



Friday, 8 December 2023

NOTICE OF MEETING

Dear Councillor,

The next Audit and Risk Management Committee Meeting will be held at 3:00pm on Wednesday, 13 December 2023 in the Council's Chambers at 33-37 Macpherson Street Carnamah.

The attached Agenda is presented for your consideration.

Robert Paull

Robert Paull
Chief Executive Officer



Unlocking the past, securing our future

We reflect on the spirit of the people who settled this country and developed the land; along with the service personnel and volunteers whose sacrifices have enabled us to enjoy the lifestyle we are accustomed.

AGENDA

AUDIT AND RISK MANAGEMENT COMMITTEE MEETING

13 December 2023

ATTENTION/DISCLAIMER

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In particular and without detracting in any way from the broad disclaimer above, in any discussion regarding any planning application or application for a licence, any statement or intimation of approval made by any member or officer of the Shire of Carnamah during the course of any meeting is not intended to be and is not taken as notice of approval from the Shire of Carnamah.

The Shire of Carnamah advises that anyone who has any application lodged with the Shire of Carnamah shall obtain and should only rely on **WRITTEN CONFIRMATION** of the outcome of the application, and any conditions attaching to the decision made by the Shire of Carnamah in respect of the application.

CONTENTS

1.0	DECLARATION OF OPENING	4
2.0	RECORD OF ATTENDANCE	4
2.1	PRESENT	4
2.2	APOLOGIES/ MEMBERS ON APPROVED LEAVE OF ABSENCE	4
3.0	PUBLIC QUESTION TIME	4
4.0	DISCLOSURE OF INTEREST	4
4.1	DECLARATION OF FINANCIAL AND PROXIMITY INTEREST	4
4.2	DECLARATION OF INTEREST AFFECTING IMPARTIALITY	4
5.0	PETITIONS, PRESENTATIONS AND DEPUTATIONS	4
6.0	CONFIRMATION OF MINUTES	4
6.1	AUDIT AND RISK MANAGEMENT COMMITTEE MEETING	4
7.0	OFFICER REPORTS	5
7.1	“3 STEPS TO SAFETY PROGRAM” (LOCAL GOVERNMENT INSURANCE SCHEME)	5
7.2	RISK MANAGEMENT DASHBOARD – DECEMBER 2023	7
7.3	ACCEPTANCE OF THE ANNUAL REPORT 2022/2022 AND AUDIT FINDINGS	9
7.4	PROGRESS TOWARDS IMPLEMENTING THE CARNAMAH SWIMMING POOL RISK SAFETY ASSESSMENT AND IMPROVEMENT PLAN	15
7.5	PROGRESS TOWARDS IMPLEMENTING IMPLEMENT THE ENEABBA SWIMMING POOL RISK SAFETY ASSESSMENT AND IMPROVEMENT PLAN	17
8.0	CONFIDENTIAL REPORTS	19
9.0	NEW BUSINESS OF AN URGENT NATURE	19
10.0	CLOSURE OF MEETING	19

AUDIT AND RISK MANAGEMENT COMMITTEE MEETING

13 DECEMBER 2023

1.0 DECLARATION OF OPENING

Acknowledgement of Country

The Presiding Member acknowledges the Traditional Owners of Country throughout Australia and their continuing connection to land, waters and community; and pays respect to Elders past, present and emerging.

2.0 RECORD OF ATTENDANCE

2.1 Present

2.2 Apologies/ Members on Approved Leave of Absence

3.0 PUBLIC QUESTION TIME

4.0 DISCLOSURE OF INTEREST

4.1 Declaration of Financial and Proximity Interest

4.2 Declaration of Interest Affecting Impartiality

5.0 PETITIONS, PRESENTATIONS AND DEPUTATIONS

6.0 CONFIRMATION OF MINUTES

6.1 Audit and Risk Management Committee Meeting

RECOMMENDATION

That the Minutes of the [Audit Committee Meeting](#) held on Wednesday 21 June 2023 be accepted as a true and correct record.

7.0 OFFICER REPORTS

7.1 “3 Steps to Safety program” (Local Government Insurance Scheme)

File Code	ADM0029
Author	Adam Fawkes - Records Officer/WHS Officer Joe Hodges – Manager, Works and Services
Senior Employee	Robert Paull - Chief Executive Officer
Disclosure of Interest	Nil
Attachments	Attachment 1 ‘3 Steps to Safety’ program Report Attachment 2 Assessment Findings

SUMMARY

The Audit Committee is requested to consider recommending that Council notes the finalisation of “3 Steps to Safety program” (3 Steps Report), a Work, Health and Safety (WH&S) assessment undertaken by Local government Insurance Scheme (LGIS).

