

SHIRE OF WYNDHAM EAST KIMBERLEY

Audit (Finance & Risk) Meeting: Minutes

4 DECEMBER 2023



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CONTENTS

1. DECLARATION OF OPENING.....	4
2. RECORD OF ATTENDANCE / APOLOGIES	4
3. PUBLIC QUESTION TIME / PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE...	<u>54</u>
4. DECLARATION OF INTEREST	<u>54</u>
5. CONFIRMATION OF MINUTES OF PREVIOUS MEETING	<u>54</u>
6. DEPUTATIONS / PRESENTATIONS / SUBMISSIONS / NOTICES OF MOTIONS.....	<u>54</u>
7. REPORTS	<u>54</u>
7.1. MEETING DATES FOR THE AUDIT (FINANCE AND RISK) COMMITTEE FOR 2024.....	<u>75</u>
7.2. AUDIT (FINANCE AND RISK) COMMITTEE TERMS OF REFERENCE REVIEW	<u>1210</u>
7.3. STANDING ITEM - RATES DEBTORS.....	<u>1513</u>
7.4. STANDING ITEM - SUNDRY DEBTORS.....	<u>2048</u>
7.5. STANDING ITEM - INSURANCE CLAIMS	<u>2422</u>
7.6. STANDING ITEM - LEASES.....	<u>2825</u>
7.7. REVIEW OF FINANCIAL MANAGEMENT, RISK MANAGEMENT, LEGISLATIVE COMPLIANCE AND INTERNAL CONTROLS.....	<u>3027</u>
8. MATTERS BEHIND CLOSED DOORS	<u>3330</u>
9. CLOSURE	<u>3330</u>

**SHIRE OF WYNDHAM EAST KIMBERLEY
AUDIT (FINANCE AND RISK) COMMITTEE
MINUTES
KUNUNURRA COUNCIL CHAMBERS
HELD ON MONDAY, 4 DECEMBER 2023 AT 5:00 PM**

1. DECLARATION OF OPENING

Members of the public were advised that recommendations to Council contained within the agenda and decisions arising from the Committee meeting can be subject to alteration.

Applicants and other interested parties should refrain from taking any action until such time as written advice is received confirming Council's decision with respect to any particular issue.

An audio and/or video record was made of the proceedings to assist in the taking of minutes.

CEO V Lawrence declared the meeting open at 5:00 pm

2. RECORD OF ATTENDANCE / APOLOGIES

CEO V Lawrence called for Councillors to nominate for position of Chair and Deputy Chair.

Cr B Robinson was nominated as the Chair

Cr T Chafer was nominated as the Deputy Chair

Cr B Robinson and Cr T Chafer accepted the nomination

COMMITTEE RESOLUTION

Minute Number: AC580

Moved: Cr T Chafer

Seconded: Cr D Hearty

That the Audit (Finance and Risk) Committee:

- 1. Elect Cr B Robinson as Chair**
- 2. Elect Cr T Chafer as Deputy Chair**

Carried / Lost: 3/0

For: Cr T Chafer, Cr D Hearty, Cr B Robinson

Against: Nil

Cr B Robinson

Councillor / Chair of Audit (Finance and Risk) Committee

Cr T Chafer

Deputy Shire President

Cr D Hearty

Councillor (Via videoconference)

V Lawrence

Chief Executive Officer

M Blair

Manager Finance

N Bray

Minute Taker

Apology

F Heading

Director Corporate Services

3. PUBLIC QUESTION TIME / PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

4. DECLARATION OF INTEREST

- Financial Interest - Nil
- Impartiality Interest - Nil
- Proximity Interest - Nil

5. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

That the Minutes of the Audit (Finance and Risk) Committee meeting of 11 September 2023 be accepted as a true and accurate record of proceedings.

COMMITTEE RESOLUTION

Minute Number: AC581

Moved: Cr T Chafer

Seconded: Cr D Hearty

That the Minutes of the Audit (Finance and Risk) Committee meeting of 11 September 2023 be accepted as a true and accurate record of proceedings.

Carried / Lost: 3/0

For: Cr T Chafer, Cr D Hearty, Cr B Robinson

Against: Nil

Note: The Minutes of the Audit (Finance and Risk) Committee are provided under separate cover via www.swek.wa.gov.au

6. DEPUTATIONS / PRESENTATIONS / SUBMISSIONS / NOTICES OF MOTIONS

Nil

7. REPORTS

Cr B Robinson moved that the Audit (Finance and Risk) Committee go in-camera at 5:05pm to discuss the confidential attachments associated with the reports in this meeting.

COMMITTEE RESOLUTION

Minute Number: AC582

Moved: Cr B Robinson

Seconded: Cr T Chafer

That the Audit (Finance and Risk) Committee move-in camera at 5:05 pm to discuss the confidential attachments.

Carried / Lost: 3/0

For: Cr T Chafer, Cr D Hearty, Cr B Robinson

Against:

There was no gallery to leave the room

Cr B Robinson moved that the Committee move out of camera at 5:50pm

COMMITTEE RESOLUTION

Minute Number: AC583

Moved: Cr B Robinson

Seconded: Cr T Chafer

That the Audit (Finance and Risk) Committee move out of camera at 5:50 pm.

Carried / Lost: 3/0

For: Cr T Chafer, Cr D Hearty, Cr B Robinson

Against: Nil

There was no gallery present to re-enter the room

7.1. MEETING DATES FOR THE AUDIT (FINANCE AND RISK) COMMITTEE FOR 2024

DATE:	4 December 2023
AUTHOR:	Director Corporate Services.
RESPONSIBLE OFFICER:	Felicity Heading - Director Corporate Services
FILE NO:	FM.02.8
DISCLOSURE OF INTERESTS:	Nil
COUNCIL'S ROLE IN THE MATTER:	Leader - Plan and provide direction through policy and practices
VOTING REQUIREMENT:	Simple Majority

OFFICER'S RECOMMENDATION

That the Audit (Finance and Risk) Committee recommends to Council that it endorses:

1. That the Audit (Finance and Risk) Committee meetings for 2024 are held in accordance with the following dates, times and place:

Date	Time	Place
Monday, 11 March 2024	5:00 pm	Council Chambers, Kununurra
Monday, 10 June 2024	5:00 pm	Council Chambers, Kununurra
Monday, 9 September 2024	5:00 pm	Council Chambers, Kununurra
Monday, 2 December 2024	5:00 pm	Council Chambers, Kununurra

2. That local public notice of the meetings outlined in recommendation (1) above is provided in accordance with Regulation 12 of the *Local Government (Administration) Regulations 1996*.

COMMITTEE RESOLUTION

Minute Number: AC584
 Moved: Cr T Chafer
 Seconded: Cr D Hearty

That the Audit (Finance and Risk) Committee recommends to Council that it endorses:

1. That the Audit (Finance and Risk) Committee meetings for 2024 are held in accordance with the following dates, times and place:

Date	Time	Place
------	------	-------

Monday, 11 March 2024	5:00 pm	Council Chambers, Kununurra
Monday, 10 June 2024	5:00 pm	Council Chambers, Kununurra
Monday, 9 September 2024	5:00 pm	Council Chambers, Kununurra
Monday, 2 December 2024	5:00 pm	Council Chambers, Kununurra

2. That local public notice of the meetings outlined in recommendation (1) above is provided in accordance with Regulation 12 of the *Local Government (Administration) Regulations 1996*.

