



**SHIRE OF MENZIES**

**MINUTES**

**OF THE ORDINARY MEETING OF COUNCIL  
HELD**

**Thursday 24 November 2016**

**Shire of Menzies**

**Commencing at 1.03 pm**

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## **TABLE OF CONTENTS**

1	DECLARATION OF OPENING .....	5
2	ANNOUNCEMENT OF VISITORS.....	5
3	RECORD OF ATTENDANCE .....	5
4	RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE .....	5
5	PUBLIC QUESTION TIME.....	5
6	APPLICATIONS FOR LEAVE OF ABSENCE.....	5
7	DECLARATIONS OF INTEREST .....	6
8	NOTICE OF ITEMS TO BE DISCUSSED BEHIND CLOSED DOORS .....	6
9	CONFIRMATION / RECEIVAL OF MINUTES .....	6
9.1	Confirmation of Minutes of the Ordinary Council Meeting held on 27 October 2016 ..	6
9.2	Confirmation of Minutes of the Audit Committee Meeting held on 27 October 2016 ..	6
10	PETITIONS / DEPUTATIONS / PRESENTATIONS.....	6
11	ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION .....	7
11.1	Presidents Report .....	7
12	REPORTS OF OFFICERS .....	8
12.1	HEALTH BUILDING AND TOWN PLANNING .....	8
12.1.1	Health and Building Report for the Month of October 2016.....	8
12.2	FINANCE AND ADMINISTRATION .....	11
12.2.1	Statement of Financial Activity for the Month of October 2016.....	11
12.2.2	Monthly Listing of Payments for the Month of October 2016 .....	13
12.2.3	Policy Review – Policy 4.9 - Investments .....	15
12.3	WORKS AND SERVICES.....	17
12.3.1	Works Report for the Month of October 2016.....	17
12.4	COMMUNITY DEVELOPMENT .....	20
12.4.1	Lady Shenton Building Report for the Month of October 2016.....	20
12.5	MANAGEMENT AND POLICY .....	22
12.5.1	Eight Year Ward and Representation Review .....	22
12.5.2	Tender 6/2015 Management of the Menzies Community Resource Centre and operation of the Menzies Caravan Park .....	25
12.5.3	Lease of Property – Accommodation for School Staff.....	29
12.5.4	Lease Document for 52 Shenton Street Menzies (Reserve 50513) .....	31
12.5.5	Heritage Precinct Grant Application.....	34
12.5.6	Risk Management Reporting Framework.....	36
13	ELECTED MEMBERS MOTION OF WHICH PREVIOUS NOTICE HAVE BEEN GIVEN .....	38

*Minutes of the Ordinary Meeting of Council held in the Shire of Menzies Council Chambers  
on Thursday 24 November 2016*

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14	NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF THE MEETING .....	38
15	ITEMS FOR CONSIDERATION BEHIND CLOSED DOORS .....	38
16	NEXT MEETING .....	38
17	CLOSURE OF MEETING .....	38

As the Shire President has requested to attend this meeting via electronic means the Deputy Shire President Councillor Ian Baird assumed the chair.

## **1 DECLARATION OF OPENING**

Deputy Shire President Councillor Ian Baird declared the meeting open at 1.03pm and advised that a request had been received from Councillor Dwyer to attend the meeting via electronic means as she is more than 150 kilometres from the Shire of Menzies office and is still in Western Australia.

<b>COUNCIL RESOLUTION:</b>
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<b>No 1085</b>
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**Moved: Cr Lee**

**Seconded: Cr Mazza**

**That Council accept Councillor Dwyer's request to attend the Council Meeting on 25 November 2016 via electronic means.**

**Carried 4/0**

Councillor Dwyer assumed the chair via electronic means at 1.04pm.

## **2 ANNOUNCEMENT OF VISITORS**

There were no visitors present at this meeting.

## **3 RECORD OF ATTENDANCE**

### **Present**

Councillors:	Cr J Dwyer	Shire President via electronic means at 1.04pm
	Cr I Baird	Deputy Shire President
	Cr J Mazza	
	Cr J Lee	
	Cr K Mader	

Staff	Mrs R Evans	Chief Executive Officer
	Ms J Taylor	Manager Finance and Administration
	Mrs D Whitehead	Executive Assistant

Apologies	Cr D Hansen
	Cr I Tucker

## **4 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

There were no questions taken on notice at the previous meeting.

## **5 PUBLIC QUESTION TIME**

There were no questions from the public.

## **6 APPLICATIONS FOR LEAVE OF ABSENCE**

There were no applications for leave of absence.

**7 DECLARATIONS OF INTEREST**

Cr Lee declared a Financial and Impartiality Interest in Item 12.5.4

**8 NOTICE OF ITEMS TO BE DISCUSSED BEHIND CLOSED DOORS**

There were no items to be discussed behind closed doors.

**9 CONFIRMATION / RECEIVAL OF MINUTES**

**9.1 Confirmation of Minutes of the Ordinary Council Meeting held on 27 October 2016**  
*That the minutes of the Ordinary Meeting of Council held on Thursday 27 October 2016 be confirmed as a true and correct record.*

<b>COUNCIL RESOLUTION:</b>
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<b>No 1086</b>
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**Moved: Cr Baird**

**Seconded: Cr Mader**

*That the minutes of the Ordinary Meeting of Council held on Thursday 27 October 2016 be confirmed as a true and correct record with the addition of a paragraph as follows:-*

*“Councillor Dwyer took this opportunity to canvas all Councillors to enquire if they had any concerns about the work performance of the Chief Executive Officer and no concerns were expressed by any Councillor about her work performance.”*

**Carried 5/0**

**9.2 Confirmation of Minutes of the Audit Committee Meeting held on 27 October 2016**

*That the minutes of the Audit Committee Meeting of Council held on Thursday 27 October 2016 be confirmed as a true and correct record.*

<b>COUNCIL RESOLUTION:</b>
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<b>No 1087</b>
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**Moved: Cr Mazza**

**Seconded: Cr Baird**

*That the minutes of the Audit Committee Meeting of Council held on Thursday 27 October 2016 be confirmed as a true and correct record.*

**Carried 5/0**

**10 PETITIONS / DEPUTATIONS / PRESENTATIONS**

There were no petitions / deputations / presentations at this meeting.

