



Shire of
Serpentine
Jarrahdale

Audit, Risk and Governance Committee

Agenda

Monday, 24 May 2021

5.30pm

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In Person

Shire of Serpentine Jarrahdale

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Open Monday to Friday 8.30am-5pm (closed public holidays)



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Dear Committee Member

An Audit, Risk and Governance Committee Meeting of the Shire of Serpentine Jarrahdale will be held on Monday, 24 May 2021 in the Council Chambers, Civic Centre, 6 Paterson Street, Mundijong – commencing at 5.30pm.

Paul Martin
Chief Executive Officer

14 May 2021

Agenda

1. **Attendances and apologies (including leave of absence)**
2. **Petitions and deputations:**
3. **Declaration of Councillors and Officer's interest:**
4. **Receipt of minutes or reports and consideration of adoption of recommendations from Committee meetings held since the previous Council meetings:**
 - 4.1 **Minutes of previous Audit, Risk and Governance Committee Meeting:**
 - 4.1.1 **Audit, Risk and Governance Committee Meeting – 22 February 2021**

That the minutes of the Audit, Risk and Governance Committee Meeting held on 22 February 2021 be CONFIRMED (E21/2337).



4.2 Reports for consideration:

| 4.2.1 – Strategic Risk Register Quarterly Review Report – May 2021 (SJ2881) | |
|---|--|
| Responsible Officer: | Manager Governance |
| Senior Officer: | Director Corporate Services |
| Disclosure of Officers Interest: | No officer involved in the preparation of this report has an interest to declare in accordance with the provisions of the <i>Local Government Act 1995</i> . |

Authority / Discretion

| | |
|-------------|---|
| Information | For the Council / Committee to note. |
| Executive | The substantial direction setting and oversight role of the Council such as adopting plans and reports, accepting tenders, directing operations and setting and amending budgets. |

Report Purpose

The purpose of this report is to provide the Audit, Risk and Governance Committee (the Committee) an overview of the quarterly review undertaken on the Shire's Strategic Risk Register and provide the Committee with the updated Strategic Risk Register for recommendation to Council for endorsement.

Relevant Previous Decisions of Council

Ordinary Council Meeting – 15 March 2021 – OCM045/03/21 - COUNCIL RESOLUTION - extract

4. That Council ADOPTS Audit, Risk and Governance Committee Resolution ARG004/02/21 and NOTES the Strategic Risk Register Review as contained within this paper; ENDORSES the updated Strategic Risk Register as contained within attachment 1.

Background

Risk Management is a framework of culture, processes and structures directed towards the effective management of risk. This includes consideration of both potential opportunities and adverse effects on existing operations. As all actions and transactions involve risk, effective Risk Management involves the anticipating, understanding and monitoring of risk. It contributes to good corporate governance by providing reasonable assurance to Council, Executive Management and the community that the organisational objectives will be achieved within a tolerable degree of residual risk.

In September 2020, Council, on recommendation from the Committee, endorsed the Shire's new Strategic Risk Register and approved the revised Council Policy Risk Management (OCM281/09/20). These are important achievements towards improving the risk management processes at the Shire as they provide a mechanism for Shire executives to manage risk at a strategic level and an avenue for the Committee and Council to monitor strategic risk through quarterly reporting.



Community / Stakeholder Consultation

Not applicable.

Statutory Environment

Regulation 17 of the *Local Government (Audit) Regulations 1996 (WA)* ('the Regulations') require the CEO to review the appropriateness and effectiveness of the Shire's systems and processes in relation risk management, internal control and legislative compliance (r. 17(1)). The review may include any or all of the abovementioned matters (r. 17(2)) and the results of any review must be reported to the Shire's Audit, Risk and Governance Committee (r. 17(3)). Each matter must be the subject of a review not less than once in every 3 financial years (r. 17(2)).

The most recent review of risk management was completed by the Shire in the 2018-19 financial year and led to Council's adoption of the Risk Maturity Journey in May 2019. The next review is due no later than the 2021-22 financial year.

Comment

Strategic Risk Register Quarterly Review – February 2021

In accordance with Council Policy Risk Management, the Executive Management Group reviewed the Strategic Risk Register. Following this, Officers have prepared the following quarterly report for the Committee's noting. Committee members and Councillors agreed to the structure of this report at the Strategic Workshop held 4 November 2020.

