



Maddocks

Maddocks Delegations and Authorisations

S11 Instrument of Appointment and Authorisation

West Wimmera Shire Council

Instrument of Appointment and Authorisation

- [EHO] means Environmental Health Officer.
- [MBS] means Municipal Building Surveyor
- [DMBS] means Deputy Municipal Building Surveyor
- [BA] means Building Administrator
- [PCO] means Pool Compliance Officer

Instrument of Appointment and Authorisation

In this Instrument 'officer' means –

- | | | |
|---------------------|--------|--------------------------------------|
| • Terry Baker | - DMBS | - Deputy Municipal Building Surveyor |
| • Alexander Cumming | - DMBS | - Deputy Municipal Building Surveyor |
| • Ben Griffith | - DMBS | - Deputy Municipal Building Surveyor |
| • Donna McKellar | - BA | - Building Administrator |
| • Kayla Croft | - EHO | - Environmental Health Officer |
| • Shane Ledger | - PCO | - Pool Compliance Officer |

By this Instrument of Appointment and Authorisation West Wimmera Shire Council –

PART A

1. under s 224 of *the Local Government Act 1989* – appoints the officers to be authorised officers for the administration and enforcement of –

the <i>Building Act 1993</i>	[DMBS, BA, PCO]
the <i>Food Act 1984</i>	[EHO]
the <i>Housing Act 1983</i>	[DMBS, BA, PCO]
the <i>Local Government Act 1989</i>	[DMBS, BA, PCO]
the Regulations made under each of those Acts	
the local laws made under the <i>Local Government Act 1989</i> or the <i>Local Government Act 2020</i> and any other Act, Regulation or local law which relates to the functions and powers of the Council;	

PART B

2. for the purposes of s 20 of the *Food Act 1984* – appoints the officer to be an authorised officer for the purposes of the *Food Act 1984* for the purpose of completing the Statutory Food Sampling Program for 2021.
3. under s 71(1) of the *Housing Act 1983* – appoints the officer to be an authorised person for the purposes of entering a house or building and conducting an inspection under s 71 of the *Housing Act 1983*.

PART C

4. under –

s 313 of the *Local Government Act 2020*¹

ss 48A(9)(c) & s 59(3) of the *Environment Protection Act 1970*

s 213 & s 241 of the *Building Act 1993*

s 32 (1) & (3) of the *Food Act 1984*

¹ A person authorised under s 313 of the *Local Government Act 2020* is also authorised to bring proceedings under the *Fire Services Property Levy Act 2012* (see s 22 of the *Fire Services Property Levy Act 2012*).



authorises the officers generally to institute proceedings and represent Council in proceedings for offences against the Acts, Regulations and local laws described in this instrument.

It is declared that this Instrument -

- comes into force immediately upon its execution;
- remains in force until varied or revoked.

This Instrument is authorised by a resolution of the West Wimmera Shire Council made on Wednesday (Date)

.....
Councillor

.....
Councillor

.....
Chief Executive Officer

Date: (insert date)



Maddocks

Maddocks Delegations and Authorisations

S11 Instrument of Appointment and Authorisation

West Wimmera Shire Council

Instrument of Appointment and Authorisation

- [MBS] means Municipal Building Surveyor

Instrument of Appointment and Authorisation

In this Instrument 'officer' means –

- Alex Cooper - MBS - Municipal Building Surveyor

By this Instrument of Appointment and Authorisation West Wimmera Shire Council –

PART A

1. under s 224 of *the Local Government Act 1989* – appoints the officers to be authorised officers for the administration and enforcement of –

the *Building Act 1993*

[MBS]

the *Housing Act 1983*

[MBS]

the *Local Government Act 1989*

[MBS]

the Regulations made under each of those Acts

the local laws made under the *Local Government Act 1989* or the *Local Government Act 2020* and any other Act, Regulation or local law which relates to the functions and powers of the Council;

PART B

2. under s 3 of the *Building Act 1993* – appoints the officer to be Municipal Building Surveyor for the purposes of the *Building Act 1993*.
3. under s 71(1) of the *Housing Act 1983* – appoints the officer to be an authorised person for the purposes of entering a house or building and conducting an inspection under s 71 of the *Housing Act 1983*.

PART C

4. under –

s 313 of the *Local Government Act 2020*¹

s 213 & s 241 of the *Building Act 1993*

authorises the officers generally to institute proceedings and represent Council in proceedings for offences against the Acts, Regulations and local laws described in this instrument.

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- comes into force immediately upon its execution;
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¹ A person authorised under s 313 of the *Local Government Act 2020* is also authorised to bring proceedings under the *Fire Services Property Levy Act 2012* (see s 22 of the *Fire Services Property Levy Act 2012*).

