

shire of menzies Minutes

FOR THE ORDINARY MEETING OF COUNCIL HELD ON

30 SEPTEMBER 2021

Commencing at 1.00 pm

At Tjuntjuntjara

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

Shire of Menzies Council Meetings

| Council Meeting Date | Attended in Person | Electronic Attendance | Leave of Absence | Apologies | Absent |
|----------------------------|---|--|---------------------|------------|--------|
| 25 February 2021 | Cr G Dwyer Cr I Baird Cr J Dwyer Cr K Mader | Cr J Lee (MAC Office) | Cr V Ashwin | Cr S Baird | |
| 25 March 2021 | Cr G Dwyer Cr I Baird Cr J Dwyer Cr K Mader Cr S Baird | Cr I Baird Cr J Lee | Cr V Ashwin | | |
| 29 April 2021 | Cr G Dwyer Cr J Dwyer Cr K Mader | Cr I Baird (PT) Cr J Lee (MAC) | | Cr S Baird | |
| 27 May 2021 | Cr G Dwyer Cr K Mader Cr I Baird Cr S Baird | Cr J Dwyer (Kambalda East) | | Cr J Lee | |
| 24 June 2021 | Cr G Dwyer Cr J Dwyer Cr K Mader Cr I Baird Cr S Baird | Cr J Lee (MAC) | | | |
| 29 July 2021 | Cr G Dwyer Cr K Mader Cr J Lee Cr J Dwyer | Cr I Baird (Wongary) Cr S Baird (Wongary) | | | |
| 26 August 2021 | Cr G Dwyer Cr K Mader Cr J Dwyer (Southern Cross) Cr I Baird (Wongary) Cr S Baird (Wongary) | | | Cr J Lee | |

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1 DECLARATION OF OPENING

The Shire President declared the meeting open at 1.01pm.

2 ANNOUNCEMENT OF VISITORS

Nil.

3 RECORD OF ATTENDANCE

Councillors: Cr G Dwyer, Shire President Cr I Baird, Deputy Shire President Cr J Dwyer Cr K Mader Cr S Baird

Staff: Mr B Joiner, Chief Executive Officer Mr G Marland, Works Manager

Apologies: Cr J Lee

4 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

5 PUBLIC QUESTION TIME

Nil.

6 APPLICATION BY MEMBERS

Nil.

7 DECLARATIONS OF INTEREST

The CEO declares an impartiality interest in item 12.2.2 as the item provides a benefit to him.

8 NOTICE OF ITEMS TO BE DISCUSSED BEHIND CLOSED DOORS

Nil.

9 CONFIRMATION/RECEIVAL OF MINUTES

CONFIRMATION of the Minutes of the Ordinary Council Meeting held on 26 August 2021. (Provided under Separate Cover)

OFFICER RECOMMENDATION

That the Minutes of the Ordinary Council Meeting held on 26 August 2021 be confirmed as a true and correct record.

COUNCIL DECISION:

| Council Resolution Number: | СМ-59 |
|----------------------------|-------|
| | |

Moved: Cr J Dwyer Seconded: Cr K Mader

That the Minutes of the Ordinary Meeting of Council held on 26 August 2021 be confirmed as a true and correct record.

| Carried 5 / 0 |
|---------------|
|---------------|

10 PETITIONS/DEPUTATIONS/PRESENTATIONS

PTAC Health Service Manager Michael Bradley addressed the meeting and provided an update on the community's COVID-19 immunisation progress.

11 ANNOUNCEMENT BY PRESIDING MEMBER WITHOUT DISCUSSION

The President's Report for the month of August 2021 was unavailable at the time of the meeting.

12 REPORTS OF OFFICERS

12.1 Finance Reports

| 12.1.1 | Finance Report - | Finance Report - August 2021 | | |
|------------------------|------------------|--|--|--|
| LOCATION | | Tjuntjuntjara | | |
| APPLICANT | | Internal | | |
| DOCUMENT REF | | NAM471 | | |
| DATE OF REPORT | | 31 August 2021 | | |
| AUTHOR | | Chief Financial Officer, Antonio Giometti | | |
| RESPONSIBLE OFFICER | | Chief Financial Officer, Antonio Giometti | | |
| DISCLOSURE OF INTEREST | | Nil | | |
| ATTACHN | IENT | Monthly Financial Reports August 2021 V 2 [12.1.1.1 - 20 pages] FIS - Financial Information Schedule August | | |
| | | 2021 - V 2 [12.1.1.2 - 16 pages] | | |

SUMMARY:

Statutory Financial Reports are submitted to Council as a record of financial activity for the year to 31 August 2021.

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, 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:

Nil.

STATUTORY AUTHORITY:

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:

Nil.

STRATEGIC IMPLICATIONS:

4.2 An efficient and effective organisation.

4.2.1 Maintain a high level of corporate governance, responsibility and accountability.

VOTING REQUIREMENTS:

Simple Majority

OFFICER RECOMMENDATION:

That Council Receive the Statement of Financial Activity for the period ending 31 August 2021 as attached and note any material differences.

COUNCIL DECISION:

| Council Resolution Number: | | | СМ-60 | |
|----------------------------|------------|-----------|------------|--|
| Moved: | Cr I Baird | Seconded: | Cr S Baird | |

That Council receives the Statement of Financial Activity for the period ending 31 August 2021 as attached and notes any material differences.

| Carried 5 / 0 |
|---------------|
|---------------|

| 12.1.2 | Monthly list of pa | yments for August 2021 | | |
|------------------------|--------------------|--|--|--|
| LOCATION | | Tjuntjuntjara | | |
| APPLICANT | | Internal | | |
| DOCUMENT REF | | NAM473 | | |
| DATE OF REPORT | | 31 August 2021 | | |
| AUTHOR | | Chief Financial Officer, Antonio Giometti | | |
| RESPONSIBLE OFFICER | | Chief Financial Officer, Antonio Giometti | | |
| DISCLOSURE OF INTEREST | | Nil | | |
| ATTACHME | INT | 1. List of Payments August 2021 [OKHJ] [12.1.2.1 - 5 pages] | | |

The list of payments made for the month of August 2021 be received by Council.

BACKGROUND:

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

COMMENT:

The EFT, Direct Debit, Credit Card and Payroll payments that have been made for the month of August 2021 are attached.

CONSULTATION:

Antonio Giometti – Chief Financial Officer.

STATUTORY AUTHORITY:

Local Government (Financial Management) Regulations 1996 Regulation 13.

POLICY IMPLICATIONS:

Policy 4-7 – Creditors – Preparation for Payment.

FINANCIAL IMPLICATIONS:

\$387,618.50 withdrawn from Municipal Bank Account.

RISK ASSESSMENT:

Nil.

STRATEGIC IMPLICATIONS:

4.2 An efficient and effective organisation.

4.2.1 Maintain a high level of corporate governance, responsibility and accountability.

VOTING REQUIREMENTS:

Simple Majority

OFFICER RECOMMENDATION:

That Council receive the list of payments for the month of August 2021 totaling \$387,618.50 being:

- 1. Electronic Funds Transfer EFT 6185 6257, payments from Municipal Fund totaling \$352,702.62.
- 2. Direct Debit payments from the Municipal Fund totaling \$34,915.88.
- 3. Payroll payments from the Municipal Fund totaling \$83,697.96.
- 4. Credit Card payments of \$3,603.53 for the Statement Month of July are included in Direct Debits of \$34,915.88.

COUNCIL DECISION:

| Council Resolution Number: | | CM-61 | | |
|----------------------------|------------|-----------|------------|--|
| Moved: | Cr I Baird | Seconded: | Cr K Mader | |

That Council receives the list of payments for the month of August 2021 totaling \$387,618.50 being:

- 1. Electronic Funds Transfer EFT 6185 6257, payments from Municipal Fund totaling \$352,702.62.
- 2. Direct Debit payments from the Municipal Fund totaling \$34,915.88.
- 3. Payroll payments from the Municipal Fund totaling \$83,697.96.
- 4. Credit Card payments of \$3,603.53 for the Statement Month of July are included in Direct Debits of \$34,915.88.

| Carried | 5 / 0 |
|---------|-------|
|---------|-------|

| 12.1.3 | Monthly Investment Report August 2021 | |
|------------------------|---------------------------------------|---|
| LOCATION | | Tjuntjuntjara |
| APPLICAN | г | Internal |
| DOCUMENT REF | | NAM472 |
| DATE OF REPORT | | 31 August 2021 |
| AUTHOR | | Chief Financial Officer, Antonio Giometti |
| RESPONSI | BLE OFFICER | Chief Financial Officer, Antonio Giometti |
| DISCLOSURE OF INTEREST | | Nil |
| ATTACHME | INT | Nil |

This item recommends Council receives the investment report for the month of August 2021.

BACKGROUND:

The Chief Executive Officer has delegated authority to invest funds into interest bearing accounts under Delegation 2.5 – Investment of Surplus Funds.

COMMENT:

Below are the current investments for the Shire of Menzies as at 31/08/2021:

| INSTITUTION / ACCOUNT TYPE | SUM | TERM | DATE OF MATURITY | INTEREST RATE | RISK ASSESSMENT |
|---|------------------|------|---------------------|------------------|--------------------|
| NAB – Municipal | \$ 4,294,501.95 | Open | Open | | Medium |
| NAB – Reserve Fund – Cash Maximiser | \$ 12,303,446.24 | Open | Open | 0.010% | Medium |
| NAB – Cash Maximiser | \$ 29,473.09 | Open | Open | 0.010% | Medium |

CONSULTATION:

Nil.

