

Better Practice Review

Shire of Boddington

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PART I – BETTER PRACTICE REVIEW

The Local Government Better Practice Review (BPR) Program was an initiative undertaken by the former Department of Local Government and Communities (as of 1 July 2017 it became the Department of Local Government, Sport and Cultural Industries) to recognise and promote good practice in Western Australian country local governments. The BPR Program is part of the State Government's Country Local Government Fund (CLGF) Capacity Building Program.

The BPR Program involves a review team assigned to work closely with local governments to review key areas of that local government's activities and operations.

Program Objectives

The BPR Program has been designed to acknowledge areas of better practice whilst encouraging improvement in the way local governments conduct their activities to ensure good governance and build the capacity of the local government sector.

The objectives of the program are to:

- Generate momentum for a culture of continuous improvement and greater compliance across the local government sector.
- Promote good governance and ethical regulation.
- Identify and share innovation and best practice in the local government sector.
- Act as a 'health check' by providing departmental advice and support to local governments that may be experiencing operational problems.

Reporting of a BPR

Through the local government completed self-assessment checklist and the collection and collation of additional relevant information prior to an onsite review, the review team will summarise key findings in the areas of:

- Governance
- Plan for the Future (strategic and corporate planning)
- Community and Consultation

The onsite visit can take anywhere between one to five days, depending on the size and location of the local government and the scope of the findings. The onsite review is a key component of a BPR as it presents the review team with an opportunity to further expand upon the knowledge gained from reviewing the local government's documents, which in turn assists in analysing and reporting on the above mentioned areas.

The report aims to highlight areas where a local government is demonstrating better practice, as well as providing constructive feedback on addressing any areas for further development. Where appropriate, the areas recognised as requiring further development will feature suggested recommendations that the local government can aim to address through a documented action plan.

Although the report will address some legislative requirements, it's important to note that this is not solely a compliance exercise, and feedback focuses on building the capacity of the organisation to achieve sector standard across a range of functions and operations.

Implementation

The local government has the opportunity to provide commentary and feedback on any findings of the review and/or a response to each area of the report, ensuring the report captures an accurate reflection of the local government. In particular it is requested that the local government review and complete the draft action plan in this report which identifies recommendations for the areas for further development.

PART II – EXECUTIVE SUMMARY

An abridged, one day BPR visit took place at the Shire of Boddington (Shire) on 11 April 2017. The review team wishes to thank the Chief Executive Officer (CEO) Mr Chris Littlemore and Director Corporate and Community Services Mr Grant Bartle for their participation and assistance during the visit, and for providing valuable information on the Shire's practices and procedures.

As the visit was conducted over just one day, the review has focused on the Shire's practices and procedures around three core/key areas; Governance, Integrated Planning and Reporting/Plan for the Future and Community Development/Community Consultation. Accordingly, this report identifies areas of better practice, strengths and further development across these three areas.

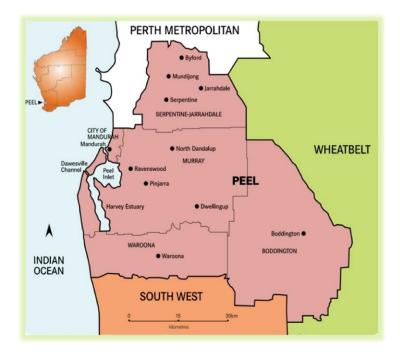
The review found that overall, the Shire functions well. It places a strong emphasis on working closely with its community to achieve common goals, with community engagement and community development a key strength of the Shire. Staff appear to work well together to achieve outcomes and take pride in their achievements. Areas for further development in this report are generally identified in regards to the Shire's need to further update/review documents, practices and processes to either meet legislative requirements, align with general practice across the sector and/or achieve better practice.

Where not already commenced or considered, the Shire should look to address the areas of further development identified within this report, and where already underway, continue progressing these as it seeks to continue achieving good practice, and good governance, into the future.

PART III – LOCATION AND DEMOGRAPHICS

The Shire of Boddington (Shire) covers 1,900 square kilometres (km) of land in the Peel region of Western Australia, 120km south east of the state capital Perth.

Currently, the Shire has seven elected members (including the Shire President). The Shire's 2016/17 annual budget projects a positive net result of \$736,397 for the financial year with a rates income of \$4.1 million.