BACKGROUND

The “3 Steps to Safety program” was established by LGIS to recognise and meet the needs of local government with the aim of driving safety performance and minimising claim exposure. The purpose of the “3 Steps” report is to provide Council and the Shire with a summary of the WHS assessment findings. The assessment was undertaken in September 2022 with sites visited as part of the activity being the Carnamah Administration Centre and Carnamah Depot (**Attachment 1**).

COMMENT

The scoring of the Shire as a result of the 3 Steps Report was as follows:

Category	Member Score	Available Score	Section Achievement
Management Commitment	13	16	81%
Consultation and Communication	10	16	63%
Hazard Management	14	16	88%
Training and Supervision	13	16	81%
Reporting and Monitoring	13	16	81%
Totals	63	80	79%

There were 15 area of the program that were identified as either ‘insufficient’ or ‘unsatisfactory’. The Shire’s comment and actions associated with the above matters is addressed in the response included as **Attachment 2**.

The Shire has finalised implementation of the recommendations.

CONSULTATION

Executive Management Team
Work Health and Safety Committee

STATUTORY ENVIRONMENT

Work Health and Safety Act 2020

STRATEGIC IMPLICATIONS

Shire of Carnamah Strategic Community Plan and Corporate Business Plan 2021-2031 (as revised in December 2022):

Outcome 4 Open, collaborative and empowered.

Strategy 4.1.2 Continuous improvement in efficient and effective service delivery.

POLICY IMPLICATIONS

Whilst Council has adopted Policy 2.7 Risk Management, it doesn't adequately address WHS. It is noted that Hazard & Incident Procedure, WHS Committee Terms of Reference and WHS management plan all will form a policy basis for the Shire.

FINANCIAL IMPLICATIONS

The response to the Report as provided by the Shire will have financial implications that were addressed in the 2023/24 Budget. However, with WHS, there could be unknown costs that become evident when addressed. Any variations to the Budget will be brought to Council's notice.

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION

That with respect to the "3 Steps to Safety program" (Local Government Insurance Scheme), the Audit Committee recommend Council notes the:

1. Shire's final response and actions undertaken to address the 3 Steps to Safety program (Local Government Insurance Scheme) recommendations.

7.2 Risk Management Dashboard – December 2023

File Code	ADM0742
Author	Ian Walsh – Deputy Chief Executive Officer
Senior Employee	Robert Paull - Chief Executive Officer
Disclosure of Interest	Nil
Attachments	Attachment 1 Risk Management Dashboard

SUMMARY

The Audit and Risk Management Committee is requested to receive the Risk Dashboard Quarterly Report – December 2022 and recommend Council that it adopts the quarterly Risk Dashboard.

BACKGROUND

The International Organization for Standardization (ISO) defines risk management as the "coordinated activities to direct and control an organisation with regard to risk". Risk management is cornerstone to the success of good corporate governance and ensuring a safer workplace and community.

By taking an integrated, structured, supported and embedded approach to risk management, the Shire and Council benefit from:

- Increased confidence in decision making;
- Increased certainty of achieving strategies, objectives and goals;
- Improved workplace safety and morale;
- Enhanced governance, compliance and assurance;
- Cost effectiveness and improved budget control;
- Better managed resources and workflows, with less re-work;
- Reduced potential for litigation and claims; and
- Meeting stakeholder expectations and attracting and retaining quality people

In early 2020, LGIS was contracted to work with the Shire to develop a risk management framework and policy that would assist with identifying and managing risks across the organisation. In May/June, LGIS Risk Consultant, Michael Sparks, presented several workshops to the Shire's senior staff, and one to elected members.

From the workshops with Shire officers, framework and policy documents were developed to guide the organisation in its risk management journey. At the same time, a number of risks were identified, and corresponding risk profiles established. The Risk Profiles Summary Dashboard should be presented to the Audit Committee on a regular basis. This is understood to be first Risk Summary Dashboard to be referred to Committee.

COMMENT

The Shire has adopted a 'Three Lines of Defence' model for the management of risk. This model ensures roles, responsibilities and accountabilities for decision making are structured to demonstrate effective governance and assurance.