STATUTORY AUTHORITY:

Local Government Act

- 2.7 (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.

3.1. General function

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

6.14 Power to invest

Local Government (Administration) Regulations

- **19C.** Investment of money, restrictions on (Act s. 6.14(2)(a))
- (1) In this regulation —

authorised institution means -

- (a) an authorised deposit-taking institution as defined in the Banking Act 1959 (Commonwealth) section 5; or
- (b) the Western Australian Treasury Corporation established by the Western Australian Treasury Corporation Act 1986;
- (2) When investing money under section 6.14(1), a local government may not do any of the following —
- (a) deposit with an institution except an authorised institution;
- (b) deposit for a fixed term of more than 3 years;
- (c) invest in bonds that are not guaranteed by the Commonwealth Government, or a State or Territory government;
- (d) invest in bonds with a term to maturity of more than 3 years;
- (e) invest in a foreign currency.

POLICY IMPLICATIONS:

Council Policy 4.9 - Investments Delegation 2.5 – Investment of Surplus Funds

FINANCIAL IMPLICATIONS:

Nil.

RISK ASSESSMENT:

| Risk Statement | Level of Risk | Risk Mitigation Strategy |
|---|---------------|--|
| There is always a certain risk in investment of funds as banking institutions are no longer the stable and unfailing institutions they once were. | Medium | Close management of investment. Close attention to financial markets and information. |
| The proposal is to closely | | Diversity of investments as |

| manage the Shire's investments and avoid the possibility of loss on the investment. | much as possible. |
|---|-------------------|
| At the same time this proposal still seeks the safest and not necessarily the most profitable return on investments. | |

STRATEGIC IMPLICATIONS:

4.2 An efficient and effective organisation.

4.2.1 Maintain a high level of corporate governance, responsibility and accountability.

VOTING REQUIREMENTS:

Simple Majority

OFFICER RECOMMENDATION:

That Council receives the investment report for the month of August 2021.

COUNCIL DECISION:

| Council Resolution Number: | | | СМ-62 | |
|----------------------------|------------|-----------|------------|--|
| Moved: | Cr J Dwyer | Seconded: | Cr S Baird | |

That Council receives the investment report for the month of August 2021.

| Carried | 5 / 0 |
|---------|-------|

| 12.1.4 | Unaudited Financial Report for the year ended 30 June 2021 | | | |
|------------------------|--|--|--|--|
| LOCATION | | Shire of Menzies | | |
| APPLICANT | | Internal | | |
| DOCUMEN | ſ REF | NAM459 | | |
| DATE OF REPORT | | 13 September 2021 | | |
| AUTHOR | | Chief Executive Officer, Brian Joiner | | |
| RESPONSI | BLE OFFICER | CEO, Brian Joiner | | |
| DISCLOSURE OF INTEREST | | Nil | | |
| ATTACHMENT | | 1. Menzies 2020-21 AFS [12.1.4.1 - 50 pages] | | |

The unaudited Financial Statements to the end of 30 June 2021 are provided for the information and consideration of the Council.

BACKGROUND:

Financial Statements are prepared each financial year and include the Statement of Comprehensive Income and Statement of Financial Position as at 30 June 2021. The Financial Statements are now provided to the Shire's external auditors.

COMMENT:

In accordance with the agreed audit schedule, the audited Financial Statements should be available by the start of December. The timeframes are in accordance with statutory requirements.

CONSULTATION:

Moore Australia, Consultants.

STATUTORY AUTHORITY:

Nil.

POLICY IMPLICATIONS:

Nil

FINANCIAL IMPLICATIONS:

There are no financial implications from the recommendations of this report.

RISK ASSESSMENT:

| Risk Statement | Level of Risk | Risk Mitigation Strategy |
|----------------|---------------|--------------------------|
| N/A | | |
| | | |

STRATEGIC IMPLICATIONS:

4.2 An efficient and effective organisation.

4.2.1 Maintain a high level of corporate governance, responsibility and accountability.

VOTING REQUIREMENTS:

Simple Majority

AUDIT COMMITTEE AND OFFICER RECOMMENDATION:

That Council Receive the Annual Financial Statements as at 30 June 2021.

COUNCIL DECISION:

| Council Resolution Number: | | | CM-63 | |
|----------------------------|------------|-----------|------------|--|
| Moved: | Cr J Dwyer | Seconded: | Cr K Mader | |

That Council receives the Annual Financial Statements as at 30 June 2021.

| Carried 5 / 0 |
|---------------|
|---------------|

| 12.1.5 | Budget - Two Month Interim Review | | | | |
|------------|-----------------------------------|--|---|--|--|
| LOCATION | | Shire of Menzies | | | |
| APPLICANT | | Internal | | | |
| DOCUMEN | T REF | NAM | Л455 | | |
| DATE OF R | DATE OF REPORT | | 31 August 2021 | | |
| AUTHOR | AUTHOR | | Chief Financial Officer, Antonio Giometti | | |
| RESPONSI | BLE OFFICER | Chief Financial Officer, Antonio Giometti | | | |
| DISCLOSU | RE OF INTEREST | Nil | | | |
| ATTACHMENT | | 1. Budget Review NT as per 31102021 [12.1 - 1 page] | | | |
| | | 2. | Budget Review Aug 2021 Exp Operational Capital [12.1.5.2 - 3 pages] | | |

This item provides Council with an interim budget review as at the end of August 2021.

BACKGROUND:

This interim budget review was undertaken by the Chief Financial Officer in consolation with the Chief Executive Officer and Works Manager.

It is based on comparison of actual revenue and expenditure information as at 31 August 2021 and budget projects to 31 August 2021.

This review was undertaken as an extraordinary review to ensure the sensibility and application of budget and the related revenue and expenditure for the period.

COMMENT:

This review is not the statutory Budget Review, but an awareness and check review.

The review has shown:

- 1. Overall revenue and expenditure actuals to the 31 August 2021 are within the overall budgeted revenue and expenditure for the same period
- 2. Total Comprehensive Income for this period is \$748,319 ahead of budget for the period.
- 3. The review has highlighted a few expenditure items that have been applied to the incorrect IE Codes, these are being reviewed and rectified.
- 4. Actual Operating Expenditure to 31 August 2021 is \$120,458 below Budget for the same period.

- 5. Actual Capital Expenditure to 31 August 2021 is \$1,567,935 below Budget for the same period. This is attributed to Budget being straight-lined.
- 6. Post this review the Capital Expenditure budget will be reviewed and aligned to proposed periods/months that the expenditure is likely to occur.

CONSULTATION:

Brian Joiner – Chief Executive Officer Garth Marland – Works Manager Moore Australia (Budget Review Template)

STATUTORY AUTHORITY:

Local Government (Financial Management) Regulations 1996 – REG 33A

POLICY IMPLICATIONS:

Nil

FINANCIAL IMPLICATIONS:

As per the attached financial statements.

RISK ASSESSMENT:

| Risk Statement | | Level of Risk | Risk Mitigation Strategy |
|----------------|--|---------------|---------------------------------|
| N/A | | | |
| | | | |

STRATEGIC IMPLICATIONS:

4.2 An efficient and effective organisation.

4.2.1 Maintain a high level of corporate governance, responsibility and accountability.

VOTING REQUIREMENTS:

Absolute Majority

AUDIT COMMITTEE AND OFFICER RECOMMENDATION:

That Council Adopt the Interim Budget Review.

COUNCIL DECISION:

| Council Resolution Number: | | | CM-64 | |
|----------------------------|------------|-----------|------------|--|
| Moved: | Cr J Dwyer | Seconded: | Cr I Baird | |

That Council adopts the Interim Budget Review.

| Carried 570 |
|-------------|
|-------------|

| 12.1.6 | Risk managemen | t updates September 2021 | | |
|------------------------|----------------|---|--|--|
| LOCATION | | Shire of Menzies | | |
| APPLICANT | | Internal | | |
| DOCUMENT REF | | NAM458 | | |
| DATE OF REPORT | | 31 August 2021 | | |
| AUTHOR | | Chief Financial Officer, Antonio Giometti | | |
| RESPONSIBLE OFFICER | | Chief Financial Officer, Antonio Giometti | | |
| DISCLOSURE OF INTEREST | | Nil | | |
| ATTACHME | ENT | CONFIDENTIAL REDACTED - Menzies Risk Register August 2021 [12.1.6.1 - 9 pages] CONFIDENTIAL REDACTED - Shire of Menzies - Draft Risk Profiles August 2021 [12.1.6.2 - 6 pages] | | |

Summary of risk management activities since June 2021, including risk profile updates, summary report (as included in confidential attachments to the agenda).

BACKGROUND:

Prior to 30 June 2018, meetings with the Chief Executive Officers (CEO's) for the Shires of Leonora, Laverton, Menzies and Wiluna were held, where opportunities for collaboration and service sharing were discussed. From these meetings, it was considered a viable opportunity to further explore the possibility of engaging the services of a consultancy company to perform the Statutory Compliance Services for the four local governments, given many already engaged consultants to assist with a variety of work.

