REF:	As Applicable
DISCLOSURE OF INTEREST:	The author has no interest to disclose
DATE:	30 April 2020
AUTHOR:	David Hadden Health/Building Surveyor
ATTACHMENTS:	12.3.1-1 Davyhurst Sewer Pond Upgrade Existing 12.3.1-2 Davyhurst Sewer Pond Upgrade Proposed 12.3.1-3 Davyhurst Village 12.3.1-4 Ora Banda Options 1 & 2 for Riverina Camp

SUMMARY

That Council receive the report of the Environmental Health Officer/Building Surveyor for the month of April 2020.

BACKGROUND

This report is for the information of Council. It identifies matters addressed by the Environmental Health Officer/Building Surveyor for the month of April 2020.

COMMENT

The following is a report of the monthly activities extracted from the report to the Chief Executive Officer from David Hadden, Environmental Health Officer/Building Surveyor.

Building:

There has been further liaison with Saracen Mineral Holdings regarding reopening a mining camp on Edjudena Station together with building application advice.

I have liaised numerous times with Ora Banda Mining representatives associated with Daveyhurst village camp and the proposed Riverina Station village camp. The Company is planning to bring extra accommodation units to Daveyhurst village camp as well as upgrading the wastewater treatment plant servicing the village. The Riverina camp building application/plumbing application is still being prepared for submission to Council.

After discussions with the Chief Executive Officer, it was determined to delay planned legal action with Mr Gopel due to the pending Covid-19 emergency (at the time).

A building permit has been prepared for issue for the two accommodation units to be placed in the Menzies Caravan Park.

Health:

Two plumbing applications have been processed for the Shenton Street and Reid Street Village Camps after the recently provided planning approval. The two applications have been forwarded to the Health Department for final approval. Both applications have run into problems with the Health Department due to concerns with the proposed disposal areas being too small from the Department's point of view. The applicant is completing further investigations to resolve the Department's concerns.

I have been dealing with several Covid-19 enquiries across all local authorities that I service. If Councillors are receiving enquiries it is important to direct community members to the Health Department website https://ww2.health.wa.gov.au/Articles/A_E/Coronavirus as the site is being updated daily, while the Police Department is now the lead agency in this instance.

CONSULTATION

N/A

STATUTORY ENVIRONMENT

Public Health Act 2016, Building Act 2011 and various other.

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

Nil.

RISK ASSESSMENT

OP97 – Council unable to fill the position of Authorised Officer under the Public Health Act 2016 previously.

STRATEGIC IMPLICATIONS

14.1 Sustainable local economy encouraged

- A local economy accessing the commercial options and services in place, for timely development.
- The acquisition of appropriate resources to assist with economic and tourism planning and development.

14.2 Strong sense of community maintained

- Our community will be cohesive, inclusive and interactive, where people feel safe, are welcomed and can live comfortably.
- Our community will have access to all necessary service requirements.
- The Shire to review disability access throughout the Shire of Menzies.

14.3 Active civic leadership achieved

- Regularly review plans with community consultation on significant decisions affecting the shire.
- Where possible, support opportunities to build the capacity of the community within the Shire of Menzies.
- Regularly monitor and report on the Shire's activities, budgets, plans and performance.
- Continue to engage with our community, to advocate on behalf of our community, to be accountable and to manage within our governance and legislative framework.
- Continue to participate in regional activities to the benefit of our community.

VOTING REQUIREMENTS

Simple majority.

OFFICERS RECOMMENDATION

That Council receive the report of the Environmental Health Officer/Building Surveyor for the month of April 2020.

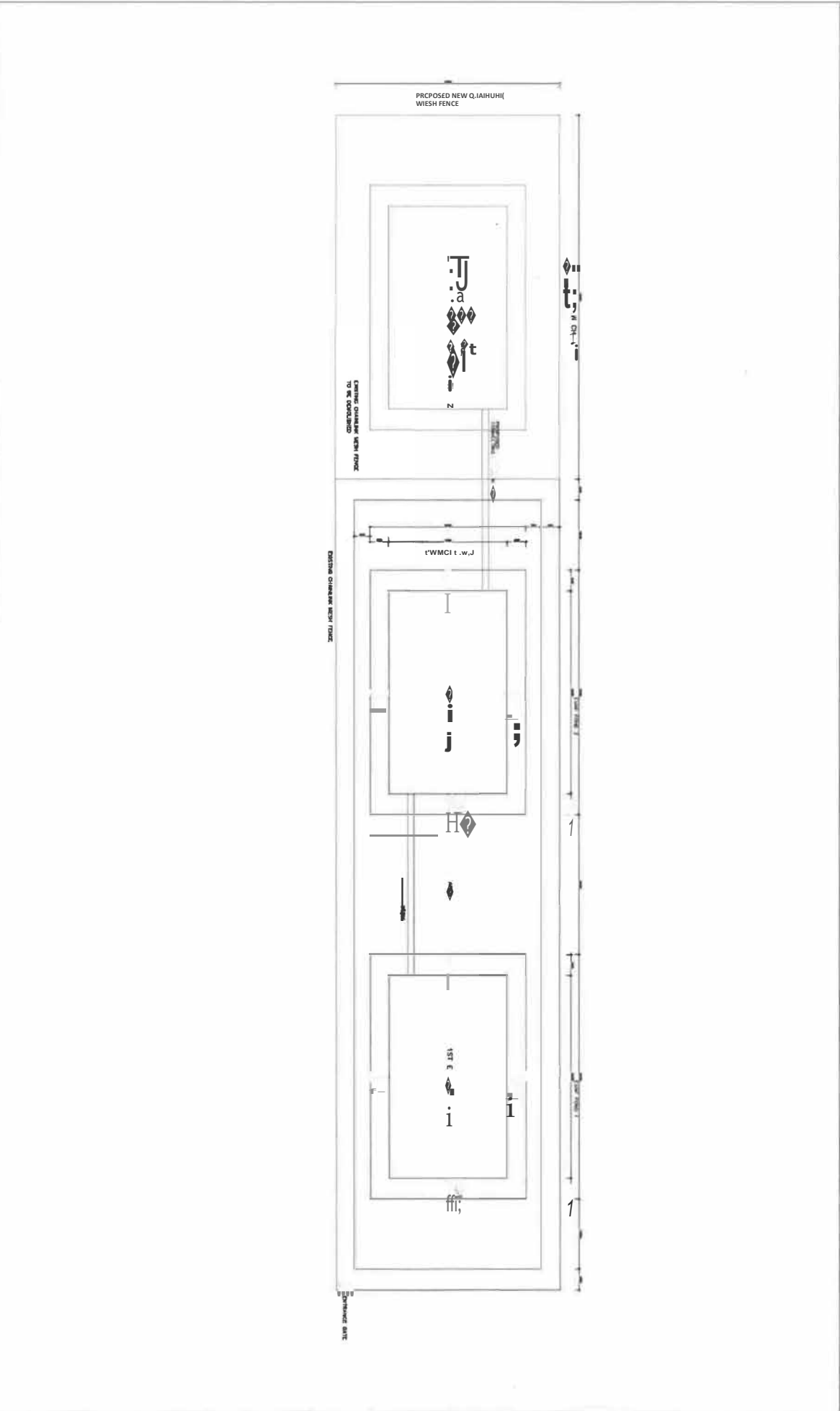
COUNCIL DECISION

COUNCIL RESOLUTION:	No.
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MOVED: Cr

SECONDED: Cr

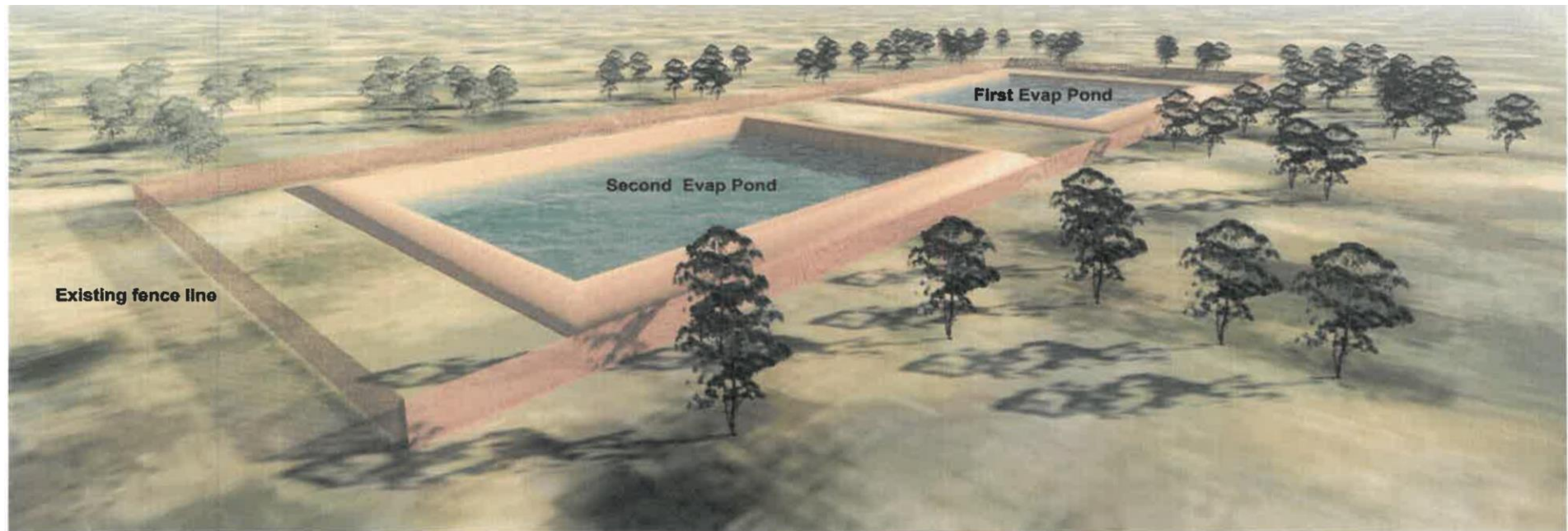
Carried /



1.

Davyhurst Sewer Pond Upgrade Existing

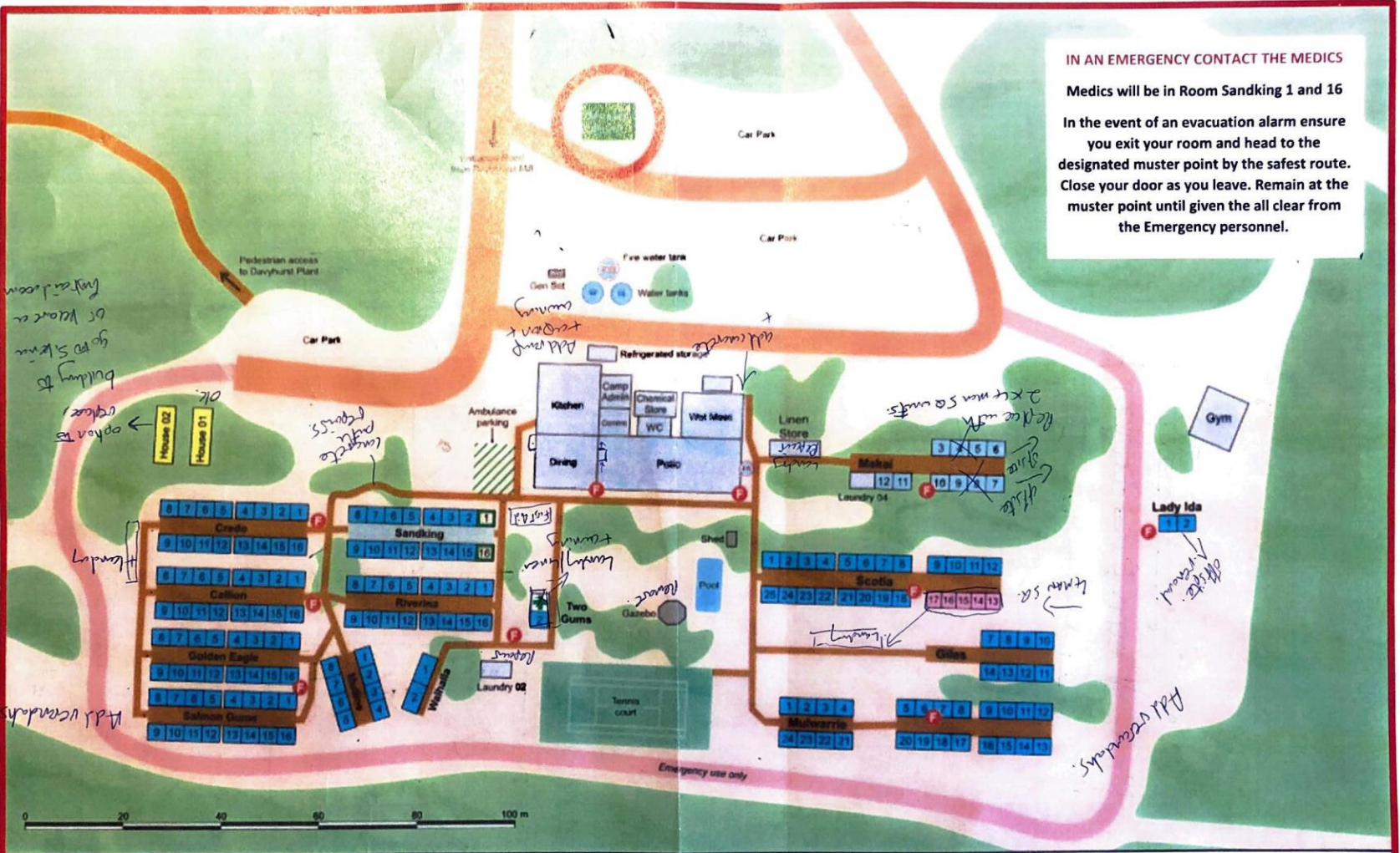
26/03/2020



IN AN EMERGENCY CONTACT THE MEDICS

Medics will be in Room Sandking 1 and 16

In the event of an evacuation alarm ensure you exit your room and head to the designated muster point by the safest route. Close your door as you leave. Remain at the muster point until given the all clear from the Emergency personnel.



Accommodation Availability

Ensultes	160
Shared ensultes	10
Donga	5
House	2

- + First aid room
- F Fire Hose Reel
- Emergency Muster Point
- Medic quarters
- Roads
- Emergency access road
- Pedestrian access
- Cleared land

General Notes:
 This map is current as of March 2018

DAVYHURST VILLAGE
Evacuation Plan



Ora Banda Proposed Accommodation Option 1 _View 1

11/02/2020



Ora Banda Proposed Accommodation

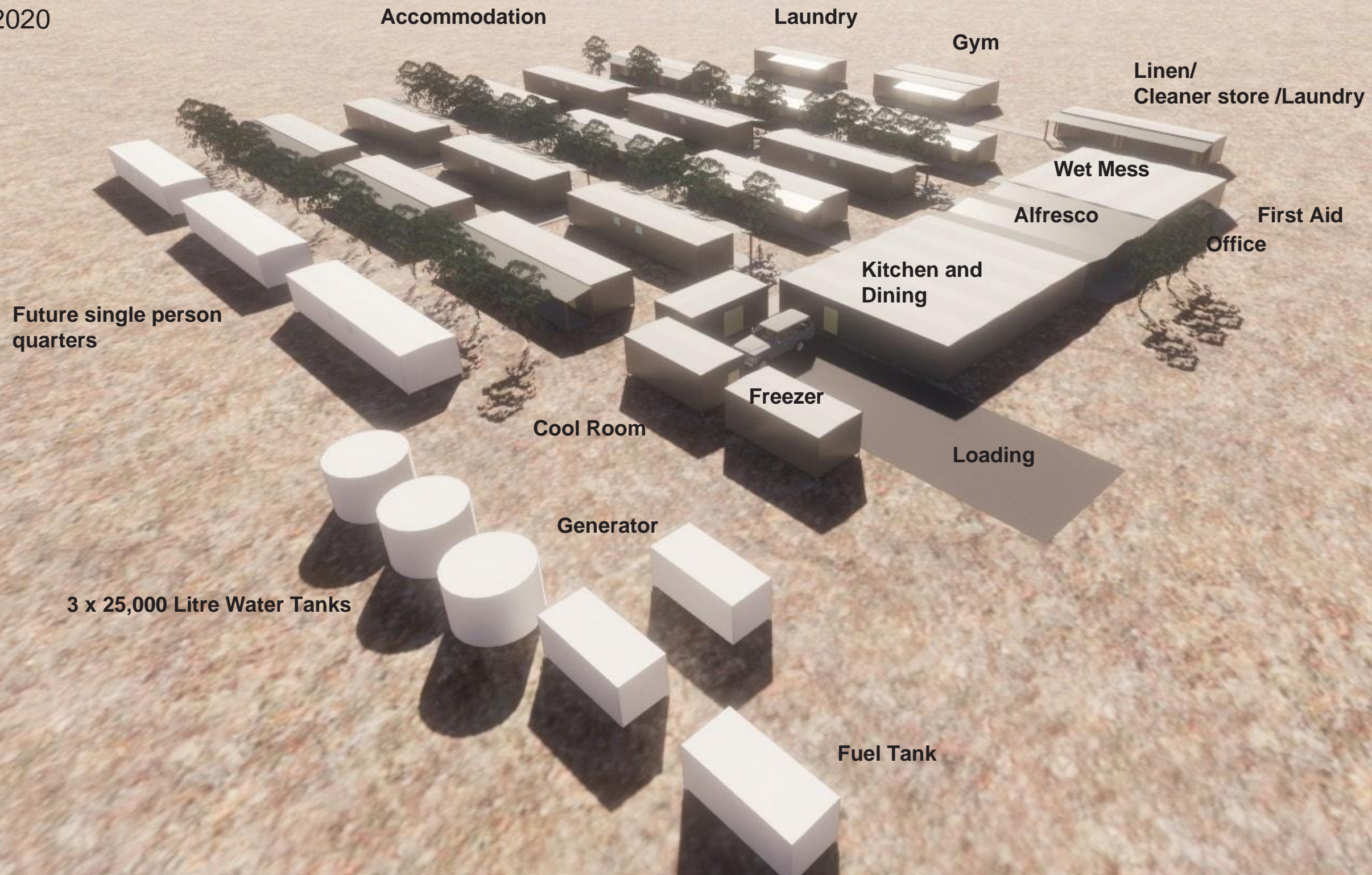
Option 1 _View 2

11/02/2020



Ora Banda Proposed Accommodation Option 1 _View 3

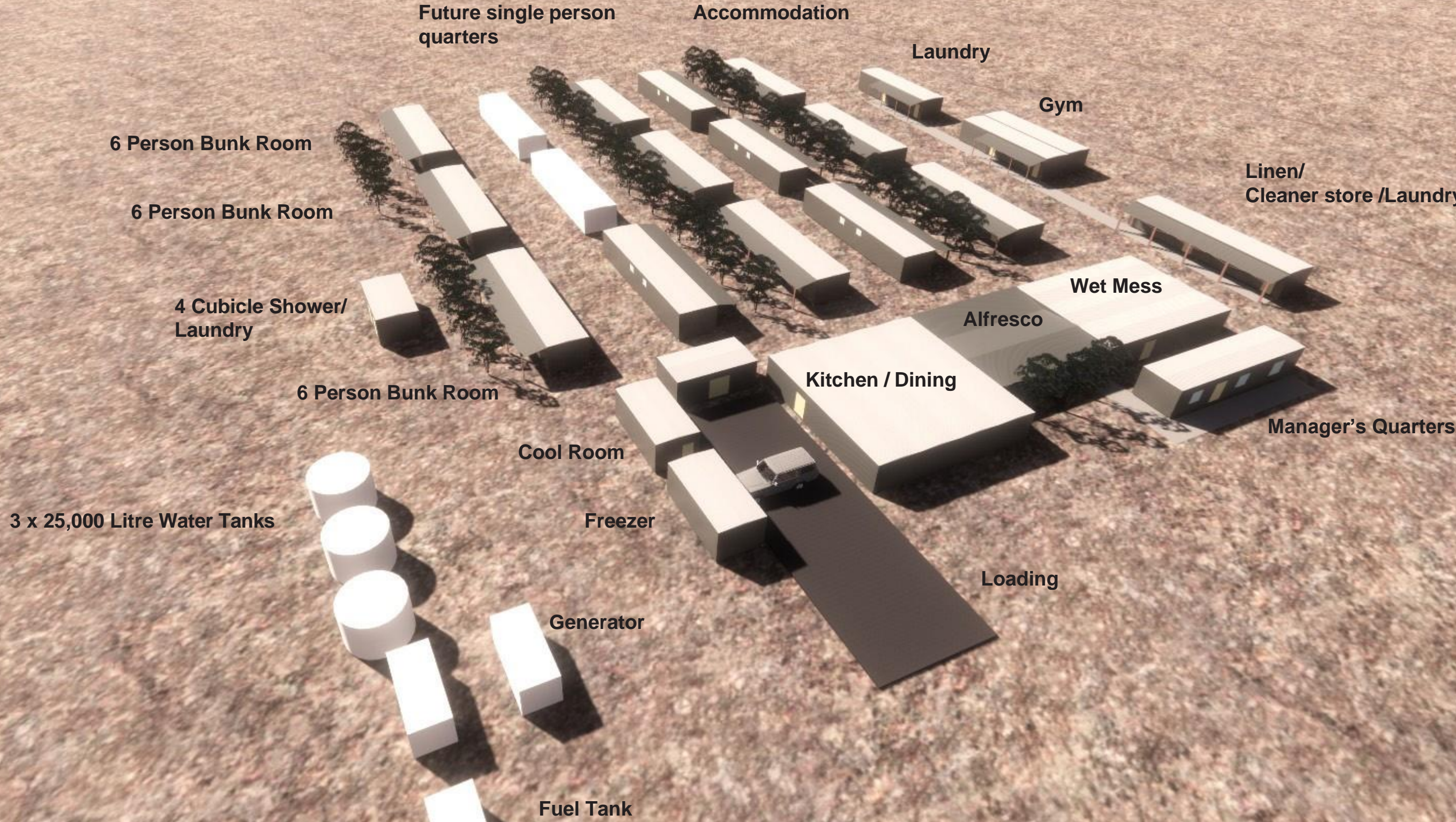
11/02/2020



Ora Banda Proposed Accommodation

Option 2 _View 1

11/02/2020



Ora Banda Proposed Accommodation Option 2 _View 2

11/02/2020



Ora Banda Proposed Accommodation Option 2 _View 3

11/02/2020



12.4.1

COMMUNITY SERVICES REPORT MARCH 2020

LOCATION:	Shire of Menzies
APPLICANT:	Shire of Menzies
DOCUMENT REF:	As Applicable
DISCLOSURE OF INTEREST:	Nil
DATE:	30 April 2020
AUTHOR:	Sethen Sheehan-Lee Community Service Officer
ATTACHMENT:	Nil

SUMMARY:

The Menzies Community Resource Centre, Visitor Centre. Community Postal Agency and Caravan Park operate from the Lady Shenton Building on the corner of Brown and Shenton Streets.

Youth activities are held at the Menzies Youth centre, outdoor sports area, the Town Hall's indoor sporting area and the Town Hall kitchen.

BACKGROUND:

The Lady Shenton Building operates the Community Resource Centre, Menzies Visitor Centre and administers the Menzies Caravan Park. The statistics are compiled each month by the staff for recording purposes.

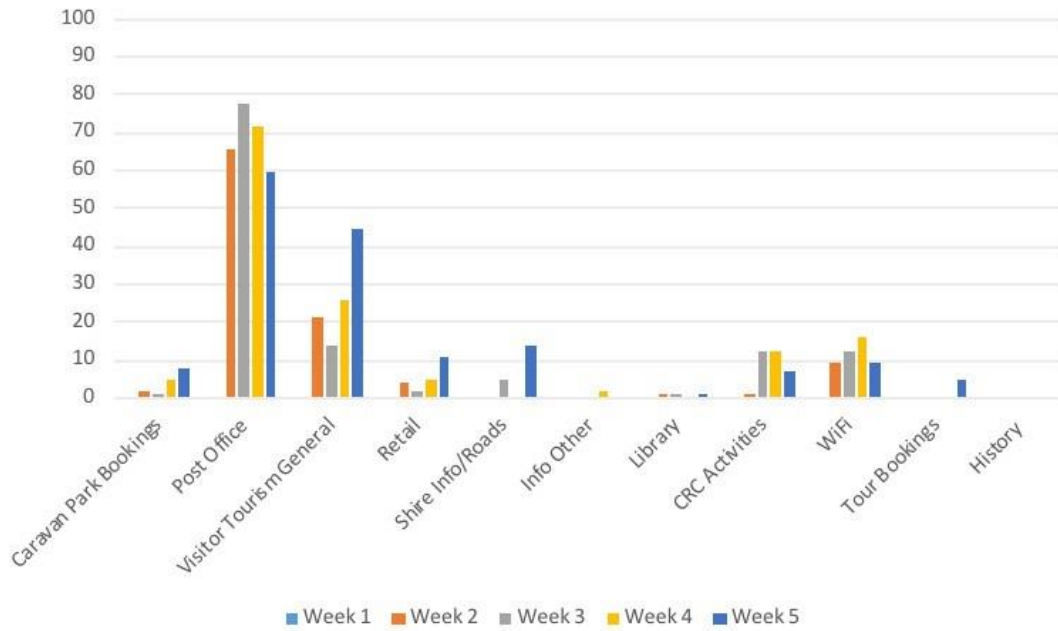
The Youth Centre Ngalipaku Building forms a key part of the Menzies Youth and Community Precinct and operates as a space to host youth and community events. Statistics are collected by the youth activities coordinators with occasional assist from community volunteers.

COMMENT:

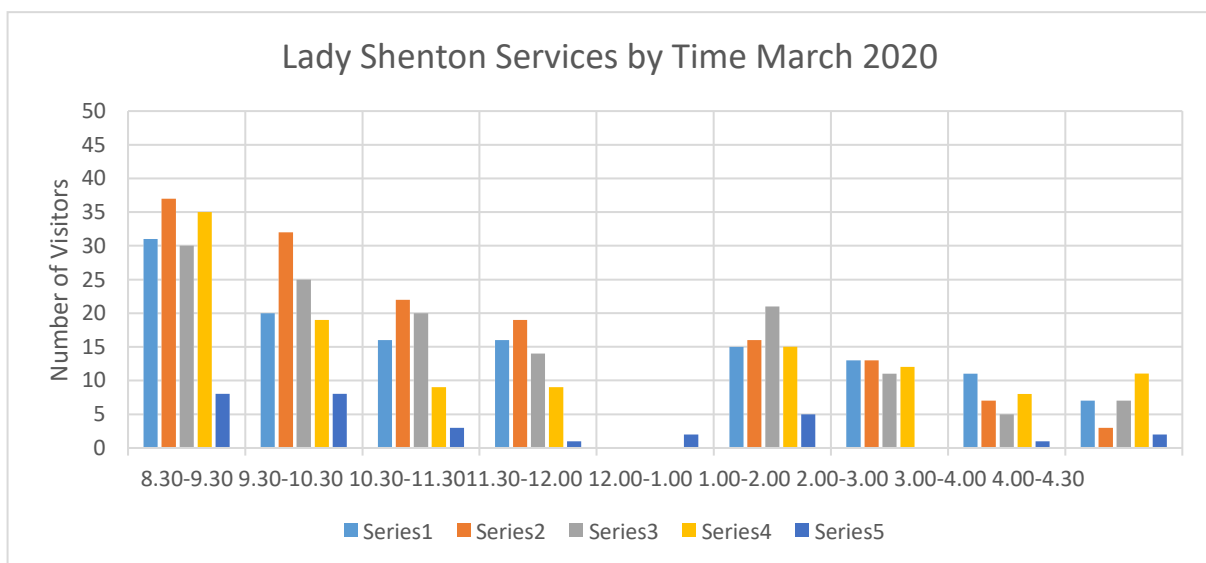
Lady Shenton

The Visitor Centre received 599 visitors during March 2020, which was a moderate increase from 527 visitors in the previous month. During March there was a moderate increase in visitors at the Lady Shenton for services such as; Caravan Park Bookings, Post Office Services, Visitor Tourism Information and Retail however there was a decrease in all other visitor types. The increase particularly in Caravan Park Bookings was double that of December, January or February and was relatively higher than the visitor numbers of March 2017 and 2019.

