



City of Nedlands

Agenda

Audit & Risk Committee Meeting

4 March 2021

ATTENTION

This Agenda has yet to be dealt with by the Committee.

The Administration Recommendations, shown at the beginning of each item, have yet to be considered by the Committee and are not to be interpreted as being the position of either the Committee or Council.

The Minutes of the meeting held to discuss this Agenda should be read to ascertain the decision of the Committee.

Before acting on any recommendation of the Committee a check must also be made in the Ordinary Council Minutes following the Committee Meeting to ensure that Council did not make a decision at variance to the Committee Recommendation.

Jim Duff
Acting Chief Executive Officer
26 February 2021

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City of Nedlands

Notice of a meeting of the Audit & Risk Committee to be held on Thursday, 4 March 2021 at 5.30 pm in the Council Chambers, at 71 Stirling Highway, Nedlands. This meeting will also be livestreamed.

Please be aware COVID-19 2m² restrictions with 1.5m social distancing rules apply. Once the venue is at capacity no further admission into the room will be permitted. Prior to entry, attendees will be required to register using the SafeWA App or by completing the manual contact register prior to entry - as stipulated by Department of Health mandatory requirements.

Audit & Risk Committee Agenda

Declaration of Opening

The Presiding Member will declare the meeting open at 5.30 pm and will draw attention to the disclaimer below.

Present and Apologies and Leave of Absence (Previously Approved)

Leave of Absence None at distribution of agenda.
(Previously Approved)

Apologies None at distribution of agenda.

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. For example by reference to the confirmed Minutes of Council meeting. Members of the public are also advised to wait for written advice from the Council prior to taking action on any matter that they may have before Council.

Any plans or documents in agendas and minutes may be subject to copyright. The express permission of the copyright owner must be obtained before copying any copyright material.

1. Public Question Time

A member of the public wishing to ask a question should register that interest by notification in writing to the CEO in advance, setting out the text or substance of the question. Questions tabled at the meeting may be unable to be answered due to the requirement for technical research and will therefore be answered directly afterwards.

Questions must relate to a matter contained within the agenda of this meeting.

2. Addresses By Members of the Public (only for items listed on the agenda)

Addresses by members of the public who have completed Public Address Session Forms will be invited to be made at this point.

3. Disclosures of Financial and/or Proximity Interest

The Presiding Member to remind Councillors and Staff of the requirements of Section 5.65 of the Local Government Act to disclose any interest during the meeting when the matter is discussed.

A declaration under this section requires that the nature of the interest must be disclosed. Consequently a member who has made a declaration must not preside, participate in, or be present during any discussion or decision making procedure relating to the matter the subject of the declaration.

However, other members may allow participation of the declarant if the member further discloses the extent of the interest. Any such declarant who wishes to participate in the meeting on the matter, shall leave the meeting, after making their declaration and request to participate, while other members consider and decide upon whether the interest is trivial or insignificant or is common to a significant number of electors or ratepayers.

4. Disclosures of Interests Affecting Impartiality

The Presiding Member to remind Councillors and Staff of the requirements of Council's Code of Conduct in accordance with Section 5.103 of the *Local Government Act*.

Councillors and staff are required, in addition to declaring any financial interests to declare any interest that may affect their impartiality in considering a matter. This declaration does not restrict any right to participate in or be present during the decision-making procedure.

The following pro forma declaration is provided to assist in making the disclosure.

"With regard to the matter in item x I disclose that I have an association with the applicant (or person seeking a decision). This association is (nature of the interest).

As a consequence, there may be a perception that my impartiality on the matter may be affected. I declare that I will consider this matter on its merits and vote accordingly."

The member or employee is encouraged to disclose the nature of the association.

5. Declarations by Members That They Have Not Given Due Consideration to Papers

Members who have not read the business papers to make declarations at this point.

6. Confirmation of Minutes

6.1 Audit & Risk Committee Meeting 14 December 2020

The minutes of the Audit & Risk Committee held 14 December 2020 are to be confirmed.

7. Matters for Which the Meeting May Be Closed

Council, in accordance with Standing Orders and for the convenience of the public, is to identify any matter which is to be discussed behind closed doors at this meeting, and that matter is to be deferred for consideration as the last item of this meeting.

There are no matters for which the meeting may be closed.

8. Items for Discussion

Note: Regulation 11(da) of the *Local Government (Administration) Regulations 1996* requires written reasons for each decision made at the meeting that is significantly different from the relevant written recommendation of a committee or an employee as defined in section 5.70, but not a decision to only note the matter or to return the recommendation for further consideration.

8.1 Financial Audit for Year Ended 30/06/2020 – Update on Issues and Status of the Audit

Committee	4 March 2021
Applicant	City of Nedlands
Employee Disclosure under section 5.70 Local Government Act 1995 and section 10 of the City of Nedlands Code of Conduct for Impartiality.	Nil.
Director	Ed Herne – Director Corporate & Strategy
Attachments	Nil.
Confidential Attachments	Nil.

Executive Summary

KPMG is to provide the Risk and Audit Committee with a verbal update on the issues and status of the financial audit for the year ended 30 June 2020.

There have been some delays in the audit process arising from shortcomings of the City's accounting system reporting capabilities, changes to accounting standards which have come into effect from 1 July 2019 and further proposed amendments to the Local Government Financial Management Regulations.

Recommendation to Committee

The Audit and Risk Committee receives the verbal update provided by KPMG regarding the Financial Audit for Year Ended 30/06/2020.

Discussion/Overview

The Auditor General (AG) is the auditor for the City since the financial year 2019. The 2019 financials were audited by Macri Partners as contractors of the AG and 2020 financials are being audited by KPMG as contractors of the AG. The relevant legislative requirements are as follows:

The City is to submit the annual financial report to the auditor by 30 September 2020 as required by the LGA S 6.4(3).

The audit report is to be completed (signed and sent out) by 31 December 2020 as required by the LGA S 7.9.

The annual report to be accepted by Council no later than 31 December 2020. If the auditor's report is not available in time for the annual report to be accepted by 31 December 2020, the annual report is to be accepted by the local government no later than 2 months after the auditor's report becomes available. This is in accordance with the LGA S 5.54

A general meeting of electors is to be held once every financial year and within 56 days of Council accepting the annual report as required by the LGA S 5.27.

The audit of the 2020 financials was planned to be completed by end of October 2020 and presented to the Committee at the meeting on 7 December 2020. However there have been some delays in the audit process arising from different auditing approach applied by KPMG, shortcomings of the City's accounting system reporting capabilities, changes to accounting standards which have come into effect from 1 July 2019 and further amendments to the Local Government Financial Management Regulations which were published in the Government Gazette on 6 November 2020.

Arising from the above issues, there are some audit procedures and reviews yet to be completed.

The completion date of the audit is not ascertained yet and is likely to be delayed. The City has informed the Department of Local Government, Sport and Cultural Industries of the expected delay and the Department has confirmed in writing that the requirement that the audited financial statement is to be accepted by the local government no later than 2 months after the auditor's report becomes available and there is no penalty applicable.

Strategic Implications

How well does it fit with our strategic direction?

Not applicable

Who benefits?

Not applicable

Does it involve a tolerable risk?

The risk of delay is tolerable as it is highly likely that deadlines will be met.

Do we have the information we need?

The completion date of the audit is still not ascertained as there are some further audit procedures and reviews to be completed.

Budget/Financial Implications

Can we afford it?

There are no costs associated with this report.

8.2 Internal Audit Action Log

Committee	4 March 2021
Applicant	City of Nedlands
Employee Disclosure under section 5.70 Local Government Act 1995 and section 10 of the City of Nedlands Code of Conduct for Impartiality.	Nil.
Director	Ed Herne – Director Corporate & Strategy
Attachments	1. Internal Audit Actions Log.
Confidential Attachments	Nil.