The Shires of Leonora, Laverton, Menzies and Wiluna (known as NGCG – Northern Goldfields Compliance Group) supported proceeding to the tender stage for Statutory Compliance Services and subsequently the tender was awarded to Moore Stephens (now known as Moore Australia). This tender included risk management support services, and the delivery of statutory support and compliance services.

Since the service with Moore Australia commenced in 2018/19, the Shire has adopted an updated risk management policy which aligns to AS/NZS ISO 31000:2018 Risk Management Guidelines. A Risk Management Strategy was also prepared utilising the Principles, Framework and Process as defined within the standard. The Strategy considers the context of the Shire and conforms to the requirements of the standard by providing the necessary guidance and direction to be followed by the Shire in its risk management activities, and is aligned with the risk management policy.

COMMENT:

The Risk Management Strategy provides guidance and direction around risk management activities, including the assessment, prioritisation, and communication of risk. This includes the reporting of risks through the Audit and Risk Committee. The tender response from Moore Stephens also set out the delivery of risk management services through quarterly 'dashboard reports', bi-annual 'summary reports' and an annual 'risk control assurance workshop'.

A risk control assurance workshop was held with the NGCG in February 2019, which assisted to set out activities over the next twelve months. The workshop included discussions around the examination, review and updating of risks, as well as themes/profiles, controls, and frameworks. The group requested a generic set of 'risk profiles' be developed by Moore Australia which could then be reviewed and updated to apply to individual local governments. These draft risk profiles were utilised to develop a draft risk register, which was created and populated as an extension to existing online registers service provided by Moore Australia. These activities formed the foundation for risk management activities to be reported and monitored to the Audit Committee.

In February and March 2021, Moore Australia conducted a site visit with the NGCG to review and update the risk profiles for each local government, and to populate the risk register with updated controls to calculate residual risks to be reported to the Audit Committee. An off-site review was also performed in June 2021. The risk profiles have been utilised to further update the risk register. A summary of updates to the risk profiles, the risk register and risk profiles up to August 2021 are included as a confidential attachment for the Committee's information. The document is included as a confidential attachment, as it includes the controls to be implemented / actioned by the Shire. Publication of such information may present a risk in the efforts to minimise risk.

The risk summary report is intended to be provided bi-annually to the committee. This report enables analysis of what has changed for the organisation, and whether these changes result in new or emerging risks against each risk profile. This subsequently allows the risk register to be updated, and to summarise new risks or changes to existing risks for the committee. The risk summary report highlighting risk changes identified against each profile since the last review, including actions and treatments in place for high level risks, is attached.

A quarterly dashboard report is essentially a progress report informing the committee with a summary of the current number of risks, unaddressed high-level risks, total new risks etc. The attached quarterly report, Menzies Risk Register August 2021, was undertaken by the CEO, CFO and Governance Manager – 27 August 2021, and the table below demonstrates risk movements post the assessments.

| Risk Category | No. of High or Extreme Rated Risks Identified | No. of High or Extreme Rated Risks after Treatment | No. of New Risks Identified (August 2021) | No. of Risks Closed (August 2021) |
|---|--|--|---|---|
| Performance | 2 | 1 | 0 | 0 |
| Environmental | 2 | 2 | 0 | 0 |
| Reputational Damage | 2 | 0 | 0 | 0 |
| Financial | 4 | 1 | 0 | 0 |
| Service Delivery / Business Interruption | 5 | 2 | 0 | 0 |
| Legislative / Regulatory / Policy/ Occupational Safety and Health | 4 | 1 | 0 | 1 |

The risk register is to be updated with applicable recommendations (including best practice initiatives) resulting from focus audits and other reports recently published by the Office of the Auditor General (OAG) relating to the local government sector, in consultation with staff.

Discussions with Moore Australia as well as future site visit will be undertaken to further update risk profiles, actions, and treatments for the next reporting period. These reports will be updated for the next meeting for committee information.

CONSULTATION:

Moore Australia (Consultants). Senior Management Team.

STATUTORY AUTHORITY:

Regulation 17.1 of the *Local Government (Audit) Regulations* 1996 requires the CEO to monitor the appropriateness and effectiveness of systems and procedures regarding risk management, internal controls, and legislative compliance.

POLICY IMPLICATIONS:

The Risk Management Policy outlines the Shire's commitment and approach to managing risks impacting day-to-day operations and the delivery of strategic objectives.

FINANCIAL IMPLICATIONS:

Provision is included in the 2021/22 Adopted Budget for Moore Australia to deliver Statutory Compliance Services, including risk management, in line with the awarded tender.

RISK ASSESSMENT:

| Risk Statement | Level of Risk | Risk Mitigation Strategy |
|---|--|--|
| This item has been evaluated against the Shire of Menzies' Risk Management Strategy, Risk Assessment Matrix. | The perceived level of risk is high prior to treatment. | The progression of risk management activities aligned with the Risk Management Strategy will reduce the risk to low. |

STRATEGIC IMPLICATIONS:

One of Council's responsibilities in risk management is to be satisfied risks are identified, managed, and controlled appropriately, to achieve Shire's strategic objectives, as well as to support the allocation of funds / resources to treat risks as required.

The Chief Executive Officer and executive team play a key role in the establishment and development of an effective risk management framework. To ensure the successful delivery of the Strategic Planning objectives, the strategy requires ongoing monitoring and revision for alignment to the Plan for the Future.

One role of the audit committee is to monitor identified strategic high-level risks and their treatment solutions to ensure the community receives the services delivered effectively as outlined within the Plan for the Future.

Monitoring and reviewing activities will continue to provide evidence of the appropriateness and effectiveness of systems and procedures regarding risk management, internal control, and legislative compliance, as required by the Local Government (Audit) Regulations 1996. The Risk Management Strategy also provides direction for the implementation of risk management activities.

The Shire's Strategic Community Plan 2021-2031 strategies:

4.1 A strategically focused Council, leading our community.

4.1.1 Provide strategic leadership and governance.

4.2 An efficient and effective organisation.

4.2.1 Maintain a high level of corporate governance, responsibility, and accountability.

VOTING REQUIREMENTS:

Simple Majority

AUDIT COMMITTEE AND OFFICER RECOMMENDATION:

That Council:

- 1. Receive the revised risk profiles, summary report as included in the confidential attachments to the agenda, and the above report updating risk management activities undertaken to date; and
- 2. Adopts the changes to the risk profiles.

COUNCIL DECISION:

| Council Resolution Number: | | | CM-65 | |
|----------------------------|------------|-----------|------------|--|
| Moved: | Cr J Dwyer | Seconded: | Cr S Baird | |

That Council:

- 1. Receives the revised risk profiles, summary report as included in the confidential attachments to the agenda, and the above report updating risk management activities undertaken to date; and
- 2. Adopts the changes to the risk profiles.

12.2 Administration Reports

| 12.2.1 | Integrity snapshot and implementation of the Integrity Strategy 2020-2023 | | | |
|------------------------|---|---|--|--|
| LOCATION | | Shire of Menzies | | |
| APPLICANT | | Internal | | |
| DOCUMENT REF | | NAM456 | | |
| DATE OF REPORT | | 31 August 2021 | | |
| AUTHOR | | Chief Executive Officer, Brian Joiner | | |
| RESPONSIBLE OFFICER | | Chief Executive Officer, Brian Joiner | | |
| DISCLOSURE OF INTEREST | | Nil | | |
| ATTACHMENT | | Integrity Strategy [12.2.1.1 - 16 pages] Integrity Snapshot Tool - Shire of Menzies August 2021 [12.2.1.2 - 9 pages] | | |

SUMMARY:

This paper provides Council with information on the Public Service Commission's Integrity Strategy for Public Authorities and the completed Integrity Snapshot Tool.

BACKGROUND:

The Public Service Commission has published the Integrity Strategy with an expectation that all public authorities will commit to implementing the strategy and taking action.

There are four actions for public authorities detailed within the strategy:

Plan and Act to Improve Integrity -

- Improve Integrity Framework.
- Continue to Improve.
- Use Data to Drive Change.
- Reassess Approach.
- Evaluate Detection Systems.
- Audit and Risk Controls.

Model and Embody a Culture of Integrity -

- Prioritise Integrity.
- Develop Together.
- Evaluate and Build.
- Build Capability.
- Set Clear Expectations.

- Embed Practice.
- Adopt the Mindset.

Learn and Develop Integrity Knowledge and Skills -

- Participate Actively.
- Induct and Train Staff.
- Educate for Prevention.
- Improve Continuously.
- Capability Gaps.
- Use Insights.
- Adopt Contemporary Practice.

Be Accountable for Integrity -

- Report Misconduct Online.
- Oversee Integrity.
- Review for Learning.
- Respond to Risks.
- Take Action.
- Be Accountable.

COMMENT:

The Shire has introduced some initiatives to align with the framework.

Plan and Act to Improve Integrity -

- The self-assessment tool has been completed and is attached to this report.
- EFT Sure has been introduced to minimise the risk of fraudulent transactions.
- An internal Compliance Audit Review is conducted quarterly.

Model and Embody a Culture of Integrity -

- Integrity is a corporate value and is modelled by Council and senior staff.
- Recruitment has focused on values alignment.
- Policies and Codes of Conduct align with the framework.

