



The Council of the City of Cockburn

Audit Risk and Compliance Committee
(ARC)
Minutes

For Thursday, 28 July 2022

These Minutes are subject to confirmation

Presiding Member's signature

Date: 22 September 2022

The Council of the City of Cockburn

Audit Risk and Compliance Committee (ARC) Meeting
Thursday, 28 July 2022 at 6.00pm

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The Council of the City of Cockburn

**Audit Risk and Compliance Committee (ARC) Meeting
Thursday, 28 July 2022 at 6.00pm**

Minutes

Present

Elected Members

Mr K Allen	-	Councillor (Presiding Member)
Mr T Widenbar	-	Deputy Mayor (eMeeting)
Ms P Corke	-	Councillor
Mr T Dewan	-	Councillor
Mr G Geen	-	Independent Member

Observers

Mrs C Reeve-Fowkes	-	Councillor
Mr M Separovich	-	Councillor

In Attendance

Mr T Brun	-	Chief Executive Officer
Mr S Downing	-	Chief Financial Officer
Mr A Lees	-	Chief of Operations
Mr D Arndt	-	Chief of Built and Natural Environment
Ms E Milne	-	Executive Governance and Strategy
Ms J Iles	-	Executive People Experience and Transformation (eMeeting)
Ms S Ng	-	Acting Head of Finance
Ms M Todd	-	Manager Legal and Compliance
Ms J Downsborough	-	Manager, Strategy and Integrated Planning
Mr J Fiori	-	Risk and Governance Advisor
Mrs B Pinto	-	Governance Officer
Mrs S D'Agnone	-	Council Minute Officer (eMeeting)

Guests

Mr S Hoare	-	Senior Director, Office of Auditor General
Mr H Rutters	-	Senior Manager, KPMG

1. Declaration of Meeting

The Presiding Member declared the meeting open at 6.00pm.

“Kaya, Wanju Wadjuk Budjar” which means “Hello, Welcome to Wadjuk Land”

The Presiding Member acknowledged the Nyungar People who are the traditional custodians of the land on which the meeting is being held and paid respect to the Elders of the Nyungar Nation, both past and present and extended that respect to Indigenous Australians who may have been present.



The Presiding Member welcomed Mr S Hoare from the Office of Auditor General, and Mr Rutters from KPMG to the meeting.

2. Appointment of Presiding Member (If required)

Nil

3. Disclaimer

Members of the public, who attend Council Meetings, should not act immediately on anything they hear at the Meetings, without first seeking clarification of Council's position.

Persons are advised to wait for written advice from the Council prior to taking action on any matter that they may have before Council.

4. Acknowledgement of Receipt of Written Declarations of Financial Interests and Conflict of Interest (by Presiding Member)

Nil

5. Apologies & Leave of Absence

Nil

6. Public Question Time

Nil

7. Confirmation of Minutes

7.1 (2022/MINUTE NO 0011) Minutes of the Audit Risk and Compliance Meeting - 19/05/2022

Officer Recommendation/Committee Recommendation

MOVED Cr T Dewan SECONDED Cr P Corke

The Committee confirms the Minutes of the Audit Risk and Compliance Meeting held on Thursday, 19 May 2022 as a true and accurate record.

CARRIED UNANIMOUSLY 5/0



8. Deputations

Nil

9. Business Left Over from Previous Meeting (if adjourned)

Nil

10. Declaration by Members who have Not Given Due Consideration to Matters Contained in the Business Paper Presented before the Meeting

Nil

En Bloc Resolutions

6.04pm The following Items were carried by En Bloc Resolution of Council:

15.2

11. Built and Natural Environment

Nil



12. Finance

12.1 (2022/MINUTE NO 0012) Audit Plan for Financial Year ending 30 June 2022

Author Stuart Downing

Attachments 1. Audit Plan for 2021-22 (**Confidential**)

Officer Recommendation/Committee Recommendation

MOVED Cr P Corke SECONDED Cr K Allen

The Committee recommends that Council:

- (1) RECEIVES the Audit Plan for auditing the Financial Year ending 30 June 2022 as attached to the Agenda.