.....
Councillor

.....
Councillor

.....
Chief Executive Officer

Date: (insert date)

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Independent Contract Performance Assessment:

- Contract No: CMO509
- Contract for: Maintenance of Grass, Kaniva
- Service Provider: West Wimmera Shire Council (WWSC) Works Department
- Contract Commenced: 1 March 2020
- Independent Assessment: 18 February 2021

Summary:

This assessment of the Contract performance for grass maintenance mowing and associated services for the presentation of public space lawn plantations indicates a high standard of work outcomes, high community praise for the standard of work and general compliance with the Contract Specification.

The objectives and expected outcomes of the Contract are being achieved. General community opinion, as well as visual inspection, is that the Township of Kaniva is well-cared for, relaxed and orderly, presenting an “oasis” feel.

Compliance with Contract Specification:

An inspection of designated lawn areas for Contract mowing and turf care was undertaken on 18 February.

The designated areas inspected were:

Madden Street – Railway Crossing North to Moffat Street

All nominated areas were well mown, newly edged, no litter and in general lush green growth indicated adequate watering and fertilising.

Commercial Street – Rail Overpass to Webb Street

North and South outer separators were well presented, good edge maintenance with no litter was observed. Considering the Highway traffic and resultant workplace safety compliance, the outer separators are very well kept with edging neat and well-trimmed. Refer to recommendations of this report for suggestions of watering and West and East approaches.

Band Park – Progress Street

Very well maintained and sets a high standard for adjoining residential properties.

Civic Centre and surrounds

The presentation of the lawns and gardens of the Civic Centre reflects the importance of the precinct. On 18 February, the Civic Centre lawns were due for a mowing but were presentable and did not detract from the amenity of the precinct.

Rogerson Street Playground

Current works for new concrete footpaths and associated construction activity is considered to have interrupted and delayed scheduled mowing. Playground area was neat, no litter and where available, watering was appropriate.

It was noted that a significant section of the Rogerson Street Playground/Park area lacks a watering system.

Kaniva Cultural and Tourism Precinct

This interesting, well equipped tourist attraction was neat, tidy, with no litter and would give visitors a welcome indication of care for the built environment in Kaniva.

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Caravan Park

Not inspected, however management (Rob McFarlane), advises that care and maintenance mowing activities are at very acceptable standard. He commented that “the team come in, do the job and go, no complaints, no issues”.

Public/Community Comments

The following Kaniva community persons were contacted and requested to give their assessment/opinion of the work of the Contractor:

- Helen Hobbs:
“Fantastic effort to keep Kaniva well presented.”
Gave high acclaim to the Works Team under the direction of Mr Phil Dixon and the care and commitment they gave to the township.
- Denis Powell
“Town always looks good!”
- Kelvin Moar
“Fantastic. Kaniva is a credit to the Works Team. Water restrictions make work difficult however the Team are to be congratulated as they still manage the watering. Entrances need more attention beyond town boundary.” (Not in Contract – see Recommendations)
- Lyn Powell
“Town looks ‘ticky doo!’ thanks to Mr Dixon and his team. Entrances need more attention.” (Not in Contract – see Recommendations)
- Sharon, Kaniva Community Roadhouse
Very happy with Council staff and the job they do. “All good” and customers often comment favourably.
- Rob McFarlane, Kaniva Caravan Park
“OK – no complaints. I never have to request that they need to come.” He made a complimentary remark that attention to detail includes that if soaker hoses etc are out, the Team shifts the hoses, mow lawns and then put the hoses back. They don’t mow over soaker hoses. He was very happy and said that “Council does a fantastic job”.

Financial

No review of the financial implications of Contract payment claims or profit/loss by the Contractor has been made.

From “Notional Contract Payments” as reported by the Contract Superintendent, a more consistent and regular claim profile (there were no claims for August, September, October 2020) would have been expected from a “private contractor” to maintain cash flow.

Discussion with Contractor Team Leader, Phil Dixon

I was advised that the Contract works are achievable, considering other programs, including Serviceton and Groke that also require attention from the three person team.

Issues with the Contract include water restrictions requiring a 6.00 am start and the need for an extension of automatic watering systems to allow better programming of work and to reduce labour requirements. Disposal of grass clippings and application of fertilisers were both achievable. Contract hours for lawns were

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acceptable however other plantings, including roses and outer separator hedges (not Contract work) result in the Team being near limits of capacity.

Mowing and maintenance of grass areas need a sense of “care” to achieve results that have been part of 22 years of experience.

Recommendations:

My review indicates that the WWSC Works Department are capable and provide a high standard to the works specified in Contract CMO509.