Carried / Lost: 3/0

For: Cr T Chafer, Cr D Hearty, Cr B Robinson

Against: Nil

PURPOSE

To consider the proposed dates, times and place for the Audit (Finance and Risk) Committee meetings to be held for 2024 in accordance with Regulation 12 of the *Local Government (Administration) Regulations 1996* and recommend to the Council that it endorses the proposed dates, times and place.

BACKGROUND/PREVIOUS CONSIDERATIONS BY COUNCIL/COMMITTEE

At the 24 October 2023 Ordinary Council meeting Council resolved the following:

COUNCIL DECISION

Minute Number: 24/10/2023 - 118920

Moved: Cr C McNeil

Seconded: Cr T Chafer

That Council:

1. Approves the change of dates for the below Council Meetings:
 - a. Council Briefing Session from 7th November to the 14th November 2023
 - b. Ordinary Council Meeting from 21st November to the 28th November 2023
2. Adopts the Ordinary Council Meeting, Council Briefing and Audit (Finance and Risk) Committee meeting dates, times and locations for 2024 as detailed in the below table:

MONTH	Audit (Finance and Risk) Committee	Location and time	Council Briefing Sessions	Location and time	Ordinary Council Meetings	Location and time
JANUARY	-		Recess		Recess	
FEBRUARY	-		13th	Kununurra 17:00	27th	Wyndham 17:00
MARCH	11th	Kununurra 17:00	12th	Kununurra 17:00	26th	Kununurra 17:00
APRIL	-		9th	Kununurra 17:00	23rd	Kununurra 17:00
MAY	-		14th	Kununurra 17:00	28th	Wyndham 17:00
JUNE	10th	Kununurra 17:00	11th	Kununurra 17:00	25th	Kununurra 17:00

JULY	-		9th	Kununurra 17:00	23rd	Kununurra 17:00
AUGUST	-		13th	Wyndham 17:00	27th	Kununurra 17:00
SEPTEMBER	9th	Kununurra 17:00	10th	Kununurra 17:00	24th	Kununurra 17:00
OCTOBER	-		8th	Kununurra 17:00	22nd	Kununurra 17:00
NOVEMBER	-		12th	Wyndham 17:00	26th	Kununurra 17:00
DECEMBER	2nd	Kununurra 17:00	No Briefing		10th	Kununurra 17:00

- Notes that meetings are held at the Kununurra Council Chambers or the Wyndham Council chambers as indicated in the table above.
- Notes that due to a change in Local Government Regulations to live stream Ordinary Council Meetings, all Council Meetings will be held in the Kununurra Council Chambers from June 2024 until Wyndham Council Chambers are fitted out with the necessary equipment to live stream.
- Authorises the Chief Executive Officer to give public notice, by way of advertising of the accepted Ordinary Council Meeting dates, times and place of meeting.

Carried: 5 / 0

For: Cr D Menzel, Cr T Chafer, Cr D Hearty, Cr B Kyne, Cr C McNeil

Against: Nil

At the 27 September 2022 Ordinary Council Meeting, Council adopted the following recommendation from the Audit (Finance and Risk) Committee:

Minute Number: 27/09/2022 - 118017

That Council, with reference to Item 7.7 "Proposed Meeting Dates for the Audit (Finance and Risk) Committee for 2023" as detailed in the 12 September 2022 Audit (Finance and Risk) Committee Agenda/Minutes, adopts:

- That the Audit (Finance and Risk) Committee meetings for 2023 are held in accordance with the following dates, times and place:

Date	Time	Place
Monday, 13 March 2023	5:00 pm	Council Chambers, Kununurra
Monday, 12 June 2023	5:00 pm	Council Chambers, Kununurra
Monday, 11 September 2023	5:00 pm	Council Chambers, Kununurra
Monday, 4 December 2023	5:00 pm	Council Chambers, Kununurra

- That local public notice of the meetings outlined in recommendation (1) above is provided in accordance with Regulation 12 of the Local Government (Administration) Regulations 1996.

Moved: Cr D Menzel

Seconded: Cr T Chafer

Decision: 6/0

STATUTORY IMPLICATIONS

Division 2 — Council meetings, committees and their meetings and electors' meetings

Subdivision 1 — Council meetings

5.3. Ordinary and special council meetings

- (1) A council is to hold ordinary meetings and may hold special meetings.
- (2) Ordinary meetings are to be held not more than 3 months apart.
- (3) If a council fails to meet as required by subsection (2) the CEO is to notify the Minister of that failure.

5.4. Calling council meetings

An ordinary or a special meeting of a council is to be held —

- (a) if called for by either —
 - (i) the mayor or president; or
 - (ii) at least $\frac{1}{3}$ of the councillors, in a notice to the CEO setting out the date and purpose of the proposed meeting; or
- (b) if so decided by the council.

5.5. Convening council meetings

(1) The CEO is to convene an ordinary meeting by giving each council member at least 72 hours' notice of the date, time and place of the meeting and an agenda for the meeting.

In accordance with the *Local Government (Administration) Regulations 1996, Part 2 r.12:*

12. Publication of meeting details (Act s. 5.25(1)(g))

(1) In this regulation —

meeting details, for a meeting, means the date and time when, and the place where, the meeting is to be held.

(2) The CEO must publish on the local government's official 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.

POLICY IMPLICATIONS

There are no direct policy implications associated with this item.

FINANCIAL IMPLICATIONS

Minor expenditure will be incurred to ensure the appropriate advertising occurs for the proposed meetings. Funds are provided for this within the 2023/24 Annual Budget.

STRATEGIC IMPLICATIONS

This matter relates to the following sections of the Strategic Community Plan 2023-2033:

Focus Area: SUSTAINABILITY

Goal 10: Community-driven Leadership - Leaders work with the community to develop and implement change in delivering positive outcomes

Goal Outcome 10.3: Advocacy - Strong and consistent advocacy for local needs and priorities

Strategy 10.3: The Shire will influence decisions of others in a way that recognises and prioritises the needs of our local community

RISK IMPLICATIONS

Risk: Failure to manage the disbursement of funds to meet the needs of the Shires' forward planning requirements, including the Strategic Community Plan, Corporate Business Plan, Long Term Financial Plans and Annual Budget.

Controls: Quarterly Progress Reporting of the Corporate Business Plan, Quarterly Reporting and Risk Assessment of Forward Planning Documents and Strategic Risks, Monthly Financial Management Reports.

COMMUNITY ENGAGEMENT

Shire Policy *POL-3000 Community Engagement* has been considered in relation to this tem.

Engagement will take place in accordance with the Shire's Community Engagement Guidelines and will include local public notice of the proposed meeting dates, times and place in accordance with the legislative requirements.

COMMENTS

The proposed schedule has taken into account the proposed dates of the Ordinary Council Meetings for the 2024 calendar year, Council Briefing sessions and the past convention of having one meeting per quarter. It is proposed that the meetings take place in March, June, September and December 2024.

Consideration has also been made to ensure that the meetings occur at a time and location that is beneficial to the majority of the community in order to retain an open and transparent meeting process.

