

Extraordinary Council Meeting

to be held at the Council Chamber, 32 Civic Drive, Greensborough
on Tuesday 10 September 2024 commencing at 5:30pm.

Agenda

Carl Cowie
Chief Executive Officer

Thursday 5 September 2024

Distribution: Public

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Council Chamber Extraordinary Council Meeting seating plan

<p>Cr Natalie Duffy Edendale Ward</p> <p>Cr Karen Egan Bunjil Ward (Deputy Mayor)</p> <p>Cr Richard Stockman Blue Lake Ward</p>				<p>Cr Peter Perkins Ellis Ward</p> <p>Cr Frances Eyre Swipers Gully Ward</p> <p>Cr Geoff Paine Wingrove Ward</p>
<p>Katia Croce Manager Governance and Property</p>	<p>Blaga Naumoski Director Governance Communications and Community Safety</p>	<p>Cr Ben Ramcharan (Mayor) Sugarloaf Ward</p>	<p>Carl Cowie Chief Executive Officer</p>	

Nillumbik Shire Council

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Nillumbik Shire Council

Agenda of the Extraordinary Meeting of Nillumbik Shire Council to be held Tuesday 10 September 2024 commencing at 5:30pm.

1. Welcome

Members of the public are advised the meeting will be livestreamed and recorded and the livestream and video recording will be made publicly available on YouTube and Council's website.

2. Acknowledgement of Country

Nillumbik Shire Council respectfully acknowledges the Wurundjeri Woi-wurrung people as the Traditional Owners of the Country on which Nillumbik is located, and we value the significance of the Wurundjeri people's history as essential to the unique character of the shire. We pay tribute to all First Nations People living in Nillumbik, give respect to Elders past, present and future, and extend that respect to all First Nations People. We respect the enduring strength of the Wurundjeri Woi-wurrung and acknowledge the ongoing impacts of past trauma and injustices from colonial invasion, massacres and genocide committed against First Nations People. We acknowledge that sovereignty was never ceded.

Wurundjeri Woi-wurrung people hold a deep and ongoing connection to this place. We value the distinctive place of our First Nations People in both Nillumbik and Australia's identity; from their cultural heritage and care of the land and waterways, to their ongoing contributions in many fields including academia, agriculture, art, economics, law, sport and politics.

3. Good Governance Pledge

As Councillors, we are mindful of our civic responsibilities and obligations. We pledge to take them seriously, and to carry them out with diligence and integrity.

We know the decisions we take will affect the people and environment of Nillumbik, now and in the future. We undertake, therefore, to make sound and principled decisions of lasting value, in a spirit of fairness and for the good of all.

We also pledge to serve the needs and wellbeing of the community and the environment, in an open and honest manner and to the best of our abilities.

4. Apologies/ Leave of Absence

Council to note any apologies by Councillors not in attendance and or consider requests for any leave of absence submitted.

5. Declarations of conflicts of interest

Councillors should note that any conflicts of interest should also be disclosed immediately before the relevant item.

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6. Officers' reports

CM.098/24 Presentation of the Annual Report 2023-2024

Distribution: Public

Manager: Jeremy Livingston, Director Culture and Performance

Author: Craig King, Manager Customer Experience and Business Performance

Summary

This report presents Council's Annual Report 2023-2024 for noting (**Attachment 1**).

The report has been prepared in accordance with the *Local Government Act 2020* and the *Local Government (Planning and Reporting) Regulations 2020*.

The Annual Report is Council's highest level reporting document to our community and stakeholders. While Council has a statutory obligation to produce an Annual Report, it is also an opportunity to demonstrate Council's service delivery and performance to the community regarding Council activities over the past financial year.

Appropriately, the Annual Report 2023-2024 also reports on progress and delivery of the key strategies and actions for the third year of the Council Plan 2021-2025.

The Annual Report as presented does not currently include the Financial and Performance Statements. These statements are being reported separately for 'in principal' approval at this Council Meeting (see CM.099/24). Once noted by Council, the Annual Report will be graphically designed, will incorporate the financial and performance statements, and will be made available on Council's website.

