

# SHIRE OF YORK

**MINUTES OF THE  
FINANCE, RISK & AUDIT  
COMMITTEE MEETING  
HELD ON 8 SEPTEMBER, 2014  
COMMENCING AT 5.06PM  
IN COUNCIL CHAMBER,  
YORK TOWN HALL, YORK**



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## SHIRE OF YORK

### THE FINANCE, RISK & AUDIT COMMITTEE MEETING OF THE COUNCIL HELD ON MONDAY, 8<sup>TH</sup> SEPTEMBER, 2014, COMMENCING AT 5.06PM IN COUNCIL CHAMBERS, YORK TOWN HALL, YORK

The York Shire Council acknowledges the traditional owners of the land on which this meeting will be held.

#### 1. OPENING

##### 1.1 Declaration of Opening

*Cr Matthew Reid, Shire President, declared the meeting open at 5.06pm.*

*I would like to acknowledge the Balladong People, the Traditional Owners of the land on which we are gathered and pay my respects to their Elders both past and present.*

##### 1.2 Disclaimer

The Committee Chairperson advised the following:

*"I wish to draw attention to the Disclaimer Notice contained within the agenda document and advise members of the public that any decisions made at the meeting today, can be revoked, pursuant to the Local Government Act 1995.*

*Therefore members of the public should not rely on any decisions until formal notification in writing by Council has been received. Any plans or documents in agendas and minutes may be subject to copyright. The express permission of the copyright owner must be obtained before copying any copyright material."*

##### 1.3 Suspension of Standing Orders

Clause 3.2 – Order of Business

Moved: Yva Kane

Seconded: Cr Hooper

Carried: 6/0

##### 1.4 Announcement of Visitors

*Nil*

##### 1.5 Declarations of Interest that Might Cause a Conflict

*Members of the Committee and Staff are reminded of the requirements of s5.65 of the Local Government Act 1995, to disclose any interest during the meeting when the matter is discussed and also of the requirement to disclose an interest affecting impartiality under the Shire of York's Code of Conduct.*

## **Financial Interests**

*Nil*

## **Disclosure of Interest that May Affect Impartiality**

*Nil*

## **2. ATTENDANCE**

### 2.1 Committee Members

*Cr Matthew Reid (Chair), Cr Pat Hooper, Cr Tony Boyle, Cr David Wallace, Yva Kane  
Guy Lehmann*

### 2.2 Staff

*Michael Keeble, Chief Executive Officer; Tabitha Bateman, Financial Controller;  
Helen D'Arcy-Walker, Executive Support Officer*

### 2.3 Apologies

*Cr Mark Duperouzel, Cr Denese Smythe*

### 2.4 Leave of Absence Previously Approved

*Nil*

### 2.5 Number of People in Gallery at Commencement of Meeting

There was 1 person in the Gallery at the commencement of the meeting.

## **3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

*Nil*

## **4. PUBLIC QUESTION TIME**

### 4.1 Written Questions – Current Agenda

Mr Ray Hooper

Question 1:

Will Council provide the same extensive media coverage to the report by the auditors clearing me of any wrongdoing in relation to credit card use, as it did in its efforts to smear my reputation on baseless allegations and claims of credit card fraud?

Response:

Taken on notice with the view of legal advice being obtained.

Question 2:

Has Council obtained or will Council obtain legal advice on the statement made to the media and the community on this issue and the potential consequences?

Response:

Taken on notice with the view of legal advice being obtained.

### 4.2 Public Question Time

*There being no further questions Public Question Time closed at 5.10pm*

## **5. APPLICATIONS FOR LEAVE OF ABSENCE**

*Yva Kane – October meeting*

**6. PETITIONS / PRESENTATIONS / DEPUTATIONS**

*Nil*

**7. CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

Minutes of the Finance, Risk & Audit Committee Meeting held 12 August. 2014

Corrections

Confirmation

**RESOLUTION  
FRAC 010914**

**Moved: Yva Kane**

**Seconded: Guy Lehmann**

***“That the minutes of the Finance, Risk & Audit Committee Meeting held 12 August, 2014 to be confirmed as a correct record of proceedings.”***

***Carried: 6/0***

**8. ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION**

*Nil*

**9. PRESENTATIONS**

*Nil*

**REPORTS**

**10. PART 1 – FINANCE**

**10.1 Matters for Resolution**

**10.2 Matters for Consideration**

**11. PART 2 – RISK**

**11.1 Matters for Resolution**

**11.2 Matters for Consideration**

**12. PART 3 – AUDIT**

**12.1 Matters for Resolution**

**12.2 Matters for Consideration**

**13. PART 4 – CONTINUOUS**

**13.1 Items for Continuous Review**

**14. Adjournment of Meeting**

10. PART 1 - FINANCE  
 10.1 MATTERS FOR RESOLUTION  
 10.1.1 Monthly Financial Reports – August 2014

FILE NO: FI.FRP  
 COUNCIL DATE: 15 September 2014  
 REPORT DATE: 1 September 2014  
 AUTHOR: Tabitha Bateman, Financial Controller  
 APPENDICES: Yes – Appendix A as detailed in Summary  
 REPORT APPROVED BY THE CEO: *Michael Keeble*