Learn and Develop Integrity Knowledge and Skills -

- Integrity snapshot tool completed.
- Induction training to incorporate integrity training.
- Relevant investigations are circulated to all staff with any learnings applicable to the Shire.

Be Accountable for Integrity -

- Learnings from Commission reviews and other reviews (e.g. OAG) are circulated to all staff.
- Integrity has been added as a standing item at all leadership meetings.

CONSULTATION:

Nil.

STATUTORY AUTHORITY:

N/A.

POLICY IMPLICATIONS:

Nil.

FINANCIAL IMPLICATIONS:

Nil.

RISK ASSESSMENT:

| Risk Statement | Level of Risk | Risk Mitigation Strategy |
|----------------|---------------|---------------------------------|
| N/A | | |
| | | |

STRATEGIC IMPLICATIONS:

4.2 An efficient and effective organisation.

4.2.1 Maintain a high level of corporate governance, responsibility and accountability.

VOTING REQUIREMENTS:

Simple Majority

AUDIT COMMITTEE AND OFFICER RECOMMENDATION:

That Council:

- 1. Notes the Public Service Commission Integrity Strategy;
- 2. Commits to improving integrity through the key actions within the Integrity Strategy;
- 3. Notes the results of the Integrity Snapshot Tool.

COUNCIL DECISION:

| Council Resolution Number: | | | CM-66 | |
|----------------------------|------------|-----------|------------|--|
| Moved: | Cr I Baird | Seconded: | Cr J Dwyer | |

That Council:

- 1. Notes the Public Service Commission Integrity Strategy;
- 2. Commits to improving integrity through the key actions within the Integrity Strategy; and
- 3. Notes the results of the Integrity Snapshot Tool.

| Carried 5 / 0 |
|---------------|
|---------------|

| 12.2.2 | Attendance at SE | Attendance at SEGRA Conference | | |
|------------------------|------------------|---|--|--|
| LOCATION | | Shire of Menzies | | |
| APPLICANT | | Internal | | |
| DOCUMENT REF | | NAM468 | | |
| DATE OF REPORT | | 13 September 2021 | | |
| AUTHOR | | Chief Executive Officer, Brian Joiner | | |
| RESPONSIBLE OFFICER | | Chief Executive Officer, Brian Joiner | | |
| DISCLOSURE OF INTEREST | | CEO declares an impartiality interest | | |
| ATTACHMENT | | 1. segra-2021-program-brochure [12.2.2.1 - 6 pages] | | |

This paper is for Council to approve attendance at the 2021 SEGRA (Sustainable Economic Growth for Regional Australia) Conference in Kalgoorlie.

BACKGROUND:

The 2021 Conference is to be held in Kalgoorlie between the 15th and 18th of November. The Conference provides delegates with an opportunity to participate in sessions discussing relevant topics and network with peers within the industry.

The Conference program is included as an attachment to this paper and contains all of the information relevant to the background for this paper.

COMMENT:

The policy relevant to attendance at this Convention is:

Policy 1.11 (Attendance at Events) requires the CEO to provide information in relation to attendance:

- Tickets to the event will be funded by the Shire.
- The event is held out of the Shire in Kalgoorlie.
- Attendees will be participants in the conference, noting that delegates are not required.
- Attendance costs will be provided by the Shire, with the Shire being a partial sponsor through GVROC.
- As per the background of this paper, the benefit is in having access to peers, and knowledgeable speakers.
- The CEO attendance is of benefit to the Shire through the information gained during the conference.
- Elected members will benefit through information gained during the conference.

Cost to attend the event is \$1,955 which includes registration \$1,195 (Days 1 & 2), accommodation \$460, allowance for travel \$200 and ancillaries \$100 (noting that some meals are included).

Due to the upcoming Council Elections in October 2021, it is not practicable to nominate persons at this time. However, a number of attendees is required in order to book accommodation and event tickets.

CONSULTATION:

N/A.

STATUTORY AUTHORITY:

N/A

POLICY IMPLICATIONS:

Policy 1.11 - Attendance at Events. Policy 3.2 - Conference, Meetings & Training – Attendance & Expenses.

FINANCIAL IMPLICATIONS:

The cost for each attendee is estimated at \$1,955. This is budgeted for elected officials under GL 2040104 MEMBERS – Training and Development and for the CEO under GL 2040200 OTH GOV – Employee Costs.

The Shire receives one free ticket as part of the GVROC sponsorship.

RISK ASSESSMENT:

| Risk Statement | Level of Risk | Risk Mitigation Strategy |
|----------------|---------------|---------------------------------|
| N/A | | |
| | | |
| | | |
| | | |
| | | |

STRATEGIC IMPLICATIONS:

- 4.1 A strategically focused Council, leading our community.
- 4.1.2 Effectively represent, promote and advocate for the community and district.

VOTING REQUIREMENTS:

Simple Majority

OFFICER RECOMMENDATION:

That Council Approve the attendance of {number} of Councilors, to be nominated at the October OCM, and the CEO Mr Brian Joiner at the 2021 SEGRA Conference in Kalgoorlie.

COUNCIL DECISION:

| Council Resolution Number: | | | СМ-67 | |
|----------------------------|------------|-----------|------------|--|
| Moved: | Cr J Dwyer | Seconded: | Cr I Baird | |

That Council approves the attendance of all Councillors wishing to attend, and the CEO Mr Brian Joiner, at the 2021 SEGRA Conference in Kalgoorlie.

| Carried | 5 / 0 |
|---------|-------|

| 12.2.3 | Ordinary Council Meeting dates for 2022 | |
|------------|---|---------------------------------------|
| LOCATION | | Shire of Menzies |
| APPLICAN | г | Internal |
| DOCUMEN | T REF | NAM474 |
| DATE OF R | EPORT | 13 September 2021 |
| AUTHOR | | Chief Executive Officer, Brian Joiner |
| RESPONSI | BLE OFFICER | Chief Executive Officer, Brian Joiner |
| DISCLOSU | RE OF INTEREST | Nil |
| ATTACHMENT | | Nil |

The dates of the Ordinary Meeting Dates for 2022 are provided for Council approval.

BACKGROUND:

Local Government (Administration) Regulations 1996 state:

The CEO must publish on the local government's website the meeting details for the following meetings before the beginning of the year in which the meetings are to be held:

- (a) ordinary council meetings;
- (b) committee meetings that are required under the Act to be open to members of the public or that are proposed to be open to members of the public.

COMMENT:

Meeting dates will be promulgated on the Shire website.

CONSULTATION:

Nil.

STATUTORY AUTHORITY:

Local Government (Administration) Regulations 1996. Regulation 12.

POLICY IMPLICATIONS:

In accordance with Council Policy 3.8 Ordinary Council Meetings shall be on the last Thursday of every month commencing at 1pm.

In accordance with Council Policy 3.9 Ordinary Council Meetings shall be held at Menzies except for two (2) meetings each year that may be held in Tjuntjuntjara or Kookynie.

FINANCIAL IMPLICATIONS:

Nil.

RISK ASSESSMENT:

| Risk Statement | Level of Risk | Risk Mitigation Strategy |
|----------------|---------------|--------------------------|
| N/A | | |
| | | |

STRATEGIC IMPLICATIONS:

4.2 An efficient and effective organisation.

4.2.1 Maintain a high level of corporate governance, responsibility and accountability.

VOTING REQUIREMENTS:

Simple Majority

OFFICER RECOMMENDATION:

That Council:

1. Approves the following Ordinary Council Meeting dates for 2022 with the December meeting being one (1) week earlier due to public holidays:

| Thursday 27 January | 1pm | Menzies |
|-----------------------|-----|---------------|
| Thursday 24 February | 1pm | Menzies |
| Thursday 31 March | 1pm | Menzies |
| Thursday 28 April | 1pm | Tjuntjuntjara |
| Thursday 26 May | 1pm | Menzies |
| Thursday 30 June | 1pm | Menzies |
| Thursday 28 July | 1pm | Menzies |
| Thursday 25 August | 1pm | Menzies |
| Thursday 29 September | 1pm | Tjuntjuntjara |
| Thursday 27 October | 1pm | Menzies |
| | | |

| Thursday 24 November | 1pm | Menzies |
|----------------------|-----|---------|
| Thursday 22 December | 1pm | Menzies |

2. Approves the following Audit and Risk Committee Meeting dates for 2022:

| Thursday 24 March | 11am | Menzies |
|-----------------------|------|---------|
| Thursday 23 June | 11am | Menzies |
| Thursday 22 September | 11am | Menzies |
| Thursday 15 December | 11am | Menzies |

COUNCIL DECISION:

| Council Resolution Number: | | | CM-68 | |
|----------------------------|------------|-----------|------------|--|
| Moved: | Cr K Mader | Seconded: | Cr S Baird | |

That Council:

1. Approves the following Ordinary Council Meeting dates for 2022 with the December meeting being one (1) week earlier due to public holidays:

| 1pm | Menzies |
|-----|---|
| 1pm | Menzies |
| 1pm | Menzies |
| 1pm | Tjuntjuntjara |
| 1pm | Menzies |
| 1pm | Tjuntjuntjara |
| 1pm | Menzies |
| 1pm | Menzies |
| 1pm | Menzies |
| | 1pm 1pm 1pm 1pm 1pm 1pm 1pm 1pm 1pm |

2. Approves the following Audit and Risk Committee Meeting dates for 2022:

| Thursday 24 March | 11am | Menzies |
|-----------------------|------|---------|
| Thursday 23 June | 11am | Menzies |
| Thursday 22 September | 11am | Menzies |
| Thursday 15 December | 11am | Menzies |

| Carried | 5 / 0 |
|---------|-------|

| 12.2.4 | Freedom of Inform | reedom of Information Statement | |
|--------------------|--------------------------|--|--|
| LOCATION | | Tjuntjuntjara | |
| APPLICANT Internal | | Internal | |
| DOCUMEN | T REF | NAM464 | |
| DATE OF R | REPORT 14 September 2021 | | |
| AUTHOR | | Manager Governance & Minor Projects, Jan Hancock | |
| RESPONSI | BLE OFFICER | Manager Governance & Minor Projects, Jar Hancock | |
| DISCLOSU | RE OF INTEREST | Nil | |
| ATTACHM | ENT | 1. DRAFT Shire of Menzies FOI Statement Setember 2021 [12.2.4.1 - 12 pages] | |

In accordance with the requirements of Part 5, *Freedom of Information Act 1992* (the Act) S94 the Shire is required to prepare an Information Statement which is to be reviewed and published annually on its website. On adoption the document is to be provided to the FOI Commissioner.