1. It is recommended that the Contract be continued in current scope. Any further additional Contract work would need to be subject to the capacity review of the Contractor with consideration of additional resources being made available before Contract work is increased.

2. The Contractor and community interviews indicated that Highway entrances, East and West, both areas being outside the Contract scope, need attention.

East: Highway mowing to derestriction sign of the Highway reserve, straightening of all signs and road furniture, would be a significant improvement.

West: Extensive weed grown behind, within and in front of guardrail and across overpass needs to be weedicide sprayed at six month intervals and “whipper snipped”.

Although these areas are within the jurisdiction of Regional Roads Victoria (RRV), as the WWSC is the Contractor for Highway maintenance in these areas, negotiation (or simple permission requested) by WWSC would greatly enhance the Contract work within Kaniva township.

It is recommended that WWSC discuss with RRV the undertaking of minimalist works as outlined, possibly at the expense of WWSC, on the Western Highway approaches East and West of Kaniva township.

3. Watering Systems

The use of “soaker hoses” and other manual water sprinkler systems in the Commercial Street outer separators are labour intensive, require management of water restrictions and result in uneven water application unless managed.

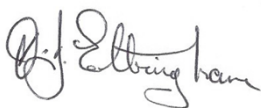
It is recommended that progressive installation of automatic watering systems to the Commercial Street outer separators be considered.

4. Appreciation of Contract Team Leader, Phil Dixon

As part of this review, I was impressed with the high regard and community compliments that were forthcoming for Mr Dixon.

It is recommended that Council consider issuing a “letter of appreciation”, at an appropriate occasion, acknowledging Mr Dixon’s commitment and care to the presentation of the public landscaping areas of the township of Kaniva.

My independent review has found Contract compliance, and wide community support for the Contract scope output.



David J Eltringham, OAM, FIE Aust CP Eng
dje Consulting
22 February 2020



Council Policy Manual

WEST WIMMERA SHIRE COUNCIL

COUNCIL POLICY	
ASSET CAPITALISATION POLICY	Policy No:
	Adopted by Council: 21 April 2021
	Next review date: April 2025
Senior Manager:	Director Corporate & Community Services
Responsible Officer:	Finance Coordinator
Functional Area:	Financial Services
Introduction & Background	<p>West Wimmera Shire Council is committed to ensuring that the value of its assets is reflected in a true and proper manner. To this end, this policy aims to ensure that assets created or purchased are capitalised to reflect the value that they have added and that these assets are depreciated at a rate consistent with accounting and industry standards.</p> <p>While most of the requirements which Council must meet are detailed in the Australian Accounting Standards, the <i>Local Government (Planning and Reporting) Regulations 2014</i> and the <i>Local Government Act 2020</i>, Council must also adopt various policies with respect to asset recognition and accounting in its annual financial statements.</p>
Purpose & Objectives	<ol style="list-style-type: none"> 1. To ensure that assets created or purchased are capitalised to reflect the fair value added to Council's asset base. 2. To ensure that the fair value of all assets (purchased or disposed of) are reflected in a true and fair manner in Council's annual financial statements.
Response to the Overarching Governance Principles of the Local Government Act 2020	<p>Section 9 of the <i>Local Government Act 2020</i> states that a Council must in the performance of its role give effect to the overarching governance principles.</p> <p>This policy is in response to the following overarching governance principle/s of the <i>Local Government Act 2020</i>:</p> <ol style="list-style-type: none"> 1. Financial management principles (section 101)
Policy Details	
1.	Definitions



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	<ul style="list-style-type: none">• <u>Assets</u> - Resources controlled by Council which are expected to provide future economic benefits or service potential.• <u>Asset Class</u> - The level at which a group of assets with a similar function are disclosed in the Balance Sheet. (e.g. Roads Asset Class includes sealed roads, unsealed roads, car parks, etc.• <u>Capitalisation Threshold</u> – Value of an asset below which the project cost is normally expensed and above which is normally capitalised.• <u>Recognition</u> - The decision to include an asset as capital expenditure• <u>Useful Life</u> - The period over which an asset is expected to be available for use.• <u>Asset Renewal</u> – Expenditure on an asset which renews the service potential of that asset to its original potential• <u>Asset Upgrade</u> – Expenditure on an asset which upgrades the service potential of that asset to greater than its original potential• <u>New Asset</u> – Expenditure which creates an asset which did not previously exist, therefore providing a service potential that did not previously exist• <u>Asset Expansion</u> – Expenditure on an asset which expands its already existing service potential to other users.
2.	<p>Capital vs Recurrent (Maintenance) Expenditure</p> <p>Accounting standards (in particular AASB 116 – Property, Plant and Equipment) require a distinction to be made between expenditure that is consumed immediately in operations (or within one financial year) and expenditure on physical assets that will provide services over more than one financial year.</p> <p>Maintenance costs will be recorded as an operating expense in the Council’s annual operating statement. In determining the nature of an expense, the following are indicators that it is maintenance rather than capital:</p> <ul style="list-style-type: none">• the item has an expected life of less than one year, or• it is consumed in sustaining the continued operation of an existing asset, and or• it will not significantly increase the design life or useful life of the asset (e.g. road, footpath, etc.) and or• it relates to repair of localised problems such as subsidence, breaking up of part of the asset (road or footpath) structure and or• the basic qualities of the asset are not being renewed or upgraded and or• Council does not have control of the asset. <p>Expenditure on an asset should be capitalised where:</p> <ul style="list-style-type: none">• the asset has an expected life of more than one year;• Council either owns or has control of the asset;• the expenditure extends the asset’s economic/useful life;• it is for the purchase or development of an asset;• it adds attributes which were not previously part of the asset. <p>Capital expenditure is transferred to various asset classes at the end of, or during, the</p>



