



MINUTES OF AUDIT AND RISK COMMITTEE MEETING

HELD ON

TUESDAY 17 MARCH 2020

5.30 pm

**IN COUNCIL CHAMBERS
83 MANDURAH TERRACE MANDURAH**

PRESENT:

COUNCILLOR	P JACKSON [CHAIRMAN]	NORTH WARD
MAYOR	R WILLIAMS	
COUNCILLOR	J GREEN	COASTAL WARD
COUNCILLOR	A ZILANI	NORTH WARD
COUNCILLOR	P ROGERS [5.38PM]	TOWN WARD
COUNCILLOR	D PEMBER [DEPUTISING]	EAST WARD

ELECTED MEMBERS OBSERVING:

COUNCILLOR	C KNIGHT	NORTH WARD
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OFFICERS

MR	M NEWMAN	CHIEF EXECUTIVE OFFICER
MRS	C MIHOVILOVICH	DIRECTOR CORPORATE SERVICES
MR	A CLAYDON	DIRECTOR WORKS AND SERVICES
MRS	L SLAYFORD	MINUTE OFFICER

OPENING OF MEETING [AGENDA ITEM 1]

The Chairman declared the meeting open at 5.31pm.

APOLOGIES [AGENDA ITEM 2]

Leave of Absence

Councillor D Schumacher (Non-Committee)

Apologies

Mr W Ticehurst (Committee Member)
Councillor D Lee (Deputy Member)

Councillor D Pember deputising for Mr Ticehurst.

IMPORTANT NOTE [AGENDA ITEM 3]

The purpose of this Committee Meeting is to discuss and make recommendations to Council about items appearing on the agenda and other matters for which the Committee is responsible. The Committee has no power to make any decisions which are binding on the Council or the City of Mandurah unless specific delegation of authority has been granted by Council.

No person should rely on or act on the basis of any advice or information provided by a Member or Officer, or on the content of any discussion occurring, during the course of the meeting. The City of Mandurah expressly disclaims liability for any loss or damage suffered by any person as a result of relying on or acting on the basis of any advice or information provided by a Member or Officer, or the content of any discussion occurring, during the course of the Committee meeting.

RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE [AGENDA ITEM 4]

Nil.

PUBLIC QUESTION TIME [AGENDA ITEM 5]

Nil.

PRESENTATIONS [AGENDA ITEM 6]

AR.1/3/20 R KING / P LADLOW: 2019-2020 OSH YEAR TO DATE OVERVIEW

The presentation provided a summary of 2019-2020 year to date OSH data.

DEPUTATIONS [AGENDA ITEM 7]

Nil.

CONFIRMATION OF MINUTES [AGENDA ITEM 8]

AR.2/3/20 CONFIRMATION OF MINUTES MONDAY 9 DECEMBER 2019

MOTION

Moved: Councillor J Green
Seconded: Mayor R Williams

That the Minutes of the Audit and Risk Committee meeting of Monday 9 December 2019 be confirmed with the following amendment:

Minute AR.4/12/19, Page 4 the name "Greene" be corrected to "Green".

CARRIED: 6/0

DECLARATIONS OF INTERESTS [AGENDA ITEM 9]

Nil.

QUESTIONS FROM COMMITTEE MEMBERS [AGENDA ITEM 10]

Questions of Which Due Notice Has Been Given

Nil.

Questions of Which Notice Has Not Been Given

Nil.

BUSINESS LEFT OVER FROM PREVIOUS MEETING [AGENDA ITEM 11]

Nil.

REPORTS [AGENDA ITEM 12]

AR.3/3/20 COMPLIANCE AUDIT RETURN (TJ) (REPORT 1)

Summary

The Department of Local Government, Sport and Cultural Industries (DLGSC) has circulated to all Western Australian Local Governments the annual 2019 Compliance Audit Return for completion. The return covers the period 1 January 2019 to 31 December 2019. The return is a requirement of the *Local Government Act 1995* and its Regulations and is prepared for the Minister Local Government in an approved form.

There is a statutory requirement to have the compliance audit reviewed by the Audit and Risk Committee and then adopted by Council. Once adopted, it will be certified by the Mayor and Chief Executive Officer and forwarded to the DLGSC prior to the 31 March 2020 deadline.

The compliance audit has been conducted for 2019 which resulted in the City achieving 100% (104/104) compliance.

Officer Recommendation

That the Audit and Risk Committee recommend that Council:

- 1 Adopts the *2019 Local Government Compliance Audit Return* for the period 1 January 2019 to 31 December 2019 as per Attachment 1 of the report.
- 2 Submit, in accordance with Regulation 15 of the *Local Government (Audit) Regulations 1996*, the completed 2019 Compliance Audit Return to the Department of Local Government, Sport and Cultural Industries.

Alternate Officer Recommendation

That the Audit and Risk Committee recommend that Council:

- 1 Adopts an amendment to response to Section 6, Question 2, Integrated Planning and Reporting and Section 2, Question 1, Delegation of Power/Duty of the *2019 Local Government Compliance Audit Return* as per Attachment 1 of the report with the following changes:

Section 6, Question 2, Integrated Planning and Reporting:

No	Reference	Question	Response	Comment	Respondent
2	s5.56 Admin Reg 19DA (4)	Has the local government reviewed the Corporate Business Plan in the 2018-2019 Financial Year? If Yes, please provide date of Council meeting the review was adopted at?	No	A review of the Corporate Business Plan was undertaken in the 2018-2019 Financial Year. The review was completed as part of the adoption of the annual budget, however a separate resolution point for Council to adopt the review of Corporate Business Plan was not included in the resolution.	Casey Mihovilovich

Section 2, Question 1, Delegation of Power/Duty:

No	Reference	Question	Response	Comment	Respondent
1	s5.16, 5.17, 5.18	Were all delegations to committees resolved by absolute majority?	N/A		Casey Mihovilovich

- 2 Adopts the *2019 Local Government Compliance Audit Return* for the period 1 January 2019 to 31 December 2019 as per Attachment 2 of the additional information.

