



**City of
Kalgoorlie
Boulder**

AGENDA

**for the
Audit and Risk Committee Meeting**

commencing at 10:00 AM

on

11 SEPTEMBER 2024

**at the
Administration Building**

5 September 2024



NOTICE OF MEETING

A Audit and Risk Committee meeting of the City of Kalgoorlie-Boulder will be held in the **Administration Building** on **Wednesday, 11 September 2024** commencing at **10:00 AM**.

Regards

A handwritten signature in black ink, appearing to read "Ann-Marie Hicks". The signature is fluid and cursive, starting with a tall vertical stroke on the left and ending with a long horizontal tail on the right.

ANN-MARIE HICKS

Acting Chief Executive Officer

Nature of Council's Role in Decision-Making

Advocacy:	When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
Executive Strategic:	The substantial direction setting and oversight role of the Council, e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
Legislative:	Includes adopting local law, town planning schemes and policies.
Review:	When Council reviews decisions made by officers.
Quasi-Judicial:	<p>When Council determines an application/matter that directly affects a person's rights and interests. The Judicial character arises from the obligations to abide by the principles of natural justice.</p> <p>Examples of Quasi-Judicial authority include town planning applications, building licenses, applications for other permits/licenses (e.g. under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.</p>

Table of Contents

1 DECLARATION OF OPENING	7
2 RECORD OF ATTENDANCE	7
2.1 ATTENDANCE	7
2.2 APOLOGIES.....	7
3 PRESENTATIONS	7
4 DECLARATIONS OF MEMBERS' AND OFFICERS' INTEREST	7
4.1 INTEREST AFFECTING IMPARTIALITY CITY OF KALGOORLIE-BOULDER CODE OF CONDUCT	7
4.2 FINANCIAL INTEREST LOCAL GOVERNMENT ACT SECTION 5.60A.....	7
4.3 PROXIMITY INTEREST LOCAL GOVERNMENT ACT SECTION 5.60B	7
5 CONFIRMATION OF MINUTES	7
6 URGENT BUSINESS	8
7 REPORTS OF OFFICERS	9
7.1 CHIEF EXECUTIVE OFFICER.....	9
7.1.1 Risk Management.....	9
7.1.2 Emerging Risks - 2024 JLT Risk Report.....	11
7.1.3 Terms of Reference and Local Government reform	15
7.1.4 Tenders Awarded under Delegation April to June 2024	18
7.1.5 Overdue Debtors Report June 2024	21
7.1.6 Purchasing Policy Exemptions April to June 2024.....	25
7.1.7 Local Government Management of Purchasing Cards Performance Audit June 2024	28
7.1.8 WHS Quarterly Report	31
7.1.9 LGIS Audit Update	33
7.1.10 Update on Asset Management Framework Project	36
7.1.11 Pool Inspections.....	39

8 DATE OF NEXT MEETING.....43

9 CLOSURE.....43

Audit and Risk Committee Members

Independent Member Natasha Holderness

Mayor Glenn Wilson

Deputy Mayor Kirsty Dellar

Cr Terrence Winner

Cr Wayne Johnson

Cr Kyran O'Donnell

Cr Nardia Turner

1 DECLARATION OF OPENING

2 RECORD OF ATTENDANCE

2.1 Attendance

In Attendance:

Members of Staff:

2.2 Apologies

Apologies – Elected Members:

Apologies - Members of Staff:

Leave of Absence:

3 PRESENTATIONS

4 DECLARATIONS OF MEMBERS' AND OFFICERS' INTEREST

4.1 Interest Affecting Impartiality City of Kalgoorlie-Boulder Code of Conduct

4.2 Financial Interest Local Government Act Section 5.60A

4.3 Proximity Interest Local Government Act Section 5.60B

5 CONFIRMATION OF MINUTES

That the minutes of the Audit and Risk Committee Meeting held on 13 June 2024 be confirmed as a true record of that meeting.

6 URGENT BUSINESS

7 REPORTS OF OFFICERS

7.1 Chief Executive Officer

7.1.1 Risk Management

Responsible Officer:	Frances Liston Executive Manager Governance and Risk Services
Responsible Business Unit:	Governance
Disclosure of Interest:	Nil
Voting Requirements:	Simple
Nature of Council's Role in Decision-Making:	Legislative
Attachments:	Nil

SUMMARY STATEMENT

The Audit and Risk Committee is asked to receive the update in relation to the City's risk management.

REPORT

The build of the City's new risk management software platform, Pulse, was completed in July 2024 and launched for organisation-wide use in August 2024. This was slightly delayed due to internal resourcing priorities in the Governance team however this risk project remains on track.

Over June – August 2024, the Executive Manager Governance and Risk Services has met with the City's various business units and their managers to demonstrate the system and clarify next steps for the completion of the risk register content. The platform has been built with updated risk assessment content but will require all controls to be developed by business units and entered into the system.

Once the risk register is reviewed and updated, and controls are entered, it will be presented to the Audit and Risk Committee (intended for December 2024).

It is intended that moving forward, "risk" will become a standing item in monthly meetings within each business unit to ensure there is an open discussion which includes the views and feedback of all officers. This will achieve a shift from senior management undertaking "desktop" reviews of the risk register, with an expectation now that all City employees have responsibility for understanding organisational risks and identifying and implementing controls. The new Pulse system enables different "tasks" in terms of implementation of controls to be delegated to officers who will then have systematic reminders to action, and report on how they have completed those tasks to implement controls. This tool will provide a greater level of

oversight and management of the implementation of controls. The system also has a range of reporting capabilities to increase information on risk and risk management.

To support a consistent organisation-wide risk management practices, the Governance team is also developing “Area Specific Risk Management Plans” in accordance with the CEO-endorsed Risk Management Strategy. These plans are intended to:

1. Align the operational practices of business units with the Risk Management Framework;
2. Document the City’s expectations for risk management in certain areas;
3. Create CEO-endorsed corporate templates;
4. Create a “one stop” handbook linking all relevant templates, procedures and other corporate documents in one location; and
5. Reduce the “silo” effect of business units managing risk individually by sharing resources and systems to reduce overlap, replication and duplication of work and process differences.

Currently identified areas for development of “Area Specific Risk Management Plans” include WHS plans with a template safety plan specific to each business unit; IT, Events, Airport and Contractor onboarding.

COMMUNITY ENGAGEMENT CONSULTATION

No community consultation was considered necessary in relation to the recommendations of the report.

BUDGET IMPLICATIONS

There are no financial implications resulting from the recommendations of this report.

STATUTORY IMPLICATIONS

There are no statutory implications resulting from the recommendations of this report.

POLICY IMPLICATIONS

There are no policy implications resulting from the recommendations of this report, noting that the City’s Risk Management Policy will be amended as set out herein.

COMMUNITY STRATEGIC PLAN LINKS

This report links to the Strategic Community Plan through the following Guiding Theme/s:

CAPABLE: We are continuing to undertake the appropriate risk management and assessment strategies.

OFFICER RECOMMENDATION

That the Committee receive the updates set out in this report.

7.1.2 Emerging Risks - 2024 JLT Risk Report

Responsible Officer:	Frances Liston Executive Manager Governance and Risk Services
Responsible Business Unit:	Governance
Disclosure of Interest:	Nil
Voting Requirements:	Simple
Nature of Council's Role in Decision-Making:	Executive Strategic
Attachments:	1. 2024 JLT Risk Report [7.1.2.1 - 112 pages]

SUMMARY STATEMENT

The Committee is asked to receive this report in relation to the 2024 JLT Public Sector Risk Report, in relation to local government risk for the 2023 calendar year.