Executive Summary

The attached Internal Audit Actions Log contains details of the matters raised by the Auditors during the City's Internal Audit program. The list apportions information detailing the Log Reference, Dates – Open, Due and Closed, Business, Audit Status, Name and Action, Owner, Original and Revised Due Dates, Action, Owner and Status Comments.

The recently updated Internal Audit Actions Log is presented to the Audit and Risk Committee members for their information.

Recommendation to Committee

The Audit and Risk Committee receives the Internal Audit Actions Log.

Discussion/Overview

An audit is a process through which internal control effectiveness is examined and assessed. The objective is to provide an audit for compliance with relevant management policies and procedures. Each internal audit undertaken results in actions being recommended to the City's Administration. These actions are monitored for completion using the Internal Audit Actions Log.

The attached list contains details of the Actions raised and outcomes.

The recently updated Internal Audit Actions Log is presented to the Audit and Risk Committee members for their information. We have recently updated the log to a more optimised process. All past items are under the Archive tab. The log will be managed on one page which is the Main sheet of the register.

Key Relevant Previous Council Decisions:

Nil

Consultation

Nil.

Strategic Implications

As part of the measures identified within the Community Strategic Plan for great governance and civic leadership, ongoing management of internal audit items assists towards this goal. This register has improved our ability to identify and manage both audit items and potential risk.

Who benefits?

All (specify who) will benefit from a more streamlined method of capture and simpler method of filtering closed and open items.

Does it involve a tolerable risk?

This reduces the City's exposure to financial risks as it provides a method of management by measuring the City's actions and outcomes.

Budget/Financial Implications

Nil.

Any actions requiring expenditure that are not allocated to an existing budget item will be considered by Council during budget deliberations.

	E	F	G	H	I	J	K
2	Audit						Status Comments
3	Business	Status	Name	Action	Owner	Column1	Status Comments
7	Finance	Closed	Payroll Review	Review, update and implement documented payroll policy and procedures (pt 3) Develop and document the Payroll Policy and update procdures to include: -Changes to payroll data -Tax file number declarations -Termination payments -Fortnightly payroll processing -Terminating employees payroll processing -Payroll month end reporting.	Manager Financial Service	N/A	28 Oct closed - Redundant New platform and service comming 5 Oct: Awaiting Validation 18Aug20: The audit actions are still outstanding. This is being raised again in the current Payroll Audit which has just been completed. Jun20: The Payroll Policy awaiting for the EMT review and approval. Once approved, the policy will be implemented. Feb20: Combined Payroll Policy and Procedure was presented to EMT for the approval. However, the recommendation was made to create a separate Policy and Porcedural document. Accordingly, a sperate Payroll Policy has been created and is awaiting for the EMT review and approval. Nov19: Payroll policy and procedures have been combined in a procedural document with the new legislation requirements incorporated and awaiting EMT approval. Sept19: Procedural document was finalised and was awaiting for the adoption. However, due to implementation of new Legislation the procedures needs to be amended and updated. Further, few relevant improved processes will be added to implement new Legislation requirements.
8	Finance	Work in progress	Accounts Payable and Purchasing (Contract & Procurement)	Purchasing Policy - Contract Variations (pt 3.3) Develop monitoring controls to ensure that deviations to the guidelines around contract variations are detected and mitigated.	Manager Business Systems	N/A	17 Feb: Audit & Risk accepted te document "Risk Assessments and Controls Tendering Process" on 31 Aug 2020. This catered for not only risk mitigation in the contract development but also any changes (variations) post tender / pre contract start. Over the past 3-4 months Procurement has drafted a comprehensive Contract Management Procedures Manual to provide guidance to all City officers on the different types of contracts used by the City. This Manual provides guidance (for each contract type) on how to action variations and includes templates for Variation Notices, Variation Registers and Variation Schedules. The draft manual has already been reviewed by Assets and Leasing, and is currently under review by Tech Services. Once it has been reviewed by all stakeholders it will be presented to Audit & Risk for approval to publish. Procurement has set a target date of June 2021 for this project to be completed. 9 Nov: Still in progress 5 Oct: Still in progress 3Aug20: - Currently in progress Jun20: The Procurement Coordinator is in the process of reviewing the exisiting controls and update them to enhance the monitoring process around contract variations. Feb20: The City is in the process of recruiting Purchasing and Tenders Coordinator. Existing Monitoring controls will be reviewed, finalised and managed by the appointed Purchasing and Tenders Coordinator. Nov19: Monitoring controls to detect contract varaiations will be managed via exception reporting. Currently, the reporting is being developed. Jun19: The Purchasing of Goods and Services Policy has been updated with the contract variations clauses. The monitoring controls will be updated as part of the purchasing procedures and process which will be rolled out once the policy is approved by the Council.
9	Business Systems	Closed	Accounts Payable and Purchasing	Tender Process - Risk Assessment (pt 7) Develop a risk assessment process to identify potential risks as part of tender process.	Manager Business Systems	N/A	9 Nov: Awaiting Validation 5 Oct: Signed off by EMT awaiting Validation 3Aug20: - This has been completed. Will send evidence to Internal Auditor to close out item. Jun20: The Procurement Coordinator is in the process of developing Risk Assessment Process. Once developed the Risk Assessment Porcess along with relevant documents will be approved and roll out within the City. Feb20: The City is in the process of recuriting Purchasing and Tenders Coordinator. The Risk Assessment process will be developed and maintied by the appointed Purchasing and Tenders Coordinator. Nov19: The Risk Assessment process was going to be developed by Purchasing and Tenders Coordinator. The Purchasing and Tenders Coordinator has resigned from the City and the development of the Risk Assessment process will be completed by the replacement officer. Jun19: To be completed after approval of policy by Council as part of the updated procedures and processes.
10	Business Systems	Work in progress	IT Policy review	Develop Privacy Policy and also policy to cover Data Breach Notifications (4.2.1)	Manager Business Systems	N/A	17 Mar: This is part of a program of work around cyber security, data breach and privacy. 9 Nov: Still in Progress 5 Oct: Still in Progress 3Aug20: Currently work in progress. Jun20: The IT Department is in the process of creating Privacy Policy and to test it. Once developed and tested, the policy will be approved and implemented.
11	Business Systems	Work in progress	IT Policy review	Item #1 Review and update BCP. Carry out testing of the BCP to assess for appropriateness.	Manager Business Systems	N/A	17 Mar: BCP has reviewed and updated and signed off by EMT. Currently we do not have the capacity to carryout a test to the degree that has been indicated by the internal auditor. As a Business Contintuity exercise, we have had two COVID lockdowns and business continuity has been consistant and continued throughout these periods. People working from home give an example of the office not being available and demonstrating that they can still work from remote locations. As with the outage on 16th Feb with with TCP, we were unable to do anything as it was a national fault. We had some workarounds which were able to give some functionality. The only option to protect ourselves in this senario is to had an telecommunications account with two different suppliers for the same service. 28 Oct Ongoing 5 Oct: Completed going to EMT for Sign Off 3Aug: Remaining action is to carry out testing by re-creating a complete shutdown. The BCP has now been reviewed and the current BCP has been updated. A series of two workshop and a complete re-write will commence ofter that workshop. 20 Jun : The review has been conducted by the Internal Auditors on Business Continuity Management Area as part of 2nd year Internal Audit Function. The review process is in progress but the BCP document has been updated to incorporate certain recommendations made as a part of Internal Audit Review. Once, the review is completed and the Final recommendations are received, the BCP document will be finalised and the testing will be conducted.
15	Finance	Work in progress	Payroll Review	Set-up of new employee salary details in Payroll system should be performed by someone other than the Payroll Officer.	Manager Financial Service	High	Feb 17: This will be addressed in the new ERP system. The RFT for this system is currently under review. Nov 9: This will be addressed in the new ERP system as the audit trail in the current format cannot be independently checked for changes made.
16	Finance	Work in progress	Payroll Review	Creation and changes to employee master file details impacting on salaries and/or employee level, should be independently reviewed after the changes have been made. There should be evidence of review by way of signature or initials.	Manager Financial Service	High	Feb 17: This will be addressed in the new ERP system. The RFT for this system is currently under review. Nov9: This will be addressed in the new ERP system as the audit trail in the current format cannot be independently checked for changes made.
17	Finance	Work in progress	Payroll Review	Future State Recommendation: New employee set-ups changes to employee master file data could be setup with workflow approval to ensure that there is an independent review process	Manager Financial Service	High	Feb 17: This will be addressed in the new ERP system. The RFT for this system is currently under review. Nov9: Will be considered under the new ERP system or via SharePoint in due course.