It is advantageous to meet on the day before a Council briefing session (generally the 2nd Tuesday of each month). This provides the opportunity to discuss any matters arising from the Audit (Finance and Risk) Committee at the briefing session and leave sufficient time to prepare reports for the next Ordinary Council Meeting which is generally held on the 4th Tuesday of each Month.

It is therefore proposed that the Committee meetings take place at 5:00 pm on the day before the Council briefing session with the exception of the December meeting. It is proposed that the December meeting take place the week before the Ordinary Council Meeting as there is no Council briefing session in December.

The proposed meeting dates, times and place are as follows:

- Monday, 11 March 2024 5:00 pm, Council Chambers, Kununurra
- Monday, 10 June 2024 5:00 pm, Council Chambers, Kununurra
- Monday, 9 September 2024 5:00 pm, Council Chambers, Kununurra
- Monday, 2 December 2024 5:00 pm, Council Chambers, Kununurra

ATTACHMENTS

Nil

7.2. AUDIT (FINANCE AND RISK) COMMITTEE TERMS OF REFERENCE REVIEW

DATE	4 December 2023
AUTHOR	Director Corporate Services.
RESPONSIBLE OFFICER	Felicity Heading - Director Corporate Services
FILE NO	FM.02.8
DISCLOSURE OF INTERESTS	Nil
COUNCIL'S ROLE IN THE MATTER	Leader - Plan and provide direction through policy and practices
VOTING REQUIREMENT	Simple Majority

OFFICER'S RECOMMENDATION

That the Audit (Finance and Risk) Committee recommends to the Council that it adopt the revised Audit (Finance and Risk) Committee Terms of Reference.

COMMITTEE RESOLUTION

**Minute Number: AC585
Moved: Cr T Chafer
Seconded: Cr B Robinson**

That the Audit (Finance and Risk) Committee recommends to the Council that it adopt the revised Audit (Finance and Risk) Committee Terms of Reference.

**Carried / Lost: 3/0
For: Cr T Chafer, Cr D Hearty, Cr B Robinson
Against: Nil**

PURPOSE

The Audit (Finance and Risk) Committee is established in accordance with Part 7 of the Local Government Act 1995 and the Local Government (Audit) Regulations 1996 which requires all local governments to establish an audit committee.

These Terms of Reference outline the Committee's objectives, powers, composition and membership, terms of membership, meetings, quorum, duties and responsibilities of both the Committee and its members. This report is for the Audit (Finance and Risk) Committee to consider the changes made after a review of the Terms of Reference and recommend to Council that it adopt the changes.

BACKGROUND/PREVIOUS CONSIDERATIONS BY COUNCIL/COMMITTEE

The Audit (Finance and Risk) Committee Terms of Reference were last reviewed in November 2021. The Terms of Reference are due for review to ensure they are current and compliant with Legislation and best practice.

STATUTORY IMPLICATIONS

The relevant legislation relating to the terms of reference are:

- *Local Government Act 1995, section 5.8 - 5.25 Committees and their meetings and matters affecting council and committee meetings.*
- *Local Government Act 1995 - 7.1A Audit committee; 7.1B Delegation of some powers and duties to audit committees; 7.1C Decisions of audit committees.*
- *Local Government Act 1995 - 7.13(1)(ab) Regulations as to the functions of Audit Committees and 7.13(2) Regulations may be made under section 5.25 in relation to Committees.*

Local Government (Audit) Regulations 1996

16. Functions of audit committee

An audit committee has the following functions —

- (a) to guide and assist the local government in carrying out —
 - (i) its functions under Part 6 of the Act; and*
 - (ii) its functions relating to other audits and other matters related to financial management;**
- (b) to guide and assist the local government in carrying out the local government's functions in relation to audits conducted under Part 7 of the Act;*
- (c) to review a report given to it by the CEO under regulation 17(3) (the CEO's report) and is to —
 - (i) report to the council the results of that review; and*
 - (ii) give a copy of the CEO's report to the council;**
- (d) to monitor and advise the CEO when the CEO is carrying out functions in relation to a review under —
 - (i) regulation 17(1); and*
 - (ii) the Local Government (Financial Management) Regulations 1996 regulation 5(2)(c);**
- (e) to support the auditor of the local government to conduct an audit and carry out the auditor's other duties under the Act in respect of the local government;*
- (f) to oversee the implementation of any action that the local government —
 - (i) is required to take by section 7.12A(3); and*
 - (ii) has stated it has taken or intends to take in a report prepared under section 7.12A(4)(a); and*
 - (iii) has accepted should be taken following receipt of a report of a review conducted under regulation 17(1); and*
 - (iv) has accepted should be taken following receipt of a report of a review conducted under the Local Government (Financial Management) Regulations 1996 regulation 5(2)(c);**
- (g) to perform any other function conferred on the audit committee by these regulations or another written law.*

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

This matter relates to the following sections of the *Strategic Community Plan 2023-2033*:

Focus Area: SUSTAINABILITY

Goal 10: Community-driven Leadership - Leaders work with the community to develop and implement change in delivering positive outcomes

Goal Outcome 10.3: Advocacy - Strong and consistent advocacy for local needs and priorities

Strategy 10.4: Integrate all planning and resource management to drive continuous improvement and innovation.

RISK IMPLICATIONS

Risk: Failure to manage the appropriateness and effectiveness of the Shire's systems and procedures in relation to risk management, internal control and legislative compliance

Control: Review policies and procedures in accordance with the review schedule. Undertake Audit Regulation 17 Review and implement recommendations as an opportunity to improve and effect lasting organisational change.

COMMUNITY ENGAGEMENT

The Shire of Wyndham East Kimberley's *POL-3000 Community Engagement* policy has been considered in relation to this item.

No community engagement is required.

COMMENTS

Minor amendments have been made to the reviewed Audit (Finance and Risk) Committee Terms of Reference. The draft Terms of Reference are attached along with the Department of Local Government guidelines on the appointment, function and responsibilities of Audit Committees.

ATTACHMENTS

Attachment 1 - MOR-2000 Audit (Finance and Risk) Committee N-50138 Tracked Changes

Attachment 2 - DLGSC Operational Guideline 9 - Appointment, function and responsibilities of Audit Committees.

Attachment 3 - MOR-2000 Audit (Finance and Risk) Committee N-50138 Clean Copy

7.3. STANDING ITEM - RATES DEBTORS

DATE	4 December 2023
AUTHOR	Rates Officer
RESPONSIBLE OFFICER	Felicity Heading, Director Corporate Services
FILE NO	FM.11.166
DISCLOSURE OF INTERESTS	Nil
VOTING REQUIREMENT	Simple Majority
NATURE OF COUNCIL'S ROLE IN THE MATTER	Leader - plan and provide direction through policy and practices

OFFICER'S RECOMMENDATION

That the Audit (Finance and Risk) Committee reports to Council that the actions being undertaken by the administration in regard to rates debtors, including rates debts in legal process, are sufficient and appropriate.

COMMITTEE RESOLUTION

Minute Number: AC586

Moved: Cr T Chafer

Seconded: Cr D Hearty

That the Audit (Finance and Risk) Committee reports to Council that the actions being undertaken by the administration in regard to rates debtors, including rates debts in legal process, are sufficient and appropriate.