REPORT

JLT conducts an Australia-wide survey of local government CEOs and General Managers to gain an understanding of:

1. Themes for key risks identified by the industry;
2. The understanding of risks and underlying factors associated with those risks; and
3. Local government's risk management approach and responses to such risks.

The City was not invited to contribute to this survey on this occasion.

The report sets out, for each of the 12 top Australia-wide risks, information from the surveyed respondents including:

1. Commentary about the risks including the nature and types of risks captured under these headings;
2. Underlying factors associated with these risks; and
3. Comparison of data across different categories, including across States/Territories, as well as Capital vs Metropolitan vs Regional City vs Regional vs Remote/Rural.

As a high-level summary only, the report indicates as follows (with data relevant to the City summarised below):

1. Nation-wide, the top 12 risks identified were:
 - a. Financial Sustainability;
 - b. Cyber Security;
 - c. Assets and Infrastructure;
 - d. Climate Change;
 - e. Disaster and Catastrophe;
 - f. People and Culture;
 - g. Business Continuity;

- h. Ineffective Governance;
 - i. Statutory Regulation;
 - j. Waste Management;
 - k. Reputation Risks; and
 - l. Liability Claims.
2. In Western Australia, the top 5 risks identified were:
 - a. Assets and Infrastructure;
 - b. Cyber Security;
 - c. Financial Sustainability;
 - d. Climate Change;
 - e. Disaster or Catastrophic Event;
 3. Regional Cities generally identified the top 5 risks as:
 - a. Financial Sustainability;
 - b. Climate Change;
 - c. Assets and Infrastructure;
 - d. Cyber Security; and
 - e. Business Continuity Planning;
 4. Both “Regional” and “Remote/Rural” areas identified the top 5 risks as:
 - a. Financial Sustainability;
 - b. Cyber Security;
 - c. Assets & Infrastructure;
 - d. Disaster and Catastrophic Events; and
 - e. People & Culture.

In a regional city/regional setting, the top underlying factors for each risk was identified as follows:

1. Financial Sustainability:
 - a. Inflationary pressure;
 - b. Insufficient rate revenue;
 - c. Economic uncertainty; and
 - d. Cost shifting from other tiers of government;
 2. Cyber Security:
 - a. Ability to proactively manage cyber security;
 - b. Ability to respond to a cyber attack; and
 - c. Cyber security failure;
 3. Assets and Infrastructure:
 - a. Capacity to finance Assets and Infrastructure Management;
 - b. Cost of upgrading/better assets; and
 - c. Inflation impact on costs to maintain/upgrade/replace;
 4. Climate Change:
 - a. Assessment of predicted climate change impacts on council;
 - b. Insufficient disaster recovery funding;
 - c. Difficulties incurred in contributing to a net zero economy; and
 - d. Impacts of climate change projections on council/meet community expectations;
 5. Disaster and Catastrophe:
 - a. Bushfire, flood, cyclones, storm, drought, earthquake, terrorism;
 - b. Climate change (unpredictability);
 - c. Immediate response to damaged council assets/infrastructure; and
 - d. Unpredictability/uncertainty and severity of extreme events;
 6. People and Culture:
-

- a. Inadequate employee numbers;
 - b. Limited capacity to attract and retain professional staff; and
 - c. Rapidly increasing employment market costs;
7. Business Continuity:
- a. Destruction of council assets/infrastructure due to disasters;
 - b. Destruction of council assets/infrastructure due to insured peril; and
 - c. Loss of key team people;
8. Ineffective Governance:
- a. Adequacy of financial controls;
 - b. Challenges from managing code of conduct/behavioural issues;
 - c. Human resource numbers;
 - d. Strategic and budget planning processes; and
 - e. Challenges with managing Council meeting protocols;
9. Statutory Regulation:
- a. Changes in legislation or its application to shifting regulatory requirements;
 - b. Access to qualified staff; and
 - c. Lack of local government specific resources/systems to meet requirements;
10. Waste Management:
- a. Ability to assess and mitigate environmental risks/impacts;
 - b. Cost and ability to effectively manage waste;
 - c. Inflationary pressure on costs/overheads for waste management; and
 - d. Balancing community expectations for managing recycling/reuse operations;
11. Reputation Risks:
- a. Ability to administer council governance effectively;
 - b. Failure to comply with/undertake legislative requirements;
 - c. Loss of community trust in council (elected members); and
 - d. Loss of community trust in council administration;

and

12. Liability Claims:
- a. Ability to discharge a reasonable duty of care to the public to avoid negligence claims for injury/loss;
 - b. Ability to apply policy and implement procedures in accordance with the strategic plan;
 - c. Understanding of council's risk profile and application of the risk management; and
 - d. Ability to undertake due diligence when administering statutory/regulatory responsibilities.

Reports such as this are shared with the City's management teams to inform their risk identification and assessment and risk management activities. The report is shared with the Audit and Risk Committee to inform the Committee of the broad risk environment in which the City is operating.

COMMUNITY ENGAGEMENT CONSULTATION

No community consultation was considered necessary in relation to the recommendations of the report.

BUDGET IMPLICATIONS

There are no financial implications resulting from the recommendations of this report.

STATUTORY IMPLICATIONS

There are no statutory implications resulting from the recommendations of this report.

POLICY IMPLICATIONS

There are no policy implications resulting from the recommendations of this report. The City's Risk Management Policy and Risk Management Framework support the City's identification and management of risk.

COMMUNITY STRATEGIC PLAN LINKS

This report links to the Strategic Community Plan through the following Guiding Theme/s:

EMPOWERED: We ensure considered decision making based on collaborative, transparent and accountable leadership.

CAPABLE: We are continuing to undertake the appropriate risk management and assessment strategies.

OFFICER RECOMMENDATION

That the Committee receive this report.

7.1.3 Terms of Reference and Local Government reform

Responsible Officer:	Andrew Brien Chief Executive Officer Frances Liston Executive Manager Governance and Risk Services
Responsible Business Unit:	Office of the CEO Governance
Disclosure of Interest:	Nil
Voting Requirements:	Simple
Nature of Council's Role in Decision-Making:	Executive Strategic
Attachments:	1. Fact-sheet--- Reforms-to-governance-and-committees [7.1.3.1 - 8 pages]

SUMMARY STATEMENT

The Committee is asked to receive this report.

REPORT

Terms of Reference

The CEO, Executive Manager Governance and Risk Services and Executive Manager Finance have undertaken a review of the Audit and Risk Committee's Terms of Reference in accordance with the endorsed Annual Plan for the committee.

The review has identified some areas requiring updating, however it is recommended that any changes not be made until the current round of legislative reforms pass through Parliament as these will have direct impact on Local Government Audit Committees.

Local Government Act reform

The *Local Government Amendment Bill 2024* was introduced to the State Parliament on 15 August 2024.

This Bill contains a number of proposed changes to the function of local government Audit and Risk Committees, including as follows:

1. A requirement that the Committee be chaired by an independent member (as opposed to an elected member) to ensure a level of neutrality and impartial oversight and opportunity for increased community confidence in the City's financial and risk management;
2. A shift to become the Audit, Risk *and Improvement* Committee;
3. Requirement for all committee meetings to be open to the public (other than for excepted reasons for a matter in meeting to be closed); and
4. Greater clarity on how Committees should operate.