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	<p>financial year and recognised in the Balance Sheet. All assets are recorded in Council's asset register. Capital expenditure is further categorised as either new, renewal or upgrade/expansion expenditure, to assist in determining whether council is maintaining its assets to a sustainable level of service.</p>
3.	<p>Acquisition of Assets</p> <p>The purchase method of accounting will be used for the initial recording of all acquisitions of assets. Cost is determined as the fair value of the assets given as consideration plus costs incidental to the acquisition. Incidental costs are defined in AASB 116 "Property, Plant and Equipment" and include architects' fees, engineering design fees and all other costs incurred in getting the assets ready for use.</p> <p>Non-monetary assets received in the form of grants or donations are recognised as assets and revenues at their fair value at the date of receipt.</p> <p>Fair value means the price that would be received to sell an asset or paid to transfer a liability in an orderly transaction between market participants at the measurement date (AASB13 para 9)</p> <p>Each asset shall be assigned to the fair value hierarchy as defined form paragraph 72 of AASB 13 <i>Fair Value</i>.</p>
4.	<p>Non Current Assets Constructed by the Council</p> <p>The cost of non-current assets constructed by the Council includes the cost of all materials used in construction, direct labour on the project and an appropriate proportion of variable and fixed overheads.</p> <p>In cases where it is not possible to make the distinction between capital and recurrent, the item should be referred to the Finance Manager for decision.</p> <p>The classification as to capital or recurrent shall be made at the time the item is included in the budget.</p>
5.	<p>Works in Progress</p> <p>Works in progress as at 30 June, will be identified and recorded as a non-current asset in Council's Balance Sheet</p>
6.	<p>Land Held for Resale</p> <p>Land held for development and/or resale will be valued at the lower of cost and net realisable value. Cost includes the cost of acquisition, development and interest incurred on financing of that land during its development. Interest and other holding charges incurred after development is complete, will be recognised immediately as expenses.</p> <p>Revenue arising from the sale of land will be recognised in the Comprehensive Income Statement on the signing of a valid unconditional contract of sale.</p>
7.	<p>Materiality</p>



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	<p>Council recognises, in the Balance Sheet, expenditure on non-current assets for each class where expenditure on separate items is in excess of the following thresholds, unless otherwise determined by the Finance Manager.</p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;"><u>Asset Class</u></th> <th style="text-align: right;">\$</th> </tr> </thead> <tbody> <tr> <td>Land and Land Improvements</td> <td style="text-align: right;">5,000</td> </tr> <tr> <td>Roads</td> <td style="text-align: right;">5,000</td> </tr> <tr> <td>Buildings</td> <td style="text-align: right;">5,000</td> </tr> <tr> <td>Other Structures</td> <td style="text-align: right;">5,000</td> </tr> <tr> <td>Parks, Open Space and Streetscapes</td> <td style="text-align: right;">5,000</td> </tr> <tr> <td>Plant & Equipment</td> <td style="text-align: right;">1,000</td> </tr> <tr> <td>Furniture & Fittings</td> <td style="text-align: right;">1,000</td> </tr> <tr> <td>Bridges</td> <td style="text-align: right;">5,000</td> </tr> <tr> <td>Drainage</td> <td style="text-align: right;">5,000</td> </tr> <tr> <td>Footpaths and Kerb and Channel</td> <td style="text-align: right;">5,000</td> </tr> </tbody> </table> <p>These thresholds will also apply to smaller assets where there are numerous assets of similar characteristics e.g. and office chairs. These assets will be recorded as one asset in the asset register but will not have a value for capitalisation and depreciation purposes.</p> <p>Where estimated useful lives are clearly inappropriate, Council, by reference to appropriately qualified professionals, will determine the useful lives of assets. Determination of useful lives in this manner will be fully documented and provide compelling assessments as to appropriate useful lives.</p>	<u>Asset Class</u>	\$	Land and Land Improvements	5,000	Roads	5,000	Buildings	5,000	Other Structures	5,000	Parks, Open Space and Streetscapes	5,000	Plant & Equipment	1,000	Furniture & Fittings	1,000	Bridges	5,000	Drainage	5,000	Footpaths and Kerb and Channel	5,000
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8.	<p>Depreciation</p> <p>All non-current assets having a limited useful life will be systematically depreciated over their useful lives in a manner which reflects the consumption of the service potential embodied in those assets. Land is not a depreciable asset.</p> <p>Depreciation is recognised on a straight-line basis, using a range of rates which are reviewed annually.</p> <p>Newly acquired assets will be depreciated from the date of acquisition and assets disposed of or scrapped are depreciated up to the date of disposal or scrapping.</p>																						
9.	<p>Fixed Asset Register</p> <p>All assets must be recorded in Council's Asset Register and must reflect the purchase/construction cost, along with the assets useful life, depreciation rate and accumulated depreciation.</p>																						



