



AGENDA

ORDINARY COUNCIL MEETING

TIME: 5.30PM

4 SEPTEMBER 2014

CITY OF VINCENT

Managing waste and recovering resources responsibly
Constituent Members: *Cities of Perth, Joondalup, Stirling, Vincent and Wanneroo*
Towns of Cambridge and Victoria Park



**MINDARIE REGIONAL COUNCIL
NOTICE OF MEETING**

15 August 2014

Councillors of the Mindarie Regional Local Government are advised that an Ordinary Meeting of the Council will be held in the Council Chambers of the City of Vincent, 244 Vincent Street (cnr Loftus Street), Leederville at 5.30pm on Thursday 4 September 2014.

The agenda pertaining to the meeting is attached.

Your attendance is respectfully requested.

**BRIAN CALLANDER
CHIEF EXECUTIVE OFFICER**

MINDARIE REGIONAL COUNCIL - MEMBERSHIP

Cr R Fishwick JP (Russ) - Chair	City of Joondalup
Cr B Stewart (Bill) – Deputy Chair	City of Stirling
Cr S Withers (Simon)	Town of Cambridge
Cr K Hollywood (Kerry)	City of Joondalup
Cr J Davidson OAM JP (Janet)	City of Perth
Cr D Boothman (David)	City of Stirling
Cr S Proud (Stephanie)	City of Stirling
Cr E Re JP (Elizabeth)	City of Stirling
Cr J Bissett (John)	Town of Victoria Park
Cr Cr J Carey (John)	City of Vincent
Cr R Driver (Russell)	City of Wanneroo
Cr D Newton JP (Dot)	City of Wanneroo

It is a requirement that a Council carries a specific resolution for each occasion that the alternate member is to act when an elected member is unable to attend. As such by resolution the following councils have nominated an alternate member:

Town of Cambridge has appointed alternate member Cr Corinne MacRae during the period of 1 September 2014 to 11 September 2014 in the absence of Cr Simon Withers.

City of Joondalup has not yet appointed an alternate member for the period of 6 August 2014 to 23 September 2014 in the absence of Cr Russ Fishwick.

CONTENTS

1	DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS	4
2	ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE	4
3	DECLARATION OF INTERESTS.....	4
4	PUBLIC QUESTION TIME	4
5	ANNOUNCEMENTS BY THE PRESIDING PERSON	4
6	APPLICATIONS FOR LEAVE OF ABSENCE.....	4
7	PETITIONS / DEPUTATIONS / PRESENTATIONS	4
8	CONFIRMATION OF MINUTES OF PREVIOUS MEETING.....	4
8.1	Ordinary Council Meeting – 3 July 2014.....	4
9	CHIEF EXECUTIVE OFFICER REPORTS.....	5
9.1	Financial Statements for the periods ended 31 May 2014 and 30 June 2014.....	
9.2	List of Payments made for the months ended 31 May 2014 and 30 June 2014	
9.3	Review of Council Policies and Delegations to the CEO	
9.4	Appointment of Member on MWAC	
9.5	Recommendations Arising from the Audit Committee	
9.6	Stage 2 Phase 3 - Landfill Wall Liner (Late Item).....	
10	MEMBERS INFORMATION BULLETIN – ISSUE NO. 18.....	48
11	MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	48
12	URGENT BUSINESS	48
13	QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN	48
14	MATTERS FOR WHICH THE MEETING MAY BE CLOSED TO THE PUBLIC.....	49
14.1	Chief Executive Officer - Performance Review (Late Item).....	
15	NEXT MEETING	50
16	CLOSURE.....	50

1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

2 ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE

3 DECLARATION OF INTERESTS

Declaration of Financial/Conflict of Interest to be recorded prior to dealing with each item.

Disclosure of Financial and Proximity Interests

- (a) *Members must disclose the nature of their interest in matters to be discussed at the meeting. (Section 5.65 of the Local Government Act 1995).*
- (b) *Employees must disclose the nature of their interest in reports or advice when giving the report or advice to the meeting. (Sections 5.70 and 5.71 of the Local Government Act 1995).*

Disclosure of Interest Affecting Impartiality

- (a) *Members and staff must disclose their interest in matters to be discussed at the meeting in respect of which the member or employee has given or will give advice.*

4 PUBLIC QUESTION TIME

5 ANNOUNCEMENTS BY THE PRESIDING PERSON

6 APPLICATIONS FOR LEAVE OF ABSENCE

7 PETITIONS / DEPUTATIONS / PRESENTATIONS

8 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

8.1 ORDINARY COUNCIL MEETING – 3 JULY 2014

The Minutes of the Ordinary Council Meeting held on 3 July 2014 have been printed and circulated to members of the Council.

RESPONSIBLE OFFICER RECOMMENDATION

That the Minutes of the Ordinary Council Meeting of Council held on 3 July 2014 be confirmed as a true record of the proceedings.

9 CHIEF EXECUTIVE OFFICER REPORTS
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9.1	FINANCIAL STATEMENTS FOR THE PERIODS ENDED 31 MAY 2014 AND 30 JUNE 2014
File No:	FIN/5-04
Appendix(s):	Appendix No. 1 Appendix No. 2 Appendix No. 3
Date:	4 September 2014
Responsible Officer:	Director Corporate Services

SUMMARY

The purpose of this report is to provide financial reporting in line with statutory requirements which provides useful information to stakeholders of the Council.

BACKGROUND

Reporting requirements are defined by Financial Management Regulations 34 of the Local Government (Financial Management) Regulations 1996.

The financial statements presented for each month consist of:

- Operating Statement by Nature – Combined
- Operating Statement by Nature – RRF Only
- Operating Statement by Function
- Statement of Financial Activity
- Statement of Reserves
- Statement of Financial Position
- Statement of Investing Activities
- Information on Borrowings
- Tonnage Report

DETAIL

The Financial Statements attached are for the months ended 31 May 2014 and 30 June 2014 and are attached at **Appendix No. 1 and 2** to this Item. The Tonnage Report for the 12 months to 30 June 2014 is attached at **Appendix No. 3**.

The complete suite of Financial Statements which includes the Operating Statements, Statement of Financial Position, Statement of Financial Activity and other related information are reported on a monthly basis.

The estimates for Provisions for Amortisation of Cell Development, Capping and Post Closure expenditure are based on the estimated rates per tonne calculated with reference to estimated excavation cost of various stages of the landfill and the life of the landfill. An adjustment is made (if necessary) at the end of the year based on actual tonnages on a survey carried out to assess the “air space” remaining and other relevant information.

Summary of results for the year ended 30 June 2014

	Actual	Budget	Variance
	t	t	t
Tonnes – Members	352,704	364,889	(12,185)
Tonnes – Others	30,617	35,450	(4,833)
TOTAL TONNES	383,321	400,339	(17,018)
	\$	\$	\$
Revenue – Members	41,814,628	43,349,503	(1,534,875)
Revenue – Other	9,248,765	9,924,723	(675,978)
TOTAL REVENUE	51,063,393	53,274,226	(2,210,833)
Expenses	46,717,848	48,580,075	1,862,227
Profit on sale of assets	48,884	-	48,884
Loss on sale of assets	42,000	-	(42,000)
NET SURPLUS	4,352,429	4,694,151	(341,722)

Commentary

Member tonnes for the 12 months to June 2014 are 12,185 tonnes lower than budgeted, primarily as a result of the City of Stirling delivering less tonnes than original forecast.

Non-member tonnes continue to lag behind the budget, primarily as a result of the lower than budgeted commercial tonnes. Commercial entities are always looking for more cost effective options. The MRC has continued to hold the underlying non-members' gate fee unchanged in an attempt to return to a more competitive non-members' gate fee rate.

Member revenue is below budget primarily as a result of the reduction in the members' gate fee from \$149/t to \$120/t in October 2013, coupled with the lower tonnes.

Expenses are also significantly below budget primarily as a result of reduced consultant and contract labour expenditure (\$286K), reduced landfill expenses (\$500k), reduced waste minimisation costs (\$232k), borrowing costs (\$156k), and lower levy (\$518k) and cell development costs (\$196k), offset by higher RRF costs (\$499k).

The surplus will be used in line with the Council's decision in respect of the mid-year budget review to fund the participants' surplus reserve (\$920k) and the capex reserve (\$1,000k), with the balance being used to fund the site rehabilitation reserve.

VOTING REQUIREMENT

Simple Majority

RESPONSIBLE OFFICER RECOMMENDATION

That the Financial Statements set out in Appendix No. 1 and 2 for the months ended 31 May 2014 and 30 June 2014, respectively, be received.