## **11 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION**

### **11.1 PRESIDENTS REPORT**

<b>COUNCIL RESOLUTION:</b>	<b>No 1088</b>
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**Moved: Cr Lee**

**Seconded: Cr Mazza**

*That Council receive the Presidents report for November 2016.*

**Carried 5/0**

This month has been a difficult month juggling work, my Mother's ill health and Shire commitments.

#### **Thursday 3 November 2016**

Flew to Warburton with other members of the GVROC for our GVROC meeting in Warburton. This was a fantastic experience and I feel privileged to have made this trip.

On landing in Warburton we were met by Chris Paget CEO Ngaanyatjarraku and Ted from the Roadhouse. After placing breakfast menus we were shown to our accommodation. Dinner was served in the Caravan Park surrounded by many peacocks. Wonderful displays of their plumage by the Males whilst we were catching up with everyone from the group. Dinner and hospitality shown to us was amazing.

After a great night's sleep in a very comfortable room breakfast was delivered, wow, it was enormous and delicious.

The meeting was in the Art Gallery, beautiful displays of not only paintings but magnificent glassware. Some of which I now proudly own.

After a delicious morning tea we perused the gift shop, followed by a tour of the Community, including the supply store shed, art gallery facility, then to the airport and handed a packed lunch for the trip home. Fabulous experience and thanks to Helen Westcott for organising this trip which was beneficial to catch up with our Warburton members of the GVROC as due to distance it is very difficult for them to attend meetings in Kalgoorlie.

#### **Friday 4 November 2016**

Rhonda and I stayed in Kalgoorlie to attend a Liberal Party function hosted by Kyran O'Donnell, Liberal Party Candidate. In attendance was Premier Colin Barnett and Deputy Premier Liza Harvey.

#### **Monday 7 November 2016**

Met with Rhonda in Menzies to sign and stamp documents and to catch up.

#### **Monday 21 November 2016**

Met with Rhonda in Menzies for a catch up and to discuss the Agenda for November meeting of Council.

On behalf of my Family I wish to thank Staff and Councillors for the beautiful flowers and condolences on the recent passing of my dear Mum and our children's Grandmother.

## **12 REPORTS OF OFFICERS**

### **12.1 HEALTH BUILDING AND TOWN PLANNING**

#### **12.1.1 Health and Building Report for the Month of October 2016**

<b>LOCATION:</b>	Shire of Menzies
<b>APPLICANT:</b>	N/A
<b>DOCUMENT REF:</b>	ADM384
<b>DISCLOSURE OF INTEREST:</b>	The author has no interest to disclose
<b>DATE:</b>	14 October 2016
<b>AUTHOR:</b>	David Hadden, Environmental Health Officer
<b>ATTACHMENTS</b>	Nil

<b>COUNCIL RESOLUTION:</b>	<b>No 1089</b>
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**Moved: Cr Lee**

**Seconded: Cr Baird**

*That Council receive the report of the Environmental Health Officer for the month of October 2016 for information.*

**Carried 5/0**

#### **OFFICER RECOMMENDATION:**

That Council receive the report of the Environmental Health Officer for the month of October 2016 for information.

#### **VOTING REQUIREMENTS:**

Simple Majority

#### **IN BRIEF:**

##### **Building**

Staff have now been trained to enter details of all Building Licences to the new on line software for the building Authority. The Building Authority will compile and provide information to the Australian Bureau of Statistics.

##### **Health**

- Attendance at training for Health Act 2016
- Inspection of kitchen at Menzies Hotel
- Processed a plumbing application for Davyhurst Mine Site.
- Advise to owner of caravan to cease use as residence



**RELEVANT TO STRATEGIC PLAN:**

Active Civic Leadership Achieved

- Regularly Monitor and Report on the Shire's Activities, Budgets, Plans and Performance

**STATUTORY AUTHORITY :**

*Building Act 2011*

*Public Health Act 2016*

**POLICY IMPLICATIONS :** Nil

**FINANCIAL IMPLICATIONS :** Nil

**RISK ASSESSMENTS :**

No Risk Assessments have been adopted in relation to these matters.

**BACKGROUND:**

The Shire contracts the services of an Environmental Health Officer (EHO) for two days per month. The Officer is available for consultation at all times, and attends the administration office once per month to meet with the Chief Executive Officer.

The following is a brief report of the monthly activities.

**COMMENT:**

**Building**

- The Building Commission of WA is creating a building permit database software with the intention of becoming the receptor for all building register statistics across the State. Local authorities will be required to record all permits processed (building register) on the Commissions database in the near future. Staff attended Building Commission training on 5 October in Perth to enable access to the building permit database when it becomes operational. Local authorities will enter statistical data as building permits are issued with the Commission effectively taking on the role of record keeping for all permits issued in each local authority across the State. The individual registers will be password protected and accessible at all times to local authorities. The Commission will take on the role of reporting monthly statistics to the ABS and all other agencies as required. The building permit database will effectively allow the Commission to monitor more closely all building activity across the State along with local authority processing times.

**Health**

- Councils EHO will be attending an information session at the Health Department of Western Australia on the 25 October 2016 to determine Councils responsibility regarding the implementation of the new Health Act over the next five years. In year three of the five year implementation period local authorities are expected to prepare individual Health Plans that must also be incorporated into Councils Strategic Plan. Staff are trying to determine if this requirement can be carried out in-house or will require engagement of consultants to complete.

- Menzies Hotel publican has been requested to ensure the kitchen is maintained in a clean condition at all times.
- Staff have processed a plumbing application for the Davyhurst Mine site and forwarded to Health Department of WA for final approval.
- Land owner south of town who is allowing a caravan to camp at the property has been warned that if the van has not left the site within a week from the 18 October 2016 a report will be tabled at the next Council meeting recommending legal action be commenced under the Caravan Parks and Camping Grounds Regulation 1997.

## **12.2 FINANCE AND ADMINISTRATION**

### **12.2.1 Statement of Financial Activity for the Month of October 2016**

<b>LOCATION:</b>	N/A
<b>APPLICANT:</b>	N/A
<b>FILE REF:</b>	ADM052
<b>DISCLOSURE OF INTEREST:</b>	The Author has no interest to disclose
<b>DATE:</b>	15 November 2016
<b>AUTHOR:</b>	Jeanette Taylor, Manager Finance & Administration
<b>ATTACHMENT:</b>	12.2.1 Monthly Financial Reports October 2016
<b>COUNCIL RESOLUTION:</b>	<b>No 1090</b>

**Moved: Cr Mazza**

**Seconded: Cr Baird**

*That Council receive the Statement of Financial Activity for the month ending 31 October 2016 included as attachment 12.2.1 as presented, and note any material variances.*

**Carried 5/0**

#### **OFFICER RECOMMENDATION:**

That Council receive the Statement of Financial Activity for the month ending 31 October 2016 included as attachment 12.2.1 as presented, and note any material variances.