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Policy Adopted:	Ordinary Meeting 31/08/00	Minute Book Page 8048	
Policy Reviewed:	Ordinary Meeting 26/09/02	Minute Book Page 10410	
	Ordinary Meeting 06/04/06	Minute Book Page 13682	
	Ordinary Meeting 11/03/10	Minute Book Page 17759	
	Ordinary Meeting 19/04/12	Minute Book Page _____	RecFind 12/009466
	Ordinary Meeting 18/06/15	Minute Book Page 30667	RecFind 15/002501
	Ordinary Meeting 15/03/17	Minute Book Page 34967	RecFind 17/001009
	Council Meeting 21/04/21	Minute Book Page	RecFind



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WEST WIMMERA SHIRE COUNCIL

COUNCIL POLICY	
BUILDING FEE REFUNDS POLICY	Policy No:
	Adopted by Council: April 2021
	Next review date: April 2024
Senior Manager:	Director Corporate & Community Services
Responsible Officer:	Finance Coordinator
Functional Area:	Finance
Introduction & Background	Building developments which occur within the shire which fall within the scope of the <i>Building Act 1993</i> and associated Building Regulations will be subject to the necessary permits and associated fees. In certain circumstances an applicant may request Council refund or waive these fees.
Purpose & Objectives	The purpose of this policy is to establish a consistent approach towards any requests for a reduction in the amount of fee payable for a building permit by any community-based organisation.
Response to the Overarching Governance Principles of the Local Government Act 2020	<p>Section 9 of the <i>Local Government Act 2020</i> states that a Council must in the performance of its role give effect to the overarching governance principles.</p> <p>This policy is in response to the following overarching governance principle/s of the <i>Local Government Act 2020</i>:</p> <p>Financial management principles (section 101)</p>
Policy Details	
1.	<p>Eligibility for Refund of fees applicable to a building permit</p> <p>A refund/rebate on fees payable to Council for a building permit to be issued by the West Wimmera Shire Council will only apply in accordance with certain conditions as outlined in this policy.</p>
2.	<p>Conditions attracting refund/rebate</p> <ul style="list-style-type: none"> • No reduction will apply to any Government department or agency • No reduction to any applicable building fee by any applicant where any Government funding applies to the full development



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- The building fee for any self-funded community group project that is fully or partially funded by external Government sources, shall be not less than \$85 or 50% of the fee determined by Council at its annual review as payable for those building works.
- Any variation to this Policy will only be considered by Council on the recommendation of the Chief Executive Officer where exceptional circumstances are considered to exist.
- The refund does not apply to the Building Levy component of the building permit fees. The Building Levy must be paid to the State government each month.

Policy Adopted:	Ordinary Meeting 03/05/07	Minute Book Page 14869	
Policy Reviewed:	Ordinary Meeting 11/03/10	Minute Book Page 17759	
	Ordinary Meeting 16/07/15	Minute Book Page 31431	RecFind 15/002912
	Ordinary Meeting 19/04/17	Minute Book Page 35049	RecFind 17/001484
	Council Meeting 21/04/21	Minute Book Page	



AUDIT & RISK COMMITTEE MINUTES – 23 March 2021
WEST WIMMERA SHIRE COUNCIL

TO BE HELD: Tuesday 23 March 2021

LOCATION: Edenhope Council Chamber
49 Elizabeth Street, Edenhope and via Microsoft Teams video conference