The Shire's economy is driven by mining and agriculture with mining being the predominant industry. There are two mine sites located in the Shire, one for gold and the other bauxite. Mining tenements cover 16% of the Shire and the Shire's economic growth (or fall) is closely dependent on the mining industry. However, the Shire has also taken several initiatives to enhance tourism by forming strategic alliances with neighbouring local governments to promote the area.

The Australian Bureau of Statistics most recent Estimated Resident Population (ERP) figures (ABS catalogue 3218.0) put the Shires population at 2,537 persons as of 30 June 2015. The Shire has experienced a population increase over the last few years. According to ERP figures, between June 2010 and June 2015 the Shire's population increased by 18.7% (equivalent to 400 persons).

In 2011 the Shire was announced as a 'SuperTown' as part of the State Government Royalties for Regions SuperTowns initiative. As a result of this, the Shire received additional funding and assistance which allowed it to undertake a number of significant projects to grow the community and enhance tourism and infrastructure.

PART IV – REVIEW AND ASSESSMENT

1. Governance

Introduction

Corporate governance is important because it enhances organisational performance; manages and minimises risks; increases the confidence of the community and the local government sector; ensures that the organisation is meeting its legal and ethical obligations; and assists in the prevention and detection of dishonest or unethical behaviour.

Legislative and policy framework

- Local Government Act 1995 (the Act)
- Local Government (Administration) Regulations 1996
- Local Government (Audit) Regulations 1996
- Local Government (Functions and General) Regulations 1996
- Local Government (Rules of Conduct) Regulations 2007
- State Records Act 2000

Strengths found as a result of the assessment process

- During the onsite visit, the Shire noted it was working on the development of a range of contractor documentation and contractor management processes to ensure contractors area appropriately inducted and managed. This includes a contractor induction package, contractor management systems and developing a Code of Conduct for contractors. The Shire is encouraged to continue in its efforts to formalise contractor management processes, in addition to the development of Code of Conduct for contractors as these are good practices to have in place.
- Risk management is an essential part of good business practice and involves the systematic identification, control and monitoring of a wide range of risks. While risk cannot be entirely eliminated, local governments are encouraged to establish risk-aware cultures and establish structures, processes and controls that provide a consistent and effective approach to reducing and managing risk. During the onsite visit, risk management was discussed, with the Shire identifying it had done some work on its risk management practices including the development of a risk dashboard and was also working with LGIS to further develop a complete risk management framework. The Shire is encouraged to continue in its efforts of developing a risk management framework to identify, monitor and effectively manage risks across all areas.
- Business continuity planning forms part of risk management processes. It enables a local government's internal and external services to quickly recover from a range of disasters and additionally, allows a local government to document how it will prevent, prepare for, respond to, manage and recover from the impacts of unforeseen events. The Shire has developed a Business Continuity Plan; demonstrating a positive step by it to develop and support a risk aware organisation. The Shire is reminded that any future risk management processes and

documentation it develops (as noted above) should be appropriately linked to its Business Continuity Plan.

- The Shire has a comprehensive array of policies within its policy manual. Overall, the policies are well-written and clearly understood. The Shire reviews its suite of policies as a matter of course every two years in line with the election cycle, and more regularly when required. The policies are laid out in a consistent format and include all relevant information such as policy statement, objective, resolution number and resolution date. Having consistency in format and layout across policies is good practice.
- In addition to the Ordinary monthly meeting, the Shire of Boddington Council also comes together for a briefing session, two weeks prior to the ordinary meeting. The briefing session allows Council to discuss issues in detail to ensure they are appropriately briefed and prepared for their meeting. The holding of forums/briefing sessions is identified as good practice as it is an effective way of providing elected members with detailed background information on matters which will be before them; as well as updating them on matters of significance for the local government. This develops elected member knowledge, assisting Council meetings to be more efficiently run and ideally helping Council make more effective decisions. The CEO advised that as a result of the briefing sessions held at the Shire, its Council meetings are generally shorter and focus on strategic decision making; evidence of the positive effect of briefing sessions.
- The Shire's Customer Service and Complaints Policy effectively demonstrates how the Shire will deal with, and resolve, complaints. It includes all good practice recommendations for a complaints handling policy including that it adequately defines a complaint, as clearly distinguished from a customer service request and sets out how the Shire will respond to complaints. Specifically, it sets out guidelines and parameters for the handling of complaints noting that the Shire will make a record of complaints received, lists what the record of complaints shall include (e.g. type of complaint, response length and time, number and types of remedies) and notes that the outcome of complaint resolution will be reported back to Council on a monthly basis. It is good practice to clearly outline and articulate this information to the community. It also demonstrates a commitment by the Shire to provide a good level of customer service to stakeholders.
- As mentioned earlier in this report, the Shire was part of the State Government's SuperTown
 project. Through its participation in the SuperTowns project, the Shire built strong and
 productive relationships with surrounding local governments; relationships which have
 continued to evolve even as the SuperTowns project was finalised. For example, the Shire
 has developed strong strategic alliances with the shires of Williams and Wandering to promote
 tourism and economic development in the respective shires, and across the region. Initiatives
 such as the Hotham Williams Economic Development Alliance and the 'Marradong Country'
 tourism project are two examples of important strategic alliances that are delivering positive
 outcomes for the respective shires. Participating in strategic alliances such as this achieves
 regional, and local outcomes and can benefit all local governments involved as a collective,