By operating within the approved risk appetite and framework, Council, management and the community will have assurance that risks are managed effectively to support the delivery of the strategic, corporate and operational plans.

Shire staff have reviewed Risk Management Dashboard initially prepared in 2021. The finalised and recently revised the Risk Management Dashboard to reflect their risk appetite and framework is included as **Attachment 1**.

CONSULTATION

Executive Team
Executive Co-ordinator

STATUTORY ENVIRONMENT

The *Local Government Act 1995*

Regulations 16 and 17 of the *Local Government (Audit) Regulations* are applicable.

STRATEGIC IMPLICATIONS

Shire of Carnamah Strategic Community Plan and Corporate Business Plan 2021-2031 (as revised in December 2022):

Outcome 4 *Open, collaborative and empowered.*

Strategy 4.1.2 *Continuous improvement in efficient and effective service delivery.*

POLICY IMPLICATIONS

Policy 2.8 Risk Management

FINANCIAL IMPLICATIONS

Many of the actions required to manage the risks identified will require resourcing and are being progressed within the current budget allocations.

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION

That, in accordance with Regulations 16 and 17 of the *Local Government (Audit) Regulations 1996*, the Audit and Risk Management Committee:

1. Receives the Risk Dashboard Quarterly Report – December 2023, as presented in Attachment 1, on the progress of actions to identify risks and track treatments to manage risks at the Shire of Carnamah; and
2. Recommends to Council that it adopts the quarterly Risk Dashboard Quarterly Report – December 2023.

7.3 Acceptance of the Annual Report 2022/2022 and Audit Findings

File Code	ADM0057
Author	Ian Walsh, Deputy Chief Executive Officer/Rachael Moore Executive Coordinator
Senior Employee	Robert Paull, Chief Executive Officer
Disclosure of Interest	Nil
Attachments	<ol style="list-style-type: none">1. Letter to the Shire President (Under Separate Cover)2. Letter to the CEO (Under Separate Cover)3. Independent Auditor's Report 2023(Under Separate Cover)4. Financial Report for the year ended 30 June 2023 (Under Separate Cover)5. Exit Meeting Agenda6. Shire of Carnamah Exit Report Year Ended 30 June 20237. Findings raised at Final Audit (Under Separate Cover)8. Draft Annual Report 2022/2023 (Under Separate Cover)

SUMMARY

The Audit and Risk Management Committee is requested to recommend Council considers and accepts the 2022/2023 Annual Report, incorporating the Audited Annual Financial Report, Auditors Report and recommend to Council for adoption.

BACKGROUND

One of the principal objectives of the Audit and Risk Management Committee is to accept responsibility for the annual external audit and where required, to liaise with the Auditor so that Council can be satisfied with the performance of the local government in managing its financial affairs.

The Committee's duties and responsibilities in relation to the Annual Financial Report and the external audit is to consider and recommend adoption of the Annual Financial Report. This report along with the Annual Report is now submitted to the Audit and Risk Management Committee for further consideration.

COMMENT

Annual Financials

In 2017, changes were made to the *Local Government Act 1995 (Act)* to give effect to the Office of the Auditor General of Western Australia (OAG) taking responsibility for financial and supplementary audits of local governments. The Shire's accounts for the 2022/2023 have been finalised been audited by the OAG Council. It is a requirement that the Annual Audit be completed by 31 December following the close of the financial year.

The OAG using contractors Nexia Perth Audit Services Pty Ltd has completed their audit of Council's affairs for the financial year ended 30 June 2023. The final audit was commenced on-site by Nexia Perth Audit Services Pty Ltd during October 2023.

The Annual Audit Completion Report has now been completed with the Senior Director of OAG advising providing correspondence to the Shire President and the Chief Executive Officer (**Attachments 1 and 2**).

This report along with the Annual Report (under separate cover) is now submitted to the Audit Committee for further consideration.

The primary objective of the audit is to express an opinion to Council on whether the Shire's Financial Statements are free from material misstatements and is prepared in accordance with the applicable Australian Accounting Standards, the Act and the *Local Government (Financial Management) Regulations 1996*.

Nexia Perth Audit Services Pty Ltd audited the 2022/2023 Annual Financial Statements on behalf of OAG and have provided an independent Auditors report as required under the relevant provisions of the Act. The Independent Auditor's Report (**Attachment 3**) and Financial Report for the year ended 30 June 2023 (**Attachment 4**) are now presented to the Audit Committee for their information and review.