COMMENCEMENT: 2:18pm

IN ATTENDANCE:	
Committee Members	Senior Management/Officers
Andrew Johnson Mick Jaensch Monica Revell Celeste Gregory Cr Jodie Pretlove Cr Bruce Meyer	Paul Brumby Interim Chief Executive Officer Ashley Roberts Director Corporate and Community Services Mark Marziale Director Infrastructure, Development and Works Sarah Ellis Manager Business Performance and Development Melanie Jordan Finance Coordinator Kaddie Cother Governance Support Officer
External Parties	
Kaanji Skandakumar – Crowe Australasia John Gavens – Crowe Australasia	
APOLOGIES	
Nil	

Vision Statement: Our West Wimmera communities are healthy, thriving, diverse, harmonious, prosperous and self-sustaining, with regional and global connectivity



CONFIDENTIAL MEETING

A confidential meeting was held with the Audit and Risk Committee members and CEO Mr Paul Brumby prior to the general meeting. Minutes of this meeting have been provided to Council separately.

WELCOME AND APOLOGIES

Welcome to Crowe external auditors Mr John Gavens & Ms Kaanji Skandakumar. Welcome also to Mr Mark Marziale, Director Infrastructure, Development & Works.

Nil apologies

DECLARATION OF CONFLICTS OF INTEREST

Nil

CONDOLENCES

Mr Ashley Roberts acknowledged the passing of Mr Geoff Price. Mr Price was the chair of the Audit and Risk Committee from 2012-2020, prior to this he was the Secretary of the Shire of Kaniva.

BUSINESS

1. CONFIRMATION OF MINUTES

Minutes of the previous Audit and Risk Committee meeting are attached for member's information and confirmation.

Moved: Mr Andrew Johnson

Seconded: Ms Monica Revell

That the Audit and Risk Committee endorse the minutes from the previous meeting

Carried Unanimously

NEW ITEMS



2. BANKING AND BILL PAYMENT SERVICE PROVIDER TENDER

Council recently conducted a public tender for the provision of its banking and bill payment services.

Council have elected to remain with National Australia Bank following a resolution at their meeting on 17 March 2021.

Mr Jaensch noted that the consultant used, Whitmore Consulting, was very thorough in his experience.

Moved: Ms Monica Revell

Seconded: Ms Celeste Gregory

That the Audit & Risk Committee receive and note the evaluation reports from the Banking and Bill Payment Services tender.

Carried Unanimously

3. INTERNAL AUDIT PROVIDER TENDER UPDATE

Council recently conducted a public tender for the provision of its internal audit provider. Evaluation is currently underway and an update has been prepared for the Committee.

Moved: Mr Andrew Johnson

Seconded: Ms Monica Revell

That the Audit and Risk Committee receive and note the update on the internal audit provider tender process.

Carried Unanimously

4. SUPREME COURT WRIT – CLAIM BY P A MCDONALD

This Report is to provide the Audit and Risk Committee with an update on the progress of the matter of the claim against Council by the plaintiff Mr Paul Andrew Mc Donald, seeking costs and damages.

Mr Mark Marziale discussed the alleged incident occurred in 2014, the plaintiff was prosecuted by the Commonwealth Minister for Environment. Our solicitors have interviewed the staff member who was the key witness this week. The plaintiff removed protected vegetation and accrued extensive costs, alleged he received misinformation from WWSC staff. He was only approved to remove 40 white gum trees, but cleared substantial areas which are habitat for the Red Tail Black Cockatoo. We are currently waiting for correspondence from our Solicitors.



Mr Paul Brumby noted this matter falls within our professional indemnity insurance.

No quantum has been declared yet.

Risk Management has been improved since 2018.

Mr Bruce Meyer – Responsibility seems to be placed back on the shire, lesson from this should be that when dealing with the Federal Act, there needs to be more reliance on written advice from those bodies. There are a lot of grey areas with reference to clearances.

Moved: Ms Celeste Gregory

Seconded: Ms Monica Revell

That the Audit and Risk Committee receive and note the report on the Supreme Court Writ.

Carried Unanimously

STANDING ITEMS

5. WWSC CREDIT CARDS

West Wimmera Shire Council holds a small number of credit cards for the use of staff and the Mayor. Statements from the CEO's credit card along with a quarterly report detailing the usage by cardholder and by expenditure type are provided for the Committee's information.

Moved: Mr Andrew Johnson

Seconded: Ms Celeste Gregory

That the Audit and Risk Committee notes the use of Council Credit Cards.

Carried Unanimously

6. FINAL MANAGEMENT LETTER ISSUES – UPDATE

Standing Item – status update of Final Management Letter issues from previous audit.