**VOTING REQUIREMENTS:** Simple Majority

#### **IN BRIEF:**

Statutory Financial Reports submitted to Council for acceptance as a record of financial activity for the period to 31 October 2016.

#### **RELEVANT TO STRATEGIC PLAN:**

Active civic leadership achieved

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

#### **STATUTORY AUTHORITY:**

*Local Government Act 1995 Section 6.4*

*Local Government (Financial Management) Regulations 1996, 34*

**POLICY IMPLICATIONS:** Nil

#### **FINANCIAL IMPLICATIONS:**

As detailed within the attachments.

**RISK ASSESSMENTS:**

**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

**BACKGROUND:**

The Financial Management Regulation 34 required each Local Government to prepare each month a statement of financial activity reporting on the sources and applications of funds, as set out in the annual budget under Regulation 22(1)(d), for that month with the following details:

- The annual budget estimates,
- The operating revenue, operating income and all other operating income and expenses,
- Any significant variations between year to date 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, and
- Any other relevant supporting notes.

**COMMENT:**

This report contains annual budget estimates, actual amounts of expenditure and income to the end of the month. It shows the material differences 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.

### **12.2.2 Monthly Listing of Payments for the Month of October 2016**

<b>LOCATION:</b>	N/A
<b>APPLICANT:</b>	N/A
<b>FILE REF:</b>	ADM017
<b>DISCLOSURE OF INTEREST:</b>	The Author has no interest to disclose
<b>DATE:</b>	15 November 2016
<b>AUTHOR:</b>	Jeanette Taylor, Manager Finance and Administration
<b>ATTACHMENT:</b>	12.2.2 – Payment List for Month of October 2016

<b>COUNCIL RESOLUTION:</b>
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<b>No 1091</b>
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**Moved: Cr Mazza**

**Seconded: Cr Mader**

*That Council receive the list of payments for the month of October 2016 totalling \$232,139.41 being:*

- 1) Cheques in the Municipal fund totalling \$130.25*
- 2) Electronic Fund Transfer EFT1682 - EFT1738 payments in the Municipal Fund totalling \$123,927.06.*
- 3) Direct Debit payments in the Municipal Fund totalling \$108,082.10.*
- 4) Credit card payments relating to the September and August 2016 statements (included in direct debits) totalling \$10,298.10.*

**Carried 5/0**

### **OFFICER RECOMMENDATION:**

That Council receive the list of payments for the month of October 2016 totalling \$232,139.41 being:

- 1) Cheques in the Municipal fund totalling \$130.25
- 2) Electronic Fund Transfer EFT1682 - EFT1738 payments in the Municipal Fund totalling \$123,927.06.
- 3) Direct Debit payments in the Municipal Fund totalling \$108,082.10.
- 4) Credit card payments relating to the September and August 2016 statements (included in direct debits) totalling \$10,298.10.

### **VOTING REQUIREMENTS:**

Simple Majority

### **IN BRIEF:**

The list of payments made for the month of October 2016 to be received by Council. The balance of accounts to be paid at the 31 October 2016 is \$148,565,34.

**RELEVANT TO STRATEGIC PLAN:**

Active civic leadership achieved

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

**STATUTORY AUTHORITY:**

*Local Government (Financial Management) Regulations 1996 Number 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

**BACKGROUND:**

Payments have been made by electronic funds transfer (EFT) and direct transfer from Council's Municipal bank account and duly authorised as required by Council Policy. There have been no cheque payments made this month. These payments have been made under authority delegated to the Chief Executive Officer (CEO) and are not reported to Council.

**COMMENT:**

The EFT and Direct Debit payments that have been raised for the month of October 2016 are attached.

After payment, the balance of creditors will be \$148,565.34.

### **12.2.3 Policy Review – Policy 4.9 - Investments**

<b>LOCATION:</b>	N/A
<b>APPLICANT:</b>	N/A
<b>FILE REF:</b>	ADM355
<b>DISCLOSURE OF INTEREST:</b>	The Author has no interest to disclose
<b>DATE:</b>	15 November 2016
<b>AUTHOR:</b>	Jeanette Taylor, Manager Finance & Administration
<b>ATTACHMENT:</b>	12.2.3 – Draft Policy 4.9 - Investments

<b>COUNCIL RESOLUTION:</b>	<b>No 1092</b>
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**Moved:** Cr Lee

**Seconded:** Cr Dwyer

*That draft policy 4.9 – Investments as attached (12.2.3) be adopted by Council.*

**Carried 5/0**

#### **OFFICER RECOMMENDATION:**

That draft policy 4.9 – Investments as attached (12.2.3) be adopted by Council.

#### **VOTING REQUIREMENTS:**

Simple Majority

#### **IN BRIEF:**

Revised policy proposed is:

- Investments (Policy dated 15 November 2016)

The purpose of this revised policy is to review and update where necessary the Investment Policy dated 24 September 2015, to ensure it complies with statutory requirements and Council intention.

#### **RELEVANT TO STRATEGIC PLAN:**

Active civic leadership achieved

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

#### **STATUTORY AUTHORITY:**

*Local Government Act 1995 Section 6.14*

*Local Government (Financial Management) Regulations 1996, Regulation 19C*

*Trustees Act 1962 – Section 18 & Section 14A*

#### **POLICY IMPLICATIONS:**

If the proposed policy is adopted by Council, the policy will be updated in the Policy Manual.

**FINANCIAL IMPLICATIONS:** Nil

**RISK ASSESSMENTS:**

**OP3** Council makes poor investment decisions

Council has a policy requiring monthly reporting of all investments, restriction on the type of investments that can be made. The Local Government Act 1995 also restricts investments.

**BACKGROUND:**

This policy was implemented in September 2015 and per Council Policy has been reviewed and revised to ensure that it enables effective and efficient management of Council resources and assists staff in decision making.

**COMMENT:**

This policy has been updated to remove the requirement to invest in Bankwest and further clarify the Shire's investment requirements.