Recommendation

That Council:

1. Notes Council's Annual Report 2023-2024 (**Attachment 1**).
2. Notes that the Financial and Performance Statements will be included to the Annual Report following Council approval.
3. Notes that the Annual Report has been prepared in accordance with section 98 of the *Local Government Act 2020* and the *Local Government (Planning and Reporting) Regulations 2020*.
4. Notes this item satisfies the requirements of section 100(2)(a) of the Act which requires that during an election year, the Mayor must present the annual report at a Council meeting open to the public no later than the day before election day.
5. In finalising the Annual Report, authorises the Director Culture & Performance to make any further minor changes that may be necessary and are inconsequential in nature.

Attachments

- 1  2023-2024 Nillumbik Shire Council Annual Report

6. Officers' reports**CM.098/24 Presentation of the Annual Report 2023-2024**

Discussion

1. This report presents Council's Annual Report 2023-2024 for noting. The Annual Report 2023-2024 has been prepared by Council officers in accordance with the *Local Government Act 2020* and relevant regulations.
2. As well as meeting statutory requirements, the Annual Report outlines to the community the Council's key achievements and challenges throughout the 2023-2024 financial year. The report also outlines key achievements across the third year of the Council Plan 2021-2025.
3. In 2023-2024, of the 56 strategic indicators in the Council Plan, 22 improved on the previous year, 23 recorded no material change and 11 decreased on the previous year.
4. In addition, of the 37 priority actions outlined in the 2023-2024 (Council Plan) Annual Action Plan, 10 were completed, 24 are on track for completion and three actions are experiencing minor issues.
5. As outlined in the Annual Report 2023-2024, achievements for the year included (in no particular order):
 - a) Adoption of Council's Neighbourhood Character Strategy;
 - b) Completed development of a Creative Infrastructure Framework for creative spaces in the Shire;
 - c) Completion of key actions in Council's Climate Action Plan;
 - d) Council rated number one overall across a range of industry sectors (and over 200 organisations) in the Customer Service Benchmarking Australia (CSBA) telephone mystery shopping program;
 - e) Delivery of the Youth Strategy 2022-2026 progressed, including the hosting of the 2024 Youth Summit and commencement of construction of the Nillumbik Youth Hub in Diamond Creek, due to open in early September 2024;
 - f) Delivered Council's first Environmental Volunteers Expo, and have facilitated the start of three new Friends of Groups, new Gardens for Wildlife volunteers, and new volunteers for the Fauna Monitoring program;
 - g) 37 Gender Impact Assessments undertaken on Council's policies, programs and services;
 - h) Key actions in the Disability Action Plan were completed to ensure a disability lens was applied across Council's projects, services and activities;
 - i) Established a Reconciliation Working Group and undertook community consultation to guide the development of Council's first Reconciliation Action Plan;
 - j) Completion of 86% of Council's 2023-2024 Capital Works program, with the remaining projects on track for completion early in 2024-2025;
 - k) Adoption of an Onsite Wastewater Management Plan which outlines the responsibilities of landowners and occupiers, and enables Council to effectively manage wastewater in the Shire;

6. Officers' reports

CM.098/24 Presentation of the Annual Report 2023-2024

- l) Delivery of key actions in the Health and Wellbeing Plan, and delivery of the Nillumbik Health and Wellbeing Partnership Forum 2024 to collaborate with stakeholders on health and wellbeing initiatives;
- m) Delivery of actions in the Arts and Culture Strategy 2022-2026 continued, including the Nillumbik Prize for Contemporary Writing (NPCW) award event and anthology launch, the Nillumbik Artist in Residence Program 2024-2025, and the Eltham Library Community Gallery program of exhibitions;
- n) The second Nillumbik Small Business Week in May 2024 hosted the Shire's local business community, providing networking and upskilling opportunities;
- o) Council continued to pursue its local advocacy priorities in line with its Advocacy Plan; and
- p) In terms of service delivery, a selection of activities that Council provided across the year included:
 - i) 2,705 community bus trips for local residents through our Community Transport service
 - ii) 545 birth notifications through our Maternal Child Health service
 - iii) Over 353,980 participants in Council arts and cultural programs
 - iv) Over 1.69 million visits to Council's leisure and aquatic facilities
 - v) Over 500 decisions on planning applications
 - vi) 95% of local roads maintained within condition standards
 - vii) Over 24,000 rates notices sent
 - viii) Over 12,000 animals registered
 - ix) Over 32,000 phone calls received through our Customer Service centre
 - x) Over 26,800 customer requests responded to.