Strategic Risk Register Quarterly Review – February 2021

1. Changes to Risk Ratings

Nil. All risk ratings were reviewed for currency and were determined as accurate.

2. New and Emerging Risks

Nil.

3. Updates to Risk Mitigation Strategies

Actions complete and moved to controls

Risk 1 (Culture)

- Action 2 – *Implement the e-recruitment Onecomm module* is complete and added as control 8.

Risk 2 (Organisational Workforce)

- Action 4 - *Review the requirements for office accommodation* is complete and the Feasibility Plan adopted by Council in March added as control 6.
- Action 5 - *Appoint new human resources staff to assist with immediate backlog and allow commencement of mitigation strategies for Risk 2* is complete. Casual staff were hired, the Manager of Human Resources and Organisational Development has commenced and recruitment is underway for additional resources as agreed to by Council in December 2020.

Risk 3 (Financial sustainability)



- Action 1 - *Finalisation of community infrastructure development contribution plan* is complete and added as control 9.

Risk 4 (Organisational Capability)

- Action 2 - *Finalisation of community infrastructure development contribution plan* is complete and added as control 2.

Risk 5 (Organisational Efficiency)

- Action 1 - *Automation of business processes in future ERP modules (for example Works)* is complete and added as control 10. The Works module of OneComm went live in April 2021. The implementation of hardware to support the program is still to be implemented but is on track for 30 June 2021 rollout. Action 1 has been updated to reflect this status (see actions amended).

Risk 11 (Community engagement)

- Action 3 - *Implement the Online Engagement Platform* is complete and added as control 9. Your Say SJ went live in January 2021.

Risk 13 (Desirable place - Vibrant community in a rural setting)

- Action 4 - *Develop a Business Case for the provision of a Health and Wellbeing Super Clinic in Byford* is complete and added as control 17. The Business Case was adopted by Council in February 2021 and the Shire has secured \$30.6M from the State Government.

Risk 14 (Emergency Management)

- Action 1 - *Develop a new Business Continuity Plan (incorporating lessons learned through COVID-19)* is complete and replaces control 1.

Actions amended

Risk 2 (Organisational Workforce)

The following **actions status amended** to “In Progress” (was “Not Started”):

- Action 1 - *Review staff recognition and reward program* and Action 6 - *Review parity of salaries across the organisation*.
- Action 7 - *Implement the new office accommodation plan in line with Council resolution*. Following the adoption of the Feasibility Plan by Council in March and agreement to move the Library to Byford, planning for the next steps is now underway to be considered by Council in May.
- Action 9 - *Incorporate election outcomes into the annual Corporate Business Plan Review*. This is underway as part of the 2021-22 Budget and annual Corporate Business Plan review process.

Risk 13 (Desirable place - Vibrant community in a rural setting)

- Action 2 - *Develop a Community Development Strategy and action plan* **due date amended** to 30 June 2022 (was 30 June 2021) subject to Council agreement. In the January to March Corporate Business Plan Performance Report to be considered in May, Officers will request that Council defer this project until the 2021-22 financial year due to reallocation of resources to undertake other significant projects including those associated with COVID-19 pandemic recovery, development of the Byford Portal, trails activation and strategic works, and the SJ Recreation Centre review.

Risk 3 (Financial sustainability)



- Action 1 - *Progress developer contribution plans (DCP's for Byford and Mundijong - amendment schemes 208 and 209) due date extended* to 30 June 2021 (was 1 May 2021). This aligns with the due date for these DCP's on risk 4 and the Shire is still awaiting approval of these plans by the WA Planning Commission (endorsed by Council in November 2020).

Risk 5 (Organisational Efficiency)

- Action 1 - *Automation of business processes in future ERP modules (for example Works and Assets) description amended* to "1. Automation of business processes in future ERP modules (for example Assets and finalisation of hardware implementation for works)". The Works module of OneComm went live in April 2021. The implementation of hardware to support the program is still to be implemented but is on track for 30 June 2021 rollout.

Risk 14 (Emergency Management)

- Action 3 - *Review the Emergency Management Plan (Shire Office) due date extended* to 30 August 2021 (was 28 February 2021). An initial draft has been completed in-house however external assistance has been engaged to ensure the plan meets the ISO standards. Additional time is required for this to occur.