Auditors Report and the Annual Financial Statements

The OAG Auditors Report and the Annual Financial Statements for the financial year ended the 30 June 2023 were issued and received on 7 December 2023. After receiving the Auditor's report, the Audit Committee is to examine the report of the auditor and determine if any matters raised by the report require action to be taken and ensure appropriate action is taken in the future.

The final Audit addressed the following issues:

High Adverse Trend

The Auditor raised no significant adverse trends.

Other Matters

There were no identified matters of fraud to report and there were no disagreements with management about other significant accounting matters. Further, there were no misstatements identified which were unadjusted. At the Interim Audit, the following were highlighted:

Index of findings	Potential impact on audit opinion	Rating			Prior year finding
		Significant	Moderate	Minor	
1. Purchase orders not raised	No		✓		
2. Batch payment listings reviewed / approved independently	No		✓		

Key to ratings

The Ratings in this management letter are based on the audit team's assessment of risks and concerns with respect to the probability and/or consequence of adverse outcomes if action is not taken. We give consideration to these potential adverse outcomes in the context of both quantitative impact (for example financial loss) and qualitative impact (for example inefficiency, non-compliance, poor service to the public or loss of public confidence).

Significant - *Those findings where there is potentially a significant risk to the entity should the finding not be addressed by the entity promptly. A significant rating could indicate the need for a modified audit opinion in the current year, or in a subsequent reporting period if not addressed. However even if the issue is not likely to impact the audit opinion, it should be addressed promptly.*

Moderate - *Those findings which are of sufficient concern to warrant action being taken by the entity as soon as practicable.*

Minor - *Those findings that are not of primary concern but still warrant action being taken.*

The ratings included are preliminary ratings and could be modified pending other findings being identified, rated and the consideration of them collectively on the ratings and any potential impact on the audit opinion.

The findings raised at Final Audit along with the observations on the Audit Findings from the Shire will be included at **Attachment 5 (under separate cover)**.

It is anticipated that the Auditor and OAG will be provided to the Shire President and the CEO. Copies will be provided to Council once received.

Annual Report

The Shire's draft Annual Report for 2022/2023 (**Attachment 6 under separate cover**) and includes the annual financial statements for the year and reports on the Shires progress and achievements over the period. It has been designed for dual use as a marketing tool for the Shire and a reporting mechanism to meet requirements of the Integrated Planning and Reporting Framework.

The Annual Report forms the main item of business discussed at the Annual General Meeting of Electors.

Section 5.27 of the Act requires that the Annual General Meeting of Electors is to be held on a day selected by the local government, but not more than 56 days after the Annual Report is accepted. Furthermore, section 5.29 of the Act states that the Chief Executive Officer is to convene an Annual Electors Meeting by giving at least 14 days public notice.

Should Council accept the Annual Report at this meeting, it is suggested that the Annual Electors Meeting be held on Wednesday 7 February 2024 at 5.00 pm - which is the 56th day. In addition to statutory information required under the Act, the publication highlights various projects and initiatives from the financial year which contribute to achieving the communities' vision for the Shire. The Annual Report is not required to be audited.

Subject to its acceptance by Council, the final Annual Report will be made available to the Public and Electors prior to the Annual Electors Meeting. As noted, the audit and review of the Financial Statements is complete and forms the last part of the Annual Report.

Section 7.12A of the Act provides that Council must also prepare a report addressing any matters identified as significant by the auditor in the audit report, and state what action Council has taken or intends to take with respect to each of those matters. The report is to be provided to the Audit Committee and Council for endorsement, with a copy provided to the Minister within 3 months of the audit report being received by Council and posted on the website within 14 days of giving the report to the Minister.

CONSULTATION

As part of the process in considering the Annual Financial Report under s6.4 of the *Local Government Act 1995*, the Auditor and Office of the Auditor General usually meets with Chief Executive Officer and Shire President and discuss an Audit Closing Report. The purpose of which is to brief the Shire on the results of the substantially completed audit.