Carried / Lost: 3/0

For: Cr T Chafer, Cr D Hearty, Cr B Robinson

Against: Nil

PURPOSE

To review the status of rates debtors and those rates debts that are in legal process.

BACKGROUND/PREVIOUS CONSIDERATIONS BY COUNCIL/COMMITTEE

At the Ordinary Council Meeting, 16 October 2007, Council resolved the following:

Minute No. 7936

That Council direct the CEO to provide a written report to Council under confidential cover each month in regard to all debts currently in legal process.

Carried Unanimously 5/0

At the Ordinary Council Meeting on 18 March 2008, Council resolved the following:

Minute No: 8148

Moved: Cr J Parker Seconded: Cr F Mills

That Council:

1. note the confidential report provided to it in relation to debts owed to Council and under legal action.
2. direct the Executive Manager Corporate Services to provide a written report to the Audit Committee under confidential cover at each Audit Committee meeting in regard to all debts currently in legal process.
3. request the Audit Committee to make recommendations to Council as required and appropriate in relation to the report provided under confidential cover regarding debts currently in legal process.
4. resolve that this requirement replaces the previous requirement on the CEO to report information to Council.

Carried Unanimously 8/0

This requirement is now fulfilled by a combination of this report and Standing Item – Sundry Debtors.

The Outstanding Rates Debtors over three years report has also been incorporated into the confidential attachment to this item to give a complete picture of rates debtors.

STATUTORY IMPLICATIONS

This item in a Council Meeting needs to be discussed behind closed doors in accordance with section 5.23.(2)(e)(iii) of the *Local Government Act 1995* because the item may disclose information about the business, professional, commercial or financial affairs of a person.

POLICY IMPLICATIONS

The following Council Policies are relevant to this item:

POL-2007 Rates and Charges Debt Collection

POL-2016 Financial Hardship - Rates and Sundry Debtors

POL-3002 Community Grant Program

FINANCIAL IMPLICATIONS

Legal fees may be incurred to recover debts or revenue written off if debt recovery is considered not economically viable. Should debts become not recoverable it affects the cash position of the Shire. Provision is made for debts that are not recoverable at the end of each financial year.

RISK IMPLICATIONS

Risk: Failure to adequately resource and manage funding requirements which meet the needs of the Shire's service delivery requirements and strategic objectives.

Controls: Policies updated in accordance with schedule and operational requirements. Implementation of Long Term Financial Plan and Annual Budget.

COMMUNITY ENGAGEMENT

The Shire of Wyndham East Kimberley *POL-3000 Community Engagement* policy has been considered in relation to this item.

No community engagement is required however regular communication is had with ratepayers.

COMMENTS

Rates and Services Debtors Summary

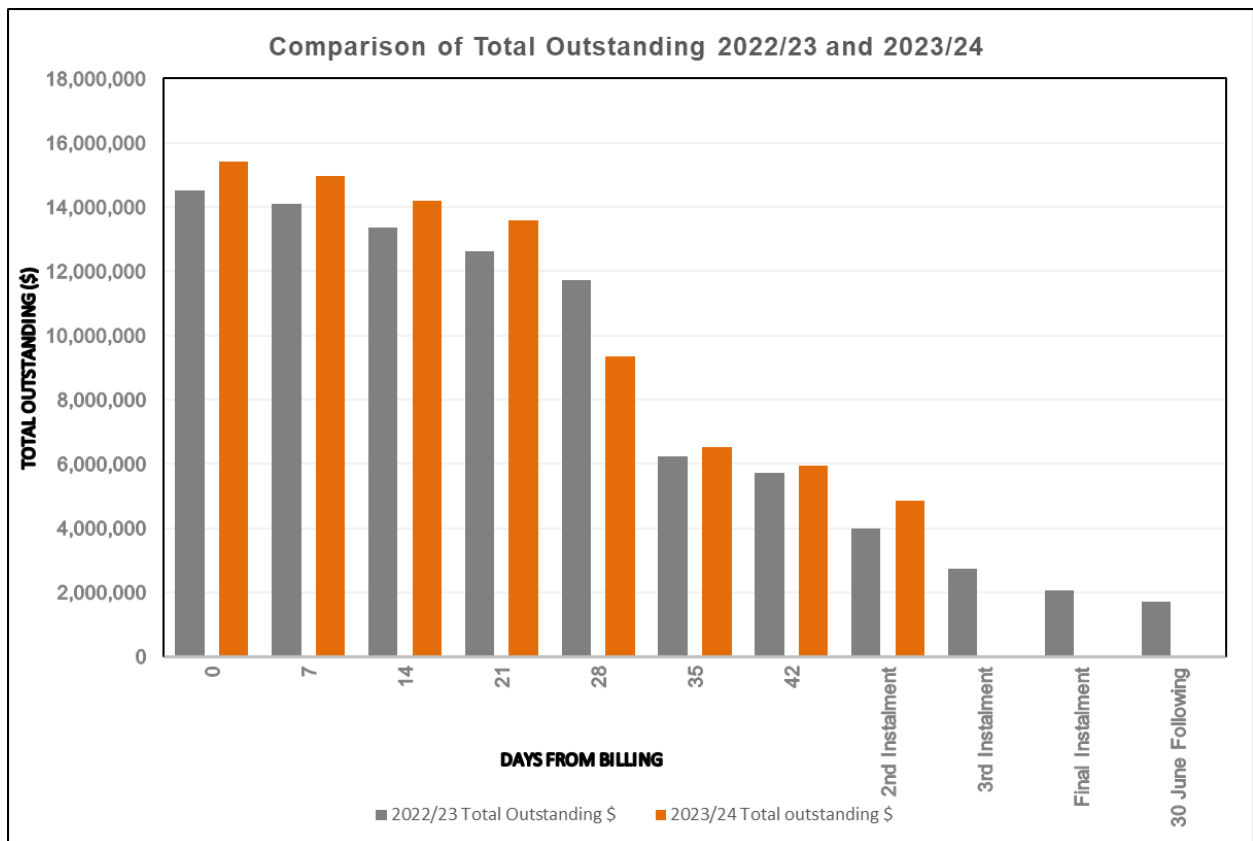
Rates & Services Levied 2023/24 (including arrears) at 24 November 2023	Overdue at 24 November 2023
\$15,700,482	\$2,806,325

Rates for the financial year of 2023/24 were raised on 2 August 2023 and notices issued on 4 August 2023. Interim rating occurs periodically throughout the year. Annual rates were due for payment on 8 September 2023. The Overdue amount of \$2,806,325 is analysed in the Confidential Attachment. Details of rates debtors provided in this report are as at 24 November 2023.

Comparison of Rates received 2022/23 and 2023/24

NB: It should be noted that the table below includes Rates, Waste Management Charges, Waste Receptacle Charges, Back Rates, ESL & Deferred Rates.