New actions

Risk 3 (Financial Sustainability)

Action 4 - *Develop a Council paper to propose the adoption of a Rating Strategy that provides a framework for rating equity in the Shire* due 21 June 2021. This is to ensure action is undertaken in relation to rating equity for the short to medium term.

Risk 6 (Bushfire Management)

- Action 7 - *Apply for 2021-22 Bush Fire Mitigation Funding* due 30 June 2021.
- Action 8 - *Undertake a feasibility study for a back up generator for the communications tower in Jarrahdale* due 30 September 2021.

Risk 12 (Desirable place - Economy) and Risk 13 (Desirable place - Vibrant community in a rural setting)

- Action 5 and 4 - *Establish a Town Team in the Byford CBD* due 31 December 2021. At the March Council Meeting, Council approved the procurement of the services of Town Team Movement, to work with the community to establish a Town Team in Byford. This work will be undertaken in the coming months.

4. Other

Risk 6 (Bushfire Management)

The following items were added as additional controls:

- Back up emergency satellite link at the Bruno Gianatti Hall in Jarrahdale
- Applied to the federal government for second satellite for installation at the SJ Evacuation Centre (SJ Recreation Centre)
- Commission of a forestry mulcher (funded through surplus reallocation) to enable mitigation strategy 6 to begin

Risk 1 (Culture) and Risk 2 (Organisational Workforce)

- With the Manager Human Resources and Organisational Development having commenced in early April, the timelines for delivery of actions within the Organisational Development Roadmap will be reviewed. As several of these



actions align to risks 1 and 2, the Committee can expect to see adjustments to actions and timelines next reporting period. It should also be noted that there is still a significant demand for recruitment services from the organisation and that this is resulting in a redirection of human resource resources to meet recruitment needs.

The updated Strategic Risk Register incorporating the amendments from the above review is contained within **attachment 1**.

Options and Implications

Option 1

The Committee recommend Council:

1. NOTES the Strategic Risk Register Review as contained within this paper.
2. ENDORSES the updated Strategic Risk Register as contained within **attachment 1**.

Option 2

The Committee recommend Council:

1. DOES NOT NOTE the Strategic Risk Register Review as contained within this paper.
2. DOES NOT ENDORSE the updated Strategic Risk Register as contained within **attachment 1**.

Option 3

The Committee recommend Council:

1. NOTES the Strategic Risk Register Review as contained within this paper.
2. REQUESTS that the CEO make revisions as specified by the Committee to the Strategic Risk Register.

Option 1 is recommended.

Conclusion

This quarterly report outlines nine mitigation actions now complete however no reduction in risk ratings at this stage. Four actions that were previously 'not started' are now 'in progress' and three actions have had due dates extended. Several new actions and controls were identified in the review and added to the register. The ongoing reporting and monitoring of Strategic Risk provides assurance to the Committee and Council that the register is being monitored and mitigation actions are underway. It is also a key tool in supporting the Committee's and Council's responsibilities pertaining to risk management.

Attachments (available under separate cover)

- **4.2.1 - attachment 1** – Strategic Risk Register (E20/8711)



Alignment with our Strategic Community Plan

| | |
|-----------------------|--|
| Outcome 4.1 | A resilient, efficient and effective organisation |
| Strategy 4.1.1 | Provide efficient, effective, innovative, professional management of Shire operations to deliver the best outcome for the community within allocated resources |
| Outcome 4.2 | A strategically focused Council |
| Strategy 4.2.2 | Ensure appropriate long term strategic and operational planning is undertaken and considered when making decisions |
| Strategy 4.2.3 | Provide clear strategic direction to the administration |

Financial Implications

There are no financial implications associated with this report.