The Shire also publishes an Information Statement in its Annual Report outlining the type of information available to the public and how to request this information.

BACKGROUND:

The *Western Australian Freedom of Information Act 1992* (the Act) is designed to enable the public to participate more effectively in governing the State, and to make the persons and bodies that are responsible for State and local government more accountable to the public.

The Act provides the right to apply for access to documents held by State Public Sector agencies which includes local governments.

The Shire's Information Statement includes information on:

- Documents held by the Shire
- Structure and functions of the Shire
- Documents freely available to the public
- Description of the kind of documents generated and held by the Shire
- Organisational purpose and structure
- How to access non-personal documents
- How to amend personal information

The Shire isrequired to assist the public obtain access to documents at the lowest reasonable cost, and to ensure that personal information held is accurate, complete, up to date and not misleading. The right to apply is not affected by any reasons for wishing to obtain access, or the agency's belief as to what the reasons are for applying.

COMMENT:

This Shire of Menzies's Freedom of Information Statement fulfils the Shire's obligation in this regard and is correct as of August 2021.

The Shire has undertaken to release, at cost, or free of cost unclassified Shire information / documentation that is of public interest to residents and other stakeholders

CONSULTATION:

External Consultant

STATUTORY AUTHORITY:

Part 5, Freedom of Information Act 1992

POLICY IMPLICATIONS:

There are no policy implications resulting from the recommendation of this report

FINANCIAL IMPLICATIONS:

Negligible cost involved in photocopying, if required.

RISK ASSESSMENT:

| Risk Statement | Level of Risk | Risk Mitigation Strategy |
|--|---------------|---------------------------------|
| This item has been evaluated against the Shire's Risk Management Strategy, Risk Assessment Matrix. | | |

STRATEGIC IMPLICATIONS:

4.2 An efficient and effective organisation.

4.2.1 Maintain a high level of corporate governance, responsibility and accountability.

4.2.2 Provide appropriate services to the community in a professional and efficient manner.

VOTING REQUIREMENTS:

Simple Majority

OFFICER RECOMMENDATION:

That Council resolves to adopt the draft 2021 Freedom of Information (FOI) Statement.

COUNCIL DECISION:

| Council Resolution Number: | | | CM-69 | |
|----------------------------|------------|-----------|------------|--|
| Moved: | Cr J Dwyer | Seconded: | Cr K Mader | |

That Council resolves to adopt the draft 2021 Freedom of Information (FOI) Statement.

| Carried | 5 / 0 |
|---------|-------|

| 12.2.5 | Draft Policy 1.1.2 | - Employee Code of Conduct | | |
|---------------------|--------------------|---|--|--|
| LOCATION | | Tjuntjuntjara | | |
| APPLICANT | | Internal | | |
| DOCUMENT REF | | NAM465 | | |
| DATE OF REPORT | | 14 September 2021 | | |
| AUTHOR | | Manager Governance & Minor Projects, Jan Hancock | | |
| RESPONSIBLE OFFICER | | Manager Governance & Minor Projects, Jan Hancock | | |
| DISCLOSU | RE OF INTEREST | Nil | | |
| ATTACHME | ENT | DRAFT Policy 1 1 2 Code of Conduct for Employees August 2021 [E3NL] [12.2.5.1 - 15 pages] | | |

Previously the Shire had a single Code of Conduct for Council Members, Committee Members and Employees which was adopted by Council. New legislation requires that there be a separate Code of Conduct for Council Members, Committee Members and Candidates for Election, adopted by the Council, and for Employees, adopted by Council and the CEO.

BACKGROUND:

The Code sets out principles and standards of behaviour that employees must observe when performing their duties and is intended to promote accountable and ethical decision-making. However, the Code does not establish a rule for every situation an employee may face while performing their role and undertaking their duties daily.

The Code contains certain matters for employees which must be addressed as a requirement of legislation, including gifts and conflicts of interest, as well as the standards around personal behaviour, which if breached, may lead to reporting and action being taken under the Code.

In view of this, the Code details explanatory matters around key areas of:

- professional conduct
- record keeping
- use of Shire resources and finances
- conflict of interest, gifts, and benefits
- reporting breaches of the Code

COMMENT:

Employees of the Shire of Menzies (the Shire) are subject to the provisions of the Code upon their acceptance of employment and while they remain employed by the Shire.

The Code is an important document in outlining the expectations of employee behaviour and aims to ensure that the Shire of Menzies's residents, ratepayers and stakeholders will recognise the high standards of service and ethical decision making by all employees.

CONSULTATION:

External Consultant

STATUTORY AUTHORITY:

Local Government Act 1995

POLICY IMPLICATIONS:

Nil

FINANCIAL IMPLICATIONS:

Nil

RISK ASSESSMENT:

| Risk Statement | Level of Risk | Risk Mitigation Strategy |
|--|---------------|--|
| This item has been evaluated against the Shire's Risk Management | | · · |
| Strategy, Risk Assessment Matrix | low/medium. | Employee Code of Conduct as required by the |
| | | Local Government Act 1995 |

STRATEGIC IMPLICATIONS:

- 4.1 A strategically focused Council, leading our community.
- 4.1.1 Provide strategic leadership and governance.
- 4.2 An efficient and effective organisation.
- 4.2.1 Maintain a high level of corporate governance, responsibility and accountability.

4.2.3 Provide a positive and safe workplace.

VOTING REQUIREMENTS:

Simple Majority

OFFICER RECOMMENDATION:

That Council resolves to adopt the draft Policy 1.1.2 Code of Conduct – Employees.

COUNCIL DECISION:

| Council Resolution Number: | | | CM-70 | |
|----------------------------|------------|-----------|------------|--|
| Moved: | Cr S Baird | Seconded: | Cr J Dwyer | |

That Council resolves to adopt the draft Policy 1.1.2 Code of Conduct – Employees.

| Carried | 5/0 |
|---------|-----|
| Garried | 0,0 |

| 12.2.6 | CEO Credit Card | it Card | |
|--------------------|-----------------|---|--|
| LOCATION | l | Shire of Menzies | |
| APPLICANT Internal | | Internal | |
| DOCUMEN | T REF | NAM467 | |
| DATE OF F | REPORT | 21 September 2021 | |
| AUTHOR | | Manager Governance & Minor Projects, Jan Hancock | |
| RESPONSI | BLE OFFICER | Manager Governance & Minor Projects, Jan Hancock | |
| DISCLOSU | RE OF INTEREST | Nil | |
| ATTACHM | ENT | Credit Card Payment Requisition Menzies [12.2.6.1 - 1 page] Policy 4.5 Credit Card Facility - Amended & Adopted 28 May 2020 [12.2.6.2 - 2 pages] | |

The Shire of Menzies has undertaken to review Governance/Compliance controls to ensure their effectiveness and mitigate risks for the Shire.

BACKGROUND:

In some instances, purchases are required from businesses that do not accept a Purchase Order (Shire's preferred method of purchasing/payment), or in circumstances where it is impractical to obtain a Purchase Order or make alternative arrangements. In this instance the CEO's corporate credit card is utilised adhering to the Credit Card Policy (attached for information).

The Chief Executive's authorised corporate credit card has a maximum limit of \$25,000.