Lady Shenton by Service Type February 2020

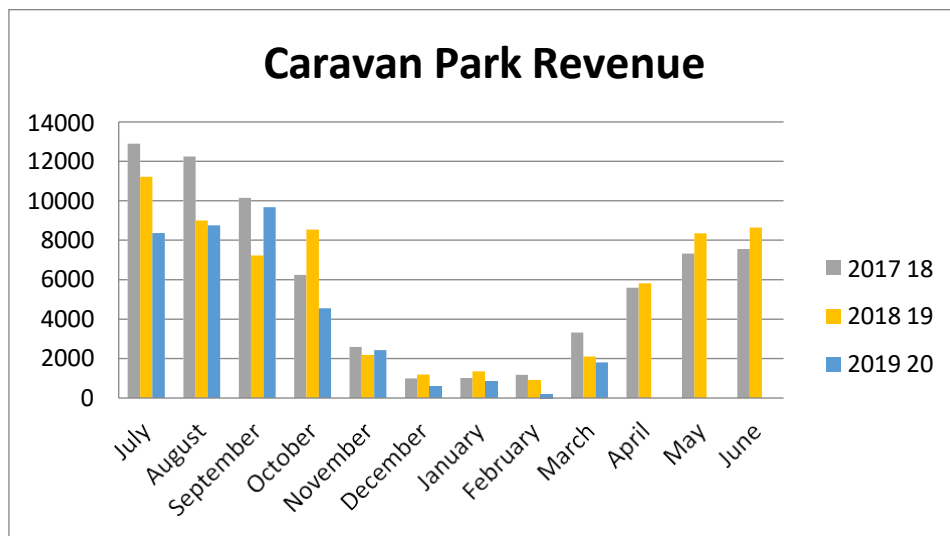


Lady Shenton Services by Time March 2020



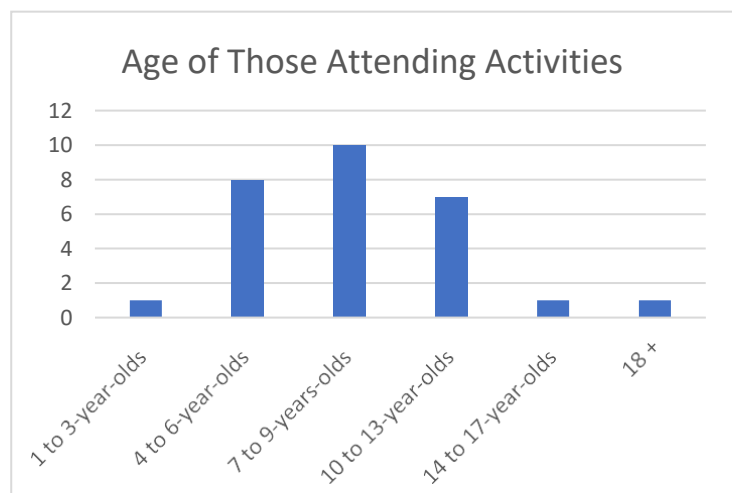
Caravan Park

There was a significant increase in Caravan Park revenue from February 2020 to March 2020. While the visitor number for March 2020 were greater than that of 2018 and 2017, the revenue in previous years was higher. This was possibly caused by visitors staying at the Caravan Park for shorter periods of time, therefore creating a large customer turn over while decreasing the overall revenue.



Youth Centre

Attendance at the Ngalipaku Building Youth Centre was reasonable in March 2020 and was a significant increase on February 2020. Due to current restrictions on the operation of Community Centres, the Youth Centre was closed in the last week of March. Even with the closure, the attendance in March 2020 was only slightly below that of March 2019. Starting April 2020, youth activity sheets are being mailed to family households weekly to engage young people while they are at home. Looking towards the next month, plans are in place to engage our regular audience online.



Below are some of the posters that were used to promote events and activities at the Youth Centre Ngalipaku Building during March 2020. These posters were distributed; to Menzies Community School, to local businesses and posted on the Shire Facebook Page.



CONSULTATION:

Ally Bryant – Acting Deputy Chief Executive Officer
 Debra Pianto – Lady Shenton Visitors Centre & Community Resource Centre Officer
 Sethen Sheehan-Lee – Community Service Officer

STATUTORY ENVIRONMENT:

Nil.

POLICY IMPLICATIONS:

Nil.

FINANCIAL IMPLICATIONS:

Nil.

RISK ASSESSMENT:

No Risk Assessment has been undertaken in relation to this item.

STRATEGIC IMPLICATIONS:

14.1 Sustainable local economy encouraged

- A local economy accessing the commercial options and services in place, for timely development.
- The acquisition of appropriate resources to assist with economic and tourism planning and development.

14.2 Strong sense of community maintained

- Our community will be cohesive, inclusive and interactive, where people feel safe, are welcomed and can live comfortably.
- Our community will value each other, building relationships and networks to interact, socialise and for recreation.
- Our community will have access to all necessary service requirements.

14.3 Active civic leadership achieved

- Regularly review plans with community consultation on significant decisions affecting the shire.
- Where possible, support opportunities to build the capacity of the community within the Shire of Menzies.
- Regularly monitor and report on the Shire's activities, budgets, plans and performance.
- Continue to engage with our community, to advocate on behalf of our community, to be accountable and to manage within our governance and legislative framework.
- Continue to participate in regional activities to the benefit of our community.

14.4 Heritage & Natural assets conserved

- Heritage and cultural places and items will be protected.
- A strengthening of our cultural and heritage awareness and values.

VOTING REQUIREMENTS:

Simple Majority.

OFFICERS RECOMMENDATION:

That Council receive the Report of Activity for Community Services for the month of March 2020.

COUNCIL DECISION

COUNCIL RESOLUTION:	No.
----------------------------	------------

MOVED: Cr

SECONDED: Cr

Carried /

12.5.1 Actions Performed Under Delegations for the Month of April 2019

LOCATION:	Shire of Menzies
APPLICANT:	Shire of Menzies
DOCUMENT REF:	Not Applicable
DISCLOSURE OF INTEREST:	The Author has no interest to disclose
DATE:	30 April 2020
AUTHOR:	Peter Money, Chief Executive Officer
ATTACHMENT:	Nil

SUMMARY:

To report back to Council actions performed under delegated authority for the month ended March 2020.

BACKGROUND:

To increase transparency this report has been prepared for Council and includes all actions performed under delegated authority for: -

- Bushfire
- Common Seal
- Planning Approvals
- Building Permits
- Health Approvals
- Ranger related Dog Issues
- Mining / Exploration / Miscellaneous Applications

The following tables outline the actions performed within the organisation relative to delegated authority for the month ended March 2019.

Bushfire

No delegated decisions were undertaken by the Shire of Menzies pursuant to Bushfire matters for the month ended March 2020.

Common Seal

The following decisions were undertaken by the Shire of Menzies pursuant to the Common Seal for the month ended March 2020:

<i>Date of decision</i>	<i>Decision ref:</i>	<i>Decision details</i>	<i>Applicant</i>	<i>Other affected person(s)</i>
26 March 2020	Council Resolution: 1837	Seal Applied for Completion of Redundancy Deed of Release Document	Shire of Menzies	MFA

Planning Approvals

No delegated decisions were undertaken by the Shire of Menzies pursuant to Planning Approvals for the month ended March 2020.

Health Approvals

No delegated decisions were undertaken by the Shire of Menzies pursuant to Health Approvals for the Month ended March 2020.

Building Permits (including Septic Tank approvals)

The following decisions were undertaken by the Shire of Menzies pursuant to Building Permits (*including Septic Tank approvals*) for the month ended March 2020.

<i>Date of decision</i>	<i>Decision ref:</i>	<i>Decision details</i>	<i>Applicant</i>	<i>Other affected person(s)</i>
	Nil			

Ranger Related Dog Issues

No delegated decisions were undertaken by the Shire of Menzies pursuant to Ranger related Dog issues for the month ended March 2020.

Applications

The following Mining/Prospecting/Exploration/Miscellaneous Applications were made for the month ended March 2020.

<i>Applicant Name</i>	<i>Application Type</i>	<i>Application Details</i>
M&M Consulting on behalf of Redfeather Holdings Pty Ltd	Exploration Licence E31/1240	Locality of Edjudina
Typhoon Minerals Pty Ltd	Exploration Licence E39/2176	Approx 50km WNW of 50Mile Clay Pan
Troy Gavin Dall-Costa & Heath Bradley Dalla-Costa	Prospecting Licence 29/2569	Locality within Menzies Townsite
Resources & Energy Group Limited	Prospect Exploration Drilling R8509	(Town) Common Reserve R8509
Resources & Energy Group Limited	Prospect Exploration Drilling	Partially covering Bluebush Pastoral Co Pty Ltd (Jeedamya)

The following Community Assistance Fund Applications were made for the month ended March 2020.

<i>Applicant Name</i>	<i>Application Type</i>	<i>Grant Approved</i>
	Nil	

CONSULTATION:

Chief Executive Officer.

STATUTORY AUTHORITY:

Nil.

POLICY IMPLICATIONS:

Nil.

FINANCIAL IMPLICATIONS:

Nil.

RISK ASSESSMENT:

OP13 Governance – Council does not comply with statutory requirements

STRATEGIC IMPLICATIONS:

14.3 Active civic leadership achieved

- Regularly monitor and report on the Shire’s activities, budgets, plans and performance.
- Maintain sustainability through our leadership, our regional and government partnerships and ensure we make informed resource decisions for our community good.

VOTING REQUIREMENTS:

Simple Majority.

OFFICER RECOMMENDATION:

That Council receive the report of the actions performed under delegation for the month ended March 2020.

COUNCIL DECISION:

COUNCIL RESOLUTION:	No.
----------------------------	------------

MOVED:

SECONDED:

Carried /

12.5.2 APPOINTMENT OF EXTERNAL HR CONSULTANT - CHIEF EXECUTIVE OFFICER REVIEW

LOCATION:	Shire of Menzies
APPLICANT:	Shire of Menzies
DOCUMENT REF:	As Applicable
DISCLOSURE OF INTEREST:	The Chief Executive Officer declares a financial interest in this item as he is the subject of the report
DATE:	30 April 2020
AUTHOR:	Peter Money Chief Executive Officer
ATTACHMENT:	Nil

SUMMARY

This item recommends Council seek a consultant to guide Council with the annual performance review of the Chief Executive Officer.

BACKGROUND

The Chief Executive Officer's review is due in early May 2020 and Council Policy requires that it engage the services of an external consultant to support the review function and review compliance to the Key Performance Indicators.

COMMENT

The Chief Executive Officer had three performance reviews as included in the contract and these led to the confirmed appointment to the position in November 2019.

The twelve (12) month review is now due in early May 2020 in accordance with the Chief Executive Officer's contract and the Local Government Act 1995.

CONSULTATION

Nil.

STATUTORY ENVIRONMENT

Local Government Act s5.38.

POLICY IMPLICATIONS

Council Policy 3.12:

The performance of the Chief Executive Officer will be reviewed annually by Council and responsibility for this task shall sit with the full Council. To ensure that the review is conducted with the required transparency and independence, Council will engage the services of an appropriate independent consultant.

FINANCIAL IMPLICATIONS

The cost is estimated at \$5,00 depending if the review is carried out on-site or remotely

RISK ASSESSMENT

Risk Statement	Level of Risk	Risk Mitigation Strategy
The Chief Executive Officer may be performing below the expected standards.	Low.	This is the opportunity to review the performance and perhaps implement the necessary performance measures.

STRATEGIC IMPLICATIONS

14.2 Strong sense of community maintained

- Our community will be cohesive, inclusive and interactive, where people feel safe, are welcomed and can live comfortably.
- Our community will value each other, building relationships and networks to interact, socialise and for recreation.

14.3 Active civic leadership achieved

- Regularly review plans with community consultation on significant decisions affecting the shire.
- Where possible, support opportunities to build the capacity of the community within the Shire of Menzies.
- Regularly monitor and report on the Shire's activities, budgets, plans and performance.
- Continue to engage with our community, to advocate on behalf of our community, to be accountable and to manage within our governance and legislative framework.
- Continue to participate in regional activities to the benefit of our community.

VOTING REQUIREMENTS

Simple majority.

OFFICERS RECOMMENDATION

That Council:

- a.) Advise the Chief Executive Officer to provide a list of potential consultants; **OR**
- b.) Seeks to appoint _____ as an external consultant.

COUNCIL DECISION

COUNCIL RESOLUTION:	No.
----------------------------	------------

MOVED: Cr

SECONDED: Cr

Carried /

12.5.3 NORTHERN GOLDFIELDS WORKING GROUP - MEMORANDUM OF UNDERSTANDING (MOU)

LOCATION:	Shire of Menzies
APPLICANT:	Shire of Menzies
DOCUMENT REF:	As Applicable
DISCLOSURE OF INTEREST:	Nil
DATE:	30 April 2020
AUTHOR:	Peter Money Chief Executive Officer
ATTACHMENT:	12.5.3-1 Memorandum of Understanding

SUMMARY

This item recommends Council approves the signing of the Memorandum of Understanding (MOU) with the Northern Goldfields Working Group (NGWG) Councils' to progress a group economic development strategy.

BACKGROUND

The Northern Goldfields Working Group (NGWG) consists of the Shires of Wiluna, Laverton, Leonora, Menzies and Ngaanyatjarraku, and is an informal group of Chief Executive Officers, Shire Presidents and when convenient, Deputy Chief Executive Officers, that meet regularly to discuss mutual topics.

It was developed to provide a collaborative and united approach to regional issues outside of the Goldfields Voluntary Regional Organisation of Councils' scope, with a focus on Northern Goldfields projects.

The members consider that we have an affinity with each with quite different demographics and interests than the larger urbanised local governments like Kalgoorlie Bolder and Coolgardie.

The member local governments have a mutual desire to further economic development and it was considered that this would be best achieved with a collaborative approach.

COMMENT

The administration in each of the members are inundated with administrative and statutory matters and individually lack the resources to pursue opportunities individually. It is likely that the members are missing many opportunities that could be captured as a group.

At present the Shire of Leonora carries the burden of the organisation of the group's meetings and activities.

Therefore, the purpose of this MOU is to agree to fund a consultant for an initial period of twelve (12) months with the following priorities:

- Developing inter-regional and intra-regional alliances
- Identifying industry opportunities, priorities and gaps
- Developing a unified brand for the Northern Goldfields region
- Identify and pursue funding opportunities
- Identifying infrastructure priorities
- Lobbying on behalf of Northern Goldfields regional issues

CONSULTATION

Presidents and Chief Executive Officers of the Shires of Wiluna, Laverton, Leonora, and Ngaanyatjaraku.

STATUTORY ENVIRONMENT

Local Government Act 1995

3.1. General function

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

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

\$20,000 initial funding

RISK ASSESSMENT

Risk Statement	Level of Risk	Risk Mitigation Strategy
Without the collaborative approach the NGWG members could be missing opportunities for funding and development projects as the group is not as well-resourced individually to compete with the larger local governments.	Low.	The collaborative approach will identify opportunities that could benefit the individual and well as the group.

STRATEGIC IMPLICATIONS

14.1 Sustainable local economy encouraged

- A local economy accessing the commercial options and services in place, for timely development.
- The acquisition of appropriate resources to assist with economic and tourism planning and development.

14.3 Active civic leadership achieved

- Where possible, support opportunities to build the capacity of the community within the Shire of Menzies.
- Continue to engage with our community, to advocate on behalf of our community, to be accountable and to manage within our governance and legislative framework.
- Continue to participate in regional activities to the benefit of our community.

VOTING REQUIREMENTS

Simple majority.

OFFICERS RECOMMENDATION

That Council approves the endorsement of the Memorandum of Understanding for the purpose of a collaborative approach to economic development strategy between the member shires of the Northern Goldfields Working Group (NGWG), being the Shires of Laverton, Leonora, Menzies, Ngaanyatjarraku and Wiluna.

COUNCIL DECISION

COUNCIL RESOLUTION:

No.

MOVED: Cr

SECONDED: Cr

Carried /

**NORTHERN GOLDFIELDS WORKING
GROUP
MEMORANDUM OF UNDERSTANDING**

Between

Shire of Wiluna
Shire of Laverton
Shire of Leonora
Shire of Menzies
Shire of Ngaanyatjarraku

**IMPLEMENTATION OF THE NORTHERN GOLDFIELDS WORKING GROUP
ECONOMIC DEVELOPMENT STRATEGY**

1. Introduction

The Northern Goldfields Working Group (NGWG) consists of the Shires of Wiluna, Laverton, Leonora, Menzies and Ngaanyatjarraku, and is an informal group of Chief Executive Officers, Shire Presidents and when convenient, Deputy Chief Executive Officers, that meet regularly to discuss mutual topics. It was developed to provide a collaborative and united approach to regional issues outside of the Goldfields Voluntary Regional Organisation of Councils' scope, with a focus on Northern Goldfields projects.

2. Responsibilities

Initially the NGWG's outcomes were implemented by the members. However, there is now a need for a designated person/consultant to action its meetings' objectives and to achieve outcomes, whether through lobbying, funding applications or project management, and to do so, both efficiently and effectively, ensuring the best result for the Northern Goldfields.

The purpose of the Memorandum of Understanding is to create a unified approach to this decision with financial contributions to support the employment of a person/ consultant to undertake the requirements as set out by the NGWG.

This will require a succinct strategic plan that outlines the key responsibilities of the position and its objectives. A brief outline is listed as follows for the initial twelve-month period:

Key Responsibilities

- 2.1 Developing interregional and intraregional alliances
- 2.2 Identifying industry opportunities, priorities and gaps
- 2.3 Developing a unified brand for the Northern Goldfields region
- 2.4 Funding opportunities
- 2.5 Identifying infrastructure priorities
- 2.6 Lobbying on behalf of Northern Goldfields regional issues

3. Future Operations

After the initial agreed period of twelve months, there is potential for the NGWG to become a more formal entity. The person/consultant would continue to accept the responsibilities and management of these areas, under the guidance of the NGWG. The NGWG may then transition to an independent body or corporation to be agreed by the Group.

4. Funding

The Shires will make the following cash contributions for a person/consultant to support the NGWG and to ensure that its objectives are achieved.

- The Shire of Leonora agrees to pay a contribution of \$20,000 plus GST
- The Shire of Laverton agrees to pay a contribution of \$20,000 plus GST
- The Shire of Menzies agrees to pay a contribution of \$20,000 plus GST
- The Shire of Wiluna agrees to pay a contribution of \$20,000 plus GST
- The Shire of Ngaanyatjaraku agrees to pay a contribution of \$20,000 plus GST

5. Governance Structure

- 5.1 The provision of resources will be the responsibility of the consultant and will be part of their contract. If a person is appointed, then the matter of resources will be reviewed by the NGWG.
- 5.2 The direct reporting line will be to the Chief Executive Officer (CEO), Shire of Leonora, and the CEO will consult with the NWGW members and distribute any information.
- 5.3 The person/consultant will attend the quarterly meetings of the NGWG.
- 5.4 The payment of each contribution will be under the procedures set out in the procurement policy of each local government member of the NGWG.
- 5.5 If a local government member of the NGWG defaults on a payment, then a meeting will be held of the NGWG to determine a course of action.

Signatures:

I have read the above Northern Goldfields Working Group's Memorandum of Understanding and agree to the terms and conditions set out above.

Name/Designation	Signature	Date
Cr P Craig Shire President Shire of Leonora		
Mr J G Epis Chief Executive Officer Shire of Leonora		
Cr P Hill Shire President Shire of Laverton		
Mr P Naylor Chief Executive Officer Shire of Laverton		
Cr J Quadrio Shire President Shire of Wiluna		
Mr W Olsen A/Chief Executive Officer Shire of Wiluna		
Cr D McLean Shire President Shire of Ngaanyatjarraku		
Mr K Hannagan Chief Executive Officer Shire of Ngaanyatjarraku		

Signatures (Continued):

I have read the above Northern Goldfields Working Group's Memorandum of Understanding and agree to the terms and conditions set out above.

Cr G Dwyer Shire President Shire of Menzies		
Mr P Money Chief Executive Officer Shire of Menzies		

12.5.4 PROPOSAL TO REMOVE TREES ON COUNCIL PROPERTIES

LOCATION:	Shire of Menzies
APPLICANT:	Shire of Menzies
DOCUMENT REF:	As Applicable
DISCLOSURE OF INTEREST:	Nil
DATE:	30 April 2020
AUTHOR:	Peter Money Chief Executive Officer
ATTACHMENTS:	12.5.4-1 - Trees Old Post Office 12.5.4-2 52 Shenton Street 12.5.4-3 – 53 Shenton Street – (Teachers) 12.5.4-4 – 57 (12) Walsh Street 12.5.4-5 -37 Reid Street 12.5.4-6 – Works Department

SUMMARY

This item recommends Council approve the removal of specified trees.

BACKGROUND

All trees are assets of the Shire that contribute to the well-being of the community and to the natural environment. The Shire recognises and values the significance of trees within the townsite for the many social and environmental benefits they provide.

The Shire of Menzies is committed to protecting, maintaining and increasing its tree population whilst meeting its obligation to provide a safe environment for the community. The Shire is responsible for planting, establishing, maintaining and removing all trees on its properties within the Shire. The Shire will actively protect existing trees, promote the planting of trees and reserves the right to plant street trees on Council verges adjacent to properties where no street trees currently exist.

When planting a tree, the Shire will:

- Nominate the species;
- Consider the mature species size and shape suitability for the site;
- Plant a pot size suitable for the site. *Where practicable plant tree species endemic to the area when planting adjacent to natural areas;*

- Choose a location that considers the:
 - a) Safety for both pedestrian and vehicles, including restriction to sight lines or impact on road safety;
 - b) Impact on utilities or underground services;
 - c) Impact on adjacent infrastructure;
- Provide post installation care including watering and maintenance until established; and
- Position the tree in line with any existing street tree alignment and centrally between property boundaries where practicable.

COMMENT

Old Post Office: One pine tree is very close to the building and could result in roots undermining the building stumps. It also deposits substantial amounts of pine needles into the gutter requiring regular cleaning.

Remove dead tree in the middle of the yard.

Cut back the peppermint tree.

12 Walsh Street: There is two Eucalypt trees in the back yard, with one possibly 30 metres high. They will be destroying the leach drains and have reached an almost unmanageable height. One substantial root has been detected underneath one of the units.

Replace with smaller shrubs closer to the boundary, growing in sleeves to send the roots deep away from the leach drains.

Old Church yard: Remove dead trees

54 Shenton Street: (currently vacant land) – remove the dead trees.

14a Walsh Street: Remove dead tree in rear yard.

12b Walsh Street: Remove large pine tree in yard corner next to power service pole.

37 Reid Street: Remove large eucalypt close to leach drains.

Works Depot: Remove tree adjacent to the Works Supervisor's office.

CONSULTATION

Works Supervisor
 Old Post Office Tenant
 Building Maintenance Officer

STATUTORY ENVIRONMENT

Local Government Act

2.7. *Role of council*

(1) *The council —*

- (a) *governs the local government's affairs; and*
- (b) *is responsible for the performance of the local government's functions.*

POLICY IMPLICATIONS

Council Policy 10.2

At the Shire of Menzies discretion, a tree will be considered for removal in the following circumstances:

- The tree is an unauthorised planting;
- The tree is dead or in decline;
- The tree is irreparably damaged or structurally unsound;
- The tree has been or will be affected by infrastructure works and cannot be retained;
- The tree has been deemed to be a hazard to persons or property, as assessed by the Shire;
- The tree is deemed, by the Shire, to be inappropriate for that location;
- If the street tree impedes development on the adjacent lot and all possible design options have been exhausted by the Shire; and
- The Shire President and the Councillors, with agreement from the Chief Executive Officer, agree that the tree is inappropriate.

FINANCIAL IMPLICATIONS

The work is yet to be quoted but will be in excess of \$50,000.

RISK ASSESSMENT

Risk Statement	Level of Risk	Risk Mitigation Strategy
Should the trees be left without remedial intervention, there is risk to buildings – debris in gutters etc; septic – invasive root systems; hazardous to persons should a tree be damaged or structurally unsound, etc.	Medium to high.	Ensure that appropriate trees are planted in appropriate locations. Ensure protection of infrastructure. Remove trees that are in poor health or dead to prevent possible injury from falling.

STRATEGIC IMPLICATIONS

14.2 Strong sense of community maintained

- Our community will be cohesive, inclusive and interactive, where people feel safe, are welcomed and can live comfortably.
- Our community will value each other, building relationships and networks to interact, socialise and for recreation.
- Our community will have access to all necessary service requirements.

14.3 Active civic leadership achieved

- Regularly monitor and report on the Shire’s activities, budgets, plans and performance.

14.4 Heritage & Natural assets conserved

- Heritage and cultural places and items will be protected.
- A strengthening of our cultural and heritage awareness and values.

VOTING REQUIREMENTS

Simple majority.

OFFICERS RECOMMENDATION

That Council authorise the removal of trees as follows:

- Old Post Office: Removal of the pine tree that is very close to the building; Removal of the dead tree in the middle of the yard; and Cut back the peppermint tree.
- 12 Walsh Street: Removal of the two Eucalypt trees in the back yard, and replace with smaller shrubs closer to the boundary, growing in sleeves to send the roots deep.
- Old Church yard: Removal of dead trees.
- 54 Shenton Street: (currently vacant) – Removal of dead trees.
- 14a Walsh Street: Removal of dead tree in rear yard.
- 12b Walsh Street: Removal of the large pine tree in yard corner next to power service pole.
- 35 Reid Street: Removal of eucalypt in close proximity to leach drains
- Works Depot: Removal of the tree adjacent to the Works Supervisor’s office.

COUNCIL DECISION

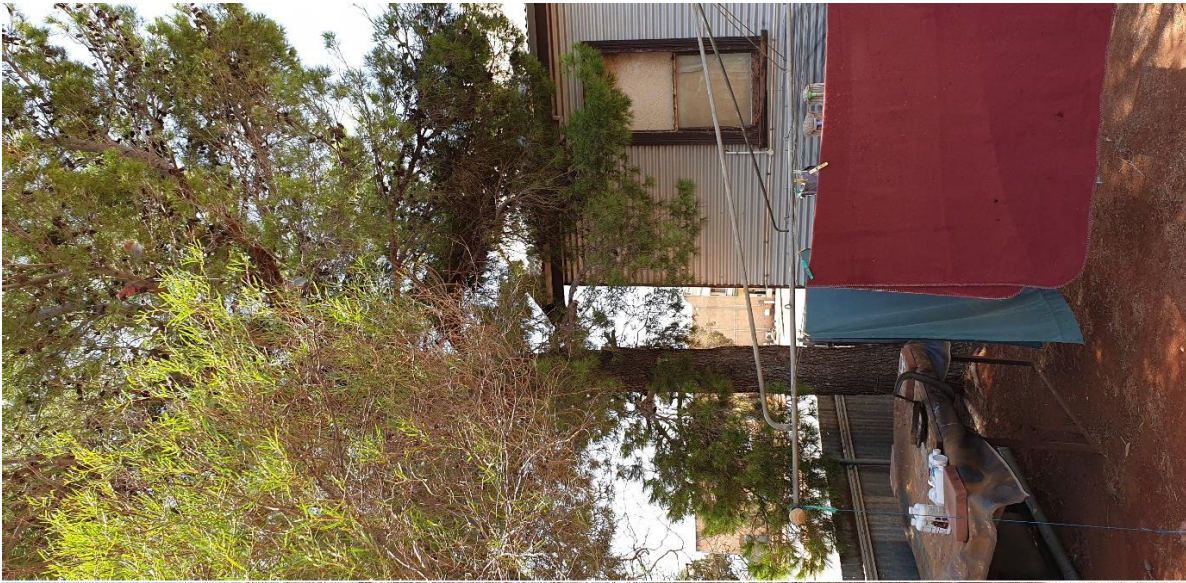
COUNCIL RESOLUTION:	No.
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MOVED: Cr

SECONDED: Cr

Carried /

TREE PHOTOS – OLD POST OFFICE













LOCATION:	Shire of Menzies
APPLICANT:	Shire of Menzies
DOCUMENT REF:	As Applicable
DISCLOSURE OF INTEREST:	Nil
DATE:	30 April 2020
AUTHOR:	Peter Money Chief Executive Officer
ATTACHMENT:	12.5.5-1 - Policy 1.1 Code of Conduct

SUMMARY

This item recommends to Council the Code of Conduct with inclusions under s 5.82 and 5.83 of the Local Government Act. These inclusions are shown in red in the attached amended document.

BACKGROUND

The Code of Conduct provides elected members and staff in Local Government with consistent guidelines for an acceptable standard of professional conduct.

The first Code of Conduct was adopted by Council on 18 February 2000. This document was revised and adopted by Council again as an individual policy on 15 February 2002, 16 April 2004 and 12 November 2012. The Policy was also adopted by Council when the Biannual Policy Manual was adopted.