		2022/23			2023/24		
Days from Billing		Total Outstanding	Received	% of Total Outstanding at Billing Received	Total outstanding	Received	% of Total Outstanding at Billing Received
		\$	\$	%	\$	\$	%
0	Notices Issued	14,507,172			15,412,173		
7		14,095,693	411,479	2.84%	14,959,068	453,105	2.94%
14		13,345,969	1,161,203	8.00%	14,182,838	1,229,335	7.98%
21		12,634,998	1,872,174	12.91%	13,589,577	1,822,595	11.83%
28		11,706,759	2,800,413	19.30%	9,357,741	6,054,432	39.28%
35		6,236,183	8,270,989	57.01%	6,520,971	8,891,202	57.69%
42		5,716,613	8,790,559	60.59%	5,952,493	9,459,680	61.38%
2nd Instalment		3,979,275	10,527,897	72.57%	4,858,337	10,553,836	68.48%
3rd Instalment		2,744,415	11,762,757	81.08%			
Final Instalment		2,069,240	12,437,932	85.74%			
30 June Following		1,702,170	12,805,003	88.27%			
Total			12,805,003			10,553,836	



Instalment Status Report at 24 November 2023

Instalment Option	Number of Properties	% Total Properties*	Properties up to date	Properties Behind	Instalments Overdue \$	% of Properties Overdue
2 Instalment	173	6.15%	145	28	\$83,597	16.18%
4 Instalment	387	13.75%	278	109	\$109,349	28.17%
All Instalment Payers	560	19.90%	423	137	\$192,946	24.46%
2,814	*excluding non-rateable properties					

Additional Information

Impact of COVID-19

It should be noted that in response to the COVID-19 pandemic a number of initiatives have been put in place to assist ratepayers, businesses and the community in general that impact the Shire's debt collection processes. These include the adoption of Council policy *POL-2013 COVID-19 Financial Hardship - Rates and Sundry Debtors* to allow those experiencing financial hardship to apply for debt relief including the waiver of interest and fees and charges, and minor amendments to the existing policy *POL-2007 Rates and Charges Debt Collection* to allow for extended payment arrangement terms and for greater discretion in debt collection. During the 2020/21 financial year legal action was placed on hold for all accounts. In the 2021/22 financial year legal action recommenced with only those ratepayers approved under Council policy *POL-2013 COVID-19 Financial Hardship - Rates and Sundry Debtors* being exempt.

To date Fourteen applications for Financial Hardship have been received from ratepayers. Fourteen have been approved. Since introducing the Policy in April 2020, two of the eligible properties have since sold leaving twelve approved ratepayers. Of these twelve, nine have paid in full leaving a total outstanding amount of \$42,402 for the remaining three ratepayers.

At the April 18 2023 Ordinary Council Meeting, Council adopted Policy *POL-2016 Financial Hardship Policy - Rates and Sundry Debtors* and rescinded Policy *POL-2013 COVID-19 Financial Hardship - Rates and Sundry Debtors*. The new policy is a general financial hardship policy and will apply to rates debtors assessed as being in financial hardship under the previous policy and will apply to rates debtors as required in the future as the Shire understands that many ratepayers continue to be impacted by the current economic climate.

ATTACHMENTS

(Confidential Attachments provided under separate cover).

Confidential Attachment 1 - Rates Debtors 24 November 2023

7.4. STANDING ITEM - SUNDRY DEBTORS

DATE:	4 December 2023
AUTHOR:	Manager Finance
RESPONSIBLE OFFICER:	Felicity Heading, Director Corporate Services
FILE NO:	FM.07.02
DISCLOSURE OF INTERESTS:	Nil
COUNCIL'S ROLE IN THE MATTER:	Leader - Plan and provide direction through policy and practices
VOTING REQUIREMENT:	Simple Majority

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That the Audit (Finance and Risk) Committee reports to Council that the actions being undertaken by the administration in regard to sundry debtors including sundry debts in legal process are sufficient and appropriate.

COMMITTEE RESOLUTION

**Minute Number: AC587
Moved: Cr D Hearty
Seconded: Cr T Chafer**

That the Audit (Finance and Risk) Committee reports to Council that the actions being undertaken by the administration in regard to sundry debtors including sundry debts in legal process are sufficient and appropriate.

**Carried / Lost: 3/0
For: Cr T Chafer, Cr D Hearty, Cr B Robinson
Against: Nil**

PURPOSE

To review the status of sundry debtors, including airport debtors, and sundry debts in legal process.

NATURE OF COUNCIL'S ROLE IN THE MATTER

Leader - plan and provide direction through policy and practices.

BACKGROUND/PREVIOUS CONSIDERATIONS BY COUNCIL/COMMITTEE

The listing of 90+ day sundry debtors was provided at the Ordinary Council Meeting on a monthly basis until March 2009 when Council resolved that the 90+ days debtor list be

removed from the Council Agenda as a standing item and be presented to the Audit (Finance and Risk) Committee (Committee) for consideration and to make recommended actions to Council as this falls within the scope of the committee's purpose.

In line with the more strategic focus of the new Committee the report in April 2012 only included debtor balances at 90+ days and over \$500.

To further progress this strategic focus this item has been changed to provide summary information regarding all sundry debts including airport landing fees administered by Avdata on the Shire's behalf.

Further changes were recommended to the Audit Committee at the February 2014 meeting to modify the report by removing the categories previously reported and to report sundry debtors as a whole, with airport debtors still being identified separately and that only debtors in excess of \$20,000 be provided with more detail. These changes were supported by the Committee and have been considered in the writing of this report.

STATUTORY IMPLICATIONS

This item in a Council Meeting needs to be discussed behind closed doors under Section 5.23. (2) (e) (iii) of the *Local Government Act 1995* because the item may disclose information about the business, professional, commercial or financial affairs of a person and because the item also contains legal advice to the Council.

POLICY IMPLICATIONS

Policies relevant to this item:

Council Policy *POL-2009 Sundry Debt Collection*

Council Policy *POL-2016 Financial Hardship - Rates and Sundry Debtors*

FINANCIAL IMPLICATIONS

Legal fees may be incurred to recover debts or revenue written off if debt recovery is considered not economically viable.

It should be noted however, that as outlined in section 9 of the *POL-2009 Sundry Debt Collection* policy, when possible 'Debt collection and legal fees associated with the recovery of outstanding debts will be recovered from the sundry debtor to the extent allowable under legislation and will be assessed on a case by case basis'.

STRATEGIC IMPLICATIONS

This matter relates to the following sections of the *Strategic Community Plan 2023-2033*:

FOCUS AREA: Sustainability

GOAL 10: Community-driven Leadership - Leaders work with the community to develop and implement change in delivering positive outcomes

GOAL OUTCOME 10.4: Innovation - Embrace technology, creativity and innovation to solve complex problems

STRATEGY 10.4: Integrate all planning and resource management to drive continuous improvement and innovation

RISK IMPLICATIONS

Risk: Failure to adequately resource and manage funding requirements which meet the needs of the Shire's service delivery requirements and strategic objectives.

Control: Policies updated in accordance with schedule and operational requirements.

COMMUNITY ENGAGEMENT

The Shire of Wyndham East Kimberley *POL-3000 Community Engagement* policy has been considered in relation to this item.

No community engagement is required however there is regular contact with debtors generally.

COMMENTS

Sundry Debtors (General) Summary as at 24 November 2023

Categories	90 Days		60 Days	30 Days	Current	Total
	No	\$	\$	\$	\$	\$
Sundry Debtors	67	1,206,770	32,909	740,761	536,177	\$2,516,617

Note: The information in the above table is from the Shire's Debtors System. The revenue is recognised when the debt is raised.