6. Some challenges for the year included:

- a) Increasing pressures of threats including climate change, illegal clearing and invasive species on our natural environment;
- b) Traffic management and roads maintenance and repairs continue to be top issues identified by residents based on Annual Community Survey results;
- c) The economic climate is a challenging situation for residents and local businesses, particularly given current cost of living pressures;
- d) Ensuring community readiness for potential bushfires and other emergencies;
- e) Increases in labour and material costs and increasing timeframes for supply chains impacting on our ability to deliver key projects and works in a timely manner and within allocated budgets;

6. Officers' reports

CM.098/24 Presentation of the Annual Report 2023-2024

- f) Delays in the delivery of three Council Plan actions, including a community facilities audit to implement age-friendly improvements due to a funding redirection; delays in undertaking community engagement to further understand community needs with respect to lifelong learning at our Living & Learning Nillumbik centres; and awaiting State Government advice as to developing an Ecologically Sustainable Development (ESD) roadmap and adding ESD principles into the Planning Scheme.
7. The Annual Report as presented does not currently include the Financial and Performance Statements. These statements are being reported separately for noting by Council at this Council Meeting (see separate agenda item). Once noted by Council, the Annual Report will be graphically designed, will incorporate the financial and performance statements, and will be made available on Council's website following the general election in late October 2024.

Related Council decisions

8. Not applicable.

Council plans and policies

9. This report directly supports the achievement of the Council Plan 2021-2025 strategy:
- We maintain good governance and transparency; clearly defining and communicating the role of Councillors and Council.
 - We continue to exercise sustainable and responsible financial management.

Access, Equity and Inclusion

10. An Easy English version of the annual report will be developed and made available to the community via the Council website and relevant networks. Easy English conveys key messages using simplified concepts and specialised images, and is particularly beneficial for people with low English literacy, people with intellectual disability and people who speak English as a third language.
11. The Annual Report outlines a wide range of activities, programs and services that Council delivers in the access, equity and inclusion space.

Sustainability implications

12. The Annual Report includes reporting on Council's environmental, social and financial sustainability and performance. Financial sustainability measures included in the Annual Report are those used by the Auditor-General to assess financial sustainability for local government across Victoria.

Community engagement

13. The Annual Report 2023-2024 will be made available on Council's website and social media platforms, and will also be available in limited hard copy form.

Innovation and continuous improvement

14. The financial statements and the performance statement are prepared in line with the local government sector's better practice guide and model financial statements.

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CM.098/24 Presentation of the Annual Report 2023-2024

15. The annual Australasian Reporting Awards (ARAs) were established in 1950 to award excellence in preparing annual reports to improve the standards of financial reporting and communicating with stakeholders. Council's 2022-2023 Annual Report received a Gold Award from the ARA, the fourth consecutive Gold Award for Nillumbik. The report was also a finalist in the Best in Sector Award for Local Government.
16. Council's 2023-2024 Annual Report will be submitted to the 2025 ARA Awards following the publication and release of the report, where it is hoped that Council will achieve a fifth consecutive Gold Award and again be considered for Best in Sector for Local Government.

Collaboration

17. The annual report is prepared by Council's Business Performance team in collaboration with teams across Council, who provide input and data for inclusion in the report.

Budget considerations

18. The cost of producing the Annual Report is accommodated within the existing operating budget.

Relevant law

19. The Annual Report has been prepared in accordance with the requirements of the *Local Government Act 2020* and the *Local Government (Planning and Reporting) Regulations 2020*.

Regional, state and national plans and policies

20. Not applicable.

Conflicts of interest

21. Officers who have been involved in the preparation of this report declare that they do not have a conflict of interest in the subject matter of this report.

6. Officers' reports

CM.098/24 Presentation of the Annual Report 2023-2024

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6. Officers' reports**CM.099/24 Annual Financial Report and Performance Statement 2023-2024**

Distribution: Public**Manager: Vince Lombardi, Chief Operating Officer****Author: Melika Sukunda, Manager Finance, Assets and Procurement****Summary**

Council is required to produce an Annual Financial Report, containing audited financial statements and an audited Performance Statement pursuant to the requirements and process outlined in the *Local Government Act 2020* (the Act) and the *Local Government (Planning and Reporting) Regulations 2020*.

The draft 2023-2024 financial statements and the draft 2023-2024 performance statement have been reviewed by Council's external auditors on behalf of the Victorian Auditor General.