COMMENT

Following the Shire's Risk Assessment Review, it was determined that the disclosure requirements under section 5.82 and 5.83 of the Local Government Act 1995 were omitted from the Shire's Code of Conduct Policy. The Policy has now been revised and these requirements have been added.

The Revised Code of Conduct follows this item.

CONSULTATION

Mr Peter Money – Chief Executive Officer
Mrs Ally Bryant – Acting Deputy Chief Executive Officer

STATUTORY ENVIRONMENT

Local Government Act

5.103. Codes of conduct

(1) *Every local government is to prepare or adopt a code of conduct to be observed by council members, committee members and employees.*

[(2) *[deleted]*]

(3) *Regulations may prescribe codes of conduct or the content of, and matters in relation to, codes of conduct and any code of conduct or provision of a code of conduct applying to a local government under subsection (1) is of effect only to the extent to which it is not inconsistent with regulations.*

[Section 5.103 amended: No. 49 of 2004 s. 55; No. 1 of 2007

s. 10.]

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

Nil.

RISK ASSESSMENT

Council will be non-compliant if a Code of Conduct is not adopted.

STRATEGIC IMPLICATIONS

14.3 Active civic leadership achieved

- Regularly monitor and report on the Shire's activities, budgets, plans and performance.

VOTING REQUIREMENTS

Simple majority required.

OFFICERS RECOMMENDATION

That Council adopt the Shire of Menzies Code of Conduct 2020-2021, as attached.

COUNCIL DECISION

COUNCIL RESOLUTION:	No.
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MOVED: Cr

SECONDED: Cr

Carried /



SHIRE OF MENZIES

CODE OF CONDUCT

2020 - 2021

Adopted 29th November 2012

Adopted 25th June 2015

Adopted 30th August 2018

1.1 Code of Conduct

Introduction	<p>The Local Government (Rules of Conduct) Regulations were Gazetted in 2007, effective following the Local Government elections.</p> <p>The Local Government Act s.5.103 requires Council to adopt a Code of Conduct.</p> <p>Administration Regulations r.34B and 34C detail matters that must be covered by the Code of Conduct.</p>									
Objective	<p>The Regulations apply to Councillors, but not to employees or to members of the public who may be appointed to a Committee.</p>									
History	<table border="0"> <tr> <td data-bbox="456 656 651 712">Formerly Adopted</td> <td data-bbox="651 656 1018 712">Separate Document Adopted</td> <td data-bbox="1018 656 1431 712">29 November 2012</td> </tr> <tr> <td data-bbox="456 712 651 768">Adopted</td> <td data-bbox="651 712 1018 768">25 June 2015</td> <td></td> </tr> <tr> <td data-bbox="456 768 651 790">Adopted</td> <td data-bbox="651 768 1018 790">30 August 2018</td> <td></td> </tr> </table>	Formerly Adopted	Separate Document Adopted	29 November 2012	Adopted	25 June 2015		Adopted	30 August 2018	
Formerly Adopted	Separate Document Adopted	29 November 2012								
Adopted	25 June 2015									
Adopted	30 August 2018									
Policy Statement										

1. The following Policy Schedule 1.1 – Code of Conduct is adopted, and forms part of this Statement.
2. The Code of Conduct applies to –
 - Councillors, insofar as it is not contradicted by the Local Government Act or Rules of Conduct Regulations,
 - all employees
 - members of the public appointed to a Committee of Council.

– *End of Policy*

COMMENT

Policy Schedule 1.1 – Code of Conduct

FOR COUNCIL MEMBERS, COMMITTEE MEMBERS & STAFF

Based on WALGA Model of February 2008

PREAMBLE

The Code of Conduct provides Council Members, Committee Members and staff of the Shire of Menzies with consistent guidelines for an acceptable standard of professional conduct. The Code addresses in a concise manner the broader issue of ethical responsibility and encourages greater transparency and accountability in individual Local Governments.

The Code is complementary to the principles adopted in the Local Government Act and regulations which incorporates four fundamental aims to result in–

- (a) better decision-making by local governments;
- (b) greater community participation in the decisions and affairs of local governments;
- (c) greater accountability of local governments to their communities; and
- (d) more efficient and effective local government.

The Code provides a guide and a basis of expectations for Council Members, Committee Members and staff. It encourages a commitment to ethical and professional behaviour and outlines principles in which individual and collective responsibilities may be based.

STATUTORY ENVIRONMENT

The Code of Conduct observes statutory requirements of the Local Government Act 1995 (S5.103 – Codes of Conduct) and Local Government (Administration) Regulations 1996 (Regs 34B and 34C).

RULES OF CONDUCT

Council Members acknowledge their activities, behaviour and statutory compliance obligations may be scrutinised in accordance with prescribed rules of conduct as described in the Local Government Act 1995 and Local Government (Rules of Conduct) Regulations 2007.

1. ROLES

1.1 Role of Council Member

The primary role of a Council Member is to represent the community, and the effective translation of the community's needs and aspirations into a direction and future for the Shire will be the focus of the Council Member's public life.

The Role of Council Members as set out in S 2.10 of the Local Government Act 1995 follows: "A Councillor —

- (a) Represents the interests of electors, ratepayers and residents of the district;
- (b) provides leadership and guidance to the community in the district;
- (c) facilitates communication between the community and the council;
- (d) participates in the local government's decision-making processes at council and committee meetings; and
- (e) performs such other functions as are given to a Councillor by this Act or any other written law."

A Council Member is part of the team in which the community has placed its trust to make decisions on its behalf and the community is therefore entitled to expect high standards of conduct from its elected representatives.

In fulfilling the various roles, Council Members activities will focus on:

- achieving a balance in the diversity of community views to develop an overall strategy for the future of the community;
- achieving sound financial management and accountability in relation to the Local Government's finances;
- ensuring that appropriate mechanisms are in place to deal with the prompt handling of residents' concerns;
- working with other governments and organisations to achieve benefits for the community at both a local and regional level;
- having an awareness of the statutory obligations imposed on Council Members and on Local Governments.

In carrying out its functions a local government is to use its best endeavours to meet the needs of current and future generations through an integration of environmental protection, social advancement and economic prosperity.

1.2 Role of Staff

The role of staff is determined by the functions of the Chief Executive Officer as set out in S 5.41 of the Local Government Act 1995 : -

“The Chief Executive Officer’s functions are to:

- (a) advise the council in relation to the functions of a local government under this Act and other written laws;*
- (b) ensure that advice and information is available to the council so that informed decisions can be made;*
- (c) cause council decisions to be implemented;*
- (d) manage the day to day operations of the local government;*
- (e) liaise with the mayor or president on the local government’s affairs and the performance of the local government’s functions;*
- (f) speak on behalf of the local government if the mayor or president agrees;*
- (g) be responsible for the employment, management supervision, direction and dismissal of other employees (subject to S 5.37(2) in relation to senior employees);*
- (h) ensure that records and documents of the local government are properly kept for the purposes of this Act and any other written law; and*
- (i) perform any other function specified or delegated by the local government or imposed under this Act or any other written law as a function to be performed by the Chief Executive Officer.”*

1.3 Role of Council

The Role of the Council is in accordance with S 2.7 of the Local Government Act 1995:

“(1) The council —

- (a) directs and controls the local government’s affairs; and*
 - (b) is responsible for the performance of the local government’s functions.*
- (2) Without limiting subsection (1), the council is to —*
- (a) oversee the allocation of the local government’s finances and resources; and*
 - (b) determine the local government’s policies.”*

1.4 Relationships between Council Members and Staff

An effective Councillor will work as part of the Council team with the Chief Executive Officer and other members of staff. That teamwork will only occur if Council Members and staff have a mutual respect and co-operate with each other to achieve the Council's corporate goals and implement the Council's strategies. To achieve that position, Council Members need to observe their statutory obligations which include, but are not limited to, the following:

- accept that their role is a leadership, not a management or administrative one;
- acknowledge that they have no capacity to individually direct members of staff to carry out particular functions;
- refrain from publicly criticising staff in a way that casts aspersions on their professional competence and credibility
-

2. CONFLICT AND DISCLOSURE OF INTEREST

2.1 Conflict of Interest

- (a) Council Members, Committee Members and staff will ensure that there is no actual (or perceived) conflict of interest between their personal interests and the impartial fulfilment of their professional duties.
- (b) Staff will not engage in private work with or for any person or body with an interest in a proposed or current contract with the Shire, without first making disclosure to the Chief Executive Officer. In this respect, it does not matter whether advantage is in fact obtained, as any appearance that private dealings could conflict with performance of duties must be scrupulously avoided.
- (c) Council Members, Committee Members and staff will lodge written notice with the Chief Executive Officer describing an intention to undertake a dealing in land within the local government area or which may otherwise be in conflict with the Council's functions (other than purchasing the principal place of residence).
- (d) Council Members, Committee Members and staff who exercise a recruitment or other discretionary function will make disclosure before dealing with relatives or close friends and will disqualify themselves from dealing with those persons.
- (e) Staff will refrain from partisan political activities which could cast doubt on their neutrality and impartiality in acting in their professional capacity. An individual's rights to maintain their own political convictions are not impinged upon by this clause. It is recognised that such convictions cannot be a basis for discrimination, and this is supported by anti-discriminatory legislation.

2.2 Financial Interest

Council Members, Committee Members and staff will adopt the principles of disclosure of financial interest as contained within the Local Government Act.

2.3 Disclosure of Interest

Definition:

In this clause, and in accordance with Regulation 34C of the Local Government (Administration) Regulations 1996 -

“interest” means an interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person having the interest and includes an interest arising from kinship, friendship or membership of an association.

- (a) A person who is an employee and who has an interest in any matter to be discussed at a council or committee meeting attended by the person is required to disclose the nature of the interest -
 - (i) in a written notice given to the Chief Executive Officer before the meeting; or
 - (ii) at the meeting immediately before the matter is discussed.
- (b) A person who is an employee and who has given, or will give, advice in respect of any matter to be discussed at a council or committee meeting not attended by the person is required to disclose the nature of any interest the person has in the matter-
 - (i) in a written notice given to the Chief Executive Officer before the meeting; or
 - (ii) at the time the advice is given.
- (c) A requirement described under items (a) and (b) exclude an interest referred to in S 5.60 of the Local Government Act 1995.
- (d) A person is excused from a requirement made under items (a) or (b) to disclose the nature of an interest if -
 - (i) the person's failure to disclose occurs because the person did not know he or she had an interest in the matter; or
 - (ii) the person's failure to disclose occurs because the person did not know the matter in which he or she had an interest would be discussed at the meeting and the person discloses the nature of the interest as soon as possible after becoming aware of the discussion of a matter of that kind.
- (e) If a person who is an employee makes a disclosure in a written notice given to the Chief Executive Officer before a meeting to comply with requirements of items (a) or (b), then-
 - (i) before the meeting the Chief Executive Officer is to cause the notice to be given to the person who is to preside at the meeting; and
 - (ii) immediately before a matter to which the disclosure relates is discussed at the meeting the person presiding is to bring the notice and its contents to the attention of the persons present.
- (f) If -
 - (i) to comply with a requirement made under item (a), the nature of a person's interest in a matter is disclosed at a meeting; or
 - (ii) a disclosure is made as described in item (d)(ii) at a meeting; or
 - (iii) to comply with a requirement made under item (e)(ii), a notice disclosing the nature of a person's interest in a matter is brought to the attention of the persons present at a meeting,
 the nature of the interest is to be recorded in the minutes of the meeting.

3. PERSONAL BENEFIT

3.1 Use of Confidential Information

Council Members, Committee Members and staff will not use confidential information to gain improper advantage for themselves or for any other person or body, in ways which are inconsistent with their obligation to act impartially and in good faith, or to improperly cause harm or detriment to any person or organisation.

3.2 Intellectual Property

The title to Intellectual Property in all duties relating to contracts of employment will be assigned to the Local Government upon its creation unless otherwise agreed by separate contract.

3.3 Improper or Undue Influence

Council Members and staff will not take advantage of their position to improperly influence other Council Members or staff in the performance of their duties or functions, in order to gain undue or improper (direct or indirect) advantage or gain for themselves or for any other person or body.

3.4 Gifts

Definitions:

In this clause, and in accordance with Regulation 34B of the Local Government (Administration) Regulations 1996 -

“activity involving a local government discretion” means an activity –

- (a) that cannot be undertaken without an authorisation from the local government; or*
- (b) by way of a commercial dealing with the local government;*

“gift” has the meaning given to that term in S 5.82(4) except that it does not include –

- (a) a gift from a relative as defined in S 5.74(1); or*
- (b) a gift that must be disclosed under Regulation 30B of the Local Government (Elections) Regulations 1997; or*
- (c) a gift from a statutory authority, government instrumentality or non-profit association for professional training;*

“notifiable gift”, in relation to a person who is an employee, means –

- (a) a gift worth between \$50 and \$300; or*
- (b) a gift that is one of 2 or more gifts given to the employee by the same person within a period of 6 months that are in total worth between \$50 and \$300;*

“prohibited gift”, in relation to a person who is an employee, means –

- (a) a gift worth \$300 or more; or*
- (b) a gift that is one of 2 or more gifts given to the employee by the same person within a period of 6 months that are in total worth \$300 or more.*

- (a) A person who is an employee is to refrain from accepting a prohibited gift from a person who -*
 - (a) is undertaking or seeking to undertake an activity involving a local government discretion; or*
 - (b) it is reasonable to believe is intending to undertake an activity involving a local government discretion.*
- (b) A person who is an employee and who accepts a notifiable gift from a person who-*
 - (a) is undertaking or seeking to undertake an activity involving a local government discretion; or*
 - (b) it is reasonable to believe is intending to undertake an activity involving a local government discretion, notify the Chief Executive Officer, in accordance with item (c) and within 10 days of accepting the gift, of the acceptance.*

- (c) The notification of the acceptance of a notifiable gift must be in writing and include–
- (a) the name of the person who gave the gift; and
 - (b) the date on which the gift was accepted; and
 - (c) a description, and the estimated value, of the gift; and
 - (d) the nature of the relationship between the person who is an employee and the person who gave the gift; and
 - (e) if the gift is a notifiable gift under paragraph (b) of the definition of “notifiable gift” (whether or not it is also a notifiable gift under paragraph (a) of that definition)–
 - (1) a description; and
 - (2) the estimated value; and
 - (3) the date of acceptance,
- of each other gift accepted within the 6-month period.
- (d) The Chief Executive Officer is to maintain a register of notifiable gifts and record in it details of notifications given to comply with a requirement made under item (c).
- (e) This clause does not apply to gifts received from a relative (as defined in S 5.74(1) of the Local Government Act) or an electoral gift (to which other disclosure provisions apply).
- (f) This clause does not prevent the acceptance of a gift on behalf of the local government in the course of performing professional or ceremonial duties in circumstances where the gift is presented in whole to the Chief Executive Officer, entered into the Register of Notifiable Gifts and used or retained exclusively for the benefit of the local government.

(g) Amendment to disclosure of gifts:

Following the publication of the Governance Bulletin - Issue 11 - March 2016 the Local Government Act 1995 was amended with regard to the disclosure of gifts. A relevant person who accepts a gift which is worth greater than \$200 must disclose acceptance of the gift within ten days of receipt to the Chief Executive Officer. Rather than in an annual return, the disclosure must be made online.

(h) Disclosure of a contribution to travel:

The disclosure of a contribution to travel must include:

- Name of relevant person making the disclosure;
 - A description of the contribution to travel;
 - The name and address of the person who made the contribution to travel;
 - The date on which the contribution to travel was received;
 - The estimated value of the contribution to travel at the time it was made;
 - The nature of the relationship between the relevant person and the person who made the contribution;
 - A description of the travel undertaken; and
 - Date of travel undertaken.
- (i) The Chief Executive Officer is required to keep a record of the disclosures by way of a register. This is to be published on the local government’s official website as well as made available for public inspection at the council offices.
- (j) As soon as is practicable after a person ceases to be a relevant person, the Chief Executive Officer must remove all records relating to that person from the register. However, a Chief Executive Officer must ensure that these disclosures are kept for a period of at least 5 years and made available for public inspection if requested.

4. CONDUCT OF COUNCIL MEMBERS, COMMITTEE MEMBERS AND STAFF

4.1 Personal Behaviour

(a) Council Members, Committee Members and staff will:

- act, and be seen to act, properly and in accordance with the requirements of the law and the terms of this Code;
- perform their duties impartially and in the best interests of the Local Government uninfluenced by fear or favour;
- act in good faith (i.e. honestly, for the proper purpose, and without exceeding their powers) in the interests of the Local Government and the community;
- make no allegations which are improper or derogatory (unless true and in the public interest) and refrain from any form of conduct, in the performance of their official or professional duties, which may cause any reasonable person unwarranted offence or embarrassment; and
- always act in accordance with their obligation of fidelity to the Local Government.

(b) Council Members will represent and promote the interests of the Local Government, while recognising their special duty to their own constituents.

4.2 Honesty and Integrity

Council Members, Committee Members and staff will:

- (a) observe the highest standards of honesty and integrity, and avoid conduct which might suggest any departure from these standards;
- (b) bring to the notice of the Mayor/President any dishonesty or possible dishonesty on the part of any other member, and in the case of an employee to the Chief Executive Officer.
- (c) be frank and honest in their official dealing with each other.

4.3 Performance of Duties

- (a) While on duty, staff will give their whole time and attention to the Local Government's business and ensure that their work is carried out efficiently, economically and effectively, and that their standard of work reflects favourably both on them and on the Local Government.
- (b) Council Members and Committee Members will at all times exercise reasonable care and diligence in the performance of their duties, being consistent in their decision making but treating all matters on individual merits. Council Members and Committee Members will be as informed as possible about the functions of the Council and treat all members of the community honestly and fairly.

4.4 Compliance with Lawful Orders

- (a) Council Members, Committee Members and staff will comply with any lawful order given by any person having authority to make or give such an order, with any doubts as to the propriety of any such order being taken up with the superior of the person who gave the order and, if resolution cannot be achieved, with the Chief Executive Officer.
- (b) Council Members, Committee Members and staff will give effect to the lawful policies of the Local Government, whether or not they agree with or approve of them.

4.5 Administrative and Management Practices

Council Members, Committee Members and staff will ensure compliance with proper and reasonable administrative practices and conduct, and professional and responsible management practices.

4.6 Corporate Obligations

(a) Standard of Dress

Council Members, Committee Members and staff are expected to comply with neat and responsible dress standards at all times. Accordingly:

- (i) Council Members and Committee Members will dress in a manner appropriate to their position, in particular when attending meetings or representing the Local Government in an official capacity.
- (ii) Management reserves the right to adopt policies relating to corporate dress and to raise the issue of dress with individual staff.

(b) Communication and Public Relations

- (i) All aspects of communication by staff (including verbal, written or personal) involving Local Government's activities should reflect the status and objectives of that Local Government. Communications should be accurate, polite and professional.
- (ii) As a representative of the community, Council Members need to be not only responsive to community views, but to adequately communicate the attitudes and decisions of the Council. In doing so Council Members should acknowledge that:
 - as a member of the Council there is respect for the decision-making processes of the Council which are based on a decision of the majority of the Council;
 - information of a confidential nature ought not be communicated until it is no longer treated as confidential;
 - information relating to decisions of the Council on approvals, permits and so on ought only be communicated in an official capacity by a designated officer of the Council;
 - information concerning adopted policies, procedures and decisions of the Council is conveyed accurately.
- (iii) Committee Members accept and acknowledge it is their responsibility to observe any direction the Local Government may adopt in terms of advancing and promoting the objectives of the Committee to which they have been appointed.

4.7 Appointments to Committees

As part of their representative role Council Members are often asked to represent the Council on external organisations. It is important that Council Members:

- clearly understand the basis of their appointment; and
- provide regular reports on the activities of the organisation.

5. DEALING WITH COUNCIL PROPERTY

5.1 Use of Local Government Resources Council Members and staff will:

- (a) be scrupulously honest in their use of the Local Government's resources and shall not misuse them or permit their misuse (or the appearance of misuse) by any other person or body;
- (b) use the Local Government resources entrusted to them effectively and economically in the course of their duties; and
- (c) not use the Local Government's resources (including the services of Council staff) for private purposes (other than when supplied as part of a contract of employment), unless properly authorised to do so, and appropriate payments are made (as determined by the Chief Executive Officer).

5.2 Travelling and Sustenance Expenses

Council Members, Committee Members and staff will only claim or accept travelling and sustenance expenses arising out of travel-related matters which have a direct bearing on the services, policies or business of the Local Government in accordance with Local Government policy and the provisions of the Local Government Act.

5.3 Access to Information

- (a) Staff will ensure that Council Members are given access to all information necessary for them to properly perform their functions and comply with their responsibilities.
- (b) Council Members will ensure that information provided will be used properly and to assist in the process of making reasonable and informed decisions on matters before the Council.

– *End of Schedule*

LOCATION:	Shire of Menzies
APPLICANT:	Shire of Menzies
DOCUMENT REF:	As Applicable
DISCLOSURE OF INTEREST:	Nil
DATE:	30 April 2020
AUTHOR:	Peter Money Chief Executive Officer
ATTACHMENT:	12.5.6-1- Policy 4.10 – Financial Management

SUMMARY

This item recommends an amendment to Policy 4.10 Financial Management – Payments of Accounts and Purchasing Authority Limits.

BACKGROUND

Council's Policy 4.10 ensures that all payments made by the Council are in accordance with the Local Government (Financial Management) Regulations 1996. The Policy provides a guide to the staff who have authorisation to approve payments and the limit in which they have.

Recent history from the current Policy is as follows:

New Policy 24 September 2015
 Adopted 29 October 2015
 Amended 6 August 2019
 Adopted 30 August 2018

After the Shire had a Risk Assessment performed it was noted that Policy 4.10 did not state the maximum figure in which staff were authorised to approve payments.

COMMENT

The Shire had a Risk Assessment performed and it was noted that Policy 4.10 did not state the maximum figure in which staff were authorised to approve payments.

Policy 4.10 should be aligned with the Delegation Register:

- Chief Executive Officer \$1,000,000;
- Deputy Chief Executive Officer \$20,000;
- Works Supervisor \$50,000; and
- Building Maintenance Officer \$10,000.

The clause “All official orders for goods and services must be countersigned by the Chief Executive Officer where the purchase is likely to exceed \$10,000” be removed.

CONSULTATION

Tanya Browning – Moore Stephens

STATUTORY ENVIRONMENT

Local Government Act 1995

5.42. Delegation of some powers and duties to Chief Executive Officer *et*

Local Government (Administration) Regulations

18G Delegations to Chief Executive Officers

19 Delegates to keep certain records

POLICY IMPLICATIONS

4.10

FINANCIAL IMPLICATIONS

Nil.

RISK ASSESSMENT

Risk Statement	Level of Risk	Risk Mitigation Strategy
This policy needs to align with the Delegations Register that is reviewed annually.	Low	This Item will correct the anomaly
Purchases made under delegation can only be those approved within the annual budget.	Medium	This is monitored through the purchasing internal checks
There are numerous checks in place that occur randomly through each purchasing process.	Low	This minimises potential risks
Purchases are also reviewed annually by the external auditors.	Low	This is a statutory process by external auditors

STRATEGIC IMPLICATIONS

14.3 Active civic leadership achieved

- Regularly monitor and report on the Shire’s activities, budgets, plans and performance.

VOTING REQUIREMENTS

Simple majority.

OFFICERS RECOMMENDATION

That Council adopts the amendment to Policy 4.10 as attached:

- Chief Executive Officer \$1,000,000;
- Deputy Chief Executive Officer \$20,000;
- Works Supervisor \$50,000; and
- Building Maintenance Officer \$10,000.

The clause “*All official orders for goods and services must be countersigned by the Chief Executive Officer where the purchase is likely to exceed \$10,000*” be removed.

COUNCIL DECISION

COUNCIL RESOLUTION:	No.
---------------------	-----

MOVED: Cr

SECONDED: Cr

Carried /

4.10 Financial Management – Payment of Accounts and Purchasing Authority Limits

Introduction									
Objective	To ensure that all payments made by the Council are in accordance with the Local Government (Financial Management) Regulations 1996.								
History	<table> <tr> <td>New Policy</td> <td>24 September 2015</td> </tr> <tr> <td>Adopted</td> <td>29 October 2015</td> </tr> <tr> <td>Amended</td> <td>6 August 2019</td> </tr> <tr> <td>Adopted</td> <td>30 August 2018</td> </tr> </table>	New Policy	24 September 2015	Adopted	29 October 2015	Amended	6 August 2019	Adopted	30 August 2018
New Policy	24 September 2015								
Adopted	29 October 2015								
Amended	6 August 2019								
Adopted	30 August 2018								
Policy Statement									

The signing of official purchase orders and certification of invoices for payment can only be carried out by the following positions and in accordance with their respective purchasing limits.

Chief Executive Officer

Authorised to incur expenditure to the delegated level approved by Council of **\$1,000,000**, including salaries and wages and in accordance with annual budget provisions.

Authorised as a **primary signatory** for cheques and online payment processing from all Shire bank accounts.

~~Manager Finance & Administration~~ **Deputy Chief Executive Officer**

Authorised to incur expenditure to the delegated level approved by the Chief Executive Officer of ~~\$10,000~~ **\$20,000**, including salaries and wages and in accordance with annual budget provisions.

Authorised as a **primary signatory** for cheques and online payment processing from all Shire bank accounts.

Rates Officer

Authorised as a **second signatory** only for the signing of cheques and processing of online payments from all Shire bank accounts.

Works Supervisor

Authorised to incur budgeted expenditure relating to roads, works, parks, gardens and other technical services to the value of ~~\$5,000~~ **\$50,000**

Building Maintenance Officer

~~Authorised to incur budgeted expenditure relating to the maintenance of all Shire buildings and infrastructure to the value of \$10,000~~

Officers in an acting capacity may sign official orders and authorise invoices for payment for goods and services as detailed above. Acting capacity, for the purpose of this policy, is defined when the officer is absent, on annual leave, long service leave, sick leave, conferences, meetings or absent from the area during the course of business.

~~All official orders for goods and services must be countersigned by the Chief Executive Officer where the purchase is likely to exceed \$10,000.~~

– *End of Policy*

COMMENT

LOCATION:	Shire of Menzies
APPLICANT:	Shire of Menzies
DOCUMENT REF:	As Applicable
DISCLOSURE OF INTEREST:	Nil
DATE:	30 April 2020
AUTHOR:	Peter Money Chief Executive Officer
ATTACHMENT:	12.5.7-1 – Email Request from Dept Planning, Lands and Heritage

SUMMARY

This Item requests Council approval for the confirmation of the expansion of the Menzies waste site.

BACKGROUND

There has been conversations held between the Chief Executive Officer position, WML, Cardno and our Environmental Health Officer regarding the expansion of the Menzies Waste Site. These conversations date back to July 2018 and culminated in a Council resolution on 30 August 2018 as follows:

That Council:

- a) *Approve the option of relinquishing a portion of Reserve 8509 for inclusion into Reserve 41609 (Rubbish Disposal Site), and*
- b) *Seek approval from the Department of Lands to relinquish a portion of Reserve 8509 for inclusion into Reserve 41609 (Rubbish Disposal Site).*

On 16 November 2018 this resolution was corresponded to the Department of Planning requesting the extension to the waste site.

There is no correspondence or maps provided in any of the correspondence or Council Minutes that indicates the actual area that the Council wants to acquire.

As a result of conversation with the Shire's Environmental Health Officer, Dave Hadden, it is clear that the size of the requested site needs to be defined to ensure the Shire acquires sufficient land to allow for future expansion.

COMMENT

I contacted the Department of Lands on 23 October 2019 about progress of the Council resolution of August 2018 and I was advised that the letter to the Department never defined the area that the Shire seeks and therefore the request has never been progressed.

The Department has advised that Council needs to pass a resolution defining the area into which it wants to expand the waste site.

At this time the proposed site has not been surveyed.

CONSULTATION

Environmental Health Officer – Dave Hadden
Works Supervisor – Paul Warner
Department of Lands

STATUTORY ENVIRONMENT

Environmental Protection Act 1986

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

At this time the cost of processes is not known.

RISK ASSESSMENT

The Menzies waste site has a finite life and at present we are expending funds digging deep holes to accommodate the above ground waste.

When the holes are full, waste will again be dumped above ground.

It is a lengthy process in acquiring land for waste regardless of the area of land – it makes sense to acquire land that will cater to the Shire's needs for future years.