	E	F	G	H	I	J	K
18	Finance	Closed	Payroll Review	The access to position management should be removed from the manager Financial services as soon as practicable.	Manager Business Systems	High	Feb 17: This was verified by the previous manager of Finance 9 Nov: Completed and awaiting verification Aug: As identified within the actions the position of management was removed was removed.
19	Finance	Closed	Payroll Review	Critical and sensitive transactions associated with Payroll module should be identified to ensure those specific transactions are only assigned to Payroll staff.	Manager Business Systems	High	Feb 17: This was verified by the previous manager of Finance 9 Nov: Completed and awaiting verification Aug: Critical and sensitive transactions assoicated with the payroll module have been identified and transactions are assigned to the payroll staff as per the capability of the system and application.
20	Finance	Closed	Payroll Review	On completion of any critical or sensitive transactions that are part of the Human Resources Business Partner profile should be removed.	Manager Business Systems	High	Feb 17: This was verified by the previous manager of Finance 9 Nov: Completed and awaiting verification Aug: Critical and sensistive transaction that form part of the human resources business partners profile have been removed.
21	Finance	Work in progress	Payroll Review	For new employees being paid for the first time, the Manager Financial Services should perform a detailed check of system details back to employment contract either at the point of employee master file creation or as part of the payroll review process.	Manager Business Systems	High	Feb 17: This was verified by the previous manager of Finance 9 Nov: Completed and awaiting verification Aug: New employees being paid for the first time the Manager of Fiancial Services performs a detailed check of the system details.
22	Finance	Work in progress	Payroll Review	Future State Recommendation: The feasibility of a payroll change report should be considered to ensure that all changes from current pay to previous pay are reported in a manner to facilitate an efficient review process.	Manager Financial Service	High	Feb 17: This will be addressed in the new ERP system. The RFT for this system is currently under review. Aug: To be considered in the new ERP system
23	Finance	Work in progress	Payroll Review	Develop documented approved comprehensive payroll procedures which include all the key roles and responsibilities of the Payroll and/or HR function including operating and supervisory control.	Manager Financial Service	Medium	Feb 17: With the change of staff this is a task to be completed Aug: Approved payroll procedures will be updated to include the operating and supervisory controls.
24	Finance	Work in progress	Payroll Review	The Procedures should include a visual graphic of the payroll processes to help to identify the workflow ensuring key controls are performed by the appropriate resource and at the right time. This will help ensure segregation of duties is maintained between critical HR and payroll through systems access privileges.	Manager Financial Service	Medium	Feb 17: This will be addressed in the new ERP system. The RFT for this system is currently under review. Aug: This point is taken, but will be documented in a payroll process document.
25	Business Systems	Work in progress	Payroll Review	The digital strategy as part of Strategic Plan should consider a new platform	Manager Business Systems	Medium	Feb 17: The Digital Transformation Strategy has as a key recommendation proposed an enterprise approach to the use of technology and buisness. The strategy was completed Jul 2020. Over the past several months had some minor details updated. Nov 9: Currently a new Payroll Service is being assessed as part of RFT 2020 - 21.04 Outsourced Payroll Services Nov: New Busienss Platform to address system short falls are about to go to marting under RFT 2020-21.03 Request for Tender Bity Business Platform Aug: The Digital Strategy has highlighted the digital transformation required for our city platforms which include Business platform addressing Finance, HR, Payroll

8.3 Annual Compliance Audit Return 2020

Committee	4 March 2021
Applicant	City of Nedlands
Employee Disclosure under section 5.70 Local Government Act 1995 and section 10 of the City of Nedlands Code of Conduct for Impartiality.	Nil.
Director	Ed Herne – Director Corporate & Strategy
Attachments	1. Compliance Audit Return 2020
Confidential Attachments	Nil.

Executive Summary

The 2020 Compliance Audit Return is an annual return that is required to be reviewed and adopted by Council prior to submission to the Department of Local Government, Sport and Cultural Industries by 31 March 2021. The Audit and Risk Committee are required to review the return and is to submit results of that review to Council.

Recommendation to Committee

The Audit and Risk Committee:

- 1. receives the completed 2020 Annual Compliance Audit Return and review the information and contents of the return;**
- 2. report the results of the review to the Council; and**
- 3. recommends Council to support the adoption of the 2020 Annual Compliance Audit Return**

Discussion/Overview

Local governments are required to complete the annual Compliance Audit Return. The attached return for the City of Nedlands is for the period 1 January 2020 to 31 December 2020. It is required to be considered and adopted by Council, and submitted to the Department of Local Government, Sports and Cultural Industries by 31 March 2021. The Audit and Risk Committee is required to review the return and is to submit the results of that review to Council.

In accordance with Regulation 14 and 15 of the Local Government (Audit) Regulations 1996 the 2020 Annual Compliance Audit Return must be:

1. Presented to the Audit and Risk Committee for review and then presented to Council;
2. Adopted by Council;
3. Recorded in the minutes of the meeting at which it was adopted; and
4. A certified copy of the return, along with a copy of the minutes recording its adoption, to be submitted to the Department by 31 March 2021.

The City's 2020 Compliance Audit Return was completed in February by Management following a review and assessment of:

- Council meeting agendas and minutes;
- Performance plans, media advertisements, procedures and policies, registers, delegation records, local laws; and
- Interviews with responsible officers.

Key Relevant Previous Council Decisions:

Nil.

Consultation

The Audit and Risk Committee is required to review the return and is to submit the results of that review to Council.

Budget/Financial Implications

The 2020 Compliance Audit Return has been conducted using internal resources and there are no other financial impacts.



Department of
**Local Government, Sport
and Cultural Industries**

Nedlands - Compliance Audit Return 2020

Certified Copy of Return

Please submit a signed copy to the Director General of the Department of Local Government, Sport and Cultural Industries together with a copy of the relevant minutes.

Commercial Enterprises by Local Governments					
No	Reference	Question	Response	Comments	Respondent
1	s3.59(2)(a) F&G Regs 7,9,10	Has the local government prepared a business plan for each major trading undertaking that was not exempt in 2020?	N/A	No major trading was undertaken	Mark Goodlet - Chief Executive Officer
2	s3.59(2)(b) F&G Regs 7,8,10	Has the local government prepared a business plan for each major land transaction that was not exempt in 2020?	N/A	No major land transaction	Mark Goodlet - Chief Executive Officer
3	s3.59(2)(c) F&G Regs 7,8,10	Has the local government prepared a business plan before entering into each land transaction that was preparatory to entry into a major land transaction in 2020?	N/A	No major land transaction	Mark Goodlet - Chief Executive Officer
4	s3.59(4)	Has the local government complied with public notice and publishing requirements for each proposal to commence a major trading undertaking or enter into a major land transaction or a land transaction that is preparatory to a major land transaction for 2020?	N/A		Mark Goodlet - Chief Executive Officer
5	s3.59(5)	During 2020, did the council resolve to proceed with each major land transaction or trading undertaking by absolute majority?	N/A		Mark Goodlet - Chief Executive Officer