Attachment 1 is a Department of Local Government, Sport and Cultural Industries' Factsheet about reforms relating to Governance and Committees.

Other significant changes from these proposed reforms include:

1. Updated roles and responsibilities for Mayor, Elected Members and the CEO to clarify these as well as separation of powers and duties;
2. Council to appoint presiding and deputy members of a Committee, rather than the Committee;
3. Requirement to audio record confidential parts of a meeting (Committee or Council);
4. Changes to State oversight and intervention systems, including introduction of Inspector, Adjudicator and Monitor roles to create greater early intervention mechanisms where a local government is encountering difficulties, allow mediation processes to resolve complaints and replace the Local Government Standards Panel;
5. Requirement to adopt an annual rates and revenue policy to provide a clearer forecast of future rates;
6. Ability to share senior staff between local governments;
7. Powers to allow local governments to no longer respond to repeated vexatious complaints;
8. Enabling powers for building upgrade finance agreements to fund works such as energy efficiency investments and the restoration of heritage buildings;
9. Stronger rules to prevent elected members who fail to complete mandatory training from receiving their allowances;
10. Enabling councils to pay superannuation to elected members; and
11. Reforms to local law requirements including increasing review timeframes from 8 to 15 years and allowing local laws to lapse in some circumstances.

COMMUNITY ENGAGEMENT CONSULTATION

No community consultation was considered necessary in relation to the recommendations of the report.

BUDGET IMPLICATIONS

There are no financial implications resulting from the recommendations of this report.

STATUTORY IMPLICATIONS

There are no statutory implications resulting from the recommendations of this report. The *Local Government Amendment Bill 2024* has not yet been passed, and therefore the proposed changes are not yet in effect.

POLICY IMPLICATIONS

There are no policy implications resulting from the recommendations of this report.

COMMUNITY STRATEGIC PLAN LINKS

This report links to the Strategic Community Plan through the following Guiding Theme/s:

EMPOWERED: We ensure considered decision making based on collaborative, transparent and accountable leadership.

EMPOWERED: We are utilising diverse points of view to inform decision making and actions taken for the City.

OFFICER RECOMMENDATION

That the Committee receive the report and note that no changes will be made to the Terms of Reference until after the current Bill has been passed by Parliament.

7.1.4 Tenders Awarded under Delegation April to June 2024

Responsible Officer:	Xandra Curnock Executive Manager Finance
Responsible Business Unit:	Finance
Disclosure of Interest:	Nil
Voting Requirements:	Simple
Nature of Council's Role in Decision-Making:	Review
Attachments:	Nil

SUMMARY STATEMENT

The Committee is asked to receive the summary of tenders awarded under delegated authority given to the Chief Executive Officer (and sub-delegated to authorised officers) during the period April 2024 - June 2024.

REPORT

On 30 October 2023, Council adopted a register of delegated authority which formally authorises the CEO to undertake a number of functions and responsibilities, including sub-delegation of some of those authorisations. These delegations include:

1. 1.1.16: Tenders for Goods and Services – Accepting and Rejecting Tenders; Varying Tendered Contracts; Exercising Tendered Contract Extension Options; and
2. 1.1.17: Tenders for Goods and Services – Exempt Procurement as per the City's delegation register.

This report provides oversight to the Audit and Risk Committee on the execution of those delegations during the period April – June 2024.

Delegation 1.1.16: Tenders for Goods and Services – Accepting and Rejecting Tenders; Varying Tendered Contracts; Exercising Tendered Contract Extension Options

The CEO is authorised to accept the tender that is most advantageous to the City within the \$1,000,000 limit, provided the conditions of the delegation have been met.

Below tenders were accepted by the CEO under the conditions of delegation 1.1.16 during the period April 2024 – June 2024

April 2024

Tender Description	Awarded By	Contractor(s)	Contract Term	Contract Value
Nil				

May 2024

Tender Description	Awarded By	Contractor(s)	Contract Term	Contract Value
RFT007-23/24- Kalgoorlie Airport Bus Terminal Construction Project	In-house CEO Delegation	Boord Constructions Pty Ltd.	10 weeks from Contract Award.	\$371,726.17

June 2024

Tender Description	Awarded By	Contractor(s)	Contract Term	Contract Value
RFT013 – 23/24 Water Services Sewer Modelling	In-house CEO Delegation	Digital Water Solutions	8 to 12 months from contract award.	S.O.R.
RFT012 – 23/24 - Goldfields Art Centre (GAC) Events Structure	In-house CEO Delegation	Ailtire Pty Ltd T/as Ailtire Architects	Upon Completion and Acceptance of requirement by Principal.	\$299,550.00

Delegation 1.1.17: Tenders for Goods and Services - Exempt Procurement

The following table is extracted from the City's delegated authority register and sets out thresholds for the operation of delegation 1.1.17.

Category	Maximum Value for individual contracts
WALGA Preferred Supplier Program [F&G.r.11(2)(b)]	\$750,000
Goods or services obtained through the Government of the State or Commonwealth or any of its agencies, or by a local government or regional local government [F&G.r.11(2)(e)]	\$750,000
Goods or services that are determined to be unique so that there is more than one supplier in accordance with delegation condition (b.) specified below [F&G.r.(2)(f)]	\$250,000
Supply of petrol, oil or any other liquid or gas used for internal combustion engines [F&G.r.11(2)(g)]	\$1,500,000
Goods or services supplied by a person registered on the Aboriginal Business Directory WA OR Indigenous Minority Supplier Office Limited (T/as Supply Nation) AND where satisfied that F&G.r.11(2)(h)(ii) the contract represents value for money. [F&G.r.11(2)(h)]	< \$250,000

Goods or services supplied by an Australian Disability Enterprise [F&G.r.11(2)(i)]	\$250,000
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No tenders were accepted under the conditions of delegation 1.1.17 during the period April 2024 – June 2024.

COMMUNITY ENGAGEMENT CONSULTATION

No community consultation was considered necessary in relation to the recommendations of the report.

BUDGET IMPLICATIONS

There are no financial implications resulting from the recommendations of this report.

STATUTORY IMPLICATIONS

All tenders awarded met the requirements of Regulations 11A – 24J of the *Local Government (Functions and General) Regulations 1996* and S3.57 of the *Local Government Act 1995*.

POLICY IMPLICATIONS

There are no policy implications resulting from the recommendations of this report.

COMMUNITY STRATEGIC PLAN LINKS

This report links to the Strategic Community Plan through the following Guiding Theme/s:

CAPABLE: We are continuing to undertake the appropriate risk management and assessment strategies.

OFFICER RECOMMENDATION

That the Committee receives this report showing tenders awarded under CEO delegation during the period April 2024 – June 2024.

7.1.5 Overdue Debtors Report June 2024

Responsible Officer:	Xandra Curnock Executive Manager Finance
Responsible Business Unit:	Finance
Disclosure of Interest:	Nil
Voting Requirements:	Simple
Nature of Council’s Role in Decision-Making:	Review
Attachments:	1. CONFIDENTIAL - 90 Days Debt June 2024 [7.1.5.1 - 1 page]

SUMMARY STATEMENT

The Committee is asked to receive the Overdue Debtors Report, reporting details of overdue debts as at 30 June 2024, and identifying those where the amount owing is over 90 days with total debt exceeding \$10,000.