Outstanding items are substantially dealt with and anticipated to be closed by the external auditors during interim or year-end audits. Mr Roberts noted most are now under control, with excessive annual leave balances and capturing road disposals remaining a concern with plans in place to address these issues.



Moved: Ms Monica Revell

Seconded: Ms Celeste Gregory

That the Audit Committee receives the Summary of Final Management Letter Issues Update Report for information.

Carried Unanimously

7. QUARTERLY FINANCIAL PERFORMANCE REPORT

Standing Item - A copy of the Financial Performance Report to 31 December 2020 as presented to the February 2021 Council Meeting is presented for member's information.

Mr Mick Jaensch noted the Balance Sheet, working capital level and accumulated surplus remain extremely high and questioned whether Council has future plans for the accumulated surplus. Ms Melanie Jordan noted this has been raised in budget workshops with Councillors.

Cr Jodie Pretlove – Biggest asset is our road network, budgeted money going into that area, main area that needs to be continually maintained.

Cr Bruce Meyer – Weakness of small councils is financial struggle, worries that if we spend money whilst we have it, we will be looked upon for amalgamation.

Mr Mick Jaensch – Council's choice, just need to make sure the Council are aware that there is surplus.

Mr Mick Jaensch asked that future quarterly reports show a breakdown of the individual reserve accounts.

Moved: Mr Andrew Johnson

Seconded: Ms Celeste Gregory

That the financial reports as at 31 December 2020 be received and noted.

Carried Unanimously

8. INTERNAL AUDIT RECOMMENDATIONS – UPDATE OF ACTIONS

Standing Item – status update of Internal Audit recommendations.

Mr Ashley Roberts noted the Procurement and Plant and Fleet are largely dependent on management software. Had to restart on implementing. Credit Cards straight forward, discussing the need for a separate travel and accommodation policy.



Records Management Audit has a number of recommendations which have had no further progress. Mr Brumby has prepared a project update which is included as an attachment to item 10 of the agenda.

Moved: Ms Celeste Gregory

Seconded: Ms Monica Revell

That the Audit and Risk Committee receives the Internal Audit Recommendations – Update of Actions Report for information.

Carried Unanimously

9. RISK REGISTER & OHS COMMITTEE

Standing Item – status of Risk Register and copy of the minutes from the OHS meeting/s.

Staff appointment – appointed Mr Phil Gillin to OHS & Risk Coordinator.

Moved: Mr Andrew Johnson

Seconded: Ms Monica Revell

That the Audit and Risk Committee receives the report on Risk Management and OHS Minutes for information.

Carried Unanimously

10. AUDIT COMMITTEE MEETING ACTIONS UPDATE

Standing Item – status update of actions arising from previous Audit and Risk Committee meetings.

10.1 Mr Andrew Johnson – Amalgamating causes within the same risk

Mr Ashley Roberts – Once OHS Coordinator has had a thorough review, these causes should reduce substantially.

10.2 Mr Paul Brumby has put together 49 point program to improve Records Management

10.3 Mr Paul Brumby – As part of negotiations for the new EBA, Council will be



pushing for a requirement for all staff members to take a 14 calendar day block of leave with a health and wellbeing as well as fraud focus.

10.4 Mr Mick Jaensch – Specific reference needs to be made to the overarching principle in the Act, template to be updated. No concern with content of the policy

10.5 Building Fee Refunds policy, as is. Nothing to note.

Moved: Mr Andrew Johnson

Seconded: Ms Monica Revell

That the Audit and Risk Committee receives the report on Audit Committee actions update for information.

Carried Unanimously

11. AUDIT & RISK COMMITTEE WORK PLAN

Standing Item – a work plan for the next 12 months is attached, along with specific reports relating to items on that work plan.

Mr Jaensch suggested the Audit Committee Chairs report to Council should be moved to March and September. He will prepare this report and distribute to all Committee members and then forward to Melanie for future Council Meeting. The Audit and Risk Committee self-assessment will also be moved to September. Align the work planning committee against legislation.

Mr Jaensch will also follow up with an email to Ashley & Melanie with improvements to be made to the plan, such as the inclusion of several additional policies. This is to be an action item for the next meeting.

Moved: Ms Monica Revell

Seconded: Ms Celeste Gregory

That the Audit & Risk Committee receive the annual work plan and attachment report flowing from the work plan

Carried Unanimously

12. EXTERNAL AUDIT STRATEGY

Standing Item – status of the external Audit Strategy as provided by Crowe.



**AUDIT & RISK COMMITTEE MINUTES – 23 March 2021
WEST WIMMERA SHIRE COUNCIL**

Mr John Gavens outlined the draft external audit strategy, noting that the audit will be conducted remotely. The report will be distributed as final following this meeting.