Sundry Debtors (Airport Landing Fees) Summary as at 1 December 2023

Categories	90 Days		60 Days	30 Days	Current	Total
	No	\$	\$	\$	\$	\$
Kununurra Airport	33	66,857	23,397	30,318	158,852	279,424
Wyndham Airport	1	59	0	402	2,123	2,584
Total	34	66,916	23,397	30,720	160,975	282,008

Note: The information in the above table is provided by Avdata. The revenue is recognised on a monthly basis from invoicing details provided.

Additional Information

Virgin Administration

It should be noted that Virgin Australia Holdings Limited and its related entities were placed into Voluntary Administration effective from 20 April 2020. Further details are provided in confidential attachment 1.

Impact of COVID-19

In response to the COVID-19 pandemic the Shire has put in place a number of initiatives to assist ratepayers, businesses, and the community in general that have an impact on the Shire's debt collection processes. These include the adoption of Council policy POL-2016 *Financial Hardship - Rates and Sundry Debtors* to allow those experiencing financial hardship to apply for debt relief including the waiver of interest and fees and charges, and minor amendments to the existing policy *POL-2009 Sundry Debt Collection* to allow for extended payment arrangement terms. In addition to this legal action has been placed on hold for most outstanding sundry debtors.

At the April 18 2023 Ordinary Council Meeting, Council adopted Policy *POL-2016 Financial Hardship Policy - Rates and Sundry Debtors* and rescinded Policy *POL-2013 COVID-19 Financial Hardship - Rates and Sundry Debtors*. The new policy is a general financial hardship policy and will apply to sundry debtors assessed as being in financial hardship under the previous policy and will apply to debtors as required in the future as the Shire understands that many businesses and sundry debtors continue to be impacted by the current economic climate.

ATTACHMENTS

(Confidential attachments provided under separate cover).

Confidential Attachment 1 - Sundry Debtors at 24 November 2023

7.5. STANDING ITEM - INSURANCE CLAIMS

DATE:	4 December 2023
AUTHOR:	Director Corporate Services
RESPONSIBLE OFFICER:	Felicity Heading, Director Corporate Services
FILE NO:	RM.01.2
DISCLOSURE OF INTERESTS:	Nil
COUNCIL'S ROLE IN THE MATTER:	Leader - Plan and provide direction through policy and practices
VOTING REQUIREMENT:	Simple Majority

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That the Audit (Finance and Risk) Committee recommends to Council that it notes the Insurance Claims Report and associated attachments.

COMMITTEE RESOLUTION

**Minute Number: AC588
Moved: Crtyt T Chafer
Seconded: Cr D Hearty**

That the Audit (Finance and Risk) Committee recommends to Council that it notes the Insurance Claims Report and associated attachments.

**Carried / Lost: 3/0
For: Cr T Chafer, Cr D Hearty, Cr B Robinson
Against: Nil**

PURPOSE

To report to the Audit (Finance and Risk) Committee (the Committee) the insurance claims that have been lodged for the 2021/22, 2022/23 and 2023/24 financial years, the associated costs and the status of the claims.

BACKGROUND/PREVIOUS CONSIDERATIONS BY COUNCIL/COMMITTEE

The Audit (Finance and Risk) Committee has as one of its functions to facilitate the effective management of financial and other risks and the protection of Council assets. The Shire administration is currently allocating time and resources to risk management and it is appropriate that the Shire's risk performance is reported to the Committee as a standard report on a quarterly basis.

STATUTORY IMPLICATIONS

This item in a Council Meeting needs to be discussed behind closed doors under Section 5.23.(2)(a) and Section 5.23.(2)(e)(iii) of the *Local Government Act 1995* because the item deals with a matter affecting an employee or employees, and because the item may disclose information about the business, professional, commercial or financial affairs of a person.

POLICY IMPLICATIONS

The following Shire documents are relevant to this report:

- Corporate Insurance Strategy
- *POL-1011 Risk and Opportunity Management* policy

FINANCIAL IMPLICATIONS

Insurance premiums have been considered in the 2022/23 and 2023/24 budget processes. The Shire has, in terms of its insurance policies, insurance excesses that it has to absorb as a “first loss” in the event of a claim. These excesses are set out in the detailed insurance schedules accompanying the insurance policies.

There are no other financial implications arising out of the preparation of this report.

RISK IMPLICATIONS

Risk: Failure to manage the appropriateness and effectiveness of the Shire’s systems and procedures in relation to risk management, internal control and legislative compliance.

Control: Audit Regulation 17 Conducted every three years and recommendations implemented.
Annual review of insurance cover.

COMMUNITY ENGAGEMENT

The Shire of Wyndham East Kimberley’s *POL-3000 Community Engagement* policy has been considered in relation to this item.

No community engagement is required.

COMMENTS

The Terms of Reference for the Audit (Finance and Risk) Committee set out as one of the objectives to “facilitate the effective management of financial and other risks and the protection of Council assets”. Part of the *Local Government Operational Guidelines Number 09 - Audit in Local Government* identifies that “good audit committee practices in monitoring internal control and risk management programs typically include: assessing the adequacy of local government processes to manage insurable risks and ensure the adequacy of insurance cover, and if applicable, the level of self-insurance.”

The attachments detail the cost of claims across four categories where claims were made for the financial years 2021/22, 2022/23 and 2023/24. These can be summarised as follows:

	2021/22		2022/23		2023/24	
	Number of Claims	Estimated Costs \$	Number of Claims	Estimated Costs \$	Number of Claims	Estimated Costs \$

Property	5	283,712	2	210,495	0	0
Liability	5	2,203	1	0	1	1,000
Motor Vehicle	2	1,250	2	53,721	0	0
WorkCare	6	\$5,256	5	181,870	3	7,000
Total	18	292,421	10	446,086	4	8,000

Property

There were five claims for property damage lodged during the 2021/22 year, four of which have been finalised. The total cost of the finalised claims was \$70,143. One claim is yet to be finalised with \$198,836 paid to date and estimated total costs of \$213,569. The total estimated costs for 2021/22 are \$283,712. There were two claims lodged in 2022/23, both of which are still current with \$209,892 paid to date and estimated total costs of \$210,495. There have been no claims lodged to date in 2023/24.

Liability

There were five liability claims lodged in 2021/22, three of which were denied and all of which have been finalised with total costs of \$2,203. There was one claim lodged to date in 2022/23 which has been denied. There has been one claim lodged to date in 2023/24 which is currently pending assessment by LGIS.

Motor Vehicle

There were two motor vehicle claims lodged in 2021/22 with total costs of \$1,250. There were two claims lodged in 2022/23, one of which is closed with total costs of \$28,221 and one that is open with an estimated cost of \$25,500. There have been no claims to date in 2023/24.

WorkCare

There were six WorkCare claims submitted in 2021/22 with total costs of \$5,256 all of which have been finalised. There were five claims in 2022/23. All have been accepted with two finalised with a cost of \$12,183. The total paid to date on the other three claims is \$18,611 with estimated total costs of \$169,687. There have been three claims to date in 2023/24. One has been accepted and two are pending assessment with the total paid to date of \$381 and total estimated costs of \$7,000 on the accepted claim.