RESOLUTION  
 FRAC 020914

Moved: Cr Hooper

Seconded: Cr Wallace

*“That the Committee recommends that Council:*

- 1. Receive the Monthly Financial Report for August and ratify payments drawn from the Municipal and Trust accounts for the period ending 31 August 2014:*

	<u>AMOUNT</u>
<b><u>MUNICIPAL FUND</u></b>	
<i>Cheque Payments</i>	\$ 0.00
<i>Electronic Funds Payments</i>	\$ 1,117,897.53
<i>Direct Debits Payroll</i>	\$ 252,448.58
<i>Bank Fees</i>	\$ 631.56
<i>Corporate Cards</i>	\$ 6,030.90
<i>Fire Messaging Service</i>	\$ 82.50
<b>TOTAL</b>	<b><u>\$1,377,091.07</u></b>
<b><u>TRUST FUND</u></b>	
<i>Cheque Payments</i>	\$ 0.00
<i>Electronic Funds Payments</i>	\$ 0.00
<i>Direct Debits Licensing</i>	\$ 118,960.75
<b>TOTAL</b>	<b><u>\$ 118,960.75</u></b>
<b>TOTAL DISBURSEMENTS</b>	<b><u>\$1,496,051.82”</u></b>

- 2. Accept the change in presentation of the financial statements to reflect the Australian Accounting Standards*
- 3. Recognise prepaid revenues and expenses on the Statement of Financial Position, subsequently journaling appropriate sums to the Profit/Loss accounts on a monthly basis as appropriate.*

**CARRIED: 6/0**

Voting Requirements:  
 Simple Majority Required: Yes

**Statement by The Chief Executive Officer:**

1. This financial report is properly drawn up to present fairly the financial position of the Shire of York at 31 August 2014, and comply with:
  - \* The Local Government Act 1995
  - \* The Financial Management Regulations under that Act
  - \* The Australian Accounting Standards
2. The Business Activity and PAYG statement has been lodged and paid as and when it has fallen due.
3. Staff superannuation has been paid as and when it has fallen due.
4. The Shire of York is able to pay its accounts as and when they fall due.
5. Grants received are and have been discharged in accordance with their terms and conditions. Where applicable, non-compliant grants are the subject of negotiation with the funding body.

**Summary:**

The Financial Report for the period ending 31 August 2014 is presented for consideration.

Appendix A includes the following:

- Monthly Statements for the period ended 31 August 2014
- Bank Account Reconciliations
- List of Creditors Payments
- Payroll Direct Debits
- Corporate Credit Card Transaction Listing
- Business Activity Statement

**Commentary:**

All reports are currently being reviewed and may be modified for following meetings of Council to give greater clarity. It should also be noted that the 2013/14 figures reflected in the following reports are an estimate of the end of year position only and are subject to audit adjustments to the 2013/14 Annual Financial Report. A policy and procedure is being written for the application of journals.

**Pg1. Statement of Financial Position**

- Total Equity in the Shire has increased from \$92,340,641 as estimated at 30 June 2014 to \$92,524,702 which is an increase of \$184,061.

**Pg2. Income and Expenditure Statement by Programme**

- Due to reduced cashflow resources in the previous month efforts were made to keep spending to a minimum where possible. This has resulted in an increase in expenditures for August as some projects were rolled over from July.
- General Purpose Funding – Rates and interims raised in July totalled \$4,615,270. The full value of Rates raised was removed from the Profit and Loss Statement and relocated to the Statement of Financial Position as a prepayment. In accordance with the Australian Accounting Standards this income will be apportioned over the financial year and drip fed into the Profit and Loss to provide greater meaning to the statements.
- Community Amenities – Rubbish charges raised through rates totalling \$600,815 were removed from the Profit and Loss and relocated to the Statement of Financial Position as a prepayment. This income will be apportioned over the financial year and drip fed into the Profit and Loss to provide greater meaning to the statements. It can also be noted that due to staff reduction under this schedule Council could see savings totalling approximately \$68,000 of which a portion may be required for the use of contract services.
- Recreation and Culture – Lower year to date expenditure on parks, gardens and recreation facilities.