An Audit Closing Report meeting was conducted by video conference at 2:30pm on 7 December 2023 (**Attachment 5**) with the following representatives:

Shire of Carnamah

Cr Con Kikeros	
Cr Emma Ogilvie	
Cr Luke Risinger	
Cr Barbra Smallwood	
Robert Paull	Chief Executive Officer
Rachael Moore	Executive Coordinator
Joe Hodges	Manager Works and Services

Office of the Auditor General

Iris Yap	Manage Financial Risk
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Nexia Perth Audit Services Pty Ltd

Justin Mulhair	Director
Steven Lee	Manager

Apologies

Cr Merle Isbister	Shire President
Cr Dwayne Wooltorton	Deputy Shire President
Cr Bruce Chisholm	

The Audit Closing Report describes in detail the substance of the meeting and discussions. The Office of the Auditor General and Nexia Perth Audit Services Pty Ltd were appreciative of the response by Council staff and pleased with the results.

Justin Mulhair asked that that Councillors note that the Audit was completed within the legislative period for the first time in many years and all staff involved should be congratulated.

The recommendation made to the Auditor General is that a qualified audit opinion (with moderate risk observed) be issued on the financial statements **Attachment 6**.

STATUTORY IMPLICATIONS

Local Government Act 1995

s5.54

s5.55

s5.27

s6.4

Subdivision 4 — Electors' meetings

Division 3 — Conduct of audit

Division 4 — General

Division 5 — Annual reports and planning

Local Government (Financial Management) Regulations 1996

Local Government (Administration) Regulations 1996

Part 3 — Electors' meetings

In relation to the Annual Electors meeting and in accordance with statutory requirements, Council must give a minimum of 14 days' notice in calling the Annual Electors Meeting following acceptance of the Annual Report. It is recommended that the Electors General Meeting be held at the Council Chambers on Wednesday 7 February 2024 commencing at 5:00 pm.

STRATEGIC IMPLICATIONS

Shire of Carnamah Strategic Community Plan and Corporate Business Plan 2021-2031 (reviewed December 2022):

Outcome 4.1 Improvement in efficient and effective service delivery
Strategy 4.1.2 Continuous improvement in efficient and effective service delivery

POLICY IMPLICATIONS

There are no known policy implications.

RISK IMPLICATIONS

Risk: Failure to prepare and adopt the Annual Financial Report would result in non-compliance with its statutory responsibilities under the <i>Local Government Act 1995</i>		
Likelihood	Consequence	Acceptance Criteria
Possible	Low	Moderate
Action / Strategy		
Review and adopt the Officer Recommendation		

FINANCIAL IMPLICATIONS

The Annual Financial Statements set out the operating results for the Shire for the year ended 30 June 2023 and the assets and liabilities as at that date, together with other relevant financial information.

VOTING REQUIREMENT

Absolute Majority

OFFICER RECOMMENDATION
<i>That with respect to the Acceptance of the Annual Report 2022/2023 and Audit Findings, the Audit and Risk Management Committee recommend that Council:</i>

1. *Pursuant to section 5.54 of the Local Government Act 1995, accepts the 2022/2023 Annual Report incorporating the Annual Financial Statements and the Auditors Report (Auditor General's Audit Opinion);*
2. *Pursuant to section 5.55 of the Local Government Act 1995, gives local public notice of the availability of the 2022/2023 Annual Report;*
3. *Notes the Shire of Carnamah Exit Meeting for the Year Ended 30 June 2023;*
4. *Pursuant to section 5.27 of the Local Government Act 1995, convenes the Annual General Meeting of Electors on Wednesday 7 February 2024 commencing at 5:00pm at the Carnamah Council Chambers; and*
5. *Authorises the Chief Executive Officer in consultation with the Shire President, to oversee the final presentation and publication of the 2022/2023 Annual Report.*

7.4 Progress towards implementing the Carnamah Swimming Pool Risk Safety Assessment and Improvement Plan

File Code	ADM0361
Author	Ian Walsh - Deputy Chief Executive Officer
Senior Employee	Robert Paull - Chief Executive Officer
Disclosure of Interest	Nil
Attachments	Attachment 1 Carnamah Swimming Pool Risk Safety Assessment and Improvement Plan Attachment 2 Progress of addressing the identified 'critical faults'

SUMMARY

To update the Audit and Risk Management Committee of the progress of implementing the recommendations of the annual Risk Assessment conducted by Royal LifeSaving WA (RLSWA) for the Carnamah Public Swimming Pool.