Work Health, Safety, and Wellbeing

The Shire recruited a Safety and Wellbeing Officer in 2019 to assist in the development, implementation and management of the Shire's Workplace OSH processes, procedures, as well as coordinating health and wellbeing programs and initiatives. The Shire has also been working closely with its insurers, LGIS, to provide training to all staff on their responsibilities for maintaining a safe workplace.

In 2022/2023 a program commenced to identify the Shire's critical risks and to identify and evaluate controls. Further work is being undertaken to reduce the risk of occurrence of incidents including trips and falls, and manual handling issues, which have the potential for the types of injuries that result in work restrictions and compensation claims. A Safety and Wellbeing Report is provided to management on a quarterly basis providing detailed information on Safety performance for the period. A copy of the report for the period from July to September 2023 is attached for information purposes only (see Confidential Attachment 5).

LGIS Risk Reviews

Risk reviews were conducted by the Shire's Insurers LGIS at Waste Facilities (Wyndham and Kununurra) and East Kimberley Regional Airport and Wyndham Aerodrome in April 2023. The primary focus of these reviews was on risks associated with the outbreak of fire and recommendations for mitigation controls. Reports were provided in July. In response to these,

work has been undertaken and action plans put in place for all sites. The insurer will be provided with updates in response to the recommendations provided.

ATTACHMENTS

(Confidential Attachments provided under separate cover).

- Confidential Attachment 1 - LGIS Property Claims Report
- Confidential Attachment 2 - LGIS Liability Claims Report
- Confidential Attachment 3 - LGIS Motor Vehicle Claims Report
- Confidential Attachment 4 - LGIS WorkCare Claims Report
- Confidential Attachment 5 - Quarterly Safety and Wellbeing Report

7.6. STANDING ITEM - LEASES

DATE:	4 December 2023
AUTHOR:	Manager Finance
RESPONSIBLE OFFICER:	Felicity Heading, Director Corporate Services
FILE NO:	CP.07 and CP.16
DISCLOSURE OF INTERESTS:	Nil
COUNCIL'S ROLE IN THE MATTER:	Leader - Plan and provide direction through policy and practices
VOTING REQUIREMENT:	Simple Majority

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That the Committee recommends to Council that it notes the Confidential Lease Schedule and the New and Renewal Lease Schedule attached.

COMMITTEE RESOLUTION:

**Minute Number: AC589
Moved: Cr T Chafer
Seconded: Cr B Robinson**

That the Committee recommends to Council that it notes the Confidential Lease Schedule and the New and Renewal Lease Schedule attached.

**Carried / Lost: 3/0
For: Cr T Chafer, Cr D Hearty, Cr B Robinson
Against: Nil**

PURPOSE

To consider the attached Confidential Lease Schedule and New and Renewal Lease Schedule.

NATURE OF COUNCIL'S ROLE IN THE MATTER

Provider - provide physical infrastructure and essential services.

BACKGROUND/PREVIOUS CONSIDERATIONS BY COUNCIL/COMMITTEE

The Shire of Wyndham East Kimberley administers over thirty five leases including airport leases, commercial leases and leases to community organisations.

In December 2007 the Audit (Risk and Finance) Committee resolved:

Minute No. A066
Moved: Cr Keith Wright
Seconded Cr Frederic Mills

1. That the Audit Committee note that the responsibility for the management of leases and periodical contracts is that of the Executive Manager Corporate Services.
2. That the Audit Committee note that the Executive Manager Corporate Services monitors the leases and coordinates the lease database and reporting to Executive Managers, the Audit Committee and Council.
3. That the Audit Committee request staff to present an updated Lease Spreadsheet certified by Executive Manager Corporate Services to each Audit Committee meeting as a standing item.

Carried Unanimously 4/0

STATUTORY IMPLICATIONS

This item in a Council Meeting needs to be discussed behind closed doors under Section 5.23.(2)(e)(iii) of the *Local Government Act 1995* because the item may disclose information about the business, professional, commercial or financial affairs of a person.

POLICY IMPLICATIONS

POL-3008 Leasing of Council Managed Reserve Land – Community is relevant.

POL-3009 Leasing of Council Managed/Owned Land – Commercial is relevant.

FINANCIAL IMPLICATIONS

There are no direct financial implications from the preparation of this report.

RISK IMPLICATIONS

Risk: Failure to provide community services which meet the needs and expectations of the community to support social cohesion and participation.

Control: Provide community leases to various community groups in line with Council Policy *POL-3008 Leasing of Council Managed Reserve Land - Community* to support community organisations in the provision of services, facilities and events.

COMMUNITY ENGAGEMENT

The Shire of Wyndham East Kimberley *POL-3000 Community Engagement Policy* has been considered in relation to this item.

No community engagement is required.

COMMENTS

Shire officers are currently working on two outstanding new and renewal leases. While the Shire is making every attempt to finalise the remaining leases as soon as possible, control over the timeline in progressing the leases is not vested entirely in the Shire. Details of outstanding leases are contained in Attachment 2.

ATTACHMENTS

(Confidential attachments provided under separate cover)

Confidential Attachment 1 - Lease Schedule

Confidential Attachment 2 - New and Renewal Lease Schedule

7.7. REVIEW OF FINANCIAL MANAGEMENT, RISK MANAGEMENT, LEGISLATIVE COMPLIANCE AND INTERNAL CONTROLS

DATE:	4 December 2023
AUTHOR:	Director Corporate Services
RESPONSIBLE OFFICER:	Felicity Heading, Director Corporate Services
FILE NO:	CM.01.1
DISCLOSURE OF INTERESTS:	Nil
NATURE OF COUNCIL'S ROLE IN THE MATTER:	Leader - plan and provide direction through policy and practices.

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That the Audit (Finance and Risk) Committee reports to Council that it has noted the progress report in the confidential attachments arising from the Chief Executive Officer's review on the appropriateness and effectiveness of the Shire's systems and procedures in relation to risk management, internal control and legislative compliance as required by Regulation 17 of the Local Government (Audit) Regulations 1996 and the review of the appropriateness and effectiveness of the financial management systems and procedures of the Shire as required by Regulation 5(2)(c) of the Local Government (Financial Management) Regulations 1996.

COMMITTEE RESOLUTION:

Minute Number: AC590
Moved: Cr T Chafer
Seconded: Cr B Robinson

That the Audit (Finance and Risk) Committee reports to Council that it has noted the progress report in the confidential attachments arising from the Chief Executive Officer's review on the appropriateness and effectiveness of the Shire's systems and procedures in relation to risk management, internal control and legislative compliance as required by Regulation 17 of the Local Government (Audit) Regulations 1996 and the review of the appropriateness and effectiveness of the financial management systems and procedures of the Shire as required by Regulation 5(2)(c) of the Local Government (Financial Management) Regulations 1996.

Carried / Lost: 3/0
For: Cr T Chafer, Cr D Hearty, Cr B Robinson
Against: Nil

PURPOSE

For the Audit (Finance and Risk) Committee to review the progress on the Chief Executive Officer's report on the appropriateness and effectiveness of the Shire's systems and procedures in relation to risk management, internal control and legislative compliance as well

as to report the progress on the results of the appropriateness and effectiveness of the financial management systems and procedures. The findings will be implemented in a staged manner based on priority and progress reported to the Audit (Finance and Risk) Committee.