- Transport – Early amendments to the Main Roads works programme meant that progress claims for grant funds could not be made until the final works programme had been confirmed. As a result, revenues are below expected year to date levels and accordingly capital expense has been kept to a minimum. A formal budget variation incorporating the recent amendments to the works programme will be required to cater for the drop in grant funds dependant on new MCA's being approved by Main Roads WA.
- Other Property and Services – Higher expenditure than expected for this time due to unplanned termination payments which can not be met by the use of leave reserves.

Pg3. Income and Expenditure Statement by Nature and Type

- This statement is a re-work of Page 2 from a nature and type perspective comparing actuals against the annual budget.
- Employee costs are up 6.5% on estimated year to date budget due to a number of termination payments processed to date. Further to this, a number of positions provided for in the budget have not yet been filled, softening the impact of these termination payments.
- Materials and Contracts are down on estimated budgets by 38% due to limited funds being available in July and August. Assuming all special projects are completed prior to 30 June 2015 this timing issue will likely correct itself through the year.
- Depreciation is showing nil to date and will be updated following annual audit.
- Interest expenses are down on year to date budget as loans fall due quarterly and bi-annually.
- Insurances are down by 32% on year to date budget however are usually paid in 2 instalments by October each year.

Pg4. Working Capital (Current Assets & Liabilities)

- For the period ending 31 August 2014 there was an estimated surplus of current assets over current liabilities of \$1,397,199.
- Consequently the Shire is able to pay its debts as and when they fall due.

Pg5. Financial Activity Statement

- Capital Programme – Capital works have been kept to a minimum pending the receipt of rates to aid cashflow and confirmation of the amended Roads Programme as approved by Main Roads WA.
- Transfers to/from Reserves – Transfers between council funds are generally held until 30 June in any year.

Pg7. Statement of Cashflows

- A Statement of Cashflows has been provided showing an increase of \$561,284 in cash from 30 June 2014 to 31 August 2014.

Pg8. Budget Amendments

- Any amendments to the original budget as adopted by Council have been included for information. To date any amendments passed by Council have had a nil effect on the balanced budget.

**Statutory Environment:**

Local Government Act 1995 (As Amended).

Local Government (Financial Management) Regulations 1996 (As Amended).

Australian Accounting Standards.

**Note:**

Cr Matthew Reid, proprietor of York Pharmacy supplies goods to the Shire of York.

Cr Mark Duperouzel, proprietor of MALS Auto supplies goods and services to the Shire of York.

**Appendices Attached**

10. PART 1 – FINANCE  
10.1 MATTERS FOR RESOLUTION  
10.1.2 Investigate Credit Card Usage

FILE NO: FI.BNK  
COUNCIL DATE: 8 September 2014  
REPORT DATE: 4 September 2014  
LOCATION/ADDRESS: N/A  
APPLICANT: Shire of York  
SENIOR OFFICER: Michael Keeble, CEO  
AUTHOR: Michael Keeble, CEO  
DISCLOSURE OF INTEREST: Nil  
APPENDICES: Report by Macri Partners  
Summary of Areas of Concern  
Credit Card Policy  
DOCUMENTS TABLED: Nil  
REPORT APPROVED BY THE CEO: *Michael Keeble*

RESOLUTION  
FRAC 030914

Moved: Cr Hooper

Seconded: Cr Boyle

*“That the Committee:*

- 1. Investigate the attached summary, which were areas highlighted in the report from the Auditors to ensure that it was Council Business conducted by the former CEO;*
- 2. Determine what action is required; and*
- 3. If further action is required how this will be funded.”*

**CARRIED: 6/0**

Voting Requirements:  
Simple Majority Required: Yes

Summary:  
This is in response to an ongoing investigation.

The report by Macri Partners and in particular the following comments:

“(2) Checked that all payments made were submitted to the Council for approval. All payments were approved by Council (through minutes of the Council meetings held).

Please note the following:

- (i) There was no documentary evidence to indicate that the former Chief Executive Officer’s credit card expenses have been reviewed or authorised by any persons prior to payments being made.

Whilst these two comments conflict with each other the process of authorising payments is in accordance with Council’s policies, no payments are authorised in advance except for special circumstances ie. unbudgeted expenditure, tenders etc.

**Background:**

The investigation has been drawn out and requires urgent attention to finalise the matter. Council tried to expedite the investigation, however two Auditing firms did not have the capacity to take it on.