The expansion of mining activities in the Shire will likely lead to an increase in waste coming into the site; therefore, we need to allow for this added increase.

STRATEGIC IMPLICATIONS

14.1 Sustainable local economy encouraged

- A local economy accessing the commercial options and services in place, for timely development.
- The acquisition of appropriate resources to assist with economic and tourism planning and development.

14.2 Strong sense of community maintained

- Our community will have access to all necessary service requirements.

14.3 Active civic leadership achieved

- Regularly review plans with community consultation on significant decisions affecting the Shire.
- Where possible, support opportunities to build the capacity of the community within the Shire of Menzies.
- Regularly monitor and report on the Shire's activities, budgets, plans and performance.
- Continue to engage with our community, to advocate on behalf of our community, to be accountable and to manage within our governance and legislative framework.
- Continue to participate in regional activities to the benefit of our community.

VOTING REQUIREMENTS

Simple majority.

OFFICERS RECOMMENDATION

That Council approves the expansion proposal for the Shire waste disposal site in accordance with the attached map with the additional land shown in blue.

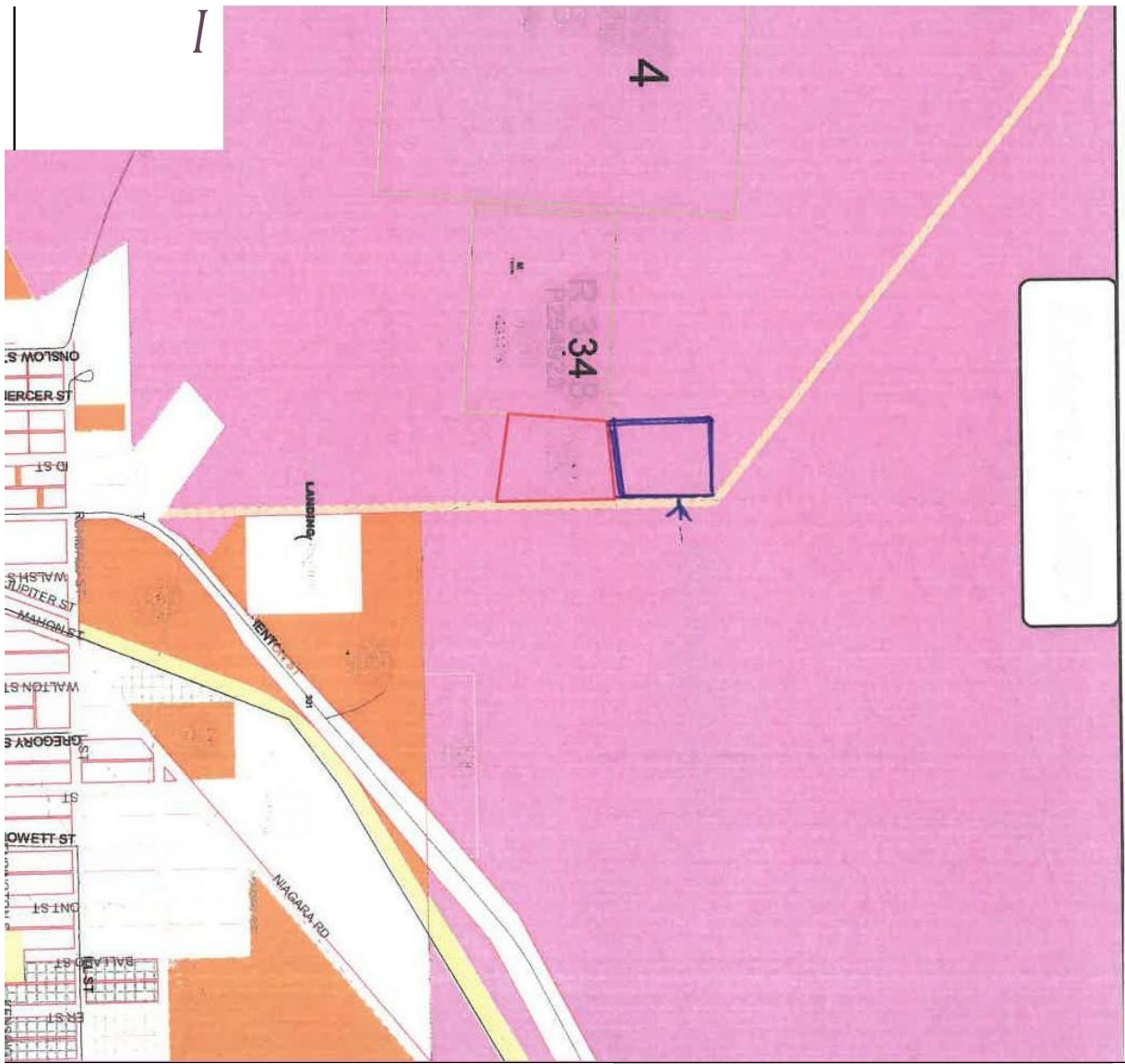
COUNCIL DECISION

COUNCIL RESOLUTION:	No.
----------------------------	------------

MOVED: Cr

SECONDED: Cr

Carried /



From: [Jihan Baroquillo](#)
To: [Peter Money](#)
Subject: RE: Menzies Waste Site Expansion Proposal - Case 1900464
Date: Wednesday, 1 April 2020 2:41:43 PM
Attachments: [image003.jpg](#)
[image001.png](#)

Good Afternoon Peter

I would like to follow up on the abovementioned proposal.

With regards to the proposed expansion of Reserve 41609 "Rubbish Disposal Site", please provide a copy of the Minutes of the Council's resolution requesting the applicable reserve amendments.

Upon receipt of the resolution, DPLH will be able to proceed with the reserve amendments.

Thank you and kind regards

Jihan Baroquillo | A/Senior State Land Officer | Delivery
140 William Street, Perth WA 6000
(08) 6552 4752 |
www.dplh.wa.gov.au



The department acknowledges the Aboriginal peoples of Western Australia as the traditional custodians of this land and we pay our respects to their Elders, past and present.

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From: Peter Money <ceo@menzies.wa.gov.au>
Sent: Wednesday, 23 October 2019 2:35 PM
To: Jason Gibbons <Jason.Gibbons@dplh.wa.gov.au>
Cc: Jihan Baroquillo <Jihan.Baroquillo@dplh.wa.gov.au>
Subject: RE: Menzies Waste Site Expansion Proposal

Thanks Jason,

I will put this matter to the Council Meeting of 31 October 2019 and advise you/Jihan accordingly.

Regards

Peter Money
Chief Executive Officer

From: Jason Gibbons <Jason.Gibbons@dplh.wa.gov.au>
Sent: Wednesday, 23 October 2019 2:33 PM

To: Peter Money <ceo@menzies.wa.gov.au>
Cc: Jihan Baroquillo <Jihan.Baroquillo@dplh.wa.gov.au>
Subject: RE: Menzies Waste Site Expansion Proposal

Hi Peter

In order to proceed I need the Shire to provide a copy of the Council resolution that resolves to request the Minister for lands to make the changes or a copy of the current delegations that shows the CEO has been delegated authority by the council to request these changes be made. Once this is received the department will be in a position to commence investigations.

The officer looking after this matter is Mrs Jihan Baroquillo, whom I have cc'd into this email, please provide the requested docs direct to Jihan.

Jihan – Case 1900464, File 3709-1990 pertains (note that instructions are under the 'case notes' tab).

Regards
Jason.

Jason Gibbons | Assistant Manager | Land Management South
140 William Street, Perth WA 6000
6552 4588
www.dplh.wa.gov.au



The department acknowledges the Aboriginal peoples of Western Australia as the traditional custodians of this land and we pay our respects to their Elders, past and present.

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From: Peter Money <ceo@menzies.wa.gov.au>
Sent: Wednesday, 23 October 2019 8:53 AM
To: Jason Gibbons <Jason.Gibbons@dplh.wa.gov.au>
Subject: Menzies Waste Site Expansion Proposal

Good morning Jason.

I am the recently appointed CEO of Menzies shire.
I am following up this matter of the expansion of the waste site in Menzies, implemented by my

predecessor and I am getting this moving again.

I have managed to track down all the correspondence and I find that the last contact was on 19 February 2019 when the Shire was advised that the matter was now with the Goldfields Esperance Wheatbelt Case Management Team.

I also noted that there was nothing in the correspondence about the area of land being sought by the Shire for the expansion of the waste site.

I have had discussions with various people in the Shire and the area we are seeking is shown on the map that I have attached, being to the north of the existing site.

Would you please let me know what is happening with this matter and what needs to be done to get this finally resolved?

Regards

Peter Money

Chief Executive Officer

Shire of Menzies

T 9024 2041

M 0409 114 509

ceo@menzies.wa.gov.au

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12.5.8 REQUEST TO RENAME A PORTION OF YARRI ROAD

LOCATION:	Shire of Menzies
APPLICANT:	Landgate
DOCUMENT REF:	As Applicable
DISCLOSURE OF INTEREST:	Nil
DATE:	27 March 2020
AUTHOR:	Peter Money Chief Executive Officer
ATTACHMENT:	12.5.8-1 – Request to Rename Portion of Yarri Road 2020 Job 1897 Approved Road Amendments

SUMMARY

This item recommends that Council supports the following:

1. Amended Road name Yarri;
2. Unnamed portion of Yarri Road as depicted on the attached map by Ministerial Order;
3. Unname a portion of the Kookynie-Yarri Road as depicted on the attached map, by Ministerial Order; and
4. Realign Yarri Road to the road reserve as depicted on the attached map, by Ministerial Order.

BACKGROUND

In 2011 the deposited plans attached were approved but were not forwarded to Landgate for naming action.

COMMENT

Landgate has been contacted asking for this realignment to be updated within the Landgate system to enable the lodgement of an additional deposited plan.

CONSULTATION

Tonya Bayley - Landgate

STATUTORY ENVIRONMENT

Land Administration act – 1997 s26 and 26A

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

Nil.

RISK ASSESSMENT

Risk Statement	Level of Risk	Risk Mitigation Strategy
This action of realigning this section of road was lodged in 2011 but never lodged with Landgate for renaming.	Low	Approving the renaming will resolve the outstanding matter

STRATEGIC IMPLICATIONS

14.3 Active civic leadership achieved

- Regularly review plans with community consultation on significant decisions affecting the shire.

14.4 Heritage & Natural assets conserved

- Heritage and cultural places and items will be protected.
- A strengthening of our cultural and heritage awareness and values.

VOTING REQUIREMENTS

Simple majority.

OFFICERS RECOMMENDATION

That Council supports the following:

- 1. Amended Road name Yarri;
- 2. Unnamed portion of Yarri Road as depicted on the attached map, by Ministerial Order;
- 3. Unname a portion of the Kookynie-Yarri Road as depicted on the attached map, by Ministerial Order; and
- 4. Realign Yarri Road to the road reserve as depicted on the attached map, by Ministerial Order.

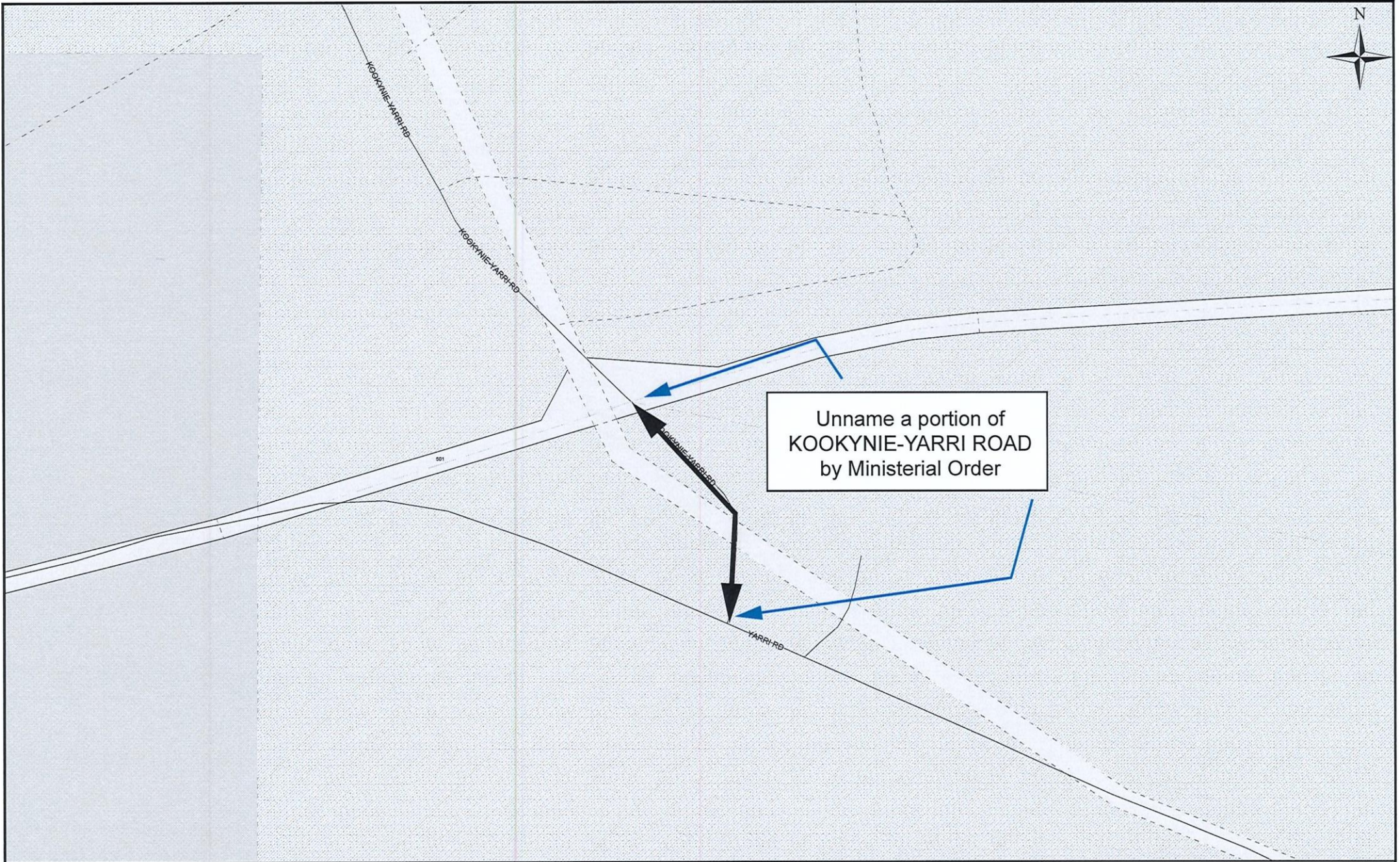
COUNCIL DECISION

COUNCIL RESOLUTION:	No.
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MOVED: Cr

SECONDED: Cr

Carried /

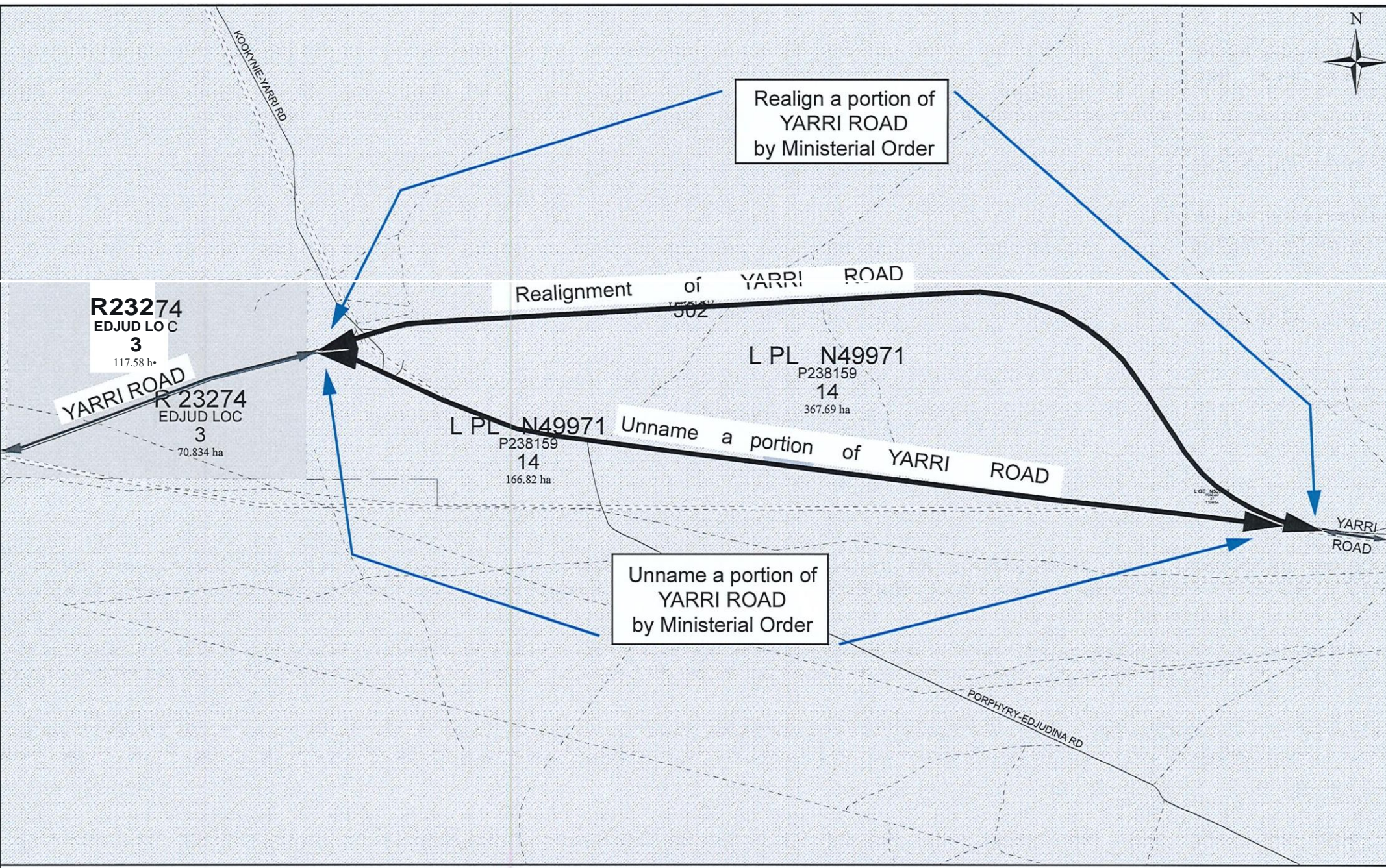


Scale : I:4000 (Geographical)
MGA : SW=429909.6E,6705549.9NZone 51 / NE=431092.0E,6706402.5N Zone 51
Lat/Long: 122°16'29.628", -29°46'42.212" / 122° 17'13.856", -29°46'14.754" H 184mm by W 297mm

This product is for information purposes only and is not guaranteed. The information may be out of date and should not be relied upon without further verification from the original documents. original documents must be searched for all legal requirements.

Agenda for the Shire of Menzies Ordinary Council Meeting to be held on Thursday 26 March 2020

LGA: MENZIES
LOCALITY: YARRI
MAP REF: SH 5106



Realign a portion of YARRI ROAD by Ministerial Order

Realignment of YARRI ROAD

L PL N49971
P238159
14
367.69 ha

L PL N49971 Unname a portion of YARRI ROAD

P238159
14
166.82 ha

Unname a portion of YARRI ROAD by Ministerial Order

R 23274
EDJUD LOC
3
117.58 ha

YARRI ROAD
R 23274
EDJUD LOC
3
70.834 ha

LGA: MENZIES
LOCALITY: YARRI
MAP REF: SH 5106

Scale : 1:25000 (Geographical)
MGA : SW=428502.6E,6702742.2N Zone 51 /NE=435892.7E,6708069.7N Zone 51
Lat/Long: 122°15'36.558", -29°48'13.134" / 122°20'12.979", -29°45'21.521" H 184mm by W 297mm

This product is for information purposes only and is not guaranteed. The information may be out of date and should not be relied upon without further verification from the original documents. original documents must be searched for all legal requirements.

Agenda for the Shire of Menzies Ordinary Council Meeting to be held on Thursday 26 March 2020

LOCATION:	Shire of Menzies
APPLICANT:	Shire of Menzies
DOCUMENT REF:	As Applicable
DISCLOSURE OF INTEREST:	Nil
DATE:	30 April 2020
AUTHOR:	Ally Bryant Acting Deputy Chief Executive Officer
ATTACHMENT:	12.5.9-1 Audit Planning Memorandum 30 June 2020

SUMMARY

The Audit Planning Memorandum is to be tabled for Councillor's to peruse and be given the opportunity to provide feedback or present any queries regarding the Memorandum which will be emailed to RSM.

BACKGROUND

Previously the Audit Planning Memorandum would have been presented to the Audit Committee or Council at the meeting were the OAG and RSM would have been video linking for the Audit Entrance Meeting.

COMMENT

This year due to the circumstances of COVID-19 they have changed the process so that Councillor's still get presented with the Memorandum, but they respond via email rather than responding at the time of meeting via the Video Link.

CONSULTATION

Pranjal Bhate - RSM

STATUTORY ENVIRONMENT

Local Government Act 7.9

Local Government (Audit) Regulations 7

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

Nil.

RISK ASSESSMENT

Nil as the report is only for recommendation for approval by the Council

STRATEGIC IMPLICATIONS

14.1 Sustainable local economy encouraged

- A local economy accessing the commercial options and services in place, for timely development.
- The acquisition of appropriate resources to assist with economic and tourism planning and development.

14.3 Active civic leadership achieved

- Regularly review plans with community consultation on significant decisions affecting the shire.
- Where possible, support opportunities to build the capacity of the community within the Shire of Menzies.
- Regularly monitor and report on the Shire's activities, budgets, plans and performance.
- Continue to engage with our community, to advocate on behalf of our community, to be accountable and to manage within our governance and legislative framework.
- Continue to participate in regional activities to the benefit of our community.

VOTING REQUIREMENTS

Simple majority.

OFFICERS RECOMMENDATION

That Council accept the Audit Planning Memorandum attached for the Audit of 30 June 2020

COUNCIL DECISION

COUNCIL RESOLUTION:	No.
----------------------------	------------

MOVED: Cr

SECONDED: Cr

Carried /



SHIRE OF MENZIES

Audit Planning Memorandum - 30 June 2020

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1 PURPOSE OF THE AUDIT PLANNING MEMORANDUM

The primary purpose of this Audit Planning Memorandum (**APM**) is to brief the Shire of Menzies (**Shire**) on the proposed approach by RSM Australia (**RSM**), on behalf of the Office of the Auditor General (**OAG**), to audit the financial report of the Shire for the year ending 30 June 2020. The APM is a key tool for discharging the auditor's responsibilities in relation to communicating with those charged with governance.

2 KEY ENGAGEMENT INFORMATION

2.1 Key Shire stakeholders and personnel

Ratepayers	Shire of Menzies
Minister for Local Government	The Hon. David Templeman MLA
Shire President	Gregory Dwyer
Deputy Shire President	Ian Baird
Chief Executive Officer (CEO)	Peter Money
Deputy Chief Executive Officer	Ally Bryant
Acting Executive Administration Officer	Helen Cooper

2.2 Key OAG personnel

Auditor General	Caroline Spencer
Assistant Director, Financial Audit ⁽¹⁾	Punitha Perumal

2.3 Key RSM personnel

Audit Director ⁽¹⁾	David Wall
Audit Manager	Pranjal Bhate
National Technical Director	Ralph Martin

⁽¹⁾ Refer to Appendix B for contact details

3 BACKGROUND AND GENERAL INFORMATION

3.1 Background

The Shire is approximately 124,635 square kilometres in size, 730 kilometres north east of Perth. As per the 2016 census the Shire has a population of 490 people.

The Shire is represented by seven Councillors. The Shire President is elected from among Councillors.

3.2 Executive's

The Shire's Executive team at the date of the APM are:

- Peter Money, CEO
- Ally Bryant, Deputy CEO
- Helen Cooper, Acting Executive Administration Officer

3.3 Governance

The Shire is governed by Council, whose members are elected to serve a 4-year term in office. Council appoints the CEO to advise and provide information to Council in relation to the Shire's functions and ensure the resources of the Shire are effectively and efficiently managed.

3.4 Regulation

In terms of financial reporting, the Shire is subject to the *Local Government Act 1995 (Act)* and the *Local Government (Financial Management) Regulations 1996 (Financial Management Regulations)*.

4 KEY DELIVERABLES

4.1 Financial report audit and opinions

The annual financial report will be general purpose financial statements for the financial year ended 30 June 2020. The Auditor General is required by the Act to provide an opinion on the financial report and other legal and regulatory requirements in accordance with the *Local Government (Audit) Regulations 1996 (Audit Regulations)*. The objective of the Auditor General's audit is to obtain reasonable assurance about whether the Shire's financial report as a whole is free from material misstatement, whether due to fraud or error, and to issue an auditor's report.

The Auditor General's report will be sent to Council, CEO and the Minister for Local Government in accordance with the Act. The Shire is required to publish the auditor's report with the annual financial report on its website. If the Auditor General has reported other significant matters, then the Shire is required to report the action it has taken about the matters to the Minister and to publish a copy of that report on its website.

The Auditor General will also communicate with Council and the CEO regarding, among other matters, any significant findings regarding deficiencies in internal control that may be identified during the audit.

4.2 Management letters

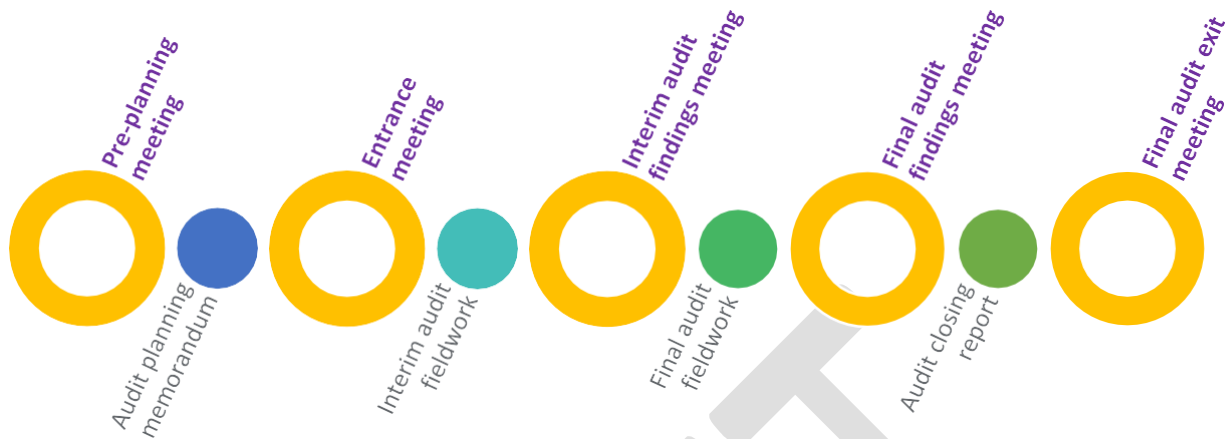
Significant findings, emerging issues and their recommended resolutions that arise during the audit will be progressively discussed and communicated by RSM firstly to the OAG, then Council and the CEO. Any weaknesses in controls, which may be identified during the current year audit, will be highlighted in the management letter to Council and the CEO following the conclusion of the interim and final audits. The draft management letters will be reviewed by the OAG before being provided to the Shire for comment.

Prior year management letter points will be followed up as part of the current year audit procedures to determine if any control weaknesses highlighted during prior year audits have been properly resolved.

4.3 Matters of significance

In accordance with section 24(1) of the *Auditor General Act 2006*, the Auditor General is required to report on matters arising out of the performance of the Auditor General's functions that are, in the opinion of the Auditor General, of such significance as to require reporting.

5 MILESTONE MEETINGS



5.1 Pre-planning meeting

The pre-planning meeting will be with the Shire's management, OAG (if required) and RSM. The meeting will discuss current developments at the Shire and any changes in governance or systems. The meeting will form the basis for the preparation of the APM.

5.2 Entrance meeting

The entrance is normally held with Council, CEO, Audit Committee, OAG and RSM. The meeting mainly covers the presentation and discussion of the APM. However, for this financial year, due to the resource constraints being experienced by the Shire from the COVID-19 crisis, the entrance meeting will not be formally conducted. Instead, the Shire has determined, and the OAG has agreed, that the preliminary discussions already held between the Shire and the auditors will take the place of the formal audit entrance meeting. The Shire plans to table the APM at a Council meeting.

5.3 Interim audit findings meeting

The interim audit findings meeting with the CEO, OAG and RSM will mainly cover the presentation and discussion of the significant control matters as reported in the interim audit management letter, if any.