Department of
**Local Government, Sport
and Cultural Industries**

Delegation of Power/Duty					
No	Reference	Question	Response	Comments	Respondent
1	s5.16	Were all delegations to committees resolved by absolute majority?	Yes		Mark Goodlet - Chief Executive Officer
2	s5.16	Were all delegations to committees in writing?	Yes		Mark Goodlet - Chief Executive Officer
3	s5.17	Were all delegations to committees within the limits specified in section 5.17?	Yes		Mark Goodlet - Chief Executive Officer
4	s5.18	Were all delegations to committees recorded in a register of delegations?	Yes		Mark Goodlet - Chief Executive Officer
5	s5.18	Has council reviewed delegations to its committees in the 2019/2020 financial year?	Yes		Mark Goodlet - Chief Executive Officer
6	s5.42(1) & s5.43 Admin Reg 18G	Did the powers and duties delegated to the CEO exclude those listed in section 5.43 of the Act?	Yes		Mark Goodlet - Chief Executive Officer
7	s5.42(1)	Were all delegations to the CEO resolved by an absolute majority?	Yes		Mark Goodlet - Chief Executive Officer
8	s5.42(2)	Were all delegations to the CEO in writing?	Yes		Mark Goodlet - Chief Executive Officer
9	s5.44(2)	Were all delegations by the CEO to any employee in writing?	Yes		Mark Goodlet - Chief Executive Officer
10	s5.16(3)(b) & s5.45(1)(b)	Were all decisions by the council to amend or revoke a delegation made by absolute majority?	Yes		Mark Goodlet - Chief Executive Officer
11	s5.46(1)	Has the CEO kept a register of all delegations made under Division 4 of the Act to the CEO and to employees?	Yes		Mark Goodlet - Chief Executive Officer
12	s5.46(2)	Were all delegations made under Division 4 of the Act reviewed by the delegator at least once during the 2019/2020 financial year?	Yes		Mark Goodlet - Chief Executive Officer
13	s5.46(3) Admin Reg 19	Did all persons exercising a delegated power or duty under the Act keep, on all occasions, a written record in accordance with Admin Reg 19?	Yes		Mark Goodlet - Chief Executive Officer

Disclosure of Interest

No	Reference	Question	Response	Comments	Respondent
1	s5.67	Where a council member disclosed an interest in a matter and did not have participation approval under sections 5.68 or 5.69, did the council member ensure that they did not remain present to participate in discussion or decision making relating to the matter?	Yes		Mark Goodlet - Chief Executive Officer



Department of
**Local Government, Sport
and Cultural Industries**

No	Reference	Question	Response	Comments	Respondent
2	s5.68(2) & s5.69 (5) Admin Reg 21A	Were all decisions regarding participation approval, including the extent of participation allowed and, where relevant, the information required by Admin Reg 21A, recorded in the minutes of the relevant council or committee meeting?	Yes		Mark Goodlet - Chief Executive Officer
3	s5.73	Were disclosures under section sections 5.65, 5.70 or 5.71A(3) recorded in the minutes of the meeting at which the disclosures were made?	Yes		Mark Goodlet - Chief Executive Officer
4	s5.75 Admin Reg 22, Form 2	Was a primary return in the prescribed form lodged by all relevant persons within three months of their start day?	Yes		Mark Goodlet - Chief Executive Officer
5	s5.76 Admin Reg 23, Form 3	Was an annual return in the prescribed form lodged by all relevant persons by 31 August 2020?	Yes		Mark Goodlet - Chief Executive Officer
6	s5.77	On receipt of a primary or annual return, did the CEO, or the mayor/president, give written acknowledgment of having received the return?	Yes		Mark Goodlet - Chief Executive Officer
7	s5.88(1) & (2)(a)	Did the CEO keep a register of financial interests which contained the returns lodged under sections 5.75 and 5.76?	Yes		Mark Goodlet - Chief Executive Officer
8	s5.88(1) & (2)(b) Admin Reg 28	Did the CEO keep a register of financial interests which contained a record of disclosures made under sections 5.65, 5.70, 5.71 and 5.71A, in the form prescribed in Admin Reg 28?	Yes		Mark Goodlet - Chief Executive Officer
9	s5.88(3)	When a person ceased to be a person required to lodge a return under sections 5.75 and 5.76, did the CEO remove from the register all returns relating to that person?	Yes		Mark Goodlet - Chief Executive Officer
10	s5.88(4)	Have all returns removed from the register in accordance with section 5.88(3) been kept for a period of at least five years after the person who lodged the return(s) ceased to be a person required to lodge a return?	Yes		Mark Goodlet - Chief Executive Officer
11	s5.89A(1), (2) & (3) Admin Reg 28A	Did the CEO keep a register of gifts which contained a record of disclosures made under sections 5.87A and 5.87B, in the form prescribed in Admin Reg 28A?	Yes		Mark Goodlet - Chief Executive Officer
12	s5.89A(5) & (5A)	Did the CEO publish an up-to-date version of the gift register on the local government's website?	Yes		Mark Goodlet - Chief Executive Officer
13	s5.89A(6)	When a person ceases to be a person who is required to make a disclosure under section 5.87A or 5.87B, did the CEO remove from the register all records relating to that person?	Yes		Mark Goodlet - Chief Executive Officer



Department of
**Local Government, Sport
and Cultural Industries**

No	Reference	Question	Response	Comments	Respondent
14	s5.89A(7)	Have copies of all records removed from the register under section 5.89A (6) been kept for a period of at least five years after the person ceases to be a person required to make a disclosure?	Yes		Mark Goodlet - Chief Executive Officer
15	Rules of Conduct Reg 11(1), (2) & (4)	Where a council member had an interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person, did they disclose the interest in accordance with Rules of Conduct Reg 11(2)?	Yes		Mark Goodlet - Chief Executive Officer
16	Rules of Conduct Reg 11(6)	Where a council member disclosed an interest under Rules of Conduct Reg 11 (2) was the nature of the interest recorded in the minutes?	Yes		Mark Goodlet - Chief Executive Officer
17	s5.70(2) & (3)	Where an employee had an interest in any matter in respect of which the employee provided advice or a report directly to council or a committee, did that person disclose the nature and extent of that interest when giving the advice or report?	Yes		Mark Goodlet - Chief Executive Officer
18	s5.71A & s5.71B (5)	Where council applied to the Minister to allow the CEO to provide advice or a report to which a disclosure under s5.71A(1) relates, did the application include details of the nature of the interest disclosed and any other information required by the Minister for the purposes of the application?	Yes		Mark Goodlet - Chief Executive Officer
19	s5.71B(6) & s5.71B(7)	Was any decision made by the Minister under subsection 5.71B(6) recorded in the minutes of the council meeting at which the decision was considered?	Yes		Mark Goodlet - Chief Executive Officer
20	s5.103 Admin Regs 34B & 34C	Has the local government adopted a code of conduct in accordance with Admin Regs 34B and 34C to be observed by council members, committee members and employees?	Yes		Mark Goodlet - Chief Executive Officer
21	Admin Reg 34B(5)	Has the CEO kept a register of notifiable gifts in accordance with Admin Reg 34B(5)?	Yes		Mark Goodlet - Chief Executive Officer

Disposal of Property

No	Reference	Question	Response	Comments	Respondent
1	s3.58(3)	Where the local government disposed of property other than by public auction or tender, did it dispose of the property in accordance with section 3.58(3) (unless section 3.58(5) applies)?	N/A		Peter Mickleson - Director Planning & Development
2	s3.58(4)	Where the local government disposed of property under section 3.58(3), did it provide details, as prescribed by section 3.58(4), in the required local public notice for each disposal of property?	N/A		Peter Mickleson - Director Planning & Development