CARRIED UNANIMOUSLY 5/0

Background

The attached External Audit Plan and Strategy document for Financial Year 2022 outlines the purpose and scope of the External Audit and explains the audit methodology and approach to be taken in completing the 2021 Financial Year Audit.

It provides the Audit, Risk and Compliance Committee (ARC) with the opportunity to review the audit focus areas, the auditor's procedures, and the agreed timelines.

The Audit Plan was prepared by KPMG in consultation with the City and approved by the Office of the Auditor General (OAG).

Given the OAG has indicated a preference that their audit plans, management letters and audit closing reports are not made publicly available, this Audit Plan has been made confidential (refer Confidential Attachment.1). However, the OAG has no issue with the City highlighting key aspects from the Plan in this report.

The OAG tendered out and awarded the performance of the City's audit to KPMG for a further two financial years. This year will be the fourth year KPMG has audited the City.

Regulation 9 (2) of the *Local Government (Audit) Regulations 1996* states that the principal objective of the external audit is for the auditor to carry out such work as is necessary to form an opinion on whether the accounts are properly kept, and that the Annual Financial Report:

- is prepared in accordance with financial records
- represents fairly the results of the operations of the Local Government as at 30 June, in accordance with Australian Accounting Standards and the *Local Government Act 1995*.

As set out in the ARC Terms of Reference, its duties and responsibilities include discussing with the external auditor the scope and planning of the audit each year.



Submission

N/A

Report

KPMG will conduct an independent audit to enable the OAG to express an opinion regarding the City's 2021-2022 financial statements and the associated financial ratios.

The audit is conducted in accordance with Australian Auditing Standards to provide reasonable assurance that the City's financial report is free of material misstatement.

A key aspect of the audit work is considering the effectiveness of management internal controls and assessing the appropriateness of the City's accounting policies, disclosures, and accounting estimates.

The audit approach outlined in the plan is summarised under the five following areas:

1. Methodologies and activities
2. Materiality
3. Risk assessment
4. Independence
5. Approach to fraud.

A key aspect of the audit planning process is the assessment of inherent audit risks, where the auditor considers the nature of the risk, likelihood of occurrence and the potential impact it could have on the City's financial report.



For the 2021-2022 Audit, KPMG have determined the following seven focus areas:

Key	Factors influencing our assessment
Existence and valuation of Infrastructure assets	<ul style="list-style-type: none"> Valuation methodology and assumptions can be complex and judgmental Significant volume of individual assets
Existence and valuation of Fixed assets	<ul style="list-style-type: none"> Valuation methodology and assumptions can be complex and judgmental Significant volume of individual assets
Revenue – rates, fees, operating grants, developer contributions and subsidies	<ul style="list-style-type: none"> High volume of transactions that management are required to process accurately Heighten area of focus for stakeholders
Landfill site – rehabilitation asset and liability	<ul style="list-style-type: none"> Calculations, assumptions used and key inputs such as discount and inflation rates can be complex and judgmental Assessment of expert and calculation methodology
Personnel costs and related liabilities	<ul style="list-style-type: none"> Existence and accuracy of payroll related costs High volume of transactions that management are required to process accurately
Contracts and procurement	<ul style="list-style-type: none"> High volume of transactions that management are required to process accurately Heighten area of focus for stakeholders
Cash and other financial assets	<ul style="list-style-type: none"> High volume of transactions of significant value Significant financial asset balances held

The Audit Plan outlines why these have been chosen as focus areas and the planned audit procedures to be applied in reviewing and assessing them.

Another key topic highlighted in the Audit Plan is accounting estimates.

There is a revised auditing standard now effective for these and the auditor will increase their focus on critical financial reporting estimates, judgements, and transparency of disclosures.

Interim audit work for the 2021-2022 audit was completed in June 2022 and the proposed timeline included in the Audit Plan sees end of year audit procedures commencing on 27 September 2022.

