

COUNCIL MEETING

REVISED AGENDA



(Open to the public)

6.30pm, Monday 26 June 2023

Council Chamber, 8 Inglesby Road, Camberwell

Date of Issue: 23 June 2023

Please note: No audio, video, photographic or any other recording of proceedings at Council or Delegated Committee meetings is permitted without written authority from Council.

Order of Business

- 1 Adoption and confirmation of the minutes of the Council meetings on 1 May 2023 and 22 May 2023**
- 2 Declaration of conflict of interest of any councillor or council officer**
- 3 Deputations, presentations, petitions and public submissions**
- 4 Informal Meetings of Councillors**
- 5 Public question time**
- 6 Notices of motion**
- 7 Presentation of officer reports**
 - 7.1 2023/26 Triennial Operational Grants Report
 - 7.2 Contract No.2023/19 - Maintenance of Leisure Centre Pool Plant and Equipment
 - 7.3 Contract No. 2022/72 - 5 x Rear Load Compactor Trucks - Supply and Lease
 - 7.4 April 2023 Monthly Financial Report
 - 7.5 Proposed discontinuance and sale of drainage reserve - Adjoining 15 and 19 Gardiner Road, Hawthorn

Supplementary report

- 7.6 Bi-annual Report from the Audit and Risk Committee

8 General business

9 Urgent business

10 Confidential business

Close of meeting

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3 Deputations, presentations, petitions and public submissions

Report abstract

Council has received three (3) petitions. Details of the petitions are set out below.

No.	Ref. no.	Title / Description	No. of signatures	Referred to
1	CAS-1411070	Requesting Council 'not adopt a Heritage Overlay within the High Street, Ashburton Village Shopping Precinct.'	Over 200	DUL
2	CAS-1416663	Save the Gervasoni Pavilion Kew	Over 200	DCS
3	CAS-1429980	'We propose the removal of two dangerous trees from the draft design of the Willsmere Park Pavilion, the replating of new trees and the moving of the midsection of the pavilion north of current proposed location.'	Over 70	DCS

Legend:

DCS	Director Community Support	DUL	Director Urban Living
DC&T	Director Customer and Transformation	DP&S	Director Places & Spaces
		GOV	Governance & Legal

Officers' recommendation

That Council resolve:

1. To receive and note the petitions.
2. To note that the petitions have been referred to the relevant director for consideration and to advise the first named signatory to the petitions that they will receive a response from the Mayor in due course advising of Council's action.

7 Presentation of officer reports

7.6 Bi-annual Report from the Audit and Risk Committee

Executive Summary

Purpose

This report presents to Council the Bi-annual Report for the Audit and Risk Committee for the 2022-2023 financial year as required by Section 54(5) of the *Local Government Act 2020*.

Background

Section 54(5) of the Local Government Act 2020 ('the Act') states:

"An Audit and Risk Committee must:

- a) prepare a biannual audit and risk report that describes the activities of the Audit and Risk Committee and includes its findings and recommendations; and
- b) provide a copy of the biannual audit and risk report to the Chief Executive Officer for tabling at the next Council meeting."

Key Issues

The attached Bi-annual Report from the Audit and Risk Committee (**Attachment 1**) was approved by the Chair of the Audit and Risk Committee for tabling at this Council meeting.

Next Steps

The Audit and Risk Committee will continue to prepare biannual audit and risk reports for tabling at future Council meetings.

Officers' recommendation

That Council resolve to note the tabling of the Bi-annual report from the Audit and Risk Committee as required by section 54(5) of the Local Government Act 2020 as contained in **Attachment 1** (as annexed to the minutes).

Responsible officer: **Phillip Storer, Chief Executive Officer**

1. Purpose

To present to Council the 17 May 2023 Bi-annual Report from the Audit and Risk Committee as required by Section 54 (5) of the *Local Government Act 2020*.

2. Policy implications and relevance to community plan and council plan

As detailed in the Council Plan and the Boroondara Community Plan. In particular Objective 7 “Ensure that ethical financial and socially responsible decision making reflects community needs and is based on principles of accountability, transparency, responsiveness and consultation”.

Strategy 7.2: Ensure transparent decision making through open governance processes.

Strategy 7.5: Ensure sound financial management while allocating resources to deliver strategic infrastructure and services that meet community needs.

3. Background

Section 54 (5) of the *Local Government Act 2020* (‘the Act’) states:

“An Audit and Risk Committee must:

- a) prepare a biannual audit and risk report that describes the activities of the Audit and Risk Committee and includes its findings and recommendations; and
- b) provide a copy of the biannual audit and risk report to the Chief Executive Officer for tabling at the next Council meeting.”

4. Outline of key issues/options

The attached Bi-annual Report from the Audit and Risk Committee (**Attachment 1**) was approved by the Chair of the Audit and Risk Committee for tabling at this Council meeting.

5. Consultation/communication

Members of Council’s Audit and Risk Committee were consulted during the preparation of this Council report.

6. Financial and resource implications

Council's operating budget provides funds for the Internal Audit Program and for implementation costs associated with Audit recommendations.