Moved: Ms Monica Revell

Seconded: Ms Celeste Gregory

That the Audit & Risk committee receive the 2020-21 Draft Audit Strategy.

Carried Unanimously

13. COUNCILLOR AND CEO REIMBURSEMENTS

Standing Item – a breakdown of Councillor and CEO reimbursements is presented for member's information.

Moved: Mr Andrew Johnson

Seconded: Ms Monica Revell

That the Audit & Risk Committee receive the report on Councillor and Chief Executive Reimbursements.

Carried Unanimously

NEXT MEETING DATE: 15 JUNE 2021

MEETING CONCLUDED: 3:35PM



Charter Agreement

Introduction

This Charter is a commitment between your council and the Victorian Small Business Commission (VSBC) to work together to create a fair and competitive trading environment for Victorian small businesses. It also tells you what you can expect as a business owner from your local council and the VSBC. By signing the charter, the VSBC and local councils agree to meet these commitments within 12 months.

Commitments and what you can expect from us

Part 1 | Work with small businesses disrupted by infrastructure projects

The VSBC will:

- a. provide councils with VSBC resources for managing the impacts of disruption
- b. provide dispute resolution services in relevant matters
- c. advocate on behalf of small businesses with authorities who undertake major works
- d. work collaboratively with council to develop practical initiatives that benefit small businesses

Your council will:

- a. refer to the VSBC's [Small Business Engagement Guidelines](#) when planning new works and request that external project managers do the same
- b. provide small businesses with the VSBC's guide for small businesses on [Managing Disruption](#)

Part 2 | Support the creation of small business networks across Victoria

The VSBC and your council will:

- a. distribute the VSBC's guide to building [Stronger Networks](#)
- b. actively engage with small business networks and identify new opportunities for development
- c. include representatives of associations in conversations concerning small businesses

Part 3 | Streamlined permit approvals processes for small businesses

Your council will:

- a. work towards improving permit approvals processes for new small businesses. This may mean:
 - i. an ongoing commitment to consolidating processes; or
 - ii. implementing new strategies to streamline permit approvals processes for small businesses

Part 4 | Prompt payment to small businesses

The VSBC and your council will:

- a. initiate processes to ensure invoices from small businesses are paid all small business suppliers within 14 days

Part 5 | Easy to read, easy to understand information for Victorian small businesses

The VSBC will:

- a. liaise with Small Business Victoria on the development of new resources for your business and communicate requests from your council about what is needed
- b. create timely and relevant resources for your business as required
- c. refer your council to new resources as they are made available

Your council will:

- a. link your business with the resources available at business.vic.gov.au
- b. provide the VSBC [Retail Lease Checklist](#) to prospective tenants
- c. share resources of relevance from the VSBC with you

Both parties will:

- a. identify opportunities for the development of new resources for your business

Part 6 | Open channels of communication between the VSBC and local councils

The VSBC will:

- a. advocate on behalf of small business when your council notifies VSBC of key issues of concern
- b. work with relevant agencies to progress matters of concern to local councils and small businesses

Your council will:

- a. notify the VSBC of issues affecting local small business communities
- b. refer commercial disputes to the VSBC dispute resolution team as appropriate
- c. provide details of the VSBC's dispute resolution services on its website

Additional commitments

Promotion of Initiative

The VSBC will:

- a. provide all participating councils with the Small Business Friendly Council Initiative logo to use in their own materials
- b. provide all participating councils with an animated video promoting the benefits of having a small business friendly council to Victorian small businesses
- c. share success stories and case studies from participating councils in the VSBC eNewsletter and on social media
- d. list all participating councils on the VSBC website

Your council will:

- a. utilise the Small Business Friendly Council Initiative and videos in relevant communications
- b. provide VSBC with case studies and success stories associated with the initiative

Quality assurance and review

The VSBC will:

- a. contact your council 12 months after signing the charter to assess their status on each commitment
- b. review feedback from your council about the value of the charter and modify it as appropriate after 12 months

Your council will:

- a. work towards fulfilling each commitment within the first 12 months of signing the charter
- b. work with the VSBC to amend the charter if required

Acceptance

On behalf of we agree to the terms outlined in this Charter and agree to implement the Small Business Friendly Council Initiative.

Name
Position
Signature

.....

Date / /

Name
Position
Signature

Judy O'Connell
Victorian Small Business Commissioner

.....

Date / /

Please provide the contact details for the CEO for your organisation, and the details of a contact person that we can use as matters for discussion arise.

	CEO	Point of contact
Name		
Position		
Phone		
Email		
Postal address		