According to the Plan, the draft audit report will be presented at the ARC meeting scheduled for 17 November 2022.



The audit opinion from the OAG will be issued at the end of November 2022, accompanied by the management letter.

KPMG and the OAG will be attending the July ARC meeting to present and discuss the attached audit plan for 2021–2022.

Strategic Plans/Policy Implications

Listening & Leading

A community focused, sustainable, accountable, and progressive organisation.

- Best practice Governance, partnerships and value for money.

Budget/Financial Implications

The OAG have provided a quote for the completion of the audit, which is higher than and covered within the City's FY 23 Annual Budget.

Legal Implications

- *Local Government Act 1995* Sections 5.53, 5.54, 6.4, and Part 7 - Audit
- *Local Government (Audit) Regulations 1996* Regulations 9, 9A and 10
- *Local Government (Financial Management) Regulations 1996* Part 4 - Financial Reports.

Community Consultation

N/A

Risk Management Implications

It is a requirement under the *Local Government Act 1995* for Council to accept the City's Annual Report (including the Financial Report and Auditor's Report) by no later than 31 December each year.

Failure to do so will lead to statutory non-compliance.

Proper audit planning helps ensure this risk is mitigated.

Advice to Proponent(s)/Submitters

N/A

Implications of Section 3.18(3) *Local Government Act 1995*

Nil



13. Operations

Nil

14. Community Services

Nil



15. Governance and Strategy

15.1 (2022/MINUTE NO 0013) Risk Register Review Report

Author Emma Milne
Attachments N/A

Officer Recommendation/Committee Recommendation

MOVED Independent Member G Geen SECONDED Cr P Corke

The Committee recommends that Council:

(1) RECEIVES the Risk Register Review Report.

CARRIED UNANIMOUSLY 5/0

Background

This report provides an overview to the Audit, Risk and Compliance (ARC) Committee of the City of Cockburn (the City) enterprise risk register, comprising both strategic and operational risks (Risk Register).

A previous report of the Risk Register was submitted to the (former) Audit and Strategic Finance Committee on 15 July 2021.

Following Tender RFT26/2020, Risk Management and Safety Systems Pty Ltd, trading as RMSS, was retained by the City and was awarded a three year contract.

RMSS is a cloud-based online enterprise risk management software, and version 16 of the software was released on 26 April 2022.

This report to the ARC Committee is a status update on the Risk Register since that implementation.

Submission

N/A

Report

This reporting period is 15 July 2021 to 12 July 2022 (the Period) and Table 1 below illustrates the changes to the City's Risk Register during the Period.

During the Period there was no change in the total number of risks in the Risk Register, however, the risk profile has altered as seen from the table.

Following the April 2022 implementation of RMSS Version 16, all risks in the City's Risk Register have been renumbered in priority with their residual risk level; the first seven are the strategic risks, then the following 277 are operational risks.



The following six operational risks were archived during the period as they were no longer credible:

- Risk ID 52 [formerly 338] *Opt-out* (possible non-compliance with the City's Privacy Management Policy) – the opt-out option now complies with the policy
- Risk ID 81 [formerly 322] *Privacy policy* (no documented privacy policy and process) – the City now has a privacy management policy and framework
- Risk ID 169 [formerly 16] *Road design standards* (failure to comply with standard and guidelines) – statutory compliance is not optional it is mandatory
- Risk ID 248 [formerly 54] *Road design projects* (failure to manage process of developing roads projects) – Project Portfolio Management (PPM) software makes this mandatory
- Risk ID 283 [formerly 47] *Closure of the SMRCC* – the City has withdrawn from the SMRC
- Risk ID 284 [formerly 327] *No Policy content* (no documented process for dealing with privacy) – the City now has a privacy management policy and framework.