REPORT

This report provides the Audit and Risk Committee the following information in relation to overdue debtors:

- The amount of total debt outstanding for the period aged from current to over 90 days overdue with a comparison to the same period for the previous year;
- All records of the use of delegated authority, to waive or write off debts valued at \$1,000 or above;
- A confidential report containing the individual debtor information in relation to the outstanding debts exceeding 90 days with a combined value of debt, by debtor, exceeding \$10,000; and
- The Debtor Day Ratio, being the average number of days taken for the City to receive payment from its customers for invoices issued to them.

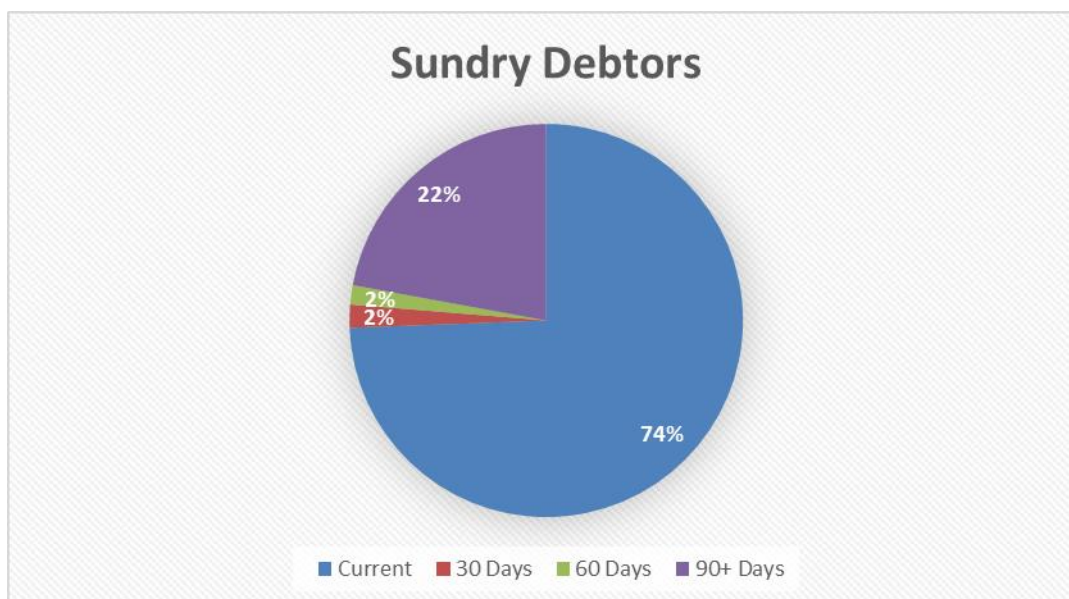
Confidential Attachment 1 sets out the names of debtors and specific details of relevant debt, which are redacted within this report to protect the City’s legal rights and recognise commercial sensitivity.

Debts Outstanding

The total debts outstanding as at 30 June 2024 was \$7,576,079. A breakdown of aged debt for the current period compared to prior period is tabled below.

Period Ending	Current	30 Days	60 Days	90+ Days	Total
July 23 - June 24	74%	2%	2%	22%	100%
	\$ 5,637,141.88	\$ 144,092.65	\$ 119,163.98	\$ 1,675,681.23	\$ 7,576,079.74
July 22 - June 23	75%	8%	1%	16%	100%
	\$ 6,726,268.95	\$ 742,044.94	\$ 51,507.27	\$ 1,413,726.07	\$ 8,933,547.23

The graph below shows the aged debt balances as at 30 June 2024.



Compared to the amount of debt outstanding at 30 June 2023:

- The total value of debts has decreased to \$7,576,079 from \$8,933,547;
- Total outstanding debt over 90 days has increased to \$1,675,681 at the end of 30 June 2024 from previous reporting period of \$1,413,726; and
- The number of overdue debtors over 90 days, and above the total debt reporting threshold of \$10,000, has decreased from 15 to 13.

Debts Written Off

The 30 June 2023 financial statements include a bad debt provision of \$220,882.03 based on Expected Credit Loss (ECL) calculation.

Debtor Day Ratio

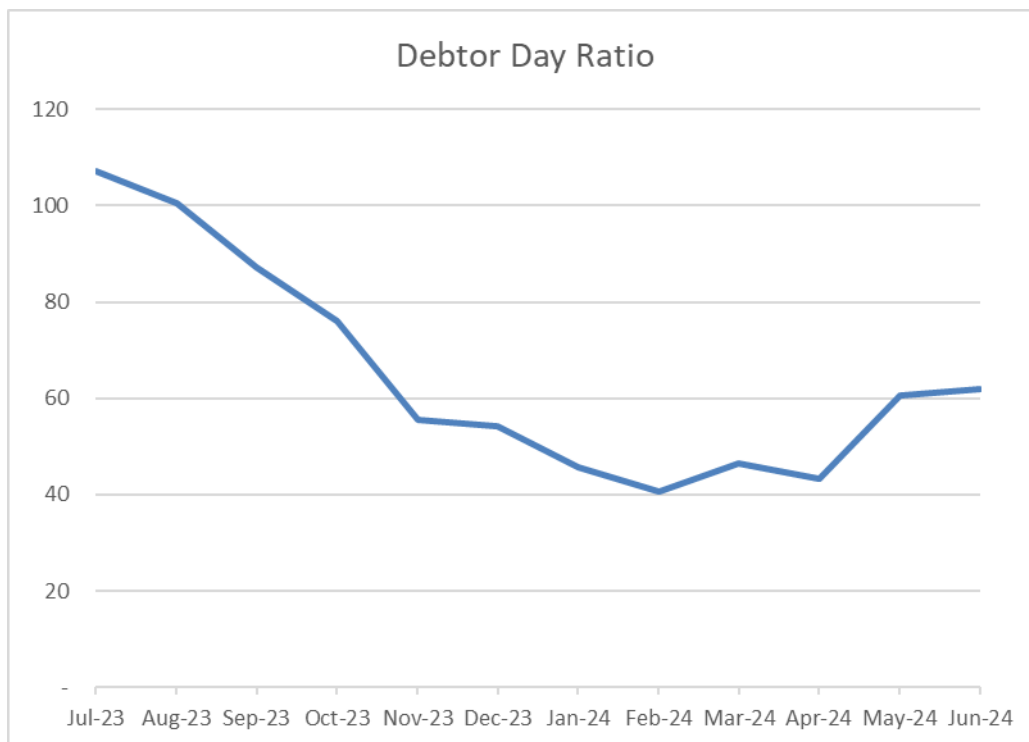
The Debtor day ratio measures how quickly cash is being collected from debtors.

The longer it takes for an organisation to collect, the greater the number of debtor days.

The calculation of the ratio considers the total amount outstanding at the end of the period divided by the total amount invoiced to that period for the financial year. This is then multiplied by the total number of days from 1 July to the end of the period.

As at 30 June 2024, the Debtor Day Ratio was 61.81, a decrease from the 31 July 2023 ratio of 107.22.

The graph below shows debtor days for the 2024 financial year.



COMMUNITY ENGAGEMENT CONSULTATION

No community consultation was considered necessary in relation to the recommendations of the report.