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Elections					
No	Reference	Question	Response	Comments	Respondent
1	Elect Regs 30G(1) & (2)	Did the CEO establish and maintain an electoral gift register and ensure that all disclosure of gifts forms completed by candidates and donors and received by the CEO were placed on the electoral gift register at the time of receipt by the CEO and in a manner that clearly identifies and distinguishes the forms relating to each candidate?	Yes		Mark Goodlet - Chief Executive Officer
2	Elect Regs 30G(3) & (4)	Did the CEO remove any disclosure of gifts forms relating to an unsuccessful candidate, or a successful candidate that completed their term of office, from the electoral gift register, and retain those forms separately for a period of at least two years?	Yes		Mark Goodlet - Chief Executive Officer
3	Elect Regs 30G(5) & (6)	Did the CEO publish an up-to-date version of the electoral gift register on the local government's official website in accordance with Elect Reg 30G(6)?	Yes		Mark Goodlet - Chief Executive Officer

Finance					
No	Reference	Question	Response	Comments	Respondent
1	s7.1A	Has the local government established an audit committee and appointed members by absolute majority in accordance with section 7.1A of the Act?	Yes		Reshma Jahmeerbacus - Manager Financial Services
2	s7.1B	Where the council delegated to its audit committee any powers or duties under Part 7 of the Act, did it do so by absolute majority?	N/A		Reshma Jahmeerbacus - Manager Financial Services
3	s7.3(1) & s7.6(3)	Was the person or persons appointed by the local government to be its auditor appointed by an absolute majority decision of council?	Yes		Reshma Jahmeerbacus - Manager Financial Services
4	s7.3(3)	Was the person(s) appointed by the local government under s7.3(1) to be its auditor a registered company auditor or an approved auditor?	Yes		Reshma Jahmeerbacus - Manager Financial Services
5	s7.9(1)	Was the auditor's report for the financial year ended 30 June 2020 received by the local government by 31 December 2020?	No	Audit in progress.	Reshma Jahmeerbacus - Manager Financial Services
6	s7.12A(3)	Where the local government determined that matters raised in the auditor's report prepared under s7.9 (1) of the Act required action to be taken, did the local government ensure that appropriate action was undertaken in respect of those matters?	N/A		Reshma Jahmeerbacus - Manager Financial Services



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No	Reference	Question	Response	Comments	Respondent
7	s7.12A(4)(a)	Where matters identified as significant were reported in the auditor's report, did the local government prepare a report that stated what action the local government had taken or intended to take with respect to each of those matters?	N/A		Reshma Jahmeerbacus - Manager Financial Services
8	s7.12A(4)(b)	Where the local government was required to prepare a report under s.7.12A(4)(a), was a copy of the report given to the Minister within three months of the audit report being received by the local government?	N/A		Reshma Jahmeerbacus - Manager Financial Services
9	s7.12A(5)	Within 14 days after the local government gave a report to the Minister under s7.12A(4)(b), did the CEO publish a copy of the report on the local government's official website?	N/A		Reshma Jahmeerbacus - Manager Financial Services
10	Audit Reg 7	Did the agreement between the local government and its auditor include the objectives and scope of the audit, a plan for the audit, details of the remuneration and expenses paid to the auditor, and the method to be used by the local government to communicate with the auditor?	Yes		Reshma Jahmeerbacus - Manager Financial Services
11	Audit Reg 10(1)	Was the auditor's report for the financial year ending 30 June received by the local government within 30 days of completion of the audit?	No	Audit in progress	Reshma Jahmeerbacus - Manager Financial Services

Integrated Planning and Reporting

No	Reference	Question	Response	Comments	Respondent
1	Admin Reg 19C	Has the local government adopted by absolute majority a strategic community plan? If Yes, please provide the adoption date or the date of the most recent review in the Comments section?	Yes	22 May 2018	Stacey Gibson - PA to Director Corporate & Strategy
2	Admin Reg 19DA (1) & (4)	Has the local government adopted by absolute majority a corporate business plan? If Yes, please provide the adoption date or the date of the most recent review in the Comments section?	Yes	20 June 2013.	Mark Goodlet - Chief Executive Officer
3	Admin Reg 19DA (2) & (3)	Does the corporate business plan comply with the requirements of Admin Reg 19DA(2) & (3)?	No	Does not comply with (1) - prepared but not adopted in 20/21.	Mark Goodlet - Chief Executive Officer



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Local Government Employees					
No	Reference	Question	Response	Comments	Respondent
1	Admin Reg 18C	Did the local government approve a process to be used for the selection and appointment of the CEO before the position of CEO was advertised?	N/A		Shelley Mettam - Manager Human Resources
2	s5.36(4) & s5.37 (3) Admin Reg 18A	Were all CEO and/or senior employee vacancies advertised in accordance with Admin Reg 18A?	Yes		Shelley Mettam - Manager Human Resources
3	Admin Reg 18E	Was all information provided in applications for the position of CEO true and accurate?	N/A		Shelley Mettam - Manager Human Resources
4	Admin Reg 18F	Was the remuneration and other benefits paid to a CEO on appointment the same remuneration and benefits advertised for the position under section 5.36(4)?	N/A		Shelley Mettam - Manager Human Resources
5	s5.37(2)	Did the CEO inform council of each proposal to employ or dismiss senior employee?	Yes		Shelley Mettam - Manager Human Resources
6	s5.37(2)	Where council rejected a CEO's recommendation to employ or dismiss a senior employee, did it inform the CEO of the reasons for doing so?	N/A		Shelley Mettam - Manager Human Resources

Official Conduct					
No	Reference	Question	Response	Comments	Respondent
1	s5.120	Has the local government designated a senior employee as defined by section 5.37 to be its complaints officer?	Yes		Mark Goodlet - Chief Executive Officer
2	s5.121(1)	Has the complaints officer for the local government maintained a register of complaints which records all complaints that resulted in a finding under section 5.110(2)(a)?	Yes		Mark Goodlet - Chief Executive Officer
3	s5.121(2)	Does the complaints register include all information required by section 5.121 (2)?	Yes		Mark Goodlet - Chief Executive Officer
4	s5.121(3)	Has the CEO published an up-to-date version of the register of the complaints on the local government's official website?	Yes		Mark Goodlet - Chief Executive Officer

Optional Questions					
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No	Reference	Question	Response	Comments	Respondent
1	Financial Management Reg 5 (2)(c)	Did the CEO review the appropriateness and effectiveness of the local government's financial management systems and procedures in accordance with Financial Management Reg 5(2)(c) within the three years prior to 31 December 2020? If yes, please provide the date of council's resolution to accept the report.	Yes	5 August 2018	Mark Goodlet - Chief Executive Officer
2	Audit Reg 17	Did the CEO review the appropriateness and effectiveness of the local government's systems and procedures in relation to risk management, internal control and legislative compliance in accordance with Audit Reg 17 within the three years prior to 31 December 2020? If yes, please provide date of council's resolution to accept the report.	Yes	2 March 2018. Due for review 2021.	Mark Goodlet - Chief Executive Officer
3	s5.87C(2)	Where a disclosure was made under sections 5.87A or 5.87B, was the disclosure made within 10 days after receipt of the gift?	N/A	No declarations of gifts.	Mark Goodlet - Chief Executive Officer
4	s5.87C	Where a disclosure was made under sections 5.87A or 5.87B, did the disclosure include the information required by section 5.87C?	N/A	No declarations of gifts.	Mark Goodlet - Chief Executive Officer
5	s5.90A(2)	Did the local government prepare and adopt by absolute majority a policy dealing with the attendance of council members and the CEO at events?	No		Mark Goodlet - Chief Executive Officer
6	s.5.90A(5)	Did the CEO publish an up-to-date version of the attendance at events policy on the local government's official website?	No		Mark Goodlet - Chief Executive Officer
7	s5.96A(1), (2), (3) & (4)	Did the CEO publish information on the local government's website in accordance with sections 5.96A(1), (2), (3), and (4)?	Yes		Mark Goodlet - Chief Executive Officer
8	s5.128(1)	Did the local government prepare and adopt (by absolute majority) a policy in relation to the continuing professional development of council members?	No		Mark Goodlet - Chief Executive Officer
9	s5.127	Did the local government prepare a report on the training completed by council members in the 2019/2020 financial year and publish it on the local government's official website by 31 July 2020?	No		Mark Goodlet - Chief Executive Officer
10	s6.4(3)	By 30 September 2020, did the local government submit to its auditor the balanced accounts and annual financial report for the year ending 30 June 2020?	Yes	Confirmed with Director Corporate & Strategy	Mark Goodlet - Chief Executive Officer