COMMENT:

A review was undertaken to identify any gaps in the process and provide more stringent controls. The table below outlines the current process and suggested changes.

| Current Controls | Suggested Amendment to Controls | Required amendments to Credit Card Payment Request Form |
|--|---|---|
| Identify items to be purchased | Identify items to be purchased | |
| Complete Credit Card Request form: | Complete Credit Card Request form: | Include a tick box indicating that the credit |
| Provide required finance codes | Is this request within Policy guidelines? | card request is within Credit Card Policy |
| Description of goods | Provide required | guidelines |

| DO not required | finance codes | e Include information on |
|--|--|---|
| PO not required | Description of goods | Include information on Credit Card Request form that Credit Card Policy 4.5 is to be adhered to. Where reference is made |
| | | to the Purchasing Policy include the Policy No. 4.2. |
| | Is purchase within budget | Update Credit Card Request form with a tick box indicating that the request is within budget |
| | Only transactions that cannot be paid via creditors, i.e. Airline flights or items being purchased, where a PO and creditor payment is impractical (i.e. Office National (Kalgoorlie). Maximum transaction purchase value \$5,000. | Credit Card Request form to be updated with this information |
| | Provide guidance on items that will not be approved for credit card use. | Credit Card Request form to be updated accordingly. |
| Sign off by CEO | Sign off: • Senior Manager; and • CEO | Add area for sign off by Senior Manager |
| Complete transaction | Complete transaction | |
| · · | | Lindata Cradit Card Request form |
| Provide a copy of the Credit Card Request Form and a copy of the order (paid invoice) to Accounts. | Provide a copy of the Credit Card Request Form and a copy of the order (paid invoice) to Accounts. | Update Credit Card Request form accordingly |
| Accounts will raise a PO for the Bank (Credit Card) | Accounts will raise a PO for the Bank (Credit Card) | |
| | Save all documentation to Synergy Soft (in accordance with r19 Local Government (Administration) Regulations 1996 | Update Credit Card Request form accordingly |
| Reconciled at month end by accounts staff | Reconciled at month end by accounts staff | |
| Reconciled accounts are signed off by CFO | Reconciled accounts are signed off by CFO | |
| Reconciled accounts are provided monthly to Council within the 'Statement of Accounts' with a hard copy list of credit card payments | Reconciled accounts are provided monthly to Council within the 'Statement of Accounts' with a hard copy available at the OCM | |
| available at the OCM | | |

CONSULTATION:

Chief Financial Officer

STATUTORY AUTHORITY:

Nil

POLICY IMPLICATIONS:

There are no policy implications resulting from the recommendation of this report.

FINANCIAL IMPLICATIONS:

There are no financial implications resulting from the recommendation of this report.

RISK ASSESSMENT:

| Risk Statement | Level of Risk | Risk Mitigation Strategy |
|--|---------------|--|
| Staff may not be aware of the controls when requesting to make a credit card payment or the requirement to raise a Purchase Order in preference to utilising the CEO's corporate credit card. | low | Update the controls for credit card usage and ensure consistency with the purchasing and credit card policy. |

STRATEGIC IMPLICATIONS:

- 4.1 A strategically focused Council, leading our community.
- 4.1.1 Provide strategic leadership and governance.
- 4.2 An efficient and effective organisation.
- 4.2.1 Maintain a high level of corporate governance, responsibility and accountability.

VOTING REQUIREMENTS:

Simple Majority

AUDIT COMMITTEE AND OFFICER RECOMMENDATION:

That Council Note the actions taken to ensure that the risk of fraudulent transactions via credit card is minimised.

COUNCIL DECISION:

| Council Resolution Number: | | | CM-71 | |
|----------------------------|------------|-----------|------------|--|
| Moved: | Cr J Dwyer | Seconded: | Cr S Baird | |

That Council notes the actions taken to ensure that the risk of fraudulent transactions via credit card is minimised.

| Carried 5 / 0 |
|---------------|
|---------------|

| 12.2.7 | DRFAWA Submission | | | |
|--|-------------------|--|--|--|
| LOCATION | | Shire of Menzies | | |
| APPLICANT | | Internal | | |
| DOCUMENT REF NAM476 | | NAM476 | | |
| DATE OF REPORT | | 23 September 2021 | | |
| AUTHOR | | Chief Executive Officer, Brian Joiner | | |
| RESPONSIBLE OFFICER Chief Executive Of | | Chief Executive Officer, Brian Joiner | | |
| DISCLOSU | RE OF INTEREST | Nil | | |
| ATTACHME | INT | 1. Attachments to Agenda Item 12 2 8 [OGJ8] [12.2.7.1 - 1 page] | | |

This report provides an update to Council on an application for DRFAWA funding and seeks approval to submit the final application.

BACKGROUND:

Between 01 and 05 March 2021 significant storms and floods affected large portions of the South West Land Division and Central Wheat Belt. The Shire of Menzies was affected particularly in the North West portions of the Shire. Several of the roads in this area had significant damage.

Notification was given by Department of Fire and Emergency Services (DFES) that the storm event would be eligible for funding as a natural disaster, 'storm and flood', AGRN962.

The Shire engaged the services of Core Business Australia (CORE), under WALGA's Preferred Supplier Panel, to assist the Shire with damage assessment, cost estimation of repair works, procurement of repair contractors, project administration and supervision of works.

The Shire carried out Emergency Works to reopen severely affected roads, however missed the opportunity to complete Immediate Works therefore the associated EAPR Cost Estimate has been prepared and submitted to DFES. The Shire will complete the work using the Shire's Road Grading and Minor Work contractor.

CORE undertook a detailed damage assessment of damaged EPAs, prepared a Scope of Works to repair the identified EPAs to pre disaster functionality / utility and prepared an EPAR Cost Estimate.

COMMENT:

The Attachments, provided under separate cover due to size limitations, provide the cost estimates and scope of works as determined by the evaluation.

CONSULTATION:

Core Business, consultants. Garth Marland, Works Manager.

STATUTORY AUTHORITY:

Disaster Recovery Funding Arrangements (2018).

POLICY IMPLICATIONS:

Nil.

FINANCIAL IMPLICATIONS:

The Shire will need to rectify damage regardless of the outcome from the DRFAWA submission. The scoping works were covered through 2019/20 FY operational budgets.

A successful submission will improve the Shire budget position for 2020/21 FY.

RISK ASSESSMENT:

| Risk Sta | atement | Level of Risk | Risk Mitigation Strategy |
|----------|---------|---------------|---------------------------------|
| N/A | | | |
| | | | |

STRATEGIC IMPLICATIONS:

- 1.1 An engaged and inclusive community.
- 1.1.3 Provide, maintain and improve community facilities.
- 4.1 A strategically focused Council, leading our community.
- 4.1.2 Effectively represent, promote and advocate for the community and district.
- 4.2 An efficient and effective organisation.

4.2.2 Provide appropriate services to the community in a professional and efficient manner.

VOTING REQUIREMENTS:

Simple Majority

OFFICER RECOMMENDATION:

That Council Approve the submission for DRFAWA funding to rectify damage for the March 2021 storm and flooding event.

COUNCIL DECISION:

| Council Resolution Number: | | | CM-72 | |
|----------------------------|------------|-----------|------------|--|
| Moved: | Cr J Dwyer | Seconded: | Cr K Mader | |

That Council approves the submission for DRFAWA funding to rectify damage for the March 2021 storm and flooding event.

| Carried | 5 / 0 |
|---------|-------|
| | |

| 12.2.8 | Application for management orders for 38 Wilson Street, Menzies | |
|---------------------|---|---------------------------------------|
| LOCATION | | Shire of Menzies |
| APPLICAN | г | Internal |
| DOCUMEN | ſ REF | NAM475 |
| DATE OF REPORT | | 23 September 2021 |
| AUTHOR | | Chief Executive Officer, Brian Joiner |
| RESPONSIBLE OFFICER | | Chief Executive Officer, Brian Joiner |
| DISCLOSU | RE OF INTEREST | Nil |
| ATTACHME | NT | Nil |

This paper seeks Council endorsement for an application to Department of Planning, Lands and Heritage for a management order over 38 Wilson Street, Menzies.

BACKGROUND:

The Shire is about to commence development of its caravan park on the neighboring Reserve 4531 (that has a management order issued to the Shire for the purpose of Caravan Park & Park) and it has emerged through the design and planning for the caravan park that a site is required for disposal of wastewater. The facility can be located upon the 1.3593ha 38 Wilson Street, Menzies such that it meets with the land area, sensitive premises separation distance and connection requirements to service Reserve 4531 through disposal of wastewater by sprinklers. This infrastructure and its ongoing operation and management will be undertaken in accordance with the Department of Health's requirements for this type of facility.

COMMENT:

The subject property is zoned 'Rural' under the Shire of Menzies Local Planning Scheme and is not identified for a development purpose in any statutory or strategic planning documents. The lot's location between the western end of the Menzies townsite and mine activity further to the west means that it would be appropriate and preferable for the land to be under the management of the Shire (rather than disposed of to the private market) to assist in it continuing to serve a buffer/separation role rather than any other more intensive land use.



With the request for access to land, consideration is given to the status of Native Title and other interests that may exist. In order for the State to grant land tenure, it needs to comply with the provisions of the *Native Title Act 1993* (Cth) (NTA) and other legislative requirements.

The Shire has alternative sites if a management order is not forthcoming.

CONSULTATION:

Simon Lancaster, consultant planner. Zenacon Construction Group, design contractors.

STATUTORY AUTHORITY:

Land Administration Act (1997) s41 & 46.

POLICY IMPLICATIONS:

Nil.

FINANCIAL IMPLICATIONS:

If the department supports the request, and the Shire chooses to proceed, the Shire is responsible for the payment of all costs and disbursements associated with the grant.

These costs may include, but not be limited to:

- costs of negotiating and compensating native title parties and other existing land holders
- applying for and approval of other statutory requirements
- purchase price, lease rental, easement or licence fees
- survey and plan preparation costs
- advertising and gazettal costs
- registration and document preparation fees
- GST on any of the above.