but also as individual entities. This type of collaboration is especially important and useful for small local governments that otherwise may not be able to harness such opportunities in isolation. The Shire is commended for its efforts in pursuing, and building productive relationships in its region.

Areas for Further Development

- As mentioned above, the Shire has a good complaints handling policy which outlines how it identifies, records and resolves complaints. The policy also demonstrates to the community that the Shire aims to provide a good level of customer service. To further support the Shire's efforts to communicate its customer service objectives to the community it may wish to consider the development of a customer service charter. A customer service charter is a useful tool to define a local governments customer service standards (i.e. over the phone, in person and via email communication), provide information to the community on what they should come to expect when dealing with the local government (i.e. timeliness of response such as the timeframe associated with acknowledging and actioning customer requests) and outline how the local government will deal with customers (such as 'we will be professional and courteous at all times" etc.). Essentially, it is a contract/commitment by the local government, to the customer. Accordingly, if the Shire chooses to develop a charter it should then be made readily available to the community including on the website and at various service centres of the Shire such as its administration centre, halls, sporting complexes etc. While a customer service charter is not a legislative requirement, it represents good practice in customer service.
- The Shire has developed two Codes of Conduct (Code); one for elected members and the other for staff, both last reviewed four years ago in 2013. Upon review of the codes, some observations/recommendations have been noted for consideration by the Shire. Firstly, the Shire should look to review/update the Code/s at its earliest convenience to ensure current legislative requirements are covered. For example, that the 2016 changes to gift and travel requirements such as online gift and travel registers and changes to gift thresholds. Secondly, it is noted that section 5.103(1) of the Act 1995 states that a local government is to prepare or adopt a code of conduct 'to be observed by council members, committee members and employees'. As identified above, the Shire has developed two separate codes for elected members and staff. To better reflect the intent of section 5.103 the Shire should consider developing a single code of conduct for staff, elected members and committee members. Lastly, it is recommended the Shire consider introducing formal written acknowledgment of its Code whereby staff, elected members and committee members sign a declaration stating that they understand, acknowledge and agree to abide by the Code this is better practice.
- As required by section 5.23 of the Act, all council meetings are to be open to the public unless the Council resolves to close a meeting (or part of a meeting) for a reason that accords with section 5.23(2). Upon reviewing the Shire's council meeting minutes it is noted that when meetings, or part of, have been closed to the public there are some inconsistencies and errors in the way the Shire is recording closures. Examples of where the meeting was closed to the public that have been reviewed by the BPR team include the Special and Ordinary meetings

of February 2017 and the Ordinary Meeting of August 2016. Identified issues/inconsistencies within these minutes include:

- In two of the cases (February 2017 Special Council and August 2016 Ordinary Council) the minutes do not appropriately state that the meeting was being closed to the public (or going behind closed doors, whatever the Shire's chosen terminology may be). Rather they simply state that the public gallery/staff left the room this is incorrect. Instead, the Council must make a formal resolution to close the meeting, with this resolution recorded in the minutes. Through this resolution, the reason for closing the meeting should also be clearly identifiable as one of those reasons allowable under section 5.23 of the Act.
- While this is the case for the two examples mentioned, when the February 2017 Ordinary Meeting was closed to the public it was done correctly, through use of an appropriate resolution. Being, "That Council go behind closed doors in accordance with section 5.23 (2)(c) of the Act to discuss a contract to be entered into...". This example should be referred to in all future cases when meetings go behind closed doors.
- Lastly, it is noted in all identified cases when the meeting went behind closed doors, the Shire's minutes do not include a record of the business conducted behind closed doors; including not publishing the final resolution of the item being considered. The Shire is reminded that while recognising confidentiality provisions, regulations do require that the minutes include a record of all decisions taken when the public is excluded from the meeting — this includes motions put, lapsed/lost and those ultimately carried (i.e. the final decision/resolution of that item).