## **12.3 WORKS AND SERVICES**

### **12.3.1 Works Report for the Month of October 2016**

<b>LOCATION:</b>	N/A
<b>APPLICANT:</b>	N/A
<b>DOCUMENT REF:</b>	ADM371
<b>DISCLOSURE OF INTEREST:</b>	The author has no interest in this matter
<b>DATE:</b>	15 November 2016
<b>AUTHOR:</b>	Rhonda Evans, Chief Executive Officer
<b>ATTACHMENT:</b>	Nil

<b>COUNCIL RESOLUTION:</b>	<b>No 1093</b>
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**Moved: Cr Mader**

**Seconded: Cr Dwyer**

*That Council receive the Works Report for October for information.*

**Carried 5/0**

Council commended the Works Supervisor Mr Paul Warner on his work.

#### **OFFICER RECOMMENDATION:**

That Council receive the Works Report for October for information.

#### **VOTING REQUIREMENTS:**

Simple Majority

#### **IN BRIEF:**

Submission for Regional Road Group (RRG) Funding for Yarri, Menzies North West and Evanston-Menzies Roads

Submission for continuations of funding for the Tjuntjuntjarra Access Road (from Connie Sue Road to the community).

#### **RELEVANT TO STRATEGIC PLAN:**

Active Civic Leadership

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

**STATUTORY AUTHORITY:** Nil

**POLICY IMPLICATIONS:** Nil

**FINANCIAL IMPLICATIONS:** Nil

**RISK ASSESSMENTS:**

No Risk Assessment has been undertaken relating to this item.

**BACKGROUND:**

The annual program for the Works Section of the Shire is led by the Works Supervisor, Paul Warner. Mr Warner leads a small team who undertake general duties in and around the town of Menzies, and service Kookynie, Niagara Dam, and the Lake Ballard camping and parking area. Two graders undertake the maintenance of unsealed roads.

Consulting Engineers WML assist the Shire in matters which have in the past been undertaken by the Works Manager.

**COMMENT:**

**SHIRE SERVICES CREW**

**Works Completed**

- Dust Suppression to Truck Bay north of the Menzies Townsite
- Slashing of Road Verge and vacant blocks in Kookynie Townsite
- Removal of temporary bypass pump and hoses in Menzies Caravan Park Enviro Unit
- Grading of Davyhurst to Ora Banda boundary
- Tree planting around Truck Bay north of Menzies Township
- Kookynie Tip cleaned up

**Works Underway in next period**

- Kookynie airstrip windsock and cones
- Grading of Davyhurst to Mulline Road

**Works Outstanding**

- Protection of Statues in Brown Street
- Improve Signage for reuse water in the caravan park
- Recommissioning of pipeline to town oval tanks
- Dust reduction to Shire properties

**Works Outstanding**

*- the following works will be let to contractors. Quotes are being sought.*

- Evanston Menzies Road – Culvert (Blackspot) – quotes now received.
- Menzies North West Road Re-sheet

**CONSULTANT**

RAV Network Investigation – preparation of an agreement to be used for all RAV applications and Permits

Road Condition and Surveys, and Five Year Reseal Program – site pickups work and preparation of the program. Program to be presented to Chief Executive Officer late November.

R2R Reporting – including analysis of expenditure for input into R2R annual report and the submission of the pre-audit report to the Federal Government. The Manager Finance and

Administration is responsible for the submission of the report to auditors. The auditor report has been submitted to the auditor.

Regional Road Group (RRG) Project Grant applications including the assessment forms for four projects and liaison with Main Roads has received endorsement from the Technical Group and has progressed to the next meeting held on 18 November 2016.

Commodity Services Route Funding (CSRF) application – Research of potential projects and liaison with Main Roads WA. Preparation and submission for Pinjin Road.

Completed all documentation required for funding for Tjuntjuntjarra Access Road.

## **12.4 COMMUNITY DEVELOPMENT**

### **12.4.1 Lady Shenton Building Report for the Month of October 2016**

<b>LOCATION:</b>	Lady Shenton Building
<b>APPLICANT:</b>	N/A
<b>DOCUMENT REF:</b>	ADM281
<b>DISCLOSURE OF INTEREST:</b>	The Author has no interest to disclose
<b>DATE:</b>	15 November 2016
<b>AUTHOR:</b>	Deborah Whitehead, Executive Assistant
<b>ATTACHMENT:</b>	12.4.1-1 Monthly Sales Categories Report for October 12.4.1-2 Monthly Department Sales Report for October
<b>COUNCIL RESOLUTION:</b>	<b>No 1094</b>

**Moved: Cr Baird**

**Seconded: Cr Lee**

*That Council receive the report of the activities in the Lady Shenton Building for the month of October 2016 for information.*

**Carried 5/0**

#### **OFFICER RECOMMENDATION:**

That Council receive the report of the activities in the Lady Shenton Building for the month of October 2016 for information.

#### **VOTING REQUIREMENTS:**

Simple Majority

#### **IN BRIEF:**

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 Street.

Visitor Centre Sales	Year to Date	\$10,592	Year to Date Prior Year	\$17,295
Caravan Park income	Year to Date	\$34,237	Year to Date Prior Year	\$24,158

#### **RELEVANT TO STRATEGIC PLAN:**

Sustainable local economy encouraged

- The significant natural features of the shire for tourism.
- The acquisition of appropriate resources to assist with economic and tourism planning and development.

Strong sense of community maintained

- 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 acquire appropriate resources to assist with developing the services and facilities required by the community.

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.

**STATUTORY AUTHORITY:** Nil

**POLICY IMPLICATIONS:** Nil

**FINANCIAL IMPLICATIONS:** Nil

**RISK ASSESSMENTS:**

No Risk Assessment has been undertaken relating to this item.

**BACKGROUND:**

The Lady Shenton building operates the CRC and Menzies Visitor Centre and administers the Menzies Caravan Park. The statistics are compiled each month by the operator for recording purposes.

**COMMENT:**

**Community Resource Centre (CRC)**

This month has seen twenty patrons at the CRC and a total of seventy copies of the Menzies Matters were printed this month.

**Visitor Centre**

October saw nine hundred and thirty-nine visitors to The Visitor Centre. We continue to encourage customer feedback by way of the Lake Ballard Surveys and thirty-two were completed in October 2016. The Facebook continues to convey information to people online.

**Community Postal Agency**

We had a total of two hundred and fifty-nine Postal Customers for October.