5.4 Final audit findings meeting

Significant accounting issues and audit findings, if any, noted during the final audit will be discussed with the CEO, OAG and RSM. If there are significant, unresolved matters, then a meeting will also be held with Council.

5.5 Final audit exit meeting

The exit meeting with Council, OAG and RSM will mainly cover the presentation and discussion of the audit closing report, which will outline any significant audit related matters concerning the financial report, management letters and improvement suggestions for future audits.

5.6 Council and Audit Committee meetings

Attendance at Council and Audit Committee meetings is by invitation and provides insight into matters that may impact on our audit approach. Generally, the OAG and RSM will attend Council and Audit Committee meetings as required.

6 TERMS OF ENGAGEMENT

6.1 Arrangements

Audits are not an absolute guarantee of the accuracy or reliability of the Shire's information and may not identify all matters of significance. This is because the work undertaken to form an opinion is permeated by judgement and most audit evidence is persuasive rather than conclusive. In addition, there are inherent limitations in any audit, including the use of testing, the effectiveness of internal control structures and the possibility of collusion.

Under the Act and associated regulations, Council and the CEO are responsible for keeping proper accounts and records, maintaining effective internal controls, preparing the annual financial report, and complying with the Act and associated regulations, and other legislative requirements.

Council and CEO are responsible for ensuring the accuracy and fair presentation of all information in its annual report, and that it is consistent with the audited annual financial report. We do not provide assurance over your annual report.

Council and the CEO also have responsibility for the prevention and detection of fraud or error. Council and the OAG should be informed immediately by management of any fraud or material errors. During the audit we will make inquiries with management about their process for identifying and responding to the risks of fraud, including management override. It should be noted that our audit is not designed to detect fraud. However, should instances of fraud come to our attention, we will report them to you.

Under the *Auditor General Act 2006*, audit staff have unrestricted access to information held by the Shire, irrespective of any restrictions on disclosures imposed, such as secrecy provisions.

Confidentiality of audit files and working papers is required under the *Auditor General Act 2006*. The OAG is an 'exempt agency' under the *Freedom of Information Act 1992*.

The signed contract between the Auditor General and RSM contains strict confidentiality clauses.

6.2 Management representation letter

The audit plan assumes that Council and the CEO will be able to sign a management representation letter. Refer to Appendix A for a draft Management Representation Letter. The letter would be signed at the same time as the annual financial report is signed.

RSM will rely on the Shire President and CEO signing the management representation letter as evidence to confirm they have:

- Fulfilled their responsibilities for the preparation and fair presentation of the financial statements in accordance with the Act and, to the extent that they are not inconsistent with the Act, Australian Accounting Standards;
- Established and maintained an adequate internal control structure and adequate financial records;
- Provided RSM with access to all information of which they are aware that is relevant to the preparation of the financial statements and the operation of controls, such as records, documentation and other matters;
- Recorded all transactions in the accounting and other records and are reflected in the financial statements;
- Advised RSM of all known instances of non-compliance or suspected non-compliance with laws and regulations whose effects should be considered when preparing the financial statements; and
- Provided RSM with the results of their assessment of the risk of fraud, any instances of fraud (not just material fraud) and any known data and security breaches.

7 AUDITOR GENERAL

7.1 Audit of local government

The *Local Government Amendment (Auditing) Act 2017* makes legislative changes to the Act to provide for the auditing of local governments by the Auditor General. The Act allows the Auditor General to contract out some or all of the financial audits, but all audits will be the responsibility of the Auditor General. It also allows for performance audits, which will examine the economy, efficiency and effectiveness of any aspect of local government operations. The Act also places an obligation on local governments to publish their annual report, including their annual financial report and auditor's report, on their website.

The Auditor General has been given the mandate to:

- Audit the annual financial report of WA local governments, related entities and subsidiaries;
- Conduct performance audits of local governments;
- Perform supplementary audits requested by the Minister; and
- Report to Parliament on the results of financial and performance audits.

Parliament has appointed the Auditor General as it expects this will raise the standards of accountability for local governments to a level more consistent with public sector entities. This follows recommendations by the Public Accounts Committee and the Corruption and Crime Commission that the Auditor General be appointed the auditor of all local governments.

This change brings Western Australia in line with most other Australian jurisdictions and New Zealand.

7.2 Auditor General audits and reports

The Auditor General has completed, is undertaking or planning the following audits that may be relevant to local government:

- Controls over corporate credit cards (report issued 9 May 2018). Auditor General found that local governments generally managing credit cards well but identified some room for improvement.
- Timely payment of suppliers (report issued 13 June 2018). The Auditor General found that local governments are generally timely in paying suppliers, but recommended improvements.
- Local government procurement (report issued 11 October 2018). The Auditor General found that improvements are needed to strengthen local government procurement controls.
- Management of supplier master files (report issued 7 March 2019). The Auditor General found improvements are needed in the areas of policies or procedures and controls over creation or amendment of supplier master file records.
- Audit Results Report - Annual 2017-18 Financial Audits of Local Government Entities (report issued 7 March 2019). The Auditor General identified where improvements may be considered and where opportunities exist. One such stark governance-related opportunity relates to audit committees. The Auditor General also identified the need for more emphasis on auditor independence.
- Records management in local government (report issued 9 April 2019). The audit found that there is room to improve the implementation of recordkeeping plans and managing their records to promote accountable and transparent decision making.
- Information Systems Audit Report (report issued 15 May 2019). The audit found that the most common weaknesses related to poor contract management, policies, procedures and information security.
- Verifying employee identity and credentials (report issued 19 June 2019). The audit found that all entities need to improve their practices for screening employees.
- Local government building approvals (report issued 26 June 2019). The audit found that local government entities conduct limited monitoring and inspections of building works, and that compliance issues were not always resolved quickly.

- Fraud prevention in local government (report issued 15 August 2019). The audit found that all the entities reviewed had some controls in place to prevent fraud, but many had not assessed their fraud risks and did not have comprehensive fraud management plans and programs.
- Annual Report 2018-2019 (report issued 29 September 2019). The report noted the OAG's will continue to urge local government entities to develop a stronger commitment towards good and better practice rather than focusing on minimum compliance with their legislative responsibilities. The report also noted that that each local government audit takes more time than comparably sized State sector audits.
- Audit Results Report - Annual 2018-19 Financial Audits of Local Government Entities (report issued 11 March 2020). The report noted the Auditor General's concerning that 93 material matters of non-compliance were reported in the auditor's reports of 48 entities, and 823 significant or moderate weaknesses in financial management and information systems controls in the auditor's management letters.
- Local government waste management (tabling is expected in the second quarter of 2020).
- Management of contract extensions and variations (tabling is expected in the second quarter of 2020).
- Management of unauthorised discharge of minor pollutants (tabling is expected in the second quarter of 2020).
- Regulation of consumer food safety (tabling is expected in the second quarter of 2020).

Further details of the current and forward audit program can be found on the OAG website:

<https://audit.wa.gov.au/>

Also, on the OAG website is a library of better practice guidance that the OAG has developed to help the Western Australian public sector perform efficiently and effectively.

8 STAKEHOLDER RELATIONSHIP

8.1 RSM's relationship with the Auditor General and the Shire

RSM has been contracted by the Auditor General to perform the audit of the financial report of the Shire and report on whether the annual financial report of the Shire:

- Is based on proper accounts and records; and
- Fairly represents, in all material respects, the results of the operations of the Shire for the financial year and its financial position at the end of that period in accordance with the Act and, to the extent that they are not inconsistent with the Act, Australian Accounting Standards.

RSM is also required by the Auditor General to report:

- Any material matters indicating non-compliance with Part 6 of the Act, the Financial Management Regulations or applicable financial controls of any other written law;
- Any significant adverse trends in the financial position of the Shire;
- Whether all required information and explanations were obtained;
- Whether all audit procedures were satisfactorily completed; and
- Whether the asset consumption ratio and asset renewal funding ratio included in the annual financial report are supported by verifiable information and reasonable assumptions.

RSM is also required to report any matter which may affect the Auditor General's responsibilities under sections 24 and 28 of the *Auditor General Act 2006*, section 7.12 AD of the Act and the Audit Regulations.

8.2 Term of the audit contract

RSM has been appointed by the OAG for the financial year ending 30 June 2020, which is the final year of the contract.

RSM's services will be conducted under the overall direction of the Auditor General, who will retain responsibility for forming an audit opinion and issuing an audit report to the Shire. The contract requires RSM to use its audit approach and methodology.

8.3 Grant acquittals

Grants received by the Shire may need to be acquitted in accordance with the terms and conditions of the relevant Funding Agreement. Acquitting a grant means accurately reporting on the funded activities and the expenditure of the funding. Grant acquittal reports, providing activity and financial information, are generally required at certain stages during the funded project and / or on completion of the funded project. If satisfactory grant acquittal reports are not provided at the times and in the manner detailed in the Funding Agreement, there is a risk that any further payments due to the Shire will be withheld and the Shire may be ineligible to apply for further grants.

In most circumstances the grant acquittal reports are required to be audited. Generally, the Funding Agreement will require the Shire to engage an auditor to form an opinion that the receipts and payments are true and fair and that the Shire has complied with the terms and conditions of the Funding Agreement.

If RSM is invited by the Shire to complete the audit of grant acquittal reports, then RSM must first obtain approval from the OAG before the audit begins.

8.4 Independence

The Auditor General is an independent officer of the Western Australia Parliament, appointed under legislation to examine, on behalf of Parliament and Western Australia taxpayers, the management of resources within the public sector. The Auditor General is not subject to control or direction by either Parliament or the government. In conducting the audit, the Auditor General, staff and delegates will comply with all applicable independence requirements of the Australian accounting profession.

RSM International audit methodology requires that we conduct an annual re-evaluation of our independence prior to the commencement of each assignment. We have fully satisfied ourselves that we do not have any actual or perceived conflict of interest.

We are fully compliant with our Ethics and Independence Policies, which are verified and tested each year by our Partner Responsible for Ethics and Independence. Each year we are required to submit certain information to our Partner Responsible for Ethics and Independence, which is analysed and subjected to a series of stringent tests. This system has been extensively reviewed by the Australian Securities and Investments Commission and found to be in accordance with Australian Auditing Standards, the *Corporations Act 2001* and better practice.

9 CURRENT YEAR DEVELOPMENTS

We held discussions with the Shire, reviewed the 30 June 2019 financial statements and the 30 June 2019 audit file to identify any significant matters that may affect the audit planning and process. As at the date of this audit plan, we identified the following major developments:

9.1 COVID-19

We will work with your management to minimise the risk for the Shire, your staff, our staff, and to your operations, while completing audits in the best timeframe possible under the circumstances. This will likely involve more audit work being performed remotely rather than at your premises, and/or delaying audit work as and when unforeseen circumstances arise.

9.2 Income recognition

Implementation of AASB 15 *Revenue from Contracts with Customers* and AASB 1058 *Income of Not-for-Profit Entities* are effective from 1 July 2019.

AASB 15 Revenue from Contracts with Customers

New requirements for recognising revenue i.e. when performance obligations are satisfied. Critical elements that need to be satisfied:

- Agreement between parties must create 'enforceable' rights and obligations; and
- Entity's promise to transfer goods or services needs to be 'sufficiently specific' to be able to determine when the obligation is satisfied.

The Shire has assessed and determined that the financial impact on adoption of AASB15 is expected to increase contract liabilities recognised in the balance sheet at the date of initial application.

AASB 1058 Income of Not-for-Profit Entities

Applies to transactions of not-for-profit entities where the consideration to acquire an asset is significantly less than fair value principally to enable the entity to further its objectives. Whether income is recognised and its timing will depend on whether a transaction gives rise to a performance obligation, liability or contribution by owners. Transactions include those where an entity acquires or receives an asset in exchange for no consideration (i.e. cash grants, taxes and rates).

The impact of AASB 1058 is being assessed by the Shire.

RSM audit response:

RSM will obtain and review the Shire's assessment of the impact of AASB 15 and AASB 1058 and ensure adequate disclosure in the notes to the financial statements.

9.3 Lease accounting

Implementation of AASB 16 *Leases* is effective from 1 July 2019.

The distinction between operating leases and finance leases has been removed and requires all leases (except short term leases and leases of low value) to be recognised as lease assets and lease liabilities on the balance sheet. This will result in the grossing up of the balance sheet and higher expenses in the early years of the lease term. Lessor accounting remains similar to current practice (i.e. lessors continue to distinguish between operating leases and finance leases).

The Shire has assessed that the financial impact from the application of AASB 16, based on the number of operating leases held by the Shire, is not expected to be material. The Shire expects to apply AASB 16 following the practical expedient permitted by the standard.

RSM audit response:

RSM will obtain the various material lease agreements and review the accounting treatment and related disclosures in the notes to the financial statements. We will also review the practical expedient option applied by the Shire to recognise the leases in the financial statements under AASB 16.

10 AUDIT APPROACH TO THE KEY AUDIT AREAS

10.1 Risk assessment

Key audit areas are those areas that, in RSM's professional judgment, present the most significant risk in our audit of the financial report.

As part of our audit approach we have conducted an initial financial report risk assessment to determine whether any of the risks identified are, in our judgment, significant. A significant risk is an identified and assessed risk of material misstatement in the financial report that, in our judgment is a key audit area and requires special audit consideration.

Our assessment of key audit areas is based upon:

- Discussion with the CEO and the OAG;
- The complexity of transactions within each area;
- The degree of subjectivity in the measurement of financial information related to the risk, especially those measurements involving a wide range of uncertainty;
- The degree of susceptibility to fraud risk; and
- Consideration of any relevant matters that may be discussed during the audit planning stage.

10.2 Materiality

The scope of our audit is influenced by the application of materiality. Based on our professional judgment, we determined certain quantitative thresholds for materiality, including the overall materiality for the financial statements. These, together with qualitative considerations, helped us to determine the nature, timing and extent of our audit procedures on the individual financial report line items and disclosures and to evaluate the effect of identified misstatements, both individually and in aggregate, on the financial report and on our opinion.

In assessing the risk profile of the Shire, and in consideration of the users of the financial report, we have adopted materiality guidelines in accordance with Australian Auditing Standards.

For the purpose of determining materiality, assets and infrastructure are considered a key metric of interest to the users of the financial statements, Therefore, they will be used as the main benchmark for the calculation of overall materiality.

However, expenses is an item of significant interest to users of local government financial statements, as they seek to ensure funds are being spent appropriately. Therefore, we will consider a specific materiality for those account balances where there are circumstances (including qualitative factors) for which misstatements of lesser amounts than overall materiality could reasonably be expected to influence the economic decisions of users of the financial statements. For example, specific materiality will be calculated using total expenses as the benchmark for items such as revenue, other income, expenses, payroll and liability balances.

For the purpose of this APM, we referred to the audited 30 June 2019 financial report of the Shire and used our professional judgment to determine a planning materiality amount. In line with OAG policy, we have not disclosed the amount of planning materiality.



10.3 RSM approach to auditing significant risk

RSM's approach to auditing a class of transactions, account balance or disclosure is to initially assess whether there is a reasonable possibility that it could contain a material misstatement. Our risk assessment is based on both quantitative and qualitative criteria to determine whether they are significant.

Our audit strategy follows a hierarchy, which starts with testing of controls, then moves to substantive analytical review procedures and then finally testing of details. The following diagram shows an example where a high level of reliance on controls, along with a moderate level of reliance on substantive analytics is likely to result in testing of details that can safely rely on smaller sample sizes.

Audit Reliance	High			
	Medium			
	Low			
		Controls	Substantive analytical review	Test of details
Audit technique				

Based on previous audit experience at the Shire and review of the Shire's financial information, we have assessed that we can rely on internal controls, which effectively means we can apply a moderate level of substantive analytics and limited testing of details. This controls based approach is both efficient and effective.

10.4 Professional scepticism

We approach all our audits with a degree of professional scepticism as required by Australian Auditing Standards. In addition, professional scepticism is a key component of delivering an effective public sector audit. ASA 200 *Overall Objectives of the Independent Auditor and the Conduct of an Audit in Accordance with Australian Auditing Standards* defines professional scepticism as 'an attitude that includes a questioning mind, being alert to conditions which may indicate possible misstatement due to error or fraud, and a critical assessment of audit evidence'.

Professional scepticism is particularly relevant in areas that involve management assumptions and/or estimates. It is also critical when evaluating audit evidence to reduce the risk of the auditor:

- Overlooking unusual circumstances; and
- Over generalising when drawing conclusions from observations using inappropriate assumptions in determining the nature, timing and extent of evidence gathering procedures and evaluating the results thereof.

11 SIGNIFICANT RISK AREAS

Using the 30 June 2019 financial report as a guide and referring to the RSM calculated materiality amount and risk assessment, RSM has identified the following potential significant risk areas for the current financial year:

Significant risk area	30 June 2019 \$	30 June 2018 \$
Revenue and receivables cycle		
Rates	3,123,507	3,035,767
Trade receivables	728,510	564,214
Purchases and payment cycle		
Material and contracts	1,817,759	1,441,736
Property, Plant and Equipment (additions)	832,668	818,087
Infrastructure (additions)	4,980,291	2,945,051
Fixed assets cycle		
Property, Plant and Equipment	9,380,577	8,797,243
Infrastructure	117,269,232	113,590,657

11.1 Revenue and receivables cycle – rates / fees and charges / receivables

Reasons why RSM considers this area a significant risk

Revenue is measured by considering multiple elements, for example rates transactions are calculated by the application of a rate in the dollar to the Gross Rental Value (**GRV**) or Unimproved Value (**UV**), which is in turn determined by dividing the required rate collection amount by the total valuations on the roll. GRV's and UV's vary between the various property types. The GRV / UV is supplied by Landgate. Furthermore, rates revenue represents a significant portion of the Shire's annual operating income and is an important revenue stream in terms of the Shire's cash flows.

Based on the above complexities and the high risk of management override, revenue recognition for rates is considered significant risk.

RSM audit response

RSM audit procedures will include, among other things, assessment of the Shire's effectiveness of key internal controls operating within the revenue cycle, including application controls. RSM will perform a walkthrough of the key management controls over the revenue cycle and test key management controls. RSM will review, on a sample basis, the reconciliations and calculation of rates and compare these against historical results. In order to assess the completeness of recording revenue in the correct accounting period, RSM will perform revenue cut-off testing and review credit notes.

To determine the existence of the receivable balance and the recoverability thereof as at 30 June 2020, RSM will review receivables balances on a sample basis and perform subsequent receipt testing. Furthermore, we will perform analytical procedures on rates through detailed comparison with prior year balances and budget forecasts. RSM will also determine if the disclosures in the notes to the financial report related to the Shire's revenue recognition policy are appropriate.

11.2 Purchases and payment cycle

Reasons why RSM considers this area a significant risk

All procurement made by the Shire is subject to the requirements of the Act and Part 4 of the *Local Government (Functions and General) Regulations 1996 (Functions and General Regulations)*, which is the basis for the Shire's purchasing policy (**Policy**). The Act and the Functions and General Regulations are there to guide the Shire in delivering best practice in the purchasing of goods, services and works that align with the principles of transparency, probity and good governance. Errors, uncertainty and unrealistic timelines can undermine market confidence, discredit a purchasing process and devalue the outcome of the procurement. Due to the strict and complex requirements of the Policy, including value for money, regulatory compliance, record management, transparency and professionalism, there is potential for insufficient knowledge of the Policy's requirements or failure to comply with the Policy.

RSM audit response

RSM will review the Shire's purchasing policies and assess the effectiveness of internal controls operating within the payment cycle. In addition, we will perform a walkthrough of the key management controls over the purchase and payment cycle, including tendering, and perform tests of control on key management controls over the purchase and payment cycle. Furthermore, we will perform analytical procedures on procurement through detailed comparison with prior year balances and budget forecasts. Our testing will include an evaluation of whether the Shire's purchasing activities have complied with the Act and the Functions and General Regulations.

11.3 Fixed assets cycle

Reasons why RSM considers this area a significant risk

Property, Plant and Equipment and Infrastructure respectively constituted 7% and 93% of the Shire's total assets as at 30 June 2019. Under regulation 17A of the Financial Management Regulations, the Shire's Property, Plant and Equipment and Infrastructure is to be carried at fair value less accumulated depreciation and accumulated impairment losses. Under regulation 17(4) of the Financial Management Regulations, the Shire is required to revalue an asset:

- Whenever the local government believes the fair value of the asset is likely to be materially different from its carrying amount; and
- In any event, within a period of at least 3 years but not more than 5 years after the day on which the asset was last valued or revalued.

Furthermore, in accordance with paragraph 9 of AASB 136 *Impairment of Assets*, the Shire is required to assess at reporting date whether there is any indication that an asset may be impaired.

Effective from 1 July 2018, regulation 17A(5) of the Financial Management Regulations provides that an asset is to be excluded from the assets of a local government if the fair value of the asset as at the date of acquisition by the local government is under \$5,000.

RSM audit response

The Shire planning to revalue Land and Buildings and Footpath infrastructure in the current financial year. The Shire is not planning to revalue any other classes of Property, Plant and Equipment and Infrastructure during the year ended 30 June 2020. Therefore, we will review the Shire's assessment that the fair value of Property, Plant and Equipment, is not likely to be materially different from their carrying amounts and the Shire's consideration of any potential impairment indicators. We will also review Management Experts assessment of Land and Buildings, and Footpath Infrastructure in order to gain reasonable assurance over the fair value of the asset class as at 30 June 2020.

We will review management's assessment of those assets below \$5,000, obtain and review the action taken by the Shire to expense these assets from the asset register and confirm that the local government is properly and accurately recording portable and attractive assets.

12 OTHER CRITICAL DISCLOSURES IN THE FINANCIAL REPORT

RSM will also audit the following critical disclosures in the financial report:

12.1 Related party disclosures

The Shire continues to be subject to the requirements of AASB 124 *Related Party Disclosures*. The Standard requires disclosures for senior officers' compensation and certain transactions with related parties. A review will be conducted to ensure proper accounting and disclosure of related party transactions and executive remuneration.

Further, section 7.12AL of the Act applies section 17 of the Auditor General Act 2006 to a local government, which requires the Shire to advise the Auditor General in writing of details of all related entities that are in existence.

RSM audit response:

We will review the disclosures and supporting material to ensure compliance with AASB 124. We will also assess the Shire's internal controls around the identification and proper disclosure of related party transactions and director / executive remuneration.

12.2 Financial ratios

Under regulation 50 of the Financial Management Regulations, the annual report is to include financial ratios. Financial ratios are designed to enable users of annual financial reports to interpret more clearly the Shire's performance and financial results as well as provide a comparison of trends over several years.

These indicators provide a measure of the financial sustainability of local governments and complement the national criteria endorsed by the Local Government and Planning Ministers' Council. They provide for a comprehensive tool for monitoring the financial sustainability of local governments.

RSM audit response:

We will obtain and audit the ratios to assess compliance with regulation 50 of the Financial Management Regulations.

12.3 Capital and other commitments for expenditure

The Shire will disclose in the financial statements several capital and other commitments relating to future asset construction and replacements.

RSM audit response:

We will check the underlying calculations and review the evidence to support the amounts disclosed.

12.4 Reserve accounts

The Shire has established several reserve accounts under section 6.11 of the Act for the purpose of setting aside money for a specific purpose to be used in a future period. Cash reserves are required to be held in separate bank accounts. However, reserve accounts are not separate funds and are consolidated with the municipal fund in the financial statements of the Shire.

RSM audit response:

RSM will review the reserve account reconciliations and test that the transfers to and from these accounts are in accordance with the specific purpose of the reserve.

12.5 Major land transactions

Regulation 46 of the Financial Management Regulations prescribes the disclosure requirement for major land transactions. The information to be disclosed by the Shire is set out in regulation 47 and includes:

- Details of the total income and expenditure for the transaction; and
- Details of the amount or value of any surplus of money or assets.

RSM audit response:

RSM will review the financial records of the Shire to assess whether all major land transactions have been identified and disclosed in accordance with regulation 47.

13 CONTROLS

13.1 Internal control

Internal controls are systems, policies and procedures that help an entity reliably and cost effectively meet its objectives. Sound internal controls enable the delivery of reliable, accurate and timely external and internal reporting. The Shire is responsible for developing and maintaining its internal control framework to enable:

- Preparation of accurate financial records and other information;
- Timely and reliable external and internal reporting;
- Appropriate safeguarding of assets; and
- Prevention or detection and correction of errors and other irregularities.

The annual financial audit enables RSM to form an opinion on the Shire's financial report. An integral part of this, and a requirement of Australian Auditing Standard ASA 315 *Identifying and Assessing the Risks of Material Misstatement through Understanding the Entity and its Environment*, is to assess the adequacy of an organisation's internal control framework and governance processes related to its financial reporting. While this understanding has a significant impact on our audit strategy, our audit of the Shire's financial report is not designed to assess, nor do we provide an opinion on, the effectiveness of internal controls.

We focus on the internal controls relating to financial reporting and assess whether the Shire has managed the risk that the financial report will not be complete and accurate. Poor controls diminish management's ability to achieve the organisation's objectives and comply with relevant legislation. They also increase the risk of fraud.

During our planning procedures we will gain an understanding of the following components of internal control:

- Control environment
- Risk assessment procedures
- Information systems
- Control activities
- Monitoring procedures

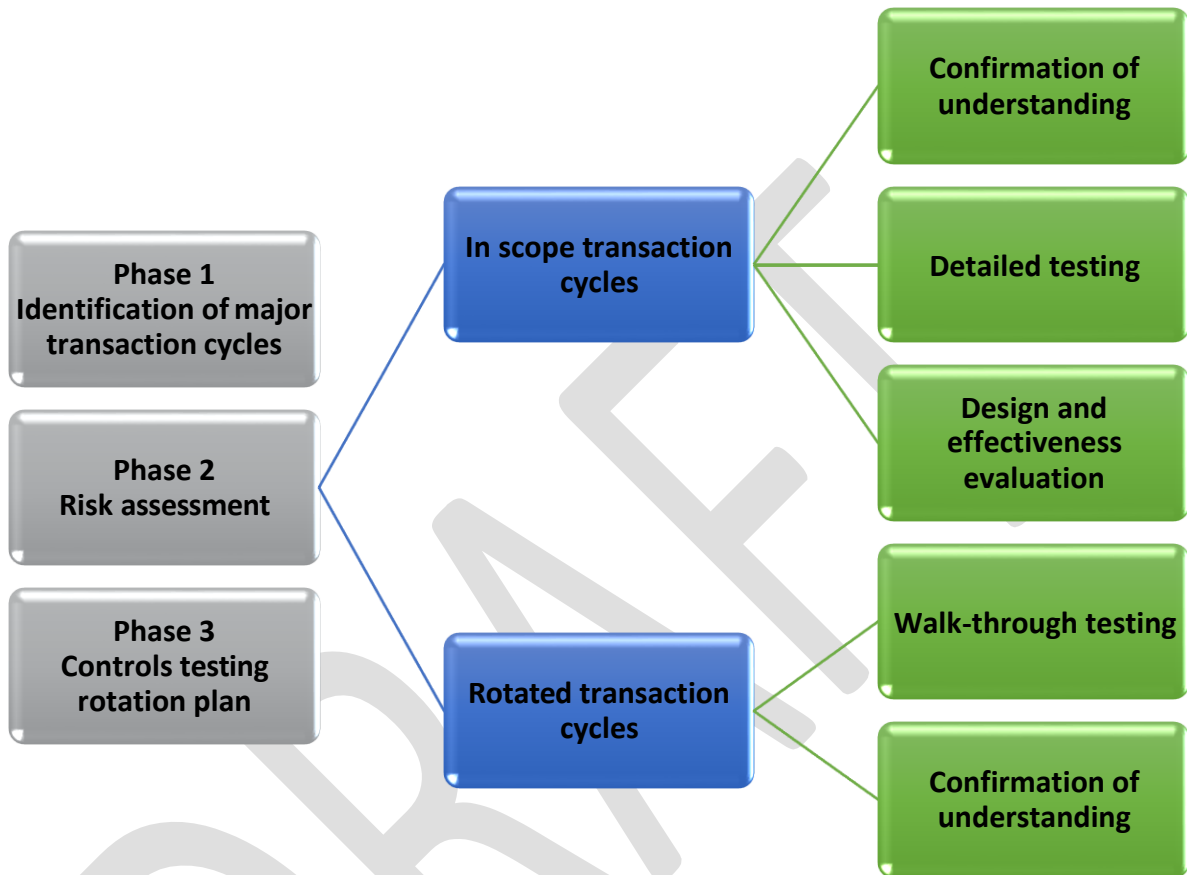
Our preliminary assessment of the internal control framework may indicate that the internal controls are likely to be effective in preventing or detecting and correcting material misstatements in the financial report. In these circumstances we would plan to place reliance on the key internal controls relating to the material components in the financial report to support our audit opinion.