At a Special Meeting of Council held on the 12<sup>th</sup> May 2014 the following was resolved:

***“Authorise the Chief Executive Officer to obtain a quotation and engage its Auditors to undertake an investigation into the use of the Corporate Credit Cards using the following criteria:***

- 1. Compare the date of entry on the Credit Card Statement with the actual purchase dates shown on the receipts.***
- 2. Compare those dates with:***
  - a) Day of the week;***
  - b) Whether or not it was a public holiday;***
  - c) Whether or not Mr R Hooper was on leave.***
- 3. Check the purpose of the purchase and categorise as:***
  - a) Office purchases;***
  - b) YRCC purchases;***
  - c) Library purchases;***
  - d) Fuel purchases;***
  - e) Christmas party purchases;***
  - f) Airfares;***
  - g) Garden and Home Maintenance;***
  - h) Training, Conferences and related Accommodation purchases;***
  - i) Liquor purchases;***
  - j) Dining and Entertainment, and***
  - k) Gifts***
- 4. The Auditors shall submit a report from 1 July 2011 to 30 June 2012, 1 July 2012 to 30 June 2013 and 1 July 2013 to 30 April 2014.***
- 5. The Auditor may be required to continue to investigate for the prior six (6) years.”***

**Consultation:**

Councillors  
Council's Auditors  
Local Government Department  
CCC

**Statutory Environment:**

Local Government Act 1995 section 2.7 (2)(a) and (b)

**“2.7. Role of council**

(2) Without limiting subsection (1), the council is to —

(a) oversee the allocation of the local government’s finances and resources;”

Local Government (Financial Management) Regulations 11 (1)(a)

**“11. Payments, procedures for making etc.**

(1) A local government is to develop procedures for the authorisation of, and the payment of, accounts to ensure that there is effective security for, and properly authorised use of —

(a) cheques, credit cards, computer encryption devices and passwords, purchasing cards and any other devices or methods by which goods, services, money or other benefits may be obtained;”

**Policy Implications:**

Financial Management – Corporate Credit Cards – introduced 15<sup>th</sup> February 2010 currently under review.

**Financial Implications:**

This is unbudgeted expenditure, as all monies for the investigation have been depleted. Council needs to determine if this investigation is to continue where the funds will be drawn from.

**Appendices Attached**

**10. MATTERS FOR RESOLUTION**

**10.1 FINANCE REPORTS**

**10.1.3 Monthly Financial Reports – YRCC – August 2014**

**FILE NO:** FI.FRP  
**COUNCIL DATE:** 15 September 2014  
**REPORT DATE:** 1 September 2014  
**AUTHOR:** Tabitha Bateman, Financial Controller  
**APPENDICES:** Yes – Appendix A as detailed in Summary

**REPORT APPROVED BY THE CEO:** Michael Keeble

**RESOLUTION  
FRAC 040914**

**Moved:** Cr Boyle

**Seconded:** Guy Lehmann

***“That the Committee recommends that Council:***

***Receive the Monthly Financial Report for the York Recreation and Convention Centre for the month of August 2014.”***

***CARRIED: 6/0***

**Voting Requirements:**  
**Simple Majority Required: Yes**

**Summary:**  
The Financial Report for the York Recreation and Convention Centre for the period ending 31 August 2014 is presented for consideration.

**Commentary:**  
All reports are currently being reviewed and may be modified for following meetings of Council to give greater clarity.

In the past, a consolidated set of financials for the Shire of York were presented in accordance with the Financial Management Regulations. To provide greater clarity these reports have been broken down by business division. It is requested that the Finance, Risk and Audit Committee approves the revised presentation of these reports.

It is proposed that further reports will be provided in future months incorporating the Residency Museum, Swimming Pool and Police Licensing.

Revenues

Revenues are down 27% on estimated budget for the period ending 31 August 2014. In particular, income from Bar Sales are down 46% and income from Conferences is down 85%. While these income figures are unattractive, they should be read in conjunction with expenses as most areas of expenditure are also running below budget.

Cost of Sales

Cost of Sales are down 30% on estimated budget for the period ending 31 August 2014. It should be noted that while Bar expenditure is 93% of associated Bar income the expenditure includes a very large recent order to cater for the upcoming events to be held early September. It is proposed that a stocktake report be included for future months. In addition to the above, extensive works have been undertaken to repair the Bowling Greens for which expenditure has not yet been included.

### Gross Profit

Gross Profit is down 2% on estimated budget for the period ending 31 August 2014. While actuals are comparable with the estimated budget the gross profit is only 16% of total revenues. We will endeavour to find industry standards to use for comparable analysis in future months.

### Overheads

Overheads are down 37% on estimated budget for the period ending 31 August 2014. While expenditure appears to be down on budgets, overheads account for almost 42% of revenues.

### Profit/Loss

The York Recreation and Convention Centre has made a loss of \$15,036 for the period ending 31 August 2014.

### **Statutory Environment:**

Australian Accounting Standards have been applied to construct this report.