**Caravan Park**

A total of \$4,995.46 was taken for the month of October 2016. It is uncertain whether this shows increased patronage, or is the result of a later than usual start to the hot weather.

## **12.5 MANAGEMENT AND POLICY**

### **12.5.1 Eight Year Ward and Representation Review**

<b>LOCATION:</b>	N/A
<b>APPLICANT:</b>	Local Government Advisory Board
<b>DOCUMENT REF:</b>	4346
<b>DISCLOSURE OF INTEREST:</b>	The Author has no interest to disclose
<b>DATE:</b>	7 November 2016
<b>AUTHOR:</b>	Rhonda Evans, Chief Executive Officer
<b>ATTACHMENT:</b>	12.5.1-1 Review Process Flow Chart 12.5.1-2 Letter from Advisory Board (3766) 12.5.1-3 Risk Assessment OP94 12.5.1-4 Review Process Package

<b>COUNCIL RESOLUTION:</b>	<b>No 1095</b>
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**Moved: Cr Mazza**

**Seconded: Cr Lee**

*That Council*

- 1. Resolve to undertake a review of Ward and Representation for the Shire of Menzies in accordance with Schedule 2.2 6(1) of the Local Government Act.*
- 2. Advertise the review of Ward and Representation in the Kalgoorlie Miner and the Menzies Matters, inviting submissions to be received at the Shire Office Shenton Street Menzies by 4pm 13 January 2017.*
- 3. Receive Risk Assessment OP94 – Eight Year Review of Ward and Representation.*

**Carried 5/0**

### **OFFICER RECOMMENDATION:**

That Council

1. Resolve to undertake a review of Ward and Representation for the Shire of Menzies in accordance with Schedule 2.2 6(1) of the Local Government Act.
2. Advertise the review of Ward and Representation in the Kalgoorlie Miner and the Menzies Matters, inviting submissions to be received at the Shire Office Shenton Street Menzies by 4pm 13 January 2017.
3. Receive Risk Assessment OP94 – Eight Year Review of Ward and Representation.

### **VOTING REQUIREMENTS:**

Simple Majority

**IN BRIEF:**

Local Governments divided into districts are required to review their ward boundaries and representation every eight years. The purpose of the review is to assess the current arrangements and evaluate a range of options to find a system of representation that best suits the characteristics of the district and its people.

Council must resolve to undertake the review, and to give public notice that a review is to be undertaken.

**RELEVANT TO STRATEGIC PLAN:**

Active civic leadership achieved

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

**STATUTORY AUTHORITY:**

*Local Government Act 1995 Schedule 2.2 6(1) – Local Government with Wards to review periodically.*

**POLICY IMPLICATIONS:**

No policy relates to this matter.

**FINANCIAL IMPLICATIONS:** Nil

**RISK ASSESSMENT:**

Shire Reputation and Governance

**OP94** 8 Year Review of Ward and Representation

**BACKGROUND:**

The Local Government Advisory Board has requested that the Shire of Menzies complete an eight-year review of its wards and representation in accordance with clause 6(1) of Schedule 2.2 of the Local Government Act 1995.

Council has considered the subject of whether to retain the Ward system of elections in the past, and must do so again as required by the Local Government Act.

**COMMENT:**

The initial part of the process requires that Council resolve to undertake the review. Following the resolution, the review must be advertised, and submissions on the matter invited. The period between advertising and the closing date for submissions must be no less than six weeks.

In conjunction with the invitation for submissions, the Department of Local Government and Community (the Department) has the expectation that an information sheet will be provided for assistance to anyone making a submission.

The information sheet should present a diverse range of alternatives to the current situation so that options can be considered. While Council may have a preferred position, the public notice must not limit the possible responses and suggestions from the community.

In addition to giving public notice, local governments may undertake other initiatives to promote community discussion including public and/or ward meetings, media articles and interviews, sending information to non-resident electors, ratepayers or progress associations and distributing information to all households.



**12.5.2 Tender 6/2015 Management of the Menzies Community Resource Centre and operation of the Menzies Caravan Park**

<b>LOCATION:</b>	37 Shenton Street, Menzies
<b>APPLICANT:</b>	Laura Dwyer
<b>DOCUMENT REF:</b>	ADM030
<b>DISCLOSURE OF INTEREST:</b>	The Author has no interest to disclose
<b>DATE:</b>	10 November 2016
<b>AUTHOR:</b>	Rhonda Evans, Chief Executive Officer
<b>ATTACHMENT:</b>	12.5.2-1 Letter from McKenzie and McKenzie (Confidential document) 12.5.2-2 Budget for Economic Services

<b>COUNCIL RESOLUTION:</b>	<b>No 1096</b>
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**Moved: Cr Lee**

**Seconded: Cr Mader**

*That*

- 1. Council receive the letter from McKenzie and McKenzie on behalf of Ms Laura Dwyer advising Council that she no longer wishes to proceed with the Tender 6/2015 awarded by Council.*
- 2. Council note that no other tenders were submitted for the provision of these services.*
- 3. Council resolve that the Chief Executive Officer appoint staff to ensure the provision of services currently provided from the Lady Shenton Building providing the cost of staff is within the budget provided for salaries and wages of \$173,474.*
- 4. The Chief Executive Officer review the level of service provided from the Lady Shenton Building and prepare a report to Council for the February 2017 meeting of Council detailing the current level of service, and recommendations for the future structure and service levels.*
- 5. A new Risk Assessment be presented to February 2016 Audit Committee for consideration.*

**Carried 5/0**

**OFFICER RECOMMENDATION:**

*That*

- 1. Council receive the letter from McKenzie and McKenzie on behalf of Ms Laura Dwyer advising Council that she no longer wishes to proceed with the Tender 6/2015 awarded by Council.*
- 2. Council note that no other tenders were submitted for the provision of these services.*

3. Council resolve that the Chief Executive Officer appoint staff to ensure the provision of services currently provided from the Lady Shenton Building providing the cost of staff is within the budget provided for salaries and wages of \$173,474.
4. The Chief Executive Officer review the level of service provided from the Lady Shenton Building and prepare a report to Council for the February 2017 meeting of Council detailing the current level of service, and recommendations for the future structure and service levels.
5. A new Risk Assessment be presented to February 2016 Audit Committee for consideration.