The following 6 new operational risks were identified during the period:

- Risk ID 285 *Critical vulnerability management lifecycle maturity* – Current vulnerability management lifecycle is immature; residual risk level *Moderate 9*
- Risk ID 286 *User Principal Name (UPN) standardisation* –UPNs are not standardised and require standardisation of format and attributes to allow for future integration of Role Based Access Control (RBAC), Identity Access Management & Privilege Access Management (IAM/PAM); residual risk level *Moderate 5*
- Risk ID 287 *Digital Records Management (DRM) or Record Management System (RMS) Integrity* – DRM for emails and other critical digital; residual risk level *Moderate 9* communications media are reliant on manual end-user upload/submission prior to ingestion; residual risk level *Substantial 10*
- Risk ID 288 *Child safe organisation* – Failure by the City of Cockburn to resource for, and anticipate legislative requirements, to comply with the National Principles for Child Safe Organisations; residual risk level *Substantial 10*
- Risk ID 289 *Workplace psychosocial hazards* – Inability to provide for workers a safe work place free from exposure to bullying and harassment; residual risk level *Substantial 10*
- Risk ID 290 *Information Security Management System (ISMS)* - Failure to maintain the confidentiality, integrity and availability of information by not applying a risk based ISMS which gives confidence to interested parties that cyber security risks are adequately managed in accordance with the key provision of the international standard ISO/IEC 27001:2013 *Information technology — Security techniques — Information security management systems — Requirements*.

The 284 risks populating the risk register are presented in a pie-chart in Figure 1 and have been superimposed on a risk heat map as shown as shown in Figure 2 below.



There are 14 risks, all operational risks, in the City’s risk register which are rated Substantial or greater. An update of these 14 risks is shown in Table 2 below:

Table 1: 2021 - 2022 Comparison of risks in the Risk Register

Risk level	Number of risks		Change in number
	As of 15 July 2021	As of 12 July 2022	
Low risks	143	136	-7
Moderate risks	124	134	+10
Substantial risks	11	11	0
High risks	3	1	-2
Extreme risks	3	2	-1
Total risk register	284	284	0