### **Appendices Attached**

10. MATTERS FOR RESOLUTION

10.1 FINANCE REPORTS

10.1.4 Monthly Financial Reports – Outstanding Rates & Debtors – August 2014

FILE NO: FI.FRP  
COUNCIL DATE: 15 September 2014  
REPORT DATE: 1 September 2014  
AUTHOR: Tabitha Bateman, Financial Controller  
APPENDICES: Nil

REPORT APPROVED BY THE CEO: *Michael Keeble*

RESOLUTION  
FRAC 050914

Moved: Guy Lehmann

Seconded: Cr Hooper

*“That the Committee recommends that Council:*

*Receive the Outstanding Rates, Services and Sundry Debtors report for the month of August.”*

**CARRIED: 6/0**

**Voting Requirements:**  
**Simple Majority Required: Yes**

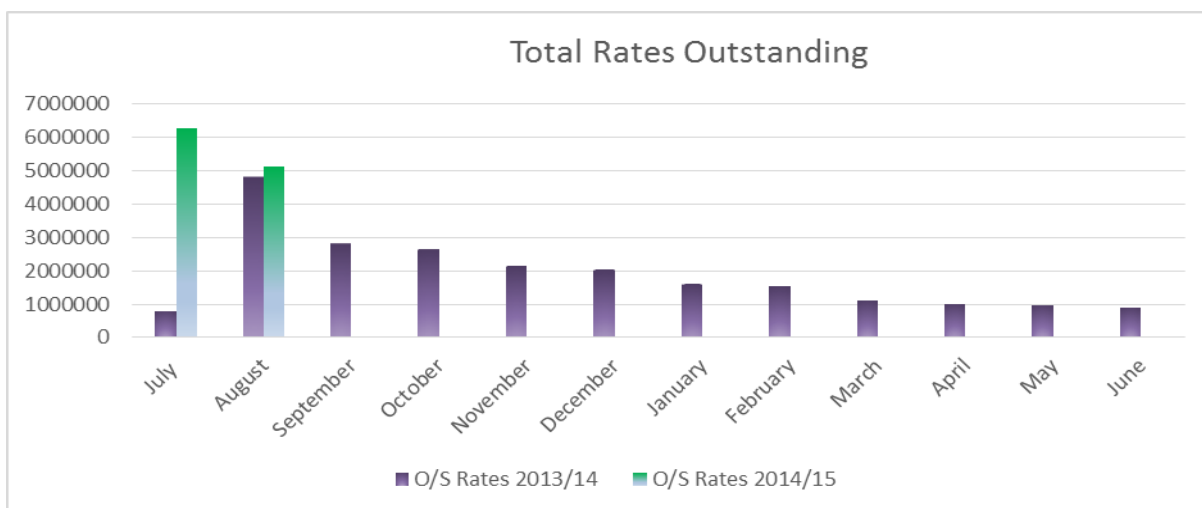
**Summary:**  
A report detailing outstanding Rates, Services and Sundry Debtors for the period ending 31 August 2014 is presented for consideration.

**Commentary:**  
All reports are currently being reviewed and may be modified for following meetings of Council to give greater clarity.

Outstanding Rates and Services  
Total outstanding rates as at 31 August 2014 are \$5,130,089 compared to \$6,271,267 as at 31 July 2014 which is an increase to cash at bank of \$1,141,178.

3 Years & over	\$ 380,405	7.42% of rates outstanding
2 Years & over	\$ 218,862	4.27% of rates outstanding
1 Years & over	<u>\$ 281,545</u>	5.49% of rates outstanding
Total Prior Years	\$ 880,812	17.17% of rates outstanding
Current rates	\$4,249,277	82.83% of rates outstanding