BUDGET IMPLICATIONS

There are no financial implications resulting from the recommendations of this report.

STATUTORY IMPLICATIONS

Section 6.12 (1) (c) of the *Local Government Act 1995* provides authority for Council to write off outstanding monies.

In accordance with section 5.42 and 5.44 of the *Local Government Act 1995* the following delegated authority applies:

The CEO has delegated authority under the Chief Executive Officer Delegation Register to write-off rate debts under \$5,000 and sundry debtor’s debts under \$25,000. Any amount above this must be referred to Council for a determination.

POLICY IMPLICATIONS

There are no policy implications resulting from the recommendations of this report.

COMMUNITY STRATEGIC PLAN LINKS

This report links to the Strategic Community Plan through the following Guiding Theme/s:

CAPABLE: We will have the resources to contribute to our community and economy.

OFFICER RECOMMENDATION

That the Committee receive the Overdue Debtors Report and the confidential attachment listing overdue debts exceeding 90 days that have a combined value greater than \$10,000 as at 30 June 2024.

7.1.6 Purchasing Policy Exemptions April to June 2024

Responsible Officer:	Xandra Curnock Executive Manager Finance
Responsible Business Unit:	Finance
Disclosure of Interest:	Nil
Voting Requirements:	Simple
Nature of Council's Role in Decision-Making:	Review
Attachments:	Nil

SUMMARY STATEMENT

The Audit and Risk Committee is asked to receive and note purchases made by the City that were exempt from the requirements of the Purchasing Policy during the period April 2024 to June 2024.

REPORT

This report provides the Audit and Risk Committee information in relation to purchase orders that have been deemed exempt as per the City's Purchasing Policy, which outlines the requirements and decision-making process for each policy threshold. The following table represents the codes of exemption:

Reason for Exemption	Example of Purchase
EN1 – Monopoly / Oligopoly / Government Department	Utilities, Telephone Charges, Licenses and Vehicle Registrations, Loan Repayments. Payments to other Government Entities (in accordance with Local Government (Finance and Governance) Regulation 11 (e))
EN2 – Specialised Supplier	Consultant services (specialised only and approved by CEO, including legal services)
EN3 – Procurement decision made	Software subscriptions, software licenses, Insurance, Lease or Contract agreements, Any supply that forms part of a tender that has been adopted by Council
EN4 – transfers not part of a procurement decision	Trust Payments, Reimbursements
EN5 – Council decision	Payment of Grant Funds, Third Party Grants (under agreement)

EN6 – Strategic decision	Entertainers, Arts and Culture Show Purchases, Exhibitions, Public Art, Specialised Programs
EN7 – Only specialised local supplier	Specialised local contractors with an understanding of the unique conditions within the Goldfields. Evidence must be given to satisfy that this supplier is the only local supplier
EN8 – Sole Supplier	Only one within Australia
Common Use Arrangements	Exemptions need to be included under the Local Government (Function and General) Regulation s11 (2) e.

April 2024

The total value of spending exempt from the City’s Purchasing Policy was \$4,792,201.89 for the month of April 2024.

The value of exemptions by category is:

Exemption Category	Value
EN1. Monopoly/Oligopoly/Government department	\$14,414.66
EN2. Specialised supplier	\$192,822.22
EN3. Procurement decision made	\$4,448,704.56
EN5. Council decision	\$64,409.90
EN6. Strategic decision	\$7,049.00
EN7. Only Specialised local supplier	\$43,295.46
EN8. Sole Supplier	\$21,506.09

May 2024

The total value of spending exempt from the City’s Purchasing Policy was \$4,889,855.94 for the month of May 2024.

The value of exemptions by category is:

Exemption Category	Value
EN1. Monopoly/Oligopoly/Government department	\$86,765.25
EN2. Specialised supplier	\$67,108.78
EN3. Procurement decision made	\$4,628,667.56
EN5. Council decision	\$27,500.00
EN6. Strategic decision	\$56,971.50
EN8. Sole Supplier	\$22,842.85

June 2024

The total value of spending exempt from the City’s Purchasing Policy was \$1,561,548.34 for the month of June 2024.

The value of exemptions by category is:

Exemption Category	Value
EN1. Monopoly/Oligopoly/Government department	\$536,346.93
EN2. Specialised supplier	\$23,251.53
EN3. Procurement decision made	\$859,297.48
EN6. Strategic decision	\$99,213.40
EN7. Only Specialised local supplier	\$6,479.00
EN8. Sole Supplier	\$36,960.00

COMMUNITY ENGAGEMENT CONSULTATION

No community consultation was considered necessary in relation to the recommendations of the report.

BUDGET IMPLICATIONS

There are no financial implications resulting from the recommendations of this report.

STATUTORY IMPLICATIONS

In accordance with Local Government (Financial Management) Regulations 1996 r5(1)(e) the CEO is to ensure efficient systems and procedures are established for proper authorisation for the incurring of liabilities and the making of payments.

POLICY IMPLICATIONS

There are no policy implications resulting from the recommendations of this report.

COMMUNITY STRATEGIC PLAN LINKS

This report links to the Strategic Community Plan through the following Guiding Theme/s:

CAPABLE: We are continuing to undertake the appropriate risk management and assessment strategies.

OFFICER RECOMMENDATION

That the Committee receive the summary of purchases made by the City that were exempt from the requirements of the Purchasing Policy for period April 2024 to June 2024.

7.1.7 Local Government Management of Purchasing Cards Performance Audit June 2024

Responsible Officer:	Casey Radford Finance Manager
Responsible Business Unit:	Finance
Disclosure of Interest:	Nil
Voting Requirements:	Simple
Nature of Council's Role in Decision-Making:	Review
Attachments:	<ol style="list-style-type: none"> 1. Local- Government- Management-of- Purchasing- Cards [7.1.7.1 - 24 pages] 2. CONFIDENTIAL - OAG Final Emerging Findings Letter [7.1.7.2 - 12 pages]

SUMMARY STATEMENT

Council is asked to receive the key findings and action items that have been identified as part of the Local Government management of purchasing cards audit completed in June 24 by the Office of the Auditor General.

REPORT

The CEO was notified on the 15 of November 2023 that the City was selected for inclusion in the Auditor General's 2024 performance audit on the management of corporate credit cards.

The focus of this audit was to assess whether three selected regional local government entities (City of Kalgoorlie-Boulder, City of Albany and Shire of Murchison) effectively manage the issue, use and cancellation of purchasing cards. The audit focused on the period from 1 November 2022 to 31 October 2023.

The OAG identified six moderate and three minor opportunities for improvement, which are detailed within the confidential attachment.

The City has identified actions to address the opportunities for improvement, these are noted within the below table;

ACTION ITEM	DUE DATE	STATUS
Increase the number of senior finance staff that can cancel credit cards within the City's banking portal	30/06/2024	Completed
Review of the City's existing Corporate Credit Card Policy, to include realistic deadlines for transaction acquittal and cancellation.	30/09/2024	On track

Implementation of a Store or Purchasing Card Policy (or combine this requirement into the review of the Corporate Credit Card Policy).	30/09/2024	On track
Finalisation of a staff travel, hospitality and entertainment policy and/or management guideline to guide business use purchases in line with community expectations.	30/09/2024	On track
ACTION ITEM	DUE DATE	STATUS
Conducting a refresher training session with Cardholders to ensure compliance with the requirements of Corporate Credit Card Policy, particularly regarding deadline expectations, ensuring descriptions reflect the nature and purpose of the transaction and that flybys and other reward programs are not used.	30/09/2024	On track

Attached is a copy of the report tabled in Parliament on the 12 June 2024 for elected member consideration.