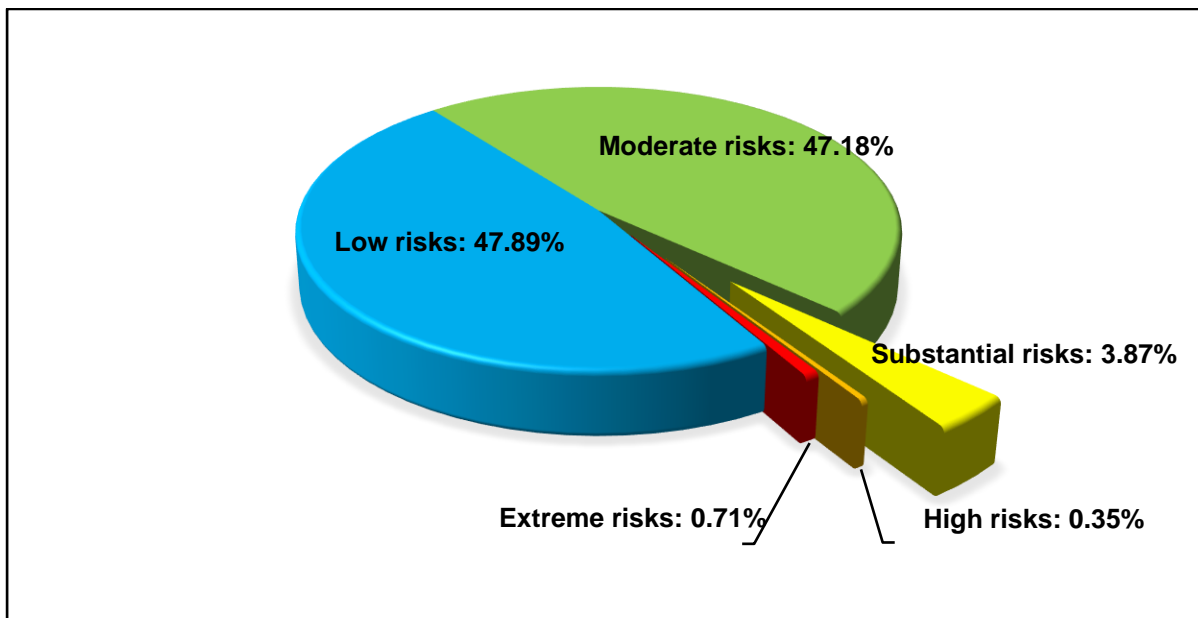


Figure 1: RMSS risk register composition as of 12 July 2022

		Likelihood				
		Rare 1	Unlikely 2	Possible 3	Likely 4	Almost Certain 5
Consequence	Insignificant 1	Low 1 9 Risks	Low 2 2 Risks	Low 3	Low 4	Moderate 5 1 Risk
	Minor 2	Low 2 9 Risks	Low 4 81 Risks	Moderate 6 8 Risks	Moderate 8 3 Risks	Substantial 10 3 Risks
	Major 3	Low 3 23 Risks	Moderate 6 65 Risks	Moderate 9 39 Risks	Substantial 12 1 Risk	High 15
	Critical 4	Low 4 12 Risks	Moderate 8 17 Risks	Substantial 12 3 Risks	High 16 1 Risk	Extreme 20
	Catastrophic 5	Moderate 5 1 Risk	Substantial 10 4 Risks	High 15	Extreme 20 2 Risks	Extreme 25
Risk level		Description				
Low 1 - 4		Risk acceptable with adequate controls, managed by routine procedures. Subject to annual monitoring or continuous review throughout project lifecycle.				
Moderate 5 - 9		Risk acceptable with adequate controls, managed by specific procedures. Subject to semi-annual monitoring or continuous review throughout project lifecycle.				
Substantial 10 - 12		Accepted with detailed review and assessment. Action Plan prepared and continuous review.				
High 15 - 16		Risk acceptable with effective controls, managed by ExCo. Subject to quarterly monitoring or continuous review throughout project lifecycle.				
Extreme 20 - 25		Risk only acceptable with effective controls and all treatment plans to be explored and implemented where possible, managed by highest level of authority and subject to continuous monitoring.				

Figure 2: Risk register heat map superimposed on the risk matrix



Table 2: Update - Risk Register risks rated \geq *Substantial*

Risk ID		Risk name	Risk description	Risk rating	Risk owner
New	Previous				
8	315	Community infrastructure damage from climate change impacts	Reduced public safety, health and wellbeing caused by climate change impacts (changes to rainfall and increased bushfires, temperatures and extreme weather events).	Extreme 20	Chris Beaton
Action update <ol style="list-style-type: none"> Design building for climate resilience and improve energy management, through implementation of ESD guidelines - ongoing; Ensure all City owned buildings (within Bushfire Prone Areas) have bushfire risk assessments completed, ongoing; Review capacity of existing City buildings to withstand more severe weather events - ongoing; Consistent with Planning Policy provisions continue to ensure: <ul style="list-style-type: none"> all proposed structure plans are accompanied and informed by a Bushfire Management Plan -ongoing; and new building design approval process (within Bushfire Prone Areas) incorporate bush fire management - ongoing; and Review, update and implement the <i>Bushfire Risk Management Plan</i> and <i>Local Emergency Management Plan</i> - ongoing. 					
9	316	Public health decline from climate change	Reduced public safety, health and wellbeing caused by climate change impacts (changes to rainfall and increased bushfires, temperatures and extreme weather events).	Extreme 20	Chris Beaton
Action update <ol style="list-style-type: none"> Undertake a climate change health vulnerability assessment and map vulnerable residents and areas, - ongoing; Review, update and implement the <i>Public Health Plan</i> - ongoing; Review, update and implement the <i>Bushfire Risk Management Plan</i> and <i>Local Emergency Risk Management Plan</i> - ongoing; and Review existing warning systems and identify potential gaps and opportunities for improvement – ongoing. 					