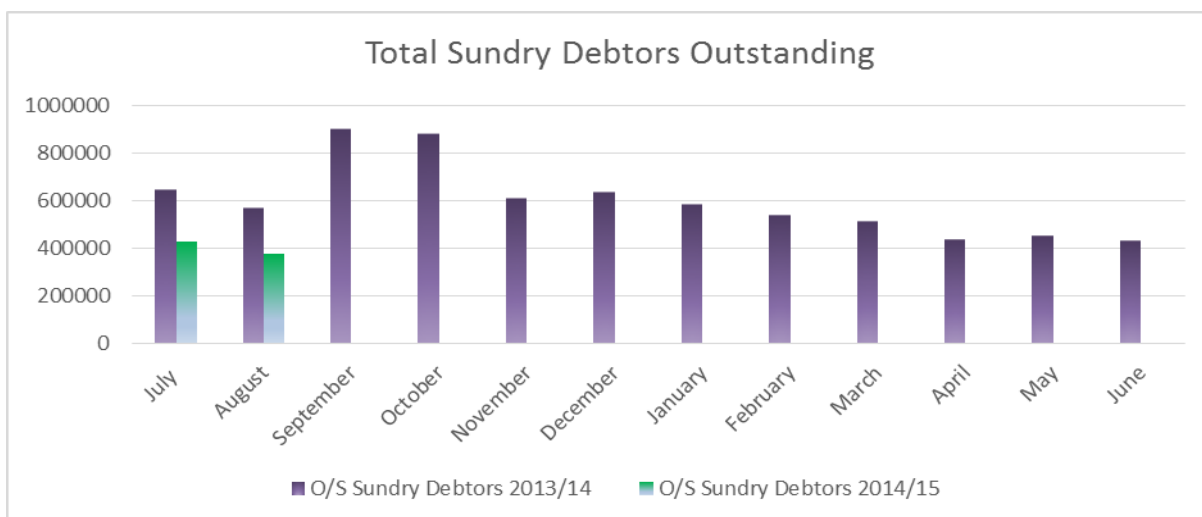




### Outstanding Sundry Debtors

Total outstanding sundry debtors as at 31 August 2014 are \$377,092 compared to \$431,294 as at 31 July 2014 which is an increase to cash at bank of \$54,202.

90 days & over	\$286,809	76.06% of sundry debtors outstanding
60 days & over	\$ 49,876	13.23% of sundry debtors outstanding
30 days & over	\$ 16,105	4.27% of sundry debtors outstanding
Current	\$ 24,302	6.44% of sundry debtors outstanding



Council has engaged the services of AMPAC Pty Ltd to collect outstanding rates and sundry debtors. Of the 54 sundry debtors 3 have set up payment plans, 9 are currently with AMPAC Pty Ltd with the possibility of increasing to 19 in September. The remaining debts are current or awaiting payment.

The due date for rates is 9 September 2014 and those who wish to set up a payment plan prior to this date can make arrangements with the Shire's Rates Officer. All remaining outstanding rates will be forwarded to AMPAC by the 27 September 2014.

### Statutory Environment - This report complies with:

Local Government Act 1995 (As Amended).

Local Government (Financial Management) Regulations 1996 (As Amended).

Australian Accounting Standards.

10. PART 1 – FINANCE  
10.1 MATTERS FOR RESOLUTION  
10.1.5 Freedom of Information

FILE NO: AS.RMT.2  
COUNCIL DATE: 8 September 2014  
REPORT DATE: 4 September 2014  
LOCATION/ADDRESS: N/A  
APPLICANT: Shire of York  
SENIOR OFFICER: M Keeble, CEO  
AUTHOR: T Cochrane, DECO  
DISCLOSURE OF INTEREST: Nil  
APPENDICES: Nil  
DOCUMENTS TABLED: Nil  
REPORT APPROVED BY THE CEO: Michael Keeble

OFFICER RECOMMENDATION

*“That the Committee considers the impacts of the Freedom of Information legislation and recommends to Council that a budget allocation be made and resourced from projects that are not potentially funded through grants ie. Walk Trail \$110,000 and Road Works.*

*Advice Note:*

*It should be noted that the current workload, if initiated could be a possible \$215,695 per of unbudgeted expenditure, dependant on whether internal and external review rights are exercised.”*

**AMENDMENT**

**Moved: Cr Hooper**

**Seconded: Cr Boyle**

***“That the Committee Amend the Officer Recommendation to read:***

***Request that the Chief Executive Officer consult LGIS’s Solicitors for advice on these FOI applications and then relay this to the FOI Commission. The outcome to be reported to Council at the September meeting.”***

**CARRIED: 6/0**

**RESOLUTION**

**FRAC 060914**

**Moved: Cr Boyle**

**Seconded: Cr Hooper**

**The amendment became the motion.**

**CARRIED: 6/0**

**Voting Requirements:**

**Simple Majority Required:**

**No – Absolute Majority Required**

**Summary:**

Council Staff have on hand 73 FOI's application to deal with

Of the 73 FOI applications received the total number of files to be researched amounts to 160 minimum.

The manual files all need to be cross referenced with the electronic files also.

This brings the time frame to approx. 32 weeks to deal with these applications if one file per day is researched. Note this can either increase or decrease depending on the complexity of the file, however given that most files contain around 50 documents that either need to be read / edited and photocopied the latter seems more appropriate.

Under the FOI Act the Council has 45 days to finalise and issue a Notice of Decision. Special permission to extend the time frame needs to be addressed by the Information Commissioner if Council staff cannot comply with the FOI Act.

The predicted time frame to complete the current FOI's is approx. 32 weeks.

The types of FOI's that are being received are large and complex and divert a substantial and unreasonable portion of staff resources away from other every day operations.

This includes not only staff resources but also finance and equipment.

It should also be noted that the FOI's are not just limited to the FOI Officer who is designated for FOI work, they also impact on the various departments within the Council who are also required to assist the officer completing the application and providing background information.