BACKGROUND

At the Audit Committee of 15 March 2023, Committee members were advised of the annual, RLSWA Assessment of the Carnamah swimming pools with regards to a broad range of safety and risk issues (note **Attachment 1**). The Risk Assessment undertaken by RLSWA identified 10 'critical faults' that must be implemented by the Shire. The revised Report also identified 2 'high faults, one 'moderate' and one 'advisory' faults that also need to be addressed.

COMMENT

The identified 'critical faults' have been addressed (**Attachment 2**).

CONSULTATION

Executive Leadership Team
Pool Manager

STATUTORY ENVIRONMENT

Work Health and Safety Act 2020
Health (Aquatic Facilities) Regulations 2007
Department of Health (WA) – Code of Practice for the operation of Aquatic Facilities
RLSSA Pool Safety Guidelines

STRATEGIC IMPLICATIONS

Shire of Carnamah Strategic Community Plan and Corporate Business Plan 2021-2031 (as revised in December 2022):

Outcome 4 Open, collaborative and empowered.

Strategy 4.1.2 Continuous improvement in efficient and effective service delivery.

POLICY IMPLICATIONS

Whilst Council has adopted Policy 2.7 Risk Management, it doesn't adequately address the operation of the Swimming Pools.

FINANCIAL IMPLICATIONS

The response to the Report as provided by the Shire will have financial implications that were addressed in the 2022/23 Budget. The 'critical faults' identified were addressed within the current Budget direction.

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION

That with respect to the progress to implement the Carnamah Swimming Pool Risk Safety Assessment and Improvement Plan from Royal LifeSaving WA, the Audit and Risk Management Committee recommends to Council as follows:

1. To note the Chief Executive Officer's actions undertaken to address the identified 'critical faults'.

7.5 Progress towards implementing implement the Eneabba swimming pool Risk Safety Assessment and Improvement Plan

File Code	ADM0361
Author	Ian Walsh - Deputy Chief Executive Officer
Senior Employee	Robert Paull - Chief Executive Officer
Disclosure of Interest	Nil
Attachments	Attachment 1 Eneabba Swimming Pool Risk Safety Assessment and Improvement Plan Attachment 2 Progress of addressing the identified 'critical faults'

SUMMARY

To update the Audit and Risk Management Committee of the progress of implementing the recommendations of the annual Risk Assessment conducted by Royal LifeSaving WA (RLSWA) for the Carnamah Public Swimming Pool.

BACKGROUND

At the Audit Committee of 15 March 2023, Committee members were advised of the annual, RLSWA Assessment of the Eneabba swimming pools with regards to a broad range of safety and risk issues (note **Attachment 1**). The Risk Assessment undertaken by RLSWA identified 10 'critical faults' that must be implemented by the Shire. The revised Report also identified 2 'high faults, one 'moderate' and one 'advisory' faults that also need to be addressed.

COMMENT

The identified 'critical faults' have been addressed (**Attachment 2**).

It is noted that the identified 'critical faults' associated with chemical safety will be addressed once the 'chemical shed' is completed, however appropriate bunding between hazardous substances will still need to be established.

CONSULTATION

Executive Leadership Team
Pool Manager

STATUTORY ENVIRONMENT

Work Health and Safety Act 2020
Health (Aquatic Facilities) Regulations 2007
Department of Health (WA) – Code of Practice for the operation of Aquatic Facilities
RLSSA Pool Safety Guidelines

STRATEGIC IMPLICATIONS

Shire of Carnamah Strategic Community Plan and Corporate Business Plan 2021-2031 (as revised in December 2022):

Outcome 4 Open, collaborative and empowered.

Strategy 4.1.2 Continuous improvement in efficient and effective service delivery.

POLICY IMPLICATIONS

Whilst Council has adopted Policy 2.7 Risk Management, it doesn't adequately address the operation of the Swimming Pools.

FINANCIAL IMPLICATIONS

The response to the Report as provided by the Shire will have financial implications that were addressed in the 2022/23 Budget. The 'critical faults' identified were addressed within the current Budget direction.

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION

That with respect to the progress to implement the Eneabba Swimming Pool Risk Safety Assessment and Improvement Plan from Royal LifeSaving WA, the Audit and Risk Management Committee recommends to Council as follows:

1. To note the Chief Executive Officer's actions undertaken to address the identified 'critical faults'.

8.0 CONFIDENTIAL REPORTS

Nil

9.0 NEW BUSINESS OF AN URGENT NATURE

Nil

10.0 CLOSURE OF MEETING