Risk Implications

Risk has been assessed on the Officer Options and Implications:

| Officer Option | Risk Description | Controls | Principal Consequence Category | Risk Assessment | | | Risk Mitigation Strategies (to further lower the risk rating if required) |
|----------------|--|----------|--------------------------------|-----------------|---------------|-------------|---|
| | | | | Likelihood | Consequence | Risk Rating | |
| 1 | <i>There are no significant risks associated with this option.</i> | | | | | | |
| 2 | If the Committee recommend Council DO NOT note this report or endorse the updated register <u>without reason</u> , then there is a risk the committee will be seen as non-compliant with its responsibility to monitor risk and support Council. This could lead to impacts on organisational performance as specialist input is not obtained. | Nil. | Organisational Performance | Rare | Insignificant | LOW | Nil. |



| | | | | | | | |
|---|--|------|----------------------------|------|---------------|-----|------|
| 3 | If the Committee recommends revision to the register, these may not be informed by sufficient operational information. | Nil. | Organisational Performance | Rare | Insignificant | LOW | Nil. |
|---|--|------|----------------------------|------|---------------|-----|------|

Voting Requirements: Simple Majority

Officer Recommendation

That the Audit, Risk and Governance Committee recommends that Council:

- 1. NOTES the Strategic Risk Register Review as contained within this paper.**
- 2. ENDORSES the updated Strategic Risk Register as contained within attachment 1.**

Please note that the Audit, Risk and Governance Committee does not have delegated authority to make decisions. All recommendations of the Audit, Risk and Governance Committee are presented to Council for ratification.



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| 4.2.2 – Inquiry into the Management of the Abernethy Road Upgrade (SJ2195) | |
| Responsible Officer: | Manager Governance |
| Senior Officer: | Chief Executive Officer |
| Disclosure of Officers Interest: | No officer involved in the preparation of this report has an interest to declare in accordance with the provisions of the <i>Local Government Act 1995</i> . |

Authority / Discretion

| | |
|-----------|---|
| Executive | The substantial direction setting and oversight role of the Council such as adopting plans and reports, accepting tenders, directing operations and setting and amending budgets. |
|-----------|---|

Report Purpose

The purpose of this report is to enable Council to consider the terms of reference and conduct of an inquiry into the management of the Abernethy Road upgrade.

Relevant Previous Decisions of Council

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|---|
| <p><i>Ordinary Council Meeting – 19 April 2021 – OCM091/04/21 - COUNCIL RESOLUTION / Officer Recommendation</i></p> <p><i>That Council</i></p> <ol style="list-style-type: none"><i>1. RECEIVES the minutes of the General Meeting of Electors held on Wednesday 17 March 2021, as shown in attachment 1.</i><i>2. NOTES that electors passed a resolution (GME070/03/21) that the Annual Report for the Shire of Serpentine Jarrahdale for the year 2019 / 2020 incorporating the 2019 / 2020 Annual Financial Statement and the 2019 / 2020 Auditor's Report be RECEIVED</i><i>3. RESOLVES to support the following resolution (GME073/03/21) carried at the Electors Meeting: that on the completion of the project, that the Shire Officers conduct a transparent inquiry into the management of the Abernethy Road upgrade and the budget blowouts, making all findings available to the public at the completion of the upgrade.</i><i>4. RESOLVES to support the following resolution (GME074/03/21) carried at the Electors Meeting: to allow for questions from the floor at an Ordinary Council Meeting without prior written notice.</i><i>5. REQUESTS that the Chief Executive Officer prepare for Council's consideration a report regarding the scope of the inquiry into the management of the Abernethy Road upgrade.</i> |
|---|

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|--|
| <p><i>Special Council Meeting – 22 February 2021 – SCM042/02/21 – COUNCIL RESOLUTION - extract</i></p> <ol style="list-style-type: none"><i>4. REQUESTS the Chief Executive Officer to present a report on lessons learnt for the Abernethy Road construction project and a final financial audit report for Separable Portion 4 to the Audit, Risk and Governance Committee upon completion of Separable Portion 4.</i> |
|--|



Background

The Abernethy Road Upgrade Project was divided into four separate portions:

- Separable Portion 1: Kardan Boulevard to Soldiers Road – Civil construction works for road, underground storm water drainage and storm water basin;
- Separable Portion 2: Soldiers Road to South Western Highway – Civil construction works for road, underground storm water drainage and Beenyup Brook culvert crossing;
- Separable Portion 3: Underground Power and Services; and
- Separable Portion 4: Works within Rail Boundary.