COMMUNITY ENGAGEMENT CONSULTATION

No community consultation was considered necessary in relation to the recommendations of the report.

BUDGET IMPLICATIONS

There are no financial implications resulting from the recommendations of this report.

STATUTORY IMPLICATIONS

Local Governments (Financial Management) Regulations 1996, regulation 11(1)a - entities to develop procedures for the payment of accounts to ensure there is effective security for, and properly authorised use of purchasing cards.

Local Government Act 1995 section 6.5(a) requires the CEO to keep proper accounts and records in accordance with regulations.

Local Government Act 1995 sections 2.7(2)(a) and (b) requires the council to oversee allocation of the local government's finances and resources and determine policies.

Local Government (Financial Management) Regulations 1996, regulation 13A took effect from 1 September 2023 and requires entities to provide information about each purchasing card transaction in a payment listing to council and in council minutes to increase transparency, accountability and council oversight of incidental spending.

POLICY IMPLICATIONS

The issue, use and cancellation of City issued credit cards is outlined in the City's Credit Card Policy.

COMMUNITY STRATEGIC PLAN LINKS

This report links to the Strategic Community Plan through the following Guiding Theme/s:

CAPABLE: We will have the resources to contribute to our community and economy.

OFFICER RECOMMENDATION

That the Committee receive the report of key findings and action items that have been identified as part of the 2024 Local Government management of purchasing cards audit.

7.1.8 WHS Quarterly Report

Responsible Officer:	Paul Barrett Executive Manager People and Culture
Responsible Business Unit:	Office of the CEO People & Culture
Disclosure of Interest:	Nil
Voting Requirements:	Simple
Nature of Council's Role in Decision-Making:	Review
Attachments:	1. WHS Quarterly Report (1) [7.1.8.1 - 18 pages]

SUMMARY STATEMENT

The Committee is asked to receive the report in relation to the City's Work Health and Safety incidents for the period June – August 2024.

REPORT

Background

The City manages Work Health and Safety (WHS) through the following mechanisms:

1. The core functions of the Work Health and Safety Co-ordinator and Officer Work Health and Safety as part of the People and Culture team includes injury management and return to work plans, wellbeing initiatives, management of worker's compensation claims, EAP and LGIS relationships, and delivery of the City's WHS strategic plan;
2. Work Health and Safety Committee meets bimonthly and reviews WHS reports, the City's preparation for the LGIS Audit, WHS training requests, progress on the People at Work Project, workplace incidents and any other matters;
3. Incident reporting through the Sky trust software platform;
4. Ongoing training and education for all staff; and
5. Providing ad hoc advice and guidance on any emerging WHS issue and updates on any changes to WHS or workers compensation legislation.

Monthly, the People and Culture team provides a WHS Report to the Executive Leadership Team and management team. Through this reporting process, the People and Culture team identify:

1. Progress made on the WHS Strategic plan.
2. Insights on the incidents, hazards and inspections that have occurred over the last month.
3. Changes to WHS or workers compensation legislation (if appropriate).
4. Any events in the next calendar quarter, including training activity.

WHS Report for June–August 2024

The WHS Quarterly Report for June – August 2024 (attachment 1) is the City’s Work Health and Safety report for the months of June, July and August 2024. The number of incidents reported over the quarterly period has consistently been between 19 and 23. The Oasis has 41.18% of incidents reported over this period, largely due to incidences involving members of the public. During this period there has been a decrease in hazards reported from 19 in June to 12 in August. The Oasis recorded 57.5% of hazards reported over this period, with the majority of these being maintenance related.

COMMUNITY ENGAGEMENT CONSULTATION

No community consultation was considered necessary in relation to the recommendations of the report.

BUDGET IMPLICATIONS

There are no financial implications resulting from the recommendations of this report.

STATUTORY IMPLICATIONS

There are no statutory implications resulting from the recommendations of this report.

POLICY IMPLICATIONS

There are no policy implications resulting from the recommendations of this report.

COMMUNITY STRATEGIC PLAN LINKS

This report links to the Strategic Community Plan through the following Guiding Theme/s:

SAFE: We will be safe and free from harm and crime.

OFFICER RECOMMENDATION

That the Committee receive the Work Health and Safety update set out in this report and WHS Report for the period June – August 2024.

7.1.9 LGIS Audit Update

Responsible Officer:	Paul Barrett Executive Manager People and Culture
Responsible Business Unit:	Office of the CEO Governance People & Culture
Disclosure of Interest:	Nil
Voting Requirements:	Simple
Nature of Council's Role in Decision-Making:	Review
Attachments:	1. LGIS Audit Update [7.1.9.1 - 4 pages]

SUMMARY STATEMENT

The Committee is asked to receive this report which provides an update on the City's progress in relation to its internal audit project relating to Workplace Health and Safety systems. This project is aligned with the audit conducted by the City's insurer, the Local Government Insurance Scheme (LGIS) from 13 - 16 August 2024.

REPORT

Background

On 15 March 2024 the Audit and Risk Committee endorsed a recommendation to Council (then endorsed by Council on 25 March 2024) as follows:

That the Committee recommend that Council endorse:

1. *The proposal to delay commencement of the 2023/24 internal audit plan projects (Trading Undertaking and Land Transaction Contract Review and Approval and Information Systems and Cyber Security); and*
2. *The development of an internal audit project plan for 2024/25 to include WHS Systems, Pool Inspection and Compliance and Asset Management Framework;*
3. *Request the CEO to obtain quotes for external review of the City's contract management systems (with initial focus areas being the process for entry into contracts, record keeping, contract oversight and execution of contracts).*

In relation to Workplace Health and Safety systems, in March 2024 it was noted:

The City's insurer, the Local Government Insurance Scheme (LGIS), intends to run a complimentary assessment of the City's WHS systems at no cost to the City.

This is an area that was already ear marked for internal review, and the opportunity to engage with LGIS in relation to this is welcomed. LGIS have met with People and Culture staff members and have allocated an assessor for the City.

The review by LGIS is anticipated to take place between 12 – 15 August 2024, and will include site visits, documentation review and interviews.

*Once completed the LGIS will provide the City with recommendations and can assist with the development of an action plan if required.
This review will pick up processes and systems for employees as well as contractors.*

The purpose of this report is to provide an update in relation to the status of the City's internal audit project in relation Workplace Health and Safety systems, and next steps in relation to that.

Current status

The LGIS "3 Steps to Safety audit" is a complimentary safety audit conducted once every three years. It is a structured approach designed to enhance workplace safety at the City. The audit follows a structured methodology aimed at evaluating the City of Kalgoorlie-Boulder's Work health and Safety (WHS) systems and processes. The audit comprises of several key steps:

1. Document Review;
2. Site Visits; and
3. Interviews.

Once these steps have been completed, LGIS will provide a report to the City setting out findings and recommendations which will be developed into action items.

Attachment 1 provides an update on progress of the City's LGIS Audit, including action items that the City will continue to work through.