**VOTING REQUIREMENTS:**

Simple Majority

**IN BRIEF:**

Ms Laura Dwyer has advised that she does not wish to proceed with the contracts relating to Tender 6/2015. Provision must now be made to ensure the continuation of services provided from the Lady Shenton Building. The services which were the subject of the Tender were:

- Post Office services
- Visitor Centre services
- Caravan Park Reception
- Library services
- Community Resource Centre services
- Cleaning of Caravan Park and Lady Shenton Building
- Out of Hours Caravan Park attendance.

It is proposed that these services will continue using a combination of existing staff and the employment of additional staff on fixed term contracts to 31 March 2017.

A report will be presented to the February 2017 meeting of Council with recommendations for the future management of these services.

**RELEVANT TO STRATEGIC PLAN:**

Sustainable local economy encouraged

- A strong local economy, diversified through encouraging commercial growth, which provides jobs and services.
- The acquisition of appropriate resources to assist with economic and tourism planning and development.

Active civic leadership achieved

- 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.

**STATUTORY AUTHORITY:**

*Local Government Regulations (Functions and General) Regulations 1995 Part 4 Division 1*

**POLICY IMPLICATIONS:** Nil

**FINANCIAL IMPLICATIONS:**

The budget allocation for these services will remain as the adopted Budget for the year ending 30 June 2017.

**RISK ASSESSMENTS:**

No Risk assessment exists for this occurrence. A new risk is to be created and included in the next review in February 2016.

- Shire Reputation and Governance – Successful Tenderer withdraws from Tender

**BACKGROUND:**

Council awarded Tender 6/2015 in November 2015 for the Management of the Community Resource Centre (CRC) and the Caravan Park. The tender was awarded to Ms Laura Dwyer, Smith's Tearooms. The tendering of the services followed a number of agenda items to Council.

In September 2011 Council resolved that the CRC be handed back to the community to manage. The minutes showing this resolution do not show the mover or seconder, but record that it was passed 4/0.

No action was taken in this matter.

In December 2012, Council resolved to operate the CRC with the Menzies Development Association Incorporated.

A review of the operations was undertaken and published in March 2015. This report outlined three options:

- Hand the CRC over to the community to manage
- Continue to operate the CRC with drastically reduced services
- Seek expressions of interest for a contractor to be appointed to take over the lease/management of the Lady Shenton/CRC operations.

To complicate matters, a previous resolution of Council to lease out the caravan park was found to be problematic due to the boundaries of the Reserve on which the Caravan Park is located.

The previous reports presented to Council have the CRC delivering the following services.

- Australia Post Community Postal Agency
- Caravan Park Booking Agency
- Toll Freight Agency

- StarTrack Freight Agency
- Public Library
- Conference Room
- Office Facility for travellers
- Visitor Centre
- History and Heritage Room
- Giftshop

The purpose of the CRC is to deliver a broad range of services to the local community and visitors to town including broadband WIFI, secretarial services, photocopying and scanning, office space rental, conference room hire.

**COMMENT:**

While it has only been eighteen months since a review of options for the provision of services from the Lady Shenton Building, the option chosen following the review resulted in one expression of interest which has now been withdrawn. There would appear to be little benefit in repeating the exercise.

The resulting situation may be an opportunity for a fresh view of the CRC, and the use of the Lady Shenton Building. If a new perspective were to be introduced where the services that are the subject of the contract between the Shire of Menzies and the Department of Regional Development (DRD) were separated from the agency services which are the subject of contracts and agreements (Australia Post, Toll Freight, Golden West Tours) and other services that are considered to be functions of council, the bottom line of the cost of the service may not change, but the options for the future of the services provided from this building may.

The author will be seeking ideas for the use of the facility, and considering the best fit for staffing and services to be offered, incorporating both present and future needs for the community.

### **12.5.3 Lease of Property – Accommodation for School Staff**

<b>LOCATION:</b>	14A and 14B Walsh Street Menzies
<b>APPLICANT:</b>	Department of Housing
<b>DOCUMENT REF:</b>	4431
<b>DISCLOSURE OF INTEREST:</b>	The Author has no interest to disclose
<b>DATE:</b>	13 November 2016
<b>AUTHOR:</b>	Rhonda Evans, Chief Executive Officer
<b>ATTACHMENT:</b>	12.5.3 Lease Document

<b>COUNCIL RESOLUTION:</b>	<b>No 1097</b>
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**Moved: Cr Baird**

**Seconded: Cr Mazza**

*That Council:*

- 1. Authorise the Chief Executive Officer and the Shire President to sign and affix the Seal to the lease document between the Shire of Menzies and the Department of Housing for the lease of properties located at 14A and 14B Walsh Street Menzies for a period of six months.*
- 2. Review Council owned housing stock, and make recommendations relating to future housing needs to be discussed at the briefing session scheduled for December 2016 in preparation for a report to Council in February 2017.*

**Carried 5/0**

### **OFFICER RECOMMENDATION:**

That Council:

1. Authorise the Chief Executive Officer and the Shire President to sign and affix the Seal to the lease document between the Shire of Menzies and the Department of Housing for the lease of properties located at 14A and 14B Walsh Street Menzies for a period of six months.
2. Review Council owned housing stock, and make recommendations relating to future housing needs to be discussed at the briefing session scheduled for December 2016 in preparation for a report to Council in February 2017.

### **VOTING REQUIREMENTS:**

Simple Majority

### **IN BRIEF:**

This lease is a continuation of lease agreement currently in place. The properties at 14A and 14B Walsh Street Menzies are used for the housing of teachers at the Menzies Community School.

**RELEVANT TO STRATEGIC PLAN:**

Strong sense of community maintained

- The Shire to acquire appropriate resources to assist with developing the services and facilities required by the community.

Active civic leadership achieved

- Where possible, support opportunities to build the capacity of the community within the Shire of Menzies.

**STATUTORY AUTHORITY:**

*Local Government Act 1995 Section 3.58 – Disposing of Property*

**POLICY IMPLICATIONS:**

Council has no policy relating to this matter. It is proposed that a review be undertaken, and a Policy relating to the provision and standard of shire provided housing and to report to Council by February 2017.

**FINANCIAL IMPLICATIONS:**

This income has been budgeted on account 09207 in Other Housing.

**RISK ASSESSMENTS:**

No risk assessment has been developed relating to the provision of housing.

**BACKGROUND:**

Council has been leasing the properties at 14A and 14B Walsh Street to the Department of Housing for some years.