13.2 Significant changes to internal controls

The Shire is currently completing a Regulation 17 Review; which may result in changes to the internal controls.

13.3 Rotation approach

In accordance with our rotational controls testing approach, we will conduct a risk assessment for each major transaction cycle during our initial engagement year. The risk assessment is benchmarked against our knowledge of each transaction cycle within the local government sector. Using the risk assessment, we design a control testing rotation plan that will bring certain transaction cycles into audit scope each year. Those cycles not in scope will be subject to our normal walkthrough procedures and confirmation of our understanding of the key controls.



Those transactions cycles in scope will be subject to detailed controls testing, including testing of the design and effectiveness of those controls.

RSM audit response:

During the current year audit, RSM will be testing controls over the revenue, purchases, property plant and equipment, and payroll cycles and rotating out testing over the cash and cash equivalents cycle.

14 FRAUD RISK

Under Australian Auditing Standard ASA 240 *The Auditor's Responsibility Relating to Fraud in an Audit of a Financial Report*, when planning and performing audit procedures and evaluating the results, the auditor must consider the risk of material misstatement in the financial report because of fraud and error.

Although ASA240 sets out the principles and procedures we must follow, the primary responsibility for the prevention and detection of fraud and error rests with the Shire. The Shire is responsible for maintaining accounting records and controls designed to prevent and detect fraud and error, and for the accounting policies and estimates inherent in the financial report.

Our audit procedures on fraud risk include the following:

- Forward a copy of the fraud control checklist for self-assessment to the Shire's management prior to our final audit visit. The checklist allows us to make inquiries of management, to obtain its understanding of the risk of fraud within the Shire and to determine whether management have any knowledge of fraud that has been perpetrated on or within the entity. We will review the fraud control self-assessment by the Shire;
- Review the Shire's fraud control procedures in place to reduce the risk of fraud occurring within the entity, including the Shire's code of conduct;
- Understand the Shire's fraud control environment;
- Understand the business rationale for significant or unusual transactions;
- Review current accounting estimates for biases;
- Review the appropriateness of year end accounting adjustments;
- Make enquiries of management and others within the Shire; and
- Incorporate an element of unpredictability in the selection of the nature, timing and extent of audit procedures to be performed as individuals within the entity who are familiar with the audit procedures normally performed on engagements may be more able to conceal fraudulent financial reporting.

15 OTHER AUDIT MATTERS

15.1 Internal audit

An effective internal audit function is important for ongoing maintenance and improvement of risk management, internal control overseen by an effective Audit Committee, and governance processes. The internal audit function acts as the independent eyes and ears for Council on administration and controls in key areas of risk.

Internal audit is a key component of the defence against fraud, including misrepresentation. Although the Shire's financial management governance and risk framework, and management oversight and monitoring are the initial lines of defence against fraud or error, internal audit is also a crucial component.

Subject to the requirements of Auditing Standard ASA 610 *Using the Work of Internal Auditors*, if we have satisfied ourselves regarding the competence and objectivity of Shire's internal audit function, we plan to rely on their work where possible. The use of the Shire's internal audit function may be used in the following ways:

- To obtain information that is relevant to RSM's assessments of the risks of material misstatement due to error or fraud; and
- As partial substitution for audit evidence to be obtained directly by RSM.

The responsibility for internal audit rests with the Shire. The Shire has engaged Moore Stephens to perform internal audits. We have discussed the current year internal audit work program with the Shire and plan to rely on the internal auditor's work where relevant and appropriate.

15.2 Audit preparation checklists

To assist the Shire to gather and collate the necessary audit information and documentation, we will issue in advance of each audit visit an Interim Audit Preparation Checklist and a Final Audit Preparation Checklist. As the requested information will be an important part of our audit working papers, the information must be made available to RSM on the dates specified at section 17 of this APM. This will assist us in delivering an efficient audit and minimising interruptions to the Shire's staff.

We have established a fully secure data upload function which is available to the Shire to file the documents and records we will need for our audit. We have found this facility to be very useful and clients have appreciated the savings in time and reduced disturbance by auditors during the audit fieldwork.



15.3 Important changes in governance, management or internal control environments

The Shire has advised that, other than those matters mentioned in the APM, there are no other major changes to its governance, management or internal control environment that may significantly impact the 30 June 2020 financial report.

15.4 Cumulative knowledge of accounting and computer systems and any expected changes

The Shire has represented that they are not aware of any significant changes to the accounting or computer systems other than the cloud IT System being removed, and in-house servers with external backups being utilised.

16 INVOLVEMENT OF INFORMATION SYSTEMS AUDIT SPECIALIST

The Shire's financial information system is not complex and there is no requirement for RSM to engage an Information System Audit specialist. RSM will conduct a high-level review of IT General Controls.

RSM complies with Auditing Standard ASA 315 *Identifying and Assessing the Risks of Material Misstatement through Understanding the Entity and Its Environment*. Our approach to information systems audit is to obtain an understanding of the information system, including the related business processes, relevant to financial reporting, including (amongst others) how the information system captures events and conditions, other than transactions, that are significant to the financial statements.

17 TIMETABLE

Phase	Task	Indicative timeframe ⁽¹⁾	Action
Planning	Pre-planning meeting to review and update the overall audit approach and plan	March 2020	RSM
	Issue draft APM to the OAG for commentary	1 April 2020	RSM
	Issue draft APM to the Shire for commentary	17 April 2020	RSM
	Entrance meeting with Council, CEO and Audit Committee for the presentation and discussion of final APM	N/A ⁽²⁾	RSM Shire
Interim audit fieldwork	Issuing of Interim Audit Preparation Checklist to the Shire	3 April 2020	RSM
	Based on risk assessment, performance of cyclical controls testing, walkthrough of major business cycles and review of key reconciliation procedures for the 9 months ended 31 March 2020	4 – 8 May 2020	RSM
	Assessment of status of Management Letter points raised for the prior year		
Interim audit reporting	Interim audit findings meeting with Shire management, the OAG and RSM to discuss any significant control matters surrounding the major transaction cycles and content of the management letter, if any	8 June 2020	RSM OAG Shire
	Issue the draft Interim Management Letter to the OAG for consideration and comment.	12 June 2020	RSM OAG
	Issue the draft Interim Audit Management Letter to the Shire for consideration and comment.	17 June 2020	RSM Shire
	Return of draft Interim Audit Management Letter to RSM with commentary	22 June 2020	Shire
	Issue the Final Interim Audit Management Letter to the OAG	27 June 2020	RSM
Draft financial report	The Shire submits shell financial report to RSM for review and comment	24 July 2020	Shire
	Shire to submit draft financial report as per the Act deadline.	25 September 2020	Shire
Final audit fieldwork	Issuing of the Final Audit Preparation Checklist	31 August 2020	RSM
	Provision of trial balance as at 30 June 2020 to RSM	25 September 2020	Shire

Phase	Task	Indicative timeframe ⁽¹⁾	Action
	Performance of substantive tests for revenue and expenditure cycles for the 3 months ended 30 June 2020	5 – 9 October 2020	RSM
	Performance of substantive tests for balance sheet accounts as at year end		
Final audit reporting	Final audit findings meeting with Shire management, the OAG and RSM to discuss any significant accounting issues and findings noted during the final audit. If there are significant, unresolved matters, then a meeting will also be held with Council and CEO.	November 2020	RSM OAG Shire
	Issue the draft Final Audit Management Letter for the year ended 30 June 2020 to the OAG for consideration and comment	November 2020	RSM OAG
	Issue the draft Final Audit Management Letter for the year ended 30 June 2020 to the Shire for consideration and comment	November 2020	RSM Shire
	Return draft Final Audit Management Letter for the year ended 30 June 2020 to RSM with commentary	November 2020	Shire
	Issue the Final Audit Management Letter to the OAG	November 2020	RSM
	Preparation of OAG Signing Review Memorandum	November 2020	RSM
	Review of audit file by OAG	November 2020	OAG
	Issue draft Management Representation Letter and draft Financial Report to Shire for consideration and comment	November 2020	RSM
	Audit Closing Report issued	November 2020	RSM
	Final audit exit meeting with Shire	November 2020	RSM Shire OAG
	Issue final Management Representation Letter and approve Financial Report	December 2020	Shire
	Independent Contract Auditor's Report issued	December 2020	RSM
	OAG to sign and issue the Audit Report	December 2020	OAG

- (1) The above dates are tentative at this stage and are subject to amendment as a result of staff availability from the Shire and OAG due to the COVID-19 crisis.
- (2) The entrance meeting has been marked as Not Applicable (**N/A**) due to the resource constraints being experienced by the Shire from the COVID-19 crisis. The Shire has advised that the APM will be circulated to Council at the next meeting.

18 APPENDIX A: DRAFT MANAGEMENT REPRESENTATION LETTER

Our Ref:
Your Ref:

Ms xxxxxxxx
Auditor General
Office of the Auditor General
7th Floor, Albert Facey House
469 Wellington Street
PERTH WA 6000

Dear Ms Spencer

REPRESENTATION LETTER IN RESPECT OF THE SHIRE OF MENZIES' ANNUAL FINANCIAL REPORT FOR THE YEAR ENDED 30 JUNE 2020

This representation letter is provided in connection with your audit of the Shire of Menzies' annual financial report for the year ended for the purpose of expressing an opinion as to whether the annual financial report is fairly presented in accordance with the *Local Government Act 1995* (the Act), the *Local Government (Financial Management) Regulations 1996* and, to the extent that they are not inconsistent with the Act, Australian Accounting Standards.

We submit the following representations for the year ended after making appropriate enquiries and according to the best of our knowledge and belief. This representation covers all material items in each of the categories listed below.

1. GENERAL

- (a) We have fulfilled our responsibilities for the preparation and fair presentation of the annual financial report in accordance with the *Local Government Act 1995* (the Act), the *Local Government (Financial Management) Regulations 1996* and, to the extent that they are not inconsistent with the Act, Australian Accounting Standards.
- (b) We have advised your auditors of all material contentious methods used in the presentation of the financial report.
- (c) There have been no changes in accounting policies or application of those policies that would have a material effect on the financial report, except as disclosed in Note XX to the financial report.
- (d) The prior period comparative information in the financial report has not been restated except as disclosed in Note XX to the financial report.
- (e) Significant assumptions used by us in making accounting estimates, including those measured at fair value, are reasonable. We confirm the disclosures related to accounting estimates are complete and appropriate.
- (f) We have established and maintained an adequate internal control structure and adequate financial records as we have determined are necessary to facilitate the preparation of the financial report that is free from material misstatement, whether due to fraud or error.

-
- (g) We have provided your auditors with
- (i) Access to all information of which we are aware that is relevant to the preparation of the financial report, such as records, documentation and other matters.
 - (ii) Additional information that your auditors have requested for the purpose of the audit.
 - (iii) Unrestricted access to staff and councillors of the Shire from whom your auditors determined it necessary to obtain audit evidence.
- (h) All transactions have been recorded in the accounting and other records and are reflected in the financial report.
- (i) All internal audit reports and reports resulting from other management reviews, including legal issues and legal opinions which have the capacity to be relevant to the fair presentation of the financial report including, where relevant, minutes of meetings, have been brought to your auditors' attention and made available to them.
- (j) We have advised your auditors of all known instances of non-compliance or suspected non-compliance with laws and regulations, **and all known data or security breaches** whose effects should be considered when preparing the financial report.
- (k) We have provided to your auditors the results of our assessment of the risk that the financial report may be materially misstated as a result of fraud.
- (l) No frauds or suspected frauds affecting the involving:
- (i) Management;
 - (ii) Employees who have significant roles in internal control; or
 - (iii) Others

have occurred to the knowledge of management of the Shire.

[OR]

We have provided information to your auditors of our knowledge of fraud or suspected fraud affecting the involving:

- (i) Management;
- (ii) Employees who have significant roles in internal control; or
- (iii) Others.

A summary of these is *provided below/attached*.

- (m) To our knowledge no allegations of fraud or suspected fraud affecting the 's financial report has been communicated to us by employees, former employees, analysts, regulators or others.

[OR]

We have provided information to your auditors of our knowledge of any allegations of fraud or suspected fraud affecting the 's financial report communicated by employees, former employees, analysts, regulators or others.

Details are *as follows/attached*.

- (n) We have disclosed to your auditors all known actual or possible litigation and claims whose effects should be considered when preparing the financial report, and they have been accounted for and disclosed in accordance with Australian Accounting Standards.

2. FAIR VALUE MEASUREMENTS AND DISCLOSURES

We confirm that where assets and liabilities are recorded at fair value, the value attributed to these assets and liabilities is the fair value.

We confirm that the carrying amount of each physical non-current asset does not materially differ from its fair value at the end of the reporting period. Significant fair value assumptions, including those with high estimation uncertainty, are reasonable.

We confirm the measurement methods, including related assumptions, used by management in determining fair values are appropriate and have been consistently applied.

We confirm that the fair value disclosures in the financial report are complete and appropriate.

3. GOING CONCERN

We confirm that the going concern basis of accounting is appropriate for the annual financial report.

4. CONTINGENT LIABILITIES

There are no material contingent liabilities at year end that have not been completely and adequately disclosed in the Notes to the financial report.

5. COMMITMENTS FOR CAPITAL AND OTHER EXPENDITURE

Other than those commitments reported in the Notes to the financial report, there were no significant commitments for capital or other expenditure contracts carrying over at year end.

6. FINANCIAL LIABILITY FOR CONTAMINATED SITES

We are aware of our obligations under the *Contaminated Sites Act 2003* and have reported to the Department of Water and Environmental Regulation, all land owned, vested or leased by the that is known to be, or is suspected of being, contaminated. All actual liabilities or contingent liabilities, if any, have been recognised and/or disclosed in the financial report as appropriate.

7. RELATED ENTITIES

We acknowledge our responsibility under section 17(1) of the *Auditor General Act 2006* (as applied by section 7.12AL of the *Local Government Act 1995*) to give written notice to the Auditor General if any of the Shire's functions are being performed in partnership or jointly with another person or body, through the instrumentality of another person or body, and/or by means of a trust. We confirm that we have provided the Auditor General with details of all related entities in existence at 30 June 2020.

8. RELATED PARTIES

We have disclosed to your auditors the identity of the Shire's related parties, as defined in Australian Accounting Standards, of which we are aware, and all the related party relationships and transactions of which we are aware. These include the Shire's key management personnel (KMP) and their related parties, including their close family members and their controlled and jointly controlled entities.

We have appropriately accounted for and disclosed such relationships and transactions in accordance with the requirements of Australian Accounting Standards.

9. KEY MANAGEMENT PERSONNEL COMPENSATION

We confirm the Shire's key management personnel (KMP) have not received any other money, consideration or benefit (except amounts being reimbursements for out of pocket expenses) which has not been included in the compensation disclosed in the Notes to the financial report.

10. SUBSEQUENT EVENTS

All events subsequent to the date of the financial report and up to the date of this letter for which Australian Accounting Standards require adjustment or disclosure, have been adjusted or disclosed.

[OR]

No matters or occurrences have come to our attention between the date of the financial report and the date of this letter which would materially affect the financial report or disclosures therein, or which are likely to materially affect the future results or operations.

11. INTERNAL CONTROL

We acknowledge our responsibility for the design, implementation and maintenance of internal control to prevent and detect fraud.

12. INSURANCE

We have established procedures to assess the adequacy of insurance cover on all assets and insurable risks. We believe, where appropriate, assets and insurable risks are adequately covered by insurance.

13. RISK MANAGEMENT

We confirm that we have established and maintained a risk management framework that is appropriate to the Shire.

14. FINANCIAL RATIOS

We confirm that the financial ratios included in the annual financial report have been prepared and fairly presented in accordance with the *Local Government (Financial Management) Regulations 1996*.

We confirm that the asset consumption ratio and the asset renewal funding ratio are supported by verifiable information and reliable assumptions.

15. ACCOUNTING MISSTATEMENTS

There are no uncorrected misstatements in the financial report

[OR]

The effects of uncorrected misstatements are immaterial, both individually and in the aggregate, to the financial report taken as a whole. A summary of these uncorrected misstatements is listed below.

Account	Reported balance	Actual balance	Variance

16. ELECTRONIC PRESENTATION OF THE AUDITED ANNUAL FINANCIAL REPORT AND AUDITOR'S REPORT

- (a) We acknowledge that we are responsible for the electronic presentation of the annual financial report.
- (b) We will ensure that the electronic version of the audited annual financial report and the auditor's report presented on the Shire's website is the same as the final signed versions of the audited annual financial report and the auditor's report.
- (c) We have clearly differentiated between audited and unaudited information in the construction of Shire's website and understand the risk of potential misrepresentation in the absence of appropriate controls.
- (d) We have assessed the security controls over the audited annual financial report and the auditor's report and are satisfied that procedures in place are adequate to ensure the integrity of the information provided.
- (e) We will ensure that where the auditor's report on the annual financial report is provided on the website, the annual financial report is also provided in full.

17. OTHER (UNAUDITED) INFORMATION IN THE ANNUAL REPORT

We will provide the final version of the annual report to you when available, to enable you to complete your required procedures.

Shire President

NAME: Gregory Dwyer

Date

Chief Executive Officer

NAME: Peter Money

Date

19 APPENDIX B: ADDITIONAL INFORMATION CONTACTS

David Wall	Punitha Perumal
RSM Australia	Office of the Auditor General
Level 32, Exchange Tower	7th Floor, Albert Facey House
2 The Esplanade	469 Wellington Street
Perth Western Australia 6000	Perth Western Australia 6000
Tel: +61 8 9261 9421	Tel: +61 8 6557 7544

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Agenda for the Shire of Menzies Ordinary Council Meeting to be held on Thursday 26 March 2020



LOCATION:	Shire of Menzies
APPLICANT:	AMEC
DOCUMENT REF:	As Applicable
DISCLOSURE OF INTEREST:	Nil
DATE:	30 April 2020
AUTHOR:	Peter Money Chief Executive Officer
ATTACHMENT:	12.5.10-1 Correspondence

SUMMARY

This item recommends that Council declines to offer discounted rates on exploration leases for the 2020/2021 financial year.

BACKGROUND

On the 3 April 2020, the Chief Executive Officer of Association of Mining and Exploration Companies (AMEC) Warren Pearce wrote to Council seeking rate relief for the exploration mining companies that AMEC represent.

In the AMEC correspondence there was no suggested percentage relief requested, but Dundas Shire have confirmed that AMEC is asking for a complete rate relief.

COMMENT

Without knowing which exploration leases in Menzies Shire are represented in the AMEC group, such a no-rate situation could result in \$448,803 rates being forgone to the Shire.

This would be a significant drain on Shire resources and would undoubtedly result in other mining groups seeking the same or similar relief.

It should also be considered that there are many exploration leases that mining companies hold and have held for long periods of time that they do nothing with and effectively could be holding back interest in development by other parties.

CONSULTATION

Peter Fitchat – Shire of Dundas
Jim Epis – Shire of Leonora

STATUTORY ENVIRONMENT

Section 6.2 of the Local Government Act 1995.

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

The proposed is a balanced budget with no borrowings and will form the basis of income and expenditure for the next twelve months.

RISK ASSESSMENT

Risk Statement	Level of Risk	Risk Mitigation Strategy
Rate relief as requested for the AMEC group could result in a very substantial decrease in income and affect the Shire's activities at a time when governments are encouraging expenditure to create employment opportunities.	High	It is recommended that rates as proposed are adopted to ensure Council produces a balanced budget with expenditures that will help create employment within the economy.
Rate relief for one group of an industry would likely result in appeals from other groups for rate relief.	High	Council could barely afford rate relief for one group on an industry and could not sustain further decreases in income.

STRATEGIC IMPLICATIONS

14.1 Sustainable local economy encouraged

- A local economy accessing the commercial options and services in place, for timely development.
- The acquisition of appropriate resources to assist with economic and tourism planning and development.

14.2 Strong sense of community maintained

- Our community will be cohesive, inclusive and interactive, where people feel safe, are welcomed and can live comfortably.
- Our community will value each other, building relationships and networks to interact, socialise and for recreation.
- Our community will have access to all necessary service requirements.

14.3 Active civic leadership achieved

- Where possible, support opportunities to build the capacity of the community within the Shire of Menzies.
- Regularly monitor and report on the Shire's activities, budgets, plans and performance.
- Continue to engage with our community, to advocate on behalf of our community, to be accountable and to manage within our governance and legislative framework.
- Continue to participate in regional activities to the benefit of our community.

14.4 Heritage & Natural assets conserved

- Heritage and cultural places and items will be protected.
- A strengthening of our cultural and heritage awareness and values.

VOTING REQUIREMENTS

Simple majority.

OFFICERS RECOMMENDATION

That Council advise AMEC that it declines to provide rate relief for members of the Association.

COUNCIL DECISION

COUNCIL RESOLUTION:	No.
----------------------------	------------

MOVED: Cr

SECONDED: Cr

Carried /

31 March 2020



Mr Peter Money
Chief Executive Officer
Shire of Menzies
Shenton Street
MENZIES WA 6436

By email: ceo@menzies.wa.gov.au

Dear Mr Money

Request for relief from local government rates on exploration tenements due to COVID-19

- **Request for temporary relief on local government rates on exploration tenements**
- **Exploration companies' ability to raise capital to support ongoing operations in the next 6-12 months will be severely restricted**
- **There will be significantly reduced exploration investment on ground in the coming year**
- **Without relief from cost pressures, redundancies and company failure will occur in some cases, meaning companies may not be there to pay rates in future years.**

The Association of Mining and Exploration Companies (AMEC) is the national industry body for hundreds of mining and mineral exploration companies throughout Australia. The vast majority of our members invest, explore and mine in Western Australia.

The human impact of COVID-19, and the safety of those in our industry is the number one priority for AMEC and its members. Each of our member companies is systematically implementing operational plans to help reduce the spread of COVID-19. Substantial resources are being allocated to ensure employees and companies are prepared, and we are working hard to ensure all our employees are practicing social and physical distancing.

At the same time, the broader impact of COVID-19 continues to extend into the economy and the financial markets and is increasing the financial pressures and constraints on our member companies.

The four major costs for a mineral exploration company are:

- Mining tenement rental fees - paid to State Government
- Rates - paid to Local Government
- Staff & Office
- Exploration Expenditure

Two of these payments are voluntary and two are not. In an environment where there is simply not the money to pay all four, difficult decisions have to be made, and regrettably our companies will be faced with little choice but to reduce or stop exploration and / or stand down staff.

The BDO *Explorer Quarterly Cash Update: December 2019* reported on the quarterly cash position of 651 ASX listed mineral exploration companies. The amount of cash a mineral exploration company has available allows it to keep the lights on, pay staff, pay the bills and with the remainder, explore and hopefully make a discovery. These companies are the small businesses without a source of revenue, that live on capital raised on the ASX and from private equity to explore for opportunities.

The BDO report reinforces the recent lack of listings of mineral exploration companies on the Australian Securities Exchange (ASX), a common pathway for raising investment capital. So far in 2020, there has been a single mineral exploration company listed on the ASX³⁵. Last year there were five, and in 2018, 35 listed. While 2018 now sounds comparatively large, in 2011, 71 listed and in the halcyon days of 2006, 126 companies listed.

Small Australian mineral exploration companies were already facing increasingly difficult financial markets, but with the COVID-19 crisis, will have little to no opportunity for capital raising for at least six months. Already some companies have informed me that they are reducing staff or moving to payment in shares in lieu of cash to maintain liquidity.

As COVID-19 weighs on the market, AMEC is growing increasingly concerned for the future of smaller mineral exploration companies that need to raise funds to survive. The BDO report stated that 40% of ASX listed mineral exploration companies reported less than \$1 million cash at bank in the December 2019 Appendix 5B reports³⁶.

While this may seem a lot of money, most of this must be spent on overheads this year.

Research conducted by AMEC of publicly listed information – ASX disclosures - showed that the average mineral exploration company in Australia spends approximately \$1.5m a year on holding costs / overheads (fees, rates & staff) before undertaking any exploration.

Over 70% of mineral discoveries in the last fifty years have been made by these small mineral exploration companies. While doing so they create jobs, opportunities and economic stimulus in remote and regional parts of Australia.

It is for these reasons we ask that you provide relief on local government rates in the coming rating year. This pause on payments is in line with the latest advice from the Commonwealth Government that suggests COVID-19 will disrupt normal operations until at least October 2020.

This would allow companies to repurpose rating expenditure to sustain internal operations, and keep staff employed.

³⁵ Castile Resources listed on 12 February 2020:

<https://www.asx.com.au/asxpdf/20200212/pdf/44f12cs3p45bk5.pdf>

³⁶ <https://www.bdo.com.au/en-au/insights/natural-resources/publications/explorer-quarterly-cash-update-december-2019>

I understand the significant impact that COVID-19 will be having for the local government sector. Increasing service levels to support the community in a time of crisis, combined with an expectation for frozen or lower rates will be extremely challenging to manage.

However, on behalf of our member companies, I must advise that without some cost relief from State and local government, many of our members may simply not be around to pay rates and fees again next year. We need your assistance.

This is a critical issue for AMEC's members, and I would welcome a conversation with you or your staff about ensuring the ongoing operations of mineral exploration during this time.

Please feel able to call me on 0477 399 130.

Yours sincerely



Warren Pearce

Chief Executive Officer

12.5.2**STATUS UPDATE**

LOCATION:	Shire of Menzies
APPLICANT:	Shire of Menzies
DOCUMENT REF:	As Applicable
DISCLOSURE OF INTEREST:	Nil
DATE:	30 April 2020
AUTHOR:	Peter Money Chief Executive Officer
ATTACHMENT:	Nil

SUMMARY:

The table below shows progress of Council resolutions and administrative and budget matters.