The LGIS '3 Steps to Safety' Audit by the City's insurer, was conducted between 13 - 16 August. The audit consisted of a review of documents and nine site inspections with forty employees interviewed. This included all the Executive Leadership Team (ELT).

LGIS has verbally provided its preliminary findings to the City and has said that the City was well prepared, from documentation to attendance at site inspections. The auditor noted significant improvements at the Depot, the Rangers being well organised and very experienced; the Job Hub and the Men's Shed also being well prepared and organised. Additionally, that the Waste Facility as having an excellent relationship with contractors, the Wastewater Treatment Plant proactively looking at Safe Operating Procedures (SOPs), the Mechanical Workshop at the Golf Course being exceptional, particularly as this is a new team, and the Events Team showing excellent management with a proactive approach to safety.

The auditor noted the City currently lacks a unified WHS framework, with individual departments managing safety independently, resulting in inconsistent practices. High-risk areas were identified as contractor management, civil works, and worker competency verification. It was also stated that there was insufficient WHS consultation, particularly at the executive level, leading to decisions being made without sufficient worker involvement. Areas like the mechanical workshop at the Depot, were found to be disorganised and hazardous. Psychosocial hazards and resource shortages further compound the challenges.

Next steps include a report being received from LGIS with recommendations and the development of an action plan.

COMMUNITY ENGAGEMENT CONSULTATION

No community consultation was considered necessary in relation to the recommendations of the report.

BUDGET IMPLICATIONS

There are no financial implications resulting from the recommendations of this report.

STATUTORY IMPLICATIONS

There are no statutory implications arising from this report.

POLICY IMPLICATIONS

There are no policy implications arising from this report

COMMUNITY STRATEGIC PLAN LINKS

This report links to the Strategic Community Plan through the following Guiding Theme/s:

SAFE: We will be safe and free from harm and crime.

EMPOWERED: We ensure considered decision making based on collaborative, transparent and accountable leadership.

OFFICER RECOMMENDATION

That the Committee receive the update in relation to the City's internal audit project in relation to Workplace Health and Safety systems.

7.1.10 Update on Asset Management Framework Project

Responsible Officer:	Lui Camporeale Director of Engineering
Responsible Business Unit:	Office of the CEO Governance Engineering
Disclosure of Interest:	Nil
Voting Requirements:	Simple
Nature of Council's Role in Decision-Making:	Review
Attachments:	Nil

SUMMARY STATEMENT

The Committee is asked to receive this progress update of the City's internal audit project relating to the City's Asset Management Framework (AMF).

REPORT

Background

On 15 March 2024, the Audit and Risk Committee endorsed a recommendation to Council, which was then endorsed by Council on 25 March 2024, as follows:

That the Committee recommend that Council endorse:

1. *The proposal to delay commencement of the 2023/24 internal audit plan projects (Trading Undertaking and Land Transaction Contract Review and Approval and Information Systems and Cyber Security); and*
2. *The development of an internal audit project plan for 2024/25 to include WHS Systems, Pool Inspection and Compliance and Asset Management Framework; and*
3. *Request the CEO to obtain quotes for external review of the City's contract management systems (with initial focus areas being the process for entry into contracts, record keeping, contract oversight and execution of contracts).*

In relation to the AMF project, in March 2024 it was noted:

The City has recently employed a new Coordinator Asset Management who has a wealth of knowledge and experience in this space. City officers have been working on the development of an action plan for the preparation of a new Asset Management Framework, which has included prioritisation of assets, policy review and identification of system needs, including an appropriate IT platform.

It is expected that this review will be more of an ongoing update to the Audit and Risk Committee as to the progress of this project, rather than an audit.

Through the Audit and Risk Committee on 13 June 2024, the City provided a report setting out the context and requirements for it to be able to successfully develop and

implement an AMF. This report provides an update of the City's progress in that regard.

Update on development of Asset Management Framework

The Coordinator of Asset Management is in the process of developing an AMF, which will be presented to Council in due course, alongside an internal Strategic Asset Management Plan.

As part of this initiative, an Asset Management Improvement Plan has been prepared, informed by an Asset Management Maturity Assessment conducted against the National Asset Management Framework. This comprehensive report details the necessary actions, assigns responsibilities, and establishes deadlines. It is now ready to present to the City's Executive Leadership Team prior to being presented to Council.

Current focus areas

The Asset Management team is collaborating with the IT department to evaluate software options. Once a decision is reached and the procurement process is complete, the focus will shift to configuring the asset register within the selected platform. This process will include:

- Exporting data from the finance system into the asset management system; and
- Assembling the asset register while developing tailored asset management plans for each asset, covering preventative maintenance, renewal forecasting, and performance data collection to enhance asset-focused decision-making.

The Asset Management team is also working on expanding staffing levels in alignment with the organisation's restructuring efforts. The team is expected to reach full capacity by the end of September.

In the meantime, the team is actively capturing asset data and assessing their conditions across various areas. The first area reviewed was the golf course, a project identified in the Corporate Business Plan, which offers a diverse range of City assets to assess. Other priorities have been roads and footpaths, parks, gardens, and playgrounds. The next project area will be the Oasis Recreation Centre.

Next steps

The Asset Management Improvement Plan proposes that FY24/25 be dedicated to establishing or updating policies, procedures, knowledge, position descriptions, and the core functions of the AMF. Additionally, the Asset Management Steering Committee needs to be formed, with a draft charter already prepared and submitted for review. The National Asset Management Framework requires Council's consideration for its implementation, which can be best addressed through a workshop.

COMMUNITY ENGAGEMENT CONSULTATION

No community consultation was considered necessary in relation to the recommendations of the report.

BUDGET IMPLICATIONS

There are no financial implications resulting from the recommendations of this report.

STATUTORY IMPLICATIONS

There are no statutory implications resulting from the recommendations of this report.

POLICY IMPLICATIONS

There are no policy implications resulting from the recommendations of this report.

COMMUNITY STRATEGIC PLAN LINKS

This report links to the Strategic Community Plan through the following Guiding Theme/s:

CONNECTED: We provide public spaces that facilitate a diverse range of activities and strengthen social bonds within the community.

EMPOWERED: We ensure considered decision making based on collaborative, transparent and accountable leadership.

CAPABLE: We will have the resources to contribute to our community and economy.

OFFICER RECOMMENDATION

That the Committee receive the update in relation to the City's Asset Management Framework project.

7.1.11 Pool Inspections

Responsible Officer:	Paul Lees Acting Director Development and Growth
Responsible Business Unit:	Development and Growth
Disclosure of Interest:	Nil
Voting Requirements:	Simple
Nature of Council's Role in Decision-Making:	Review
Attachments:	Nil

SUMMARY STATEMENT

Council is asked to receive this report in relation to an update on the City's progress on the internal audit project relating to swimming pool barrier inspections and compliance matters, and to advise Council on the implications of the new *Building Amendment Regulations 2023*.

REPORT

State review

In 2018 the Department of Energy, Mines, Industry Regulations and Safety - Building and Energy (the Department) commenced a significant regulatory review of swimming pool barrier regulations in Western Australia (WA) in response to a report tabled in State Parliament by the Ombudsman Western Australia. The report "*Investigation into ways to prevent or reduce deaths of children by drowning*" was tabled in the WA State Parliament in 2017.

The review was finalised in April 2021 with the public release of the "*Swimming Pool and Safety Barrier Control – Decision Paper*", which in turn resulted in the publication of the *Building Amendment Regulations 2023* (the Regulations) which introduced new laws relating to requirements for private swimming pool safety barriers.