The Shire's response

Council has developed a Customer Service Charter (copy attached), however it is accepted that Council could do more to ensure that its commitments are readily available to the community through the avenues available to it such as the website and at various service centres including the library, administration centre, swimming pool and sport and rec centre.

BPR team note (Customer Service Charter): a copy of the Shire's Customer Service Charter was provided to the Department with its draft report feedback.

With respect to Council's Code of Conduct, the Code has been discussed between senior staff and Councillors on a couple of occasions, without agreement being reached on how to progress and update the code. With the upcoming election, there may be four or five new Councillors. This will be an ideal opportunity to review the code. Council agrees that just as staff currently sign a declaration stating that they understand acknowledge and agree to abide by the employee code of conduct, Councillors should do the same.

With regard to compliance with section 5.23 of the act, Council has taken advice from WALGA and a copy of the minutes from 4 July 2017 is attached to demonstrate compliance.

BPR team note (closed meetings/minutes): minutes from 4 July 2017 as provided by the Shire show that the meeting was closed to the public by quoting the section of the Act i.e. 'pursuant to s5.23 (2)(c) of the Act'. The motions moved and amendments made, as well as the final resolution and voting record has also been published — this is correct practice.

2. Plan for the Future

Introduction

The 'Plan for the Future' (Integrated Planning and Reporting (IPR)) requirements for local governments in Western Australia came into effect on 1 July 2013. As a result, all local governments are required to have in place a Strategic Community Plan and Corporate Business Plan, which together, form the 'Plan for the Future'.

Policy and legislative framework

- Local Government Act 1995
- Local Government (Administration) Regulations 1996
- Integrated Planning and Reporting Advisory Standard (IPR Advisory Standard)
- Integrated Planning and Reporting Framework and Guidelines (IPR Guidelines)

Review of the Shire's Plan for the Future framework

- The Shire's Strategic Community Plan 2013-2023 and Corporate Business Plan 2013/14 to 2016/2017 were adopted by Council in 2013. Both documents contain relevant information for the Shire to effectively plan for its future and meet all legislative requirements as outlined in the Act and the *Local Government (Administration) Regulations 1996.*
- As required by this legislation, a strategic community plan is to be reviewed, in full, every four years and by default, due to the "integrated" nature of IPR, a full corporate business plan review should also occur every four years. In line with these requirements, the Shire is working towards the full review of its plans during 2017. While the Shire is meeting its legislative requirements by reviewing its IPR documents every four years, onsite discussions identified that its plans have not otherwise been formally reviewed since their original adoption in 2013.
- Although not directly legislated for in the Act or regulations, the IPR Guidelines and Advisory Standard state that in addition to the four-yearly review, strategic community plans should also undergo two-yearly desktop reviews (i.e. 'minor' strategic reviews to update and reset priorities). Accordingly, to meet the requirements of the Advisory Standard — and achieve better practice — once developed, the Shire should undertake both a two-year and four-year review of its new Strategic Community Plan and an annual review of its Corporate Business Plan (which is a rolling document, beginning with the new financial year, every year). The Corporate Business Plan as mentioned above will also undergo a full review every four years in conjunction with the full review of the Strategic Community Plan.
- During onsite discussions, the Shire stated that for the upcoming full review of the Strategic Community Plan it was undertaking a new approach for engaging with the community by seeking to establish a Community Advisory Group. Since the visit, the advisory group has had its membership endorsed by Council; it is made up of 13 representatives from diverse groups across the community including representatives made of youth, seniors, local businesses, sporting clubs, the mining industry and so on. It is the intention that the advisory group representatives will engage with their respective groups, seeking information on the issues

faced by them, feeding this information back to the Shire to then be used to inform the development of the new Strategic Community Plan. Engaging diverse aspects of the community, together, to achieve common outcomes is a good initiative and an innovative approach to building the Shire's future. Further detail on this process is also included in the following section of this report, Community and Consultation.