BACKGROUND:

Status Update – Council Resolutions

MEETING DATE	RESOLUTION NO	RESOLUTION	RESPONSE / OFFICER	TIMEFRAME
	1733	Engage McCleods Barristers and Solicitors to prepare a notice advising the owner Mr Gopel of 85 Suiter Street Menzies, that Council intends to issue a Building Order forcing the removal of the illegally constructed structure built over his caravan within 30 days from the date of the Building Order. The notice prepared by McCleods is to provide Mr Gopel 14 days to make a submission to Council as to why it should not issue the Building Order. If a submission is not received from Mr Gopel or resolution of the issue reached within the 14 days then McCleods Barristers and Solicitors be		November resolution held over for Christmas. Further discussions with Mr. Gopel – did not accept options. Move to resolve to issue letters February 2020 Meeting Letters in progress March 2020 Item recommending

		requested to issue the building Order requiring demolition and removal of the illegally constructed structure built over his caravan at 85 Suiter Street Menzies within 30 days from the date of the Building Order.		Council defer action due to the declared Medical Emergency
	1741	That Council approve expenditure of up to \$3,000 to purchase a reflector telescope suitable for stargazing.		COMPLETED
	1742	That Council request the CEO to proceed with necessary arrangements to cost the installation of a fence and other facilities on the Town Common boundary; liaise with adjoining Station owners for shared costs and prepare a budget amendment to allocate the necessary funds at the appropriate time.		For personal reasons, the letters to adjoining owners has been delayed. To commence in May 2020
	1743	That Council: 1. Gives local public notice of its intention to carry out a review of wards and representation and invites submissions as required under Clause 6(1) of Schedule 2.2 of the Local Government Act 1995; 2. Endorses the 'Shire of Menzies Ward Review and Representation Discussion Paper' as attached to the report of the CEO for the purposes of seeking public submissions; 3. Notes that the results of the public consultation will be presented to council in due course.	Advertising commenced – closing 10/01/2020	Subject in February 2020 Meeting for Council Decision Documents sent to DLG Advisory board for review April 2020 – LGAB agreed to accept Council's resolution for no change COMPLETED

	1745	<p>That Council:</p> <ol style="list-style-type: none"> 1. declare, in accordance with section 4.20(4) of the Local Government Act 1995, the Electoral Commission be responsible for the conduct of the extraordinary election: 2. decide, in accordance with section 4.61(2) of the Local Government Act 1995 that the method of conducting the extraordinary election will be as a postal election. 		<p>WAEC Advised</p> <p>Election day 28.02.2020</p> <p>COMPLETED</p>
	1746	<p>MOVED: Cr Justin Lee SECONDED: Cr Ian Baird</p> <ol style="list-style-type: none"> 1. That Council applies for membership of the Golden Quest Discovery Trail Association; 2. That the CEO develop a Draft Tourism Strategy for presentation to Council by June 2020. 		<p>It appears that Shire of Menzies is already be a member of the GQDT as a result of name change from the GTNA</p> <p>Part time Project Officer to pursue – may also combine with Northern Goldfields Group</p>

Administrative and Budgeted Matters

TITLE	COMMENT	EXPECTED COMPLETION
Planning Scheme Review	In progress – May 2018 documents to Council were incomplete and progress was halted	<p>Late 2020</p> <p>March 2020 – Maps were sent to Councillors of the proposed Scheme seeking comments.</p> <p>April 2020 – with the move of Ally Bryant as temporary DCEO, this project is further delayed. It is still 2 years away from being resolved.</p>

Niagara Dam Repairs to sluice valves	Underway	Quotes have been received and budget allocations made to enable progress – currently under water – March 2020 April 2020 – a purchase order has been issued but no time yet of the completion of the work
Town Dam Project	Underway – dependent on Water Corp processes	Deferred pending advice from consultation process mid 2020
Cometvale Cemetery Fencing	Quotations are being sought but prices indicate the cost will greatly exceed the budget of \$20,000	Carryover to 2020/2021 suggested
Rodeo Grounds Infrastructure	Some indicative pricing has been sought	Still seeking costs – may expedite to start in late May/early June 2020
Youth Centre Building	Installation of large shade sails There are limited suppliers of shade sails and Perth suppliers have shown no interest in installations in Menzies and hence prices are unconfirmed at this time	The poles for the sails will interfere with the activities outside the building. Suggest a revised design to cover only a small area.
Menzies NW Road Sealing	Waiting on the completion of design drawings	Tendered – to March 2020 Council Meeting April 2020 – works underway; expect completion prior to June 15
Gravel Roads re-Sheeting and construction Works	Tenders are being prepared	Expect ready for March 2020 Council Meeting April 2020 – tenders presented to April Council Meeting
Bicycle track Menzies Townsite		Looking to expedite this project
Kookynie Waste Site	New hole to be dug	COMPLETED
Grid Replacement Program	Commenced in mid-November	COMPLETED

Housing Capital Works	Houses in Mercer, Onslow and Reid Streets	Quotes are being reviewed – may be considerable savings in in-house completion March 2020 April 2020 – materials are to be purchased prior to June 30. To be completed in-house in June/July 2020
Old Church Building Capital Upgrades	External cladding ceilings and fence Electrical upgrade	External cladding completed Feb 2020 COMPLETED
Caravan Park Units	Tender process to be finalised	Construction underway – expected delivery May 2020 April 2020 – expected completion and delivery Mid June 2020
Construction of Truck Bay Ablutions	Tender process to be finalised	Purchase order issued, pad being prepared and water connection applied for, quotes for leach drains underway – March 2020 April 2020 – building plans being produced – expected completion prior to June 30
Construction of 3 Bedroom House	Tender process to be finalised	Underway – waiting on building plans to be provided and reviewed. March 2020 April 2020 – contract signed. Completion expected late September 2020
Lady Shenton Upgrade	June 2020	Essential roof work completed – internal work possibly later in 2020 COMPLETED
Administration Building – Front Counter	In-house – June 2020	Old counter currently being assessed, measured and replacement timber being

		sought – Expect completion late June 2020 April 2020 – timber has arrived in Menzies – on the BMO project list as a priority
Goongarrie Cottage Maintenance	Securing of the cottages	Item to Council April 2020 on options April 2020 – sourcing wrought iron to protect the doors and windows after repairs – late August 2020
Town Hall / Admin Upgrade	June 2020	Major upgrade cannot happen due to electrical system requirements COMPLETED
New Records Facility	Budgeted - Defer to 2020/2021	Will not be built – if necessary a room in the Lady Shenton can be adapted to comply with Regulations COMPLETED
Risk Management	Underway – will require external support	Mid 2020 April 2020 – ongoing process
HR Reviews	Underway – positions and duties being reviewed gradually for greater efficiencies	Underway – completion late May 2020
Standardise Accounts System	Underway early October 2019	Completed in December but faults occurred in January 2020 April 2020 - COMPLETED
Ongoing IT Deficiencies	Assessed and changes being introduced – currently trialling a test system	Contracted to happen mid-late February 2020 COMPLETED
Develop Compliance Calendar	Develop an accurate Compliance Calendar for internal and Council information	Underway – completion expected April 2020

		April 2020 – being modified and reviewed
Develop Internal Activity / Processes Calendar	A calendar of internal activities to guide staff	Expect completion May/June 2020
Updating of all Strategic Plans	Preparations underway	Expect completion April/May 2020
Updating of Disability Plan	Not yet programmed	Expect completion by June 2020
Updating Delegation Register	Underway	Presentation at March 2020 Meeting COMPLETED
Amendments to the LG Act	Numerous matters are being implemented with many more to come	Depending on when the Act is finalised – late 2020?

Category	Status
Not Started	
In Progress	
Completed	

COMMENT:

Updated monthly. Completed Items are removed after the Meeting the Item is accepted by Council.

CONSULTATION:

As applicable.

STATUTORY ENVIRONMENT:

Local Government Act 1995 s5.41

POLICY IMPLICATIONS:

Nil.

FINANCIAL IMPLICATIONS:

Not applicable.

RISK ASSESSMENT:

This report will ensure Council is informed about the progress of its resolutions and advising of any reasons for delays.

STRATEGIC IMPLICATIONS:

14.3 Active civic leadership achieved

- Regularly review plans with community consultation on significant decisions affecting the shire.
- Where possible, support opportunities to build the capacity of the community within the Shire of Menzies.
- Regularly monitor and report on the Shire’s activities, budgets, plans and performance.
- Continue to engage with our community, to advocate on behalf of our community, to be accountable and to manage within our governance and legislative framework.
- Continue to participate in regional activities to the benefit of our community.

VOTING REQUIREMENTS:

Simple majority.

OFFICERS RECOMMENDATION:

That Council accepts the April 2020 Status Update Report.

COUNCIL DECISION:

COUNCIL RESOLUTION:	No.
----------------------------	------------

MOVED: Cr

SECONDED: Cr

Carried /

LOCATION:	Shire of Menzies
APPLICANT:	Shire of Menzies
DOCUMENT REF:	As Applicable
DISCLOSURE OF INTEREST:	Nil
DATE:	30April 2020
AUTHOR:	Peter Money Chief Executive Officer
ATTACHMENT:	Assessment Summary

SUMMARY:

This item recommends Council accepts the Tender from_____.

BACKGROUND:

In 2019/2020 Council budgeted for road upgrade and repairs to the Connie Sue Highway from BM XP26 to Shed Tank and Tjuntjuntjara Access Road from Shed Tank to SLK 40 on the Tjuntjuntjara Access Road.

Funding has come from Shire of Menzies, MRWA and Roads to Recovery.

Tenders were advertised on 19/03/2020 and closed on 09/04/2020.

Three tenders were received and opened on 14 April 2020 in the presence of Chief Executive Officer Peter Money, Works Supervisor Paul Warner; and Acting Executive Officer Helen Cooper.

The tenders received were from:

- Fraser Range Station;
- Nullarbor Transport; and
- Roadtech Civil and Construction

COMMENT:

Due to the tight time constraints and the additional work created through the current Medical Emergency, assessment has been delayed and will be provided to Council as soon as possible for attachment to this report.

Tenders are being assessed in-house by Works Supervisor Paul Warner, externally by Katie Hall (Consulting Engineer) and Joshua Kirk (Principal) Greenfield Technical Services.

The individual and confidential tender submissions and assessments are available to Councillors if requested.

If any of the provisional items described within the tender are required, the value of the contract may need to be varied.

Therefore, it is also recommended that the Council delegate responsibility to the Shire's Chief Executive Officer to negotiate any provisional items included in the RFT Pricing Schedule to a value of 10% of the total contract value as required.

CONSULTATION:

Paul Warner – Works Supervisor
Katie Hall – Consulting Engineer
Joshua Kirk - Greenfield Technical Services

STATUTORY ENVIRONMENT:

*Local Government (Functions and General) Regulations
Reg. 11(2)(C)
Local Government Act 1995 s5.42 Delegation of powers and duties to the Chief Executive Officer*

POLICY IMPLICATIONS:

Nil.

FINANCIAL IMPLICATIONS:

The expenditure will be within budget.

RISK ASSESSMENT:

<u>Risk Statement</u>	<u>Level of Risk</u>	<u>Risk Mitigation Strategy</u>
A thorough specification was provided for tender purposes.	Low	The risk level is considered medium if full and detailed steps are followed.
A full assessment from three different tenders has been conducted.	Low	
The recommendation was based on all three assessors agreeing after a qualitative and price evaluation and value for money.	Medium	The risk level is medium if all tenderers are not independently and fairly assessed.

STRATEGIC IMPLICATIONS:

14.1 Sustainable local economy encouraged

- A local economy accessing the commercial options and services in place, for timely development.

14.2 Strong sense of community maintained

- Our community will be cohesive, inclusive and interactive, where people feel safe, are welcomed and can live comfortably.
- Our community will value each other, building relationships and networks to interact, socialise and for recreation.
- Our community will have access to all necessary service requirements.
- The Shire to review disability access throughout the Shire of Menzies.

14.3 Active civic leadership achieved

- Where possible, support opportunities to build the capacity of the community within the Shire of Menzies.
- Regularly monitor and report on the Shire's activities, budgets, plans and performance.
- Continue to engage with our community, to advocate on behalf of our community, to be accountable and to manage within our governance and legislative framework.
- Continue to participate in regional activities to the benefit of our community.

VOTING REQUIREMENTS:

Simple Majority.

OFFICERS RECOMMENDATION:

That Council:

- 1. Awards RFT 03/2020 for upgrade and repairs to the Connie Sue Highway from BM XP26 to Shed Tank and Tjuntjuntjara Access Road from Shed Tank to SLK 40 on the Tjuntjuntjara Access Road to _____ as tendered; and
- 2. Delegate authority to the Chief Executive Officer to negotiate any provisional items included in the RFT Pricing Schedule to a value of 10% of the total contract value as required.

COUNCIL DECISION:

COUNCIL RESOLUTION:	No.
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MOVED: Cr

SECONDED: Cr

Carried /

ATTACHMENT

SUMMARY OF RFT 03/2020

SHIRE OF MENZIES ROADWORKS

TJUNTJUNTJARA ACCESS ROAD & CONNIE SUE HIGHWAY

TENDER	Fraser Range	Nullarbor Transport	Roadtech Constructions	
ASSESSOR				
Greenfield				
Katie Hall				
Paul Warner				
TOTAL				

Not that each assessor uses a different score method hence the variations in each assessment value.

However, the outcomes are the same.

12.5.3 NATIONAL REDRESS SCHEME - SHIRE PARTICIPATION

LOCATION:	Shire of Menzies
APPLICANT:	DLGSC
DOCUMENT REF:	As Applicable
DISCLOSURE OF INTEREST:	Nil
DATE:	30 April 2020
AUTHOR:	Peter Money Chief Executive Officer
ATTACHMENT:	12.5.13-1 National Redress Scheme DLGSC Information Paper 12.5.13-2 Redress Data Template

SUMMARY

This item recommends that Council:

- Notes the consultation process and information from the DLGSC;
- Endorses participation in the National Redress Scheme as a State Government Institution;
- Grants authority to the Chief Executive Officer to execute a service agreement with the State if a Redress application is received; and
- Notes that a confidential report will be provided to the Shire if a Redress application is received.

BACKGROUND

The Royal Commission into Institutional Responses to Child Sexual Abuse (Royal Commission) was established in 2013 to investigate failures of public and private institutions to protect children from sexual abuse. The Royal Commission released three reports throughout the inquiry:

- Working with Children Checks (August 2015);
- Redress and Civil Litigation (September 2015); and
- Criminal Justice (August 2017).

The Royal Commission's Final Report (15 December 2017) incorporated findings and recommendations of the three previous reports and contained a total of 409 recommendations, of which 310 are applicable to the Western Australian Government and the broader Western Australian community.

The implications of the Royal Commission's recommendations are twofold:

- The first is accountability for historical breaches in the duty of care that occurred before 1 July 2018 within any institution; and
- The second is future facing, ensuring better child safe approaches are implemented holistically moving forward.

The scope of this report addresses only the historical element of institutional child sexual abuse through the National Redress Scheme.

All levels of Australian society (including the Western Australian local government sector and the Shire of Menzies) will be required to consider leading practice approaches to child safeguarding separately in the future.

National Redress Scheme

The Royal Commission's *Redress and Civil Litigation (September 2015)* Report recommended the establishment of a single National Redress Scheme (the Scheme) to recognise the harm suffered by survivors of institutional child sexual abuse.

The Scheme acknowledges that children were sexually abused, recognises the suffering endured, holds institutions accountable and helps those who have been abused access to counselling, psychological services, an apology and a redress payment.

The Scheme commenced on 1 July 2018, will run for 10 years and offers eligible applicants three elements of Redress:

- A direct personal response (apology) from the responsible institution, if requested;
- Funds to access counselling and psychological care; and
- A monetary payment of up to \$150,000.

All State and Territory Governments and many major non-government organisations and church groups have joined the Scheme.

The WA Parliament has passed the legislation for the Government and WA based non-government organisations to participate in the National Redress Scheme.

The Western Australian Government (the State) started participating in the Scheme from 1 January 2019.

Under the *National Redress Scheme for Institutional Child Sexual Abuse Act 2018* (Cth), local governments may be considered a State Government institution.¹

¹ Section 111(1)(b).

A decision was made at the time of joining the Scheme to exclude WA local governments from the State Government's participation declaration. This was to allow consultation to occur with the sector about the Scheme, and for fuller consideration of how the WA local government sector could best participate.

COMMENT

Following extensive consultation, the State Government (December 2019):

- Noted the consultations undertaken to date with the WA local government sector about the National Redress Scheme;
- Noted the options for WA local government participation in the Scheme;
- Agreed to local governments participating in the Scheme as State Government institutions, with the State Government covering payments to the survivor; and
- Agrees to the Department of Local Government, Sport and Cultural Industries (DLGSC) leading further negotiations with the WA local government sector regarding local government funding costs, other than payments to the survivor including counselling, legal and administrative costs.

The following will be covered for local governments participating in the Scheme as a State Government institution and part of the State's declaration:

- Redress monetary payment provided to the survivor;
- Costs in relation to counselling, legal and administration (including the coordination of requests for information and record keeping in accordance with the *State Records Act 2000*); and
- Trained staff to coordinate and facilitate a Direct Personal Response (DPR – Apology) to the survivor if requested (on a fee for service basis with costs to be covered by the individual local government – see below for further explanation).

State Government financial support for local government participation in the Scheme, as set out, will ensure that Redress is available to as many WA survivors of institutional child sexual abuse as possible.

Individual local governments participating in the Scheme as a State Government institution, with the State will be responsible for:

- Providing the State with the necessary (facilities and services) information to participate in the Scheme;
- Resources and costs associated with gathering their own (internal) information and providing that information (Request for Information) to the State (if they receive a Redress application); and
- Costs associated with the delivery of a DPR (apology), if requested (based on a standard service fee, plus travel and accommodation depending on the survivor's circumstance). The

State's decision includes that all requested DPR's will be coordinated and facilitated by the Redress Coordination Unit – Department of Justice, on every occasion.

The WALGA State Council meeting of 4 March 2020:

1. Acknowledged the State Government's decision to include the participation of Local Governments in the National Redress Scheme as part of the State's declaration;
2. Endorsed the negotiation of a Memorandum of Understanding and Template Service Agreement with the State Government, and
3. Endorsed by Flying Minute the Memorandum of Understanding prior to execution, in order to uphold requirements to respond within legislative timeframes.

The State and WALGA will sign a Memorandum of Understanding to reflect the principles of WA local governments participating in the Scheme as State Government institutions and being part of the State's declaration.

State agencies (led by DLGSC), WALGA and Local Government Professionals WA will support all local governments to prepare to participate in the Scheme from 1 July 2020 (or earlier, subject to completing the necessary arrangements).

The State's decision allows for the WA Government's Scheme participation declaration to be amended to include local governments and this report seeks endorsement of the Shire of Menzies participation in the Scheme.

As an independent entity and for absolute clarity, it is essential that the Shire of Menzies formally indicates via a decision of Council, the intention to be considered a State Government institution (for the purposes on the National Redress Scheme) and be included in the WA Government's amended participation declaration.

The Shire of Menzies will not be included in the State's amended declaration, unless it formally decides to be included.

The financial and administrative coverage offered by the State will only be afforded to West Australian local governments that join the Scheme as a State Government institution, as part of the State's amended declaration.

The option also exists for the Shire of Menzies to formally decide not to participate in the Scheme (either individually or as part of the State's declaration).

Should the Shire of Menzies formally decide (via a resolution of Council) not to participate with the State or in the Scheme altogether, considerations for the Shire of Menzies include:

- Divergence from the Commonwealth, State, WALGA and the broader local government sector's position on the Scheme (noting the Commonwealth's preparedness to name-and-shame non-participating organisations).

- Potential reputational damage at a State, sector and community level.
- Complete removal of the State's coverage of costs and administrative support, with the Shire of Menzies having full responsibility and liability for any potential claim.
- Acknowledgement that the only remaining method of redress for a victim and survivor would be through civil litigation, with no upper limit, posing a significant financial risk to the Shire of Menzies.

Considerations for the Shire of Menzies

Detailed below is a list of considerations for the Shire of Menzies to participate in the Scheme:

1. Executing a Service Agreement

All Royal Commission information is confidential, and it is not known if the Shire of Menzies will receive a Redress application. A Service Agreement will only be executed if the Shire of Menzies receives a Redress application.

The Shire of Menzies needs to give authority to an appropriate position / officer to execute a service agreement with the State, if a Redress application is received. Timeframes for responding to a Request for Information are 3 weeks for priority applications and 7 weeks for non-priority applications. A priority application timeframe (3 weeks) will be outside most Council meeting cycles and therefore it is necessary to provide the authorisation to execute an agreement in advance.

2. Reporting to Council if / when an application is received

Council will receive a confidential report, notifying when a Redress application has been received. All information in the report will be de-identified but will make Council aware that an application has been received.

3. Application Processing / Staffing and Confidentiality

Administratively the Shire of Menzies will determine:

- Which position(s) will be responsible for receiving applications and responding to Requests for Information;
- Support mechanisms for staff members processing Requests for Information.

The appointed person(s) will have a level of seniority in order to understand the magnitude of the undertaking and to manage the potential conflicts of interest and confidentiality requirements

4. Record Keeping

The State Records Office advised (April 2019) all relevant agencies, including Local Governments, of a 'disposal freeze' initiated under the *State Records Act 2000* (the Act) to protect past and current records that may be relevant to actual and alleged incidents of child sexual abuse. The Shire of Menzies record keeping practices as a result, have been modified to ensure the secure protection and retention of relevant records. These records (or part thereof) may be required to be provided to the State's Redress Coordination Unit in relation to a Redress application.

The Redress Coordination Unit (Department of Justice) is the state record holder for Redress and will keep copies of all documentation and RFI responses. Local Governments will be required to keep their own records regarding a Redress application in a confidential and secure manner, and in line with all requirements in *The Act*.

5. Redress Decisions

The Shire of Menzies should note that decisions regarding Redress applicant eligibility and the responsible institution(s), are made by Independent Decision Makers, based on the information received by the applicant and any RFI responses. The State Government and the Shire of Menzies do not have any influence on the decision made and there is no right of appeal.

CONSULTATION

The State, through the Department of Local Government, Sport and Cultural Industries (DLGSC), consulted with the WA local government sector and other key stakeholders on the Royal Commission into Institutional Responses to Child Sexual Abuse (in 2018) and the National Redress Scheme (in 2019).

The consultation throughout 2019 has focused on the National Redress Scheme with the aim of:

- raising awareness about the Scheme;
- identifying whether WA local governments are considering participating in the Scheme;
- identifying how participation may be facilitated; and
- enabling advice to be provided to Government on the longer-term participation of WA local governments.

Between March and May 2019, DLGSC completed consultations that reached 115 out of 137 WA local governments via:

- Webinars to local governments, predominately in regional and remote areas;
- Presentations at 12 WALGA Zone and Local Government Professional WA meetings; and
- Responses to email and telephone enquiries from individual local governments.

It was apparent from the consultations; local governments were most commonly concerned about the:

- potential cost of Redress payments;
- availability of historical information;
- capacity of local governments to provide a Direct Personal Response (apology) if requested by Redress recipients;
- process and obligations relating to maintaining confidentiality if Redress applications are received, particularly in small local governments; and
- lack of insurance coverage of Redress payments by LGIS, meaning local governments would need to self-fund participation and Redress payments.

LGIS published and distributed an update (April 2019) regarding the considerations and (potential) liability position of the WA local government sector in relation to the National Redress Scheme.

The WALGA State Council meeting on 3 July 2019 recommended that:

1. *WA local government participation in the State's National Redress Scheme declaration with full financial coverage by the State Government, be endorsed in principle, noting that further engagement with the sector will occur in the second half of 2019.*
2. *WALGA continue to promote awareness of the National Redress Scheme and note that local governments may wish to join the Scheme in the future to demonstrate a commitment to the victims of institutional child sexual abuse.*

DLGSC representatives presented at a WALGA hosted webinar on 18 February 2020 and presented at all WALGA Zone meetings in late February 2020.

The State's decision, in particular to cover the costs / payments to the survivor, has taken into account the feedback provided by local governments during the consultation detailed above.

STATUTORY ENVIRONMENT

In agreeing to join the Scheme, the Shire is required to adhere to legislative requirements set out in the *National Redress Scheme for Institutional Child Sexual Abuse Act 2018* (Cth).

Authorisation of an appropriately appointed person to execute a service agreement with the State, if a Redress application is received, will be in accordance with s.9.49A(4) of the *Local Government Act 1995*.

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

The State's decision will cover the following financial costs for local governments:

- Redress monetary payment provided to the survivor;
- Costs in relation to counselling, legal and administration (including the coordination or requests for information and record keeping); and
- Trained staff to coordinate and facilitate a Direct Personal Response (DPR – Apology) to the survivor if requested (on a fee for service basis with costs to be covered by the individual local government – see below).

The only financial cost the local government may incur will be the payment of the DPR's, which is on an 'as requested' basis by the survivor. This will be based on the standard service fee of \$3,000 plus travel and accommodation depending on the survivor's circumstances. All requested DPR's will be coordinated and facilitated by the Redress Coordination Unit – Department of Justice.

The State's decision also mitigates a significant financial risk to the local government in terms of waiving rights to future claims. Accepting an offer of redress has the effect of releasing the responsible participating organisation and their officials (other than the abuser/s) from civil liability for instances of sexual abuse and related non-sexual abuse of the person that is within the scope of the Scheme. This means that the person who receives redress through the Scheme, agrees to not bring or continue any civil claims against the responsible participating organisation in relation to any abuse within the scope of the Scheme.

RISK ASSESSMENT

<u>Risk Statement</u>	<u>Level of Risk</u>	<u>Risk Mitigation Strategy</u>
The Shire can decline to nominate for the Redress Scheme, but should a person make a claim on the Shire for an alleged past incident, the Shire will pay for all legal processes, defence of a claim and ultimately any payment awarded to a claimant.	High	If the Shire is part of the Scheme, the cost, if someone lodges a claim will be \$3,000 at this time.

STRATEGIC IMPLICATIONS

Select one or more of the outcomes from the Strategic Plan – delete those not relevant

14.1 Sustainable local economy encouraged

- A local economy accessing the commercial options and services in place, for timely development.
- The acquisition of appropriate resources to assist with economic and tourism planning and development.

14.2 Strong sense of community maintained

- Our community will be cohesive, inclusive and interactive, where people feel safe, are welcomed and can live comfortably.
- Our community will value each other, building relationships and networks to interact, socialise and for recreation.
- Our community will have access to all necessary service requirements.
- The Shire to review disability access throughout the Shire of Menzies.

14.3 Active civic leadership achieved

- Regularly review plans with community consultation on significant decisions affecting the shire.
- Where possible, support opportunities to build the capacity of the community within the Shire of Menzies.
- Regularly monitor and report on the Shire’s activities, budgets, plans and performance.
- Continue to engage with our community, to advocate on behalf of our community, to be accountable and to manage within our governance and legislative framework.
- Continue to participate in regional activities to the benefit of our community.

14.4 Heritage & Natural assets conserved

- Heritage and cultural places and items will be protected.
- A strengthening of our cultural and heritage awareness and values.

VOTING REQUIREMENTS

Simple majority.

OFFICERS RECOMMENDATION

That Council:

- 1) Notes the consultation undertaken and information provided by the Department of Local Government, Sport and Cultural Industries in regarding the National Redress Scheme and the participation of WA local governments;
- 2) Endorses the participation of the Shire of Menzies in the National Redress Scheme as a State Government institution and included as part of the State Government’s declaration;
- 3) Grants authority to the Chief Executive Officer to execute a service agreement with the State, if a Redress application is received; and
- 4) Notes that a confidential report will be provided if a Redress application is received by the Shire of Menzies.

COUNCIL DECISION

COUNCIL RESOLUTION:	No.
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MOVED: Cr

SECONDED: Cr

Carried /



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

National Redress Scheme for Institutional Child Sexual Abuse

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

Information Paper

3 February 2020

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1. SUMMARY - WA LOCAL GOVERNMENT: ROYAL COMMISSION AND REDRESS

The Western Australian Government (the State), through the Department of Local Government, Sport and Cultural Industries (DLGSC), has been consulting with the WA local government sector and other key stakeholders on the Royal Commission into Institutional Responses to Child Sexual Abuse (in 2018) and the National Redress Scheme (in 2019).

The consultation throughout 2019 has focused on the National Redress Scheme (the Scheme) with the aim of:

- raising awareness about the Scheme;
- identifying whether WA local governments are considering participating in the Scheme;
- identifying how participation may be facilitated; and
- enabling advice to be provided to Government on the longer-term participation of WA local governments.

Following this initial consultation and feedback gathered, the State Government considered a range of options regarding WA local government participation in the Scheme and reached a final position in December 2019.

DLGSC, supported by the Departments of Justice and Premier and Cabinet, will again engage with WA local governments in early 2020, to inform of the:

- State's decision and the implications for the sector (see [Section 4](#));
- Support (financial and administrative) to be provided by the State; and
- Considerations and actions needed to prepare for participation in the Scheme from 1 July 2020 (see [Section 5](#)).

DLGSC's second phase of engagement with WA local governments is summarised in the table below:

Description and Action	Agency	Timeline
Distribution of Information Paper to WA Local Governments	DLGSC	3 February 2020
WALGA hosted webinar	DLGSC / DPC	18 February 2020
Metro and Country Zone meetings	WA LG's / DLGSC	19 to 24 February 2020
State Council meeting – Finalisation of Participation arrangements	WALGA	4 March 2020
WALGA hosted webinar – Participation arrangements	DLGSC/ DPC	Mid-March 2020

Further information about the Royal Commission is available at [Appendix A](#) and the National Redress Scheme at [Appendix B](#) of this Information Paper.

The information in this Paper may contain material that is confronting and distressing. If you require support, please [click on this link](#) to a list of available support services.

2. CURRENT SITUATION - WA LOCAL GOVERNMENT PARTICIPATION IN THE NATIONAL REDRESS SCHEME

The WA Parliament passed the legislation required to allow for the Government and WA based non-government institutions to participate in the National Redress Scheme. The *National Redress Scheme for Institutional Child Sexual Abuse (Commonwealth Powers) Act 2018 (WA)* took effect on 21 November 2018.

The WA Government commenced participating in the Scheme from 1 January 2019.

The State Government's Redress Coordination Unit within the Office of the Commissioner for Victims of Crime, Department of Justice:

- Acts as the State Government's single point of contact with the Scheme;
- Coordinates information from State Government agencies to the Scheme; and
- Coordinates the delivery of Direct Personal Responses (DPR) to redress recipients (at their request) by responsible State Government agencies to redress recipients.

CURRENT TREATMENT OF WA LOCAL GOVERNMENTS IN THE SCHEME

Under the *National Redress Scheme for Institutional Child Sexual Abuse Act 2018 (Cth)*, Local Governments may be considered a State Government institution.¹

There are several considerations for the State Government and Local Governments (both individually and collectively) about joining the Scheme.