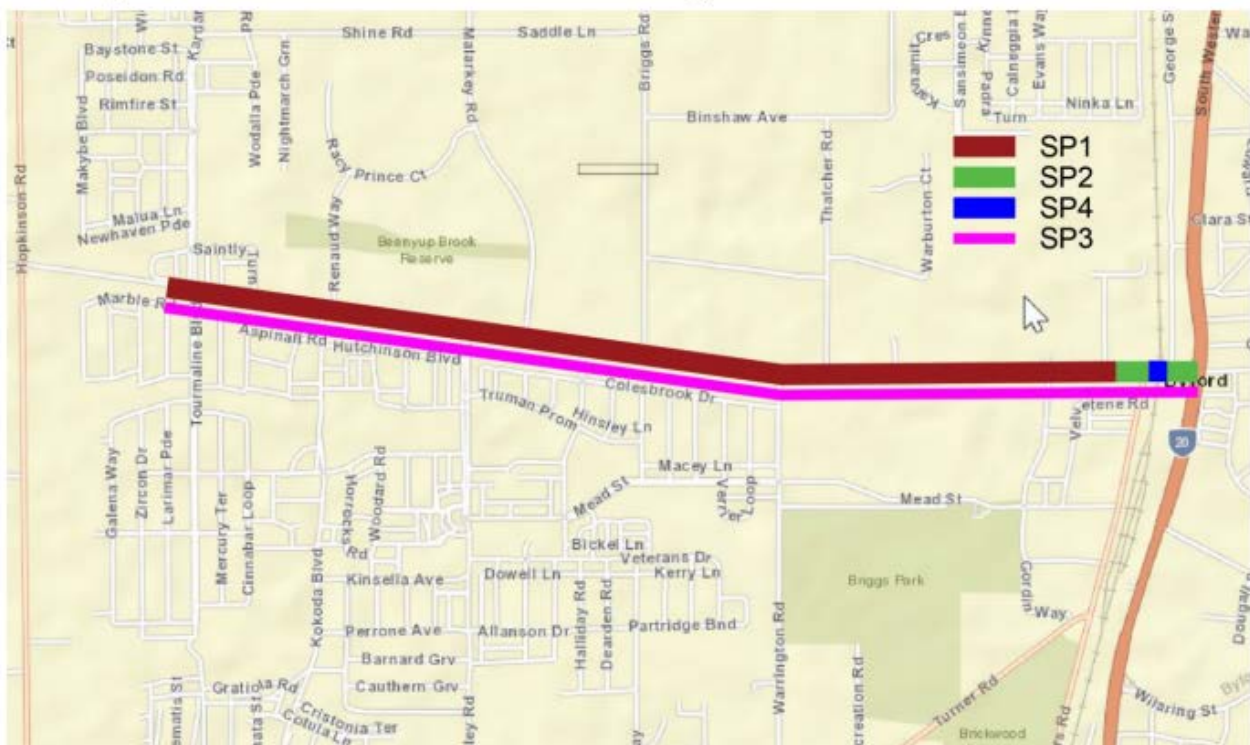


Figure 1 – Location Map

The project has been a high-profile and problematic consuming time and resources beyond the project budget.

In February 2021, Council resolved that a report be presented on lessons learnt for the Abernethy Road construction project and a final financial audit report for Separable Portion 4 to the Audit, Risk and Governance Committee upon completion of Separable Portion 4.

In addition, in April 2021 Council supported a motion passed at the Annual General Meeting of Electors that that on the completion of the project, that the Shire Officers conduct a transparent inquiry into the management of the Abernethy Road upgrade and the budget blowouts, making all findings available to the public at the completion of the upgrade.

With Separable Portion 4 now complete, it is timely to consider how these activities are to be undertaken.



Community / Stakeholder Consultation

Nil.

Statutory Environment

Nil.

Comment

For comprehensiveness, simplicity, efficiency, and expediency, Officers recommend that the lessons learned project and inquiry into the management of Abernethy Road separately resolved by Council are actioned as a single inquiry. The financial audit component of resolution SCM042/02/21 is proposed to be conducted separately by a financial auditor with the results being presented to Council with the lessons learned from the inquiry.

It is proposed that Council's resolutions are given effect through an inquiry conducted by an independent third-party appointed by Council following a competitive procurement process.

The conduct of the inquiry by a third-party has several benefits:

- provides greater independence
- has the potential to leverage wider skills, experience and expertise
- will ensure that the inquiry is conducted to International and Australian Standards for Audit
- will not require reprioritisation of Shire programs, projects and service delivery.

Officers propose to issue an expression of interest to conduct the inquiry to the 14 suppliers on the State Government's Common Use Arrangement (CUA) register that provide both Forensic Audit services, Procurement Advisory Services, and Program Reviews under the general category of Audit and Financial Advisory Services.