10	312	Biodiversity loss from climate change impacts	Damage to or loss of biodiversity and natural habitat, caused by climate change impacts (decreased rainfall and increased bushfires, temperatures and extreme weather events).	High 16	Chris Beaton
Action update <ol style="list-style-type: none"> 1. Review and implement the <i>Coastal Adaptation Plan</i> with latest climate science, scenario mapping and WALGA recommendations - ongoing; 2. Review and maintain ongoing coastal monitoring program; 3. Review capacity of existing City buildings to withstand more severe weather events - ongoing; 4. Obtain legal advice to clarify the liability of the City in the event of coastal climate change risk scenarios - ongoing; and 5. Prepare site specific foreshore management plans – ongoing. 					
11	313	Coastal impacts from sea level rise	Legal liability and damage to or loss of natural environment, infrastructure and coastal land, caused by sea level rise.	Substantial 12	Chris Beaton
Action update <ol style="list-style-type: none"> 1. Review and implement the <i>Coastal Adaptation Plan</i> with latest climate science, scenario mapping and WALGA recommendations - ongoing; 2. Review and maintain ongoing coastal monitoring program - ongoing; 3. Obtain legal advice to clarify the liability of the City in the event of coastal climate change risk scenarios - ongoing; and 4. Prepare site specific foreshore management plans – ongoing. 					
12	246	Community support	Failure to obtain community support for strategic planning functions.	Substantial 12	Carol Catherwood
Action update <ol style="list-style-type: none"> 1. Risk controls remain effective - ongoing; 2. Extensive internal planning goes into community engagement in strategic planning - ongoing; and 3. Four more officers attended community engagement training. 					



13	324	<i>Dropbox</i>	Use of <i>Dropbox</i> may compromise the position of the City with regard to the protection of privacy information entrusted to the organisation.	Substantial 12	Brett Fellows
Action update					
<ol style="list-style-type: none"> 1. <i>Mimecast Large File Send</i> (2GB Limit); and 2. <i>OneDrive Business</i> with Multi-Factor Authentication (MFA) and Data Loss Prevention (DLP) controls. 					
14	344	<i>PerfectGym</i> at Cockburn ARC	Personally identifiable information (PII) breach by allowing anyone using <i>Amazon</i> to send email on behalf of cockburnarc.com.au	Substantial 12	Brett Fellows
Action update					
Conduct frequent and regular reviews of <i>PerfectGym</i> to monitor and identify its impact on privacy and financial information.					
15	285	Landfill capping	Failure to fund the capping of existing exposed landfill cells.	Substantial 10	Lou Vieira
Action update					
<ol style="list-style-type: none"> 1. Cell 6 was capped in 2020. The cost to cap the remaining cells (4, 5 and 7) is \$17.5M and the operating cost to manage the Site until 2063 is \$10.5m. The current Reserve balance is \$12.5m. With the energy from waste plants due for completion in 2022, there is a narrow window for landfill to generate sufficient income through the sale of airspace to establish a reserve of a minimum of \$28m; and 2. The current strategy to increase the Waste and Recycling Reserve will not be adequate. 					



16	311	Reduced water availability from decreased rainfall	Decreased liveability, reduced water availability, loss of urban vegetation and biodiversity caused by climate change impacts (decreased rainfall).	Substantial 10	Chris Beaton
Action update <ol style="list-style-type: none"> 1. Implement <i>Urban Forest Plan</i> - ongoing; 2. Review and Implement <i>Water Efficiency Action Plan</i> to address climate change - ongoing; 3. Implement <i>Water Sensitive Urban Design Initiatives</i> - ongoing; 4. Conduct water audits - ongoing; and 5. Maintain dialogue with Water Corporation to enhance storm water drainage systems on Wetlands – ongoing. 					
17	314	Urban forest decline from climate change	Urban forest decline caused by climate change impacts (increased temperatures and decreased rainfall).	Substantial 10	Lou Vieira
Action update <ol style="list-style-type: none"> 1. Design building for climate resilience and improve energy management, through implementation of ESD guidelines - ongoing; 2. Ensure all City owned buildings (within Bushfire Prone Areas) have bushfire risk assessments completed - ongoing; 3. Review capacity of existing City buildings to withstand more severe weather events - ongoing; 4. Consistent with Planning Policy provisions continue to ensure: <ul style="list-style-type: none"> • all proposed structure plans are accompanied and informed by a Bushfire Management Plan - ongoing; and • new building design approval process (within Bushfire Prone Areas) incorporate bush fire management - ongoing; and 5. Review, update and implement the <i>Bushfire Risk Management Plan</i> and <i>Local Emergency Management Plan</i> – ongoing. 					