Every effort is made by Council staff to assist the applicants to reduce the scope of work and to agree to a reasonable outcome and time frame. Council staff where possible also try to assist applicants outside of the FOI process.

Minimum amount of files on current FOI's received that require researching:

Total            160

160@ 1 file per day = 32 weeks

It should be noted that the current applicants have had a large degree of flexibility by being allowed the opportunity to look through files and request copies on most subjects.

A meeting room to be used by staff and the community may be required to be set up within the library on a permanent basis and the existing meeting room will house the new officers.

**Background:**

History of FOI Applications

2012/13

Total 22 FOI applications received

2013/14

Total of 16 FOI applications received

**Consultation:**  
Councillors.

**Financial Implications:**

There are a lot of overheads associated with employment and are all dependent upon the applicants being satisfied that they have received everything, unfortunately Council's history with internal and external reviews have been extremely high.

Ultimately the costs could be reduced by 75% resulting in approximately \$54,000, if everything is satisfied after the 60 days, being 45 days to consider and respond to the application and 15 days to request an internal review.

**Strategic Implications:**

Not applicable at this time.

10. PART 1 – FINANCE  
10.1 MATTERS FOR RESOLUTION  
10.1.6 Draft Events Policy

FILE NO: CS.CEV  
COUNCIL DATE: 8 September 2014  
REPORT DATE: 4 September 2014  
LOCATION/ADDRESS: N/A  
APPLICANT: Shire of York  
SENIOR OFFICER: M Keeble, CEO  
AUTHOR: T Cochrane, DECO  
DISCLOSURE OF INTEREST: Nil  
APPENDICES: Nil  
DOCUMENTS TABLED: Nil – Provided under separate cover  
REPORT APPROVED BY THE CEO: Michael Keeble

**RESOLUTION**  
**FRAC 070914**

Move d: Cr Hooper

Seconded: Cr Wallace

*“That the Committee recommends to Council that the Policy is advertised for public comment for a period of 14 days.”*

**CARRIED: 6/0**

**Voting Requirements:**  
**Simple Majority Required:** Yes

**Summary:**  
That Council considers the Events Policy, as provided under separate cover.

**Background:**  
The Event Policy was under review.

**Consultation:**  
Michael Keeble, Gordon Tester

**Statutory Environment:**  
Relevant acts and subsidiary legislation.

**Policy Implications:**  
Council’s policies are all under review and enhancement.

**Financial Implications:**  
Unknown at this time.

**Strategic Implications:**  
Council’s strategic direction is dependent on the supporting policies providing a link between strategic objectives and the operational activities of the Council.

10. PART 1 – FINANCE  
10.1 MATTERS FOR RESOLUTION  
10.1.7 Sponsorship Processes

FILE NO: FI.DON  
COUNCIL DATE: 8 September 2014  
REPORT DATE: 4 September 2014  
LOCATION/ADDRESS: N/A  
APPLICANT: Shire of York  
SENIOR OFFICER: M Keeble, CEO  
AUTHOR: T Cochrane, DECO  
DISCLOSURE OF INTEREST: Nil  
APPENDICES: Nil  
DOCUMENTS TABLED: Examples of Sponsorship Processes of Recognised Organisations ie. Lotterywest  
REPORT APPROVED BY THE CEO: Michael Keeble

**RESOLUTION**  
**FRAC 080914**

Moved: Cr Hooper

Seconded: Cr Wallace

*“That the Committee considers the process that should be used to determine how sponsorship is disseminated between groups/organisations and that the process is advertised for public comment for a period of 14 days.”*

**CARRIED: 6/0**

**Voting Requirements:**  
**Simple Majority Required: Yes**

**Summary:**

Each year Council makes a number of contributions by way of donations to various community groups that operate within the York Shire. Some contributions are for ongoing programs that the Shire contributes to each year and others are for “one-off” projects.

To develop a process of advertising and considering applications.

It was considered to utilise the process that other organisations use and that is to have two advertising periods one in Summer and one in Winter to cater for different events, sporting etc, however due to the investigation \$14,000 of sponsorship money has been reallocated from sponsorships to be used on the investigation and it might be prudent to only have one round this year.

Many groups have already put in requests (these will be provided at the meeting) however these should not be considered until such time as the rest of the community have had the chance to submit their requests.

Examples are shown and provided and these have been obtained from RAC and Lotterywest.