- The Shire's Strategic Community Plan 2013-2023 is a good document that meets all the requirements of the IPR Guidelines. It includes a five year resourcing profile which outlines information on the Shire's resources but doesn't provide information on the Shire's future anticipated resources (i.e. at the time of the plan's development). Regulation 19C Part 5 (a) requires a local government's strategic community plan to include detail on 'the capacity of its current resources and anticipated capacity of its future resources'. In addition, the new IPR Guidelines state that a strategic community plan must also include a 10 year long term financial profile. The first four years will be fairly robust, enhancing confidence in the longer term financial sustainability of the plan. It is recommended that the Shire include current and future resourcing implications in its revised strategic community plan. This includes a 10 year long term financial profile as well as detail on its asset and workforce requirements for the life of the plan, also outlining the implications of these resourcing requirements for achieving the plans goals and outcomes.
- The Shire's Corporate Business Plan 2013-2017 is a detailed plan which integrates with the outcomes of the Strategic Community Plan, provides actions to achieve these outcomes, and outlines the costs and timeframes associated with the delivery of these outcomes (through actions) While this is good practice it is noted that during discussions with the Shire, it was identified that the Corporate Business Plan is not always referred to/used by it on a regular basis; and as mentioned earlier, there has been no review of the plan since its adoption in 2013. Accordingly, once the new/revised version of the Corporate Business Plan is developed the Shire is encouraged to review, and update it, on an annual basis to ensure it remains an effective, meaningful and usable strategic planning document.
- As this report provides only a broad overview on the Shire's current and future 'Plan for the Future' framework, it is encouraged to refer to the Department's recently updated IPR Guidelines and Advisory Standard (available from the Department website) to assist it in its efforts to achieve best practice in IPR.

The Shire's response

Most of the documents referred to under this "Plan for the Future" section were developed in 2013 by consultants. As a consequence, apart from the Boddington Growth Plan, staff and Councillors have had little ownership of the documents. Since the new administration was put in place in November 2014, a systematic review of the critical documents such as the Long-Term Financial Plan, Asset Management Plan and Strategic Community Plan has been undertaken in house. Council acknowledges the importance of all of the documents mentioned.

Council recognised in 2014 that there would be challenges around meeting the compliance with IPR in terms of in-house resources. Although identified in the Workforce Plan, Council was not in a position

financially to appoint an Officer to the position. Council has now resourced the position and part-time integrated planning and reporting officer was appointed on 9 January 2017.

Council could have engaged consultants to review the documentation but this would not assist with development of internal capacity and would also have run the risk of a lack of ownership by staff and Councillors.

The newly appointed officer has been referring to the departments updated IPR Guidelines and Advisory Standard.

3. Community and Consultation

Introduction

Delivering appropriate services to the community is one of the fundamental roles of local government. Effective community engagement and consultation allows local governments to interact with the local community to better understand community needs and expectations, assisting in the delivery of services. Consultation and engagement better positions local governments to develop appropriate policies and procedures that will best serve the local community now and into the future.

Legislative and policy framework

- Disability Services Act 1993
- International Association for Public Participation (IAP2) spectrum
- Western Australian Charter of Multiculturalism

Areas of Better Practice

The Shire's community and consultation activities were considered during the review and the following identified as an example of better practice:

Area of Better Practice	Why the initiative is considered Better Practice
Community Advisory Group	As mentioned in the Plan for the Future section of this report, the Shire has established a Community Advisory Group to engage with its diverse community for the purposes of the review of the Strategic Community Plan. The Shire's intent through this process indicates a concerted effort to bring together separate groups from the community, to work together and develop a common and collective vision for the wider community — this is good practice. Further demonstrating good practice the Shire has included the names of the 'advocates' (i.e. the people who represent each community group) on its website, under a page dedicated to the review of the Strategic Community to get in touch with their respective 'advocate' and/or any other relevant member of the reference group, to raise issues, thoughts and ideas that they consider important to them, which will then be fed back to the group and the Shire to assist in the development of the new Strategic Community Plan.
	Through this process, the Shire demonstrates a commitment to actively involving its community in the decision making process and a commitment to working with a diverse community, to achieve a common vision. These are both important factors for building strong, vibrant and engaged communities, and for mutually beneficial decision making. The Shire is commended for its efforts in this space, and is encouraged to fulfil its plan in developing the revised Strategic Community Plan.