18	169	Bushfire legislation	Failure to meet bushfire legislation obligations.	Substantial 10	Mike Emery
Action update 1. Fire control orders released with rates notice and property inspection program has been developed; 2. All required inspections have been made in the rural areas; and. 3. Funds are on budget to employ a specialist staff member for this role to ensure compliance and consistency.					
287	New risk	Digital Records Management (DRM) or Record Management System (RMS) Integrity	DRM for emails and other critical digital communications media are reliant on manual end-user upload/submission prior to ingestion	Substantial 10	Brett Fellows
Action update 1. Ensure adequate staff training, thus increasing redundancy to avoid single point of failure					
288	New risk	Child safe organisation	Failure by the City of Cockburn to resource for, and anticipate legislative requirements, to comply with the National Principles for Child Safe Organisations	Substantial 10	Brittany Cover
Action update 1. Develop policy to assist the City to comply with impending Western Australian government legislation; 2. Develop and promote an organisational framework comprising people and experience to assist the City to comply with impending Western Australian government legislation by supporting employees to: (a) speak up about concerning behaviours to help prevent child abuse; (b) assist to improve organisational systems and processes for preventing and dealing with child abuse; and (c) enable submission of complaints and reports of abuse about their staff; 3. Promote awareness through employee training or inductions of the National Principles for Child Safe Organisations as outlined by the <i>Child Safe Organisations National Principles</i> , Australian Human Rights Commission, Sydney 2018, summarised as follows - A child safe organisation consciously and systematically: <ul style="list-style-type: none"> • creates an environment where children's safety and wellbeing is the centre of thought, values and actions • places emphasis on genuine engagement with, and valuing of children • creates conditions that reduce the likelihood of harm to children and young people • creates conditions that increase the likelihood of identifying any harm • responds to any concerns, disclosures, allegations, or suspicions. 					



289	New risk	Workplace psychosocial hazards	Inability to provide for workers a safe work place free from exposure to bullying and harassment	Substantial 10	Jemma Iles
<p>Action update</p> <ol style="list-style-type: none"> 1. Draft HR guidelines to mitigate and minimise the risk of exposure of workers to bullying and harassment in City's workplaces; 2. Conduct all information sessions with the community body, whose member(s) have allegedly been identified to have perpetrated bullying and harassment, through electronic means; 3. Implementing the City's code of conduct for employees <i>Cockburn Way</i>; 4. Video record the City / its consultants during face to face consultation forums and advise participants of this. 5. Develop register containing individuals whose interactions have been known to be problematic in the past, so that they are identified and brought to the attention of workers who are expected to have contact with them; and 6. Confirm that contractor is appropriately experienced, qualified and to manage the risk in the context of their engagement. 7. User smaller meeting facilities to restrict number of possible attendees; 8. Consider incorporating duress alarms in meeting rooms; 9. Create and publicise guidelines setting out the expected behaviours on the part of members of the public that the City considers to be acceptable and unacceptable for its employees, elected members or contractors to encounter; 10. Draft guidelines for any prospective worker, to: <ol style="list-style-type: none"> (a) Inform them of the risk of psychosocial hazards prior to their engagement; (b) Provide the City details regarding their experience and qualifications managing the risk about psychosocial hazards generally; (c) Detail their experience and qualifications in managing the risk about psychosocial hazards generally. 11. Continue to consult, coordinate, and cooperate with the worker to ensure that the risk is eliminated or mitigated so far as is reasonably practicable. 					