City of Kalgoorlie-Boulder

On 15 March 2024 the Audit and Risk Committee endorsed a recommendation to Council to undertake the following regarding swimming pool barrier compliance; the recommendations were endorsed by Council on 25 March 2024:

That the Committee recommend that Council endorse:

1. *The proposal to delay commencement of the 2023/24 internal audit plan projects (Trading Undertaking and Land Transaction Contract Review and Approval and Information Systems and Cyber Security); and*
2. *The development of an internal audit project plan for 2024/25 to include WHS Systems, Pool Inspection and Compliance and Asset Management Framework;*

3. *Request the CEO to obtain quotes for external review of the City's contract management systems (with initial focus areas being the process for entry into contracts, record keeping, contract oversight and execution of contracts).*

On the matter of pool inspections and compliance it was noted:

Recent legislative changes combined with a number of years of staff challenges in relation to pool compliance have resulted in the City identifying pool compliance as an area for review.

More information about the proposed scope of this internal audit and timeframes for the same will be provided at the June Audit and Risk Committee meeting.

The purpose of this report is to summarise the amendments to the Regulations; provide an update on the status of the City's internal audit project in relation to its pool inspections and compliance functions (and to outline the next steps for the project); and provide to Council statistics regarding pool and safety barrier inspections and compliance.

Officer comment

Building Amendment Regulations 2023

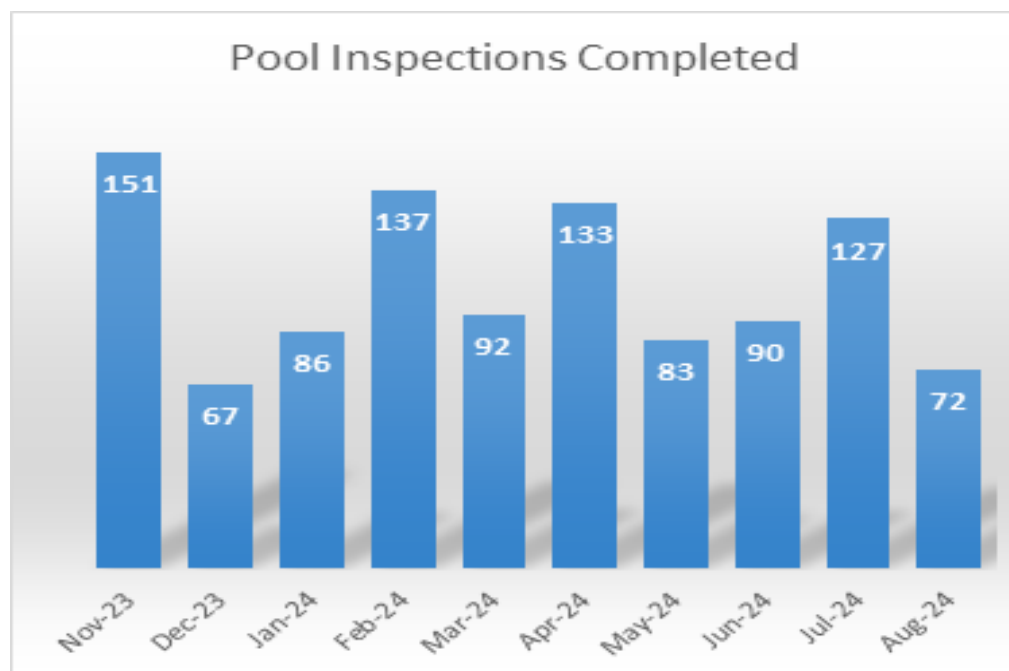
On the 21 June 2024 the final amendments to the *Building Regulations 2012* came into effect and commenced operation.

The amendments that came into effect and the impact these may cause on the City include:

- Introducing mandatory re-inspection requirements for non-compliant safety barriers within a maximum timeframe of 60 days;
 - Many residents are struggling to get repairs completed due to the lack of tradespeople available to complete minor works. This is an ongoing issue which will result in the Inspector having to do multiple inspections to ensure the City stays within the 60-day timeframe. A procedure is now in place to log each pool which fails the initial inspection into one spreadsheet.
- Safety barriers for new pools must be inspected within 30 days of the City being notified or becoming aware of the construction of a new pool;
 - Procedures must be followed to maintain compliance. Letters are sent and phone calls made (if possible) when a new pool has been completed or spotted on an aerial search.
- Introducing an increased fee of up to \$312 for an initial inspection of swimming pool safety barriers for new pools, and any required re-inspections;
 - This is up to the City to determine the fee they choose to charge. There is no minimum fee.
- Clarifying owner and builder responsibilities for safety barriers;
- Clarifying the responsibilities of the builder during the construction stage of the private swimming pool;
 - The liability is on the builder while the pool is under construction. Liability falls on the City once the builder submits a Notice of Completion.
- Modifying building permit exemptions;

- o The city will only require building permits for the pool/spa. Barricade information is to be provided with application; however, it is not stated on the permit itself.
- Introducing a mandatory requirement for Local Government Authorities to provide data annually to the Building Commissioner on the progress of their four-yearly safety barrier inspection program.
 - o Procedures will need to be strictly followed to show that the City is meeting compliance each year.

Project Status



Since June to August 2024 there were a total of 289 pool inspections completed. There are 180 overdue inspections.

During this period the following tasks were completed:

- Door knocked properties that have not responded to previous letters relating to overdue pool inspections. The City had some success in inspecting some overdue pools, however there are several properties that have continued to ignore the City's requests.
- Letters for pools that haven't had an inspection since 2018 had their first reminder letter sent.
- All owners due for their mandatory pool barrier inspection in 2024 have had at least one letter sent. Most owners are organising their inspections before receiving their second reminder letter

There was a slight drop in inspections in August due to staff being on leave and the full-time Pool Inspector resigning from their role.

A City building officer will maintain the pool inspection program and will continue to achieve the 90 inspections a month goal until the City is successful in employing a suitable pool inspector in this second advertising round. If it is found that the process is unsuccessful, the City will investigate the option of "sharing" an inspector with another local government in the region, employing the services of Royal Lifesaving Australia or job sharing within the City.

Although, there is no penalties for the local government noted in the '*Building Regulations*', the City can be held liable for not complying to their obligations relating to pool compliance.

Depending on the severity of the non-compliance matters both the Courts and/or DMIRS have the powers to issue penalties against the City.

COMMUNITY ENGAGEMENT CONSULTATION

No community consultation was considered necessary in relation to the recommendations of the report.

BUDGET IMPLICATIONS

There are no financial implications resulting from the recommendations of this report.

STATUTORY IMPLICATIONS

There are no statutory implications resulting from the recommendations of this report.

POLICY IMPLICATIONS

There are no policy implications resulting from the recommendations of this report.

COMMUNITY STRATEGIC PLAN LINKS

This report links to the Strategic Community Plan through the following Guiding Theme/s:

EMPOWERED: We ensure considered decision making based on collaborative, transparent and accountable leadership.

<h3>OFFICER RECOMMENDATION</h3>
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<p>That the Committee receives the information on this report.</p>
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8 DATE OF NEXT MEETING

The next Audit and Risk Committee Meeting will be held on 4 December 2024.

9 CLOSURE