The State Government considers a range of factors relating to organisations or bodies participation in the Scheme, before their inclusion in the declaration as a State Government institution. These factors include the capability and capacity of the agencies or organisations to:

- Respond to requests for information from the State Government's Redress Coordination Unit within prescribed timeframes;
- Financially contribute to the redress payment made by the Scheme on behalf of the agency or body; and
- Comply with the obligations of participating in the Scheme and the Commonwealth legislation.

A decision was made at the time of joining the Scheme to exclude WA local governments from the State Government's declaration. This was to allow consultation to occur with the local government sector about the Scheme, and for fuller consideration to be given to the mechanisms by which the sector could best participate in the Scheme.

¹ Section 111(1)(b).

3. CONSULTATION TO DATE WITH WA LOCAL GOVERNMENT SECTOR

The Department of Local Government, Sport and Cultural Industries (DLGSC) has been leading an information and consultation process with the WA local government sector about the Scheme. The Departments of Justice and Premier and Cabinet (DPC) have been supporting DLGSC in the process, which aimed to:

- Raise awareness about the Scheme;
- Identify whether local governments are considering participating in the Scheme;
- Identify how participation may be facilitated; and
- Enable advice to be provided to Government on the longer-term participation of WA local governments.

DLGSC distributed an initial *Information and Discussion Paper* in early January 2019 to WA local governments, the WA Local Government Association (WALGA), Local Government Professionals WA (LG Pro) and the Local Government Insurance Scheme (LGIS). Between March and May 2019, DLGSC completed consultations that reached 115 out of 137 WA local governments and involved:

- an online webinar to 35 local governments, predominantly from regional and remote areas;
- presentations at 12 WALGA Zone and LG Pro meetings; and
- responses to email and telephone enquiries from individual local governments.

It was apparent from the consultations that the local government sector had, at the time, a very low level of awareness of the Scheme prior to the consultations occurring, and that little to no discussion had occurred within the sector or individual local governments about the Scheme. Local governments were most commonly concerned about the:

- Potential cost of redress payments;
- Availability of historical information;
- Capacity of local governments to provide a Direct Personal Response (apology) if requested by redress recipients;
- Process and obligations relating to maintaining confidentiality if redress applications are received, particularly in small local governments;
- Lack of insurance coverage of redress payments by LGIS, meaning local governments would need to self-fund participation and redress payments.

LGIS Update (April 2019) – National Redress Scheme

LGIS published and distributed an update regarding the considerations and (potential) liability position of the WA local government sector in relation to the National Redress Scheme.

WALGA State Council Resolution

The WALGA State Council meeting of 3 July 2019 recommended that:

1. *WA local government participation in the State's National Redress Scheme declaration with full financial coverage by the State Government, be endorsed in principle, noting that further engagement with the sector will occur in the second half of 2019.*
2. *WALGA continue to promote awareness of the National Redress Scheme and note that local governments may wish to join the Scheme in the future to demonstrate a commitment to the victims of institutional child sexual abuse.*

It is understood that this recommendation was made with knowledge that it is ultimately a State Government decision as to whether:

- Local governments can participate in the Scheme as part of the State's Government's declaration; and
- The State Government will fund local government redress liability.

4. WA GOVERNMENT DECISION - FUTURE PARTICIPATION OF WA LOCAL GOVERNMENTS IN THE NATIONAL REDRESS SCHEME

Following the initial consultation process, a range of options for local government participation in the Scheme were identified by the State Government including:

1. WA Local governments be **excluded** from the State Government's declaration of participating institutions.

This means that: local governments may choose not to join the Scheme; or join the Scheme individually or as group(s), making the necessary arrangements with the Commonwealth and self-managing / self-funding all aspects of participation in the Scheme.

2. WA Local governments be **included** in the State Government's declaration of participating institutions.

There were three sub-options for ways local government participation as a State Government institution could be accommodated:

- a. Local governments cover all requirements and costs associated with their participation;
- b. The State Government covers payments to the survivor arising from local governments' participation, with costs other than payments to the survivor (including counselling, legal and administrative costs) being funded by local governments; or
- c. An arrangement is entered into whereby the State Government and local governments share the requirements and costs associated with redress – for example, on a capacity to pay and deliver basis.

The State Government considered the above options and resolved via the Community Safety and Family Support Cabinet Sub-Committee (December 2019) to:

- Note the consultations undertaken to date with the WA local government sector about the National Redress Scheme;
- Note the options for WA local government participation in the Scheme;
- Agree to local governments participating in the Scheme as State Government institutions, with the State Government covering payments to the survivor; and
- Agree to the DLGSC leading further negotiations with the WA local government sector regarding local government funding costs, other than payments to the survivor including counselling, legal and administrative costs.

KEY ASPECTS OF THE STATE'S DECISION

For clarity, the State's decision that means the following financial responsibilities are to be divided between the State Government and the individual local government that has a Redress application submitted, and then subsequently accepted by the Scheme Operator as a Redress claim.

State Government

The State Government will cover the following:

- Redress monetary payment provided to the survivor;
- Costs in relation to counselling, legal and administration (including the coordination of requests for information and record keeping); and
- Trained staff to coordinate and facilitate a Direct Personal Response or DPR (Apology) to the survivor if requested (on a fee for service basis with costs covered by the individual local government – see below).

Individual Local Government

The individual local government will be responsible for:

- Costs associated with gathering their own (internal) information if requested in a Redress application;
- Providing the State with the necessary information to participate in the Scheme; and
- Costs associated the delivery of a DPR (based on a standard service fee, plus travel and accommodation depending on the survivor's circumstance). *

* note – The State's decision includes that all DPR's will be coordinated and facilitated by the Redress Coordination Unit (Department of Justice) on every occasion, if a DPR is requested by the survivor.

This decision was made on the basis that:

- State Government financial support for local government participation in the Scheme, as set out, will ensure that redress is available to as many WA survivors of institutional child sexual abuse as possible.
- The demonstration of leadership by the State Government, as it will be supporting the local government sector to participate in the Scheme and recognising the WALGA State Council resolution of 3 July 2019, is consistent with the local government sector's preferred approach.
- Contributes to a nationally consistent approach to the participation of local governments in the Scheme, and particularly aligns with the New South Wales, Victorian and Tasmanian Governments' arrangements. This provides opportunity for the State Government to draw on lessons learned through other jurisdictions' processes.
- Ensures a consistent and quality facilitation of a DPR (by the State) if requested by the survivor.
- State Government financial support for any local government redress claims does not imply State Government responsibility for any civil litigation against local governments.

Noting the State's decision, a range of matters need to be considered and arrangements put in place to facilitate local governments participating with the State Government's declaration and meeting the requirements of the Scheme. Those arrangements will:

- provide for a consistent response to the Scheme by WA Government institutions, and for WA survivors accessing the Scheme; and
- mitigate concerns raised by local governments during consultations about complying with the processes and requirements of the Scheme.

5. CONSIDERATIONS FOR WA LOCAL GOVERNMENTS

Following the State's decision, a range of matters need to be considered by each local government and in some cases, actions taken in preparation for participating in the Scheme, these include:

CONFIDENTIALITY

- Information about applicants and alleged abusers included in RFIs (Requests for Information) is sensitive and confidential and is considered protected information under *The National Redress Act*, with severe penalties for disclosing protected information.
- Individual local governments will need to consider and determine appropriate processes to be put in place and staff members designated to ensure information remains confidential.

APPLICATION PROCESSING / STAFFING

- The timeframes for responding to an RFI are set in *The Act* and are 3 weeks for priority application and 7 weeks for non-priority applications. This RFI process will be supported by the State (DLGSC and the Redress Coordination Unit).
- Careful consideration should be given to determining which position will be responsible for receiving applications and responding to RFIs, due to the potentially confronting content of people's statement of abuse.
- Support mechanisms should be in place for these staff members, including access to EAP (Employee Assistance Program) or other appropriate support.
- The need for the appointed position and person(s) to have a level of seniority in order to understand the magnitude of the undertaking and to manage the potential conflicts of interest.
- The responsible position(s) or function(s) would benefit from being kept confidential in addition to the identity of the person appointed to it.

RECORD KEEPING

- The Redress Coordination Unit (Department of Justice) is the state record holder for Redress and will keep copies of all documentation and RFI responses. Local Governments will be required to keep their own records regarding a Redress application in a confidential and secure manner, and in line with all requirements of the *State Records Act 2000*.
- Consider secure storage of information whilst the RFI is being responded to.

REDRESS DECISIONS

- Decisions regarding redress applicant eligibility and responsible institution(s) are made by Independent Decision Makers, based on the information received by the applicant and any RFI responses. The State government does not have any influence on the decision made.
- There is no right of appeal.

MEMORIALS

- Survivors (individuals and / or groups) from within individual communities may ask about the installation of memorials. The State Government's view is to only consider memorialising groups, however locally, this is a decision of an individual local government.

6. NEXT STEPS – PREPARATION FOR WA LOCAL GOVERNMENT PARTICIPATION IN THE SCHEME

In addition to the second-phase information process outlined in section 1, the State will develop:

1. A Memorandum of Understanding (MOU) - to be executed between the State and WALGA following the (WALGA) State Council meeting on 4 March 2020.

The MOU will capture the overall principles of WA local governments participating in the Scheme as State Government institutions and being part of the State's declaration; and

2. Template Service Agreement – that will be executed on an 'as needed' basis between the State and an individual local government, if a redress application is received.

DLGSC and the Department of Justice will work with WALGA / LGPro and all local governments to prepare for participation in the Scheme including:

- Identifying appropriate positions, staff and processes to fulfil requests for information;
- Ensuring local governments have delegated authority to an officer to execute a service agreement with the State if needed;

The State will prepare a template Council report, where all WA local governments will be asked to delegate authority to an appropriate officer in advance, able to execute a service agreement if required. This is necessary as priority requests for information under the Scheme, are in a shorter turnaround time than Council meeting cycles and therefore, cannot be undertaken at the time.

- Ensuring local government have established appropriate processes and can fulfil Scheme obligations (particularly in terms of confidentiality, record keeping etc); and
- Gathering the necessary facility and service information from all individual local governments to commence participation in the Scheme. This information will be provided to the Commonwealth, loaded into the Scheme database and used to facilitate an individual local government's participation in the National Redress Scheme.

ACKNOWLEDGEMENTS

The contents of this Information and Discussion Paper includes extracts from the following identified sources. Information has been extracted and summarised to focus on key aspects applicable to the Department of Local Government, Sport and Cultural Industries' key stakeholders and funded bodies:

- The Royal Commission into Institutional Responses to Child Sexual Abuse – Final Report.

To access a full version of the Royal Commission's Findings and the Final Report, please follow the link at <https://www.childabuseroyalcommission.gov.au/>

- Western Australian State Government response to the Royal Commission (27 June 2018).

To access a full version of the State Government's detailed response and full report, please follow the link at

[https://www.dpc.wa.gov.au/ProjectsandSpecialEvents/Royal-Commission/Pages/The-WA-Government-Response-to-Recommendations-\(June-2018\).aspx](https://www.dpc.wa.gov.au/ProjectsandSpecialEvents/Royal-Commission/Pages/The-WA-Government-Response-to-Recommendations-(June-2018).aspx)

- More information on the National Redress Scheme can be found at www.nationalredress.gov.au.
- The full National Redress Scheme - Participant and Cost Estimate (July 2015) Report at <https://www.dlgsc.wa.gov.au/resources/publications/Pages/Child-Abuse-Royal-Commission.aspx>

FOR MORE INFORMATION

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APPENDIX A

ROYAL COMMISSION INTO INSTITUTIONAL RESPONSES TO CHILD SEXUAL ABUSE – FURTHER INFORMATION

The Royal Commission into Institutional Responses to Child Sexual Abuse (the Royal Commission) was established in January 2013, to investigate systemic failures of public and private institutions² to protect children from child sexual abuse, report abuse, and respond to child sexual abuse. The Royal Commission's Terms of Reference required it to identify what institutions should do better to protect children in the future, as well as what should be done to:

- achieve best practice in reporting and responding to reports of child sexual abuse;
- eliminate impediments in responding to sexual abuse; and
- address the impact of past and future institutional child sexual abuse.

The Western Australian Government (State Government) strongly supported the work of the Royal Commission through the five years of inquiry, presenting detailed evidence and submissions and participating in public hearings, case studies and roundtables.

The Royal Commission released three reports throughout the inquiry: *Working with Children Checks (August 2015)*; *Redress and Civil Litigation (September 2015)* and *Criminal Justice (August 2017)*. The Final Report (Final Report) of the Royal Commission into Institutional Responses to Child Sexual Abuse incorporated the findings and recommendations of the previously released reports and was handed down on 15 December 2017. To access a full version of the Royal Commission's Findings and the Final Report, follow the link at <https://www.childabuseroyalcommission.gov.au/>

The Royal Commission made 409 recommendations to prevent and respond to institutional child sexual abuse through reform to policy, legislation, administration, and institutional structures. These recommendations are directed to Australian governments and institutions, and non-government institutions. One specific recommendation was directed at Local Government, while many others will directly or indirectly impact on the organisations that Local Government works with and supports within the community.

Of the 409 recommendations, 310 are applicable to the Western Australian State Government and the broader WA community.

² * For clarity in this Paper, the term 'Institution' means any public or private body, agency, association, club, institution, organisation or other entity or group of entities of any kind (whether incorporated or unincorporated), however described, and:

- Includes for example, an entity or group of entities (including an entity or group of entities that no longer exist) that provides, or has at any time provided, activities, facilities, programs or services of any kind that provide the means through which adults have contact with children, including through their families
- Does not include the family.

THE WESTERN AUSTRALIAN GOVERNMENT RESPONSE TO THE ROYAL COMMISSION

The State Government examined the 310 applicable recommendations and provided a comprehensive and considered response, taking into account the systems and protections the State Government has already implemented. The State Government has accepted or accepted in principle over 90 per cent of the 310 applicable recommendations.

The State Government's response was released on 27 June 2018 fulfilling the Royal Commission recommendation 17.1, that all governments should issue a formal response within six months of the Final Report's release, indicating whether recommendations are accepted; accepted in principle; not accepted; or will require further consideration. The WA Government's response to the Royal Commission recommendations can be accessed at:

<http://www.dpc.wa.gov.au/childabuseroyalcommission>

The State Government has committed to working on the recommendations with the Commonwealth Government, other states and territories, local government, non-government institutions (including religious institutions) and community organisations.

The State Government's overall approach to implementation of reforms is focused on:

- Stronger Prevention (including Safer Institutions and Supportive Legislation)
 - Create an environment where children's safety and wellbeing are the centre of thought, values and actions;
 - Places emphasis on genuine engagement with and valuing of children;
 - Creates conditions that reduce the likelihood of harm to children and young people.
- Reliable Responses (including Effective Reporting)
 - Creates conditions that increase the likelihood of identifying any harm;
 - Responds to any concerns, disclosures, allegations or suspicions of harm.
- Supported Survivors (including Redress).

Many of the recommendations of the Royal Commission have already been addressed through past work of the State Government, and others working in the Western Australian community to create safe environments for children. This work is acknowledged and where appropriate, will be built upon when implementing reforms and initiatives that respond to the Royal Commission's recommendations.

APPENDIX B

NATIONAL REDRESS SCHEME - FURTHER INFORMATION

The Royal Commission's *Redress and Civil Litigation (September 2015)* Report recommended the establishment of a single national redress scheme to recognise the harm suffered by survivors of institutional child sexual abuse.

The National Redress Scheme (the Scheme):

- Acknowledges that many children were sexually abused in Australian institutions;
- Recognises the suffering they endured because of this abuse;
- Holds institutions accountable for this abuse; and
- Helps people who have experienced institutional child sexual abuse gain access to counselling and psychological services, a direct personal response, and a redress-payment.

The National Redress Scheme involves:

- People who have experienced institutional child sexual abuse who can apply for redress;
- The National Redress Scheme team — Commonwealth Government staff who help promote the Scheme and process applications;
- Redress Support Services — free, confidential emotional support and legal and financial counselling for people thinking about or applying to the Scheme;
- Participating Institutions that have agreed to provide redress to people who experienced institutional child sexual abuse; and
- Independent Decision Makers who will consider applications and make recommendations and conduct reviews.

The National Redress Scheme formally commenced operation on 1 July 2018 and offers eligible applicants three elements of redress:

- A direct personal response from the responsible institution, if requested;
- Funds to access counselling and psychological care; and
- A monetary payment of up to \$150,000.

Importantly, the Scheme also provides survivors with community based supports, including application assistance; financial support services; and independent legal advice. The Scheme is administered by the Commonwealth Government on behalf of all participating governments, and government and non-government institutions, who contribute on a 'responsible entity pays' basis.

Institutions that agree to join the Scheme are required to adhere to the legislative requirements set out in the *National Redress Scheme for Institutional Child Sexual Abuse Act 2018* (Cth).

More information on the Scheme can be found at www.nationalredress.gov.au or the [National Redress Guide](#).

SURVIVORS IN THE COMMUNITY

Throughout the five years of its inquiry, the Royal Commission heard detailed evidence and submissions, and held many public and private hearings, case studies and roundtables. Most notably, the Royal Commission heard directly from survivors of historical abuse.

The Royal Commission reported that survivors came from diverse backgrounds and had many different experiences. Factors such as gender, age, education, culture, sexuality or disability had affected their vulnerability and the institutions response to abuse.

The Royal Commission, however, did not report on the specific circumstances of individuals with the details of survivors protected; the circumstances of where and within which institutions their abuse occurred is also protected and therefore unknown. Further, survivors within the WA community may have chosen to not disclose their abuse to the Royal Commission.

Accordingly, it is not known exactly how many survivors were abused within Western Australian institutions, including within Local Government contexts. Within this context of survivors in the community, who may or may not be known, consideration needs to be given to how all institutions, including local governments, can fulfil the Royal Commission's recommendation in relation to redress.

The Royal Commission's *Redress and Civil Litigation (September 2015)* Report recommended the establishment of a single national redress scheme to recognise the harm suffered by survivors of institutional child sexual abuse. This report also recommended that Governments around Australia remove the limitation periods that applied to civil claims based on child sexual abuse, and consequently prevented survivors – in most cases – pursuing compensation through the courts.

As a result of reforms made in response to these recommendations, WA survivors now have the following options to receive recognition of their abuse:

1. Pursuing civil court action(s) against the perpetrator and/or the responsible institution. The *Civil Liability Legislation Amendment (Child Sexual Abuse Actions) Act 2018* (WA) took effect on 1 July 2018, removing the limitation periods that previously prevented persons who had experienced historical child sexual abuse from commencing civil action.
2. Applying to the National Redress Scheme, which provides eligible applicants with a monetary payment, funds to access counselling and an apology. Note, to receive redress the responsible institution(s) will need to have joined the Scheme.

TREATMENT OF LOCAL GOVERNMENTS BY OTHER JURISDICTIONS

At the time of the State Government joining the Scheme, only two jurisdictions had made a decision about the treatment of local governments. All jurisdictions have since agreed to include local governments within their respective declarations, with the exception of South Australia (SA). The SA Government is still considering their approach.

It is understood that all jurisdictions, with the exception of SA, are either covering the redress liability associated with local government participation in the Scheme or entering into a cost sharing arrangement. The table below provides a summary of other jurisdictions' positions.

Jurisdiction	Position
Commonwealth	<ul style="list-style-type: none"> No responsibility for local governments. The Commonwealth Government has indicated preference for a jurisdiction to take a consistent approach to the participation of local governments in the Scheme.
Australian Capital Territory (ACT)	<ul style="list-style-type: none"> ACT has no municipalities, and the ACT Government is responsible for local government functions. ACT has therefore not been required to explore the issue of local government participation in the Scheme.
New South Wales (NSW)	<ul style="list-style-type: none"> In December 2018, the NSW Government decided to include local councils as NSW Government institutions and to cover their redress liability. The NSW Office for Local Government is leading communications with local councils about this decision. NSW's declaration of participating institutions will be amended once preparation for local council participation is complete.
Northern Territory (NT)	<ul style="list-style-type: none"> The NT Government has consulted all of the Territory's local governments, including individually visiting each local government. NT is in the process of amending Territory's declaration of participating institutions to include local governments.
Queensland	<ul style="list-style-type: none"> Queensland is finalising a memorandum of understanding (MOU) with the Local Government Association of Queensland to enable councils to participate in the Scheme as State institutions. The MOU includes financial arrangements that give regard to individual councils' financial capacity to pay for redress.
South Australia (SA)	<ul style="list-style-type: none"> Local governments are not currently included in the SA Government's declaration The SA Government is still considering its approach to local governments.
Tasmania	<ul style="list-style-type: none"> Local Governments have agreed to participate in the Scheme and will be included as a state institution in the Tasmanian Government's declaration. A MOU with local governments is being finalised, ahead of amending Tasmania's declaration.
Victoria	<ul style="list-style-type: none"> The Victorian Government's declaration includes local governments. The Victorian Government is covering local governments' redress liability.
Western Australia (WA)	<ul style="list-style-type: none"> The WA Government has excluded local governments from its declaration, pending consultation with the local government sector.

TIMEFRAME TO JOIN THE SCHEME

Institutions can join the Scheme within the first two years of its commencement. This means that institutions can join the Scheme up to and including 30 June 2020 (the second anniversary date of the Scheme). The Commonwealth Minister for Social Services may also provide an extension to this period to allow an institution to join the Scheme after this time. However, it is preferred that as many institutions as possible join the Scheme within the first two years to give certainty to survivors applying to the Scheme about whether the institution/s in which they experienced abuse will be participating.

If an institution has not joined the Scheme, they are not a participating institution. However, this will not prevent a person from applying for redress. In this circumstance, a person's application cannot be assessed until the relevant institution/s has joined the Scheme. The Scheme will contact the person to inform them of their options to either withdraw or hold their application. The Scheme will also contact the responsible institution/s to provide information to aid the institution/s to consider joining the Scheme.

THE SCHEME'S STANDARD OF PROOF

The Royal Commission recommended that 'reasonable likelihood' should be the standard of proof for determining eligibility for redress. For the purposes of the Scheme, 'reasonable likelihood' means the chance of the person being eligible is real and is not fanciful or remote and is more than merely plausible.

When considering a redress application, the Scheme Operator must consider whether it is reasonably likely that a person experienced sexual abuse as a child, and that a participating institution is responsible for an alleged abuser/s having contact with them as a child. In considering whether there was reasonable likelihood, all the information available must be taken into account.

Where a participating institution does not hold a record (i.e. historical information), the Scheme Operator will not be precluded from determining a person's entitlement to redress. The information to be considered by the Scheme Operator includes:

- The information contained in the application form (or any supplementary information provided by a person by way of statutory declaration);
- Any documentation a person provided in support of their application;
- The information provided by the relevant participating institution/s in response to a Request for Information from the Operator, including any supporting documentation provided; and
- Any other information available including from Scheme holdings (for example where the Scheme has built up a picture of relevant information about the same institution during the relevant period, or the same abuser).

It should be noted that the 'reasonable likelihood' standard of proof applied by the Scheme is of a lower threshold (or a lower standard of proof) than the common law standard of proof applied in civil litigation – the 'balance of probabilities'. Please see 11.7 of the Royal Commission's *Redress and Civil Litigation Report (2015)* for additional information on the difference between the two.

MAXIMUM PAYMENT AND SHARED RESPONSIBILITY

The amount of redress payment a person can receive depends on a person's individual circumstances, specifically the type of abuse the person experienced.

A person may only make one application for redress. The maximum redress payment payable under the scheme to an applicant is \$150,000 in total.

The payment of redress is made by the institution(s) found responsible for exposing the individual to the circumstances that led to the abuse.

There may be instances where one or more institutions are found to be jointly responsible for the redress payment to a person, and instances where a person may have experienced abuse in one or more different institutions. In such situations, the redress payable by an institution will be apportioned in accordance with the Scheme's assessment framework - see <https://www.legislation.gov.au/Details/F2018L00969> and method statement - see <http://guides.dss.gov.au/national-redress-guide/4/1/1>

Prior payments made by the responsible institution for the abuse to the applicant (e.g. ex-gratia payments) will be taken into account and deducted from the institutions' redress responsibility.

EFFECT OF AN APPLICANT ACCEPTING AN OFFER OF REDRESS

Accepting an offer of redress has the effect of releasing the responsible participating institution/s and their officials (other than the abuser/s) from civil liability for instances of sexual abuse and related non-sexual abuse of the person that is within the scope of the Scheme. This means that the person agrees to not bring or continue any civil claims against the responsible participating institution/s in relation to any abuse within the scope of the Scheme.

If a responsible participating institution/s is a member of a participating group, the person will be releasing the other associated institutions and officials within that group from any civil liability for instances of sexual abuse and related non-sexual abuse of the person that is within the scope of the Scheme.

Accepting an offer of redress also has the effect of preventing a responsible participating institution from being liable to contribute to damages that are payable to the person in civil proceedings (where the contribution is to another institution or person).

In accepting the offer of redress, a person will also be consenting to allow the participating institution/s or official/s to disclose the person's acceptance of redress offer in the event that a civil claim is made. The Scheme must provide a copy of the person's acceptance of offer to each responsible institution for their records once received.

Note – the acceptance of an offer of redress does not exclude the pursuance or continuance of criminal proceedings against the abuser(s).

Participation Institutions / organisations - this list is for organisations (including all locations) that are **currently** operating (that is they are not closed) and will be part of the National Redress Scheme. This information is required to assist in identifying institutions (both publicly and in outcome letters), to populate association lists and to assist the Scheme to assess a person's application.

DO NOT AMEND OR RE-ORDER COLUMN HEADINGS IN THIS WORKBOOK

INSTITUTION / ORGANISATION DETAILS					
Institution / Organisation Name	Also known as	Physical Address 1	Physical Address 2	Physical Country	Physical Post Code
<p>The current and official title of your local government authority.</p> <p>This will be used for the public search function on the National Redress Scheme's website - www.nationalredress.gov.au.</p>	<p>Names of your organisation and facilities that your organisation has owned or operated - past and present. Please include any name changes of facilities (aquatic centres, pavilions, centres, libraries, sports grounds etc.)</p> <p>Other names your local government might have been previously known as (i.e. Road Board, Shire, Town, City), including any prior amalgamation / separation.</p> <p>List each on a single line with associated details (address, start / operating dates etc)</p>	<p>This is the address of the organisation/institution (or their main administration building).</p>	<p>This is the street address of the organisation / institution (or their main administration building).</p>	<p>This is the country in which the organisation / institution (or their main administration building) is based.</p>	<p>This is the postcode of the organisation / institution (or their main administration building).</p>
e.g. City of Outback	<p>e.g. Town of Outback e.g. Shire of Outback e.g. Outback Leisure Centre e.g. Outback Community and Youth Centre e.g. Outback Library e.g. Castle Rock Recreation Camp e.g. Outback Sports Pavillion e.g. Outback Recreation Grounds</p>	e.g. Outback Town Centre	e.g. 1 Lone Road	e.g Australia	e.g 6999

Participation Institutions / organisations - this list is for organisations (including all locations) that are **currently** operating (that is they are not closed) and will be part of the National Redress Scheme. This information is required to assist in identifying institutions (both publically and in outcome letters), to populate association lists and to assist the Scheme to assess a person's application.

DO NOT AMEND OR RE-ORDER COLUMN HEADINGS IN THIS WORKBOOK

INSTITUTION / ORGANISATION DETAILS						
Physical State	Physical Suburb	Operation Start Day	Operation Start Month	Operation Start Year	Website	Notes
This is the state in which the organisation / institution (or their main administration building) is based.	This is the suburb of the organisation / institution (or their main administration building).	Date the organisation/ institution <u>started operating</u> . If the date it started operating is known, the day should be expressed as 2 digits. If it is unknown than this field should be left blank.	Month the organisation/institution started operating. If month started operating is known, the month should be expressed as 2 digits. If it is unknown than this field should be left blank	Year the organisation/institution started operating. If year started operating is known (or estimated), the year should be expressed as 4 digits. If it is unknown (and cannot be estimated) than this field should be left blank.	Website link for survivors to access information about the organisation/institution.	Include any further information that you believe would help describe the institution and it's role to survivors here. This may be included on the Redress Scheme's Website.
e.g WA	e.g Outback	e.g 09 or 18	e.g 05 or 12	e.g 2013	https://www.outback.wa.gov.au/	e.g. The Town of Outback is a WA local government authority that came into effect in 2013 and has responsibility for ...

13 ELECTED MEMBERS MOTION OF WHICH PREVIOUS NOTICE HAVE BEEN GIVEN

14 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF THE MEETING

15 NEXT MEETING

The next Ordinary Meeting of Council will be held on 28 May 2020 commencing at 1pm.

16 CLOSURE OF MEETING

There being no further business, the meeting closed at _____pm.