7. Governance issues

Officers involved in the preparation of this report have no conflict of interest.

The list of prescribed human rights contained in the Victorian Charter of Human Rights and Responsibilities has been reviewed in accordance with Council's Human Rights Compatibility Assessment Tool and it is considered that the proposed actions contained in this report present no breaches of, or infringements upon, those prescribed rights.

8. Social and environmental issues

The contents of this report are consistent with Council's desire to provide solid financial and governance frameworks to support the enhancement of urban environmental and social amenity.

9. Conclusion

This report presents to Council the Bi-Annual Report as of the 17 May 2023 from the Audit and Risk committee as required by the *Local Government Act 2020*.

**Manager &
Report officer:**

Bryan Wee, Manager Governance and Legal

Biannual audit and risk report describing the activities of the Audit and Risk Committee and its findings and recommendations

Introduction

Section 54(5) of the *Local Government Act 2020* ('the Act') states:

An Audit and Risk Committee must:

- (a) *prepare a biannual audit and risk report that describes the activities of the Audit and Risk Committee and includes its findings and recommendations; and*
- (b) *provide a copy of the biannual audit and risk report to the Chief Executive Officer for tabling at the next Council meeting.*

This report was prepared following the May 2023 Audit and Risk Committee meeting. The next Biannual report will be prepared in December 2023 following the November 2023 Audit and Risk Committee meeting.

Establishment of Audit and Risk Committee

Following adoption of the Act, a new Audit and Risk Committee was established by Council at its meeting of 24 August 2020. A new Audit and Risk Committee Charter was adopted ensuring Council complied with relevant provisions of the Act.

Membership and attendance during the reporting period

The Audit and Risk Committee held two meetings in this reporting period. The first was on 15 March 2023 and the second on 17 May 2023. The members of the Audit and Risk Committee for these meetings were:

- Cr Nick Stavrou - Councillor member
- Cr Jim Parke - Councillor member
- Mr John Watson - Chair and Independent member
- Ms Fiona Green - Independent member
- Ms Freya Marsden- Independent member

Meetings of the Audit and Risk Committee, findings and recommendations

During the reporting period the following meetings of the Audit and Risk Committee have been held:

Meeting on 15 March 2023

Agenda items considered:

1. Standard Questions
2. Business Arising
3. Audit and Risk Committee Administrative Matters
4. Kew Recreation Centre
5. Check in Survey Engagement update
6. COVID -19 Update
7. December 2022 Quarterly Performance Report

8. External Audit Strategy Memorandum for FY22/23
9. IT Cyber security roadmap and status
10. Risk Management Update
11. Progress Review - Business continuity planning
12. Internal Audit Report - introduction to new Internal Auditors and Internal Audit plan

Meeting on 17 May 2023

Agenda items considered:

1. Standard Questions for tabling at Audit & Risk Committee meetings
2. Business Arising
3. March 2023 Draft Quarterly Performance Report
4. Update on Clearance of prior year Management Letter
5. Fixed Asset Policy
6. Audit and Risk Committee Administrative Matters
7. Audit and Risk Committee Annual Work Program 2023-2024 and Audit and Risk Committee Charter 2023 update
8. Biannual Report to Council
9. Internal Audit Update
10. Implementation of Actions contained within the Risk Management Framework

The relevant findings and recommendations from each meeting have been reported to Council through the respective Council reports entitled "Recommendations of Audit and Risk Committee Meeting" that are presented to Council after each Audit and Risk Committee meeting.

Responding to Emerging Risks

The Committee, and management, continue to pay close attention to identifying and reviewing emerging risks. During the reporting period:

- The Committee continued to receive the newly introduced "Chief Executive Officer Update", to enable the Committee to be briefed on current and emerging issues within the municipality and organisation.

Internal Audit

Council's contracted provider of Internal Audit services is Crowe Findex. Crowe Findex were recently engaged by Council in December 2022.

Each meeting of the Committee provides opportunity for the Committee to meet 'in camera' with the Internal Auditors in the absence of management.

All Internal Audit report recommendations are recorded on a register with their appropriate implementation actions and timeframes. This register of actions is formally followed up and progress is reported to the Committee at each meeting.

The progress of Internal Audit recommendations during the reporting period can be summarised as:

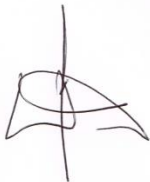
Category	Number
Number open at start of reporting period	18
Number added during reporting period	5
Number completed during reporting period	17
Number open at end of reporting period	6

Risk level of open recommendations	High	Medium	Low
6 Open recommendations	2	4	0

The Committee considers management diligently actioned internal audit recommendations in this period. It also monitored actions not due and reported on actions past due date.

Conclusion

The Committee looks forward to continuing to fulfil its role and working with management, Council and its auditors during the 2023-24 financial year and will provide its next Biannual report in December 2023 following the November 2023 Audit and Risk Committee meeting.



John Watson

Chair Audit and Risk Committee

May 2023