**Background:**

The Council at its Ordinary Council meeting resolved as follows:

***“That Council:***

- 1. approves payments to groups that have recurrent funding and mentioned within the budget subject to cashflow;***
- 2. refers the sponsorship process to determine the administering and allocating from within the budget funding pools to the Finance, Risk and Audit Committee; and***
- 3. authorise the advertising of the process and how the sponsorships are going to be dealt with, as soon as the process is determined.***

***Advice Note:***

***Those groups or organisations that have already provided requests will be considered as part of any process implemented.”***

**Consultation**

Various Community Groups

**Statutory Environment**

Financial Regulations

**Financial Implications**

Unknown at this time.

10. PART 1 - FINANCE  
10.1 MATTERS FOR RESOLUTION  
10.1.8 Tavern Licence

FILE NO:  
COUNCIL DATE:  
REPORT DATE: 8 September 2014  
LOCATION/ADDRESS: N/A  
APPLICANT: Shire of York  
SENIOR OFFICER: Michael Keeble, CEO  
AUTHOR: Michael Keeble, CEO  
DISCLOSURE OF INTEREST: Nil  
APPENDICES: Department of Racing, Gaming & Liquor  
- Application for a Tavern Licence  
- Variation of Trading Conditions  
DOCUMENTS TABLED: Nil  
REPORT APPROVED BY THE CEO: Michael Keeble

**RESOLUTION**  
**FRAC 090914**

Moved: Cr Wallace

Seconded: Cr Hooper

*“That this Committee instruct the Executive to investigate compliance with the terms and conditions of the Tavern Licence issued to the York Recreation and Convention Centre and report the findings back to the next meeting of this committee.”*

**CARRIED: 6/0**

**Voting Requirements:**  
**Simple Majority Required: Yes**

**Background:**

An application for a Tavern Licence was lodged by the Shire with the Department of Racing Gaming and Liquor on 11 November 2011  
Correspondence was received from the Office of Racing, Gaming and Liquor on the 26 October 2012.

A Tavern Licence was issued to take effect from 5 April 2013 with conditions attached.  
It has been brought to the notice of the executive that there may or may not be operational breaches of this licence.

**Statutory Environment:**

Liquor Control Act 1988 Sections 31,60, 98(1), 116(A), 103(A) and Regulations 18EB and 14AG

**Appendices - Attached**



11. PART 2 – RISK  
11.2 MATTERS FOR CONSIDERATION  
11.2.1 Risk Management Governance Framework

FILE NO:  
COUNCIL DATE:  
REPORT DATE:  
LOCATION/ADDRESS: Shire of York  
APPLICANT: Local Government Insurance Service  
SENIOR OFFICER: M Keeble, CEO  
AUTHOR: T Cochrane, DCEO  
DISCLOSURE OF INTEREST: Nil  
APPENDICES: Risk Management Policy and Risk Management Procedures, Risk Profile Templates and Risk Dashboard Report  
  
DOCUMENTS TABLED: Nil  
REPORT APPROVED BY THE CEO: Michael Keeble

**RESOLUTION  
FRAC 100914**

Moved: Cr Hooper

Seconded: Cr Boyle

*“That the Finance, Risk and Audit Committee endorses the actions of staff in setting up the Policy and Procedures with the assistance of the Local Government Insurance Service for Risk Management, as attached.”*

**CARRIED: 6/0**

**Voting Requirements:**  
**Simple Majority Required: Yes**

**Summary:**

Phase 1 – Group Workshop - Framework (Policy / Procedures)

Going through a template Policy & Procedures for Risk Management. The objectives of the workshop was to;

- customise (where relevant) components of the framework to suit our operations
- gain common understanding of the requirements of a risk management program
- set the scene for the follow up Shire based workshop (Phase 2)

Phase 2 – Shire Based Workshops – Risk Identification & Assessment

As these are Shire specific a workshop is to be run this week in each Shire. The objectives of these workshops will be to;

- Rate Risks (by Risk Theme)
- Identify and rate Controls
- Identify current and potential Key Indicators
- Document and allocate specific actions (treatments) for risk issues

**Background:**

Council is participating in a joint project to deal with Risk Management with the Shires of Beverley, Brookton and Pingelly.

**Consultation:**

LGIS and staff from other Councils.

**Financial Implications:**

Not applicable at this time. Staff time due to requirements.

**Strategic Implications:**

It is expected the Finance, Audit and Risk Committee will provide strategic advice to the Shire Council.

**Appendices Attached**

**12. PART 3 – AUDIT**

Nil

**13. PART 4 – CONTINUOUS REVIEW**

Nil

**14. CLOSURE OF MEETING**

**RESOLUTION**

**FRAC 110914**

**Moved: Cr Hooper**

**Seconded: Cr Wallace**

***“That the next meeting of the Finance, Risk & Audit Committee is held on Monday, 13<sup>th</sup> October, 2014 at 5.00pm in Council Chambers, York Town Hall, York.”***

*Cr Reid thanked everyone for their attendance and declared the meeting closed at 6.44pm.*