This report confirms that the City has in place appropriate and effective systems to manage risk which area aligned to standard AS ISO 31000:2018 *Risk Management-Guidelines*.

Strategic Plans/Policy Implications

Listening & Leading

A community focused, sustainable, accountable, and progressive organisation.

- Best practice Governance, partnerships and value for money.

Budget/Financial Implications

N/A



Legal Implications

Local Government (Audit) Regulations 1996

17. *CEO to review certain systems and procedures*

- (1) *The CEO is to review the appropriateness and effectiveness of a local government's systems and procedures in relation to —*
 - (a) *risk management; and*
 - (b) *internal control; and*
 - (c) *legislative compliance.*
- (2) *The review may relate to any or all of the matters referred to in subregulation (1)(a), (b) and (c), but each of those matters is to be the subject of a review not less than once in every 3 financial years.*
- (3) *The CEO is to report to the audit committee the results of that review.*

Community Consultation

N/A

Risk Management Implications

Failure to adopt the recommendations will result in the inability to support an integrated and effective approach to risk management and lack of guidance on the arrangements for designing, implementing, monitoring and continually improve risk management processes.

Advice to Proponent(s)/Submitters

N/A

Implications of Section 3.18(3) *Local Government Act 1995*

Nil



15.2 (2022/MINUTE NO 0014) Notifiable Compliance Report

Author Emma Milne
Attachments N/A

Officer Recommendation/Committee Recommendation

MOVED Cr P Corke SECONDED Cr T Dewan

The Committee recommends that Council:

- (1) RECEIVES the Notifiable Compliance Report.

CARRIED UNANIMOUSLY 5/0

Background

At its meeting held on 9 May 2022, the Audit, Risk and Compliance Committee (ARC) adopted a resolution for a Standing Item 'Notifiable Compliance Reporting Schedule' to be provided to the ARC in July 2022, including regular reporting of externally reportable non-compliances or incidents across all Divisions.

Council requested the above Standing Item based on the following:

Henderson Waste Recovery Park Report to the Department of Water and Environmental Regulation' was submitted and contained externally reportable non-conformances.

Due to the reporting deadlines, the report was submitted to the Department of Water and Environmental Regulation in March and was tabled at ARC meeting in May for adoption.

This is likely to reoccur in 2023, due to the tight reporting timeline of the licence.

In requiring any externally reportable non compliances or incidents be referred to ARC throughout the year, the Committee is able to assess the risk and compliance implications of any such occurrence, whilst not impacting reporting timelines, such as required by the Henderson Waste Facility Annual Report.

Submission

N/A



Report

At the time of this report, in accordance with the requirements of Part 3, section 38 of the *Work Health and Safety Act 2020*, the City of Cockburn has reported three notifiable incidents to WorkSafe Western Australia.

No other notifiable incidents or non-compliances were reported during May and June.

Strategic Plans/Policy ImplicationsListening & Leading

A community focused, sustainable, accountable, and progressive organisation.

- Best practice Governance, partnerships and value for money.

Budget/Financial Implications

N/A

Legal Implications

Work Health and Safety Act 2020
s38. Duty to notify of notifiable incidents

Community Consultation

N/A

Risk Management Implications

There are no risks associated with this recommendation, however, failure to present this report to the ARC is deemed to be a non-compliance pursuant to a Committee Recommendation from 19 May 2022 ARC Meeting - Item 15.2, 2022/Minute No. 0010 'Terms of Reference – Proposed Update'.

Advice to Proponent(s)/Submitters

N/A

Implications of Section 3.18(3) *Local Government Act 1995*

Nil



16. Corporate Affairs

Nil

17. Office of the CEO

Nil

18. Motions of Which Previous Notice Has Been Given

Nil

19. Notices Of Motion Given At The Meeting For Consideration At Next Meeting

Nil

20. New Business of an Urgent Nature Introduced by Members or Officers

Nil

21. Matters to be Noted for Investigation, Without Debate

Nil

22. Confidential Business

Nil

23. Closure of Meeting

The meeting closed at 6.28pm.