NATURE OF COUNCIL'S ROLE IN THE MATTER

Leader - plan and provide direction through policy and practices

Regulator - enforce state legislation and local laws

BACKGROUND/PREVIOUS CONSIDERATIONS BY COUNCIL/COMMITTEE

The Local Government (Audit) Regulations 1996, Regulation 17, requires the CEO to review the appropriateness and effectiveness of a local government's systems and procedures in relation to risk management, internal control and legislative compliance. It further requires in Regulation 5(2)(c) of the Local Government (Financial Management) Regulations 1996 that the CEO review the appropriateness and effectiveness of the financial management systems and procedures of the Shire.

The **risk management** functions of the local government should manage the creation and protection of value within the Shire of Wyndham East Kimberley. Effective risk management improves performance, encourages innovation and supports the achievement of objectives.

Internal Control is the systematic measures (such as reviews, checks and balances, methods and procedures) instituted by an organisation to; conduct its business in an orderly and efficient manner, safeguard its assets and resources, deter and detect errors, fraud, and theft, ensure accuracy and completeness of its accounting data, produce reliable and timely financial and management information, and ensure adherence to its policies and plans. Internal control is a key component of a sound governance framework, which uses instruments such as policies, delegations, authorisations, audit practices, information systems and security, management and operation techniques and human resource practice to create a network of control mitigation to maintain appropriate levels of risk.

Legislative compliance involves monitoring compliance with legislation and regulations, reviewing the annual Compliance Audit Return, staying informed about how management is monitoring the effectiveness of its compliance, reviewing procedures which handle complaints, monitoring the local governments compliance framework, obtaining assurances against adverse trends, reviewing statutory and financial returns and other evaluating, monitoring and problem solving against significant compliance issues.

The review may relate to any or all of the matters, but each of those matters are subject to review not less than once every 3 financial years. In accordance with Regulation 16(c) of the Local Government (Audit) Regulations 1996, the Audit (Finance and Risk) Committee is required to review a report prepared by the CEO, and subsequently report to the Council the results of the Committees review, while at the same time attaching a copy of the CEO's report to the Audit (Finance and Risk) Committee.

Financial Management Review includes a review of the accounting and control processes, authorisation processes, borrowings, record keeping, budget preparation and review, and financial reporting.

The Shire previously commissioned an independent Regulation 17 and Regulation 5(2)(c) review by Moore Stephens in December 2018 which identified a small number of areas for improvement. The progress of those recommendations were reported to the Audit (Finance and Risk) Committee, with the majority of actions complete by the end of the 2020 calendar year.

The Shire of Wyndham East Kimberley engaged Moore Australia to provide services in relation to the requirements of Regulation 17 and Regulation 5(2)(c) for the 2021 year and their staff were onsite at the Shire from 23 to 27 August 2021.

Moore Australia produced a report for the Shire in March 2022 titled Review of Financial Management, Risk Management, Legislative Compliance and Internal Controls. This was reported to the Audit (Finance and Risk) Committee at the 14 March 2022 meeting.

COMMITTEE RESOLUTION

Minute Number: AC527

That the Audit (Finance and Risk) Committee reports to Council that it has:

- 1. Noted the results of the Chief Executive Officer's review on the appropriateness and effectiveness of the Shire's systems and procedures in relation to risk management, internal control and legislative compliance as required by Regulation 17 of the Local Government (Audit) Regulations 1996 in the report at Attachment 1; and*
- 2. Noted the results of the Chief Executive Officer's review of the appropriateness and effectiveness of the financial management systems and procedures of the Shire as required by Regulation 5(2)(c) of the Local Government (Financial Management) Regulations 1996 in the report at Attachment 1; and*
- 3. Endorsed that the implementation of the improvements outlined within the report will be prioritised and implemented in a staged approach and reported to future Audit (Finance and Risk) Committee meetings.*

Moved: Cr Hearty

Seconded: Cr Farquhar

Decision: 3/0

STATUTORY IMPLICATIONS

Local Government (Audit) Regulations 1996

17. CEO to review certain systems and procedures

(1) The CEO is to review the appropriateness and effectiveness of a local government's systems and procedures in relation to-

- (a) risk management; and*
- (b) internal control; and*
- (c) legislative compliance.*

(2) The review may relate to any or all of the matters referred to in subregulation (1)(a), (b) and (c), but each of those matters is to be the subject of a review not less than once in every 3 financial years.

(3) The CEO is to report to the audit committee the results of that review.

Local Government (Financial Management) Regulations 1996

5. CEO's duties as to financial management

(2) The CEO is to —

- (c) undertake reviews of the appropriateness and effectiveness of the financial management systems and procedures of the local government regularly (and not less than once in every 3 financial years) and report to the local government the results of those reviews.*

POLICY IMPLICATIONS

The Following Policies are relevant to this report:

- POL-1005 Code of Conduct for Council Members, Committee Members and Candidates for Local Government Elections;
- POL-1011 Risk and Opportunity Management.

STRATEGIC IMPLICATIONS

This matter relates to the following sections of the *Strategic Community Plan 2023-2033*:

Focus Area: SUSTAINABILITY

Goal 10: Community-driven Leadership - Leaders work with the community to develop and implement change in delivering positive outcomes

Goal Outcome 10.3: Advocacy - Strong and consistent advocacy for local needs and priorities

Strategy 10.4: Integrate all planning and resource management to drive continuous improvement and innovation.

FINANCIAL IMPLICATIONS

The cost of Moore Australia conducting the review and the preparation of the report was \$23,031.48 excl. GST. Any financial implications arising from the recommendations contained within the attached report have been considered within the 2023/24 budget.

RISK IMPLICATIONS

Risk: Failure to manage the appropriateness and effectiveness of the Shire's systems and procedures in relation to risk management, internal control and legislative compliance

Control: Review policies and procedures in accordance with the review schedule. Undertake Audit Regulation 17 and Financial Management Regulation 5(2)(c) Reviews and implement recommendations as an opportunity to improve and effect lasting organisational change.

COMMUNITY ENGAGEMENT

The Shire of Wyndham East Kimberley's *POL-3000 Community Engagement* policy has been considered in relation to this item. No community engagement is required.

COMMENTS

Shire Officers have started to review the recommendations contained in the report. Not all recommendations in the report will be implemented. Eleven priority actions were identified. The priority actions that have been identified have been addressed in the first instance and documented in the attachments. Responsibilities have been allocated to Officers to action. A number of the recommendations are best dealt with by the Shire's professional advisors. This process has commenced. The recommendations will be updated and reported to each Audit (Finance and Risk) Committee meeting until all recommendations have been addressed.

ATTACHMENTS

(Confidential attachments provided under separate cover)

Confidential Attachment 1 - Regulations 17 and 5(2)(c) Review Action Plan and Progress Report - Completed

Confidential Attachment 2 - Regulations 17 and 5(2)(c) Review Action Plan and Progress Report - In Progress

8. MATTERS BEHIND CLOSED DOORS

Nil

9. CLOSURE

Cr B Robinson declared the meeting closed at 6:00pm