As a result of the assessment process a number of additional strengths were found:

- During the onsite visit, the Council was in the process of endorsing a Community Engagement Policy. It is noted that post BPR visit a Community Engagement Policy has been adopted, articulating the Shire's commitment to effective community engagement and community involvement in the Shire's decision making processes. It is good practice to have an overarching policy regarding community engagement as it ensures that community engagement is carried out in a considered manner as well as providing a documented commitment by the Shire, to the community, that it will seek to engage with it wherever possible.
- The Shire has developed an Interpretation Plan which aims to showcase its heritage and Aboriginal culture. The plan was developed after extensive community consultation notably with the Aboriginal community through workshops and interviews. This is a good initiative by the Shire to engage specific community groups and involve them in the development of the Shire, while promoting tourism and economic development.
- Further, as an outcome of the Interpretation Plan, the Shire is developing a Community Hub which includes a visitor centre. At the time of producing this report (June 2017) the draft interior design of the visitors centre was published on the Shire's website with the community asked to provide initial feedback on the design with the holding of a community workshop to discuss the design to follow. The Shire has also recently invited feedback from the community regarding potential ideas for the design of a new skate park. These initiatives are good examples of the Shire's desire and commitment to engage with the community on important projects. The Shire also regularly engages, communicates and informs its community through social media (e.g. Shire of Boddington Facebook page) and through its website. Overall, the Shire's initiatives in community engagement; including the recent development of a Community Engagement Policy demonstrate its willingness to engage with the community, acknowledge community feedback and keep them involved and informed on important issues this is good practice.
- The Shire coordinates youth activities in its Youth Centre and actively supports the development of youth through various programs such as excursions and holiday programs. The Shire is encouraged to continue in its efforts to support its youth and ensure its youth programs continue to be a strength for its community development program.
- The Shire supports volunteers and volunteer groups within the Shire. The Shire also organises a Thank a Volunteer Day event for its volunteers to acknowledge their efforts. This is a positive initiative to ensure volunteers remain positive and motivated, and to know they are supported and acknowledged by the Shire.

The Shire's response

The Shire scored fairly poorly in the consultation and communication aspects of the community satisfaction survey which was conducted in March and April 2017. The recognition by the Department that the Council is achieving what it describes as Better Practice relates to initiatives that were either taking place in April and May and as a consequence the survey did not reflect the improvements Council was making.

SHIRE OF BODDINGTON – ACTION PLAN

The below action plan presents an opportunity for positive improvement and change by identifying areas of further development for the Shire.

Area for Further Development	Recommendation/Action	Timeframe	Responsibility	Progress Report					
Governance									
Closed meetings	 Ensure that when Council meetings go behind closed doors, the minutes state the reasons for closing the meeting through a resolution and include a record of all business conducted while the meeting was closed, including motions put and the final resolution. 	In place	CEO	Copy recent minutes attached. Confirmed correct by WALGA Governance. BPR team note: minutes provided by the Shire, following the BPR (from the Council meeting of 4 July 2017) meet recommended practice.					
Code of Conduct	 Consider an update of the Code of Conduct to ensure it is reflective of current legislative requirements. 	31 March 2018	CEO/DCCS	In concert with new Council following October 2017 elections.					
	 Consider development of a single Code of Conduct for elected members, employees and committee members. 	31 March 2018	CEO/DCCS	In concert with new Council following October 2017 elections.					

	 Consider introducing formal written acknowledgment of the Code of Conduct for elected members, employees and committee members (where applicable). 	21 November 2017	DCCS	Currently occurs for employees at induction. To be initiated for elected members at time of their induction. Past procedure was for CEO to document when elected members received their induction which included this document					
Plan for the Future									
Strategic Community Plan review	5. Continue working towards the full review of the plan in line with legislative requirements and best practice recommendations as outlined in the Act, associated regulations, IPR Guidelines and IPR Advisory Standard.	16 August 2017	CEO	Pending final Council adoption 15/8/17					
Corporate Business Plan review	6. Continue working towards the full review of the plan in line with legislative requirements and best practice recommendations as outlined in the Act, associated regulations, IPR Guidelines and IPR Advisory Standard	30 June 2018	Manager Financial Services	To be commenced following annual budget adoption for 2017/18					