Funding is available through the project budget as approved by Council within the 2020/21 FY budget.

RISK ASSESSMENT:

| Risk Statement | Level of Risk | Risk Mitigation Strategy |
|-------------------------------|---------------|---------------------------------|
| Management order not granted. | Medium. | Alternative sites. |

STRATEGIC IMPLICATIONS:

2.1 An innovative, diverse and prosperous economy.

2.1.1 Support local business and encourage further investment in the district.

2.1.2 Continue to work with industry and stakeholders for the economic development of the district.

2.1.3 Advocate for reliable essential utility services to the district.

4.1 A strategically focused Council, leading our community.

4.1.1 Provide strategic leadership and governance.

4.1.2 Effectively represent, promote and advocate for the community and district.

VOTING REQUIREMENTS:

Simple Majority

OFFICER RECOMMENDATION:

That Council Endorse a submission to Department of Planning, Lands and Heritage for a management order over 38 Wilson Street, Menzies.

COUNCIL DECISION:

| Council Re | esolution Number: | | CM-73 | |
|------------|-------------------|-----------|------------|--|
| Moved: | Cr J Dwyer | Seconded: | Cr I Baird | |

That Council endorses a submission to Department of Planning, Lands and Heritage for a management order over 38 Wilson Street, Menzies.

| Carried 5 / 0 |
|---------------|
|---------------|

13 INFORMATION REPORTS

OFFICER RECOMMENDATION:

That Council receive the information reports en bloc.

COUNCIL DECISION:

| Council Resolution Number: | | | CM-74 | |
|----------------------------|------------|-----------|------------|--|
| Moved: | Cr S Baird | Seconded: | Cr K Mader | |

That Council receives the information reports en bloc.

| Carried 5 / 0 |
|---------------|
|---------------|

| 13.1 | Actions performe | ed under delegation for August 2021 | | |
|-----------|------------------|---|--|--|
| LOCATION | | Shire of Menzies | | |
| APPLICANT | | Internal | | |
| DOCUMEN | T REF | NAM436 | | |
| DATE OF R | EPORT | 14 September 2021 | | |
| AUTHOR | | Chief Executive Officer, Brian Joiner | | |
| RESPONSI | BLE OFFICER | Chief Executive Officer, Brian Joiner | | |
| DISCLOSU | RE OF INTEREST | Nil | | |
| ATTACHME | ENT | World Field (Aust) Pty Ltd M 29 438 [13.1.1 - 2 pages] MGK Resources Pty Ltd G 29 31 32 [13.1.2 - 5 pages] | | |
| | | 3. Roxbury Trading Pty Ltd L 29 156 [13.1.3 - 3 pages] | | |

SUMMARY:

To report to the Council actions performed under delegated authority for the month of August 2021.

COMMENT:

To increase transparency this report has been prepared for the Council to identify all actions performed under delegated authority for:

• Bushfire

- · Common Seal
- Planning Approvals
- Building Permits
- Health Approvals
- Ranger Related Issues
- Mining / Exploration / Miscellaneous Applications

Bushfire

The following decisions were undertaken by the Shire of Menzies pursuant to the Bushfire matters for the month.

| Date of decision | Decision ref: | Decision details | Applicant | Other affected person(s) |
|------------------|------------------|------------------|-----------|-----------------------------|
| | | | | |

Common Seal

The following decisions were undertaken by the Shire of Menzies pursuant to the Common Seal for the month.

| Date of decision | Decision ref: | Decision details | Applicant | Other affected person(s) |
|------------------|------------------|------------------|-----------|-----------------------------|
| | | | | |

Planning Approvals

The following decisions were undertaken by the Shire of Menzies pursuant to the Planning applications for the month.

| Date of decision | Decision ref: | Decision details | Applicant | Other affected person(s) |
|------------------|------------------|------------------|-----------|-----------------------------|
| | | | | |

Health Approvals

The following decisions were undertaken by the Shire of Menzies pursuant to Health approvals for the month.

| Date of decision | Decision ref: | Decision details | Applicant | Other affected person(s) |
|------------------|------------------|------------------|-----------|-----------------------------|
| | | | | |

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.

| Date of decision | Decision ref: | Decision details | Applicant | Other affected person(s) |
|------------------|------------------|------------------|-----------|-----------------------------|
| | | | | |

Ranger Related Dog Issues

The following decisions were undertaken by the Shire of Menzies pursuant to Ranger related dog issues for the month.

| Date of decision | Decision ref: | Decision details | Applicant | Other affected person(s) |
|------------------|------------------|------------------|-----------|-----------------------------|
| | | | | |

Applications

The following Mining/Prospecting/Exploration/Miscellaneous Applications were made for the month of August 2021.

| Applicant Name | Application Type | Application Details |
|----------------------------|------------------|------------------------|
| World Field (AUST) Pty Ltd | Mining | M29/438 |
| MGK Resources Pty Ltd | General Purposes | G29/31-32 |
| Roxbury Trading Pty Ltd | Miscellaneous | L29/156 |

| 13.2 | EHO report for August 2021 | | |
|----------------|----------------------------|---------------------------------------|--|
| LOCATION | | Shire of Menzies | |
| APPLICAN | г | Internal | |
| DOCUMENT REF | | NAM470 | |
| DATE OF REPORT | | 16 September 2021 | |
| AUTHOR | | Chief Executive Officer, Brian Joiner | |
| RESPONSI | BLE OFFICER | Chief Executive Officer, Brian Joiner | |
| DISCLOSU | RE OF INTEREST | Nil | |
| ATTACHME | NT | Nil | |

To advise the council of the activities of the Environmental Health Officer / Building Surveyor for the month of August 2021.

BACKGROUND:

The Environmental Health Officer / Building Surveyor undertakes inspections in the Shire of Menzies in relation to legislative requirements as set out in the Public Health Act 2016, Building Act 2011 and associated regulations.

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:

No building permits were processed during the month.

Carried out an inspection of the roadhouse kitchen and toilets with the lessee (and a building contractor) who is working on opening the roadhouse for fuel and general store food sales through a renovated (compliant kitchen) in the original roadhouse building. The lessee is also hoping to expand the general store component of the business into the northern section of the roadhouse building as the business is grows.

Carried out a couple of inspections of the shire café renovation in Shenton Street with the building contractor to answer questions and check on progress.

Health:

Prepared an annual report in accordance with the Food Act requirements and submitted it to the Health Department of WA.

Prepared an annual waste data report (previously waste census) and submitted to DWER as required.

The latest court hearing regarding the Local Government Notice served on the owner of 82 Suiter Street Menzies to clear his property of rubbish was heard on Tuesday 10th August at the Leonora Court of Petty Sessions. The owner did not attend court while the magistrate determined to give the owner one further chance to attend court on the 7th September when the matter will be determined.

Carried out an inspection of the kitchen at the Menzies Hotel. Renovations had not been completed however the owner is making improvements with tiles repaired and some areas of grout repaired however still not completed. Further inspections will be carried out to monitor repairs.

Dealt with many various enquiries relating to health services.

| 13.3 | WHS August Quarterly Report (June-August 2021) | | |
|------------------------|--|---|--|
| LOCATION | | Shire of Menzies | |
| APPLICANT | | Internal | |
| DOCUMENT REF | | NAM452 | |
| DATE OF REPORT | | 14 September 2021 | |
| AUTHOR | | Manager Governance & Minor Projects, Jan Hancock | |
| RESPONSI | BLE OFFICER | Manager Governance & Minor Projects, Jan Hancock | |
| DISCLOSURE OF INTEREST | | Nil | |
| ATTACHMENT | | Nil | |

To report to the Audit Committee on a quarterly basis WHS actions undertaken, to improve safety and reduce organisational risk, during the period June – August 2021. A hard copy of the register will be provided during the Audit Committee.

BACKGROUND:

In April 2021 the Shire approached Core Business to undertake a gap analysis to align/introduce the Shire of Menzies WHS protocols and controls with the *WHS Act 2020*.

Core Business are working with Shire Officers to align the seven (7) key processes:

- Risk Management
- Training & People
- Incident Management
- Asset Management
- Contractor Management
- Chemical & Hazardous Substances
- Policies & Procedures; and
- The implementation of the online system (Monitor)

COMMENT:

To ensure that Council has appropriate oversight of safety management activities this information report is produced with key activities undertaken and provision of the Hazard Register to date (attached).