- 3 Submit, in accordance with Regulation 15 of the *Local Government (Audit) Regulations 1996*, the completed 2019 Compliance Audit Return to the Department of Local Government, Sport and Cultural Industries as per Attachment 2 of the additional information.

Comment: The City of Mandurah has obtained clarification from the Department of Local Government, Sport and Cultural Industries regarding question two, section 6 Integrated Planning and Reporting of the 2019 Compliance Audit Return.

In accordance with Regulation 19DA(4) of the Local Government (Administration) Regulations 1996 (the Regulations) the Local Government is required to review the current Corporate Business Plan for its district every year.

Whilst Council reviewed the Corporate Business Plan and subsequent operational plans as part of the annual budget adoption process, there was no separate resolution point by Council to adopt the annual review of the Corporate Businesses Plan in the 2018-2019 Financial Year.

The second amendment relating to Question 1, Section 2 Delegation of Power/Duty was an administrative error and the return should state N/A as there are no delegations to committees.

City Officers will undertake a review of the Integrated Planning and Reporting Framework process to ensure all compliance requirement under the Regulations are met in the future.

Committee Recommendation

That the Audit and Risk Committee recommend that Council:

- 1 Adopts an amendment to response to Section 6, Question 2, Integrated Planning and Reporting and Section 2, Question 1, Delegation of Power/Duty of the 2019 Local Government Compliance Audit Return as per Attachment 1 of the report with the following changes:**

Section 6, Question 2, Integrated Planning and Reporting:

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- 2 **Adopts the 2019 Local Government Compliance Audit Return for the period 1 January 2019 to 31 December 2019 as per Attachment 2 of the additional information.**
- 3 **Submit, in accordance with Regulation 15 of the Local Government (Audit) Regulations 1996, the completed 2019 Compliance Audit Return to the Department of Local Government, Sport and Cultural Industries as per Attachment 2 of the additional information.**

MOTION

Moved: Councillor D Pember
Seconded: Councillor J Green

CARRIED: 5/1
FOR: Councillors Jackson, Green, Zilani, Pember, Mayor Williams
AGAINST: Councillor Peter Rogers

Comment: The City of Mandurah has obtained clarification from the Department of Local Government, Sport and Cultural Industries regarding question two, section 6 Integrated Planning and Reporting of the 2019 Compliance Audit Return.

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City Officers will undertake a review of the Integrated Planning and Reporting Framework process to ensure all compliance requirement under the Regulations are met in the future.

AR.4/3/20 OSH SIX MONTHLY REVIEW (RK/PL) (REPORT 2)

Summary

The City is now operating under our second Three Year Strategic OSH Plan which has been developed alongside the 2018 LGIS Worksafe Plan Audit outcomes and known legislative requirements. The first six months of 2019-2020 show strong indicators that both the reported injuries and workers' compensation costs and severity are decreasing. All directorates within the City continue to improve their OSH engagement which is reflective in the OSH Performance Overview (attachment 1). Council is requested to note the progress being made in continuing the Three Year OSH Plan and the imperatives made to address the management of workplace injury. Council is also requested to note the City's current OSH performance

Officer Recommendation

That Council:

1. Notes the progress of the implementation of the Three Year Strategic OSH Plan.
2. Notes the City's current OSH performance for the YTD 2019/20 financial year.

Committee Recommendation

MOTION

Moved: Mayor Williams
Seconded: Councillor J Green

That Council:

1. Notes the progress of the implementation of the Three Year Strategic OSH Plan.
2. Notes the City's current OSH performance for the YTD 2019/20 financial year.

CARRIED: 6/0

AUDITOR REPORTS [AGENDA ITEM 13]

Nil.

LATE AND URGENT BUSINESS ITEMS [AGENDA ITEM 14]

Nil.

CONFIDENTIAL ITEMS [AGENDA ITEM 15]

MOTION

Moved: Councillor D Pember
Seconded: Councillor Peter Rogers

That the meeting proceeds with closed doors at 6.14pm in accordance with Section 5.23(2)(a) of the *Local Government Act 1995*, to allow for the confidential discussion of an item.

CARRIED: 6/0

Members of the media, employees and persons in the gallery left the meeting at this point. The Minute Officer and Manager Governance Services remained in the Chamber with senior employees.

THE MEETING PROCEEDED WITH CLOSED DOORS AT 6.14PM

AR.5/3/20 CONFIDENTIAL ITEM: OPERATIONAL REVIEW (GD) (CONFIDENTIAL REPORT 1)

Confidential discussion ensued regarding this issue.

MOTION

Moved: Mayor Williams
Seconded: Councillor Peter Rogers

That Council:

- 1 Endorses the review of In-house Construction Review Findings and Recommendations for Implementation;**
- 2 Agrees to a further review to be undertaken in two years' time to measure progress.**

CARRIED: 6/0

AR.6/3/20

MOTION

Moved: Councillor D Pember
Seconded: Councillor J Green

That the meeting proceeds with open doors.

CARRIED: 6/0

THE MEETING PROCEEDED WITH OPEN DOORS AT 6.29PM

AR.7/3/20

MOTION

Moved: Councillor Peter Rogers
Seconded: Councillor A Zilani

That Council endorses the resolutions taken with closed doors.

CARRIED: 6/0

CLOSE OF MEETING [AGENDA ITEM 16]

There being no further business, the Chairman declared the meeting closed at 6.30pm.

CONFIRMED:[CHAIRMAN]