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Tenders for Providing Goods and Services

No	Reference	Question	Response	Comments	Respondent
1	F&G Reg 11A(1) & (3)	Does the local government have a current purchasing policy that complies with F&G Reg 11A(3) in relation to contracts for other persons to supply goods or services where the consideration under the contract is, or is expected to be, \$250,000 or less or worth \$250,000 or less?	Yes		Bill Byrne - Procurement Coordinator
2	F&G Reg 11A(1)	Did the local government comply with its current purchasing policy in relation to the supply of goods or services where the consideration under the contract was, or was expected to be, \$250,000 or less or worth \$250,000 or less?	Yes		Bill Byrne - Procurement Coordinator
3	s3.57 F&G Reg 11	Subject to F&G Reg 11(2), did the local government invite tenders for all contracts for the supply of goods or services where the consideration under the contract was, or was expected to be, worth more than the consideration stated in F&G Reg 11(1)?	Yes		Bill Byrne - Procurement Coordinator
4	F&G Regs 11(1), 12(2), 13, & 14(1), (3), and (4)	When regulations 11(1), 12(2) or 13 required tenders to be publicly invited, did the local government invite tenders via Statewide public notice in accordance with F&G Reg 14(3) and (4)?	Yes		Bill Byrne - Procurement Coordinator
5	F&G Reg 12	Did the local government comply with F&G Reg 12 when deciding to enter into multiple contracts rather than a single contract?	Yes		Bill Byrne - Procurement Coordinator
6	F&G Reg 14(5)	If the local government sought to vary the information supplied to tenderers, was every reasonable step taken to give each person who sought copies of the tender documents or each acceptable tenderer notice of the variation?	Yes		Bill Byrne - Procurement Coordinator
7	F&G Regs 15 & 16	Did the local government's procedure for receiving and opening tenders comply with the requirements of F&G Regs 15 and 16?	Yes		Bill Byrne - Procurement Coordinator
8	F&G Reg 17	Did the information recorded in the local government's tender register comply with the requirements of F&G Reg 17 and did the CEO make the tenders register available for public inspection and publish it on the local government's official website?	Yes	The Tender Register was available for public inspection. No, The City of Nedlands website does not have the facility to publish the tender register. This is a request from Procurement and will be included in the new City website when it becomes available.	Bill Byrne - Procurement Coordinator
9	F&G Reg 18(1)	Did the local government reject any tenders that were not submitted at the place, and within the time, specified in the invitation to tender?	No		Bill Byrne - Procurement Coordinator



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No	Reference	Question	Response	Comments	Respondent
10	F&G Reg 18(4)	Were all tenders that were not rejected assessed by the local government via a written evaluation of the extent to which each tender satisfies the criteria for deciding which tender to accept?	Yes		Bill Byrne - Procurement Coordinator
11	F&G Reg 19	Did the CEO give each tenderer written notice containing particulars of the successful tender or advising that no tender was accepted?	Yes		Bill Byrne - Procurement Coordinator
12	F&G Regs 21 & 22	Did the local government's advertising and expression of interest processes comply with the requirements of F&G Regs 21 and 22?	N/A	No Expressions of Interest were processed	Bill Byrne - Procurement Coordinator
13	F&G Reg 23(1) & (2)	Did the local government reject any expressions of interest that were not submitted at the place, and within the time, specified in the notice or that failed to comply with any other requirement specified in the notice?	N/A	No Expressions of Interest were processed	Bill Byrne - Procurement Coordinator
14	F&G Reg 23(3)	Were all expressions of interest that were not rejected assessed by the local government?	N/A	No Expressions of Interest were processed	Bill Byrne - Procurement Coordinator
15	F&G Reg 23(4)	After the local government considered expressions of interest, did the CEO list each person considered capable of satisfactorily supplying goods or services as an acceptable tenderer?	N/A	No Expressions of Interest were processed	Bill Byrne - Procurement Coordinator
16	F&G Reg 24	Did the CEO give each person who submitted an expression of interest a notice in writing of the outcome in accordance with F&G Reg 24?	N/A	No Expressions of Interest were processed	Bill Byrne - Procurement Coordinator
17	F&G Regs 24AD(2) & (4) and 24AE	Did the local government invite applicants for a panel of pre-qualified suppliers via Statewide public notice in accordance with F&G Reg 24AD(4) and 24AE?	Yes		Bill Byrne - Procurement Coordinator
18	F&G Reg 24AD(6)	If the local government sought to vary the information supplied to the panel, was every reasonable step taken to give each person who sought detailed information about the proposed panel or each person who submitted an application notice of the variation?	Yes		Bill Byrne - Procurement Coordinator
19	F&G Reg 24AF	Did the local government's procedure for receiving and opening applications to join a panel of pre-qualified suppliers comply with the requirements of F&G Reg 16, as if the reference in that regulation to a tender were a reference to a pre-qualified supplier panel application?	Yes		Bill Byrne - Procurement Coordinator
20	F&G Reg 24AG	Did the information recorded in the local government's tender register about panels of pre-qualified suppliers comply with the requirements of F&G Reg 24AG?	Yes		Bill Byrne - Procurement Coordinator



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No	Reference	Question	Response	Comments	Respondent
21	F&G Reg 24AH(1)	Did the local government reject any applications to join a panel of pre-qualified suppliers that were not submitted at the place, and within the time, specified in the invitation for applications?	N/A		Bill Byrne - Procurement Coordinator
22	F&G Reg 24AH(3)	Were all applications that were not rejected assessed by the local government via a written evaluation of the extent to which each application satisfies the criteria for deciding which application to accept?	Yes		Bill Byrne - Procurement Coordinator
23	F&G Reg 24AI	Did the CEO send each applicant written notice advising them of the outcome of their application?	Yes		Bill Byrne - Procurement Coordinator
24	F&G Regs 24E & 24F	Where the local government gave regional price preference, did the local government comply with the requirements of F&G Regs 24E and 24F?	N/A		Bill Byrne - Procurement Coordinator

I certify this Compliance Audit Return has been adopted by council at its meeting on _____

Signed Mayor/President, Nedlands

Signed CEO, Nedlands

8.4 Emergency Management Obligations

Committee	4 March 2020
Applicant	City of Nedlands
Employee Disclosure under section 5.70 Local Government Act 1995 and section 10 of the City of Nedlands Code of Conduct for Impartiality.	Nil.
Director	Tony Free – Director Planning & Development
Attachments	1. List of requirements of the City of Nedlands Under the Emergency Management Act 2005
Confidential Attachments	Nil.

Executive Summary

The City of Nedlands has certain responsibilities under the Emergency Management Act 2005 (EMA) and its associated Regulations and Policies. The purpose of this report is to outline those obligations and what the City of Nedlands is doing to comply with those requirements.

Recommendation to Committee

The Audit and Risk Committee receives the List of Requirements of the City of Nedlands Under the Emergency Management Act 2005 (Attachment 1) and notes the information.

Discussion/Overview

The Western Australian State Government has adopted a comprehensive and integrated approach to Emergency Management. This approach encompasses the concept that it is impossible to create separate plans for every incident but that it is possible to have a single set of management arrangements capable of encompassing all hazards. Dealing with the identified risks to community safety requires a range of programs encompassing the Prevention, Preparedness, Response, Recovery (PPRR) framework as described below:

- Prevention – measures to eliminate or reduce the incidence or severity of emergencies.
- Preparedness – measures to ensure that, should an emergency occur, communities, resources and services are capable of coping with the effects.
- Response – measures taken in anticipation of, during and immediately after an emergency to ensure its effects are minimised.