- Every Thursday Weekly Management and Works Crew Safety Meeting.
- 1 September Quarterly WHS Committee Meeting (next 1st Wednesday in December)

- Weekly Management and Works Crew Safety Meetings.
- 21-25 June Core Site Visit WHS staff training
 - o Safety approach
 - o Contractor Management Key Process Action Plan
 - Hazard & Incident Reporting
 - o Chemical/Hazardous Materials Audit
 - Depot Storage and Housekeeping Plan
- 19-23 July Core Site Visit
 - WHS Training
 - Policies
 - Managing Competencies
 - SWMŠ/JŠA's
 - Chemical Storage
 - o First Aid Kits
 - Fire Extinguishers
- 16-20 August Core Site Visit
 - Chemical Management/Storage Plan/Storage Solutions
 - o Asset Management Plan
 - o Test & Tag
 - First aid Action Items
 - Hazard Reporting/Register and Action Items

| 13.4 | Compliance Cale | lendar Quarterly Report (June-August 2021) | | |
|--|-----------------|---|--|--|
| LOCATION | | Shire of Menzies | | |
| APPLICANT | | Internal | | |
| DOCUMENT REF | | NAM454 | | |
| DATE OF REPORT | | 15 September 2021 | | |
| AUTHOR | | Manager Governance & Minor Projects, Jan Hancock | | |
| | | Manager Governance & Minor Projects, Jan Hancock | | |
| DISCLOSURE OF INTEREST | | Nil | | |
| ATTACHMENT 1. August Quarterly Compliance Calend June- Aug 2021 [13.4.1 - 5 pages] | | | | |

The Compliance Calendar has been created to track and centralise important dates and deadlines associated with the *Local Government Act 1995* and various other regulations and reporting obligations that the Shire are required to undertake.

BACKGROUND:

The Shire is committed to maintain its governance and compliance obligations under its 'Leadership Strategy: Responsible management and good governance, leading an empowered community'.

To enable the Shire to meet its obligations the Compliance Calendar, a dynamic document, has been introduced for reporting to Council on a monthly basis and the Audit Committee on a quarterly basis.

Senior staff update the Compliance Calendar which outlines the status and progress of tasks, providing Council with a clear and concise snapshot of the Shire's current position on the obligatory regulatory requirements.

COMMENT:

All items on the Compliance Calendar for the quarter June to August 2021 have been met, except for the following items:

| TASK | REASON FOR EXCEPTION |
|---|--|
| JUNE | |
| Review permit holders, licences & approvals | Pending check and follow-up with Rates Officer on return from leave |
| Planning Scheme No. 2 | Awaiting final approval by Minister |

| Risk Management Procedures | | |
|---|------------------------------------|--|
| JULY | | |
| Prepare for annual audit & adopt Audit | Preparation for Annual Audit | |
| Committee dates - place dates on | commenced, draft Annual Financial | |
| website (refer to Leonora website which | Statement completed and sent to | |
| has been done by Moore Australia) | Auditors. | |
| | Shire website pending update | |
| AUGUST | | |
| Audit documentation | Actions: | |
| Asset Management Plan- CFO to | Pending completion of Annual | |
| advise | Audit | |
| Financial Management Systems | | |
| Review - CFO to advise | Commenced | |
| Strategic Resource Plan (includes | | |
| LTFP, Asset Management and Risk | Pending completion of Annual Audit | |
| Management) - CFO to advise | | |
| Asset Management Plan | Pending completion of Annual Audit | |
| Financial Management Systems and | Commenced | |
| Procedures Review | | |

| 13.5 | Quarterly Compliance Audit Return (June - August 2021) | | | |
|--------------|--|--|--|--|
| LOCATION | | Shire of Menzies | | |
| APPLICAN | т | Internal | | |
| DOCUMENT REF | | NAM453 | | |
| DATE OF R | REPORT | 15 September 2021 | | |
| AUTHOR | | Manager Governance & Minor Projects, Ja Hancock | | |
| RESPONSI | BLE OFFICER | Manager Governance & Minor Projects, Ja Hancock | | |
| DISCLOSU | RE OF INTEREST | Nil | | |
| ATTACHM | ENT | 1. Quarterly Compliance Audit Return June August 2021 [HNWS] [13.5.1 - 6 pages] | | |

To achieve best practice Shire Administration has introduced a quarterly Compliance Audit Return to ensure compliance deficiencies are identified and rectified prior to the annual CAR (Compliance Audit Return).

BACKGROUND:

Under section 7.13(1) of the *Local Government Act 1995* and *Audit Regulation 13-15* Council is required to undertake, by 31 March of each year, a Statutory Compliance Audit Return (CAR) to identify and rectify deficiencies for the previous calendar year.

COMMENT:

All items on the Compliance Audit Return for the quarter ending June - August 2021 have been met.

| 13.6 | Community Services Report - August 2021 | | |
|------------------------|---|---|--|
| LOCATION | DN Tjuntjuntjara | | |
| APPLICAN | г | Internal | |
| DOCUMEN | T REF | NAM469 | |
| DATE OF R | EPORT | 31 August 2021 | |
| AUTHOR | | Chief Financial Officer, Antonio Giometti | |
| RESPONSIBLE OFFICER | | Chief Financial Officer, Antonio Giometti | |
| DISCLOSURE OF INTEREST | | Nil | |
| ATTACHMENT | | Nil | |

The purpose of this report is to advise Council of Community Service Activities for the month of August 2021.

BACKGROUND:

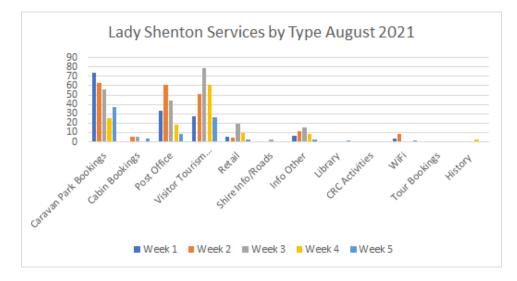
The Lady Shenton Building accommodates the Community Resource Centre, Menzies Visitor Centre and the Menzies Caravan Park management.

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.

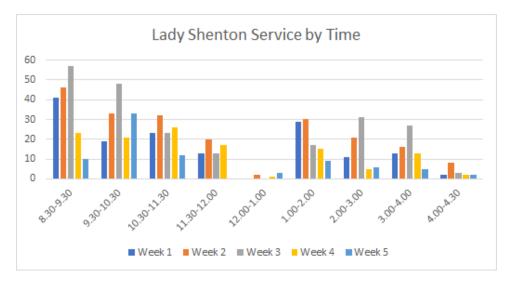
COMMENT:

Lady Shenton

The Lady Shenton received 774 visitors in August 2021.

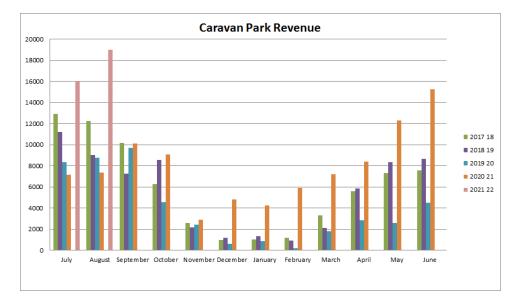


Caravan Park



Caravan Park Booking was most popular in August 2021.

Caravan Park revenue increased from July 2021 to August 2021.



Annual takings for the Menzies Caravan Park Year 2020-21:

| | Ca | bin A | Cab | oin B | Accounts | | | Consultation |
|--------|----|----------|-----|----------|------------|------|-----------|--------------|
| Jul-21 | \$ | 1,440.00 | \$ | 2,380.00 | \$3,062.41 | \$ | 6,882.41 | |
| Aug-21 | \$ | 1,000.00 | \$ | 2,580.00 | \$2,782.02 | \$ | 6,362.02 | |
| Sep-21 | | | | | | \$ | - | |
| Oct-21 | | | | | | \$ | - | |
| Nov-21 | | | | | | \$ | - | |
| Dec-21 | | | | | | \$ | - | |
| Jan-22 | | | | | | \$ | - | |
| Feb-22 | | | | | | \$ | - | |
| Mar-22 | | | | | | \$ | - | |
| Apr-22 | | | | | | \$ | - | |
| May-22 | | | | | | \$ | - | |
| Jun-22 | | | | | | \$ | - | |
| | | | | | | | | |
| Total | \$ | 2,440.00 | \$ | 4,960.00 | \$5,844.43 | \$: | 13,244.43 | \$- |

| | Caravan Park | |
|--------|--------------|-----------------|
| Jul-21 | \$11,446.25 | \$ 11,446.25 |
| Aug-21 | \$14,330.91 | \$ 14,330.91 |
| Sep-21 | | \$ - |
| Oct-21 | | \$ - |
| Nov-21 | | \$ - |
| Dec-21 | | \$ - |
| Jan-22 | | \$ - |
| Feb-22 | | \$ - |
| Mar-22 | | \$ - |
| Apr-22 | | \$ - |
| May-22 | | \$ - |
| Jun-22 | | \$ - |
| | | |
| Total | \$25,777.16 | \$ 25,777.16 |

Youth Centre and General Community Services

After school youth engagement activities continue to have a steady attendance.

The weekly Badminton games held in the Menzies Town Hall continue to engage with a reasonable number of participants every week in August 2021.

14 ELECTED MEMBER MOTION OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

COUNCIL DECISION:

| | Council Resolution Number: | CM-75 |
|--|----------------------------|-------|
|--|----------------------------|-------|

Moved: Cr J Dwyer Seconded: Cr S Baird

That Council acknowledges Cr Justin Lee for his efforts as a Shire of Menzies Councillor over the last eight (8) years in the Menzies and Town wards.

| Carried | 5 / 0 |
|---------|-------|

15 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF THE MEETING

Nil.

16 BEHIND CLOSED DOORS - CONFIDENTIAL REPORTS

Nil.

17 NEXT MEETING

The next meeting is to be held on 28 October 2021 at the Shire Offices in Menzies commencing at 1pm.

18 CLOSURE OF MEETING

The Shire President declared the meeting closed at 2.55pm.