**COMMENT:**

The lease for these properties is now due for renewal. Initially, the Department of Housing were considering the construction of two new houses. This did not eventuate, as the cost proposed for the lease of the new premises exceeded the Department of Housing budget guidelines for housing.

The standard of housing being offered should be reviewed. Council has been receiving significant rental return on these properties, and it appears that little if any has been reinvested into them. This practise should be reviewed.

It will be recommended that a review of housing stock be undertaken, and Council review their policy relating to the provision of housing.

*Cr Lee previously declared a Financial and Impartiality Interest in this item and left the meeting at 1.310pm.*

**12.5.4 Lease Document for 52 Shenton Street Menzies (Reserve 50513)**

<b>LOCATION:</b>	Lot 9 Plan 222795 Shenton Street Menzies DP65986
<b>APPLICANT:</b>	Achievable Outback Café Pty Ltd
<b>DOCUMENT REF:</b>	ADM353
<b>DISCLOSURE OF INTEREST:</b>	The Author has no interest to disclose
<b>DATE:</b>	13 November 2016
<b>AUTHOR:</b>	Rhonda Evans, Chief Executive Officer
<b>ATTACHMENT:</b>	12.5.4-1 Lease Document ( <i>Confidential document</i> ) 12.5.4-2 Valuation Report ( <i>Confidential document</i> )
<b>COUNCIL RESOLUTION:</b>	<b>No 1098</b>

**Moved: Cr Baird**

**Seconded: Cr Mazza**

*That Council note*

- 1. The document for the lease of 52 Shenton Street Menzies between Achievable Outback Café Pty Ltd and the Shire of Menzies*
- 2. The valuation received for the property at 52 Shenton Street Menzies.*
- 3. That Council set the rental for the property at 52 Shenton Street, Menzies at one hundred dollars per month.*

**Carried 4/0**

***Reason for addition 3 to Council Resolution:***

*Council did not agree with Chief Executive Officer's recommendation of \$10.00 per week and agreed that the rental should be \$100.00 per month.*

*Chief Executive Officer Mrs Rhonda Evans left the meeting at 1.45pm*

*Cr Lee returned to the meeting at 1.46pm.*

*Chief Executive Officer Mrs Rhonda Evans returned to the meeting at 1.45pm*

**OFFICER RECOMMENDATION:**

*That Council note*

- 1. The document for the lease of 52 Shenton Street Menzies between Achievable Outback Café Pty Ltd and the Shire of Menzies*
- 2. The valuation received for the property at 52 Shenton Street Menzies.*

**VOTING REQUIREMENTS:**

Simple Majority

**IN BRIEF:**

The documents presented under separate cover are the final lease agreement between the Achievable Outback Café and the Shire, and the Valuation report for the property.

**RELEVANT TO STRATEGIC PLAN:**

Sustainable local economy encouraged

- A strong local economy, diversified through encouraging commercial growth, which provides jobs and services.
- The acquisition of appropriate resources to assist with economic and tourism planning and development.

Strong sense of community maintained

- Our community will value each other, building relationships and networks to interact, socialise and for recreation.

**STATUTORY AUTHORITY:**

*Local Government Act 1995 3.58 – Disposing of Property*

**POLICY IMPLICATIONS:**

Council has no Policy relating to this matter.

**FINANCIAL IMPLICATIONS:**

The lease of this property, will affect the following budgetary areas.

1. All outgoing costs currently budgeted for this property will be recovered
2. The property will be rated for the portion of the year as it will become rateable on the commencement of the lease.

**RISK ASSESSMENTS:**

Council has no risk assessment in relation to this matter.



**BACKGROUND:**

At the September 2016 meeting of Council resolved

**COUNCIL RESOLUTION:**

**No 1050**

**Moved: Cr Tucker**

**Seconded: Cr Mazza**

*That Council*

- 1) *Accept the offer from Achievable Outback (Café) Trading to lease the property at 56 Shenton Street Menzies being Reserve 50513 for the annual fee equal to outgoings cost of the building and surrounds subject to
  - a) *A Planning Application for the development being submitted by the applicant*
  - b) *No relevant submissions being received relating to the application*
  - c) *All adjourning owners are advised of the application and invited to make a submission relating to the development**
- 2) *Advertise the offer to lease in accordance with Section 3.58(3) of the Local Government Act 1995*
- 3) *Authorise the Chief Executive Officer and the President to sign and seal documents relating to the lease of the Reserve 50513 to Achievable Outback (Café) Trading subject to
  - a) *No relevant submissions being received relating to the advertising of the proposal*
  - b) *No significant changes to the standard retail lease document.**

**Carried 5/0**

**COMMENT:**

The final lease document is attached, and with the exception of the value of the rental, is expected to be signed as is.

The valuation received from Goldfields Valuation Service followed a site visit. The valuation of \$1,200 per annum should be used as a guidance only. There are no rental properties available for comparison in the town, or indeed in the shire. To attract a tenant in a building that has been vacant for a number of years, and at the same time provide the community with a new service should not be viewed from the strictly commercial perspective.

Council's strategic plan states that *"the Community would like the Shire of promote...*

- *A strong local economy diversified through encouraging commercial growth which provides jobs and services,*
- *A local economy accessing the commercial options and service in place, for timely development.*

The opportunity to support a new commercial enterprise is one for Council to consider. It is the opinion of the author, that any new activity in the town, certainly in the main street should be supported. The opportunity to use a previously unused building is a bonus.

### **12.5.5 Heritage Precinct Grant Application**

<b>LOCATION:</b>	Shenton Street Menzies
<b>APPLICANT:</b>	N/A
<b>DOCUMENT REF:</b>	ADM325
<b>DISCLOSURE OF INTEREST:</b>	The Author has no interest to disclose
<b>DATE:</b>	13 November 2016
<b>AUTHOR:</b>	Rhonda Evans
<b>ATTACHMENT:</b>	12.5.5 Letter from GEDC

<b>COUNCIL RESOLUTION:</b>	<b>No 1099</b>
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**Moved: Cr Lee**

**Seconded: Cr Mazza**

*That Council receive the notification from the Goldfields Esperance Development Commission that the application for grant funding from the Revitalisation Fund has been unsuccessful.*

**Carried 5/0**

#### **OFFICER RECOMMENDATION:**

That Council receive the notification from the Goldfields Esperance Development Commission that the application for grant funding from the Revitalisation Fund has been unsuccessful.