- Recovery – measures which support emergency-affected individuals and communities in the reconstruction of the physical infrastructure and restoration of emotional, economic, environmental, and physical wellbeing.

The EMA contains a three-tier approach to Emergency Management throughout the state and places certain duties upon the:

- State (State Emergency Management Committee),
- Districts throughout the state (District Emergency Management Committees); and
- Local Governments (Local Emergency Management Committees).

Local Governments' role in the PPRR process does not involve the Response phase but does involve the Planning, Preparedness and Recovery elements. Local Governments are required under the EMA to provide the following responsibilities (Sections 36 to 43 of the Act):

- Establish and operate a Local Emergency Management Committee.
- Prepare and maintain Local Emergency Management Arrangements to support Hazard Management Agencies in time of Emergency.
- Manage the Recovery phase of an emergency.
- Appoint a Local Recovery Coordinator.

The City of Nedlands has established a Local Emergency Management Committee which has been operating jointly, and in cooperation with:

- City of Subiaco,
- Shire of Peppermint Grove,
- Town of Cambridge,
- Town of Claremont,
- Town of Cottesloe,
- Town of Mosman Park: and
- City of Vincent.

This Western Suburbs Local Emergency Management Committee (WC-LEMC) structure was approved by the State Emergency Management Committee on 18 May 2005.

The Western Central Local Emergency Management Arrangements have been developed to effectively prepare to support Hazard Management Agencies and Recovery during and after an emergency event. These arrangements were presented to Council in report PD 42-18 at the Council Meeting of 28 August 2018. It was subsequently acknowledged by the State Emergency Management Committee by letter dated 9 October 2020.

These arrangements also include a Local Recovery Plan which further addresses the restoration of emotional, social, economic, and physical wellbeing of a community, appointment of a Local Recovery Coordinator, the reconstruction of infrastructure, and the provisions of support services following an emergency.

Key Relevant Previous Council Decisions:

The Western Central Local Emergency Management Arrangements prepared and adopted by the WC-LEMC on the 7 June 2018 and the City of Nedlands on the 28 August 2018 Res. No. PD 42-18.

Consultation

In a WC-LEMC meeting held 5 March 2020, it was resolved that the WC-LEMC Executive Officer arrange an information session for the WESROC CEO's regarding the roles and responsibilities of Local Governments under the EMA and associated policy.

This information session was presented to the WESROC CEO's on the 3 December 2020 which resolved to have emergency management responsibilities to be drafted for elected members for presentation to respective Audit and Risk Committees.

Strategic Implications

How well does it fit with our strategic direction?

The City's Strategic Community Plan Nedlands 2018-2028 identified Council's overall strategic priorities which includes *Working with neighboring Councils to achieve the best outcomes for the Western Suburbs as a whole*. The City of Nedlands partnering with other Western Suburbs councils ensures the most effective use of resources and skills required for the benefit of the region.

In conjunction to this, the City of Nedlands Corporate Business Plan Nedlands 2023 Making it Happen 2013-2017 also identifies Activity Objects for emergency management ensuring that the City coordinates a response in the event of an emergency that affects the City of Nedlands locality.

The City is providing the agreed level of service by participating in quarterly WC-LEMC meetings, maintaining an emergency management plan, and monitoring and responding to potential hazards.

Who benefits?

The City and wider community benefit through this process by ensuring the City's preparedness to deal with the identified emergencies should they arise. The process requires a risk assessment be undertaken for hazards that might likely occur within the District, along with risk treatment strategies being identified to reduce the impact of those hazards should they eventuate.

Does it involve a tolerable risk?

These responsibilities are tasked to Local Governments under the Emergency Management Act 2005. There is always a risk of emergencies and natural disasters. It is the purpose of this exercise to manage these emergencies via prevention, preparedness and recovery programs which will assist in minimising impacts of emergencies where possible.

Budget/Financial Implications

Nil.

Any actions requiring expenditure that is not allocated to an existing budget will be considered by Council during budget deliberations.

LIST OF REQUIREMENTS OF THE CITY OF NEDLANDS UNDER THE EMERGENCY MANAGEMENT ACT 2005.

Completed
Progressing
Overdue

Item No.	Section or Policy	Requirement	Summary of Action	Comments
Emergency Management Act 2005				
1	34(1)	Two or more Local Governments may, with approval, unite for the purpose of Emergency Management.	The City of Nedlands is part of the Western Central Local Emergency Management Committee comprised by it and 7 adjoining Local Governments.	Structure approved by the State Emergency Management Committee on 18 May 2005.
2	36(a) & Policy 2.5.2	Ensure that effective local emergency management arrangements are prepared and maintained for its district.	Local Emergency Management Arrangements prepared and adopted by the Western Central Local Emergency Management Committee on the 7 June 2018 and the City of Nedlands on the 28 August 2018 Res. No. PD 42-18	Arrangements acknowledged by the State Emergency Management Committee by letter dated 9 October 2020.
3	36(b) Policy 2.5.2 and 6.3.1	Manage recovery following an emergency affecting the community in its district.	This responsibility is acknowledged in the Western Central Local Emergency Management Committee Strategic Recovery Plan	Progressing an Operational Recovery Plan.

Item No.	Section or Policy	Requirement	Summary of Action	Comments
			which forms part of the Local Emergency Management Arrangements detailed above	
4	38(1) & Policy 2.5.1	Local government is to establish one or more Local Emergency Management Committee (LEMC) in its district.	The City of Nedlands is part of the Western Central Local Emergency Management Committee.	The Western Central Local Emergency Management Committee has a Terms of Reference that details appropriate representation and meeting arrangements.
5	41(1)	A local government is to ensure that arrangements (local emergency management arrangements) for emergency management in the local government's district are prepared.	Local Emergency Management Arrangements prepared and adopted by the Western Central Local Emergency Management Committee on the 7 June 2018 and the City of Nedlands on the 28 August 2018 Res. No. PD 42-18	Arrangements acknowledged by the State Emergency Management Committee by letter dated 9 October 2020
6	41(2)	The local emergency management arrangements are to set out: a) the local government's policies for emergency management; and b) the roles and responsibilities of public authorities and other persons	See Part 1.7. See Parts 2.1 and 2.3	The Arrangements indicate that no such policies exist. Specifies the role of Controlling

Item No.	Section or Policy	Requirement	Summary of Action	Comments
		<p>involved in emergency management in the local government district; and</p> <p>c) provisions about the coordination of emergency operations and activities relating to emergency management performed by the persons mentioned in paragraph (b); and</p> <p>d) a description of emergencies that are likely to occur in the local government district; and</p> <p>e) strategies and priorities for emergency management in the local government district; and</p> <p>f) other matters about emergency management in the local government district prescribed by the regulations; and</p> <p>g) other matters about emergency management in the local government district the local government considers appropriate.</p>	<p>See Part 3.1</p> <p>See Part 2.4.4</p> <p>See Part 2.4.3 Response</p>	<p>Agencies, Hazard Management Agencies, Combat Agencies and Support Agencies</p> <p>This section outlines the local approach to Emergency Management.</p> <p>Seven Prescribed Hazards are identified as likely to occur in the region.</p> <p>This Part refers to Risk Management more detail of which is presented at Item 30 below.</p>
7	41(3)	Local emergency management arrangements are to be consistent with the State emergency management policies	The Arrangements have been prepared to comply with guidelines	Arrangements acknowledged by the State Emergency Management Committee by