For the 2023-2024 financial year, Council has reported an operating deficit of \$8.298 million on an accrual basis.

This report recommends that Council approves in principle the 2023-2024 financial statements and performance statement and appoints the Mayor, Deputy Mayor and Chief Executive Officer to sign the 2023-2024 financial statements and the 2023-2024 performance statement.



Council has produced a performance statement in accordance with the Local Government Performance Reporting Framework. This provides results on a range of prescribed indicators of service performance, financial performance and sustainable capacity.

The draft statements have been presented to Council's Audit and Risk Committee which has recommended that Council give in principle approval for the statements pursuant to section 99 of the Act, prior to formal presentation to the Victorian Auditor General.

Recommendation**That Council:**

1. Approves 'in principle' the 2023-2024 Annual Financial Report (**Attachment 1**) and 2023-2024 Performance Statement (**Attachment 2**).
2. Authorises the Mayor, Deputy Mayor and the Chief Executive Officer to sign the 2023-2024 Annual Financial Report and the 2023-2024 Performance Statement in their final form after any changes recommended, or agreed to, by the auditor have been made.
3. Supports the allocation of the cash surplus for the year ended 30 June 2024 against the prior year cash deficits.

Attachments

- 1  DRAFT 30 June 2024 Financial Report
- 2  DRAFT 30 June 2024 Performance Statement

6. Officers' reports**CM.099/24 Annual Financial Report and Performance Statement 2023-2024**

Discussion

1. Council is required to produce an Annual Financial Report, containing audited financial statements and an audited Performance Statement pursuant to the requirements and process outlined in the Local Government Act 2020 (the Act) and the Local Government (Planning and Reporting) Regulations 2020.
2. Section 99 of the *Local Government Act 2020* and the Local Government (Planning and Reporting) Regulations 2020 require Council to:
 - a) Adopt a resolution giving its approval, 'in principle', to the Annual Financial Report and Performance Statement before they are submitted to the Auditor General.
 - b) Authorise two Councillors and the Chief Executive Officer to certify the statements in their final form, after any changes recommended, or agreed to, by the auditor have been made.
3. Audit work has been completed by Council's external auditors and officers have prepared drafts of the 2023-2024 Financial Report and Performance Statement for submission to the Auditor General. A copy of these statements, forming the 'in principle' statements, is provided in **Attachment 1 and 2**.
4. The Statements were presented to the Audit and Risk Committee on 26 August 2024. The recommendations of the Audit and Risk Committee were:
 - a) Record its approval 'in principle' to the Annual Financial Report and Performance Statement (the statements) for the year ended 30 June 2024;
 - b) That subject to the review of the final version of the Financial Report and the Performance Statement, that Council:
 - i) Authorise the Chief Executive Officer to send the statements to the Auditor General
 - ii) Authorise the Chief Executive Officer, the Mayor, and Deputy Mayor to certify the final version of the statements
 - iii) Authorise the Manager Finance, Procurement and Assets to implement any non-material changes to the statements as recommended by the Auditor General, and provide a summary of such changes to the Audit and Risk Committee at its next meeting. Any material changes will be discussed with the Chair of the Audit and Risk Committee prior to being presented to Council.

6. Officers' reports

CM.099/24 Annual Financial Report and Performance Statement 2023-2024

Approval Process

5. The following process is required to ensure that Council's Financial Report and Performance Statement are submitted to the Auditor General in a timely manner, enabling the Auditor General to officially express his opinion prior to the statutory deadline of 31 October 2024:
 - a) Council must meet formally to review the draft Financial Report and Performance Statement, and resolve that Council approves the report and statements 'in principle' and authorises two Councillors and the Chief Executive Officer to sign the final report and statements on behalf of, and with the full authority of, Council. The 'in principle' report and statements and the Council resolution are given to the external auditor;
 - b) The external auditor checks the 'in principle' report and statements. The report and statements, the Council resolution, and the external auditors recommended Audit Report will then be forwarded to the Auditor General for review;
 - c) The Auditor General reviews the report and statements and requests any changes where appropriate;
 - d) The Principal Accounting Officer (Finance Manager) then considers the Auditor General's requested changes and incorporates them into the 'in principle statements', where appropriate;
 - e) The Principal Accounting Officer will identify any matters of significance, including proposed qualification issues, not previously considered by the Council and formally draw Council's attention to them prior to the formal sign off of the statements by the two designated Councillors and the Chief Executive Officer;
 - f) If Council and the Auditor General are satisfied with the statements, the statements are to be signed by the delegated Councillors and the Chief Executive Officer and forwarded to the Auditor General;
 - g) The Auditor General's Audit Reports will be issued to the Council once the formally signed statements have been received and checked by the Auditor General; and
 - h) The organisation's 2023-2024 Annual Report, including the audited Financial Report and Performance Statement, must be forwarded to the Minister by 31 October 2024.

Performance Statement

6. Council has produced a Performance Statement in accordance with the Local Government Performance Reporting Framework.
7. The Performance Statement reports the audited results for 2023-2024 for the prescribed indicators of service performance, financial performance and sustainable capacity.
8. The financial performance and sustainable capacity indicators include several of the indicators used by the Victorian Auditor-General to assess the financial sustainability of local government.

6. Officers' reports

CM.099/24 Annual Financial Report and Performance Statement 2023-2024

9. The overall assessment of Council's financial sustainability will be confirmed by the Auditor-General in the annual report on Victorian local government in late 2024, which will also confirm the indicators to be applied for 2023-2024.
10. In addition to the audited Performance Statement, the results for a range of other indicators are reported in the Report of Operations as part of the Annual Report.

Related Council decisions

11. Not applicable.

Options

12. It is recommended that Council give 'in principle' approval to the 2023-2024 Annual Financial Report, which includes the financial statements and the Performance Statement and authorise two Councillors and the Chief Executive Officer to sign the statements in their final form after any changes recommended, or agreed to, by the auditor have been made.
13. This report directly supports the achievement of the Council Plan 2021-2025 strategy:
 - We continue to exercise sustainable and responsible financial management.

Access, Equity and Inclusion

14. A Gender Impact Assessment was conducted and Gender Responsive Budgeting included within the guidelines as a priority consideration throughout the budget development process.

Sustainability implications

15. Council's financial sustainability is informed by the indicators set by the Victorian Auditor General's Office (VAGO).
16. These indicators comprise of both short term and longer term measures. The indicators are calculated and considered as part of the performance statement.

Community engagement

17. The Annual Financial Report and Performance Statement will be published within Council's Annual Report 2023-2024.

Innovation and continuous improvement

18. Not applicable.

Collaboration

19. The Annual Financial Report and Performance Statement was presented to the Audit and Risk Committee in August 2024.

Budget implications

20. The costs of preparing the Annual Financial Report and Performance Report are funded from operating budget allocations.

Relevant law

21. Section 98 and 99 of the *Local Government Act 2020* applies to the collation and approval of the Annual Financial Report and Performance Statement.

6. Officers' reports

CM.099/24 Annual Financial Report and Performance Statement 2023-2024

Regional, state and national plans and policies

22. Not applicable.

Conflicts of interest

23. All officers involved in the preparation of this report have made a declaration that they do not have a conflict of interest in the subject matter of this report.

6. Officers' reports

CM.099/24 Annual Financial Report and Performance Statement 2023-2024

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6. Officers' reports

CM.100/24 Audit and Risk Committee Meeting August 2024

Distribution: Public

Manager: Vince Lombardi, Chief Operating Officer

Author: Melika Sukunda, Manager Finance, Assets and Procurement

Summary

In accordance with section 53 of the *Local Government Act 2020* and good governance principles, councils must have an Audit and Risk Committee.

As resolved at the 25 June 2024 Ordinary Council Meeting, the minutes of an Audit and Risk Committee meeting are to be reported and presented to a subsequent Council Meeting.

The Audit and Risk Committee met on 26 August 2024. The Minutes for the meeting are shown in **Attachment 1**.

Recommendation

That Council notes the Minutes of the Audit and Risk Committee meeting held on 26 August 2024 (**Attachment 1**).

Attachments

1. 26 August 2024 Audit and Risk Committee Minutes

Discussion

1. The Minutes of the Audit and Risk Committee (ARC) are submitted to Council after each meeting. To provide timely feedback, these are unconfirmed minutes.
2. Minutes of the ARC held on the 26 August 2024 have been adopted by the Committee, and will be presented at its next meeting.
3. The items considered by the ARC were:
 - Draft 2023/2024 VAGO Audit Management Letter and Closing Report;
 - Annual Financial Report and Performance Statement for year ended 30 June 2024;
 - BCP and IT DRP Internal Audit Report;
 - Council Expense Policy 2024
 - Cyber Security Dashboard; and
 - Rates in Arrears Report
4. The next ARC meeting is scheduled to take place on Monday 18 November 2024.

Related Council decisions

5. As resolved at the 25 June 2024 Ordinary Council Meeting, the minutes of an ARC meeting are to be reported and presented to a subsequent Council Meeting.

Options

6. The ARC's function is to assist Council in the effective conduct of its responsibilities for financial reporting, management of risk, maintaining a reliable system of internal controls and facilitating good and ethical governance.

6. Officers' reports

CM.100/24 Audit and Risk Committee Meeting August 2024

7. The ARC meets four times a year. The Internal Auditor, CEO and Chief Operating Officer attend all Audit and Risk Committee meetings. Other management representatives attend as required to present reports. The external auditors attend in May and August each year to present the Audit Plan and independent audit report.

Council plans and policies

8. This report directly supports the achievement of the Council Plan 2021-2025 strategy:
- We continue to exercise sustainable and responsible financial management.

Access, Equity and Inclusion

9. Where applicable, the Committee considers Gender Access, Equity and Inclusion.

Sustainability implications

10. The ARC plays a significant role in Council's governance framework. It provides external expert advice to Council on key areas of risk. Risk in this case is interpreted broadly and covers risk to Council's sustainability, reputation, fraud control and effectiveness, as well as financial risk.

Community engagement

11. Not applicable.

Innovation and continuous improvement

12. Not applicable.

Collaboration

13. The ARC meeting on 26 August 2024 was attended by VAGO representatives from HLB Mann Judd (the external auditor), the internal auditor from Pitcher Partners, as well as the CEO and COO. Mayor Cr Ben Ramcharan and Deputy Mayor Cr Karen Egan attended as the councillor representatives.

Budget implications

14. The associated costs are contained within Council's 2024-2025 Budget.

Relevant law

15. *Local Government Act 2020, section 53* Council must establish an Audit and Risk Committee.

Regional, state and national plans and policies

16. Not applicable.

Conflicts of interest

18. All officers involved in the preparation of this report have made a declaration that they do not have a conflict of interest in the subject matter of this report.

6. Officers' reports

CM.101/24 Quarterly Risk and Safety Report - June 2024

Distribution: Public

Manager: Jeremy Livingston, Director Culture and Performance

Author: Craig Commane, Risk and Safety Lead

Summary

This report provides a summary of Council's Risk and Safety Report for the financial year ending June 2024.

The report is presented in accordance with the *Local Government (Planning and Reporting) Regulations 2020*, which requires the presentation of a report to Council at least every six months, detailing the strategic risks, operational risks, the consequences and likelihood of occurrence, and risk mitigation strategies.

Risk and Safety reporting to Council is tabled each quarter following consideration by Council's Audit and Risk Committee, which in this quarter occurred on 26 August 2024.

The full confidential Risk and Safety Report for June 2024 is attached to this report (**Attachment 1**) and provides detailed information for Council's consideration.

Recommendation

That Council:

1. Notes the summary of the confidential Risk and Safety Report (**Attachment 1**) for the year ending June 2024.
2. Resolves that the Risk and Safety Report (**Attachment 1**) remains confidential in accordance with section 3(1)(a) and (f) of the *Local Government Act 2020*.

Attachments

1. Risk and Safety Report Year Ended 30 June 2024 - *CONFIDENTIAL*

Discussion

1. Council's commitment to risk management is outlined in the Risk Management Policy, with the following objectives:
 - Ensure that all risks that could affect the achievement of Council's goals, strategies and actions are identified, assessed and treated to a commercially and professionally acceptable level of risk;
 - Integrate risk management into Council's decision making processes and embedding it into the organisational culture;
 - Ensure necessary resources are allocated in support of the Policy and supporting Risk Management Framework;
 - Maintain stakeholders' trust and due diligence;
 - Align all risk practices across all systems and to promote and support a consistent corporate approach to risk that can be clearly understood; and

6. Officers' reports**CM.101/24 Quarterly Risk and Safety Report - June 2024**

- Ensure that risk management is seen as the responsibility of all staff, i.e. – *risk management is everyone's business*.
2. In addition to the Risk Management Policy, Council's Risk Management Framework communicates and describes the risk management principles and processes that are used to identify, analyse, evaluate, treat, monitor and communicate key risks, including management reporting.
3. The context of the Risk Management Policy and Framework takes into account that local government presents a distinct risk character and profile that needs to be taken into account when considering risk management. Many assets and services are available 24 hours a day, seven days a week in an unsupervised way, some are managed or provided by volunteers or committees of management or are managed by contractors, others are regulated by compliance legislation.
4. This Risk and Safety report broadly reports on:
 - Risk management;
 - Business continuity;
 - (Anti) Fraud and corruption control;
 - Insurance premiums;
 - Incident management and insurance claims;
 - Occupational health and safety;
 - Other data; and
 - Strategic risk summary report.
5. The Quarterly Risk and Safety Report has been prepared in accordance with Council's Risk Management Policy and Framework, and is consistent with the Australian Standard AS/NZS 31000:2018 Risk Management.
6. Highlights from the Risk and Safety Report for the year ending June 2024 are as follows:
 - Incidents continue to trend downwards, predominantly public liability incidents;
 - Council's insurances have been placed for the 2024-2025 year;
 - Early indications of premium increases were in the range of 10% to 15%, plus higher increases for poor claims experiences. The actual overall increase was 6.59% – overall, a good result for Council; and
 - Contracted leisure centre incidents have been included in reporting for the first time.
7. Council's strategic risks are:
 - Changing environmental conditions and climate change impacting Council's infrastructure, operations and services;
 - Changes in Federal and State government policy that impact Council's strategic objectives;

6. Officers' reports

CM.101/24 Quarterly Risk and Safety Report - June 2024

- Strategic focus, infrastructure, service delivery and projects are not aligned with community expectations;
- Impacts of a disruption to Council's service delivery;
- IT disruption and cyber security attacks including data breach, fraud or theft, data loss and data privacy;
- Failure to maintain a sustainable long term financial position;
- Major failure of Council infrastructure;
- Council does not deliver on major projects, eroding reputation and influences potential future funding opportunities; and
- Good governance failure.

8. The following can be used to monitor the progress of control actions and progress of strategic risks as at the end of June 2024 through to financial year end.

Strategic Risks – Action Status	No.	%
Complete or in place	187	100%
On target	0	0%
Not on target	0	0%
Not yet due to start	0	0%
Total	187	100%

9. The following tables summarise recorded incidents by type for matters involving Council. Note that these tables show all reported incidents, rather than all claims, as not every incident results in a claim being made.

Incidents by type	Jul - Sep 23	Oct - Dec 23	Jan - Mar 24	Apr - Jun 24	Jul - Jun 24	Jul - Jun 23
Property	1	11	3	4	19	18
Motor vehicle	8	6	15	16	45	43
Professional Indemnity	0	0	0	1	1	2
Public Liability	32	27	46	24	129	162
Occupational Health & Safety	23	25	16	24	88	95
Total incidents	64	69	80	69	282	320

10. The following table summarises all incidents by directorate.

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CM.101/24 Quarterly Risk and Safety Report - June 2024

Incidents by Directorate	Jul - Sep 23	Oct – Dec 23	Jan - Mar 24	Apr– Jun 24	Jul - Jun 24	Jul - Jun 23
Culture and Performance	8	6	10	7	31	9
Governance, Communications and Community Safety	1	6	8	7	22	5
Planning, Environment and Strategy	3	2	1	2	8	27
Communities	6	6	6	10	28	31
Operations	46	49	55	43	193	248
Total incidents	64	69	80	69	282	320

11. A high proportion of reported incidents during the June 2024 quarter are generated within the normal course of business in the Operations directorate (69%), and is an increase compared to the previous quarter (68%).
12. Overall, incidents are lower than the same period last year although significant rain and storm events were experienced during the December 2023 and March 2024 quarters.
13. All incidents relate to major classes of asset or maintenance type incidents for Council buildings, recreational facilities, playgrounds, trees, drainage, footpath, road damage and major plant.
14. Tree related risks are mitigated through the:
 - Tree Management Policy;
 - Reactive tree maintenance program;
 - Proactive electric power line clearance program;
 - Proactive box clearance program;
 - Proactive inspections of high risk trees; and
 - Meeting the objectives of the Municipal Emergency Management Plan and Municipal Fire Management Plan.
15. Road, footpath, drainage and roadside related risks are mitigated through the:
 - Road Management Plan;
 - Road Asset Management Plans; and
 - Proactive and reactive maintenance programs.
16. Property incidents typically reported are property theft, break-ins, storm damage vandalism and accidental damage to Council buildings or fixed equipment such as in playgrounds and recreational facilities. Risks are mitigated through maintenance programs and insurance.

6. Officers' reports**CM.101/24 Quarterly Risk and Safety Report - June 2024**

17. Overall, reported property incidents are consistent when compared this year (19) to the same period last year (18). Incidents primarily related to building water damages.
18. Motor vehicle incidents include accidental damage involving Council's light and heavy fleet, including incidents caused by third parties. Risks are mitigated through maintenance, education and insurance.
19. There were four motor vehicle incidents during the June 2024 quarter and two new motor vehicle insurance claim lodged with Council's insurer relating to damages to a mower. The number of incidents and dollar value continues to be positive, showing claims have fallen when compared to the previous year.
20. Professional indemnity relates to incidents and claims for alleged negligence or breach of duty arising from an act, error or omission in the performance of Council services. One new professional indemnity incident occurred during this quarter.
21. Public liability incidents are reported where the third party is seeking compensation for personal injury, property damage and economic loss. Note that compensation claims are only paid where Council has been negligent or there is a clear legal liability. Claims are managed by an external claims manager or Council's insurer. Typical incidents primarily relate to vehicle road damage, property damage, tree related or trip and fall incidents.
22. A total of 24 incidents were notified during the June 2024 quarter. One incident was related to tree or tree root issues, nine incidents resulted in personal injuries or property damage, and one related to vehicle damage, primarily caused by the road surface or road related infrastructure. (Note that the *Road Management Act 2004* threshold is currently \$1,640 for 2024/2025).
23. Council's four major leisure facilities recorded 90 incidents. Predominate injuries were bruising (18) and sprains/strains (19).
24. Occupational health and safety incidents during the quarter (24) were noted being safety matters reported as incidents, hazards and near misses. Typical incidents are cuts and lacerations, insect and animal bites, musculoskeletal injuries and slip trips and falls. These incidents are managed through the Occupational Health and Safety Management System.
25. The overall occupational health and safety annual trend data for the quarter ending June 2024 suggests incidents (88) are reducing comparable to the same period ending June 2023 (95).
26. Incident costs, including under excess claim costs and insurance excesses, are managed within existing budgets. Where appropriate, insurance claims were made, repairs undertaken and matters reported to the Police.

Related Council decisions

27. This summary, along with the confidential Risk and Safety Report, has been provided to meet the requirements of the *Local Government (Planning and Reporting) Regulations 2020* and consolidation of management reporting.
28. Ongoing reporting to Council on risk and safety matters is presented quarterly following each meeting of Council's Audit and Risk Committee.

6. Officers' reports

CM.101/24 Quarterly Risk and Safety Report - June 2024

Council plans and policies

29. This report directly supports the achievement of the following Council Plan 2021-2025 strategies:

- We act in the best interests of our community.
- We are forward-thinking, data-driven and evidence-led in our decision making, always looking to identify new opportunities.
- We make Council's programs, services, processes and information equitable, assessable and inclusive.

Access, Equity and Inclusion

30. A Gender Impact Assessment has not been applied to this report.

Sustainability implications

31. Trend data from this report is used to inform management processes for the mitigation of risks associated with property, motor vehicle, professional indemnity, public liability and safety as they relate to Council's strategic and operational risks.

32. Council's risk profile includes environmental risks and climate change, as a consequence of failure to adequately mitigate those risks.

Community engagement

33. Not applicable.

Innovation and continuous improvement

34. Trend data from this report is used to inform management processes and gap analysis to identify continuous improvement opportunities associated with property, motor vehicle, professional indemnity, public liability and occupational health and safety.

Collaboration

35. Not applicable.

Budget implications

36. This report is part of Council's monitoring of the Council Plan 2021-2025 and Budget. The resources for managing and reporting are accommodated within existing operational budgets.

Relevant law

37. Not applicable.

Regional, state and national plans and policies

38. Not applicable.

Conflicts of interest

39. All officers involved in the preparation of this report have made a declaration that they do not have a conflict of interest in the subject matter of this report.

7. Close of Meeting