#### **VOTING REQUIREMENTS:**

Simple Majority

#### **IN BRIEF:**

The Shire is seeking funding to revitalise the Heritage Precinct bounded by the following buildings. Menzies Pioneer Shop, Menzies Butcher Shop and Tea Rooms and the Railway Cottages to the south of the Townsite.

#### **RELEVANT TO STRATEGIC PLAN:**

Heritage and Natural assets conserved

- Our built environment will be managed to sustain our growing needs, while protecting and restoring buildings of historical value.
- Heritage and cultural places and items will be protected.
- A strengthening of our cultural and heritage awareness and values.

**STATUTORY AUTHORITY:** Nil

#### **POLICY IMPLICATIONS:**

Council has no policy relating to this matter

**FINANCIAL IMPLICATIONS:**

The failure to attract this funding will require a review of the project. Review of the project to be completed.

**RISK ASSESSMENTS:**

**OP46** Capacity to Deliver Services

Whilst not a change of government policy negatively affecting a service provision of planned capital funding, the failure to secure this funding will require the same risk solution.

**Ensure Corporate Plan and LTFP when reviewed consider the impact of government grants and contributions on service delivery and infrastructure renewal.**

**BACKGROUND:**

Council commissioned a submission to the Goldfields Esperance Development Commission (GEDC) for grant funding to refurbish three buildings in Shenton Street. In June 2016 the submission was accepted, and Council was invited to proceed to the next step, the presentation of a Business Plan.

**COMMENT:**

The business case, unfortunately fell short of requirements. Principally due to a weakness in the proposal and plan for the operation of the facilities once refurbished. This rejection while disappointing, provides Council with a direction for improvement to its applications for these projects.

An opportunity is available for Council to seek assistance to go forward, and, while no grant funding is offering at this point, to create a document that will meet the requirements of future grant applications.

Council should also consider the reallocation of some of its own funds to commence the refurbishment. This should only be commenced following serious and considered thought and analysis of Councils requirements.

The upcoming review of the Long Term Financial Plan, the Community Strategic Plan and the Corporate Plan are the perfect opportunity for Council to review this matter.

### **12.5.6 Risk Management Reporting Framework**

<b>LOCATION:</b>	N/A
<b>APPLICANT:</b>	N/A
<b>DOCUMENT REF:</b>	ADM256/4189
<b>DISCLOSURE OF INTEREST:</b>	The Author has no interest to disclose
<b>DATE:</b>	17 November 2016
<b>AUTHOR:</b>	Rhonda Evans, Chief Executive Officer
<b>ATTACHMENT:</b>	12.5.6 Strategic Risk Management Report

<b>COUNCIL RESOLUTION:</b>	<b>No 1100</b>
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**Moved:** Cr Lee

**Seconded:** Cr Mazza

*That Council receives the Enterprise risks and controls.*

**Carried 5/0**

#### **OFFICER RECOMMENDATION:**

That Council receives the Enterprise risks and controls.

#### **COMMITTEE RECOMMENDATION:**

That the Audit Committee Note the Draft Enterprise risks and controls.

#### **VOTING REQUIREMENTS:**

Simple Majority

#### **IN BRIEF:**

The Draft Enterprise Risk Report is presented to Council. This document is the reporting mechanism for the Policy 1.7 Enterprise Risk Management.

The document is dynamic, and will be updated as new risks arise, and new projects are commenced.

#### **RELEVANT TO STRATEGIC PLAN:**

Community Priorities

Active Civic Leadership

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

#### **STATUTORY AUTHORITY:**

*Local Government (Audit) Regulations 1996 – Chief Executive Officer to review certain systems and procedures.*

**POLICY IMPLICATIONS:**

Policy 107 Enterprise Risk Management – The Risk Management Policy outlines the shire’s commitment and approach to managing risks that may impact in its day-to-day operations and threaten the achievement of its objectives.

**FINANCIAL IMPLICATIONS:** Nil

**RISK ASSESSMENTS:**

Allocation has been made in the 2016/2017 annual budget for the internal audit risk function.

**BACKGROUND:**

The Shire has been undertaking a review of its risk profile as part of the implementation of the Risk Management Framework.

For Council to note

- Progress made in the Risk Management Framework
- The draft Strategic and Operational Risks
- The proposed introduction of a Risk Services Program to guide the internal audit activity and function and other monitoring and reviewing activities that may need to be undertaken. This program would be subject to change and modification during the year on the authorisation of the Chief Executive Officer.

The program will set out the internal audit activity for the year 2016/2017 to be carried out by the Shire Internal Audit Function (which reports directly to the Chief Executive Officer for assigned activities). The internal audit activity would be established in consultation between the Chief Executive Officer, the Manager Finance and Administration, the Executive Assistant, the Works Supervisor and Consultants to address areas that present risks to the Shire’s operations.

**COMMENT:**

The Shire has undertaken a review of its risk profile and established a draft set of Strategic and Operational Risks for the Audit Committee to consider. A number of operational and strategic risks have been identified. It is proposed that activities will be reported in accordance with the Framework established.

Internal audit activity focuses on area of risk including Financial and non-financial systems and compliance with legislation, regulations, policies and best practice. Where required, action plans will be developed and agreed with management for audit recommendations and follow-up conducted to ensure they are implemented as agreed.

It is therefore recommended that the Council receive the Draft Enterprise Risks and Controls as attached.

**13 ELECTED MEMBERS MOTION OF WHICH PREVIOUS NOTICE HAVE BEEN GIVEN**

There were no elected member's motions of which previous notice had been given.

**14 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF THE MEETING**

There was no new business of an urgent nature introduced by Decision of the Meeting.

**15 ITEMS FOR CONSIDERATION BEHIND CLOSED DOORS**

There were no items for consideration behind closed doors.

**16 NEXT MEETING**

The next Ordinary Council Meeting for the Shire of Menzies will be held on Thursday 15 December 2016 commencing at 1pm.

**17 CLOSURE OF MEETING**

There being no further business the Shire President closed the meeting at 2.01pm.

I, \_\_\_\_\_ hereby certify that the Minutes of the Ordinary Meeting of Council held 24 November 2016 are confirmed as a true and correct record, as per the Council Resolution of the Ordinary Meeting of Council held 15 December 2016.

Signed: \_\_\_\_\_

Dated: 15 December 2016