9.2	LIST OF PAYMENTS MADE FOR THE MONTHS ENDED 31 MAY 2014 AND 30 JUNE 2014
File No:	FIN/5-04
Appendix(s):	Appendix No. 4 Appendix No. 5
Date:	4 September 2014
Responsible Officer:	Director Corporate Services

SUMMARY

The purpose of this report is to provide details of payments made during the periods identified. This is in line with the requirement under the delegated authority to the Chief Executive Officer (CEO), that a list of payments made from the Municipal Fund since the last Ordinary Council meeting be presented to Council.

COMMENT

The lists of payments for the months ended 31 May 2014 and 30 June 2014 are at **Appendix 4 and 5** to this Item and are presented to Council for noting. Payments have been made in accordance with the delegated authority to the CEO which allows payments to be made between meetings. At the Ordinary Council Meeting held on 5 September 2013, the Council delegated to the CEO the exercise of its power to make payments from the Municipal Fund. In order to satisfy the requirements of Clause 13(2) of the Local Government (Financial Management) Regulations, a list of payments made must be submitted to the next Council meeting following such payments.

It should be noted that generally all payments are GST inclusive and the Mindarie Regional Council is able to claim this tax as an input credit when GST remittances are made each month to the Australian Tax Office.

Months Ended	Account	Vouchers	Amount
31 May 2014	General Municipal	Cheques EFT DP Inter account transfers Total	\$141,321.60 \$2,542,381.20 \$3,288,961.46 \$3,500,000.00 \$9,472,664.26
30 June 2014	General Municipal	Cheques EFT DP Inter account transfers Total	\$154,680.27 \$3,466,716.49 \$4,236,868.78 \$600,000.00 \$8,458,265.54

VOTING REQUIREMENT

Simple Majority

RESPONSIBLE OFFICER RECOMMENDATION

That the list of payments made under delegated authority to the Chief Executive Officer, for the months ended 31 May 2014 and 30 June 2014 be noted.

9.3	REVIEW OF COUNCIL POLICIES AND DELEGATIONS TO THE CHIEF EXECUTIVE OFFICER
File No:	COR/49/05 and GOV/27-04
Attachment(s):	Attachment No. 1 Attachment No. 2
Date:	4 September 2014
Responsible Officer:	Chief Executive Officer

SUMMARY

The report seeks endorsement of:

1. The review undertaken by the Chief Executive Officer (CEO) on the current Council Policies and Delegations;
2. Two new policies and amendments to three existing policies resulting from the review and recommendations from MRC's Auditor and its Audit Committee; and
3. One change to the Register of Delegations to the CEO.

BACKGROUND

The current Council Policies and Register of Delegations endorsed by Council are operating effectively, providing for efficient and timely administrative services and guidance in relation to discretionary decisions the Council has the ability to make by virtue of the *Local Government Act 1995* and other statutes.

DETAIL

In line with current practices the administration has formally reviewed Council's policies and delegations to the CEO. In addition to this, the Audit Committee and Council's Auditor have recommended changes to the council policies and delegations to the CEO. The changes resulting from the review and recommendations above are as follows:

COUNCIL POLICIES

Two new policies are proposed to manage the allocation and use of Councils' credit cards and the setting of the gate fee for Tamala Park.

Macri Partners were engaged to undertake a Financial Management Review Report for the CEO in accordance with Section 5(2)(c) of the *Local government Act 1995* (CEO's Controls Review). The CEO's Control Review resulted in a number of recommendations being presented to the Audit Committee. On review of the Auditor's recommendations and the responses provided by the administration to the recommendations, the Audit Committee resolved to request Council to consider amending a number of policies and to develop two new policies together with a change to Delegation 9 in relation to Disposal of Property. In addition to the above, the administration is seeking a change to CP01 – Annual Fees, Allowances and Expenses of Councillors.

The following provides an explanation for the changes to, and new, policies and delegations as follows:

Note: the changes to the text of the existing policies are underlined and in Italics or are bolded.

CP01 - Annual Fees, Allowances and Expenses for Councillors

In accordance with the *Salaries and Allowances Act 1975* the Salaries and Allowances Tribunal (SAT) have reviewed and made determinations on Councillors' fees, allowances and expenses. The SAT determined that an increase of 3% was appropriate given the current economic climate. The following tables identify the increases in the fees and allowances based on the SAT's determination.

Annual attendance fees in lieu of council meeting and committee meeting attendance fees

	Council Member other than the Chairman		Council Member who holds the Office of Chairman	
	Current	New from 1 July 2014	Current	New from 1 July 2014
Regional Councils	\$10,000	\$10,300	\$15,000	\$15,450

Annual allowance for the Chairman of a Regional Council

	Annual Allowance for Chairman	
	Current	New from 1 July 2014
Regional Councils	\$19,000	\$19,570

The percentage rate payable to the Deputy Chairman for the Annual Allowance remains unchanged at 25% of the Chairman's Annual Allowance.

As SAT has determined that an increase of 3% is warranted it is reasonable to pass the increase on to the Councillors. As SAT will be reviewing and making determinations annually on the fees, allowances and expenses provided to Councillors, it is proposed to modify CP01 - Annual Fees, Allowances and Expenses for Councillors to allow the increases to be provided to the Councillors at the time they are determined by the SAT. This will require a Part 4 to be added to the policy, which would read as follows:

"4. The fees, allowances and expenses be increased annually in line with the determination of the Salaries and Allowances Tribunal made in accordance with the Salaries and Allowances Act 1975."

CP06 - Purchase of Goods and Services

In line with the Audit Committee and Auditor's recommendations arising from the CEO's Controls Review, it is proposed that Part 5 of the policy be amended to include a paragraph h. dealing with independence and conflicts of interest when selecting the members of Tender Evaluation Panels. Part 5h. would read as follows:

"h. Tender Evaluation Panel

A minimum of four members should be selected for the panel. The members are to be selected based on their knowledge of the subject matter being considered or based on their contract experience.

Each member of the panel is to sign a declaration acknowledging their responsibility to keep the tender information confidential and noting any potential conflicts of interest that they may have.

Where a member has a significant conflict of interest, they are to be excused from the panel and replaced by another suitable member.”

Further, it is proposed that Part 6b. be reworded to provide clarity on the use of WALGA Preferred Suppliers and the E-Quotes system. The proposed wording allows for the use of any WALGA Preferred Suppliers without obtaining multiple quotes for purchases of less than \$39,999. Part 6b would be reworded as follows:

“6. When public tenders or quotations are NOT required

- b. The purchase is under a contract of WALGA (Preferred Supplier Arrangements or E-Quotes), Department of Treasury and Finance (permitted Common Use Arrangements), Regional Council, or another Local Government;*
- i. Notwithstanding the above, where there are multiple WALGA Preferred Suppliers and the contract value is in excess of \$39,999, the requirements of *4. above are to be complied with.’*

*4. Above refers to part 4 of CP06 - Purchase of Goods and Services (CP06, including the proposed amendments above, is included in Attachment 2 to this report).

CP09 – Investments

The Investment Policy was the subject of discussions with the MRC’s Auditor, Macri Partners, as part of the 2012/13 financial year end audit. The Auditor recommended a number of changes to the policy for the sake of clarity, which are included below:

“Policy Statement:

To ensure that funds held by the Council are invested astutely:

- 1. in a conservative manner, whilst striving to achieve the best outcome for the Council;*
- 2. so as to yield a suitable level of diversification of counter party risk;*
- 3. so as to maintain a low level of risk exposure by using recognised rating criteria; and*
- 4. so as to allow for ready access to funds for day-to-day requirements.*

Policy Procedure:

- 1. Reserve Funds and funds surplus to the immediate needs of the Regional Council may be invested with financial institutions with a Standard and Poors rating of “AA-” or better.*
 - 2. Where funds are invested with a financial institution whose credit rating subsequently falls below the prescribed level, the funds are to be liquidated in the most effective and expedient manner.*
 - 3. Funds may only be invested in interest bearing deposits or other bank guaranteed instruments.*
 - 4. Where the funds are placed for a tenor of not more than 90 days, they may be invested with one financial institution.*
 - 5. Where the funds are placed for a tenor exceeding 90 days, no more than 50% of the total funds shall be held by any one institution. The tenor of any investment is not to exceed 365 days.*
 - 6. Details of the performance and amounts invested with each financial institution shall be reported regularly in the Regional Council’s Members’ Information Bulletin.*
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7. Where practical, funds should be invested in such a manner as to provide sufficient access to funds within any normal payment cycle.
 8. The Regional Council's investment portfolio is not to be leveraged to obtain funding." (CP09, including the proposed amendments above, is included in Attachment 2 to this report).

CP11 - Use of Corporate Credit Cards

This new policy has been developed in line with the auditor's recommendations arising from the CEO's Controls Review and the creation of a policy for credit cards is supported by the Audit Committee. The policy is aimed at providing clarity and certainty around the use of Credit Cards and the responsibilities of employees who are provided with Credit Cards.

"Policy Statement:

The purpose of this policy is to prescribe the principles governing the use of corporate credit cards by employees and to outline the responsibilities of cardholders.

Policy Procedure:

1. *The issuing of corporate credit cards (Cards) to employees is at the discretion of the Chief Executive Officer (CEO). Where a Card is to be issued to the CEO, this is to be approved by Council. Any increases in the CEO's credit limit are to be approved by Council.*
 2. *Each cardholder is to be provided with a copy of this policy when their Card is issued and they are to sign a copy of this policy as evidence of their agreement to abide by the policy.*
 3. *Where more than one Card is in issue, a register of cards is to be maintained, outlining the following:*
 - *Holder's name*
 - *Card number*
 - *Expiry date*
 - *Credit limit*
 4. *On termination of employment, a cardholder's Card is to be surrendered to the Mindarie Regional Council (MRC). The Card will then be cancelled with immediate effect and physically destroyed.*
 5. *Cards are not to be used by anyone other than the cardholder, except with the express authorisation of the CEO. Cardholders are required to take appropriate steps to keep their PIN secret and to prevent the theft or loss of their Card. Where a Card is lost or misplaced, the cardholder is to notify the MRC immediately.*
 6. *The benefits from any reward scheme/s linked to the Card accrue to the MRC and not the employee. The CEO may exercise his discretion as to how these reward benefits are to be applied for the benefit of the MRC.*
 7. *The credit limit on each Card is to be determined by the CEO, but may not exceed the value of an employee's delegated financial authority.*
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8. *Cards may only be used to purchase goods and services on behalf of the MRC. Personal expenditure and cash withdrawals are prohibited. All purchases are to be made in accordance with policy CP06 – Purchases of Goods and Services.*
 9. *Cardholders are to provide receipts each month to substantiate expenditures on their Card. Card expenditures and receipts are to be reviewed by the Director Corporate Services monthly.*
 10. *Failure by a cardholder to abide by this policy will result in disciplinary action, which may include the revocation of the Card.”*
(CP11 is included in Attachment 2 to this report).

CP12 - Gate Fee Setting

This new policy has been developed in line with the auditor's recommendations arising from the CEO's Controls Review and the creation of a gate fee setting policy is supported by the Audit Committee. The policy is aimed at providing clarity as to the principles to be applied when determining the gate fee, in line with current gate fee setting practice.

“Policy Statement:

The purpose of this policy is to outline the conceptual principles for gate fee setting.

Policy Procedure:

1. *The Mindarie Regional Council (MRC) will set the Members' and Non-members' gate fee rates in the budget each year such that the MRC is able to:*
 - o *Cover the costs of its operations, including the costs associated with the operation of the Resource Recovery Facility*
 - o *Adequately fund its landfill site restoration and post closure liabilities*
 - o *Adequately fund its non-infrastructure capital expenditures*
 - o *Keep its liquidity and debt ratios within the levels prescribed in the 20 year Financial Plan*
2. *Non-members' gate fee rates are to be set so as to cover the cost of the service at a minimum.*
3. *Any surpluses generated are to be retained by the MRC to help fund reserves.*
4. *The Council may approve discounts to the gate fee on an exception basis for commercial or strategic reasons.*
5. *The Chief Executive Officer may approve a discount to the Non-Members' gate fee in line with limits set as part of the annual budget process.*
6. *Specific fees and charges for others services provided by the MRC are to be set to cover the cost of the service at a minimum.*
7. *The gate fee rates are to be reviewed annually during the mid-year budget review and the Council may choose to adjust the gate fee rates to take into account an expected deficit or surplus if it deems it appropriate to do so.*

(CP12 is included in Attachment 2 to this report).

DELEGATION FROM THE COUNCIL TO THE CHIEF EXECUTIVE OFFICER (CEO)

In line with the auditor's recommendations arising from the CEO's Controls Review, it is proposed that delegation 9 be amended to clarify that disposal of property (assets) includes the ability to write off assets that have a marketable value of less than \$20,000. This change clarifies that the CEO has the authority to write off assets that are to be destroyed or are no longer serviceable/saleable from the financial accounts.

CONSULTATION

The new Gate Fee Setting policy has been distributed to the Strategic Working Group Members and the member councils' Finance Directors for input.

STATUTORY ENVIRONMENT

The Local Government Act 1995 and the Local Government (Functions and General) Regulations 1996 provides the ability for the Council to delegate some powers to the CEO. The relevant clauses (detailed below) have been extracted from the Act and Regulations.

Local Government Act 1995

Definitions

local government property means anything, whether land or not, that belongs to, or is vested in, or under the care, control or management of, the local government;

3.58. Disposing of property

(1) In this section —

dispose includes to sell, lease, or otherwise dispose of, whether absolutely or not;
property includes the whole or any part of the interest of a local government in property, but does not include money.

(5) This section does not apply to —

(d) any other disposition that is excluded by regulations from the application of this section.

5.42. Delegation of some powers and duties to CEO

(1) A local government may delegate* to the CEO the exercise of any of its powers or the discharge of any of its duties under —

1. (a) this Act other than those referred to in section 5.43; or

(Absolute majority required)

(2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.

5.46. Register of, and records relevant to, delegations to CEO and employees

(1) The CEO is to keep a register of the delegations made under this Division to the CEO and to employees.

(2) At least once every financial year, delegations made under this Division are to be reviewed by the delegator.

(3) A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power or the discharge of the duty."

Local Government (Functions and General Regulations) 1996

30. Dispositions of property excluded from Act s. 3.58
- (1) A disposition that is described in this regulation as an exempt disposition is excluded from the application of section 3.58 of the Act.
 - (3) A disposition of property other than land is an exempt disposition if —
 - (a) its market value is less than \$20 000;

The Fees, Allowances and Expenses referred to in this report, and provided for in Council Policy CP01, are contained in sections 5.98., 5.98A., 5.99., 5.99A of the *Local Government Act 1995* and Regulations 30-34AB of the *Local Government (Administration) Regulations 1996*.

POLICY IMPLICATIONS

The changes sought to the policies come from the administration undertaking its review, recommendations from the Auditor and the Audit Committee to ensure that the policies maintain their relevance. The existing policies (as amended) and the new policies are an attachment to this report.

FINANCIAL IMPLICATIONS

The changes to the policy manual have minimal financial impact with only the increase proposed by the Salaries and Allowances Tribunal to the Councillors' allowances, fees and expenses determining that they be increased by 3%. In total, the increase amounts to \$4,463, which has not been accommodated in the 2014/15 Budget. The shortfall is minor will be funded in the mid-year budget review. The changes to the policy will ensure that the increases will be accommodated in future budgets.

STRATEGIC/COMMUNITY AND CORPORATE/BUSINESS PLAN IMPLICATIONS

Strategic Community Plan 2013/14 - 2033/34	
OBJECTIVE 1	Long Term Viability
Sub Objective	Good Corporate Governance
This report is required by legislation to ensure that the Council has the opportunity to review its current policies and the delegations it has provided to the Chief Executive Officer thus maintaining the relevance of the documents.	

Corporate Business Plan 2013/14 – 2016/17		
Strategies	Actions	Responsible Officer
1.1.2	Ensure Council Policies are relevant and reviewed by Council	CEO
1.1.3	Review the relevance of the delegations from the Council and report findings to Council	CEO
These actions ensure that an officer within the organisation, in this case the CEO, has a direct responsibility to review the current Council Policies and Instrument of Delegation and report the review findings to Council.		

COMMENT

The changes to the delegations and policies ensure that the MRC continues to improve its governance practices and allows it to operate effectively and efficiently.

VOTING REQUIREMENT

Simple Majority / Absolute Majority

RESPONSIBLE OFFICER RECOMMENDATION

- A. That the Council acknowledges that the current Register of Delegations from the Council to the CEO are appropriate subject to amending Delegation 9 to clarify that the CEO has authority to write-off assets that are no longer serviceable or saleable as drafted in the Details section of, and attached to, this report.**

(Absolute Majority Required)

- B. That the Council acknowledges:**

- 1. that the current Council Policies are appropriate subject to:
 - a. amendments to Council Policies CP01, CP06 and CP09; and**
 - b. the addition of two new policies CP11 - Use of Corporate Credit Cards and CP12 - Gate Fee Setting.**as drafted in the Details section of, and attached to, this report.**
- 2. that the change to CP01 - Annual Fees, Allowances and Expenses for Councillors results in an additional expenditure of \$4,463, which is unfunded in the 2014/15 budget.**
- 3. that the additional expenditure of \$4,463 detailed in B.2. above be funded in the mid-year review of the 2014/15 Budget.**

(Absolute Majority Required)

ATTACHMENT NO.1
TO ITEM 9.3
ORDINARY COUNCIL MEETING
4 SEPTEMBER 2014
COUNCIL POLICY MANUAL
(INCLUDING AMENDMENTS TO, AND NEW, POLICIES)

COUNCIL POLICIES



NUMBER	TITLE	LAST REVIEWED	NEXT REVIEW DATE	TRIM NO.
CP01	Annual Fees, Allowances and Expenses for Councillors	05/09/2013	30/06/2014	D/13/393
CP02	Affixing of the Common Seal	05/09/2013	30/06/2014	D/13/394
CP03	Councillor Arrangements when attending an Overseas/Interstate/Intrastate Conference	05/09/2013	30/06/2014	D/13/396
CP04	Employee Arrangements when attending an Overseas/Interstate/Intrastate Conference	05/09/2013	30/06/2014	D/13/397
CP05	Environmental Management of Tamala Park	05/09/2013	30/06/2014	D/13/398
CP06	Purchase of Goods and Services	05/09/2013	30/06/2014	D/13/400
CP07	Gratuity Payments	05/09/2013	30/06/2014	D/13/401
CP08	Provision and Use of Council Vehicles	05/09/2013	30/06/2014	D/13/404
CP09	Investments	05/09/2013	30/06/2014	D/13/405
CP10	Donations – Financial Assistance/Support	05/09/2013	30/06/2014	D/13/921
CP11	Use of Corporate Credit Cards	New		D/14/
CP12	Gate Fee Setting	New		D/14/



Policy No: CP 01

TRIM Reference: D/13/393

Policy Title: Annual Fees, Allowances and Expenses for Councillors

Policy Statement:

To determine the level of fees, allowances and expenses to be paid to Councillors annually.

Policy Procedure:

1. Level of Fees, Allowances and Expenses to be paid to Councillors annually are as follows:

	Fee (\$)	Allowance (\$)	Expense (\$) (Technology)
Chairperson	15,000 *15,450	19,000 *19,570	1,000
Deputy Chairperson	10,000 *10,300	4,750*4,893	1,000
Councillor	10,000 *10,300		1,000
Deputy Councillor	\$140 per meeting		
Expenses Other	Child Care and Travel Costs will be reimbursed in accordance with Reg. 31 and 32 of the Local Government (Administration) Regulations 1996		

*New fees and allowances as presented in the Details section of, and recommended in, the report to which the Policy Manual relates.

2. Meeting fees and allowances to which the elected members are entitled, are to be paid in two (2) equal instalments in July and December of each financial year.
3. A claim for childcare, travel and/or other relevant expenses will be paid on receipt of sufficient information verifying the expense incurred. Payment will be limited to the amount specified in legislation.
4. *The fees, allowances and expenses be increased annually in line with the determination of the Salaries and Allowances Tribunal made in accordance with the Salaries and Allowances Act 1975.*

Legislation	Local Government Act 1995 s.5.98., 5.98A., 5.99., 5.99A. Local Government (Administration) Regulations 1996 Regs.30-34AB
Responsible Officer	Chief Executive Officer
Council Meeting Date	05/09/2013
Review History	18/04/2002, 07/06/2005, 06/07/2006, 23/10/2008, 25/10/2012, 02/05/2013, 05/09/2013
Next Review Date	31/08/2014
Delegation to the Chief Executive Officer	Nil



Policy No: CP 02

TRIM Reference: D/13/394

Policy Title: Affixing of the Common Seal

Policy Statement:

To authorise the affixing of the Common Seal to documents

Policy Procedure:

1. The Chairperson or, in the absence of the Chairperson, the Deputy Chairperson and the Chief Executive Officer, or the person acting in the Chief Executive Officer's position, are authorised to affix the Common Seal to documents requiring the Common Seal.
2. The Chief Executive Officer will maintain a register, in a secure location, detailing:
 - a. The type of document requiring the Common Seal;
 - b. The names of the persons who signed the document; and
 - c. The date the document was signed.
3. A report listing the documents to which the Common Seal has been affixed will be presented to the next Ordinary Meeting of Council.

Legislation	Local Government Act 1995 s.9.49A
Responsible Officer	Chief Executive Officer
Council Meeting Date	05/09/2013
Review History	27/10/2005, 05/09/2013
Next Review Date	31/08/2014
Delegation to the Chief Executive Officer	Nil



Policy No: CP 03

TRIM Reference: D/13/396

Policy Title: Councillor Arrangements when attending an Overseas/Interstate/Intrastate Conference

Policy Statement:

To determine the expenses and arrangements for Councillors attending Overseas, Interstate or Intrastate Conferences.

Policy Procedure:

1. Conference attendance, including any dinners and functions that form part of the conference program, will be pre-purchased by the MRC.
2. Economy Class airfares and accommodation will be provided and pre-purchased by the MRC.
3. A cash advance of \$75 per day (from the period of one day prior to the commencement of the conference and up to the final day of the conference or any tours organised as part of the conference) will be available to Councillors on request and issued prior to the conference. All expenses incurred will be remitted to the Director Corporate Services (including receipts) and any unspent cash advance will be returned to the MRC. The remittance will be reviewed by the Director Corporate Services and any expenditure over and above the cash advance will be reimbursed at his discretion.
4. Where a Councillor elects not to make use of the cash advance detailed under (3), they can submit their receipts to the Director Corporate Services for review and reimbursement at his discretion.
5. Taxi Vouchers will be provided for Overseas/Interstate Conferences to cover travel to and from the airport, conference venue and hotel accommodation.
6. The Chief Executive Officer will review the program of conferences being attended by employees and if it is considered that the program offers benefits to the Councillors in their role then a report will be presented to Council inviting one or more Councillors to attend the conference.
7. All Councillors will be provided the opportunity to attend the Biennial Enviro Conference.

Notes:

1. Any variation to the above procedures will require approval of the Chief Executive Officer.
2. Conference attendance will be subject to the availability of funds in the Budget or by approval of Council.

Legislation	Local Government Act 1995 s.5.99A Local Government (Administration) regulations 1996 Reg. 34AB
Responsible Officer	Chief Executive Officer
Council Meeting Date	02/05/2013
Review History	20/04/2000, 27/10/2005, 22/04/2010
Next Review Date	31/08/2014
Delegation to the Chief Executive Officer	Nil



Policy No: CP 04

TRIM Reference: D/13/397

Policy Title: Employee Arrangements when attending an Overseas/Interstate/Intrastate Conference

Policy Statement:

To determine the expenses and arrangements for employees attending Overseas, Interstate or Intrastate conferences.

Policy Procedure:

1. Conference attendance, including any dinners and functions that form part of the conference program, will be pre-purchased by the MRC.
2. Economy Class airfares and accommodation will be provided and pre-purchased by the MRC.
3. An allowance of \$75 per day (payable from one day prior to the commencement of the conference and up to the final day of the conference or any tours organised as part of the conference) will be issued as a cash advance prior to the conference. Any expenses incurred over and above the allowance issued will only be reimbursed on the production of receipts and at the discretion of the Director Corporate Services.
4. Taxi Vouchers will be provided for Overseas/Interstate Conferences to cover travel to and from the airport, conference venue and hotel.

Notes:

1. Any variation to the above procedures will require approval of the Chief Executive Officer or the Chairperson, if the variation results from the Chief Executive Officer attending a conference.
2. Conference attendance will be subject to the availability of funds in the Budget or by approval of Council.

Legislation	
Responsible Officer	Chief Executive Officer
Council Meeting Date	05/09/2013
Review History	27/10/2005, 22/04/2010, 05/09/2013
Next Review Date	31/08/2014
Delegation to the Chief Executive Officer	Nil



Policy No: CP 05

TRIM Reference: D/13/398

Policy Title: Environmental Management of Tamala Park

Policy Statement:

To ensure that the environmental aspects of waste management at Tamala Park are managed in a systematic way using accredited standards and reporting.

Policy Procedure:

1. Maintain and continually improve an audited environmental management system in accordance with ISO 14001:2004: International standard.
2. Annually review the Environmental Management and Monitoring Plan (EMMP) against its measurable environmental objectives and targets, and set new actions to ensure objectives and targets are met. Outcomes, including any new actions are to be endorsed by the Management Group.
3. Communicate openly with stakeholders, government, staff, contractors and community on environmental matters affecting Tamala Park.
4. Develop relevant reports, systems and audits (internal and external) to provide evidence of performance against the EMMP and compliance with statutory obligations.

Legislation	
Reference	International Standard ISO 14001
Responsible Officer	Chief Executive Officer
Council Meeting Date	05/09/2013
Review History	23/07/2009, 05/09/2013
Next Review Date	31/08/2014
Delegation to the Chief Executive Officer	Nil



Policy No: CP 06

TRIM Reference: D/13/400

Policy Title: Purchase of Goods and Services

Policy Statement:

To ensure that goods and services are purchased competitively in accordance with the Local Government Act and associated regulations.

Policy Procedure:

The following requirements shall be observed before entering into a contract or placing an order for the purchase of goods or services:

1. Goods or services not exceeding \$999 (excluding GST)

No quotations are required to be obtained however it is recommended that at least two (2) verbal quotations be obtained, where possible. Periodic market testing with a greater number or more formal forms of quotation should be undertaken to ensure best value is maintained.

Notes: The general principles for obtaining verbal quotations are:

- a. Ensure that the requirements/specifications are clearly understood by the person seeking the quotation.
- b. Ensure that the requirements/specifications are clearly, accurately and consistently communicated to each of the suppliers being invited to quote.
- c. Read back the details to the supplier contact person to confirm their accuracy.
- d. Written notes detailing each verbal quotation must be recorded.

2. Goods and services between \$1,000 and \$19,999 (excluding GST).

At least three (3) verbal or written quotations (or a combination of both) are required. Where this is not practical, e.g. due to limited suppliers, an explanation must be noted on the purchase requisition form.

Notes: Refer to (1) above for details on obtaining verbal quotes.

The general principles relating to written quotations are:

- a. An appropriately detailed specification that communicates the requirement(s) in a clear, concise and logical fashion.
- b. The request for a written quotation should include as a minimum:
 - (i) Written specification
 - (ii) Price Schedule
 - (iii) Any conditions relating to the submission of the quotation.
 - (iv) The period or date until which the offer remains valid.
- c. Invitations to quote should be separately issued to suppliers at the same time.
- d. Any subsequent new or amended requirements for the goods or service during the quotation period must be communicated to all invitee suppliers as soon as the new or amended requirement is determined. Such communication must be made to all invitee

suppliers at the same time and if made verbally, confirmed in writing (email, fax, letter) immediately thereafter.

e. Responses should be assessed for compliance, in order:

- (i) against the selection criteria, and
- (ii) value for money.

All evaluations must be documented.

f. Invited suppliers should be advised of the outcome of their quotations as soon as possible after the final determination is made and approved.

3. Goods or services between \$20,000 and \$39,999 (excluding GST)

At least three (3) written quotes are required.

Note: Refer to (2) above for details on obtaining written quotes.

4. Goods or services between \$40,000 and \$99,999 (excluding GST).

At least three (3) written quotes are required.

Note: In addition to the requirements for obtaining written quotes detailed in (2) above, qualitative factors such as quality, stock availability, accreditation, time for completion or delivery, warranty conditions, technology, maintenance requirements, the organisation's capability, previous relevant experience and any other relevant factor should be considered as part of the assessment.

An evaluation panel consisting of at least three members shall be established prior to the advertising for goods or services. The panel should include a mix of skills and experience relevant to the nature of the purchase.

Where it is considered beneficial, tenders may be called in lieu of seeking quotations for purchases under the \$100,000 threshold (excluding GST). If a decision is made to seek public tenders for the Contracts of less than \$100,000, a Request for Tender process that entails all the procedures for tendering outlined in this procedure must be followed in full.

The procurement of goods and/or services available from only one private sector source of supply (Monopoly Supplier), (i.e. manufacturer, supplier or agency) is permitted without the need to call competitive quotations provided that there is genuinely only one source of supply. Every endeavour to find alternative sources must be made. Written confirmation of this must be kept on file for later audit.

Note: The application of "sole source of supply" provision should only occur in limited cases and procurement experience indicates that generally more than one supplier is able to provide the requirements.

5. Goods or services over \$100,000 (excluding GST).

The following minimum requirements must be met:

a. Anti-Avoidance

Officers shall not divide a tender or quotation for goods or services into two or more contracts for the purpose of reducing each component contract to below \$100,000.

b. Tender Criteria

The officer authorised to manage a public tender shall, before tenders are publicly invited, determine in writing the criteria and criteria weightings for deciding which tender should be accepted.

An evaluation panel consisting of at least three members shall be established prior to the advertising of a tender and include a mix of skills and experience relevant to the nature of the purchase.

c. Advertising Tenders

Tenders are to be advertised in a state wide publication e.g. "The West Australian" newspaper, Local Government Tenders section, preferably on a Wednesday or Saturday.

The tender must remain open for at least 14 **full** days after the date the tender is advertised.

The notice must include:

- (i) A brief description of the goods and services required;
- (ii) Information as to where and how tenders may be submitted;
- (iii) The date and time after which tenders cannot be submitted;
- (iv) Particulars identifying the person from whom more detailed information on the tender may be obtained;
- (v) Such information as the CEO decides should be disclosed to those interested in submitting a tender;
- (vi) Detailed specifications of the goods and services required;
- (vii) The criteria for deciding which tender should be accepted;
- (viii) Whether or not the MRC has decided to submit an in-house tender; and
- (ix) Whether or not tenders can be submitted by facsimile or other electronic means, and if so, how tenders may so be submitted.

d. Issuing Tender Documentation

The issuing of tender documentation, whether by counter, mail, internet, referral or other means, to an interested potential tenderer is conditional upon the potential tenderer disclosing the name, contact person and contact details of the entity he or she owns or represents.

These details must be recorded and will be used for the purpose of any subsequent clarifications, addendums or further communication that may be required prior to the close of the tenders.

The Council reserves the right to charge a non-refundable 'documents fee' for large construction projects comprising voluminous specifications and design drawings.

e. Tender Deadline

A tender that is not received in full and/or in the required format by the advertised closing time and date shall be disqualified and will not be evaluated.

f. Opening of Tenders

No tenders are to be removed from the tender box, opened, read or evaluated prior to the Tender Deadline.

Tenders are to be opened in the presence of the Chief Executive Officer's delegated nominee along with at least one other Council Officer. The details of all tenders received and opened shall be recorded in the Tenders Register.

Tenders are to be opened in accordance with the advertised time and place. There is no obligation to disclose or record tendered prices at the tender opening, and price

information should be regarded as *commercial-in-confidence* to the MRC. Members of the public are entitled to be present at opening of tenders.

The Tenderer's Offer Form, Price Schedule and other appropriate pages from each tender shall be date stamped and initialled by at least two MRC Officers present at the opening of tenders.

g. No Tender Received

Where the MRC has invited tenders but no compliant submissions were received, direct purchases can be arranged on the basis of the following:

- (i) A sufficient number of quotations are obtained;
- (ii) The process follows the guidelines for seeking quotations between \$40,000 and \$99,999 (listed above);
- (iii) The specification for goods and/or services remains unchanged;
- (iv) Purchasing is arranged within six (6) months of the closing date of the lapsed tender.

h. Tender Evaluation Panel

A minimum of four members should be selected for the panel. The members are to be selected based on their knowledge of the subject matter being considered or based on their contract experience.

Each member of the panel is to sign a declaration acknowledging their responsibility to keep the tender information confidential and noting any potential conflicts of interest that they may have.

Where a member has a significant conflict of interest, they are to be excused from the panel and replaced by another suitable member.

i. Tender Evaluation

Each tender that has not been disqualified shall be assessed by a tender evaluation panel. The panel must provide a written evaluation against the pre-determined criteria.

j. Addendum to Tender

If, after a tender has been publicly advertised, any changes, variations or adjustments to the tender document and/or the conditions of tender are required, the MRC may vary the initial information by taking reasonable steps to give each person who has sought copies of the tender documents notice of the variation.

k. Minor Variation

If after the tender has been publicly advertised and a successful tenderer has been chosen, but before the MRC and tenderer have entered into a Contract, a minor variation may be authorised by the CEO. A minor variation is deemed to be one where the scope and price does not vary by more than 10% of the original scope and price. Variations in price alone, i.e. without a change in scope or variation in specification, will not be authorised.

A minor variation must not alter the nature of the goods and/or services procured, nor materially alter the specification or structure provided for by the initial tender.

l. Notification of Outcome

Each tenderer shall be notified of the outcome of the tender following Council resolution. Notification shall include:

- (i) The name of the successful tenderer;
- (ii) The total value of consideration of the tender as detailed in the Council resolution;

The details and total value of consideration must also be entered into the Tender register at the conclusion of the tender process.

m. Records Management

All records associated with the tender process or a direct purchase must be recorded and retained in accordance with the minimum requirements of the State Records Act.

6. When public tenders or quotations are NOT required

In the following instances public tenders or quotation procedures are not required (regardless of the value of expenditure):

- a. An emergency situation as defined by the Local Government Act 1995;
- b. The purchase is under a contract of WALGA (Preferred Supplier Arrangements **or E-Quotes**), Department of Treasury and Finance (permitted Common Use Arrangements), Regional Council, or another Local Government;

i. Notwithstanding the above, where there are multiple WALGA Preferred Suppliers and the contract value is in excess of \$39,999, the requirements of 4. above are to be complied with;

- c. The purchase is under auction which has been authorised by Council;
- d. The contract is for petrol, oil, or other liquid or gas used for internal combustion engines;
- e. Any of the other exclusions applicable under Regulation 11 of the Functions and General Regulations.

7. Recording Quotations

All quotations, whether verbal or written, must be recorded in compliance with the Record Keeping Act.

8. Local supplier

If a local supplier is invited to quote and provides a quotation which, on evaluation, is either equal or better than a non-local supplier, then preference must be given to that local supplier.

Legislation	1. Local Government Act 1995 s.3.57. 1. Local Government (Functions & General) Regulations 1996 – Part 4
Responsible Officer	Chief Executive Officer
Council Meeting Date	05/09/2013
Review History	28/02/2008; 05/09/2013
Next Review Date	31/08/2014
Delegation to the Chief Executive Officer	Yes



Policy No: CP 07

TRIM Reference: D/13/401

Policy Title: Gratuity Payments

Policy Statement:

To provide the Council the opportunity to confer a gratuity benefit on an employee who retires or resigns from full-time employment with MRC.

Policy Procedure:

1. A report may be presented to Council recommending that a full time employee receive a gratuity payment of monies in excess of the employee's contractual or award entitlement. A gratuity benefit must not exceed the amount specified in Clause 19A of the *Local Government (Administration) Regulations 1996*; and
2. Any gratuity benefit approved by Council will be published in accordance with the provisions of Section 5.50(2) of the *Local Government Act 1995*.

Note: The CEO or Council may provide a farewell gift to a value not exceeding \$250 and/or a farewell function not exceeding \$50 per head to a maximum of \$1,000. Any such gift or function is not considered to be a gratuity.

Legislation	Local Government Act 1995 s.5.50 Local Government (Admin.) Regulations 1996 Reg.19A
Responsible Officer	Chief Executive Officer
Council Meeting Date	05/09/2013
Review History	02/05/2013; 05/09/2013
Next Review Date	31/08/2014
Delegation to the Chief Executive Officer	Nil



Policy No: CP 08

TRIM Reference: D/13/404

Policy Title: Provision and use of Council Vehicles

Policy Statement:

To determine the vehicle type and usage for employees.

Policy Procedure:

1. The following positions will be allocated vehicles as follows:

Position Type	Vehicle Type	Vehicle Value (Excl. GST)	Usage
Chief Executive Officer	Any within Value	Up to \$52,000	Per Contract
Director Corporate Services	Any within Value	Up to \$48,000	Private (Unrestricted)
Manager Operations	Four Wheel Drive Min. 1 Tonne Tare	Up to \$45,000	Commuting or Private (Restricted)
Site Supervisor	Four Wheel Drive Min. 1 Tonne Tare	Up to \$38,000	Commuting or Private (Restricted)
Plant Supervisor	Four Wheel Drive Min. 1 Tonne Tare	Up to \$38,000	Commuting or Private (Restricted)

Vehicles are to be purchased using the State Vehicle Pricing contract

2. Vehicle Usage Type

Use Type	Definition
Private (Unrestricted)	Travel is permitted within the geographical area of the State/Territory including during periods of leave.
Private (Restricted)	Travel is permitted within the geographical area of the State/Territory excluding periods of leave.
Commuting	Travel is limited to and from the workplace and usual residence of the employee.

3. The Manager Operations, Site Supervisor and Plant Supervisor may elect to take Restricted Private Use of the vehicle by contributing *\$20/week after tax, drawn from their salary.
 *The level of contribution will be subject to an annual review and any adjustments shall be affected as at 1 July each year. The adjustment in percentage on the above payment shall not exceed any increase in the operating costs of vehicles as outlined on the RAC website consumer guide to vehicle running costs.

4. Use of the Managers/Supervisors vehicle is unlimited on sites owned or managed by the MRC. Use of all the vehicles are otherwise limited to sealed roads.
5. During working hours the vehicle is to be made available to other staff members when not required by the Manager or relevant officer.
6. All vehicle maintenance and repairs will be provided other than for the CEO if the Novated Lease option of the CEO's contract is elected, in which case the contract conditions will prevail.
7. Fuel costs will be provided as follows:

Use Type	Fuel Purchase
Unrestricted Private	for all use
Restricted Private	for all use other than weekends where travel is outside the Metropolitan Area (Scheme Boundary) when the employee will meet the cost of refuelling.
Commuter	Use between the workplace and usual residence of the employee
Note: Wherever possible the fuel station at Tamala Park should be used. Where an employee with Restricted Private Use refuels the vehicle at the weekend to travel outside the metropolitan area the employee must meet the cost of refuelling and provide receipts for any fuel purchases to the Director Corporate Services as soon as practicable. (This is for Fringe Benefits Tax reduction purposes).	

8. The spouse or partner, family members or friend of an employee who is provided with a vehicle under this clause is permitted to drive the vehicle. A friend may only drive the vehicle when the vehicle is not required for work purposes and the employee is an occupant of the vehicle.

Legislation	
Responsible Officer	Chief Executive Officer
Council Meeting Date	05/09/2013
Review History	02/05/2013; 05/09/2013
Next Review Date	31/08/2014
Delegation to the Chief Executive Officer	Nil



Policy No: CP 09

TRIM Reference: D/13/405

Policy Title: Investments

Policy Statement:

To ensure that funds held by the Council are invested ~~astutely~~ astutely:

1. In a conservative manner, whilst striving to achieve the best outcome for the Council;
2. So as to yield a suitable level of diversification of counter party risk;
3. So as to maintain a low level of risk exposure by using recognised rating criteria; and
4. So as to allow for ready access to funds for day to day requirements.

Policy Procedure:

1. Reserve Funds and funds surplus to the immediate needs of the Regional Council may be invested with financial institutions with a Standard and Poors rating of “AA-” or better.
2. Where funds are invested with a financial institution whose credit rating falls below the prescribed level, the funds are to be liquidated in the most effective and expedient manner.
3. Funds may only be invested in interest bearing deposits or other bank guaranteed instruments.
4. Where the funds are placed for a tenor of not more than 90 days, they may be invested with one financial institution
5. Where the funds are placed for a tenor exceeding 90 days, no more than 50% of the total funds shall be held by any one institution. The tenor of any investment is not to exceed 365 days.
6. Details of the performance and amounts invested with each financial institution shall be reported regularly in the Regional Council’s Members’ Information Bulletin
7. Where practical, funds should be invested in such a manner as to provide sufficient access to funds within any normal payment cycle.
8. The Regional Council’s investment portfolio is not to be leveraged to obtain funding.

Legislation	Local Government Act 1995 s.6.11, s.6.14 Local Government (Financial Management) Regulations 1996 Reg.17, Reg.19
Responsible Officer	Chief Executive Officer
Council Meeting Date	02/05/2013
Review History	
Next Review Date	31/08/2014
Delegation to the Chief Executive Officer	Yes



Policy No: CP 10

TRIM Reference: D/13/921

Policy Title: Donations – Financial Assistance/Support

Policy Statement:

To provide support to community groups, schools and MRC employees.

Procedure:

1. A not-for-profit community group (incorporated) or school within the Region that are performing an activity or activities that assists the MRC in achieving its objectives may be provided with a donation of up to \$500 or a discount on MRC goods and services up to a value of \$500 and/or free tipping of up to 5 tonnes of waste in any financial year.
2. An employee who is selected by a:
 - a. sporting governing body to represent the State/Commonwealth in a recognised sporting event; or
 - b. recognised educational institution to represent the State/Commonwealth for academic or educational achievement.may be provided with a donation of \$200 if the representation is at a State level or \$500 if the representation is at a Commonwealth level.
3. Applications must be made in writing, addressed to the Chief Executive Officer.
4. The Chief Executive Officer is authorised to accept or decline any application.
5. Retrospective applications will not be considered.
6. Donations made under delegated authority will be reported to Council via the Members' Information Bulletin annually.
7. Applications that fall outside this policy may be referred to Council for determination.

Legislation	N/A
Responsible Officer	Chief Executive Officer
Council Meeting Date	05/09/2013
Review History	02/05/2013; 05/09/2013
Next Review Date	31/08/2014
Delegation to the Chief Executive Officer	



Policy No: CP 11

TRIM Reference: D/14/

Policy Title: Use of Corporate Credit Cards

Policy Statement:

The purpose of this policy is to prescribe the principles governing the use of corporate credit cards by employees and to outline the responsibilities of cardholders.

Policy Procedure:

1. The issuing of corporate credit cards (Cards) to employees is at the discretion of the Chief Executive Officer (CEO). Where a Card is to be issued to the CEO, this is to be approved by Council. Any increases in the CEO's credit limit are to be approved by Council.
2. Each cardholder is to be provided with a copy of this policy when their Card is issued and they are to sign a copy of this policy as evidence of their agreement to abide by the policy.
3. Where more than one Card is in issue, a register of cards is to be maintained, outlining the following:
 - o Holder's name
 - o Card number
 - o Expiry date
 - o Credit limit
4. On termination of employment, a cardholder's Card is to be surrendered to the Mindarie Regional Council (MRC). The Card will then be cancelled with immediate effect and physically destroyed.
5. Cards are not to be used by anyone other than the cardholder, except with the express authorisation of the CEO. Cardholders are required to take appropriate steps to keep their PIN secret and to prevent the theft or loss of their Card. Where a Card is lost or misplaced, the cardholder is to notify the MRC immediately.
6. The benefits from any reward scheme/s linked to the Card accrue to the MRC and not the employee. The CEO may exercise his discretion as to how these reward benefits are to be applied for the benefit of the MRC.
7. The credit limit on each Card is to be determined by the CEO, but may not exceed the value of an employee's delegated financial authority.

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8. Cards may only be used to purchase goods and services on behalf of the MRC. Personal expenditure and cash withdrawals are prohibited. All purchases are to be made in accordance with policy CP06 – Purchases of Goods and Services.
 9. Cardholders are to provide receipts each month to substantiate expenditures on their Card. Card expenditures and receipts are to be reviewed by the Director Corporate Services monthly.
 10. Failure by a cardholder to abide by this policy will result in disciplinary action, which may include the revocation of the Card.

Legislation	Local Government Act 1995 s.2.7(2)(a) and (b), s.6.5(a) Local Government (Financial Management) Regulations 1996 Reg.11(1)(a)
Responsible Officer	Chief Executive Officer
Council Meeting Date	03/09/2014
Review History	
Next Review Date	31/08/2015
Delegation to the Chief Executive Officer	Yes



Policy No: CP 12

TRIM Reference: D/14/

Policy Title: Gate Fee Setting

Policy Statement:

The purpose of this policy is to outline the conceptual principles for gate fee setting.

Policy Procedure:

1. The Mindarie Regional Council (MRC) will set the Members' and Non-members' gate fee rates in the budget each year such that the MRC is able to:
 - o Cover the costs of its operations, including the costs associated with the Resource Recovery Facility
 - o Adequately fund its site restoration and post closure liabilities
 - o Adequately fund its non-infrastructure capital expenditures
 - o Keep its liquidity and debt ratios within the levels prescribed in the 20 year Financial Plan
 2. Non-members' gate fee rates are to be set so as to cover the cost of the service at a minimum.
 3. Any surpluses generated are to be retained by the MRC to help fund reserves.
 4. The Council may approve discounts to the gate fee on an exception basis for commercial or strategic reasons.
 5. The Chief Executive Officer may approve a discount to the Non-Members' gate fee in line with limits set as part of the annual budget process.
 6. Specific fees and charges for others services provided by the MRC are to be set so as to cover the cost of the service at a minimum.
- The gate fee rates are to be reviewed annually during the mid-year budget review and the Council may choose to adjust the gate fee rates to take into account an expected deficit or surplus if it deems it appropriate to do so.

Legislation	Local Government Act 1995 s.6.16
Responsible Officer	Chief Executive Officer
Council Meeting Date	03/09/2014
Review History	
Next Review Date	31/08/2015
Delegation to the Chief Executive Officer	Yes

ATTACHMENT NO.2
TO ITEM 9.3
ORDINARY COUNCIL MEETING
4 SEPTEMBER 2014
REGISTER OF DELEGATIONS
(INCLUDING AMENDMENT)

REGISTER OF DELEGATIONS FROM THE COUNCIL TO THE CEO

MINDARIE REGIONAL COUNCIL – Delegations of Authority Register – September 2013

COUNCIL TO CHIEF EXECUTIVE OFFICER

1. GOVERNANCE				
No.	Reference	Delegation	Condition(s)	Assignee(s)?
1.1	LGAct 1995 s.9.10	Appoint persons or classes of persons to be authorised for the purposes of performing particular functions	Each authorised person to be issued with a certificate of authorisation	NO
1.2	LGAct 1995 s.5.42	Appoint an employee of the MRC to the position of Acting CEO where the CEO is unable, or expected to be unable by reason of illness, temporary absence from WA, or any other reason, to perform the functions of the position	Not exceeding 3 months in any period of 12 months	NO
2. FINANCE				
2.1		Approve requisitions and purchase orders for the supply of goods and services	Requisitions and purchase orders to be within the budget allocation as reviewed from time to time	YES
2.2	LG(Financial Management Regulations) 1996 Reg.8	Open and close bank accounts, access accounts electronically and transfer funds electronically		YES
2.3	LG(Financial Management Regulations) 1996 Reg.12	Approve and make payment of accounts	1. In accordance with approved procedure set out in Reg.11; 2. Where funds have been provided in the budget and the accounts are acquitted prior to payment; 3. List of accounts paid to be reported to Council as required by Reg.13	YES
2.4	LG(Financial Management Regulations) 1996 Reg.34(1)(a)	Prepare monthly financial reports	In accordance with Reg.34	YES
2.5	LGAct s.6.14	Invest funds surplus to the immediate needs of the Council	Subject to the internal control procedures set out in Reg.19	YES
2.6	LGAct s.6.12	Waive Fees and Write Off Debts	1. Not exceeding a total of \$10,000 for any one debtor in any financial year; 2. Ensure all reasonable effort has been made to recover the debt; 3. Where fees or debts have been waived, or concessions granted, they are to be reported in the mid-year budget review	NO
2.7	LGAct s.3.57	Seek Expressions of Interest and/or call tenders for goods or services	For items listed on the budget and subsequently approved for proceeding by Council	YES

2.8	LG(Functions & General) Regs.14(2a) and 20	Vary contracts up to \$50,000 or 10% of the contract value, whichever is the lesser	<ol style="list-style-type: none"> 1. For the RRFA only if it incurs no additional risk or liability to the MRC; 2. Variations approved for significant contracts, including all contracts awarded following public tenders, to be reported to the next following council meeting 	NO
2.9	LGAct s.3.58(5) and LG(Functions & General) Regs.30(3)	Dispose, <i>which includes writing off, of property (assets) items or materials arising from the waste management activities</i>	<ol style="list-style-type: none"> 1. The value of the property (assets) item or material is less than \$20,000; 2. Ensure all reasonable effort has been made to secure current market prices for the item or material 	NO

9.4	APPOINTMENT OF A COUNCILLOR ON THE MUNICIPAL WASTE ADVISORY COUNCIL
File No:	GOV/1-03
Attachment(s):	Attachment No.1 - Municipal Waste Advisory Council Details
Date:	18 July 2014
Responsible Officer:	Chief Executive Officer

SUMMARY

The purpose of this report is to seek council endorsement of the appointment of a replacement Councillor of the Mindarie Regional Council (MRC) on the Municipal Waste Advisory Council (MWAC) as its current representative Cr Bissett has advised he can no longer represent the MRC on MWAC due to personal reasons.

BACKGROUND

The Council at a Special Meeting held on 7 November 2013 resolved to appoint Cr Bissett as its representative on MWAC, which is a standing committee of the Western Australian Local Government Association (WALGA). Further, the Council appointed Cr Re as its Deputy to MWAC.

DETAILS

Cr Bissett has recently advised the MRC that he wishes to resign as the member of MWAC due to personal reasons. MRC's Deputy, Cr Re has been advised of Cr Bissett's decision and has agreed to attend to any commitments required of MWAC until the MRC appoint a new member.

MWAC was established in December 1994 to represent WALGA in respect of matters relating to municipal waste issues. MWAC is established under a partnership agreement with WALGA, Eastern Metropolitan Regional Council, City of Geraldton/Greenough, Mindarie Regional Council, Rivers Regional Council, Southern Metropolitan Regional Council and Western Metropolitan Regional Council.

The objective of MWAC is to encourage and promote economically sound, environmentally safe waste management practices and to ensure that the shared interests of all Western Australian Local Governments, as they relate to waste management, are effectively managed. An Officer Advisory Group (OAG) has been created as an advisory committee to the MWAC. Membership of the MWAC and the OAG currently consists of the major regional councils. *Attachment 1* of this agenda item provides details of the tenure, membership, duties and responsibilities associated with the MWAC.

LEGAL COMPLIANCE

Refer *attachment 1* to determine the varying compliance requirements of MWAC.

FINANCIAL IMPLICATIONS

There is no remuneration attached to the positions on any of the MRC's Committees and/or Working Groups.

COMMENT

Given Cr Bissett's resignation it is appropriate that the Council appoint a new member to MWAC.

VOTING REQUIREMENT

Simple Majority

RESPONSIBLE OFFICER RECOMMENDATION

That Council appoint Cr _____ as its representative on the Municipal Waste Advisory Council.

ATTACHMENT NO.1

MUNICIPAL WASTE ADVISORY COUNCIL

MEMBERSHIP

One Councillor
Supported by one staff member who is on a sub-group of MWAC entitled the Officers' Advisory Group.

MEETING FREQUENCY

Bi-Monthly

DUTIES AND RESPONSIBILITIES

General Functions of the MWAC

- (a) The principal role of the MWAC in exercise of the delegated authority is to govern the Municipal Waste Program and to represent the interests of the Parties and Local Government generally, in all matters relating to local government waste management.
- (b) Without limiting the MWAC's principal role, the broad functions and responsibilities of the MWAC include:
 - (i) defining policy and providing the overall strategic direction of the Municipal Waste Program to achieve the interests of the Parties to this Partnership Agreement;
 - (ii) maintaining the MWAC as a credible, active and effective peak body in the area of waste management;
 - (iii) facilitating and encouraging cooperative linkages between Local, State and Federal Government, Regional Councils, FORC, WMAA, Waste Authority, industry and the community;
 - (iv) representing the interests of the Association in all matters relating to local government waste management in accordance with the Association's policy statements and formal positions on an issue, and without prior reference to the Association where a formal Association position on an issue is not current or has not yet been developed PROVIDED THAT any such position is subsequently put to the Association as soon as practicable for confirmation;
 - (v) acting as an interface between the Parties to this Partnership Agreement and other local governments;
 - (vi) promoting economically sound, environmentally safe and socially acceptable waste management and minimisation strategies;
 - (vii) coordinating and initiating research on waste management issues;
 - (viii) through the WALGA Chief Executive Officer and the MWAC Chair, monitoring and evaluating the performance of the Executive Officer against established key performance indicators;
 - (ix) approving major operating plans, including the strategic plan;
 - (x) approving the Annual Budget in accordance with the terms of this Partnership Agreement; and

-
- (xi) ensuring the Municipal Waste Program complies with the law and the Association's operational policies and procedures.
- (c) Under the terms of the delegated authority, the MWAC may not make decisions:
- (i) concerning the acquisition, holding and disposition of real property or the borrowing of money or setting Association subscription levels;
 - (ii) that are inconsistent with an existing formal policy statement of the Association without prior reference to and the prior approval of the State Council; and
 - (iii) relating to operational matters as such matters remain the responsibility of the Executive Officer, reporting to the WALGA Chief Executive Officer or to their delegate.

APPOINTMENT/TENURE

Membership continues until notification is given to the other party advising of a change in the membership

9.5	RECOMMENDATIONS ARISING FROM THE AUDIT COMMITTEE
File No:	GOV/28-04
Appendix(s):	Appendix No. 6 Appendix No. 7
Date:	15 August 2014
Responsible Officer:	Director Corporate Services

SUMMARY

The purpose of this report is to present the Audit Committee's recommendations, arising from their meeting on 26 July 2014, to Council for consideration.

BACKGROUND

The Audit Committee of the Mindarie Regional Council (MRC) held a meeting on 24 July 2014 to consider the following items:

1. The External Audit plan for the 2013/14 financial year end audit
2. The results of the CEO's Financial Management Systems Review
3. The risk management framework drafted by the MRC

The minutes of the meeting have been included in the Members' Information Bulletin.

External Audit Plan

No Council decision was required in respect of the external audit plan.

CEO's Financial Management Systems Review

In respect of the CEO's Financial Management Systems Review, the Audit Committee recommended that:

- i) the Council endorses the CEO's financial management review, and
- ii) that the Council requests the CEO to prepare two new policies covering Gate Fee Setting and the Use of Corporate Credit Cards for its consideration and approval.

Risk Management Framework

In respect of the Risk Management Framework, the Audit Committee recommended that:

- i) That the Council endorse the Risk Management Framework and Risk Register.

DETAIL

CEO's Financial Management Systems Review

Section 5(2)(c) of the Local Government (Financial Management) Regulations 1996 requires the CEO to undertake a review of the appropriateness and effectiveness of the financial management systems and procedures of the MRC regularly (and not less than once in every 4 financial years) and report the results of the review to the Council.

To help ensure compliance with this obligation, Macri Partners were engaged to perform a review of the financial management systems and procedures.

Their report findings and management's responses thereto are included at **Appendix 6**.

Following discussions with the auditors and management, the Audit Committee was satisfied with the findings of the report. In addition, the audit committee recommended that Council request the CEO to prepare two new policies covering Gate Fee Setting and the Use of Corporate Credit Cards for its consideration and approval.

The two new policies have been presented separately for consideration by Council under Agenda Item 9.3.

Risk Management Framework

Section 17(1) of the Local Government (Audit) Regulations 1996 requires the CEO to review the appropriateness and effectiveness of the MRC's systems and procedures in relation to:

- a) Risk Management; and
 - b) Internal control; and
 - c) Legislative compliance
- at least every 2 years.

In partial response to this requirement and in line with sound organisational risk management principles, the MRC has developed a Risk Management Framework and conducted a review of the risks relevant to the MRC.

The Risk Management Framework and associated documents are included at **Appendix 7**.

CONSULTATION

The CEO's Financial Management Systems Review has been reviewed by the Audit Committee and discussed in detail with Macri Partners.

The MRC's Risk Management Framework and Risk Register has been reviewed by the Audit Committee and developed in conjunction with LGIS>

LEGAL COMPLIANCE

Nil

POLICY IMPLICATIONS

The new policies arising from the CEO's Financial Management Systems Review have been tabled as a separate agenda item for consideration by Council.

FINANCIAL IMPLICATIONS

Nil.

STRATEGIC/COMMUNITY AND CORPORATE/BUSINESS PLAN IMPLICATIONS

Strategic Actions		Responsible Officer
1.1.1	Develop Council Policies requiring the discretion of the Council	CEO
1.1.2	Ensure Council Policies are relevant and reviewed by Council	CEO
1.1.6	Provide a report to the Audit Committee/Council on the effectiveness of the systems in place in regard to risk management, internal control and legislative compliance	CEO
1.1.7	Develop and maintain a robust system of internal controls	DCS

COMMENT

The results of the CEO's Financial Management Systems Review were largely positive and indicated a strong internal control environment.

Where matters for improvement were identified by the auditors and agreed as requiring change, processes have already been put in place to action these improvements.

The CEO will provide an update on the progress of the agreed improvements to the next Audit Committee meeting.

The MRC's Risk Management Framework and Risk Register have been developed to assist the MRC in managing its strategic risks. Action plans are currently being put in place to address the material risks identified.

A summary of risks with a rating of either High or Extreme will be presented to the Audit Committee every 6 months for discussion.

VOTING REQUIREMENT

Simple Majority

AUDIT COMMITTEE RECOMMENDATION TO COUNCIL

A. That the Council endorses the CEO's financial management review

B. That the Council endorses the Risk Management Framework and Risk Register

9.6	STAGE 2 PHASE 3 – LANDFILL LINER (LATE ITEM)
File No:	
Attachment(s):	
Date:	
Responsible Officer:	

LATE ITEM

TO BE DISTRIBUTED UNDER SEPARATE COVER TO MEMBERS

10 MEMBERS INFORMATION BULLETIN – ISSUE NO. 18

RESPONSIBLE OFFICER RECOMMENDATION

That the Members Information Bulletin Issue No. 18 be received.

11 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

12 URGENT BUSINESS

13 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

14 MATTERS FOR WHICH THE MEETING MAY BE CLOSED TO THE PUBLIC

14.1	CHIEF EXECUTIVE OFFICER – PERFORMANCE REVIEWR (LATE ITEM)
File No:	
Attachment(s):	
Date:	
Responsible Officer:	

LATE ITEM

TO BE DISTRIBUTED UNDER SEPARATE COVER TO MEMBERS

15 NEXT MEETING

Next meeting to be held on Thursday 23 October 2014 in the Council Chambers at City of Perth commencing at 5.30pm.

16 CLOSURE