Item No.	Section or Policy	Requirement	Summary of Action	Comments
		and State emergency management plans.	presented by the State Emergency Management Committee.	letter dated 9 October 2020.
8	41(4) Policy 6.3.2	Local emergency management arrangements are to include a recovery plan and the nomination of a local recovery coordinator.	The Arrangements include a Strategic Recovery Plan for the Region that nominate a Recovery Coordinator for each Local Government.	The nominated Recovery Coordinator for the City of Nedlands is Jim Duff (Director Technical Services).
9	41(5)	A local government is to deliver a copy of its local emergency management arrangements, and any amendment to the arrangements, to the SEMC as soon as is practicable after they are prepared.	Completed	Arrangements acknowledged by the State Emergency Management Committee by letter dated 9 October 2020
10	42(1)	A local government is to ensure that its local emergency management arrangements are reviewed in accordance with the procedures established by the SEMC.	Minor review is ongoing, the next major review is scheduled for the end of 2022.	See Minutes of the Western Central Local Emergency Management Committee dated 10 December 2020, Item 7.3
11	42(2)	Local emergency management arrangements may be amended or replaced whenever the local government considers it appropriate.	Minor review is ongoing.	Minor review can be triggered by a change in personnel, lessons learnt from an exercise or an emergency event.
12	43(1)	A local government is to keep a copy of its local emergency management arrangements at the	The Arrangements are electronically hosted on Town of	Each member Local Government offers a link to that copy on

Item No.	Section or Policy	Requirement	Summary of Action	Comments
		offices of the local government.	Peppermint Grove website. City of Nedlands website directs to Peppermint Grove's website as approved by the LEMC	their respective website.
13	43(2)	The arrangements are to be available for inspection, free of charge, by members of the public during office hours	No Action	Freely available on request.
14	43(3)	The arrangements may be made available in written or electronic form.	No Action	Available on request.
Emergency Management Regulations 2006				
15	31 & Policy 5.9.1.1 & 5.9.2.3	A local government is a combat agency responsible for the emergency management activity of fire suppression.	No Action	This provision acknowledges the role of Local Government under the Bush Fires Act 1954 and is more relevant to outer-metro and rural local authorities.
State Emergency Management Policy				
16	4.8.8	Local Government Must:		
17	4.8.8.1	Conduct an annual capability analysis against the Capability Framework to identify which exercisable capabilities pose a risk to their capacity to perform their functions under State EM framework and their LEMA.	This was completed in September 2019. DFES State Capability Team provided a report with feedback. Presented and noted by EMT on the 6 October 2020.	An exemption from this function was granted in 2020 due to Covid 19 pandemic. See letter from State Emergency Management Committee dated 1 May 2020.
18	4.8.8.2 & 4.10.2	Develop a three (3) year exercise	This was commenced	The need for a 3 year exercise

Item No.	Section or Policy	Requirement	Summary of Action	Comments
		schedule, in accordance with State EM Policy section 4.9 and State EM Preparedness Procedure 19.	but again delayed whilst the State Exercise Framework was being redeveloped by the State Exercise Coordination Team and then Covid 19 Pandemic	programme will commence 1 July 2021, the Western Central Local Emergency Management Committee is scheduling an exercise to test Recovery Plans after a storm event.
19	4.8.8.3	Exercise annually according to their exercise schedule in consultation with their Local Emergency Management Committee.	See item 18 above	See item 18 above
20	4.8.8.4	Where required by the SEMC, participate in the State EM Exercise.	No recent requirement	No recent requirement
21	4.8.8.5 & 4.11.3	Report against their exercise schedule by submitting post-exercise reports, in accordance with State EM Policy section 4.11 and State EM Preparedness Procedure 19.	Not commenced, see item 18 above.	Not commenced, see item 18 above.
22	4.8.8.6	Invite organisations identified in their LEMA to observe or participate in exercising and share in the lessons management, as appropriate to the exercise scenario and/or its objectives.	Not applicable see items 18 - 21 above	Not applicable see item 18 – 21 above
23	5.6.20	During the recovery phase of an emergency, the relevant local government is responsible for provision of public information, such as information on impact and services.	This is acknowledged see Part 3.3 of the Arrangements.	Progressing Recovery Operational Plan which will contain detailed commentary on media liaison and information management.

Item No.	Section or Policy	Requirement	Summary of Action	Comments
24	5.6.21	Both the HMA and the relevant local government must communicate with the public in a coordinated manner until such time as the HMA hands over responsibility for the public information function to the relevant government, via the Impact Statement	This is acknowledged see Part 3.3 of the Arrangements.	Progressing Recovery Operational Plan which will contain detailed commentary on media liaison and information management.
25	5.7.4	Local governments, HMAs, relevant EMAs (i.e. Support Organisations and Controlling Agencies), in consultation with relevant LEMCs, must identify and document in the LEMA, refuge sites and evacuation centres appropriate for the hazards identified as having a high risk to the area.	See Parts 1.8.2, and 3.5 of the Local Emergency Management Arrangements.	Detailed listing of the nominated Welfare Centres is contained in the Department of Communities Welfare Plan and not repeated in the Arrangements. Review of Nedlands Welfare Centres and feedback of the Welfare Plan provided December 2020.
26	5.11.1	All other State agencies and local governments that participated in the response must contribute to the reports' development, as required.	No recent requirement.	No recent requirement.
27	6.3.3	The Local Recovery Coordinator is responsible for coordination of local-level recovery activities in conjunction with the Local Recovery Coordination Group (when formed) and in accordance with plans, strategies and policies that it determines	See Part 4.4 and 4.5 of the Arrangements and reference in the Strategic Recovery Plan.	Roles and responsibilities of the Local Recovery Coordinator and Local Recovery Coordination Group, should one be formed, are outlined in the Local Recovery Plan.
28	6.3.5	Local government must determine the	See Part 4.5 of the	Roles and responsibilities

Item No.	Section or Policy	Requirement	Summary of Action	Comments
		establishment of a Local Recovery Coordination Group when appropriate.	Arrangements and reference in the Strategic Recovery Plan	of the Local Recovery Coordination Group, should one be formed, are outlined the Local Recovery Plan.
29	6.10.1	Following an emergency, the relevant local government(s) must undertake an evaluation of the effectiveness of the recovery activities in relation to its recovery plan, including an assessment of preparedness for any future event, within 12 months of the emergency.	Ongoing COVID-19	Nil Action
Risk Management				
30	Policy 3.2.5	The State Emergency Management Committee has delegated roles and responsibilities for Emergency Risk Management (ERM) to Emergency Management Agencies and local governments as detailed in State Emergency Management (EM) Prevention and Mitigation Procedure 1.	Progressing	The Western Central Local Emergency Management Committee obtained funding from the AWARE programme to commence this activity in 2019. The following hazards were assessed and continue to be developed.
31	3.2.6	ERM planning must be undertaken in accordance with State EM Prevention and Mitigation Procedure 1 and its attachment, Western Australian Emergency Risk Management, which is aligned with the Australian/New	Progressing	<ul style="list-style-type: none"> • Storm • Fire (Bush) • Fire (structure) • Flood • Emergency Rail Crash • Emergency Road Crash • Hazmat, And

Item No.	Section or Policy	Requirement	Summary of Action	Comments
		Zealand International Standard Organisation (AS/NZS ISO 31000:2009) Risk Management – Principles and Guidelines.		<ul style="list-style-type: none"> Heatwave. <p>Completed Risk Hazard Assessment for the above 8 Hazards. Approved by DFES team and presented to EMT on 12 September 2019.</p> <p>Progressing a Regional (WC-LEMC) Risk Treatment Plan.</p>

9. Reports by the Chief Executive Officer

Nil.

10. Urgent Business Approved By the Presiding Member or By Decision

Any urgent business to be considered at this point.

11. Confidential Items

Any confidential items to be considered at this point.

12. Date of next meeting

The next meeting of the Audit & Risk Committee is to be confirmed.

Declaration of Closure

There being no further business, the Presiding Member will declare the meeting closed.