The CUA register, maintained by the Department of Finance, provides a resource for public sector entities to identify potential contractors. The approach of using a CUA to identify potential suppliers is considered to be appropriate and advisable in these circumstances.

Importantly, Officers recommend that the method for conducting the inquiry be determined by the successful party with the agreement of Council. As experts in matters related to Forensic Audit services, Procurement Advisory Services, and Program Reviews it is considered that the suppliers on the State Government CUA would be best placed to determine how an inquiry should be conducted to give effect to Council's resolutions.

As part of the competitive procurement process, the 14 suppliers would be asked to specify how they intend to perform the inquiry which will enable Council to select a preferred approach.

It is proposed that the results of the expression of interest would be presented to Council at the August Ordinary Council Meeting which would enable Council to consider appointing the entity to act as the independent inquirer.

While the costs of undertaking the inquiry have not been formally-market tested, the minimum price for audit work of this type is not less than \$30,000. This cost can be met by unspent salary funding following the departure of the Shire's internal auditor. An Officer-led



inquiry would have a higher opportunity cost in respect to wages and not yield the value of an independent inquiry.

Options and Implications

Option1

That the Audit Risk and Governance Committee recommends that Council:

1. RESOLVES that the Council resolutions OCM091/04/21 and SCM042/02/21 related to an inquiry into and lessons learnt project from the Abernethy Road Upgrade are to be given effect through an independent inquiry following a competitive procurement process.
2. REQUESTS that the Chief Executive Officer conduct the inquiry internally.

Option 2

That the Audit Risk and Governance Committee recommends that Council: REQUESTS that the Chief Executive Officer present a report at a future Council meeting on alternative options for undertaking work to give effect to the resolutions.

Option 1 is recommended.

Conclusion

As part of the Shire's commitment to continuous improvement, an independent inquiry into the management of Abernethy Road Upgrade Project is anticipated to provide valuable lessons for the successful management of major capital projects into the future.

Attachments (available under separate cover)

Nil.

Alignment with our Strategic Community Plan

| | |
|-----------------------|--|
| Outcome 4.1 | A resilient, efficient and effective organisation |
| Strategy 4.1.1 | Provide efficient, effective, innovative, professional management of Shire operations to deliver the best outcome for the community within allocated resources |
| Strategy 4.1.2 | Maximise the Shire's brand and reputation in the community |

Financial Implications

There are no immediate financial implications associated with this report. The competitive procurement process proposed will identify the costs of conducting an independent inquiry.



Risk Implications

Risk has been assessed on the Officer Options and Implications:

| Officer Option | Risk Description | Controls | Principal Consequence Category | Risk Assessment | | | Risk Mitigation Strategies (to further lower the risk rating if required) |
|----------------|---|--|--------------------------------|-----------------|-------------|-------------|---|
| | | | | Likelihood | Consequence | Risk Rating | |
| 1 | <i>Public perception that the approach does not give full effect to the resolution made at the Annual General Meeting of Electors</i> | <i>The inquiry is proposed to be undertaken by an independent entity</i> | Reputation | Unlikely | Minor | LOW | Nil |
| 2 | <i>The timely conduct of work to give effect to the Council resolutions will be delayed and may not be perceived as independent</i> | <i>Nil</i> | Reputation | Unlikely | Minor | LOW | Nil |

Voting Requirements: Simple Majority

Officer Recommendation

That the Audit Risk and Governance Committee recommends that Council:

- RESOLVES** that the Council resolutions OCM091/04/21 and SCM042/02/21 related to an inquiry into and lessons learnt project from the Abernethy Road Upgrade are to be given effect through an independent inquiry following a competitive procurement process as outlined in the report.
- REQUESTS** that the Chief Executive Officer present an assessment report of the responses received from the competitive process with a recommendation to Council to undertake the Inquiry.
- NOTES** the financial audit component of resolution SCM042/02/21 will be conducted separately by an external financial auditor and will be presented to Council with Inquiry's findings.



Please note that the Audit, Risk and Governance Committee does not have delegated authority to make decisions. All recommendations of the Audit, Risk and Governance Committee are presented to Council for ratification.

5. Motions of which notice has been given:

6. Urgent business:

7. Closure: