



AGENDA

ORDINARY COUNCIL MEETING

TIME: 6.30 PM

30 MAY 2024
CITY OF STIRLING

*Constituent Members: Cities of Perth, Joondalup, Stirling, Vincent and Wanneroo
Towns of Cambridge and Victoria Park*



Town of
Cambridge



City of
Joondalup



City of Perth



City of Stirling
City of Choice



TOWN OF
VICTORIA PARK



CITY OF VINCENT



City of
Wanneroo

**MINDARIE REGIONAL COUNCIL
NOTICE OF MEETING**

25 MAY 2024

Councillors of the Mindarie Regional Council are advised that an Ordinary Meeting of the Council will be held at the City of Stirling at 6.30 pm on 30 May 2024.

The agenda pertaining to the meeting follows.

Your attendance is respectfully requested.



**SCOTT CAIRNS
CHIEF EXECUTIVE OFFICER**

MINDARIE REGIONAL COUNCIL - MEMBERSHIP

Cr P Miles (Paul) - Chair	City of Wanneroo
Cr S Proud, JP (Stephanie) - Deputy Chair	City of Stirling
Cr A Jacob, JP (Albert)	City of Joondalup
Cr C May (Christopher)	City of Joondalup
Cr L Gobbert, JP (Liam)	City of Perth
Cr A Creado (Andrea)	City of Stirling
Cr J Ferrante (Joe)	City of Stirling
Cr C Hatton (Chris)	City of Stirling
Cr A Castle (Alex)	City of Vincent
Cr J Wright (Jordan)	City of Wanneroo
Cr G Mack (Gary)	Town of Cambridge
Cr K Vernon (Karen)	Town of Victoria Park

NB: Although some Councils have nominated alternate members, it is a requirement that a Council carries a specific resolution for each occasion that the alternate member is to act.

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1	DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS
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2	ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE
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3	DECLARATION OF INTERESTS
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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
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5	ANNOUNCEMENT BY THE PRESIDING PERSON
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6	APPLICATION FOR LEAVE OF ABSENCE
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7	PETITIONS/DEPUTATIONS/PRESENTATIONS
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8	CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS
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8.1 ORDINARY COUNCIL MEETING – 28 March 2024

The Minutes of the Ordinary Council Meeting held on 28 March 2024 have been printed and circulated to members of the Council.

RESPONSIBLE OFFICER RECOMMENDATION

That the Minutes of the Ordinary Meeting of Council held on 28 March 2024 be confirmed as a true record of the proceedings.

9 CHIEF EXECUTIVE OFFICER REPORTS

9.1	FINANCIAL STATEMENT FOR THE PERIODS ENDED 31 MARCH 2024 AND 30 APRIL 2024
Reference:	GF-23-000000019
Attachment(s):	Attachment No. 1
Date:	17 MAY 2024
Responsible Officer:	Executive Manager Corporate Services

SUMMARY

The purpose of this report is to provide Council with a set of financial reports in line with statutory requirements, which provides information on the financial performance of the Mindarie Regional Council (MRC).

BACKGROUND

Financial Management Regulations 34 of the Local Government (Financial Management) Regulations 1996 defines reporting requirements.

The financial statements presented for each month consist of:

- Statement by Comprehensive Income by Nature and Type
- Operating Income Statement by Program
- Statement of Financial Position
- Statement of Cashflows
- Statement of Financial Activity
- Statement of Reserves
- Statement of Investing Activity
- Cash and Cash Equivalents and Schedule of Investments
- Tonnage Report

DETAIL

The attached reports provide an overview of the MRC's financial performance for the periods ending 31 March 2024 and 30 April 2024, and have been prepared in accordance with the Local Government Act 1995, the Local Government (Financial Management) Regulations 1996 and the Australian Accounting Standards. The report fairly represents, in all material respects, the results of the MRC's operations for the months being reported.

The Financial Report for the periods ended 31 March 2024 and 30 April 2024 are attached at **Attachment No. 1** to this Item. The Schedule of Investments and Tonnage Report up to 30 April 2024 are also contained within the Attachment No.1.

Summary of results for the year to date period ended 30 April 2024

	YTD Budget	YTD Actual	Variance
	t	t	t
Tonnes – Members	151,079	147,520	(3559)
Tonnes – Others	21,465	21,540	75
TOTAL TONNES	172,544	169,060	(3,484)
	\$	\$	\$
Revenue – Fees & Charges	27,643,487	27,167,260	(476,227)
Revenue – Other	6,259,534	6,477,697	218,163
TOTAL REVENUE	33,903,021	33,644,957	(258,064)
Expenses	(28,965,481)	(27,397,648)	1,567,833
Net profit	4,937,540	6,247,309	1,309,769
Net profit on sales of assets	260,896	277,022	16,126
NET SURPLUS	5,198,437	6,524,331	1,325,895

Variances Year to Date

Mindarie Regional Council's financial result for the period ending 30 April 2024 reflects its performance from 1 July 2023 to 30 April 2024. Council's operations have been conducted in line with the adopted budget. At the OCM, on 23 March, Council approved a mid-year budget review and proposed budget adjustments; the revised budgets have been reflected in the financial statements. In line with materiality adopted by the Council, variances below \$50k do not attract comments.

MRC recorded a net profit of \$6.5m for the period ended 30 April 2024 against the revised budget of \$5.2m, resulting in a favourable variance of 26% or \$1.3m.

This overall positive position is a combination of many positive variances and \$549k of a negative variance of total user charges.

REVENUE

User Charges

Total Member user charges is \$549k lower than budgeted primarily due to 3,294t lower tonnages delivered by City of Wanneroo. City of Wanneroo advised that the forecast methods at the time of budget adoption overestimated tonnages for their council.

Interest Earnings

Interest earning is \$181k higher compared to budget. This continues to be a direct result of positive interest rate.

EXPENDITURE

Materials and Contracts

Materials and Contracts expenditure shows a positive variance of \$1.2m compared to the budget.

This variance is driven by a combination of several factors; lower than anticipated costs in DWER landfill levy (\$447k lower) being the major reason. DWER landfill levy is payable to the Department of Water and Environment Regulation and has a direct relationship to the tonnage disposed of. Another contributing factor to the above is a positive variance of \$430k in consultants' expenditure due to timing of expenses such as audit fees, waste audit the FOGO tender. The balance is made up of many small variances.

Utilities

Utilities recorded a positive variance of \$140k due to the fact that Synergy incorrectly recorded lower consumption and invoiced lower fees. The error is now expected to be rectified by June 2024.

Insurance

Insurance expenses performed \$140k better than revised budget year to date. This position is a result of lower property insurance and public liability insurance, \$53k and \$33k respectively and budgeted insurance excess not utilised to date.

Other expenses

Other expenses are \$151k lower than budgeted reflecting Elected Members expenses timing variance of \$95k.

STATEMENT OF FINANCIAL POSITION

At end of April 2024 the MRC's cash position is solid due to collection of fees and charges and positive earnings from the investments. Capital expenditure delivery and increases in the RBA cash rate have improved both the rate of investments and the amount reinvested.

Current Liabilities

Current Liabilities as of 30 April 2024 is \$2.3m lower compared to the previous month. Last month higher current liabilities was due to 3rd quarter waste levy payable to DWER. The levy has been paid.

Capital Expenditure

\$526k of capital expenditure incurred in April 2024 is associated mainly with landfill infrastructure work in capping and leachate.

Reserve Accounts

Increase in the reserve accounts for the period ended 30 April 2024 is \$2.7m. This reflects the proportionate transfers to reserves including interest earned on the investments.

STATUTORY IMPLICATIONS

Section 6.4 of the Local Government Act 1995 and regulation 34(1) of the Local Government (Financial Management) Regulations 1996.

VOTING REQUIREMENT

Simple Majority

RESPONSIBLE OFFICER RECOMMENDATION

That Council:

Receive the Financial Statements set out in Attachment No. 1 for the months ended 31 March 2024 and 30 April 2024.

Financial Report for the period ended 30 April 2024

Item
9.1

Attachment 1

Item
9.1



**Financial Report
for the period ending
30 April 2024**

Mindarie Regional Council

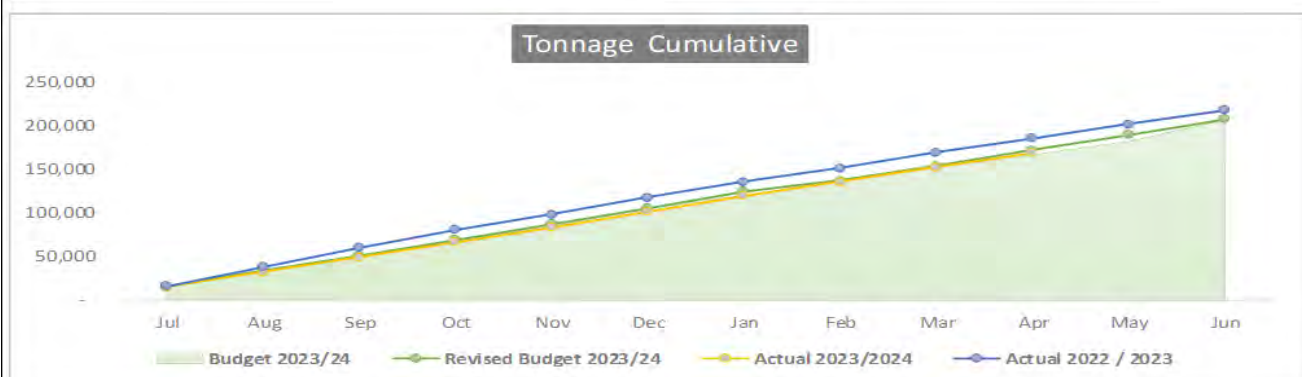
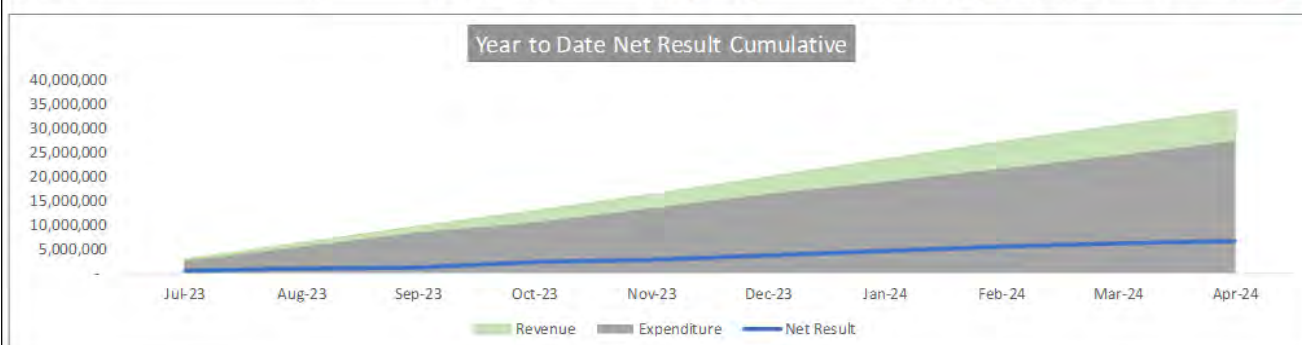
Authorised by: Adnana Arapovic
Executive Manager Corporate Services

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 - 2.6 Statement of Reserves
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- 3.0 Cash and Cash Equivalents and Schedule of Investments
- 4.0 Tonnage Report

1.0 Financial Summary For the period 30 April 2024

STATEMENT OF COMPREHENSIVE INCOME						
	Revised Budget	Revised Budget Year to Date	Actual Year to Date	Variance	Variance %	Status
Fees and Charges Revenue	\$ 33,101,627	\$ 27,643,487	\$ 27,167,260	\$ (476,227)	(2%)	↓
Other Revenue	\$ 7,630,339	\$ 6,259,534	\$ 6,477,697	\$ 218,163	3%	↑
Total Operating Revenue	\$ 40,731,966	\$ 33,903,021	\$ 33,644,957	\$ (258,064)	(1%)	→
Operating Expenditure	\$ 35,548,531	\$ 28,965,481	\$ 27,397,648	\$ 1,567,832	5%	↑
Net profit	\$ 5,183,435	\$ 4,937,540	\$ 6,247,309	\$ 1,309,769	27%	↑
Capital Grants and Subsidies	\$ 50,000	-	-	-	-	→
Net profit /(loss) on sale of asse	253,105	\$ 260,896	\$ 277,022	16,126	6%	↑
Net Result	\$ 5,486,540	\$ 5,198,437	\$ 6,524,331	\$ 1,325,895	26%	↑



STATEMENT OF FINANCIAL POSITION				
	Revised Budget	Actual Year to Date	Actual 30 June 2023	
Current Assets	\$ 67,960,617	\$ 75,451,162	\$ 64,273,412	
Non Current Assets	\$ 104,333,324	\$ 93,541,159	\$ 100,324,693	
Total Assets	\$ 172,293,941	\$ 168,992,321	\$ 164,598,105	
Current Liabilities	\$ 4,380,288	\$ 2,672,119	\$ 5,528,381	
Non Current Liabilities	\$ 27,208,977	\$ 27,081,062	\$ 26,354,914	
Total Liabilities	\$ 31,589,265	\$ 29,753,181	\$ 31,883,295	
Equity	\$ 140,704,676	\$ 139,239,140	\$ 132,714,810	

CAPITAL EXPENDITURE				
	Revised Budget	Year to Date Actual	Variance \$	Variance %
Capital Expenditure	10,349,323	1,225,965	9,123,358	88.2%

2.1 Statement o Comprehensive Income by nature and type For the period ended 30 April 2024

	Original Budget	Revised Budget	Year to Date				Previous Actual YTD
	2023/24	2023/24	Revised Budget	Actual	Variance	Variance	30-Apr-23
REVENUE	\$	\$	\$	\$	\$	%	\$
Member User Charges							
User Charges - City of Perth	1,884,782	2,042,071	1,658,159	1,645,575	(12,584)	(1%)	1,418,680
User Charges - City of Wanneroo	8,757,751	8,759,336	7,272,502	6,786,817	(485,685)	(7%)	5,858,173
User Charges - City of Joondalup	5,073,600	5,067,171	4,221,386	4,148,648	(72,738)	(2%)	3,589,074
User Charges - City of Stirling	7,974,008	8,370,577	6,958,133	6,885,400	(72,733)	(1%)	5,880,458
User Charges - Town of Cambridge	787,616	885,766	723,074	738,925	15,851	2%	645,087
User Charges - City of Vincent	830,500	828,739	688,533	713,458	24,925	4%	591,850
User Charges - Town of Victoria Park	1,268,400	1,601,433	1,291,110	1,345,094	53,984	4%	1,191,536
Total Member User Charges	26,576,657	27,555,093	22,812,897	22,263,917	(548,980)	(2%)	19,174,858
Other User Charges							
User Charges - Casual Tipping Fees	5,401,066	4,691,534	4,160,590	4,198,131	37,541	1%	5,935,745
Total User Charges	31,977,723	32,246,627	26,973,487	26,462,048	(511,439)	(2%)	25,110,603
Other fees and charges							
Mattresses Charges	55,000	55,000	55,000	89,798	34,798	63%	84,136
Gas Power Generation Sales	800,000	800,000	615,000	615,414	414	0%	742,659
Total Other Fees and Charges	855,000	855,000	670,000	705,212	35,212	5%	826,795
Total Fees and Charges	32,832,723	33,101,627	27,643,487	27,167,260	(476,227)	(2%)	25,937,398
Interest Earnings	1,659,800	2,692,821	2,292,852	2,473,743	180,891	8%	953,550
Grants, Subsidies and Contributions							
Reimb. of Admin/Governance Expenses	4,656,518	4,656,518	3,880,432	3,880,432	-	-	3,164,807
Other Revenue							
Other Revenue	95,000	281,000	86,250	123,522	37,272	43%	148,556
Total Other Revenue	6,411,318	7,630,339	6,259,534	6,477,697	218,163	3%	4,266,913
Total Revenue	39,244,041	40,731,966	33,903,021	33,644,957	(258,064)	(1%)	30,204,312
EXPENSES							
Employee Costs	5,536,680	5,536,680	4,592,732	4,604,024	(11,292)	0%	3,219,569
Materials and Contracts	18,348,818	18,713,901	15,088,694	13,928,785	1,159,909	8%	13,362,800
Utilities	718,250	800,450	634,643	494,919	139,724	22%	500,396
Depreciation	5,896,783	6,340,025	5,258,822	5,272,986	(14,164)	(0%)	4,111,504
Amortisation	4,954,195	2,119,202	1,766,002	1,766,002	-	-	3,923,830
Finance Costs	1,097,123	1,097,123	915,713	912,507	3,206	0%	810,096
Insurances	620,200	620,200	436,086	296,764	139,322	32%	608,128
Other Expenses	320,950	320,950	272,789	121,661	151,128	55%	181,005
Total Expenses	37,492,999	35,548,531	28,965,481	27,397,648	1,567,833	5%	26,717,328
Net profit from ordinary activities	1,751,042	5,183,435	4,937,540	6,247,309	1,309,769	27%	3,486,984
Capital Grants, Subsidies and Contributions							
Capital Grants and Subsidies	50,000	50,000	-	-	-	-	-
Profit/(loss) from ordinary activities	50,000	50,000	-	-	-	-	-
Profit on Sale of Assets	1,000	293,890	287,684	287,684	-	-	-
Loss on Sale of Assets	(350,756)	(40,785)	(26,788)	(10,662)	16,126	(60%)	-
Net result for the period	1,451,286	5,486,540	5,198,436	6,524,331	1,325,895	26%	3,486,984
TOTAL COMPREHENSIVE INCOME	1,451,286	5,486,540	5,198,437	6,524,331	1,325,895	26%	3,486,984

2.2 Statement of Comprehensive Income by program For the period ended 30 April 2024

	Original Budget	Revised Budget	Revised Budget YTD	Actual YTD	Variance	Variance
	\$	\$	\$	\$	\$	%
Revenue from Ordinary Activities						
Community Amenities	32,927,723	33,382,628	27,729,738	27,290,785	(438,955)	(2%)
General Purpose Funding	1,659,800	2,692,821	2,292,852	2,473,743	180,891	8%
Governance	4,656,518	4,656,518	3,880,432	3,880,432	-	-
	39,244,041	40,731,966	33,903,021	33,644,957	(258,064)	(1%)
Expenses from Ordinary Activities						
Governance	(4,617,177)	(5,128,496)	(3,978,238)	(3,347,207)	631,031	16%
Community Amenities	(31,779,699)	(29,322,912)	(24,071,529)	(23,137,933)	933,596	4%
Total operating expenses	(36,396,876)	(34,451,408)	(28,049,767)	(26,485,140)	1,564,627	6%
Finance costs						
Governance	(328,288)	(328,288)	(275,019)	(271,817)	(3,202)	1%
Community Amenities	(768,835)	(768,835)	(640,694)	(640,694)	-	-
Total Finance costs	(1,097,123)	(1,097,123)	(915,713)	(912,511)	(3,202)	-
Net result for the period	1,750,042	5,183,435	4,937,540	6,247,309	1,309,769	27%
Non-operating grants						
Community Amenities	50,000	50,000	-	-	-	-
Profit on sale of assets						
Community Amenities	1,000	287,682	287,684	287,684	-	-
	1,000	293,890	287,684	287,684	-	-
Loss on sale of assets						
Governance	(384)	-	-	-	-	-
Community Amenities	(350,372)	(40,785)	(26,788)	(10,662)	16,126	(60%)
Total profit /(loss) on sale of assets	(349,756)	253,105	260,896	277,022	16,126	6%
TOTAL COMPREHENSIVE INCOME	1,451,286	5,486,540	5,198,437	6,524,331	1,325,895	26%

2.3 Statement of Financial Position As at 30 April 2024

	Actual 30 April 2024	Actual 30 June 2023
CURRENT ASSETS		
Cash and cash equivalents	24,206,569	20,262,141
Other Financial Assets	48,301,950	40,495,910
Debtors and other receivables	2,927,438	2,273,228
Inventories	15,194	15,792
Other Current Assets	11	1,226,341
TOTAL CURRENT ASSETS	75,451,162	64,273,412
NON-CURRENT ASSETS		
Property, plant and equipment	29,273,458	31,577,144
Right of Use - Asset	5,555,690	6,203,572
Infrastructure	46,819,594	49,828,762
Excavation and Rehabilitation Asset	11,889,182	12,715,215
TOTAL NON-CURRENT ASSETS	93,541,159	100,324,693
TOTAL ASSETS	168,992,321	164,598,105
CURRENT LIABILITIES		
Trade and other payables	1,796,079	4,144,896
Employee related provisions	765,290	754,925
Right of Use - Liabilities	110,750	628,560
TOTAL CURRENT LIABILITIES	2,672,119	5,528,381
NON CURRENT LIABILITIES		
Employee related provisions	226,458	141,000
Rehabilitation provision	20,693,384	20,052,694
Right of Use - Liabilities	6,161,220	6,161,220
TOTAL NON CURRENT LIABILITIES	27,081,062	26,354,914
TOTAL LIABILITIES	29,753,181	31,883,295
NET ASSETS	139,239,140	132,714,810
EQUITY		
Retained Losses	(26,098,471)	(29,893,807)
Reserves Accounts	22,222,363	19,493,371
Revaluation Surplus	54,029,522	54,029,520
Council Contribution	89,085,726	89,085,726
TOTAL EQUITY	139,239,140	132,714,810

2.4 Statement of Cash Flow

For the period ended 30 April 2024

	Original Budget 2023/2024	Revised Budget 2023/2024	Actual YTD 30-Apr-23	Actual 30-Jun-23
	\$	\$	\$	\$
Cash flows from operating activities				
Receipts				
Contributions, re-imbursements and donations	4,656,518	4,656,518	3,880,432	4,224,742
Gas generation services	800,000	800,000	615,414	816,100
Fees and charges	32,032,723	31,890,734	29,910,091	32,839,129
Interest earnings	1,659,800	2,630,059	2,699,890	939,304
Other revenue	95,000	281,551	123,522	271,044
Grants & subsidies	-	(50,000)	-	-
GST received	-	-	678,672	2,782,222
	39,244,041	40,208,862	37,908,020	41,872,541
Payments				
Employee costs	(5,102,945)	(5,229,813)	(4,173,118)	(4,776,643)
Materials and contracts	(18,348,818)	(19,922,787)	(17,368,571)	(17,328,430)
Utilities	(718,250)	(800,453)	(494,919)	(632,002)
Insurance	(620,200)	(640,612)	(296,763)	(684,880)
Other Expenditure	(320,950)	12,220	(121,661)	(798,699)
GST Paid	-	(883,908)	(3,319,758)	(2,785,569)
	(25,111,163)	(27,465,353)	(25,774,791)	(27,006,223)
Net cash provided by operating activities	14,132,878	12,743,509	12,133,229	14,866,318
Cash flows from investing activities				
Grants and subsidiaries	50,000	-	38,000	-
Payments for purchases of property, plant and equipment and infrastructure	(10,052,000)	(13,433,214)	(1,225,965)	(107,549)
Investments in term deposits	(2,315,904)	-	(6,415,622)	(1,075,500)
Term deposit interest and transfers	-	-	(1,390,419)	-
Proceeds from Sale of assets	576,000	-	1,246,922	-
Net cash used in investing activities	(11,741,904)	(13,433,214)	(7,747,084)	(1,183,049)
Cash flows from financing activity				
Lease payments	(559,266)	-	(441,718)	(566,483)
Net cash used in financing activities	(559,266)	-	(441,718)	(566,483)
Net increase in cash and cash equivalents	1,831,708	(689,705)	3,944,428	13,116,786
Cash and cash equivalents 30 June 2023	15,250,254	20,262,141	20,262,141	7,145,355
Cash and cash equivalents 30 April 2024	17,258,130	19,572,436	24,206,569	20,262,141

2.5 Statement of Financial Activity For the period ended 30 April 2024

Actual 30 June 2023		Original Budget 2023/2024	Revised Budget 2023/2024	Budget YTD 30-Apr-24	Actual YTD 30-Apr-24	Variance	Variance
		\$	\$	\$	\$	\$	%
	Revenue from operating activities						
4,224,742	Contributions and reimbursements	4,656,518	4,656,518	3,880,432	3,880,432	-	-
33,102,536	Fees and charges	32,832,723	33,101,627	27,643,487	27,167,260	(476,227)	(2%)
1,512,800	Interest revenue	1,659,800	2,692,821	2,292,852	2,473,743	180,891	8%
271,044	Other revenue	95,000	281,000	86,250	123,522	37,272	43%
-	Profit on asset disposals	1,000	293,890	287,684	287,684	-	-
39,111,122		39,245,041	41,025,856	34,190,705	33,932,641	(258,064)	(1%)
	Expenditure from operating activities						
(4,707,843)	Employee costs	(5,536,680)	(5,536,680)	(4,592,732)	(4,604,024)	11,292	(0)
(17,508,295)	Materials and contracts	(18,348,818)	(18,713,901)	(15,088,694)	(13,928,785)	(1,159,909)	8%
(632,002)	Utility charges	(718,250)	(800,450)	(634,643)	(494,919)	(139,724)	22%
(7,606,255)	Depreciation & amortisation	(10,850,978)	(8,459,227)	(7,024,824)	(7,038,988)	14,164	(0)
(1,074,941)	Finance costs	(1,097,123)	(1,097,123)	(915,713)	(912,507)	(3,206)	0
(684,881)	Insurance	(620,200)	(620,200)	(436,086)	(296,764)	(139,322)	32%
-	Loss on disposal of assets	(350,756)	(40,785)	(26,788)	(10,662)	-	0%
(466,879)	Other expenditure	(320,950)	(320,950)	(272,789)	(121,661)	(151,128)	55%
(32,681,096)		(37,843,755)	(35,589,316)	(28,965,481)	(27,408,310)	(1,557,171)	5%
	Add/less: Non - cash items						
-	Profit on asset disposals	(1,000)	(293,890)	(287,684)	(287,684)	-	-
-	Loss on disposal of assets	350,756	40,785	26,788	10,662	(16,126)	-
7,606,255	Depreciation & amortisation	10,850,978	8,459,227	7,024,824	7,038,988	(14,164)	(0)
60,245	Employee benefit provisions	542,735	542,735	442,616	495,459	(52,843)	(12%)
743,120	Rehabilitation - unwinding of interest	768,835	768,835	640,690	640,690	0	0
-	Other Provisions	3,620,993	3,620,993	-	-	-	-
8,409,620		16,133,297	13,138,685	7,847,234	7,898,115	(83,133)	(1%)
14,839,646	Amount attributable to operating activities	17,534,583	18,575,225	13,072,458	14,422,446	1,349,988	10%
	Inflows from investing activities						
-	Proceeds from disposal of assets	576,000	1,306,972	545,000	1,246,922	(701,922)	(129%)
-	Capital Grants and Subsidies	50,000	50,000	50,000	38,000	12,000	24%
-		626,000	1,356,972	545,000	1,246,922	701,922	-
	Outflows from investing activities						
(54,835)	Purchase of plant and equipment	(618,000)	(808,323)	(675,000)	(238,528)	436,472	65%
(25,279)	Purchase of land and buildings	(310,000)	(310,000)	(260,000)	-	260,000	100%
(17,101)	Purchase of computer equipment	(105,000)	(212,000)	(175,000)	(44,234)	130,766	75%
(10,334)	Purchase and construction of infrastructure	(9,019,000)	(9,019,000)	(1,670,000)	(943,205)	726,795	44%
(107,549)		(10,052,000)	(10,349,323)	(2,780,000)	(1,225,966)	1,554,034	56%
(107,549)	Amount attributable to investing activities	(9,426,000)	(8,992,351)	(2,235,000)	20,956	2,214,044	(99%)
	Inflows from financing activity						
98,550	Transfers from reserve accounts	1,215,000	3,162,310	1,261,998	285,995	976,003	-
-	Transfers from surplus	-	-	-	939,971	-	-
98,550		1,215,000	3,162,310	1,261,998	1,225,966	-	-
	Outflows from financing activities						
(566,483)	Payments for principal portion of lease liabilities	(293,526)	(293,526)	(244,605)	(463,544)	218,939	(90%)
(824,831)	Transfers to reserve accounts	(2,493,835)	(6,133,337)	(5,111,114)	(4,370,249)	(740,865)	14%
(1,391,314)		(2,787,361)	(6,426,863)	(5,355,719)	(4,833,793)	(521,926)	10%
(1,292,764)	Amount attributable to financing activities	(1,572,361)	(3,264,553)	(4,093,722)	(3,607,827)	485,894	(12%)
27,195,812	Operating Net Current Assets at the start of the financial year	32,849,526	32,849,526	32,849,526	40,635,145	(7,785,619)	(24%)
14,839,646	Amount attributable to operating activities	17,534,583	18,575,225	13,072,458	14,422,446	(1,349,988)	(10%)
(107,549)	Amount attributable to investing activities	(9,426,000)	(8,992,351)	(2,235,000)	20,956	(2,255,956)	101%
(1,292,764)	Amount attributable to financing activities	(1,572,361)	(3,264,553)	(4,093,722)	(3,607,827)	(485,894)	12%
40,635,145	Closing Net Current Assets	39,385,748	39,167,847	39,593,263	51,470,720	11,877,458	30%

2.5 Statement of Financial Activity (Continued)
Net current assets reconciled to Statement of Financial Activity
For the period ended 30 April 2024

	Actual As at 30 April 2024	Actual 30 June 2023
CURRENT ASSETS		
Cash and cash equivalents	24,206,569	20,262,141
Other Financial Assets	48,301,950	40,495,910
Debtors and other receivables	2,927,438	2,273,228
Inventories	15,194	15,792
Other Current Assets	11	1,226,341
TOTAL CURRENT ASSETS	75,451,162	64,273,412
CURRENT LIABILITIES		
Trade and other payables	1,796,079	4,144,896
Employee related provisions	765,290	754,925
Right of Use - Liabilities	110,750	628,560
TOTAL CURRENT LIABILITIES	2,672,119	5,528,381
Net Current assets	72,779,043	58,745,031
Add back Restricted Liabilities		
Employee related provisions	765,290	754,925
Right of Use - Liabilities	110,750	628,560
E-Waste Infrastructure grants	38,000	-
Adjusted net current assets	73,693,083	60,128,516
Less : Net current financial assets that back reserves		
Reserves Accounts	(22,222,363)	(19,493,371)
	51,470,720	40,635,145

2.6 Statement of Reserves

For the period ended 30 April 2024

Description	Actual As at 30 April 2024
	\$
<u>Site Rehabilitation</u>	
Opening balance	17,056,658
Interest income	809,345
Transfer to reserves	640,690
Transfer from reserves	-
Closing Balance	18,506,693
<u>Capital Expenditure</u>	
Opening balance	1,945,637
Interest income	104,597
Transfer to reserves	1,437,500
Transfer from reserves	(285,995)
Closing Balance	3,201,739
<u>Carbon Abatement</u>	
Opening balance	491,076
Interest income	22,856
Transfer to reserves	-
Transfer from reserves	-
Closing Balance	513,932
RESERVES SUMMARY	
Opening Balance as at 1 July 2023	19,493,371
Interest income	936,798
Transfer to reserves	2,078,190
Transfer from reserves	(285,995)
Closing Balance	22,222,363

2.7 Statement of Investing Activity For the period ended 30 April 2024

	Original Budget 2023/24	Revised Budget 2023/24	Actual As at 30 April 2024	Actual Vs Revised Budget Variance	Actual Vs Revised Budget Variance
	\$	\$	\$	\$	%
LANDFILL INFRASTRUCTURE					
Stage2 - Phase2 capping work	6,987,000	6,987,000	673,339	6,313,661	90%
Leachate Processing Infrastructure	1,850,000	1,850,000	266,631	1,583,369	86%
	8,837,000	8,837,000	939,969	7,897,031	89%
INFRASTRUCTURE TAMALA PARK					
RRF 2x new additional Monitoring Bores to be installed	28,500	28,500	-	28,500	100%
4x new Monitoring Bores Install - Marmion Ave	10,000	55,000	-	55,000	100%
Facility Signage Upgrade	18,000	14,000	-	14,000	100%
Transfer Station Line Marking	15,500	18,000	-	18,000	100%
Modifications at Drop-off bays & Reticulation	16,000	15,500	-	15,500	100%
Workshop Hotwash - Wash-downbay	-	10,000	3,235	6,765	68%
15Amp Power Supply Installation to Green Waste bunker	25,000	16,000	-	16,000	100%
Transfer Station chain drop Access Control unit	55,000	25,000	-	25,000	100%
Transfer Station extension	14,000	-	-	-	-
	182,000	182,000	3,235	178,765	98%
BUILDING					
Recycling E-Waste Storage and Bulk Up Facility	135,000	135,000	-	135,000	100%
Workshop building Roller doors and Rood upgrade for tyre	25,000	25,000	-	25,000	100%
Weighbridge roof modification	150,000	150,000	-	150,000	100%
	310,000	310,000	-	310,000	100%
COMPUTING EQUIPMENT					
Replacement of Desktops/Laptops	20,000	50,000	36,301	13,699	27%
CCTV install for Tip Face, Quarry and Transfer	85,000	97,000	5,799	91,201	94%
Meeting Room Upgrade and Telephony System	-	25,000	-	25,000	100%
Event Management System (Inex) Replacement	-	10,000	-	10,000	100%
Wifi Access Point Replacements	-	30,000	2,134	27,866	93%
	105,000	212,000	44,234	167,766	79%
EQUIPMENT					
Odour monitoring units / control	70,000	70,000	-	70,000	100%
Point to point Telemetry & Data System Installation	16,500	16,500	-	16,500	100%
Workshop Hotwash Machine	8,000	8,000	-	8,000	100%
2x New Air well Leachate Extraction Pumps for Stage 2	8,500	8,500	-	8,500	100%
Generator & Compressor	15,000	15,000	-	15,000	100%
	118,000	118,000	-	118,000	100%
PLANT AND VEHICLES					
Replacement of vehicles	80,000	232,323	232,695	(372)	0%
Replacement of Skid Steer Loader	175,000	213,000	5,832	207,168	97%
New 16t Vibrating Roller at Tip face	245,000	245,000	-	245,000	100%
	500,000	690,323	238,528	451,796	65%
TOTAL CAPITAL EXPENDITURE	10,052,000	10,349,323	1,225,965	9,123,358	88%

3.0 Cash & Cash Equivalents and Schedule of Investments As at 30 April 2024

Institutions with Standard & Poors Rating AA- or better

Institution	S&P Rating	Achieved
CBA	AA-	✓
NAB	AA-	✓
ANZ	AA-	✓
Westpac	AA-	✓

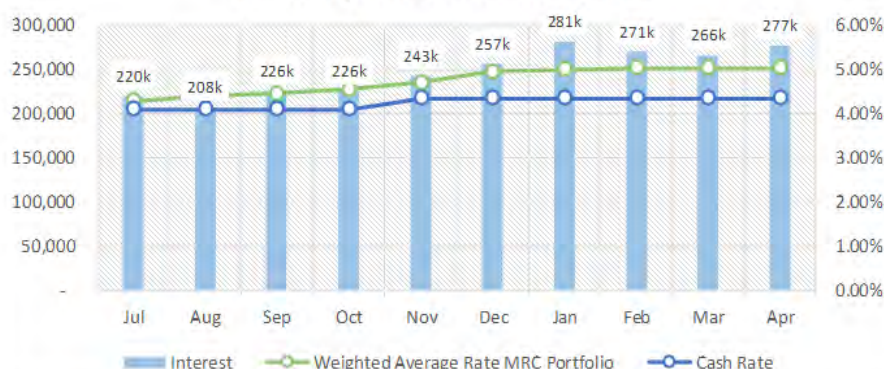


Where Tenor > 90 Days, maximum 50% held in one institution
Investments > 90 days tenor 107%

Institution	Amount Held \$m	% of Total Funds	Maximum	Achieved
CBA	\$ 10.24	21%	50%	✓
NAB	\$ 21.99	46%	50%	✓
ANZ	\$ 10.57	22%	50%	✓
Westpac	\$ 5.50	11%	50%	✓
<90 Days	\$ -			
	\$ 48.30			

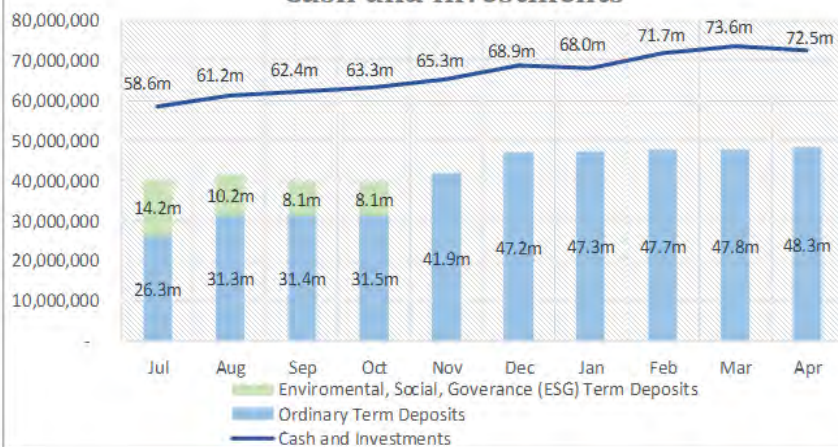
Where possible give preference to institutions that do not finance the fossil fuel industry and consider ethical, social and environmental aspects.

Monthly Interest and Rates



As of April 2024, MRC's interest earnings are \$181k above budget year-to-date. In April 2024, the Reserve Bank held the cash rate at 4.35%

Cash and Investments



As of April 30, 2024, MRC's total cash and investments amounted to \$72.5 million. \$48.3 million was invested in term deposits and \$15.9m invested in the CBA saver account. It should be noted that MRC had its ESG term deposits with CBA who have withdrawn those products in December as MRC ESG term deposit matured. MRC is looking for replacements with other financial institutions.

3.0 Cash & Cash Equivalents and Schedule of Investments As at 30 April 2024 (Continued)

SCHEDULE OF INVESTMENTS							
Bank	Investment Date	Tenor (Days)	Investment Amt \$	Interest Rate %	Maturity Date	Gross Interest \$	Maturity Amt \$
ORDINARY TERM DEPOSITS							
ANZ 9130-47954	15/02/2024	91	4,260,465	4.87%	16/05/2024	51,729	4,312,194
NAB 78-463-0288	27/10/2023	207	2,105,319	5.20%	21/05/2024	62,087	2,167,406
NAB 71-624-4449	1/12/2023	193	3,153,000	5.15%	11/06/2024	85,861	3,238,861
ANZ 9796-92171	1/12/2023	195	2,082,976	4.88%	13/06/2024	54,306	2,137,282
NAB GMI-DEAL-10893903	16/04/2024	91	2,138,938	5.00%	15/07/2024	26,370	2,165,308
CBA 37309509	21/03/2024	120	5,060,459	4.77%	19/07/2024	79,359	5,139,818
ANZ 9797-07193	1/02/2024	182	2,110,333	4.88%	1/08/2024	51,351	2,161,684
NAB 10890044	19/03/2024	155	5,000,000	5.05%	21/08/2024	107,226	5,107,226
NAB 21-233-4933	23/02/2024	182	2,132,690	5.10%	23/08/2024	54,235	2,186,924
NAB new	26/02/2024	179	199,000	5.10%	23/08/2024	4,977	203,977
NAB 41-562-4966	4/10/2023	341	2,968,402	5.25%	9/09/2024	145,594	3,113,996
NAB 10890228	18/03/2024	182	2,148,363	5.05%	16/09/2024	54,098	2,202,460
ANZ 9131-43719(reinvested)	18/03/2024	183	2,113,605	4.88%	17/09/2024	51,713	2,165,319
NAB GMI-DEAL-10894013	17/04/2024	180	2,144,564	5.05%	14/10/2024	53,408	2,197,972
CBA CDA 37309509	15/04/2024	183	5,183,836	4.83%	15/10/2024	125,533	5,309,368
Westpac TD 032108962507	30/04/2024	365	5,500,000	5.35%	1/05/2025	294,250	5,794,250
Total Term Deposits			48,301,950	5.03%		1,302,097	49,604,047
Cash & Cash Equivalents as of 30 April 2024							
CBA Saver			15,961,946	Principal			
NAB Balance			1,249	NAB	45.5%	21,990,275	
CBA Business			8,240,320	CBA	21.2%	10,244,295	
ANZ Balance			55	ANZ	21.9%	10,567,380	
Petty Cash			1,500	Westpac	11.4%	5,500,000	
Floats			1,500	Invested		48,301,950	
				Principal plus interest			
				NAB	46.8%	22,584,131	
				CBA	21.6%	10,449,186	
				ANZ	22.3%	10,776,479	
Total Cash & Cash Equivalents			24,206,569	Westpac	12.0%	5,794,250	
Total			72,508,519	Total		49,604,047	

4.0 Tonnage Report for the period ended 30 April 2024



MINDARIE REGIONAL COUNCIL
ORDINARY COUNCIL MEETING AGENDA
30 May 2024

9.2	LIST OF ACCOUNTS PAID – FOR THE PERIODS ENDED 31 MARCH 2024 AND 30 APRIL 2024
File No:	GF-23-000019
Appendix(s):	Attachment No. 1
Date:	17 May 2024
Responsible Officer:	Executive Manager Corporate Services

SUMMARY

The purpose of these reports is to provide details of payments made during the period identified above. 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.

DETAILS

In accordance with section 13(1) of the Local Government Financial Management Regulations 1996, Council has delegated to the Chief Executive Officer (CEO) the exercise of its power to make payments from its Municipal and Trust Funds. A list of accounts paid by the CEO is to be prepared each month (Fin Reg 13(2)) and be presented to the next Ordinary Council Meeting following such payments (Fin Reg 13(3)). The lists of accounts paid for the months ended 31 March 2024 and 30 April 2024 are attached at Attachment 1 to this Item.

A new regulation 13A has been added to the Local Government Financial Management Regulations 1996 to increase transparency and accountability in local government through greater oversight of incidental spending. Regulation covers purchasing cards such as Bunnings and Fuel cards issued by local government to their employees. Under the new regulation, a transaction listing is included for the MRC's fuel cards and Bunnings Power Pass cards.

Month Ended	Account	Vouchers	Amount
31 March 2024	General Municipal	Cheques	\$1,889.05
		EFT	\$1,026,942.26
		DP	\$5,657,866.81
		Inter account transfers	-
		Total	\$6,686,698.12
30 April 2024	General Municipal	Cheques	\$600.00
		EFT	\$4,629,330.83
		DP	\$5,987,470.29
		Inter account transfers	-
		Total	\$10,617,401.12

STATUTORY IMPLICATIONS

Regulation 13 of the Local Government (Financial Management) Regulations 1996

FINANCIAL IMPLICATIONS

Nil

VOTING REQUIREMENT

Simple Majority

RESPONSIBLE OFFICER RECOMMENDATION

That Council:

Note the list of accounts paid under delegated authority to the Chief Executive Officer for the months ended 31 March 2024 and 30 April 2024, in accordance with regulation 13(1) of the Local Government (Financial Management) Regulation 1996.

List of Payments for the months ended 31 March and 30 April 2024

Item
9.2

ATTACHMENT 1

Item
9.2

**Schedule of Payments for March 2024
Council Meeting - 30th May 2024**

Date	Document No.	Vendor Name	Description	Amount
11/03/2024	00884	Cash	Employee deduction	\$ 300.00
22/03/2024	00885	Cash	Employee deduction	\$ 300.00
25/03/2024	00886	Petty Cash	Petty Cash Reimbursement	\$ 1,289.05
Total CBA cheques				\$ 1,889.05

Date	Document No.	Vendor Name	Description	Amount
8/03/2024	DP-02347	Easi Salary Pty Ltd	Staff Salary Sacrifice	\$ 3,466.44
8/03/2024	DP-02348	Australian Taxation Office	PAYG Payment	\$ 44,693.00
10/03/2024	DP-02349	Commonwealth Bank	Merchant fees	\$ 1,483.07
10/03/2024	DP-02350	Commonwealth Bank	Merchant fees	\$ 109.28
22/03/2024	DP-02351	Easi Salary Pty Ltd	Staff Salary Sacrifice	\$ 3,466.44
22/03/2024	DP-02352	Australian Taxation Office	PAYG Payment	\$ 41,945.00
21/03/2024	DP-02353	Australian Taxation Office	BAS Payment Feb 24	\$ 308,780.00
23/03/2024	DP-02354	SuperChoice	Staff Superannuation	\$ 64,292.74
15/03/2024	DP-02355	Commonwealth Bank	CommBiz Fees	\$ 37.79
15/03/2024	DP-02356	Commonwealth Bank	Acct. Service Fees	\$ 9.35
27/03/2024	DP-02357	MidWest Auto Group Pty Ltd	Vehicle	\$ 79,727.85
27/03/2024	DP-02358	MRC Credit Card	See the schedule attached (credit card payments)	\$ 22,557.05
14/03/2024	DP-02359	Commonwealth Bank	CBA refund to customer	\$ 125.35
13/03/2024	DP-02360	Marion Geotechnical Services Limited	Purchase of Telescopic Riser Shafts	\$ 87,143.45
31/03/2024	DP-02361	NAB Bank	Account Fee	\$ 10.00
1/03/2024	DP-02362	ANZ	Account Fee	\$ 10.00
4/03/2024	DP-02362	ANZ	Account Fee	\$ 10.00
15/03/2024	ER13439	NAB Bank	CBA transfer for NAB TD	\$ 5,000,000.00
Total Direct Payments & Fees				\$ 5,657,866.81

Total Inter account Transfers

Date	Document No.	Vendor Name	Description	Amount
7/03/2024	EFT-02376	Osborne Park Jeep	Vehicle	\$ 83,192.00
12/03/2024	EFT-02379	Airgen Australia	Degassing compressors	\$ 605.00
12/03/2024	EFT-02379	Airwell Group Pty Ltd	Leachate fortnightly service and report	\$ 3,528.62
12/03/2024	EFT-02379	All 4 People Pty Ltd	Contract Labour w/e 19 & 26 Jan & 4,9 Feb 24	\$ 14,050.43
12/03/2024	EFT-02379	All Fence U Rent P/L	Temporary Fencing - RRF & safekeeping of equipment	\$ 2,366.38
12/03/2024	EFT-02379	Allwest Plant Hire Australia	Demob of hired Plate Compactor & Excavator Feb 24	\$ 379.50
12/03/2024	EFT-02379	Aptella Pty Ltd - (prev Position Partners)	Compactor System & New Touch Digitiser (Plt134)	\$ 4,819.19
12/03/2024	EFT-02379	Aussie Natural Spring Water	Bottled Water delivered	\$ 168.19
12/03/2024	EFT-02379	Australian Training Management	Forklift & Dump Truck Training Courses	\$ 1,655.00
12/03/2024	EFT-02379	Benara Nurseries	Plants for Admin Building	\$ 842.60
12/03/2024	EFT-02379	City of Stirling	TP Lease - Feb 24	\$ 28,541.95
12/03/2024	EFT-02379	City of Wanneroo	TP Lease - Mar 24	\$ 14,270.97
12/03/2024	EFT-02379	DCM Services	Air Condition Maintenance Jan 24	\$ 990.00
12/03/2024	EFT-02379	EMRC	Monthly CCA Recycling	\$ 710.00
12/03/2024	EFT-02379	Global Spill Control Pty Ltd	Spill kits for Inspections	\$ 275.00
12/03/2024	EFT-02379	Great Southern Fuel Supplies	Diesel purchases	\$ 13,431.88
12/03/2024	EFT-02379	High Tech Maintenance	Plt131 - repair dog bone mount hole	\$ 770.00
12/03/2024	EFT-02379	Jedi Auto Worx	Plt141 Light repairs and new spotlights fitted	\$ 1,672.78
12/03/2024	EFT-02379	Jemane Enterprises Pty Ltd	Plt141 4 new tyres	\$ 950.00
12/03/2024	EFT-02379	Local Government Professionals Australia	Report Writing in Local Government Workshop	\$ 1,180.00
12/03/2024	EFT-02379	Monika Kern	Membership to Project Management Institute	\$ 212.90
12/03/2024	EFT-02379	MRP Pest Control	Pest Control Feb 24	\$ 866.25
12/03/2024	EFT-02379	Newcastle Weighing Services Pt	DCS Rolls (x4) including freight	\$ 901.45
12/03/2024	EFT-02379	Oceanside Power & Communications	Install dual power outlet at transfer	\$ 275.00
12/03/2024	EFT-02379	ORH Truck Solutions P/L	Plt120 air valve and solenoid	\$ 167.86
12/03/2024	EFT-02379	Robert Walters Pty Ltd	Contract labour week ending 11 Feb 24	\$ 1,642.03
12/03/2024	EFT-02379	Security Specialists Australia Pty Ltd	Monthly Cash Collection	\$ 174.57
12/03/2024	EFT-02379	SEEK Limited	Advert: Project and Procurement Manager	\$ 852.50
12/03/2024	EFT-02379	Seton Australia Pty Ltd	Traffic cones (x300)	\$ 3,380.87
12/03/2024	EFT-02379	SLR Consulting Australia Pty Ltd	Cons. Serv. for Leachate to Sewer Investigative Works	\$ 12,705.55
12/03/2024	EFT-02379	Stanton's International	Probity Consultancy for FOGO-up to 31 Jan 24	\$ 103.40
12/03/2024	EFT-02379	Synergy	Electricity 19 Dec23 to 22 Feb 24 TP House	\$ 114.26
12/03/2024	EFT-02379	T & C Couriers	Monthly Courier service	\$ 50.81
12/03/2024	EFT-02379	Telstra	Telephone Bill 14 Feb 24 to 13 Mar 24	\$ 564.70
12/03/2024	EFT-02379	Telstra	Services & equipment rental Feb 24	\$ 1,210.00
12/03/2024	EFT-02379	Think Water Wanneroo	Irrigation fittings	\$ 68.90
12/03/2024	EFT-02379	Town of Cambridge	TP Lease March 24	\$ 7,135.48
12/03/2024	EFT-02379	Trade West Industrial Supplies	Safety boots, ear plugs, gloves, safety glasses	\$ 167.64
12/03/2024	EFT-02379	Tyrecycle P/L	Disposal of Tyres 5 & 8 Feb 24	\$ 2,021.11
12/03/2024	EFT-02379	Veolia Recycling & Recovery Pty Ltd	Monthly Confidential Bin Disposal	\$ 82.97
12/03/2024	EFT-02379	Water2water P/L	Service site ice machines, billi taps and water filtration systems	\$ 2,180.80

Date	Document No.	Vendor Name	Description	Amount
12/03/2024	EFT-02379	Waterchem Australia P/L	Ecosorb Ultimate - 20L Drum	\$ 7,150.00
12/03/2024	EFT-02379	WesTrac Pty Ltd	Plt139 Major Repairs	\$ 76,106.77
12/03/2024	EFT-02379	Winc Australia P/L	Stationery and printing	\$ 302.39
22/03/2024	EFT-02380	A & G Wines Plumbing	Repair broken pressure pipe at transfer station	\$ 528.00
22/03/2024	EFT-02380	Airefrig Australia Pty Ltd	Degassing Cylinder Service fee Feb 24	\$ 37.13
22/03/2024	EFT-02380	Airwell Group Pty Ltd	Landfill Supply and Install Flow Meters and Pumps	\$ 52,865.99
22/03/2024	EFT-02380	Alinta Energy	Gas 29 Nov 23 to 29 Feb 24	\$ 102.45
22/03/2024	EFT-02380	All 4 People Pty Ltd	Contract labour week ending 16 and 23 Feb 24	\$ 5,498.19
22/03/2024	EFT-02380	All Fence U Rent P/L	Temporary Fencing	\$ 165.00
22/03/2024	EFT-02380	Aptella Pty Ltd - (prev Position Partners)	Software Support-Bomag Compaction Monitoring	\$ 1,265.00
22/03/2024	EFT-02380	Aquion P/L	PRTG 2500 Annual License	\$ 3,608.55
22/03/2024	EFT-02380	Aussie Natural Spring Water	Bottled water delivered	\$ 64.50
22/03/2024	EFT-02380	Australia Post	Postage & Freight for the month	\$ 174.00
22/03/2024	EFT-02380	Australian Training Management	Skid Steer, FEL & Dozer VOC Training	\$ 8,888.50
22/03/2024	EFT-02380	Banhams WA Pty Ltd	RRF Monthly Fire System Maintenance Feb 24	\$ 578.79
22/03/2024	EFT-02380	Blue Diamond Machinery Pty Ltd	Generator repair/service	\$ 5,473.60
22/03/2024	EFT-02380	BOQ Finance (Aust) Limited	Monthly Printer Rental	\$ 421.53
22/03/2024	EFT-02380	Brooks Hire	Hire of CAT Skidsteer Feb 24	\$ 8,354.72
22/03/2024	EFT-02380	ChekRite Asia Pacific Pty Ltd	Chekrite - Subscription	\$ 2,187.90
22/03/2024	EFT-02380	City of Perth	TP Lease - Jan & Feb 24 catch up	\$ 511.25
22/03/2024	EFT-02380	City of Perth	TP Lease - Mar 24	\$ 7,394.86
22/03/2024	EFT-02380	Cleanaway Operations Pty Ltd	Co Mingled Waste Feb 24	\$ 306.68
22/03/2024	EFT-02380	Datacom Systems (AU) Pty Ltd	Workstation Hardware Replacements & Spares	\$ 28,472.51
22/03/2024	EFT-02380	Digrite	Plt151- gas struts & tracks	\$ 6,172.00
22/03/2024	EFT-02380	Dragon Forklift Services Pty Ltd	Plt117- Repair brakes	\$ 2,497.28
22/03/2024	EFT-02380	ECOLO WA	Odour pods service and refill (5 pods) 300 litres @ \$7.95	\$ 2,733.50
22/03/2024	EFT-02380	Envirocare Systems	Monthly Hygiene Services	\$ 771.32
22/03/2024	EFT-02380	Fennell Tyres International Pty Ltd	Plt83,148,120 tyre replacement and repair	\$ 4,746.75
22/03/2024	EFT-02380	Flick Anticimex P/L	Rodent Service & Cockroach spray	\$ 351.97
22/03/2024	EFT-02380	Go Doors Pty Ltd	Callout to Recycling Shop Doors	\$ 3,670.04
22/03/2024	EFT-02380	Great Southern Fuel Supplies	Diesel delivered Feb 24	\$ 44,930.93
22/03/2024	EFT-02380	Instant Products Group	Toilet hire/clean/restock Feb 24	\$ 204.75
22/03/2024	EFT-02380	Jedi Auto Worx	Plt133, 134, 148, 151 vehicle repairs	\$ 1,739.80
22/03/2024	EFT-02380	Kyocera Document Solutions	Monthly Photocopier Expenses Nov, Dec 23 & Feb 24	\$ 1,061.77
22/03/2024	EFT-02380	NAPA Parts	Jack stands for workshop	\$ 797.98
22/03/2024	EFT-02380	NAPA Parts	Plt135 gear oil	\$ 64.00
22/03/2024	EFT-02380	NAPA Parts	Evaporative Cooler 750w for workshop	\$ 1,857.90
22/03/2024	EFT-02380	Natural Area Holdings Pty Ltd	Flora and Fauna Surveys & Phytophthora dieback testing Feb 24	\$ 8,250.00
22/03/2024	EFT-02380	Newcastle Weighing Services Pt	NWS Wasteman Service Agreement #499	\$ 11,467.50
22/03/2024	EFT-02380	Nutrien Ag Solutions	Kitchen amenities	\$ 218.46
22/03/2024	EFT-02380	Oceanside Power & Communications	Electrical repairs	\$ 1,494.90
22/03/2024	EFT-02380	Olivers Lawn & Landscaping Pty Ltd	TP monthly lawn mowing service	\$ 225.00
22/03/2024	EFT-02380	Paxon Consulting Group Pty Ltd	TP Void Space Model Review	\$ 13,013.00
22/03/2024	EFT-02380	Pinnacle Height Safety Pty Ltd	Training - Fire Warden/Extinguisher Course	\$ 279.00
22/03/2024	EFT-02380	REPCO Auto Parts- Clarkson	Motor vehicle & Workshop supplies	\$ 286.98
22/03/2024	EFT-02380	Robert Walters Pty Ltd	Contract Worker week ending 28 Feb 24	\$ 1,325.68
22/03/2024	EFT-02380	SafeWork Laboratories Pty Ltd	D & A testing 17 & 27 Feb 24 labour & mileage	\$ 3,588.31
22/03/2024	EFT-02380	Seton Australia Pty Ltd	Bollards (x 300)	\$ 2,313.83
22/03/2024	EFT-02380	SLR Consulting Australia Pty Ltd	MRC Landfill Gas Assessment	\$ 28,594.23
22/03/2024	EFT-02380	Specialized Cleaning Group Pty Ltd	TP Road Sweeping Service Feb 24	\$ 1,950.00
22/03/2024	EFT-02380	Super Choice Services Pty Ltd	Monthly Single Touch Payroll	\$ 14.94
22/03/2024	EFT-02380	Synergy	TP & RRF Electricity Feb 24	\$ 39,831.15
26/03/2024	EFT-02381	A & G Wines Plumbing	Plumbing Works Truck Drivers Toilet	\$ 814.07
26/03/2024	EFT-02381	Alance Newspaper & Magazine Delivery	Newspaper Delivery	\$ 229.60
26/03/2024	EFT-02381	Aussie Natural Spring Water	Bottled water delivered 06 Mar 24	\$ 53.75
26/03/2024	EFT-02381	Australian Services Union	Union Fees	\$ 53.00
26/03/2024	EFT-02381	BOC Limited	Dissolved Acetylene Feb 24	\$ 12.09
26/03/2024	EFT-02381	City of Joondalup	TP Lease - March 24	\$ 14,789.71
26/03/2024	EFT-02381	City of Vincent	TP Lease - March 24	\$ 7,135.49
26/03/2024	EFT-02381	City of Wanneroo	TP Lease - Jan-Mar 24 adj	\$ 1,541.27
26/03/2024	EFT-02381	Global Spill Control Pty Ltd	Spill Kit replacement parts	\$ 464.75
26/03/2024	EFT-02381	Hello People	Chemcapture - Service AWS subscription costs (Jan-Jun 24)	\$ 3,795.00
26/03/2024	EFT-02381	Oceanside Power & Communications	Pylon Sign-Supply & Install Fibre Optic	\$ 5,935.30
26/03/2024	EFT-02381	Plants & Garden Rentals	Monthly maintenance - March 24	\$ 330.00
26/03/2024	EFT-02381	Services Australia	Employees deductions for Child Support	\$ 280.00
26/03/2024	EFT-02381	Soft Landing	COS On Demand Mattresses	\$ 29,155.50
26/03/2024	EFT-02381	Soft Landing	COS RCB Mattresses	\$ 28,776.00
26/03/2024	EFT-02381	Soft Landing	MRC Monthly Mattress Collection	\$ 13,827.00
26/03/2024	EFT-02381	Sonia Cherico	Spectacles contribution	\$ 200.00
26/03/2024	EFT-02381	T & C Couriers	Monthly Courier service	\$ 78.19
26/03/2024	EFT-02381	Talis Consultants P/L	GW Monitoring & Piggy Back & Leachate Pond Design Consult.	\$ 3,095.13
26/03/2024	EFT-02381	Total Green Recycling Pty Ltd	E-waste Recycling	\$ 11,581.28
26/03/2024	EFT-02381	Town of Victoria Park	TP Lease - Vic Park - Jan 24	\$ 7,392.36

Date	Document No.	Vendor Name	Description	Amount
26/03/2024	EFT-02381	Town of Victoria Park	TP Lease - Vic Park - Feb 24	\$ 7,392.36
26/03/2024	EFT-02381	Town of Victoria Park	TP Lease - Vic Park - Mar 24	\$ 7,392.36
26/03/2024	EFT-02381	Tutt Bryant Equipment WA	250hr service PL135 & Splitter Box Inspection	\$ 3,102.30
26/03/2024	EFT-02381	Tyrecycle P/L	Disposal of Tyres Feb 24	\$ 3,315.06
26/03/2024	EFT-02381	Veolia Recycling & Recovery Pty Ltd	Monthly Confidential Bin Disposal	\$ 85.46
26/03/2024	EFT-02381	Waterchem Australia P/L	Ecosorb Ultimate - 20L drums	\$ 24,310.00
26/03/2024	EFT-02381	Western Tree Recyclers	CoJ Greens Handling	\$ 8,650.18
26/03/2024	EFT-02381	Western Tree Recyclers	CoP Greens Handling	\$ 676.63
26/03/2024	EFT-02381	Winc Australia P/L	Office Supplies and Stationery	\$ 163.34
26/03/2024	EFT-02381	Workpower Incorporated	Battery Rescue	\$ 1,296.30
26/03/2024	EFT-02381	Wren Oil	Disposal of Oil	\$ 99.00
26/03/2024	EFT-02381	ZircoData Pty Ltd	Recall boxes (records) from offsite storage	\$ 404.82
8/03/2024	72	Payroll	Staff Payroll	\$ 121,270.65
22/03/2024	73	Payroll	Staff Payroll	\$ 115,054.49

\$ 1,026,942.26

CBA Cheque No. 884-86	\$ 1,889.05
Electronic Payments:	
DP-02347 to DP-02362	\$ 5,657,866.81
Inter-Account Transfers	\$ -
EFT-02376 to EFT-02381	\$ 1,026,942.26
Grand Total	<u>\$ 6,686,698.12</u>
 CERTIFICATE OF CHIEF EXECUTIVE OFFICER	
This schedule of accounts which was passed for payment, covering vouchers as above which was submitted to each member of Council on 30th May, 2024 has been checked and is fully supported by vouchers and invoices which are submitted herewith and which have been duly certified as to the receipt of goods and the rendered services and as to prices, computations, and costing and the amounts due for payment.	

Schedule of Payments for March 2024 Council Meeting - 30th May 2024 CBA Credit Card				
Date	Payment to	Description		Amount
5/03/2024	GoDaddy.com	Website/Domain licenses	\$	999.90
6/03/2024	SJDK Group	Name Plate for Council Meetings	\$	25.60
6/03/2024	Coles Online	Staff amenities	\$	197.40
6/03/2024	CPP Parking	CPP parking for Business Meeting	\$	10.10
11/03/2024	Alkimos Tavern	Business Meeting	\$	11.80
11/03/2024	Moore Australia	Trng Sessions for Mgt & Fin. Reporting	\$	3,872.00
20/03/2024	Moore Australia	2024 Budget Workshop	\$	1,100.00
21/03/2024	GoDaddy.com	Website/Domain licenses	\$	749.95
24/03/2024	Zoom.US	Zoom licenses	\$	2,216.61
25/03/2024	Coles Online	Staff amenities	\$	167.00
	Total CBA Credit Card ending 7336		\$	9,350.36
27/02/2024	Trust Media	UK trade Registry fee for new vendor application fee	\$	156.58
28/02/2024	SJDK Group	Name Plate for Council Meetings	\$	25.60
28/02/2024	Retail Express	POS subscription at Recycling	\$	2,943.60
29/02/2024	Local Govt Mgt	LG Professionals Conference	\$	915.00
29/02/2024	Sheridan's	Name badge for Councillor	\$	49.45
1/03/2024	ASIC	ASIC Report for new vendor application fee	\$	19.00
1/03/2024	ASIC	ASIC Report for new vendor application fee	\$	19.00
1/03/2024	ASIC	ASIC Report for new vendor application fee	\$	19.00
1/03/2024	ASIC	ASIC Report for new vendor application fee	\$	19.00
	Total CBA Credit Card ending 7977		\$	4,166.23
28/02/2024	Coles Online	Team meeting expenses	\$	318.62
28/02/2024	Alkimos Autocare	Cars Wash	\$	430.00
28/02/2024	City of Joondalup	CoJ visit Parking	\$	5.20
1/03/2024	Aspire Lounges	Travel Exp for UK site visit	\$	75.00
1/03/2024	AGA Travel Insurance	Travel Insurance for UK site visit	\$	440.72
3/03/2024	Hotel @ Booking.com	Accommodation for UK site visit	\$	786.51
3/03/2024	CBA	Transaction fee	\$	19.66
3/03/2024	Joint Billion UAE	Travel Exp for UK site visit	\$	116.76
3/03/2024	Taco Bel	Food for UK site visit	\$	15.55
3/03/2024	CBA	Transaction fee	\$	0.39
3/03/2024	Potters Bar	Food for UK site visit	\$	9.25
3/03/2024	CBA	Transaction fee	\$	0.23
3/03/2024	Hertz UK	Car Hire	\$	1,091.80
3/03/2024	CBA	Transaction fee	\$	27.30
4/03/2024	Screwfix Dir Ltd	PPE	\$	136.20
4/03/2024	CBA	Transaction fee	\$	3.41
5/03/2024	Mowgli Street Food	Food for UK site visit with MGS staff	\$	220.23
5/03/2024	CBA	Transaction fee	\$	5.51
5/03/2024	Greggs	Food for UK site visit	\$	9.65
5/03/2024	CBA	Transaction fee	\$	0.24
5/03/2024	TheAngel.co.uk	Accommodation for UK site visit	\$	70.46
5/03/2024	CBA	Transaction fee	\$	1.76
5/03/2024	West Suffolk	Hire Car Fuel	\$	50.00
5/03/2024	CBA	Transaction fee	\$	1.25
6/03/2024	Queenie's	Food for UK site visit	\$	73.08
6/03/2024	CBA	Transaction fee	\$	1.83
6/03/2024	The King John's Tavern	Food for UK site visit	\$	21.92
6/03/2024	CBA	Transaction fee	\$	0.55
7/03/2024	Shell Ingelby	Hire Car Fuel	\$	146.56
7/03/2024	CBA	Transaction fee	\$	3.66
7/03/2024	The Garland Pub	Food for UK site visit	\$	19.56
7/03/2024	CBA	Transaction fee	\$	0.49
8/03/2024	DWER Water	Clearing Permit	\$	400.00
8/03/2024	Emirates	Flights for UK site visit	\$	996.00
10/03/2024	Coles Online	Food for meetings	\$	122.75
12/03/2024	Boral	Ballast (x49)	\$	3,183.36
15/03/2024	Alkimos Autocare	Cars Wash	\$	235.00
	Total CBA Credit Card ending 2225		\$	9,040.46
	Total CBA Credit Card Payments		\$	22,557.05

**Schedule of Payments for April 2024
Council Meeting - 30th May 2024**

Date	Document No.	Vendor Name	Description	Amount
19/04/2024	00887	Cash	Employee deduction	\$ 600.00
Total CBA cheques				\$ 600.00

Date	Document No.	Vendor Name	Description	Amount
5/04/2024	DP-02363	Easi Salary Pty Ltd	Staff Salary Sacrifice	\$ 3,466.44
5/04/2024	DP-02364	Australian Taxation Office	PAYG Payment	\$ 46,139.00
12/04/2024	DP-02365	Fire & Safety Aust.	First Aid Training	\$ 4,200.00
2/04/2024	DP-02373	Commonwealth Bank	Merchant fees	\$ 1,820.22
2/04/2024	DP-02374	Commonwealth Bank	Merchant fees	\$ 100.34
19/04/2024	DP-02366	Easi Salary Pty Ltd	Staff Salary Sacrifice	\$ 3,466.44
19/04/2024	DP-02367	Australian Taxation Office	PAYG Payment	\$ 45,863.00
22/04/2024	DP-02369	Australian Taxation Office	BAS Payment Mar 2024	\$ 204,714.00
19/04/2024	DP-02368	SuperChoice	Staff Superannuation	\$ 65,862.64
30/04/2024	DP-02370	Marton Geotechnical Services Limited	Purchase of Telescopic Riser Shafts	\$ 63,805.83
30/04/2024	DP-02371	Marton Geotechnical Services Limited	Transport Costs for Telescopic Rise Shafts	\$ 25,378.39
29/04/2024	DP-02372	MRC Credit Card	See the schedule attached (credit card payments)	\$ 22,586.96
16/04/2024	DP-02375	cancelled	-	-
16/04/2024	DP-02376	cancelled	-	-
16/04/2024	DP-02377	cancelled	-	-
16/04/2024	DP-02378	Commonwealth Bank	CommBiz Fees	\$ 0.30
16/04/2024	DP-02379	Commonwealth Bank	CommBiz Fees	\$ 34.98
16/04/2024	DP-02380	Commonwealth Bank	Acct. Service Fees	\$ 11.75
30/04/2024	DP-02381	NAB Bank	Account Fee	\$ 10.00
4/04/2024	DP-02382	ANZ	Account Fee	\$ 10.00
30/04/2024	DCSJ00047	Commonwealth Bank	CBA transfer for Westpac Acct	\$ 5,500,000.00
Total Direct Payments & Fees				\$ 5,987,470.29

Total Inter account Transfers

Date	Document No.	Vendor Name	Description	Amount
9/04/2024	EFT-02383	ATU Sewage Services	Sewage Services - Quarterly Maintenance	\$ 302.50
9/04/2024	EFT-02383	A1 Locksmiths	GMK Keys X 10	\$ 220.00
9/04/2024	EFT-02383	Advanced Liquid Waste	Empty Toilet Septic Tanks - Landfill Toilet for Trucks	\$ 1,374.50
9/04/2024	EFT-02383	Ampol Australia Petroleum Pty Ltd	Fuel usage Feb 24	\$ 1,768.81
9/04/2024	EFT-02383	Aussie Natural Spring Water	Bottled Water delivered	\$ 96.75
9/04/2024	EFT-02383	Australian Training Management	Skid Steer Training Course	\$ 995.00
9/04/2024	EFT-02383	Bunnings	Workshop and landfill supplies	\$ 1,285.37
9/04/2024	EFT-02383	City of Joondalup	TP Lease - Apr 24	\$ 14,784.74
9/04/2024	EFT-02383	City of Joondalup	TP Lease - Jan & Feb 24	\$ 1,022.53
9/04/2024	EFT-02383	City of Perth	TP Lease - Apr 24	\$ 7,394.86
9/04/2024	EFT-02383	City of Wanneroo	TP Lease - Apr 24	\$ 14,784.73
9/04/2024	EFT-02383	Civic Legal Pty Ltd	Regulation 17 Internal Audit	\$ 12,240.60
9/04/2024	EFT-02383	Cleanaway Operations Pty Ltd	Disposal of Car Gas Cylinders	\$ 446.99
9/04/2024	EFT-02383	Coates Hire Operations Pty Ltd	2 day hire of Knuckle Boom 34ft	\$ 1,272.92
9/04/2024	EFT-02383	Couplers Malaga	(2) Surelock fittings	\$ 188.21
9/04/2024	EFT-02383	Critical Fire Protection and Training Pty Ltd	Plt135 - Repair Bomag fire suppression system	\$ 1,756.92
9/04/2024	EFT-02383	CT Irrigation	Installation of new pump at the washdown bay	\$ 3,558.72
9/04/2024	EFT-02383	Data#3	Printer & IT supplies	\$ 948.25
9/04/2024	EFT-02383	Datacom Systems (AU) Pty Ltd	Veeam Backup Software License 15 May 24 - 15 May 27	\$ 12,036.85
9/04/2024	EFT-02383	Davidson Projects P/L	Building works at Operations Admin	\$ 11,533.50
9/04/2024	EFT-02383	DCM Services	Aircon Repairs	\$ 319.00
9/04/2024	EFT-02383	ECOLO WA	Odour pods service and refill (5 pods) @ \$7.95 & Biokey	\$ 5,483.50
9/04/2024	EFT-02383	Envirocare Systems	Monthly Hygiene Services	\$ 771.32
9/04/2024	EFT-02383	Fennell Tyres International Pty Ltd	Plt133 & 110 tyre repairs	\$ 734.25
9/04/2024	EFT-02383	GHD Pty Ltd	Monthly FOGO Consultancy Charges	\$ 1,584.66
9/04/2024	EFT-02383	Global Spill Control Pty Ltd	Spill kits for Inspections	\$ 2,260.60
9/04/2024	EFT-02383	Great Southern Fuel Supplies	Diesel purchases	\$ 43,549.61
9/04/2024	EFT-02383	Herbert Smith Freehills	Waste Services Procurement Proj Legal Fees to 23 Feb 24	\$ 46,382.93
9/04/2024	EFT-02383	Intrix Cyber Security Pty Ltd	Cyber Security Network Penetration Testing	\$ 6,187.50
9/04/2024	EFT-02383	Iron Mountain Australia Pty Ltd	Monthly Archive IT Storage Cost - Cartridge	\$ 47.47
9/04/2024	EFT-02383	IW Projects	Superintendent capping works - Jul 23 - March 24	\$ 6,101.15
9/04/2024	EFT-02383	Jedi Auto Worx	PL141 & 146 repairs	\$ 950.62
9/04/2024	EFT-02383	Komatsu Australia	Oil Filter for PL132,132,134 & PL131 repairs	\$ 3,419.81
9/04/2024	EFT-02383	MidWest Auto Group Pty Ltd	PL156 - Vehicle protection, recovery pts & lift kit	\$ 7,484.44
9/04/2024	EFT-02383	Netlink Group Pty Ltd	IT supplies	\$ 1,321.00
9/04/2024	EFT-02383	North Star Security	Alarm Monitoring Fees 2324 -RRF & TP	\$ 1,394.25
9/04/2024	EFT-02383	Oceanside Power & Communications	PL60 repairs, Compressor installation and CCTV power points	\$ 7,747.17
9/04/2024	EFT-02383	Olivers Lawn & Landscaping Pty Ltd	TP monthly lawn mowing service	\$ 225.00
9/04/2024	EFT-02383	Pinnacle Height Safety Pty Ltd	Asbestos Awareness Training on-line 20 staff	\$ 1,425.00
9/04/2024	EFT-02383	Pirtek (Malaga) Pty Ltd	PL151 - replace burst hoses	\$ 1,434.85

Date	Document No.	Vendor Name	Description	Amount
9/04/2024	EFT-02383	Robert Walters Pty Ltd	Contract labour week ending 3, 10, 17 Mar 24	\$ 4,549.48
9/04/2024	EFT-02383	SafeWork Laboratories Pty Ltd	D & A testing 14 & 23 Mar 24 labour & mileage	\$ 3,340.54
9/04/2024	EFT-02383	SARAYA Australia	Hand Sanitiser	\$ 634.70
9/04/2024	EFT-02383	Scott Cairns	Wellness Program	\$ 200.00
9/04/2024	EFT-02383	Seaview Ford Clarkson	PL141 - Service	\$ 666.00
9/04/2024	EFT-02383	Security Specialists Australia Pty Ltd	Monthly Cash Collection	\$ 139.66
9/04/2024	EFT-02383	SEEK Limited	Advertising for Finance Officer	\$ 401.50
9/04/2024	EFT-02383	Signs & Lines	Digital Screen servicing	\$ 735.68
9/04/2024	EFT-02383	SLR Consulting Australia Pty Ltd	Leachate to Sewer Investigative Works	\$ 10,758.69
9/04/2024	EFT-02383	St John Ambulance	First Aid Kits Supplies and Provide First Aid Class	\$ 1,308.37
9/04/2024	EFT-02383	Steven Powell	Prescription Safety Glasses	\$ 74.00
9/04/2024	EFT-02383	Town of Cambridge	TP Lease April 24	\$ 7,135.48
9/04/2024	EFT-02383	Trade West Industrial Supplies	Work Boots	\$ 224.57
9/04/2024	EFT-02383	Tutt Bryant Equipment WA	Plt135 - Splitter box replacement and replace exhaust flex	\$ 85,937.41
9/04/2024	EFT-02383	Veraison WA Pty Ltd	Leadership Team Culture Workshops	\$ 5,412.00
9/04/2024	EFT-02383	Vertical Telecoms Pty Ltd	RRF Antennas link to TP	\$ 1,738.37
9/04/2024	EFT-02383	WA Local Government Association	MWAC contribution- Jan to Jun 24	\$ 44,767.70
9/04/2024	EFT-02383	Winc Australia P/L	Stationery and printing	\$ 1,004.51
11/04/2024	EFT-02387	Airwell Group Pty Ltd	Leachate fortnightly service and report	\$ 3,080.00
11/04/2024	EFT-02387	All 4 People Pty Ltd	Contract Labour week ending 8 & 15 Mar 24	\$ 3,592.33
11/04/2024	EFT-02387	Aptella Pty Ltd - (prev Position Partners)	Software Support-Bomag Compaction Monitoring	\$ 1,265.00
11/04/2024	EFT-02387	Aussie Natural Spring Water	Bottled Water delivered	\$ 53.75
11/04/2024	EFT-02387	Aussie Natural Spring Water	Water Cooler Annual Rental 01.02.24 - 31.01.25	\$ 92.94
11/04/2024	EFT-02387	City of Vincent	TP Lease - Apr 24	\$ 7,392.36
11/04/2024	EFT-02387	City of Vincent	TP Lease - Catch up Jan-Mar 24	\$ 770.61
11/04/2024	EFT-02387	Banhams WA Pty Ltd	RRF Monthly Fire System Maintenance Mar 24	\$ 578.79
11/04/2024	EFT-02387	Brooks Hire	Hire of Compressor 11-15 Mar 24	\$ 3,926.32
11/04/2024	EFT-02387	Command A Com	Monthly Telephone Expenses	\$ 1,340.02
11/04/2024	EFT-02387	Digrite	PL151 - New Windscreen, rubber & RH side bottom window	\$ 2,383.00
11/04/2024	EFT-02387	EFTSURE Pty Ltd	Eftsure Annual Licence - Apr 24 - Mar 25	\$ 5,148.00
11/04/2024	EFT-02387	Fennell Tyres International Pty Ltd	Plt120,133, 134 & 148 tyre repairs	\$ 5,205.99
11/04/2024	EFT-02387	Global Spill Control Pty Ltd	Signs for Spill Kits	\$ 97.68
11/04/2024	EFT-02387	Hays Specialist Recruitment (Australia) P/L	Contract labour week ending 24 & 31 Mar 24	\$ 4,648.38
11/04/2024	EFT-02387	Kyocera Document Solutions	Monthly Photocopier Expenses	\$ 147.28
11/04/2024	EFT-02387	Major Motors Pty Ltd	Plt148 & 183- leak repair	\$ 1,266.98
11/04/2024	EFT-02387	Market Creations Agency Pty Ltd	Additional Website Support & Maint Hours	\$ 3,300.00
11/04/2024	EFT-02387	Michael Page International P/L	Project & Procurement Manager Recruitment	\$ 16,500.00
11/04/2024	EFT-02387	MRP Pest Control	Pest Control Mar 24	\$ 866.25
11/04/2024	EFT-02387	Office National Canning Vale	Double A Copy Paper 80GSM	\$ 281.60
11/04/2024	EFT-02387	Pirtek (Malaga) Pty Ltd	PL138 & 151 New Hoses	\$ 2,218.72
11/04/2024	EFT-02387	Plants & Garden Rentals	Monthly maintenance - Apr 24	\$ 330.00
11/04/2024	EFT-02387	Robert Walters Pty Ltd	Contract labour week ending 25 Feb & 24 Mar 24	\$ 3,103.28
11/04/2024	EFT-02387	SafeWork Laboratories Pty Ltd	D & A Testing 21 Mar 24 Call Out	\$ 403.04
11/04/2024	EFT-02387	Signs & Lines	Digital Callout Weighbridge Sign	\$ 660.00
11/04/2024	EFT-02387	Spectur Ltd	Neerabup Portable CCTV Monthly subs.	\$ 3,630.00
11/04/2024	EFT-02387	St John Ambulance	Provide First Aid Class	\$ 170.00
11/04/2024	EFT-02387	Talis Consultants P/L	GW Monitoring & Western Capping Procurement Consultancy	\$ 85,699.56
11/04/2024	EFT-02387	Telstra	Services & Equipment Rental Mar & Apr 24	\$ 2,420.00
11/04/2024	EFT-02387	Total Green Recycling Pty Ltd	E-waste Recycling	\$ 4,350.48
11/04/2024	EFT-02387	Town of Victoria Park	TP Lease - Vic Park - Apr 24	\$ 7,392.36
11/04/2024	EFT-02387	Trade West Industrial Supplies	Safety supplies	\$ 165.00
11/04/2024	EFT-02387	Tyrecycle P/L	Disposal of Tyres	\$ 1,863.07
11/04/2024	EFT-02387	Water Corporation	TP Water Rates 22 Jan- 21 Mar 24	\$ 2,682.71
11/04/2024	EFT-02387	Winc Australia P/L	Stationery and printing	\$ 868.53
11/04/2024	EFT-02387	Wren Oil	Disposal of Oil	\$ 16.50
24/04/2024	EFT-02388	Department of Water & Environment Reg	DEP Landfill Levy January - March 2024	\$ 3,215,714.82
29/04/2024	EFT-02390	Airwell Group Pty Ltd	Leachate fortnightly service and report	\$ 2,464.00
29/04/2024	EFT-02390	All 4 People Pty Ltd	Contract Labour Hire w/e 01 Apr 24	\$ 2,383.44
29/04/2024	EFT-02390	All Fence U Rent P/L	Temporary Fencing - RRF & safekeeping of equipment	\$ 165.00
29/04/2024	EFT-02390	Aptella Pty Ltd - (prev Position Partners)	Software Support-Bomag Compaction Monitoring	\$ 1,265.00
29/04/2024	EFT-02390	Asset Valuation Advisory	Desktop Valuation Infrastructure	\$ 8,140.00
29/04/2024	EFT-02390	Aussie Natural Spring Water	Bottled Water delivered	\$ 43.00
29/04/2024	EFT-02390	City of Stirling	TP Lease - Mar 24	\$ 28,541.95
29/04/2024	EFT-02390	Australian Services Union	Union Fees	\$ 53.00
29/04/2024	EFT-02390	Banhams WA Pty Ltd	RRF - Replace Coolant Hose on Fire Pumpset	\$ 364.38
29/04/2024	EFT-02390	Blackwoods & Atkins	Drum Rack	\$ 206.79
29/04/2024	EFT-02390	BOC Limited	Dissolved Acetylene Mar 24	\$ 12.93
29/04/2024	EFT-02390	BOQ Finance (Aust) Limited	Monthly Printer Rental	\$ 421.53
29/04/2024	EFT-02390	ChekRite Asia Pacific Pty Ltd	Chekrite - Subscription	\$ 2,187.90
29/04/2024	EFT-02390	Cleanaway Operations Pty Ltd	Disposal of Fluorescent Lamps	\$ 940.50
29/04/2024	EFT-02390	Command A Com	Monthly Telephone Expenses	\$ 1,301.58
29/04/2024	EFT-02390	David Gray & Co P/L	10 x 2kg Quickbayt Fly Bait	\$ 2,577.52

Date	Document No.	Vendor Name	Description	Amount
29/04/2024	EFT-02390	DCM Services	Aircon Repairs	\$ 3,645.29
29/04/2024	EFT-02390	Department of Water & Environment Reg	Amended App Fee - Western Capping	\$ 8,704.00
29/04/2024	EFT-02390	Equip Health Systems P/L	Debugger Concentrate	\$ 860.50
29/04/2024	EFT-02390	Fennell Tyres International Pty Ltd	Plt 83 tyre service	\$ 115.50
29/04/2024	EFT-02390	Hays Specialist Recruitment (Australia) P/L	Recruit. Costs & Contract Labour week ending 07 & 14 Apr 24	\$ 21,624.28
29/04/2024	EFT-02390	Instant Products Group	Toilet hire/clean/restock Mar 24	\$ 251.50
29/04/2024	EFT-02390	Iron Mountain Australia Pty Ltd	Monthly Archive IT Storage Cost - Cartridge	\$ 47.47
29/04/2024	EFT-02390	Jedi Auto Worx	Repairs - Fertiliser & Feed Spreader	\$ 236.00
29/04/2024	EFT-02390	Kyocera Document Solutions	Monthly Photocopier Expenses	\$ 341.57
29/04/2024	EFT-02390	Major Motors Pty Ltd	Plt83 - repairs	\$ 1,682.98
29/04/2024	EFT-02390	Megan Audrey Mather	Accomm Claim - Landfill Training	\$ 1,234.20
29/04/2024	EFT-02390	MRP Pest Control	Pest Control 2023/24	\$ 866.25
29/04/2024	EFT-02390	NAPA Parts	Jack stands for workshop	\$ 371.26
29/04/2024	EFT-02390	North Star Security	Install New Security Alarm - Transfer Hut	\$ 2,533.30
29/04/2024	EFT-02390	Oceanside Power & Communications	UPS Installed to Front Door - Recycling	\$ 1,802.90
29/04/2024	EFT-02390	Pirtek (Malaga) Pty Ltd	PL138 Thread Identification Kit	\$ 118.62
29/04/2024	EFT-02390	Robert Walters Pty Ltd	Contract Labour week ending 7 & 14 Apr 24	\$ 4,278.33
29/04/2024	EFT-02390	Services Australia	Employees deductions for Child Support	\$ 280.00
29/04/2024	EFT-02390	SLR Consulting Australia Pty Ltd	Leachate to Sewer Investigative Works	\$ 16,048.31
29/04/2024	EFT-02390	Soft Landing	COS On Demand Mattresses	\$ 27,027.00
29/04/2024	EFT-02390	Soft Landing	COS RCB Mattresses	\$ 26,103.00
29/04/2024	EFT-02390	Soft Landing	MRC Monthly Mattress Collection	\$ 14,784.00
29/04/2024	EFT-02390	Specialized Cleaning Group Pty Ltd	TP Road Sweeping Service Mar 24	\$ 1,950.00
29/04/2024	EFT-02390	Strata Green	(50) x 25kg bags of Native Fertiliser	\$ 6,207.30
29/04/2024	EFT-02390	St John Ambulance	Provide First Aid Class	\$ 340.00
29/04/2024	EFT-02390	Stantons International	Probiy Consultancy for FOGO & WTE	\$ 129.25
29/04/2024	EFT-02390	Synergy	TP & RRF Electricity Mar 24	\$ 44,905.49
29/04/2024	EFT-02390	The Hire Guys - Wangara	Harnesses x 3	\$ 99.00
29/04/2024	EFT-02390	The Water and Carbon Group Pty Ltd	Bench Testing of Leachate	\$ 24,502.50
29/04/2024	EFT-02390	Talis Consultants P/L	GW Monitoring & Leachate Pond Consult.	\$ 5,016.95
29/04/2024	EFT-02390	Telstra	Telephone Bill 14 Mar- 13 Apr 24	\$ 712.67
29/04/2024	EFT-02390	Think Water Wanneroo	Irrigation fittings, rod & gasket & labour	\$ 266.52
29/04/2024	EFT-02390	Total Green Recycling Pty Ltd	E-waste Recycling	\$ 6,419.69
29/04/2024	EFT-02390	Town of Cambridge	TP Lease - May 2024 - Cambridge	\$ 7,392.36
29/04/2024	EFT-02390	Town of Cambridge	TP Lease - Cambridge - Catch Up Jan-Apr 24	\$ 1,027.52
29/04/2024	EFT-02390	Trade West Industrial Supplies	Safety Uniforms	\$ 1,693.84
29/04/2024	EFT-02390	Trident Signs WA Pty Ltd	Site Signage for Weighbridge	\$ 2,310.00
29/04/2024	EFT-02390	Tutt Bryant Equipment WA	PL135 Repairs	\$ 19,873.45
29/04/2024	EFT-02390	Tyrecycle P/L	Disposal of Tyres Mar 24	\$ 968.80
29/04/2024	EFT-02390	Water2water P/L	Admin Filtered Tap Faulty - Replc Solenoid	\$ 375.00
29/04/2024	EFT-02390	Western Tree Recyclers	CoJ Greens Handling	\$ 4,221.36
29/04/2024	EFT-02390	Western Tree Recyclers	CoP Greens Handling	\$ 1,289.38
30/04/2024	EFT-02391	Central Earthmoving	Trial Pit Investigation	\$ 277,029.67
5/04/2024	74	Payroll	Staff Payroll	\$ 124,352.12
19/04/2024	75	Payroll	Staff Payroll	\$ 124,732.29
				\$ 4,629,330.83

CBA Cheque No. 887	\$ 600.00
Electronic Payments:	
DP-02376 to DP-02382	\$ 5,987,470.29
Inter-Account Transfers	\$ -
EFT-02383 to EFT-02391	\$ 4,629,330.83
Grand Total	\$ 10,617,401.12

CERTIFICATE OF CHIEF EXECUTIVE OFFICER

This schedule of accounts which was passed for payment, covering vouchers as above which was submitted to each member of Council on 30th May, 2024 has been checked and is fully supported by vouchers and invoices which are submitted herewith and which have been duly certified as to the receipt of goods and the rendered services and as to prices, computations, and costing and the amounts due for payment.

Schedule of Payments for April 2024 Council Meeting - 30th May 2024 CBA Credit Card				
Date	Payment to	Description	Amount	
27/03/2024	ASIC	ASIC Report for new vendor application fee	\$	19.00
28/03/2024	Officeworks	Ipad (x5) for Chekrite	\$	4,142.95
28/03/2024	GoDaddy.com	Website/Domain licenses	\$	2,249.84
2/04/2024	CBA	Annual Fee	\$	40.00
2/04/2024	Bunnings	HDMI connector for presentation	\$	64.88
2/04/2024	Sheridan's	Name Badge for Council Meetings	\$	49.45
2/04/2024	Alpha Trophies	Desk Name Plates for Council Meetings	\$	24.50
2/04/2024	CPP Parking	Parking for Business Meeting	\$	10.10
8/04/2024	Amazon Au Retail	Card used inadvertently and refunded on 30.04.24	\$	64.28
11/04/2024	ASIC	ASIC Report for new vendor application fee	\$	19.00
11/04/2024	Hire Intelligence	Hire of Shredder	\$	469.48
19/04/2024	Monday.com	Monday.com annual subscription	\$	4,917.33
22/04/2024	Hire Intelligence	Hire of Shredder	\$	348.48
	Total CBA Credit Card ending 7336		\$	12,419.29
2/04/2024	CBA	Annual Fee	\$	40.00
3/04/2024	JB Hifi	IT supplies	\$	394.00
15/04/2024	Coles	Staff Amenities	\$	248.40
17/04/2024	CBA	Bank refunded UK Registry fees and paid in May 24 correctly.		-(156.58)
19/04/2024	ASIC	ASIC Report for new vendor application fee	\$	19.00
22/04/2024	ASIC	ASIC Report for new vendor application fee	\$	19.00
23/04/2024	Hillary's BC	Staff recognition lunch including CBP progress meeting	\$	153.90
23/04/2024	Hillary's BC	Staff recognition lunch including CBP progress meeting	\$	16.20
	Total CBA Credit Card ending 7977		\$	733.92
28/03/2024	Woolworths	Employee amenities	\$	85.85
31/03/2024	Sun City Car Spa	Car Wash	\$	5.20
2/04/2024	CBA	Annual Fee	\$	40.00
2/04/2024	Mastershop	Ipad cases	\$	801.90
4/04/2024	Apple.com.au	Ipad (x3) for Chekrite	\$	2,247.00
5/04/2024	Landgate	Certificate of Title	\$	30.50
15/04/2024	ARB Geraldton	Sets of Boards for Vehicles (x2)	\$	691.00
15/04/2024	Mach1 Autoparts	Workshop supplies	\$	69.95
15/04/2024	Highway Auto Barn	Trailer Hire	\$	440.00
16/04/2024	Lets Perth	Training - hire vehicle	\$	910.00
17/04/2024	Euro Laminated Designs	Office Blinds	\$	265.00
17/04/2024	Coles Online	Food for meetings	\$	117.95
18/04/2024	DWER Water	Clearing Permit Application	\$	2,000.00
21/04/2024	Kyst Food	Improved Landfill Mgt Training Food Expenses	\$	331.00
21/04/2024	Hilton Hotels	Improved Landfill Mgt Training Accom	\$	617.10
21/04/2024	Hilton Hotels	Improved Landfill Mgt Training Accom	\$	617.10
21/04/2024	Shelter Brewing	Improved Landfill Mgt Training Food Expenses	\$	68.00
22/04/2024	The Good Egg Café	Improved Landfill Mgt Training Food Expenses	\$	113.50
22/04/2024	The Good Egg Café	Improved Landfill Mgt Training Food Expenses	\$	33.00
22/04/2024	The Vasse Tavern	Improved Landfill Mgt Training Food Expenses	\$	110.50
22/04/2024	The Vasse Tavern	Improved Landfill Mgt Training Food Expenses	\$	118.00
23/04/2024	The Goose Beach	Improved Landfill Mgt Training Food Expenses	\$	106.00
23/04/2024	Broadwater Village	Improved Landfill Mgt Training Food Expenses	\$	36.51
23/04/2024	United	Fuel for Hire Car	\$	78.69
24/04/2024	Let's Perth	Deposit for Car Hire refunded 24.04.24	-\$	500.00
	Total CBA Credit Card ending 2225		\$	9,433.75
Total CBA Credit Card Payments			\$	22,586.96

Schedule of Payments for April 2024
Council Meeting - 30th May 2024
Ampol Purchasing card

Date	Document No.	Description	Amount
5/02/2024	EFT-02383	Fuel	\$ 95.25
5/02/2024	EFT-02383	Car Wash	\$ 25.00
20/02/2024	EFT-02383	Fuel	\$ 128.78
Total Ampol Card for Rego 1938			\$ 249.03
5/02/2024	EFT-02383	Fuel	\$ 91.53
17/02/2024	EFT-02383	Fuel	\$ 119.88
25/02/2024	EFT-02383	Fuel	\$ 75.56
Total Ampol Card for Rego 9808			\$ 286.97
5/02/2024	EFT-02383	Fuel	241.09
Total Ampol Card for Rego 5213			241.09
5/02/2024	EFT-02383	Fuel	\$ 123.43
8/02/2024	EFT-02383	Fuel	\$ 111.94
13/02/2024	EFT-02383	Fuel	\$ 120.14
19/02/2024	EFT-02383	Fuel	\$ 110.59
21/02/2024	EFT-02383	Fuel	\$ 110.02
23/02/2024	EFT-02383	Oil/Lubricants	\$ 62.00
29/02/2024	EFT-02383	Fuel	\$ 115.50
25/02/2024	EFT-02383	Fuel	\$ 81.99
28/02/2024	EFT-02383	Fuel	\$ 88.11
28/02/2024	EFT-02383	Fuel	\$ 68.00
Total Ampol Card for Rego 2010			\$ 991.72
Total Ampol Purchase Card Payments			\$ 1,768.81

Schedule of Payments for April 2024
Council Meeting - 30th May 2024
Bunnings Power Pass

Date	Document No.	Description	Amount
1/02/2024	EFT-02383	Workshop supplies	44.18
4/02/2024	EFT-02383	Cleaning supplies	242.25
7/02/2024	EFT-02383	Workshop supplies	71.11
9/02/2024	EFT-02383	Workbench for WB	291.00
27/02/2024	EFT-02383	Cleaning supplies	413.42
	Total for Card ending 614		1,061.96
25/02/2024	EFT-02383	Workshop and other supplies	223.41
	Total for Card ending 584		223.41
Total Bunnings Power Pass Payments			1,285.37

9.3	REVIEW OF COUNCIL POLICIES AND DELEGATIONS TO THE CHIEF EXECUTIVE OFFICER
File No:	GF-23-0000304
Attachment(s):	Attachment 1 – Summary of changes to the Register of Delegations 2023 Attachment 2 – Proposed Register of Delegations 2024 Attachment 3 - Council Policies – clean copy Attachment 4 - Council Policies – tracked changes
Date:	15 May 2024
Responsible Officer:	Chief Executive Officer

SUMMARY

The report seeks endorsement of the review undertaken by the Chief Executive Officer (CEO) on the current Council Policies and Delegations to the CEO.

BACKGROUND

Section 5.46 of the *Local Government Act 1995* (the Act) requires that at least once every financial year, delegations are to be reviewed by the Council.

Council are asked to endorse the Delegations Register and Council Policies to ensure they are operating effectively, providing for efficient and timely administrative decisions and services relating to discretionary decisions the Council has the ability to make by virtue of the Act and other statutes.

The last review took place in September 2023. The 2024 review has been rescheduled to align more closely with the budget development process, and this new schedule will be maintained in the future.

DETAIL

The 2024 annual review of the Register of Delegations and Council Policies was undertaken to determine:

- the appropriateness of existing delegations and Council Policies
- whether to amend or remove any delegations and/or Council Policies
- the need for any additional delegations and/or Council Policies

Council to CEO Delegation Register

The review of the Council to CEO Delegation Register did not result in a proposal for any new delegations or the removal of any existing delegations. The review identified a small number of changes, a summary of the changes can be found in attachment 1 and the Register with track changes can be found at Attachment 2.

Council Policies

The review of Council Policies did not lead to any recommendations for new policies or the removal of existing ones.

Other than minor wording or formatting changes, a summary of the proposed changes can be found below, together with the clean and tracked changed Council Policies, attachments 3 and 4.

CP01 – Annual Fees, Allowances and Expenses for Councillors

- Fees and Allowances updated

CP02 – Affixing of the Common Seal

- No change

CP03 – Councillor Arrangements when attending an Overseas/Interstate/Intrastate Conference

- No change

CP04 – Employee Arrangements when attending an Overseas/Interstate/Intrastate Conference

- No change

CP06 – Purchasing

Objectives

- These have been made concise to reduce the length of the policy

Ethics and Integrity

- Moved to be part of the Objectives

Assessing Value for Money

- This was moved to a new section Principles and procedures where it is more appropriate

Defining the Purchasing Value

- This will be moved to procedures where it is more appropriate

Definitions

- Added to provide clarity of terms used in the Policy

Principles

- Added to define the principles to be applied to all procurement activities

Legislative Requirements

- Added to clearly define the applicable legislation to be followed in procurement activities

Purchasing Thresholds

- Amended to provide greater clarity on the requirements

Public Tendering Exemptions & Other Procurement Exemptions

- Moved to a table for ease of reference and provide greater clarity for Officers
- Removed Annual service / software maintenance / support or licensing fees as this is not a valid exemption and should still follow normal procurement practices.

Sole Source of Supply

- Change to Unique Goods or Services to align with legislation

Contract Renewals, Extensions and Variations

- The wording *“The revised value (if applicable) of the contract as a result of the variation can be incorporated into approved MRC budgets.”* has been added to ensure the value aligns to financial requirements

Local Economic Benefit, Socially Sustainable Procurement, and Environmentally Sustainable Procurement

- Merged with ‘Sustainable Procurement’ and aspects moved to procedures

Policy Non-Compliance

- Added to ensure further compliance and provide avenues for non-compliance

CP08 - Provision and Use of Council Vehicles

- No change

CP09 - Investments

- No change

CP10 – Donations – Financial Assistance/Support

- No change

CP11 – Use of Corporate Credit Cards

- new point 6 added and document renumbered;
- Point no 10. Clarification that prohibited expenditure must be reimbursed.

CP12 – Gate Fee Setting

- No change

CP14 – Acting Chief Executive Officer Appointment

- New point 3.4(c) added to provide a further option for an Acting CEO

CP15 – Employer/Employee Matching Community Contributions

- No change

CP16 – Legal Representation for Mindarie Regional Council Elected Members, Committee Members, Committee Members and Employees

- No change

CP17 – Continuing professional development for Council Members

- No change

CP18 - IT Policy

- No change

CP19 – Recordkeeping Policy

- No change

CP20 - Attendance at Events Policy

- No change

CP21 - Payments to Employees upon cessation of Employment

- No change

CP22 - MRC Councillors' Communication Policy

- No change

CP23 – Fraud and Misconduct Control and Resilience

- No change

EP01 – Environmental Policy

- No change

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Local Government Act 1995

The following extracts from the Act relate to Council's obligations in the areas of policy development and delegations to the CEO.

"2.7. Role of Council

(1) The Council —

- (a) governs the local government's affairs; and*
- (b) is responsible for the performance of the local government's functions.*

(2) Without limiting subsection (1), the Council is to —

- (a) oversee the allocation of the local government's finances and resources; and*
- (b) determine the local government's policies.*

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 —*

- (a) this Act other than those referred to in section 5.43; or*
- (b) the Planning and Development Act 2005 section 214(2), (3) or (5).*

** 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.

5.43. Limits on delegations to CEO

A local government cannot delegate to a CEO any of the following powers or duties

—

- (a) any power or duty that requires a decision of an absolute majority of the council;*
- (b) accepting a tender which exceeds an amount determined by the local government for the purpose of this paragraph;*
- (c) appointing an auditor;*
- (d) acquiring or disposing of any property valued at an amount exceeding an amount determined by the local government for the purpose of this paragraph;*
- (e) any of the local government's powers under section 5.98, 5.98A, 5.99, 5.99A or 5.100;*
- (f) borrowing money on behalf of the local government;*
- (g) hearing or determining an objection of a kind referred to in section 9.5;*
- (ha) the power under section 9.49A (4) to authorise a person to sign documents on behalf of the local government;*
- (h) any power or duty that requires the approval of the Minister or the Governor;*
- (i) such other powers or duties as may be prescribed."*

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

The Local Government Allowance increases detailed in CP01 Annual Fees, Allowances and Expenses for Councillors are accounted for in the Budget.

STRATEGIC COMMUNITY PLAN

Strategic Community Plan 2023 -2032	
OBJECTIVE 3	Deliver best practice governance processes and structures
Action	Ensure compliance with all legislative, probity, and regulatory requirements
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.	

COMMENT

The MRC is to keep a register of the delegations made and review the delegations at least once every financial year.

VOTING REQUIREMENT

Absolute Majority

RESPONSIBLE OFFICER RECOMMENDATION

That the Council:

1. Endorses the Delegations made to the Chief Executive Officer as detailed in Attachments 1 and 2 of this report.
2. Endorses the changes to the Council Policies as detailed in Attachments 3 and 4 of this report.

2023 Mindarie Regional Council – Delegations of Authority Register – REVIEW

No.	Delegation	Outcome of Review:	Reasons for Change
1.1.1	Authorise a Person to Perform Specified Functions under the Local Government Act	No Change	
1.1.2	Expressions of Interest for Goods and Services	No Change	
1.1.3	Tenders for Goods and Services – Call Tenders	No Change	
1.1.4	Tenders for Goods and Services – Accepting and Rejecting Tenders; Varying Contracts; Exercising Contract Extension Options	Proposed amendment	<u>Under functions:</u> Point 8 - reworded to Contract Variations to align with the Functions and General Regulations 1996. <u>Under Council Conditions:</u> Point (d) words removed to provide for the scenario where there may be a slight change of scope i.e. a new model if the extension is under F&G r21A (b)
1.1.5	Tenders for Goods and Services - Exempt Procurement	Proposed amendment	<u>Under Council conditions:</u> Removes the Tender Threshold Values to align with the Tender Exemption Regulations. It will only apply to items under the approved budget and enables administrative efficiencies. Examples include Fuel supplies, Electricity, Insurance and Member Fees
1.1.6	Panels of Pre-Qualified Suppliers for Goods and Services	No Change	
1.1.7	Disposing of Property	No Change	
1.1.8	Payments from the Municipal or Trust Funds	No Change	
1.1.9	Defer, Grant Discounts, Waive or Write Off Debts	Proposed amendment	<u>Under Council Conditions on Sub-delegation:</u> Words added to give greater clarity on the use of the sub-delegation
1.1.10	Power to Invest and Manage Investments	No Change	

DELEGATION REGISTER



May 2024

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1 Local Government Act 1995 Delegations

1.1 Council to CEO

1.1.1 Authorise a Persons to Perform Specified Functions under the Local Government Act 1995

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.3.24 Authorising persons s.9.24 Prosecutions
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation</i>	Authority to authorise persons to commence prosecutions for offences under the Local Government Act 1995 and any Local Laws made under the Local Government Act 1995 [s.9.24].
Council Conditions on this Delegation:	a. A register of Authorisations is to be maintained as a Local Government Record. b. Only persons who are appropriately qualified and trained may be authorised to perform relevant functions. c. Authorisations are to be provided in writing by issuing a Certificate of Authorisation.
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

Sub-Delegate/s: <i>Appointed by CEO</i>	Nil
CEO Conditions on this Sub-Delegation: <i>Conditions on the delegation also apply to sub-delegation.</i>	

Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. Mindarie Regional Council Waste Facility Site Amendment Local Law 2022
Record Keeping:	Records to be kept as per Recordkeeping Plan 2023.

Version Control:

1	2023 Review – New Format
2	2024 No change

1.1.2 Expressions of Interest for Goods and Services

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.3.57 Tenders for providing goods or services <i>Local Government (Functions and General) Regulations 1996:</i> r.21 Limiting who can tender, procedure for r.23 Rejecting and accepting expressions of interest to be acceptable tenderer
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to determine when to seek Expressions of Interest and to invite Expressions of Interest for the supply of goods or services [F&G r.21]. 2. Authority to consider Expressions of Interest which have not been rejected and determine those which are capable of satisfactorily providing the goods or services, for listing as acceptable tenderers [F&G r.23].
Council Conditions on this Delegation:	a. Expressions of Interest may only be called where there is an adopted budget for the proposed goods or services. b. Details of the calling of expressions of interest must be recorded in the appropriate record and in the Tender Register.
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

Sub-Delegate/s: <i>Appointed by CEO</i>	Nil
CEO Conditions on this Sub-Delegation: <i>Conditions on the delegation also apply to sub-delegation.</i>	Nil
Compliance Links:	Local Government (Functions and General) Regulations 1996 – prescribe applicable statutory procedures Council Policy CP06 Purchasing Policy
Record Keeping:	Records to be kept as per Recordkeeping Plan 2023.

Version Control:

1	21.09.2023 New format
2	15.05.2024 - No change

1.1.3 Tenders for Goods and Services – Call Tenders

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.3.57 Tenders for providing goods or services <i>Local Government (Functions and General) Regulations 1996:</i> r.11(1), (2) When tenders have to be publicly invited r.13 Requirements when local government invites tenders though not required to do so r.14 Publicly inviting tenders, requirements for
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to call tenders [F&G r.11(1)]. 2. Authority to invite tenders although not required to do so [F&G r.13]. 3. Authority to determine in writing, before tenders are called, the criteria for acceptance of tenders [F&G r.14(2a)]. 4. Authority to determine the information that is to be disclosed to those interested in submitting a tender [F&G r.14(4)(a)]. 5. Authority to vary tender information after public notice of invitation to tender and before the close of tenders, taking reasonable steps to ensure each person who has sought copies of the tender information is provided notice of the variation [F&G r.14(5)].
Council Conditions on this Delegation:	The invitation to tender is to be entered into the Tender Register in the prescribed manner. a. Tenders may only be called where there is an adopted budget for the proposed goods or services, with the exception being in the period immediately prior to the adoption of a new Annual Budget where : i. the proposed goods or services are required to fulfil a routine contract related to the day to day operations of the Local Government; or ii. a current supply contract expiry is imminent; and iii. the value of the proposed new contract has been included in the draft Annual Budget proposed for adoption, and iv. the tender specification includes a provision that the tender will only be awarded subject to the budget adoption by the Council.
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Sub-Delegate/s: <i>Appointed by CEO</i>	Nil
CEO Conditions on this Sub-Delegation: <i>Conditions on the delegation also apply to sub-delegation.</i>	

Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. Local Government (Functions and General) Regulations 1996 – prescribe applicable statutory procedures Council Policy CP06 Purchasing Policy
Record Keeping:	Records to be kept as per Recordkeeping Plan 2023.

Version Control:

1	21.09.2023 – new format
2	15.05.2024 – no change
3	

1.1.4 Tenders for Goods and Services – Accepting and Rejecting Tenders; Varying Contracts; Exercising Contract Extension Options

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.3.57 Tenders for providing goods or services <i>Local Government (Functions and General) Regulations 1996:</i> r.11(2)(j) Exercising contract extension options r.18(2), (4), (4a), (5), (6) and (7) Rejecting and accepting tenders r.20(1), (2), (3) Variation of requirements before entry into contract r.21A Varying a contract for the supply of goods or services
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to determine whether or not to reject tenders that do not comply with requirements as specified in the invitation to tender [F&G.r.18(2)]. 2. Authority to seek clarification from tenderers in relation to information contained in their tender submission [F&G r.18(4a)]. 3. Authority to assess, by written evaluation, tenders that have not been rejected, to determine: i. The extent to which each tender satisfies the criteria for deciding which tender to accept; and ii. To accept the tender that is most advantageous within the \$250,000 detailed as a condition on this Delegation [F&G r.18(4)]. 4. Authority to decline to accept any tender [F&G r.18(5)]. 5. Authority to accept the next most advantageous tender if, within 6-months of accepting a tender, a contract has not been entered into <u>OR</u> the local government and the successful tenderer agree to terminate the contract [F&G r.18(6) & (7)]. 6. Authority to determine whether variations in goods and services required are minor variations, and to negotiate with the successful tenderer to make minor variations <u>before</u> entering into a contract [F&G r.20(1) and (3)]. 7. Authority to choose the next most advantageous tender to accept, if the chosen tenderer is unable or unwilling to form a contract to supply the varied requirement <u>OR</u> the minor variation cannot be agreed with the successful tenderer, so that the tenderer ceases to be the chosen tenderer [F&G r.20(2)]. 8. Authority to a) <u>vary a contract that has been entered into as the result of a public tender, provided the variation does not change the scope of the original contract (F&G 21A(a)); or</u> b) <u>exercise a renewal or extension option contained in a tender contract (F&G 11(2)(j)).</u>vary a tendered contract, after it has been entered into, provided the variation/s are necessary for the goods and services to be supplied, and do not change the scope of the original contract or increase the contract value

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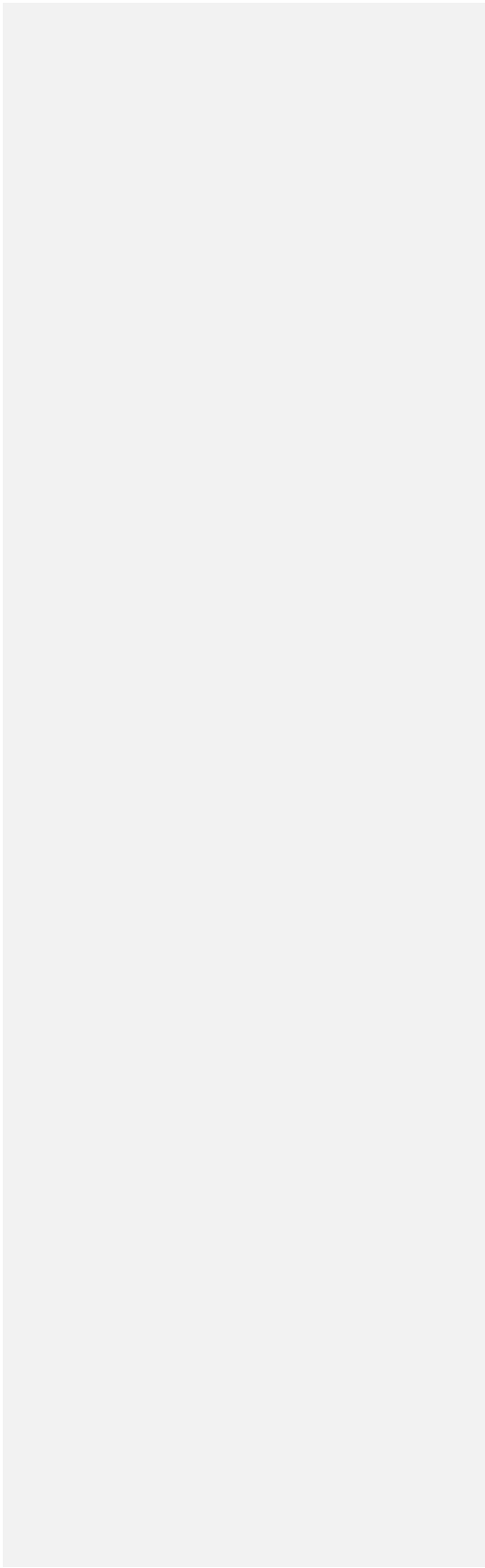
	beyond 10% or to a maximum of \$250,000 whichever is the lesser value [F&G r.21A(a)]. 9. Authority to exercise a contract extension option that was included in the original tender specification and contract in accordance with r.11(2)(j).
Council Conditions on this Delegation:	a. Exercise of authority under F&G.r.18(2) requires consideration of whether or not the requirements as specified in the invitation to tender have been expressed as mandatory and if so, discretion may not be capable of being exercised – consider process contract implications. b. In accordance with s.5.43(b), tenders may only be accepted under this delegation, where: i. The total consideration under the resulting contract is \$250,000 or less; ii. The expense is included in the adopted Annual Budget; and iii. The tenderer has complied with requirements under F&G r.18(2) and (4). c. A decision to vary a tendered contract <u>before</u> entry into the contract [F&G r.20(1) and (3)] must include evidence that the variation is minor in comparison to the total goods or services that tenderers were invited to supply. d. A decision to vary a tendered contract <u>after</u> entry into the contract [F&G r.21A(a)] must include evidence that the variation is necessary and does not change the scope of the contract. e. A decision to renew or extend the contract must only occur where the original contract contained the option to renew or extend its term as per r.11(2)(j) <u>and</u> that the contractor's performance has been reviewed and the review evidences the rationale for entering into the extended term.
Express Power to Sub-Delegate:	Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees

Sub-Delegate/s: <i>Appointed by CEO</i>	Nil
CEO Conditions on this Sub-Delegation: <i>Conditions on the delegation also apply to sub-delegation.</i>	
Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. Local Government (Functions and General) Regulations 1996 – prescribe applicable statutory procedures Council Policy CP06 Purchasing Policy
Record Keeping:	Records to be kept as per Recordkeeping Plan 2023

Version Control:

1	21.09.2023 – new format/ increase from \$50,000 to \$250,000
2	<u>15.05.2024 - Under Council Conditions: Point (d) words removed to provide for the scenario where there may be a slight change of scope i.e. a new model if the extension is under F&G r.21A (b).</u>
3	

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1.1.5 Tenders for Goods and Services - Exempt Procurement

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.3.57 Tenders for providing goods or services <i>Local Government (Functions and General) Regulations 1996:</i> r.11(2) When tenders have to be publicly invited (<i>exemptions</i>)
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to undertake tender exempt procurement, in accordance with the Purchasing Policy requirements, where the total consideration under the resulting contract is expected to be included in the adopted Annual Budget [F&G.r.11(2)]. 2. Authority to, because of the unique nature of the goods or services or for any other reason it is unlikely that there is more than one supplier, determine to contract directly with a suitable supplier [F&G r.11(2)(f)].
Council Conditions on this Delegation:	a. Tender exempt procurement under F&G.r.11(2) may only be approved where the total consideration under the resulting contract is equal to or less than <i>than \$250,000 in value and a sufficient the adopted t budget, allocation is included in the adopted Annual Budget</i> b. Tender exempt procurement under F&G.r.11(2) may be approved for petrol, oil, or other liquid or gas used for internal combustion engines, regardless of value and a sufficient budget allocation is included in the adopted Annual Budget. c. Tender exempt procurement under F&G r.11(2)(f) may only be approved where a record is retained that evidences: i. A detailed specification; ii. The outcomes of market testing of the specification; iii. The reasons why market testing has not met the requirements of the specification; iv. Rationale for why the supply is unique and cannot be sourced through other suppliers; and v. The expense is included in the adopted Annual Budget. d. —Where the total consideration of a Tender Exempt procurement contract exceeds the \$250,000 delegated above, the decision is to be referred to Council.
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

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Sub-Delegate/s: <i>Appointed by CEO</i>	Executive Manager Corporate Services Executive Manager Operations
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CEO Conditions on this Sub-Delegation: <i>Conditions on the delegation also apply to sub-delegation.</i>	a. Each sub-delegate may only use the sub-delegation in regard to contracts that are within the scope of the incumbent's position role and responsibilities.
Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. Local Government (Functions and General) Regulations 1996 – prescribe applicable statutory procedures Council Policy CP06 Purchasing Policy
Record Keeping:	Records to be kept as per Recordkeeping Plan 2023

Version Control:

1	21.09.2023 New Delegation
2.	15.05.2024 - Under Council conditions: removes the Tender Threshold Values to align with the Tender Exemptions Regulations

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1.1.6 Panels of Pre-Qualified Suppliers for Goods and Services

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government (Functions and General) Regulation 1996:</i> r.24AB Local government may establish panels of pre-qualified suppliers r.24AC(1)(b) Requirements before establishing panels of pre-qualified suppliers r.24AD(3) & (6) Requirements when inviting persons to apply to join panel of pre-qualified suppliers r.24AH(2), (3), (4) and (5) Rejecting and accepting applications to join panel of pre-qualified suppliers
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to determine that there is a continuing need for the goods or services proposed to be provided by a panel of pre-qualified suppliers [F&G r.24AC(1)(b)]. 2. Authority to, before inviting submissions, determine the written criteria for deciding which application should be for inclusion in a panel of pre-qualified suppliers should be accepted [F&G r.24AD(3)]. 3. Authority to vary panel of pre-qualified supplier information after public notice inviting submissions has been given, taking reasonable steps to each person who has enquired or submitted an application is provided notice of the variation [F&G r.24AD(6)]. 4. Authority to reject an application without considering its merits, where it was submitted at a place and within the time specified, but fails to comply with any other requirement specified in the invitation [F&G r.24AH(2)]. 5. Authority to assess applications, by written evaluation of the extent to which the submission satisfies the criteria for deciding which applicants to accept, and decide which applications to accept as most advantageous [F&G r.24AH(3)]. 6. Authority to request clarification of information provided in a submission by an applicant [F&G r.24AH(4)]. 7. Authority to decline to accept any application [F&G r.24AH(5)]. 8. Authority to enter into contract, or contracts, for the supply of goods or services with a pre-qualified supplier, as part of a panel of pre-qualified suppliers for those particular goods or services [F&G r.24AJ(1)].
Council Conditions on this Delegation:	In accordance with s.5.43, panels of pre-qualified suppliers may only be established, where the total consideration under the resulting contract is \$250,000 or less and the expense is included in the adopted Annual Budget.

Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
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Sub-Delegate/s: <i>Appointed by CEO</i>	Nil
CEO Conditions on this Sub-Delegation: <i>Conditions on the delegation also apply to sub-delegation.</i>	
Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. Local Government (Functions and General) Regulations 1996 – prescribe applicable statutory procedures Council Policy CP06 Purchasing Policy
Record Keeping:	Records to be kept as per Recordkeeping Plan 2023

Version Control:

1	21.09.2023 New Delegation
2.	15.05.2024 No Change

1.1.7 Disposing of Property

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.3.58(2) & (3) Disposing of Property <i>Local Government (Functions and General) Regulations 1996:</i> R.30 Dispositions of property excluded from Act s.3.58
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to dispose of property to: (a) the highest bidder at public auction [s.3.58(2)(a)]. (b) the person who at public tender called by the local government makes what is considered by the delegate to be, the most acceptable tender, whether or not it is the highest tender [s.3.58(2)(b)] 2. Authority to dispose of property by private treaty only in accordance with section 3.58(3) and prior to the disposal, to consider any submissions received following the giving of public notice [s.3.58(3)]. 3. Authority to dispose of property, that is prescribed as exempt from the provisions of s.3.58: (a) disposal of property (other than land / buildings), where the property is disposed within 6 months after it has been unsuccessfully put out to auction, public tender or private treaty via Statewide public notice[F&G.r.(2A) (b) disposal of property, other than land / buildings, where the market value is determined as less than \$20,000. [F&G r.30(3)(a)] (c) disposal of property, other than land / buildings, where the entire consideration received for the disposal is used to purchase other property AND the total value of the other property is not more, or worth more, than \$75,000. [F&G.r.30(3)(b)]
Council Conditions on this Delegation:	a. Disposal of land or building assets is limited to matters specified in the Annual Budget and in any other case, a Council resolution is required b. In accordance with s.5.43, disposal of property, except for Land, for any single project or where not part of a project but part of a single transaction, is limited to a value of less than \$250,000. c. When determining the method of disposal: • Where a public auction is determined as the method of disposal: - o Reserve price has been set by independent valuation. - o Where the reserve price is not achieved at auction, negotiation may be undertaken to achieve the sale at up to a -10% variation on the set reserve price. • Where a public tender is determined as the method of disposal and the tender does not achieve a reasonable price

	for the disposal of the property, then the CEO is to determine if better value could be achieved through another disposal method and if so, must determine not to accept any tender and use an alternative disposal method. - Where a private treaty is determined [s.3.58(3)] as the method of disposal, authority to: - Negotiate the sale of the property up to a -10% variance on the valuation; and - Consider any public submissions received and determine if to proceed with the disposal, ensuring reasons for the decision are recorded. - A disposal under Functions and General Regulations 30(2)(a),(f), (2A) or (3)(a),(b), the disposal method selected must obtain a best value outcome for the Local Government. - A disposal under Functions and General Regulations 30(2)(d), must be assessed as equitable in context of disposals to other employees of the Local Government. - Disposal methodology must consider and where practicable demonstrate environmentally responsible outcomes.
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

Sub-Delegate/s: <i>Appointed by CEO</i>	Nil
CEO Conditions on this Sub-Delegation: <i>Conditions on the delegation also apply to sub-delegation.</i>	
Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. Local Government Act 1995 – s.3.58 Disposal of Property Local Government (Functions and General) Regulations 1995 – r.30 Dispositions of property excluded from Act s. 3.58
Record Keeping:	Records to be kept as per Recordkeeping Plan 2023

Version Control:

1	21.09.2023 New Format
2.	30.11.2023 Council Condition 'b' value increased from \$20,000 to \$250,000
3.	15.05.2024 No Change

1.1.8 Payments from the Municipal or Trust Funds

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government (Financial Management) Regulations 1996:</i> r.12(1)(a) Payments from municipal fund or trust fund, restrictions on making
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to make payments from the municipal or trust funds [FM.r.12(1)(a)].
Council Conditions on this Delegation:	a. Authority to make payments is subject to annual budget limitations.
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

Sub-Delegate/s: <i>Appointed by CEO</i>	Executive Manager Corporate Services
CEO Conditions on this Sub-Delegation: <i>Conditions on the delegation also apply to sub-delegation.</i>	- Delegates must comply with the Procedures approved by the CEO in accordance with Financial Management Regulation 5. - Payments by Cheque and EFT transactions must be approved jointly by two Delegates, one of whom must be the CEO or the Executive Manager Corporate Services. - Delegates that approve the payment must not verify the liability. The verification of incurring the liability via the purchase order, invoice and evidence of goods / service received, must be undertaken independent of the payment approval.
Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. Local Government Act 1995 Local Government (Financial Management) Regulations 1996 - refer specifically r.13 Payments from municipal fund or trust fund by CEO, CEO's duties as to etc. Local Government (Audit) Regulations 1996 Department of Local Government, Sport and Cultural Industries Operational Guideline No.11 – Use of Corporate Credit Cards Department of Local Government, Sport and Cultural Industries: Accounting Manual
Record Keeping:	Records to be kept as per Recordkeeping Plan 2023

Version Control:

1	21.09.2023 - New Format
2	15.05.2024 - No Change

1.1.9 Defer, Grant Discounts, Waive or Write Off Debts

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.6.12 Power to defer, grant discounts, waive or write off debts
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Waive debt which is owed to the MRC [s.6.12(1)(b)]. 2. Grant a discount in relation to MRC's fees and charges. 3. Write off an amount of money which is owed to the MRC [s.6.12(1)(c)]
Council Conditions on this Delegation:	a. A debt may only be written off where all necessary measures have been taken to locate / contact the debtor and where costs associated with continued action to recover the debt will outweigh the net value of the debt if recovered by the MRC i) Limited to individual debts valued below \$10,000 or cumulative debts of a debtor valued below \$10,000. Write off of debts greater than these values must be referred for Council decision. b. Discounts on MRCs fees and charges may only be made to charitable or not for profit community groups/in accordance with Policy CP10. c. Where debts have been waived, these are to be reported in the mid-year review, d. Where discounts on fees and charges have been granted these are to be reported to Council in accordance with CP10.
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

Sub-Delegate/s: <i>Appointed by CEO</i>	Executive Manager Corporate Services to waive fee/provide a discount only.
CEO Conditions on this Sub-Delegation: <i>Conditions on the delegation also apply to sub-delegation.</i>	Executive Manager Corporate Services may waive <u>debts/fees/provide a discount in accordance with Council Policy CP10</u> <u>limited to individual values below \$500.</u>
Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. Council Policy CP10
Record Keeping:	Records to be kept as per Recordkeeping Plan 2023

Version Control:

1	21.09.2023 New Format, subdelegate added
2.	15.05.2024 – clarity

1.1.10 Power to Invest and Manage Investments

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.6.14 Power to invest <i>Local Government (Financial Management) Regulations 1996:</i> r.19 Investments, control procedures for
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to invest money held in the municipal fund or trust fund that is not, for the time being, required for any other purpose [s.6.14(1)]. 2. Authority to establish and document internal control procedures to be followed in the investment and management of investments [FM r.19].
Council Conditions on this Delegation:	a. All investment activity must comply with the Financial Management Regulation 19C and Council Policy CP09 - Investments. b. A report detailing the investment portfolio's performance, exposures and changes since last reporting, is to be provided as part of the Monthly Financial Reports. c. Procedures are to be systematically documented and retained in accordance with the Record Keeping Plan, and must include references that enable recognition of statutory requirements and assign responsibility for actions to position titles. d. Procedures are to be administratively reviewed for continuing compliance and confirmed as 'fit for purpose' and subsequently considered by the Audit and Risk Committee at least once within every 3 financial years. [Audit r.17]
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

Sub-Delegate/s: <i>Appointed by CEO</i>	Executive Manager Corporate Services
CEO Conditions on this Sub-Delegation:	Nil

<i>Conditions on the delegation also apply to sub-delegation.</i>	
Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. Local Government (Financial Management) Regulations 1996 – refer r.19C Investment of money, restrictions on (Act s.6.14(2)(a)) Council Policy – CP09 - Investments
Record Keeping:	Records to be kept as per Recordkeeping Plan 2023

Version Control:

1	21.09.2023 – New Format
2.	No Change

Policy No: CP 01**Reference: D-24-0003747****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 (\$)	LG Allowance (\$)	Allowance (\$) (Technology)
Chairperson	17,139	21,710	1,082
Deputy Chairperson	11,430	5,427.50	1,082
Councillor	11,430		1,082
Deputy Councillor	Nil		
Expenses Other	Child Care and Travel Costs will be reimbursed in accordance with Reg. 31 and 32 of the Local Government (Administration) Regulations 1996 ICT expenditure exceeding \$1082.00 may be reimbursed upon receipt of tax invoice and completed reimbursement form.		

2. Meeting fees and allowances to which the elected members are entitled, are to be paid in monthly in arrears from 01 July 2024. Payments will be made by direct deposit in arrears. Allowances will be paid on a pro-rata basis where Councillors hold office for only a portion of the 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 and allowances are increased in line with the determination of the Salaries and Allowances Tribunal effective from the date of the determination, 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	30 May 2024
Review History	18/04/2002, 07/06/2005, 06/07/2006, 23/10/2008, 25/10/2012, 02/05/2013, 05/09/2013, 04/09/2014, 20/08/2015; 01/09/2016; 14/09/2017; 14/08/2018; 13/08/2019; 18/06/2020, 12/08/2021; 31/0/2022; 21/09/2023;
Next Review Date	01/05/2025
Revision History	04/09/2014 – Increase in fees/allowances provided to councillors as determined by SAT. New part 4. 14/08/2018 clarification regarding pro rata payments 21/11/2019 – Deputy Councillor meeting fee removed

	12/08/2021 - no change 11/04/2022 SAT 2.5% increase 12/04/2023 SAT 1.5% increase 30/05/2024 SAT 4% increase, change from twice yearly payments to monthly payments in arrears.
Delegation to the Chief Executive Officer	Nil

Policy No: CP 02**Reference: D-24-0003746****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	30.05.2024
Review History	27/10/2005, 05/09/2013, 04/09/2014, 20/08/2015; 01/09/2016; 14/09/2017; 14/08/2018; 13/09/2019; 18/06/2020, 12/08/2021; 19/08/2022;21/09/2023;
Next Review Date	01/05/2025
Delegation to the Chief Executive Officer	Nil

Policy No: CP 03**Reference: D-24--0003751****Policy Title: Overseas/Interstate/Intrastate Conference Attendance (MRC Councillors)****Policy Statement:**

The purpose of this policy is to establish guidelines for Councillors attending conferences Overseas, Interstate, including outside and inside the Perth Metro Area.

This aim of the Policy is to provide opportunities for councillors to attend conferences that align with the MRCs VISION “*collaborating for a regional Circular Economy*” and MISSION of “*To deliver sustainable waste management options for members*”.

Policy Procedure:

1. 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 as an MRC Councillor they will be invited to attend, subject to the availability of funds in the budget. Where there is no budget approved and the CEO believes it would be beneficial for Councillors to attend a report will be presented to Council inviting one or more councillors to attend.

All Councillors will be provided the opportunity to attend the annual Waste and Recycling conference held in Perth.

CONFERENCES INSIDE THE PERTH METROPOLITAN AREA

1. Conference attendance, including any dinners and functions that form part of the conference program, will be pre-purchased by the MRC. All other reasonable business expenses incurred (including travel), will be reimbursed at the discretion of the MRC on receipt of a tax invoice.
2. Accommodation for Conferences inside the Perth Metropolitan area is not permitted.

CONFERENCES OUTSIDE THE PERTH METROPOLITAN AREA AND OVERSEAS

1. Conference attendance, including any dinners and functions that form part of the conference program, will be pre-purchased by the MRC. All other reasonable business expenses incurred, will be reimbursed at the discretion of the MRC on receipt of a tax invoice.
2. Economy Class airfares and accommodation will be provided and pre-purchased by the MRC.
3. Taxi vouchers, or reimbursement of taxi/ride share charges, is available to cover the travel to and from the airport, conference venue and hotel accommodation. Tax invoices must be submitted to the MRC.

Notes:

1. Any variation to the above procedures will require approval of the Chief Executive Officer.

Legislation	Local Government Act 1995 s.5.99A Local Government (Admin) regulations 1996 34AB
Responsible Officer	Chief Executive Officer
Council Meeting Date	21 September 2023
Review History	20/04/2000, 27/10/2005, 22/04/2010, 02/05/2013, 04/09/2014, 20/08/2015, 01/09/2016; 14/08/2018, 13/08/2019, 18/06/2020, 12/08/2021, 19/08/2022, 06.07.2023; 21.09.2023, 14.05.2024
Next Review Date	01/05/2025
Delegation to the Chief Executive Officer	Nil
Review History	12/08/2021 – rate increase item 3 and change to relevant conference item 7. 19/08/2022 – reference to Director Corporate Services changed to Finance Manager Title change 06/07/2023 provide further clarity on intrastate meaning 8.8.2023 Changes to clarify conferences inside/outside Perth Metro Area 14/05/2023 no change

Policy No: CP 04**Reference: D-24-0004266****Policy Title: Overseas/Interstate/Intrastate Conference Attendance (MRC Employees)****Policy Statement:**

The purpose of this policy is to establish guidelines for MRC Employees attending conferences Overseas, Interstate, including outside and inside the Perth Metro Area.

Policy Procedure:**CONFERENCES INSIDE THE PERTH METROPOLITAN AREA**

1. Conference attendance, including any dinners and functions that form part of the conference program, will be pre-purchased by the MRC. All other reasonable business expenses incurred (including travel), will be reimbursed at the discretion of the MRC on receipt of a tax invoice.
2. Accommodation for Conferences inside the Perth Metropolitan area is not permitted.

CONFERENCE OUTSIDE THE PERTH METROPOLITAN AREA AND OVERSEAS

1. Conference attendance, including any dinners and functions that form part of the conference program, will be pre-purchased by the MRC. All other reasonable business expenses incurred, will be reimbursed at the discretion of the MRC on receipt of a tax invoice.
2. Economy Class airfares and accommodation will be provided and pre-purchased by the MRC.
3. Taxi vouchers, or reimbursement of taxi/ride share charges, is available to cover the travel to and from the airport, conference venue and hotel accommodation. Tax invoices must be submitted to the MRC.

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	30 May 2024
Review History	27/10/2005, 22/04/2010, 05/09/2013, 04/09/2014, 20/08/2015, 01/09/2016; 14/9/2017; 14/08/2018, 13/09/2019, 18/06/2020, 12/08/2021; 19/08/2022; 21.09.2023
Next Review Date	01/05/2025
Delegation to the Chief Executive Officer	Nil
Review History	12/08/2021 – item 3 rate increase 19/08/2022 – reference to Director Corporate Services changed to Finance Manager 8.8.2023 Changes to clarify conferences inside/outside Perth Metro Area 14.05.2024 – no change

Policy No: CP 06**Reference: D-24-0003745****Policy Title: Purchasing Policy****Contents**

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Policy Statement

The Mindarie Regional Council (the MRC) is committed to applying the objectives, principles and practices outlined in this Policy, to all purchasing activity and to ensuring alignment with the MRC's strategic and operational objectives.

Objectives

The MRC's purchasing activities will:

- (a) ensure that the procurement process achieves the best value for money for the MRC;
- (b) ensure best practice policies and procedures are followed in relation to procurement;
- (c) ensure efficient and consistent procurement processes are implemented and maintained;
- (d) use consistent, efficient and accountable procurement practices,
- (e) ensure openness, fairness and equity to all potential suppliers;
- (f) commit to probity and integrity, including the avoidance of bias and of perceived and actual conflicts of interest;
- (g) Enhance organisational environmental sustainability.

Scope

This Policy applies to all employees, appointed representatives or agents ('Officers') involved in the procurement of goods and services for the MRC.

Definitions

ADE	means Australian Disability Enterprise
Agreement	means an understanding or arrangement between parties (whether written or verbal) to act in a specific manner when engaging in trade. The Agreement must be properly executed, lawful and current. Agreements must be established using a compliant approach to market (see Item 5 – Purchase Thresholds) and approved by an Officer with sufficient Financial Authority.
Contract	means an Agreement which creates legally enforceable obligations between parties. A purchase order is a form of Contract.
ELO	means MRC Record Keeping system
Open Market	means Officers are free to select suppliers from any source to participate in procurement activity. There is no obligation to issue a statewide public notice under Open Market conditions. The City may restrict which suppliers are invited to respond to such requests.
Public Tender	means a Tender, Expression of Interest or Panel Request which must be conducted in accordance with Part 4 of the <i>Local Government (Functions and General) Regulations 1996</i> . Public Tenders require statewide public notice to be lodged. Suppliers may not be restricted from responding to the Tender request.
Purchase Threshold	means the actual or estimated value of a commercial commitment (e.g. Agreement, Contract, or purchase order) over the full term and/or quantity of supply, including all options to extend time or increase volume.

Risk Assessment	means determining the general risk profile of a particular procurement activity giving due consideration to the type of goods or service, nature of the supply market, contracting complexity, Agreement value, party type or quantity, community impact, probity concerns or public perception.
CUA	means the State Government Common User Arrangement.
Under Agreement	means that the MRC is purchasing goods and services through the formation of Contracts (e.g. issuing Purchase Orders), under established Agreements.
Value for Money (VFM)	means the total benefit derived from a good or a service when compared to its total financial cost, assessed over the term of the Agreement, Contract, or expected lifespan of the asset.
WALGA	means the Western Australian Local Government Association.
WALGA PSP	means a WALGA Preferred Supplier under the WALGA preferred supplier program

Principles

MRC's procurement activities will be conducted in a manner which maintains compliance with legislative requirements and upholds the following:

- (a) **Value for Money:** The financial cost of procuring the good or service is not the only factor in determining VFM. Factors such as fit for purpose, quality, delivery on time, after sales service, warranty, research and development support, reputation, inclusivity, and sustainability may be important criteria in making procurement decisions
- (b) **Thinking commercially:** Approaching procurement in a way that makes efficient and effective use of MRC resources to maximise direct and indirect value created. This can be achieved through smart inventory management, productive negotiation, proactive supplier management, flexible contracting and consideration for the total cost of ownership (including initial purchase price, operating costs, maintenance cost, cost of change, disposal, exchange rates, rise & fall, interest payments and outgoings, etc.).
- (c) **Sustainability:** The MRC endorses procurement practices which seek to improve the lives of minority, marginalised or at-risk groups through equitable participation in procurement opportunities. Procurement decisions should strive to achieve the most positive economic, environmental, and social impacts possible over the life cycle of a good or service, while minimising adverse impacts.
- (d) **Mitigating Risk:** The MRC will engage suppliers on commercial terms favourable to the MRC with the aim of reducing risk. Goods and services will be preferred from suppliers who agree to and can demonstrate appropriate levels of indemnity, insurance, health and safety, compliance, financial stability, service delivery, confidentiality and conformance with applicable laws.

Legislative Requirements

All procurement activities will comply with the following:

- (a) *Local Government Act 1995 ('Act')*
- (b) *Part 4 of the Local Government (Functions and General) Regulations 1996, ('Regulations')*
- (c) *Competition and Consumer Act 2010 (Cth)*
- (d) *State Records Act 2000*

Purchasing Thresholds

The Purchase Value Threshold relates to the actual or expected value of a contract over the full contract period or the extent to which the MRC will continue to purchase a particular category of goods, services or work and the total value of that purchase.

The following thresholds apply where the total value (excluding GST) of the full contract period for the purchasing of goods and/or services is, or is expected to be.

Purchase Value Threshold (ex GST)	Purchasing Open Market	Pre-Qualified Suppliers WALGA PSP, CUA, Supply Nation or an ADE
Up to \$5,000	Direct procurement from suppliers requiring one (1) verbal or written quotation from a suitable supplier.	Obtain a minimum of one (1) quotation is required.
	When a verbal quote is received the Officer must provide a written record of the quote details.	
\$5,000 up to \$20,000	Seek a minimum of two (2) written quotations from suitable suppliers.	Obtain a minimum of one (1) written quotation is required.
	A basic scope of work/specification, evaluation criteria and risk assessment should be documented by MRC Officers.	
\$20,000 up to \$70,000	Seek a minimum of three (3) written quotations from suitable suppliers.	Seek a minimum of two (2) written quotations.
	The procurement request will include a basic scope of work/specification, evaluation criteria and risk assessment should be documented by MRC Officers.	
\$70,000 up to \$250,000	Seek a minimum of three (3) written responses from suppliers by invitation using the MRC's Request for Quotation documentation.	Seek a minimum of three (3) written quotations.
	A suitable scope of work/specification, evaluation criteria and risk assessment are required to be documented and recorded prior to engaging the market. The process must be conducted in conjunction with the Projects and Procurement business unit.	
Over \$250,000	Conduct a public tender process in accordance with Part 4, Divisions 2 and 3 of the Regulations, and this Policy. The process must be conducted in conjunction with the Projects and Procurement business unit.	Seek a minimum of three (3) written quotations from Applicable exemptions under (Part 4, Div 2, Reg 11(2)). The above processes must be conducted in conjunction with the Projects and Procurement business unit
Emergency Purchases	Where goods or services are required for an emergency response and are within scope of an existing contract, the emergency supply must be obtained from the existing contract using relevant unallocated budgeted funds.	

Purchase Value Threshold (ex GST)	Purchasing Open Market	Pre-Qualified Suppliers WALGA PSP, CUA, Supply Nation or an ADE
(Within Budget) Refer to Clause 1	If there is no existing Panel or contract, then preference should be given to WALGA PSP, CUA, Supply Nation or an Australian Disability Enterprise to fulfil the requirement, wherever practicable. However, where due to the urgency of the situation; a contracted or tender exempt supplier is unable to provide the emergency supply <u>OR</u> compliance with this Purchasing Policy would cause unreasonable delay, the supply may be obtained from any supplier capable of providing the emergency supply. However, an emergency supply is only to be obtained to the extent necessary to facilitate the urgent emergency response and must be subject to due consideration of best value and sustainable practice. The rationale for policy non-compliance and the procurement decision must be evidenced.	
Emergency Purchases (No budget allocation available) Refer for Clause 1	Where no relevant budget allocation is available for an emergency purchasing activity then, in accordance with s.6.8 of the Local Government Act 1995, the Chair must authorise, in writing, the necessary budget adjustment prior to the expense being incurred. The CEO is responsible for ensuring that an authorised emergency expenditure under s.6.8 is reported to the next ordinary Council Meeting. The Purchasing Practices prescribed for Emergency Purchases (within budget) above, then apply.	

1. Emergency Purchases

Emergency purchases are defined as the supply of goods or services associated with:

- (a) A local emergency and the expenditure is required (within existing budget allocations) to respond to an imminent risk to public safety, or to protect or make safe property or infrastructure assets; OR
- (b) A local emergency and the expenditure is required (with no relevant available budget allocation) to respond to an imminent risk to public safety, or to protect or make safe property or infrastructure assets in accordance with s.6.8 of the Local Government Act 1995 and Functions and General Regulation 11(2)(a); OR
- (c) A State of Emergency declared under the Emergency Management Act 2005 and therefore, Functions and General Regulations 11(2)(aa), (ja) and (3) apply to vary the application of this policy.

Time constraints, administrative omissions and errors do not qualify for definition as an emergency purchase. Instead, every effort must be made to research and anticipate purchasing requirements in advance and to allow sufficient time for planning and scoping proposed purchases and to then obtain quotes or tenders, as applicable.

2. Inviting Tenders Though not required to do so

The MRC may determine to invite Public Tenders, despite the estimated Purchase Value being less than the \$250,000 prescribed tender threshold, but only where an assessment determines that the purchasing requirement cannot be met through a tender exempt

arrangement and the use of a public tender process will enhance; value for money, efficiency, risk mitigation and sustainable procurement benefits.

In such cases, the tender process must comply with the legislative requirements and the MRC's tendering procedures.

3. Procurement Exemptions

Specific types of procurement may qualify for exceptions in accordance with this Policy or the Regulations, Part 4, Division 2, clause 11(2). Authority to undertake tender exempt procurement is found in Delegation Register and the use of these exemptions is subject to this Policy.

Category	Details
On Contract Spend	Goods or services are procured Under Agreement do not require quotes to be obtained prior to purchase where: - The purchase is within the general Scope of Work; and/or - There is an agreed price. Where ad-hoc goods or services are procured, or where new items are required Under Agreement, the Officer should: - Ensure the purchase is reasonably within the general scope of work; and Obtain a quote from the supplier which may be permanently added to the Agreement by way of variation (or similar).
Public Tender Exempt	Tenders over \$250,000 (ex GST) <u>do not</u> have to be publicly invited where qualified for exemption under Part 4, Division 2, reg 11(2) of the Regulations.
LGIS Services Section 9.58(6)(b) Local Government Act	The suite of LGIS insurances are established in accordance with s.9.58(6)(b) of the Local Government Act 1995 and are provided as part of a mutual, where WALGA Member Local Governments are the owners of LGIS. Therefore, obtaining LGIS insurance services is available as a member-base service and is not defined as a purchasing activity subject to this Policy. Should Council resolve to seek quotations from alternative insurance suppliers, compliance with this Policy is required.
Unique Goods or Services Justification	Officers must obtain a minimum of one quote and complete a Unique Goods or Service Justification to be approved by CEO. Officers must complete a Unique Goods or Services Justification application that must be approved prior to a contract being entered into, or a purchase order raised.
External Recruitment (Fixed term/ Permanent)	Officers must obtain a minimum of one quote from a WALGA PSP or CUA when seeking support for external recruitment services. This exemption <u>does not</u> give Officers 'Authority to Recruit' and does not apply to labour hire services.
Advance Payments	Advance payments for accommodation, travel, seminars, training or conferences.
Utility Services	Provision of utility services (where the relevant utility or nominated contractor is the only accredited provider of such services).

Category	Details
OEM or Warranty	Procurement from an original equipment manufacturer and where warranty provisions may be void.

4. Unique Goods or Services

Due to the unique nature of the goods or services required or for any other reasonable reason, it is unlikely that there is more than one potential supplier a supplier may be engaged in lieu of obtaining the usual number of quotations or conducting a tender process nominated in the Purchase Thresholds. Officers must complete a Unique Goods or Services Justification application that must be approved prior to a contract being entered into, or a purchase order raised.

For purchasing activity with a consideration exceeding the tender threshold, a unique goods or service exemption must be approved by Council resolution. Below the tender threshold, the CEO is responsible for approving all Unique Goods or Services Justification applications (refer to the MRC's Delegation Register). Supplier awards resulting from approved Unique Goods or Services Justification applications are subject to individual Financial Authority

5. Anti-Avoidance

The MRC will not conduct multiple purchasing activities with the intent (inadvertent or otherwise) of "splitting" the purchase value or the contract value, so that the effect is to avoid a particular purchasing threshold or the need to call a Public Tender. This includes the creation of two or more contracts or creating multiple purchase order transactions of a similar nature.

6. Contract Renewals, Extensions and Variations

Where a contract has been entered into as the result of a publicly invited tender process, then *Functions and General Regulation 21A* applies.

For any other contract, the contract must not be varied unless

- (a) The variation is necessary in order for the goods or services to be supplied and does not change the scope of the contract; or
- (b) The variation is a renewal or extension of the term of the contract where the extension or renewal options were included in the original contract.
- (c) The revised value (if applicable) of the contract as a result of the variation can be incorporated into approved MRC budgets

Upon expiry of the original contract, and after any options for renewal or extension included in the original contract have been exercised, the MRC is required to review the purchasing requirements and commence a new competitive purchasing process in accordance with this Policy.

7. Panels of Pre-Qualified Suppliers

In accordance with *Functions and General Regulations 24AC*, a Panel of Pre-qualified Suppliers may be created where the MRC determines that there is or will be a continuing need for the goods or services to be supplied by pre-qualified suppliers.

Should the MRC determine that a Panel is beneficial to be created, it must do so in accordance with Part 4, Division 3 of the *Functions and General Regulations*.

8. Sustainable Procurement

The MRC may consider sustainable procurement as part of its evaluation criteria with other VFM criteria (and appropriately weighted) to ensure respondents contribute to the economic, social and environmental outcomes for the benefit all.

9. Record Keeping

All procurement activities, communications and transactions, including verbal quotations and evaluations must be evidenced and retained as MRC records in accordance with the *State Records Act 2000* and the MRC's policies and procedures including the MRC Record Keeping Plan.

10. Policy Non-Compliance

Failure to comply with the requirements of this Policy will be subject to investigation, with findings to be considered in context of the responsible person's training, experience, seniority, and reasonable expectations for performance of their role. While an investigation is being undertaken, engagement in procurement activity may be suspended. Where a breach is substantiated it may be treated as:

- (a) an opportunity for additional training to be provided;
- (b) a requirement to terminate or suspend procurement activities;
- (c) a disciplinary matter, which may or may not be subject to reporting requirements under the Public Sector Management Act 1994; and/or
- (d) misconduct in accordance with the Corruption, Crime and Misconduct Act 2003.

Legislation	<i>Local Government Act 1995 (WA)</i> <i>Part 4 of the Local Government (Functions and General) Regulations 1996</i> <i>State Records Act 2000 (WA)</i> <i>Competition and Consumer Act 2010 (Cth)</i>
Organisational	Council Policy No. CP19 Record Keeping Record Keeping Plan 2023
Responsible Officer	Chief Executive Officer
Council Meeting Date	30 May 2024
Review History	Revision and update April 2024 New layout from September 2023 Previously called Purchase of Goods and Services Previous Document Number D-22-0005494
Next Review Date	May 2025

Policy No: CP 08**Reference: D-23-0005098****Policy Title: Provision and use of Council Vehicles****Policy Statement:**

The primary purpose of this policy is for the acquisition of motor vehicles by the Mindarie Regional Council (MRC) is to meet the business needs. Secondly, to acknowledge the current market place environment and to make vehicles available for use as part of an employee's salary packaging.

This policy has been established with the aim of effective motor vehicle asset management.

The policy applies to MRC's employees who are allocated MRC's owned motor vehicles.

Policy Procedure:

1. Acquisition of vehicles will adhere to the MRC CP06 Purchasing Policy, Asset Management Plan (AMP) and Annual Budget.
2. Where practicable, all vehicles purchased by the MRC shall have been awarded a minimum five star rating through the Australasian New Car Assessment Program (ANCAP).
3. In consideration of the MRC's commitment to environmental sustainability, preference will be given to the purchase of vehicles with emissions below the CO₂ threshold, hybrid vehicles and or full electric vehicles where suited to operational requirements.
4. All repairs, maintenance and replacement are to be provided by the MRC, including insurance and licensing, unless a Novated Lease option of an employment contract is elected, in which case the contract conditions will prevail.
5. Vehicle changeover will be in line with the AMP and the Annual Budget, every two years or 60,000 km whichever is the earlier and are depreciated accordingly. However, the MRC monitors market factors and may change the vehicles at a more economical time period.
6. Disposal of vehicles will be by public auction, with a reserve price based on valuations in line with CP06 Purchasing policy or by trade in against the replacement vehicle.
7. The CEO shall have full private use of the MRC's vehicle, as specified in the employment contract.
8. Executive Managers shall have full private use as specified in the employment contract.
9. Vehicles may be made available to Council Officers during work hours for operational requirements only.
10. The spouse or partner, family members or friend of an employee who is provided with a vehicle under this policy 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.
11. The MRC will provide fuel for full private use, wherever possible the fuel station at Tamala Park should be used. MRC Fuel cards will be made available to employees where this is not practicable.

Employee Responsibilities:

All drivers of MRC vehicle are responsible to ensure that they:

1. Are the holder of a current Western Australian driver's licence for the vehicle.
2. If you have been disqualified from driving a motor vehicle for any reason, immediately cease driving and notify the Human Resource Manager.
3. Lock the vehicle at all times when the vehicle is unattended.
4. All personal items in the motor vehicle are the responsibility of the employee.
5. Take full responsibility for all traffic and parking and any other infringements incurred whilst in control of the vehicle
6. Ensure that the vehicle is made available for service in accordance with the manufacturers' recommended schedules.
7. Report any defects immediately to Human Resource Manager.
8. Immediately report all accidents or damage to the vehicle, including the completion of the necessary accident incident form, insurance report and claim forms to report same to the Police Department.
9. Ensure that the no smoking rule applies to driver and all passengers using the motor vehicle.
10. Be aware of the current conditions and content of all relevant policies and procedures at all times.
11. Breach of any of the above conditions will constitute a breach of the MRC's Code of Conduct and will be dealt with accordingly.

Legislation	
Responsible Officer	Chief Executive Officer
Council Meeting Date	30 May 2024
Review History	02/05/2013; 05/09/2013; 04/09/2014, 20/08/2015; 01/09/2016; 14/09/2017; 14/08/2018; 13/09/2019, 18/06/2020, 12/08/2021; 21.09.2023; 15.05.2024
Next Review Date	01/05/2025
Revision History	14/8/2018 1. At point 1, remove rows for Site Supervisor and Plant Supervisor 2. At point 3, delete words 'Site Supervisor and Plant Supervisor' 3. At point 4, delete word 'supervisor's' and add sentence to clarify the use of the vehicles on sealed roads 12/08/2021 Vehicle value increase and remove reference to the RAC guide. 19/08/2022 Remove references to Director of Corporate Services and replace with Finance Manager 13/08/2023 word changes to incorporate environmental factors and alignment to the AMP and the Annual Budget. New section employee responsibilities. 15.05.2024 No change
Delegation to the Chief Executive Officer	Nil

Policy No: CP 09**Reference: D-24-0003744****Policy Title: Investments**

The Policy was developed to provide guidelines for the investment of funds which are surplus to the MRC's immediate requirements.

Policy Statement:

The investment policy is directed to achieve the following objectives:

- adherence to legislative requirements
- optimisation of investment income and net returns in a conservative manner, whilst striving to achieve the best outcome for the Council;
- to yield a suitable level of diversification of counter party risk;
- to maintain a low level of risk exposure by using recognised rating criteria; and
- ensure there is sufficient liquidity to allow to meet the operational r day to day funding 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 no longer comply with the parameters of this policy, the funds are to be liquidated in the most effective and expedient manner.
3. Funds may only be invested in interest bearing term deposits with Authorised Deposit Taking Institutions (ADI's) or other bank guaranteed instruments for a maximum term of three years, or Bonds guaranteed by the Commonwealth and State or Territory Government with a maturity of less than three years.
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.
6. Where practical, funds should be invested in such a manner to adequately meet the reasonable expected liquidity needs of the City's funding requirements.
7. The Regional Council's investment portfolio is not to be leveraged to obtain funding.
8. Preference is to be given to financial institutions that do not invest in or finance the fossil fuel industry, where the investment is compliant with all other aspects of the Investment Policy. Financial institutions that do not invest in or finance the fossil fuel industry will be identified based on publicly available information.
9. Subject to investments meeting the standard of this policy, MRC will ensure its financial investments consider ethical, social and environmental aspects by investing into non-fossil fuels, Green Term Deposits and Term Deposits with Environmental, Social and Governance (ESG) ratings.

Delegation of Authority

The implementation of this Policy is delegated by Council to the Chief Executive Officer in accordance with the LGA 1995. The Chief Executive Officer has the authority to sub-delegate the day to day investment activities to the Executive Manager Corporate Services.

Reporting

A monthly report must be provided to Council detailing the investment portfolio in terms of performance, portfolio balances, the income received including accrued income year to date. Documentary evidence must be held for each investment within the Investment register.

For audit purposes, confirmation certificates must be provided independently, directly to the MRC's auditors by institutions and fund managers confirming the amounts of investments held on the MRC's behalf at 30 June each financial year.

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	30 May 2024
Review History	02/05/2013; 04/09/2014, 20/08/2015, 01/09/2016; 14/09/2017; 14/08/2018; 13/08/2019, 18/06/2020, 12/08/2021; 29.09.2022; 21.09.2023; 14.05.2024
Next Review Date	01/05/2025
Revision History	04/09/2014 - Changes made to procedure for clarity as per recommendations made by MRC Auditors. 12/08/2021 no change 19/08/2022 no change 08/8/2023 changes made to align with the Financial Regulations 14.05.2024 No change
Delegation to the Chief Executive Officer	Yes

Policy No: CP 10**Reference: D-24-0003749****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 is performing an activity or activities that assists the MRC in achieving its objectives may be provided with a non cash donation of up to \$500 value, for waste disposal at the MRC weighbridge in any financial year. This donation will be provided in the form of a letter to be presented at the Weighbridge.
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	21 September 2023
Review History	02/05/2013; 05/09/2013; 04/09/2014, 20/08/2015, 01/09/2016; 14/09/2017; 14/08/2018; 13/08/2019, 18/06/2020, 12/08/2021; 29/09/2022; 21/09/2023; 14.05.2024
Next Review Date	01/08/2024
Revision History	14/08/2018 Point 1 and 2. Minor text/grammar 18/06/2020 Donations wording clarity 12/08/2021 – no change 29/08/2022 – minor text change 08/08/2023 – donation to external parties is tipping fees only. 14.05.2024 – no change
Delegation to the Chief Executive Officer	Yes

Policy No: CP11**Reference: D-24-0003748****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.

The Corporate Credit Card is an alternative method of purchasing small value goods and services outside of the normal purchasing system.

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 issued, a register of corporate cards is to be maintained, outlining the following:
 - Holder's name
 - Card number
 - Expiry date
 - Credit limit
 - Variations
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. Physical Cards are not to be used by anyone other than the cardholder. 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 immediately:
 - Commonwealth Bank - Phone 13 22 21
 - MRC Finance Officer

The MRC Finance Officer will prepare the application for replacement card from the bank and ensure it is received and registered.

6. Corporate Credit Card details may be used for on-line purchases only with the expressed written permission of the cardholder.
7. The MRC Finance Officer will ensure a replacement card is sought and received from the bank and will prepare the application for a replacement.
8. 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.
9. The credit limit on each Card is to be determined by the CEO and/or the Executive Manager Corporate Services, but may not exceed the maximum credit facility.

10. Corporate Credit Cards may only be used to purchase goods and services on behalf of the MRC. Personal expenditure and cash withdrawals are prohibited any prohibited expenditure must be reimbursed.
11. Conference and subscriptions payments are allowed to be paid by credit card.
12. Cardholders are to provide tax invoices each month to Financial Services to substantiate expenditures on their Card. Card expenditures and tax invoices are to be reviewed by the Executive Manager Corporate Services monthly.
13. A summary of expenditures incurred by the MRC credit card holders will be presented to each Ordinary Council meeting as part of the financial reporting pack.
14. Failure by a cardholder to abide by this policy will result in an investigation under the Employee Code of Conduct.

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	30 May 2024
Review History	03/09/2014; 20/08/2015; 01/09/2016; 14/09/17; 14/08/2018, 13/08/2019, 18/06/2020, 12/08/2021; 21/09/2022
Next Review Date	01/05/2025
Revision History	14/08/2018 Insert new sentence at point 10, previous point 10 changed to point 11. 12/08/2021 no change. 19/8/2021 Reference to Director Corporate Services changed to Finance Manager 13/08/2023 major review to incorporate additional controls and fraud protection. 14.05.2025 new point 6 added and document renumbered; at no 10. Clarification that prohibited expenditure must be reimbursed.
Delegation to the Chief Executive Officer	Yes

Policy No: CP12**Reference: D-24-0003743****Policy Title: Gate Fee Setting****Policy Statement:**

The purpose of this policy is to outline the 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:
 - Cover the costs of its operations, including the costs associated with the Neerabup facility.
 - Adequately fund its site restoration and post closure liabilities
 - Adequately fund its non-infrastructure capital expenditures
 - Keep ratios within the levels prescribed in the 10-year Long Term 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. The Council may approve discounts to the gate fee on an exception basis for commercial or strategic reasons.
4. 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.
5. Specific fees and charges for other 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 as part of budget deliberation process.

Legislation	Local Government Act 1995 s.6.16
Responsible Officer	Chief Executive Officer
Council Meeting Date	30 May 2024
Review History	03/09/2015; 20/08/2015; 01/09/2016; 14/09/2017; 14/08/2018; 13/08/2019, 18/06/2020, 12/08/2021; 29/09/2022; 21/09/2023
Next Review Date	01/08/2025
Delegation to the Chief Executive Officer	Yes
Review History	12/08/2021 no – change 08/08/2023 – updated in line with current practices 30/04/2024 – no change

Policy No: CP 14**Reference: D-24-0003742****Policy Title: TEMPORARY EMPLOYMENT OR ACTING APPOINTMENT OF
CHIEF EXECUTIVE OFFICER**

Policy Objective

To establish policy, in accordance with Section 5.39C of the *Local Government Act 1995* ('the Act'), that details the Mindarie Regional Council's processes for appointing an Acting or Temporary Chief Executive Officer (CEO) for periods of less than 3 months of planned or unplanned leave or an interim vacancy in the substantive office.

Policy Scope

This policy applies to the statutory position of Chief Executive Officer (CEO) of the Mindarie Regional Council.

Policy Statement

1. DEFINITIONS

- (1) **Acting CEO** means a person employed or appointed to fulfil the statutory position of CEO during a period where the substantive CEO remains employed but is on planned or unplanned leave.
- (2) **Temporary CEO** means a person employed or appointed to fulfil the statutory position of CEO for the period of time between the end of the substantive CEO's employment and the appointment and commencement of a newly appointed substantive CEO.

2. ACTING AND TEMPORARY CEO REQUIREMENTS AND QUALIFICATION

- (1) When the CEO is on planned or unplanned leave, or the CEO's employment with the Local Government has ended, an Acting or Temporary CEO is to be appointed in accordance with this Policy to fulfil the functions of CEO as detailed in Section 5.41 of the *Local Government Act 1995*, and other duties as set out in the Act and associated Regulations.

Absence from Australia for any reason, including leave or work related travel, an acting CEO is to be appointed in accordance with clause 3(1) of this policy.

- (2) Through this policy, and in accordance with section 5.36(2)(a) of the Act, the Council determines that employees appointed to the substantive position(s) of Executive Manager Corporate Services or Executive Manager Operations are considered suitably qualified to perform the role of Acting or Temporary CEO.
- (3) An employee appointed to temporarily act in the position of Executive Manager Corporate Services or Executive Manager Operations is not included in the determination set out in Clause 3 (2).

3. APPOINT ACTING CEO – PLANNED AND UNPLANNED LEAVE FOR PERIODS UP TO 3 MONTHS:

1. The CEO is authorised to appoint an Executive Manager, in writing, as Acting CEO, where the CEO is on planned or unplanned leave for periods not exceeding 3 months, subject to the CEO's consideration of the Executive Manager's performance, availability, operational requirements and, where appropriate, the equitable access to the professional development opportunity.
2. The CEO must appoint an Acting CEO for any leave periods greater than 4 days and less than 3 months.
3. The CEO is to advise the Chair when and for what period of time the Executive Manager is appointed as Acting CEO.
4. If the CEO is unavailable or unable to make the decision to appoint an Acting CEO in accordance with (1), then the following line of succession shall apply:
 - a. The Executive Manager Corporate Services will be appointed as Acting CEO; or
 - b. If the Executive Manager Corporate Services is unable to act, the Executive Manager Operations will be appointed as Acting CEO; or
 - c. Another person in consultation with the Chair.
5. Council may, by resolution, extend an Acting CEO period under subclause (3) beyond 3 months if the substantive CEO remains unavailable or unable to perform their functions and duties.

4. APPOINT ACTING CEO FOR EXTENDED LEAVE PERIODS GREATER THAN 3 MONTHS BUT LESS THAN 12 MONTHS

- (1) This clause applies to the following periods of extended leave:
 - Substantive CEO's Extended Planned Leave which may include accumulated annual leave, long service leave or personal leave; and
 - Substantive CEO's Extended Unplanned Leave which may include any disruption to the substantive CEO's ability to continuously perform their functions and duties.
- (2) The Council will, by resolution, appoint an Acting CEO for periods greater than 3 months but less than 12 months, as follows:
 - a. Appoint one employee, or multiple employees for separate defined periods, as Acting CEO to ensure the CEO position is filled continuously for the period of extended leave; or
 - b. Conduct an external recruitment process in accordance with the principles of merit and equity prescribed in section 5.40 of the Act.

- (3) The Chair will liaise with the CEO, or in their unplanned absence the Human Resource Officer to coordinate Council reports and resolutions necessary to facilitate an Acting CEO appointment.
- (4) Subject to Council's resolution, the Chair will execute in writing the Acting CEO appointment with administrative assistance from the Human Resource Officer.

5. APPOINT TEMPORARY CEO – SUBSTANTIVE VACANCY

- (1) In the event that the substantive CEO's employment with the Mindarie Regional Council is ending, the Council when determining to appoint a Temporary CEO may either:
 - a. by resolution, appoint an Executive Manager as the Temporary CEO for the period of time until the substantive CEO has been recruited and commences their employment with the Local Government; or
 - b. by resolution, appoint an Executive Manager as the interim Temporary CEO for the period of time until an external recruitment process for a Temporary CEO can be completed; or
 - c. following an external recruitment process, in accordance with the principles of merit and equity prescribed in section 5.40 of the Act, appoint a Temporary CEO for the period of time until the substantive CEO has been recruited and commences employment with the Local Government.
- (2) The Chair will liaise with the Human Resources Officer to coordinate Council reports and resolutions necessary to facilitate a Temporary CEO appointment.
- (3) The Chair is authorised to execute in writing the appointment of a Temporary CEO in accordance with Councils resolution/s, with administrative assistance from the Human Resources Officer.

6. REMUNERATION AND CONDITIONS OF ACTING OR TEMPORARY CEO

- (1) Unless Council otherwise resolves, an employee appointed as Acting CEO shall be remunerated at 90% of the cash component only of the substantive CEO's total reward package.
- (2) Council will determine by resolution, the remuneration and benefits to be offered to a Temporary CEO when entering into a contract in accordance with the requirements of Sections 5.39(1) and (2)(a) of the Act.
- (3) Subject to relevant advice, the Council retains the right to terminate or change, by resolution, any Acting or Temporary CEO Appointment.

Legislation	Local Government Act 1995 s.5.36 Local government employees s.5.39 Contracts for CEO and senior employees s.5.39C Policy for temporary employment or appointment of CEO s.5.40 Principles affecting employment by Local Governments s.5.41 Functions of CEO
Council Meeting Date	30 May 2024
Responsible Officer	CEO
Review History	13/08/2019, 18/06/2020, 21.09.2023; 30.11.2023; 30.05.2024
Next Review Date	01/05/2025
Revision History	13/08/2019 no change 21/09/2021 remove Interim CEO 19/08/2022 no change 21/09/2021 no change 02/10/2023 changes include positions that can act as CEO/temporary employment of CEO and Remuneration. 30.11.2023 New format, policy renamed 14.05.2024 New 3.4(c) added

Policy No: CP15**Reference: D-24-0003741****Policy Title: Employee / Employer Matching Community Contributions****Policy Statement:**

The Mindarie Regional Council (MRC) recognises that employees may as a group wish to support the broader community through various charitable causes and organisations that are of importance to them. In support of its employees the MRC will match employee contributions to approved initiatives on a dollar for dollar basis for monetary donations.

Procedure:

1. All permanent employees may apply to have their personal contributions to an approved community based charity or cause matched, dollar for dollar by the MRC.
2. The total contributions by the MRC under this policy are limited to \$5,000 per financial year, in aggregate.
3. The minimum application amount for matching is \$100.
4. All applications must:
 - a. Be in writing, addressed to the Chief Executive Officer (CEO);
 - b. Support a recognised charity or community organisation;
 - c. Be supported by at least 4 additional employees.
 - d. State the matching amount requested;
 - e. State the organisation's cause or benefit;
 - f. Impact the WA community.
 - g. Be accompanied by proof of employee personal contribution e.g. tax receipt.
3. The CEO is authorised to approve which charities or causes the MRC will support and to accept or decline any application.
4. Donations made under this policy will be reported to Council via the Members' Information Bulletin annually.
5. Applications that fall outside this policy may be referred to Council at the discretion of the CEO for determination.

Legislation	N/A
Responsible Officer	Chief Executive Officer
Council Meeting Date	30 May 2024
Review History	13/08/2019, 18/06/2020, 12/08/2021; 29/09/2022; 21/09/2023
Next Review Date	01/05/2025
Review History	13/08/2019 no change 12/08/2021 no change 19/08/2022 no change 15/08/2023 no change 30/05/2024 no change
Delegation to the Chief Executive Officer	Yes

Policy No: CP16

Reference: D-24-0003752

Policy Title: Legal Representation for Mindarie Regional Council Elected Members, Committee Members and Employees.

Policy Statement:

The Council may provide financial assistance to relevant persons in connection with the performance of their functions provided that the relevant person has acted in good faith and in accordance with their role(s), power(s) and responsibility(s).

In each case it will be necessary to determine whether assistance with legal costs and other liabilities is justified for the good governance of the Council.

Definitions

Approved lawyer is to be:

- a) A 'person who is admitted to the legal profession' under the *Legal Profession Act 2008*;
- b) From a law firm listed as a WALGA preferred supplier, if relevant, unless the Council considers that this is not the appropriate – for example where there is or may be a conflict of interest or insufficient expertise; and
- c) Approved in writing by the Council or the Chief Executive Officer (CEO) under delegated authority.

Council is the Mindarie Regional Council

Good faith means a sincere belief or motive without any malice or desire to defraud others.

Legal proceedings may be civil, criminal or investigative.

Legal representation is the provision of legal services, to or on behalf of a relevant person, by an approved lawyer that are in respect of;

- a) A matter or matters arising from the performance of the functions of the relevant person; and
- b) Legal proceedings involving the relevant person that have been or may be commenced.

Legal representation costs are the costs, including fees and disbursements, properly incurred in providing legal representation.

Legal services include advice, representation or documentation that is provided by an approved lawyer.

Payment by the Council of legal representation costs may be either by:

- a) A direct payment to the approved lawyer; or
- b) A reimbursement to the relevant person.

Relevant Person mean a current or former Elected Members, Committee Members and Employees of the Council.

Procedure:**1. Payment Criteria**

- 1.1. There are four major criteria for determining whether the Council will pay the legal representation costs of a relevant person. These are:
- a) The legal representation costs must relate to a matter that arises from the performance by the relevant person, or his or her functions;
 - b) The legal representation cost must be in respect of legal proceedings that have been, or may be, commenced;
 - c) In performing his or her functions, to which the legal representation relates, the relevant person must have acted in good faith, and must not have acted unlawfully or in a way that constitutes improper conduct; and
 - d) The legal representation costs do not relate to a matter that is of a personal or private nature.

2. Examples of Legal Representation Costs that may be Approved

- 2.1. If the criteria in clause 1 of this policy are satisfied, the Council may approve the payment of legal representation costs:
- a) where proceedings are brought against a relevant person in connection with his or her functions an action for defamation or negligence arising out of a decision made or action taken by the relevant person;
 - b) to enable proceedings to be commenced and/or maintained by a relevant person to permit his or her functions (e.g. where a relevant person seeks to take action to obtain a restraining order against a person using threatening behaviour to the relevant person; or
 - c) where exceptional circumstances are involved (e.g. where a person or organisation is lessening the confidence of the community in the Council by publicly making adverse personal comments about a relevant person.)
- 2.2. The Council will not approve, unless under exceptional circumstances, the payment of legal representation costs for a defamation action, or a negligence action, instituted by a relevant person.

3. Applications for Payment

- 3.1. A relevant person who seeks assistance under this policy is to make an application in writing to the Council or the CEO.
- 3.2. The written application for payment of legal representation costs is to give details of:
- a) the matter for which legal representation is sought;
 - b) how the matter relates to the functions of the relevant person making the application;
 - c) the proposed lawyer (or law firm) who is to be asked to provide the legal representation;
 - d) the nature of legal representation to be sought (such as advice, representation in court, preparation of documents etc.);
 - e) an estimated cost of the legal representation; and
 - f) why it is in the interest of the Council for payment to be made.
- 3.3. The application is to contain a declaration by the applicant that he or she has acted in good faith, and has not acted unlawfully or in a way that constitutes improper conduct in relation to the matter to which the application relates.
- 3.4. As far as possible the application is to be made before commencement of the legal representation to which the application relates.
- 3.5. The application is to be accompanied by a signed written statement by the applicant that he or she:

- a) has read and understands, the terms of this policy;
 - b) acknowledges that any approval of legal representation costs is conditional on the repayment provisions of clause 7 and any other conditions to which the approval is subject; and
 - c) undertakes to repay the Council any legal representation costs in accordance with the provisions of clause 7.
- 3.6. In relation to clause 3.5 (c), when a relevant person is to be in receipt of such monies the relevant person should sign a document which requires repayment of that money to the Council as may be required by the Council and the terms of the Policy.
- 3.7. An application is also to be accompanied by a report prepared by the CEO or where the CEO is the applicant, by an appropriate employee.

4. Legal representation costs – Limit

- 4.1. The Council, in approving an application in accordance with this policy, shall set a limit on the costs to be paid based on the estimated costs in the application or any other amount that it sees fit.
- 4.2. A relevant person may make a further application to the Council in respect of the same matter.

5. Council's Powers

- 5.1. The Council may:
- a) refuse;
 - b) grant; or
 - c) grant subjects to conditions,
- an application for payment of legal representation costs.
- 5.2. Conditions under clause 5.1 may include, but are not restricted to, a financial limit and/or a requirement to enter into a formal agreement, including a security agreement, relating to the payment, and repayment, of legal representation costs.
- 5.3. In assessing an application, Council may have regard to any insurance benefits that may be available to the applicant under the Council relevant person's insurance policy or its equivalent.
- 5.4. The Council may at any time revoke or vary an approval, or any conditions of approval, for the payment of legal representation costs.
- 5.5. The Council may, subject to clause 5.6, determine that a relevant person whose application for legal representation costs has been approved has, in respect of the matter for which legal representation costs were approved:
- a) not acted in good faith, or has acted unlawfully or in a way that constitutes improper conduct; or
 - b) given false or misleading information in respect of the application.
- 5.6. A determination under clause 5.5 may be made by the Council only on the basis of, and consistent with, the findings of a court, tribunal or inquiry.
- 5.7. Where the Council makes a determination under clause 5.5, the legal representation costs paid by the Council are to be repaid by the relevant person in accordance with clause 7.

6. Delegation to the Chief Executive Officer

- 6.1. In cases where a delay in the approval of an application will be detrimental to the legal rights of the applicant, the CEO may exercise, on behalf of the Council, any of the powers of the Council under clause 5.1 and 5.2, to a maximum of \$10,000 in respect of each application.
- 6.2. An application approved by the CEO under clause 6.1, is to be submitted to the next ordinary meeting of the Council. Council may exercise any of its powers under this policy, including its powers under clause 5.4.
- 6.3. This clause shall not apply where the applicant is the CEO. The matter will instead be referred to Council at the earliest opportunity, including a special meeting.

7. Repayment of Legal Representation Costs

- 7.1. A relevant person whose legal representation costs have been paid by the Council is to repay the Council:
- a) all or part of those costs – in accordance with a determination by Council under clause 5.7;
 - b) as much of those costs as are available to be paid by way of set-off, where the relevant employee receives monies paid for costs, damages or settlement, in respect of the matter for which the Council paid the legal representation costs.
- 7.2. The Council may take action in a court of competent jurisdiction to recover any monies due to it under Policy.

Legislation	<i>Local Government Act 1995 S9.56, S3.1, S6.7(2)</i> <i>Legal Profession Act 2008</i>
Guidelines	Department of Local Government of Communities Operational Guideline No 14 Legal Representation for Council Members and Employees April 2006
Responsible Officer	Chief Executive Officer
Council Meeting Date	30 May 2024
Review History	01/08/2019, 18/06/2020, 12/08/2021, 19/08/2022, 15/05/2023
Next Review Date	01/05/2024
Delegation to the Chief Executive Officer	Clause 6
Review History	19/08/2022 no change 15/08/2023 no change 30/05/2024 no change

Policy No: CP17**Reference: D-24-0003740****Policy Title: Elected Member continuing professional development****Policy Statement:**

The Mindarie Regional Council (MRC) is required to adopt a policy regarding the continuing professional development of council members.

The MRC is made up of seven local governments comprising of the Cities of Joondalup, Perth, Stirling, Vincent, Wanneroo and the Towns of Cambridge and Victoria Park.

Policy Procedure:

Under section 5.128 of the Local Government Act 1995 (the Act), local governments are required to have adopted a policy regarding the continuing professional development of council members.

The MRC's Councillors are each required to complete training that is set in the regulations within twelve (12) months of being elected by their respective local government.

Each of the MRC's member councils is required to prepare and adopt a policy for the continuing professional development of its council members.

Each member council CEO is required to prepare a report per financial year outlining the training that has been completed by each of their respective council members in that financial year.

Each member council CEO is then required to publish the report on the local government website within one month of the end of the financial year.

The policy, training and reporting requirements of the MRC Councillors, as required under the Act, are fulfilled by the training undertaken through their respective councils.

To comply with the requirements of the Act, the MRC's website will provide a link to each member councils' website where compliance with the policy, training and reporting requirements in respect of each of the MRC's respective councillors is evidenced.

In addition, the MRC requires Councillors, within 3 months of their appointment onto the MRC, to take part in a tour of MRC facilities and to complete the next WASTE 101 training course delivered by WALGA.

Legislation	Local Government Act 1995 s.5.128
Responsible Officer	Chief Executive Officer
Council Meeting Date	30 May 2024
Review History	12/08/2021, 12/08/2022, 21/09/2023
Next Review Date	01/05/2025
Delegation to the Chief Executive Officer	Nil

Review History	12/08/21 no change, 12/08/2022 no change, 21/09/2023 no change, 14/05/2024 no change
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Policy No: CP18**Reference: D-24-0003738****Policy Title: Information Technology Policy****PURPOSE**

To show that the Mindarie Regional Council (MRC) is committed to managing and maintaining its Information Technology whilst using current best practices.

- The MRC practices the highest levels of security measures to ensure the safety of its data. This is achieved by partnering with the Australian Cyber Security Centre (ACSC) and the WA Local Government Association (WALGA) IT development division, to stay informed of current best practice in local government.
- The MRC assists users to make appropriate use of the MRC's Information Technology resources and keeps users regularly informed about the consequences of misuse, to avoid exposure to viruses and attacks that can compromise the network and its data.
- The MRC manages all records in compliance with the State Records Act 2000 and Australian Standards on Records Management AS ISO 15489.
- The MRC provides employees with regular training on new systems and hardware to keep users competent in current best practice.
- The MRC manages all Information Technology assets and maintains its warranty and licensing to ensure all hardware and systems are compliant.
- The MRC completes quarterly access audits across all its systems to ensure that users have the correct permissions for their roles.
- The MRC maintains an Information Technology Strategic Plan to project future upgrades to, or replacements of software, systems and hardware, ensuring that the MRC's systems continue to meet the needs of the organisation.

Legislation	Local Government Act 1995 Local Government (Financial Management) Regulations 1996 State Records Act 2000
Reference/s	
Attachment/s	Nil
Responsible Officer	Chief Executive Officer
Council Meeting Date	30 May 2024
Review History	07/09/2020, 12/08/2021, 29.09.2022, 21.09.2023
Next Review Date	01/05/2025
Revision History	12/08/2021 no change, 19/08/2022 no change, 21/09/2023 no change

Policy No: CP 20**Reference: D-24-0003735****Policy Title: ATTENDANCE AT EVENTS POLICY****Policy Statement:**

Section 5.90A of the *Local Government Act 1995* provides that a local government must prepare and adopt an Attendance at Events policy.

This policy is made in accordance with those provisions.

Objective:

This policy addresses attendance at any events, including concerts, conferences, functions or sporting events, whether free of charge, part of a sponsorship agreement, or paid by the local government. The purpose of the policy is to provide transparency about the attendance at events of MRC Councillors and the Chief Executive Officer (CEO).

Statutory Requirements:**Local Government Act 1995****5.90A Policy for attendance at events**

(1) In this section —

event includes the following —

- (a) a concert;
- (b) a conference;
- (c) a function;
- (d) a sporting event;
- (e) an occasion of a kind prescribed for the purposes of this definition.

(2) A local government must prepare and adopt* a policy that deals with matters relating to the attendance of MRC Councillors and the CEO at events, including —

- (a) the provision of tickets to events; and
- (b) payments in respect of attendance; and
- (c) approval of attendance by the local government and criteria for approval; and
- (d) any prescribed matter.

* *Absolute majority required.*

(3) A local government may amend* the policy.

* *Absolute majority required.*

(4) When preparing the policy or an amendment to the policy, the local government must comply with any prescribed requirements relating to the form or content of a policy under this section.

(5) The CEO must publish an up-to-date version of the policy on the local government's official website.

1. Invitations

- 1.1 All invitations or offers of tickets for a MRC Councillor or CEO to attend an event should be in writing and addressed to the Mindarie Regional Council.
- 1.2 Any invitation or offer of tickets not addressed to the Mindarie Regional Council is not captured by this policy and must be disclosed in accordance with the gift and interest provisions in the Act.
- 1.3 A list of events and attendees authorised by the local government in advance of the event is at Attachment A

2. Approval of attendance

- 2.1 In making a decision on attendance at an event, the council will consider:
 - a) who is providing the invitation or ticket to the event,
 - b) the location of the event in relation to the local government (within the district or out of the district),
 - c) the role of the MRC Councillor or CEO when attending the event (participant, observer, presenter) and the value of their contribution,
 - d) whether the event is sponsored by the local government,
 - e) the benefit of local government representation at the event,
 - f) the number of invitations / tickets received, and
 - g) the cost to attend the event, including the cost of the ticket (or estimated value of the event per invitation) and any other expenses such as travel and accommodation.
- 2.2 Decisions to attend events in accordance with this policy will be made by simple majority or by the CEO in accordance with any authorisation provided in this policy.
- 2.3 The CEO must report to Council annually of all decisions to approve or refuse MRC Councillors, CEO or employee's attendance at Events that are not Pre-Approved Events in accordance with this policy.

Payments in respect of attendance

- 3.1 Where an invitation or ticket to an event is provided free of charge, the local government may contribute to appropriate expenses for attendance, such as travel and accommodation, for events outside the district if the council determine attendance to be of public value.
- 3.2 For any events where a member of the public is required to pay, unless previously approved and listed in Attachment A, the council will determine whether it is in the best interests of the local government for a council member or the CEO or another officer to attend on behalf of the council.
- 3.3 If the council determines that a council member or CEO should attend a paid event, the local government will pay the cost of attendance and reasonable expenses, such as travel and accommodation.
- 3.4 Where partners of an authorised local government representative attend an event, any tickets for that person, if paid for by the local government, must be reimbursed by the representative unless expressly authorised by the council.

4. Exemptions:

4.1 In accordance with regulation 20B of the Local Government (Administration) Regulations 1996, invitations or offers of tickets from the following organisations are excluded from the conflict of interest provisions, but Gifts from these sources (if over \$300) must still be disclosed and published on the gifts register:

- WALGA (excluding LGIS);
- Local Government Professionals Australia (WA);
- Australian Local Government Association;
- A department of the public service or statutory authority;
- A government department of another State, a Territory or the Commonwealth; and
- A local government or regional local government.

Invitations or offers of tickets in accordance with the above list will exclude the Gift holder from the requirement to disclose an interest, if the donor has a matter before Council and the ticket is above \$300. However, receipt of the Gift will still be required to be disclosed and published on the MRC's gift register in accordance with the gift provisions. Any other invitation or offer of tickets not sent to the MRC are not captured by this policy and must be disclosed.

5. Purchase of event tickets by the MRC:

5.1 Where it is considered significant and necessary for a representative of the MRC to attend an event, in line with considerations made under clause 2 of this policy, the CEO may approve the purchase of event tickets. Any approval to purchase event tickets must be in line with the adopted annual budget.

5.2 Clause 5 does not apply to the purchase of conference tickets and any associated costs thereof. Purchases relating to conference tickets, and any associated costs thereof, must be in the adopted annual budget and in line with Policy CP 03 – Conference Attendance (MRC Councillors) CP 04 – Conference Attendance (MRC Employees).

Legislation	Local Government Act 1995 s5.57, s5.62(1B), s.5.90A Local Government (Administration) Regulations 1996 regulation 20B
Responsible Officer	Chief Executive Officer
Council Meeting Date	30 May 2024
Created date:	01/08/2022
Next Review Date	01/08/2024
Revision History	21/09//2024 no change 14/04/2024 no change

Attachment A - Pre-approved events

The Council has pre-approved the following events which are exempt from the disclosure of interest provisions of the *Local Government Act 1995*:

Event and venue	Date of event	Attendee/s	Cost	Date of Council resolution

Policy No: CP 21

Reference: D-24-0003736

Policy Title: Payments to Employees Upon Cessation of Employment Policy
Policy Statement:

Section 5.50 of the *Local Government Act 1995* provides that a local government must prepare and adopt a Policy for Payments to Employees in addition to contract or award to employees upon cessation of employment with the Mindarie Regional Council (MRC). The Policy must address the following:

- (a) The circumstances in which the local government will pay an employee an amount in addition to any amount to which the employee is entitled under a contract of employment or award relating to the employee; and
- (b) the manner of assessment of the additional amount.

Statutory Requirements:

Local Government Act 1995 s5.50

5.50. Payments to employees in addition to contract or award

(1) A local government is to prepare a policy in relation to employees whose employment with the local government is finishing, setting out —

- (a) the circumstances in which the local government will pay an employee an amount in addition to any amount to which the employee is entitled under a contract of employment or award relating to the employee; and
- (b) the manner of assessment of the additional amount.

(1a) A local government must not make any payment of the kind described in subsection (1)(a) unless the local government has adopted a policy prepared under subsection (1).

(2) A local government may make a payment —

- (a) to an employee whose employment with the local government is finishing; and
- (b) that is more than the additional amount set out in the policy prepared under subsection (1) and adopted by the local government, but local public notice is to be given in relation to the payment made.

(3) The value of a payment or payments made to a person under this section is not to exceed such amount as is prescribed or provided for by regulations.

(4) In this section a reference to a payment to a person includes a reference to the disposition of property in favour of, or the conferral of any other financial benefit on, the person.

(5) The CEO must publish the policy prepared under subsection (1) and adopted by the local government on the local government's official website

Objective:

The objective of this Policy is to ensure compliance with Section 5.50 of the *Local Government Act 1995* to set out the circumstances when an employee who is ceasing employment with the MRC may be paid an amount in addition to their entitlements under an award or contract of employment.

Section 5.50(5) of the Act requires the Policy to be published and prepared under subsection (1), and adopted by the local government on the local government's official website.

Scope:

This Policy applies to all MRC employees, except those defined by the Council as 'Senior Employees'. Any cessation payments to Senior Employees must be approved by Council.

The CEO is responsible for implementation, and compliance with this Policy, and for providing interpretation in the event of the need for clarification or a dispute.

This policy does not allow for the disposition of MRC property to employees upon cessation of employment.

Implications (Strategic, Financial, Human Resources):

1. When a payment in accordance with this policy is permissible

Subject to the Chief Executive Officer's approval, and the employee agreeing to sign a Confidential Deed of Settlement by resigning as an employee, the MRC may initiate a settlement payment in accordance with the following circumstances.

• Settlement of a Claim

In settlement of a claim or dispute where the employee has or proposes to take action under industrial relations legislation, up to a maximum of 52 week's pay.

• Illness or Impairment

To facilitate a situation where an employee is unable to perform their role due to illness or impairment and there has been mutual agreement that the employment must end, up to 26 week's pay.

• Poor Performance / Conduct

To facilitate a situation where the MRC determines an employee is not performing to the satisfaction of the MRC, and the MRC proposes that it is beneficial (to the MRC) to end the employment relationship by paying a settlement, up to 12 week's pay.

Manner of Assessment of the Payment

Where the settlement payment is based on the weekly pay, this is the normal ordinary pay (excluding overtime, vehicle or any other allowance, or superannuation).

In assessing the payment, the following will be considered:

- The amount recommended by a Court or Tribunal to settle a matter
- The exposure to litigation and the strength of the respective cases
- The cost of legal services
- Disruption to operations
- Length of service and personal circumstances of the employee
- Position held by the employee.

2. Other Circumstances When a Payment in accordance with this Policy is Permissible:

Employees who have worked for the MRC for a minimum of ten (10) years, and who have confirmed their intent to retire permanently from the workforce may receive a corporate gift to a maximum value of up to \$500, subject to there being no recent performance or conduct concerns.

Legislation	Local Government Act 1995 s5.50
Responsible Officer	Chief Executive Officer
Council Meeting Date	30 May 2024
Created	01/08/2022
Next Review Date	01/05/2024
Revision History	21/09/2023 no change, 14.05.2024 no change
Delegation to the Chief Executive Officer	Nil

Policy No: CP 22**Reference: D-24-0003737****Policy Title: MRC COUNCILLORS' COMMUNICATIONS POLICY****Policy Statement:**

To establish a communication protocol for Councillors that allows them access to information to undertake their statutory roles.

Objective:

The objectives of this policy is to:

- provide a documented process for Councillors to access MRC information;
- ensure Councillors have access to all information necessary for them to exercise their statutory role as a member of the MRC;
- ensure that Councillors receive timely advice to assist them in the performance of their duties
- provide clarity on communications with the media

Statutory Requirements:

There are various statutory requirements relevant to Councillor communications as follows:

- a. State Records Act 2000 requires that all correspondence, including email, relating to the business of the MRC and the Council must be retained in the official records of the MRC
- b. Sections 2.8(1)(d) and 5.41(f) of the Local Government Act 1995, provide that only the Chair may speak on behalf of the MRC (or the Chief Executive Officer if authorised by the Chair to do so).
- c. Freedom of Information Act 1992 requires the preservation of correspondence and its availability for Freedom of Information purposes.
- d. Section 5.93 of the Local Government Act 1995 provides that Councillors (as well as employees) must not make improper use of any information acquired.

Procedures for Councillors to Access Council Information:

1. Councillors wishing to access information must make a request to Governance@mrc.wa.gov.au
2. The Councillor request should be drafted precisely detailing the information being sought.
3. Councillor Requests will be actioned by the MRC as soon as possible and a response will be provided using the following guidelines:
 - Same day response – information easily accessible and no investigation required
 - 1 to 5 working days – enquiry where research and investigation required
 - Within 10 working days – complex enquiry where extensive research and investigation is required.
4. Councillor Requests received outside normal business hours will be actioned on the next working day, subject to clause 3 above, unless the matter is deemed to be of an urgent nature or an emergency.
Where the matter is deemed urgent or an emergency and outside normal business hours, the Councillor must contact the CEO direct.

Electronic Correspondence:

Electronic correspondence generated and received by Councillors that relate to the business of the MRC is subject to the State Records Act 2000, and the MRC's Recordkeeping Plan, and as such must be retained within the MRC's corporate recordkeeping system. MRC Councillors must use their respective Local Government email address and is to be used for electronic correspondence between other persons/entities where it relates to the business of the MRC.

Media Relations:

In accordance with the Local Government Act 1995, only the Chair can speak on behalf of the MRC, or if authorised by the Chair, the Chief Executive Officer.

When speaking to the media as a spokesperson for the MRC, the Chair may only represent the official view of the MRC, having regard to the Local Government (Model Code of Conduct) Regulations 2021.

Councillors other than the Chair, or the Deputy Chair in the role of Acting Chair, may not speak to the media purporting to represent the views of the Council or the MRC.

Use of Social Media:

Councillors must ensure that their use of social media and other forms of communication complies with the Local Government (Model Code of Conduct) Regulations 2021.

Legislation	State Records Act 2000 Local Government Act 1995 s.2.8(1)(d), 5.93, 5.41(f) Freedom of Information Act 1992 Local Government (Model Code of Conduct) Regulations 2021.
Responsible Officer	Chief Executive Officer
Council Meeting Date	30 May 2024
Creation date	01.08.2022
Next Review Date	01.05.2025
Revision History	21/09/2023 no change, 14/05/2024 no change
Delegation to the Chief Executive Officer	Nil

Policy No: CP23

Reference: D-24-0004267

Policy Title: CONDUCTING ELECTRONIC MEETINGS AND ATTENDANCE BY ELECTRONIC MEANS POLICY

Objective:

To establish a framework enabling electronic attendance at in-person meetings and for the conduct of meetings by electronic means.

The policy is to be read in conjunction with the *Local Government Act 1995* ('the Act') and the *Local Government (Administration) Act 1996, Regulations 14C, 14CA, 14D, and 14E*.

Definitions:

- **Electronic Means** refers to the approved electronic requirements to access an in-person meeting or attend an electronic meeting, encompassing hardware and software requirements to enable instantaneous communication [Admin.r.14CA(3)]. The electronic means must be determined before the suitability of a location and equipment can be assessed as part of a request to attend electronically to an in-person meeting or to an electronic meeting.
- **Members** refers to a MRC Councillor and any other person appointed as a member of a committee under Section 5.10 of the Act.
- **Chair or Deputy Chair** refers to the MRC Chair or MRC Deputy
- **Council** refers the MRC Council
- **Committee** refers to the MRC Committees

Policy Statement

1. Electronic Attendance at an In-Person Meeting [Administration Regulations 14C and 14CA]

- (1) For efficiency and the avoidance of unnecessary inconvenience, Members are to submit requests for electronic attendance at the earliest opportunity, but in any case, requests must be received so that there is sufficient time for the request to be considered and the necessary technology and meeting protocols to be implemented.
- (2) A request for electronic attendance at an in-person meeting:
 - a. Is to be provided to the Chair;
 - b. Where the Chair is unavailable to approve a request, the request is to be considered by Council (the request is to be moved, seconded and approved);
 - c. Where the Chair rejects a request, the requester may ask Council to re-consider the request; and
 - d. The Chair may refer their own request to the Deputy Chair, or alternatively, may refer the request to Council for decision.

Note: for committees, a request for electronic attendance to an in-person committee meeting can only be approved by the Chair or Council (not the relevant committee).

- (3) Where a request **meets** the following criteria, approval will not be unreasonably withheld:
 - a. The electronic means of instantaneous communication, and the location and equipment from which the Member seeks to attend the meeting, are determined as suitable for the Member to effectively engage in deliberations and communications throughout the meeting [Admin.r.14C(5)];
 - b. The Member has made a declaration prior to the meeting, or that part of the meeting, that will be closed, that confidentiality can be maintained. In the absence

- of such a declaration, the Member is prohibited from participation in the meeting, or that part of the meeting, that is closed [Admin.r.14CA(5)]; and
- c. The approval does not exceed prescribed limitations for the number of meetings attended by that Member by electronic means [Admin.r.14C(3) and r.14C(4)].
- (4) Records of requests and decisions about requests must be retained:
 - a. Where the Chair makes the decision, the record is retained as a Local Government record (e.g. email communication) in accordance with the Local Government's Record Keeping Plan and protocols established by the CEO; and
 - b. Where Council makes the decision, the decision must be recorded in the minutes [Admin.r.11(d)].
 - (5) Subject to the member council chambers being able to accommodate use of their equipment, the CEO shall ensure that necessary administrative and technological support is readily available to facilitate attendance by electronic means at any meeting, on the basis that approvals may be given at any reasonable time prior to commencement of the meeting by the Chair or during the meeting itself by Council for a Council meeting.

2. Conducting a Meeting by Electronic Means [Administration Regulation 14D and 14E]

- (1) Ordinary meetings will primarily be held as in-person meetings.
- (2) Where a declared public health or state of emergency, or associated directions, are in effect that prevent an in-person meeting being held, the Chair or the Council can approve a meeting to be held by electronic means:
 - Meetings held by electronic means in these circumstances are not subject to, or included in, the prescribed limitation on the number of meetings held by electronic means [Admin.r.14D(2)(a)(b)].
- (3) Where it is otherwise considered expedient or necessary (and there is no declared emergency), this policy allows for Special Council meetings and Committee meetings to be held by electronic means, subject to:
 - a. The prescribed limitation is not exceeded on the number of electronic meetings allowed [Admin.r.14D(2A)];
 - b. The CEO has been consulted, before the electronic means by which the meeting is to be held is determined by the Chair or Council resolution [Admin.r.14D(3)(4)];
 - c. The decision has given due regard to whether the location from which each Member seeks to attend the meeting and the equipment each Member intends to use, are suitable to ensure each Member is able to effectively engage in deliberations and communications throughout the meeting; and
 - d. Each Member has made a declaration prior to the meeting, or that part of the meeting, that is closed, that confidentially can be maintained [Admin.r.14D(6)]. In the absence of such a declaration, a Member is prohibited from participation in the meeting, or that part of the meeting that is closed.
- (4) Where a meeting is authorised to be held as an electronic meeting, the CEO must ensure details are:
 - a. published on the Local Government's Official webpage [Admin.r.12];
 - b. provided in the Notice of Meeting/Agenda; and
 - c. broadly promoted to ensure community awareness, such as website and noticeboard.

3. Participating in Meetings by Electronic Means

- (1) **Presiding at Meeting** – Where the Chair is approved to attend an in-person meeting by electronic means, the Chair may choose to defer to the Deputy Chair [acting under Section 5.34 of the Act] for the purpose of presiding at the meeting.
- (2) **Conduct** – Members are to be familiar with the Meeting Procedures and Code of Conduct requirements, in particular, protecting confidential information and appropriate communication practices, when participating in a meeting by electronic means.
- (3) **Meeting Procedures** – Where provisions of a Meeting Procedures are not applicable to an electronic meeting environment, the Presiding Member may need to consider modification or suspension of the inconsistent subject provisions.
- (4) **Approved Electronic Means** - The approved electronic means is ZOOM
- (5) **Cameras** - MRC requests that Members cameras are operational for the duration of the meeting. Members must ensure that they are visible on screen at all times during the meeting. Member's visibility is crucial to assure members of the public that Council is fully engaged during the meeting. Members must indicate to the Chair if they are leaving or re-joining a meeting. The time a member leaves and re-joins a meeting will be reflected in the minutes.
- (6) **Location** – Members must confirm that the location from which they attend is safe, quiet, private, devoid of distractions, and where a meeting is closed to the public, a place where confidentiality can be maintained. Location requirements must be satisfied before authorisation is given to a Member to attend any meeting by electronic means.
- (7) **Equipment** – Equipment supplied by the respective Member Councils (ie IT devices such as laptop, tablets or phones) may be used to log into an electronic meeting. You may use either your Local Government electronic device supplied to you by your respective Member Council or your own personal device.
- (8) **Public Question Time** –Public Question Time will be advertised in the public notice, the MRC will invite public questions by email, and the cut off for public questions will be mid-day the day prior to the meeting.
- (9) **External Parties Participating in Council and Committee meetings** – Where external parties are invited to participate in Council or Committee meetings (such as auditor attending an electronic Audit and Risk Committee meeting/Council meeting), the External party participating in the meeting must have been approved to attend. Approval to attend is by authorisation, in the case of a committee meeting; the Chair of that Committee, or in the case of a Council meeting the Chair of the Council; or by Council resolution. The external meeting participant prior to attending the meeting must confirm they have met the electronic means, location and equipment suitability requirements of this policy, including maintaining confidentiality.
- (10) **Observers of Meetings held by Electronic Means** - Where Member Council CEOs and members of the Strategic Working Group are invited to attend an Electronic Council meeting, they may log into the meeting for the purposes of observing the meeting. Audio and Video must be turned off. Officers must display their name and the Member Council they represent. Officers will be required to confirm, prior to the meeting that they have met the electronic means, location and equipment suitability requirements of this policy, including maintaining confidentiality.

Legislation	Local Government Act 1995 s5.25 Local Government (Administration) Regulations 1996 regulations 14C, 14CA, 14D and 14E
Responsible Officer	Chief Executive Officer
Council Meeting Date	30 May 2024
Creation date	09 June 2023
Next Review Date	01 May 2025
Revision History	30.11.2023 text changed at point 3(5); 14.05.2024 no change
Delegation to the Chief Executive Officer	Nil

Policy No: CP24**Reference: D-24-0003738****Policy Title: Fraud and Misconduct Control and Resilience****Policy Statement:**

In adopting a zero tolerance approach to Fraud and Misconduct, the Mindarie Regional Council (MRC) will appropriately address all allegations and suspected instances of Fraud and Misconduct. This includes notifying, reporting or referring any such instances to the appropriate authority for investigation and possible prosecution. The MRC will seek to recover any losses incurred after considering all relevant issues.

Policy Objective

To articulate the MRC's commitment to a zero-tolerance approach to Fraud, Misconduct, Bribery and Corruption and to building resilience through the implementation of strategies to prevent, detect and respond to Fraud and Misconduct.

Scope

The management of Fraud and Misconduct is a collective responsibility of all persons engaged or closely associated with the MRC in any capacity, which includes but is not limited to Council Members, Employees and contractors.

Policy Procedure

The MRC has adopted a Risk Management Plan and Appetite Statement ("the Risk Plan") and all policies and procedure relating to the management of risk of fraud are aligned with the Australian Standard AS8001:2008 Fraud and Corruption Control.

This Policy along with the MRC Code of Conduct for employees, the Local Government Model Code of Conduct for Elected Member, the MRC's values, culture and its governance all operate in synergy to prevent, detect and respond to potential or actual Fraud and Misconduct.

The Risk Plan and the related council policies and procedures establishes the strategies and processes by which the MRC will determine specific practices, plans and procedures to manage the prevention and detection of fraudulent activities, the related investigation and, where appropriate, referral of incidents to the appropriate authorities.

Reporting Serious or Minor Misconduct

A Public Officer or any other person may report to the Corruption and Crime Commission or the Public Sector Commission any matter which that person suspects on reasonable grounds concerns or may concern serious or minor misconduct respectively. Information on reporting to the appropriate authority is available on the MRC's website.

Public Interest Disclosure

Any person may make an appropriate disclosure of public interest information to a proper authority which includes a local government. The legislation which governs such disclosures is the Public Interest Disclosure Act 2003 (PID Act).

A disclosure can be made by anyone and may be made anonymously. If disclosures are made in accordance with the PID Act, the person making them is protected from reprisal. This means that the person enjoys immunity from civil or criminal liability and is protected from any disciplinary action or dismissal.

The PID Act requires local governments to appoint a PID Officer to whom disclosures may be made. The PID Officer should be consulted when considering whether to make a disclosure. Information on public interest disclosures and the MRC's PID Officer is available on the MRC's website.

Disciplinary and Recovery Action

The MRC will respond to all instances of Fraud and Misconduct in accordance with its disciplinary process which may lead to termination. The MRC will also seek to recover any losses it may have suffered through Fraud and Misconduct.

ROLES AND RESPONSIBILITIES:

The roles and responsibilities of the CEO, Executive Managers, Managers, Council Members, and all Employees in respect of this Policy are articulated in detail in the Risk Plan.

DISPUTE RESOLUTION:

All disputes in respect of this Policy must be referred to the CEO.

EVALUATION AND REVIEW PROVISIONS

This Policy will be reviewed annually, however the Risk Plan is dynamic and will be reviewed as frequently as required to ensure it is implemented appropriately and that it remains relevant to address the identified risks.

DEFINITIONS

Any definitions listed in the following table apply to this Policy only.

Term	Definition
Bribe	The offering, giving, receiving, or soliciting of something of value for the purpose of influencing the action of an official in the discharge of his or her public or legal duties
CEO	Chief Executive Officer
Code of Conduct	The documented code that sets out the principles, values, ethical standards, appropriate behaviour and accountability that guides the conduct and decisions of all Employees
Corruption	Dishonest activity in which a director, executive, manager, employee, or contractor of an entity acts contrary to the interests of the entity and abuses his/her position of trust in order to achieve some personal gain or advantage for him or herself or for another person or entity. The concept of "corruption" [within this standard] can also involve corrupt conduct by the entity, or a person purporting to act on behalf of and in the interests of the entity, in order to secure some form of improper advantage for the entity
Employee	A person employed by a local government in accordance with section 5.36 of the LGA including the CEO, Directors, Managers, officers, casual and contract employees

Fraud	Dishonest activity causing actual or potential financial loss to any person or entity including theft of moneys or other property by employees or persons external to the entity and where deception is used at the time, immediately before or immediately following the activity. This also includes the deliberate falsification, concealment, destruction or use of falsified documentation used or intended for use for a normal purpose or the improper use of information or position for personal financial benefit. The theft of property belonging to an entity by a person or persons internal to the entity but where deception is not used is also considered 'fraud' [for the purposes of this standard] (Source: AS8001:2008).
LGA	Local Government Act 1995
Minor Misconduct	Minor misconduct occurs if a Public Officer engages in conduct that: (a) adversely affects the honest or impartial performance of the functions of a Public Authority or Public Officer, whether or not the Public Officer was acting in their Public Officer capacity at the time of engaging in the conduct; or (b) involves the performance of functions in a manner that is not honest or impartial; or (c) involves a breach of the trust placed in the Public Officer; or (d) involves the misuse of information or material that is in connection with their functions as a Public Officer, whether

Legislation	Local Government Act 1995 s.9.49A
Responsible Officer	Chief Executive Officer
Council Meeting Date	30 May 2024
Created on	08.08.2023
Review History	14.05.2024 no change
Next Review Date	01.05.2025

Policy No: EP 01**Reference: D-24-0003733****Policy Title: ENVIRONMENTAL POLICY****PURPOSE**

To show that Mindarie Regional Council (MRC) is committed to pollution prevention strategies and compliance with legal and non-legal requirements. MRC strives to undertake best practice environmental approaches to protect the natural environment and to minimise the social and environmental impacts associated with its landfill and recycling operations at Tamala Park.

MRC is committed to:

- Managing the facilities in accordance with the various legal regulations and other relevant non-legal environmental requirements.
- Promoting a '*Reduce, Reuse and Recycle and Dispose Wisely*' ethos to its staff and the wider community.
- Providing employees with information and training on environmental aspects pertaining to the facility.
- Actively mitigating pollution impacts and continuously improving the standard of environmental management through audits and reviews of the Site Management Plan (SMP), its objectives and targets.
- Communicating regularly with the local community on environmental issues and responding to any concerns regarding its operations promptly.
- Periodically review the environmental risk register.

Legislation	Part V Environmental Health Act
Reference/s	
Attachment/s	Nil
Responsible Officer	CEO
Council Meeting Date	30 May 2024
Review History	03/10/2013; 08/05/2014; 07/05/2015; 13/05/2016; 01/09/2016; 14/09/2017; 14/08/2018; 13/08/2019, 18/06/2020, 12/08/2021; 25/08/2022; 08/08/2023; 01/05/2024
Next Review Date	01/05/2025
Revision History	08/05/2014 – minor changes throughout the document. 07/05/2015 – included words 'non-legal' at the first dot point. 13/05/2016 – minor changes to the purpose. 14/08/2018 – remove references to ISO 14001. 13/08/2019 – no change 18/06/2020 EMMP now SMP 12/06/2021 - no change 25/08/2022 – minor changes/08/ 08/08/2023 – no changes 01/05/2024 – no change

Policy No: CP 01**Reference: D-24-0003747****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 (\$)	LG Allowance (\$)	Allowance (\$) (Technology)
Chairperson	17,139	21,710	1,082
Deputy Chairperson	11,430	5,427.50	1,082
Councillor	11,430		1,082
Deputy Councillor	Nil		
Expenses Other	Child Care and Travel Costs will be reimbursed in accordance with Reg. 31 and 32 of the Local Government (Administration) Regulations 1996 ICT expenditure exceeding \$1082.00 may be reimbursed upon receipt of tax invoice and completed reimbursement form		

2. Meeting fees and allowances to which the elected members are entitled, are to be paid in monthly in arrears from 01 July 2024. Payments will be made by direct deposit in arrears. Allowances will be paid on a pro-rata basis where Councillors hold office for only a portion of the 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 and allowances are increased in line with the determination of the Salaries and Allowances Tribunal effective from the date of the determination, 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	30 May 2024
Review History	18/04/2002, 07/06/2005, 06/07/2006, 23/10/2008, 25/10/2012, 02/05/2013, 05/09/2013, 04/09/2014, 20/08/2015; 01/09/2016; 14/09/2017; 14/08/2018; 13/08/2019; 18/06/2020, 12/08/2021; 31/0/2022; 21/09/2023;
Next Review Date	01/05/2025
Revision History	04/09/2014 – Increase in fees/allowances provided to councillors as determined by SAT. New part 4. 14/08/2018 clarification regarding pro rata payments 21/11/2019 – Deputy Councillor meeting fee removed 12/08/2021 - no change

	11/04/2022 SAT 2.5% increase 12/04/2023 SAT 1.5% increase 30/05/2024 SAT 4% increase, change from twice yearly payments to monthly payments in arrears.
Delegation to the Chief Executive Officer	Nil

Policy No: CP 02**Reference: D-24-0003746****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	<u>21/09/2023</u> <u>30.05.2024</u>
Review History	27/10/2005, 05/09/2013, 04/09/2014, 20/08/2015; 01/09/2016; 14/09/2017; 14/08/2018; 13/09/2019; 18/06/2020, 12/08/2021; 19/08/2022;21/09/2023; <u>15.05.2024</u>
Next Review Date	01/ <u>08</u> <u>05</u> / <u>2024</u> <u>2025</u>
Delegation to the Chief Executive Officer	Nil

Policy No: CP 03**Reference: D-24--0003751****Policy Title: Overseas/Interstate/Intrastate Conference Attendance (MRC Councillors)****Policy Statement:**

The purpose of this policy is to establish guidelines for Councillors attending conferences Overseas, Interstate, including outside and inside the Perth Metro Area.

This aim of the Policy is to provide opportunities for councillors to attend conferences that align with the MRCs VISION “*collaborating for a regional Circular Economy*” and MISSION of “*To deliver sustainable waste management options for members*”.

Policy Procedure:

1. 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 as an MRC Councillor they will be invited to attend, subject to the availability of funds in the budget. Where there is no budget approved and the CEO believes it would be beneficial for Councillors to attend a report will be presented to Council inviting one or more councillors to attend.

All Councillors will be provided the opportunity to attend the annual Waste and Recycling conference held in Perth.

CONFERENCES INSIDE THE PERTH METROPOLITAN AREA

1. Conference attendance, including any dinners and functions that form part of the conference program, will be pre-purchased by the MRC. All other reasonable business expenses incurred (including travel), will be reimbursed at the discretion of the MRC on receipt of a tax invoice.
2. Accommodation for Conferences inside the Perth Metropolitan area is not permitted.

CONFERENCES OUTSIDE THE PERTH METROPOLITAN AREA AND OVERSEAS

1. Conference attendance, including any dinners and functions that form part of the conference program, will be pre-purchased by the MRC. All other reasonable business expenses incurred, will be reimbursed at the discretion of the MRC on receipt of a tax invoice.
2. Economy Class airfares and accommodation will be provided and pre-purchased by the MRC.
3. Taxi vouchers, or reimbursement of taxi/ride share charges, is available to cover the travel to and from the airport, conference venue and hotel accommodation. Tax invoices must be submitted to the MRC.

Notes:

1. Any variation to the above procedures will require approval of the Chief Executive Officer.

Legislation	Local Government Act 1995 s.5.99A Local Government (Admin) regulations 1996 34AB
Responsible Officer	Chief Executive Officer
Council Meeting Date	21 September 2023
Review History	20/04/2000, 27/10/2005, 22/04/2010, 02/05/2013, 04/09/2014, 20/08/2015, 01/09/2016; 14/08/2018, 13/08/2019, 18/06/2020, 12/08/2021, 19/08/2022, 06.07.2023; 21.09.2023 , 14.05.2024
Next Review Date	01/ 0805/2024 2025
Delegation to the Chief Executive Officer	Nil
Review History	12/08/2021 – rate increase item 3 and change to relevant conference item 7. 19/08/2022 – reference to Director Corporate Services changed to Finance Manager Title change 06/07/2023 provide further clarity on intrastate meaning 8.8.2023 Changes to clarify conferences inside/outside Perth Metro Area 14/05/2023 no change

Policy No: CP 04**Reference: Reference: D-24-0004266****Policy Title: Overseas/Interstate/Intrastate Conference Attendance (MRC Employees)****Policy Statement:**

The purpose of this policy is to establish guidelines for MRC Employees attending conferences Overseas, Interstate, including outside and inside the Perth Metro Area.

Policy Procedure:**CONFERENCES-INSIDE THE PERTH METROPOLITAN AREA**

1. Conference attendance, including any dinners and functions that form part of the conference program, will be pre-purchased by the MRC. All other reasonable business expenses incurred (including travel), will be reimbursed at the discretion of the MRC on receipt of a tax invoice.
2. Accommodation for Conferences inside the Perth Metropolitan area is not permitted.

CONFERENCE OUTSIDE THE PERTH METROPOLITAN AREA AND OVERSEAS

1. Conference attendance, including any dinners and functions that form part of the conference program, will be pre-purchased by the MRC. All other reasonable business expenses incurred, will be reimbursed at the discretion of the MRC on receipt of a tax invoice.
2. Economy Class airfares and accommodation will be provided and pre-purchased by the MRC.
3. Taxi vouchers, or reimbursement of taxi/ride share charges, is available to cover the travel to and from the airport, conference venue and hotel accommodation. Tax invoices must be submitted to the MRC.

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.

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Legislation	
Responsible Officer	Chief Executive Officer
Council Meeting Date	24 September 2023 30 May 2024
Review History	27/10/2005, 22/04/2010, 05/09/2013, 04/09/2014, 20/08/2015, 01/09/2016; 14/9/2017; 14/08/2018, 13/09/2019, 18/06/2020, 12/08/2021; 19/08/2022; <u>21.09.2023; 14.05.2024</u>
Next Review Date	01/08/2024 08/05/2024 2025
Delegation to the Chief Executive Officer	Nil
Review History	12/08/2021 – item 3 rate increase 19/08/2022 – reference to Director Corporate Services changed to Finance Manager 8.8.2023 Changes to clarify conferences inside/outside Perth Metro Area <u>14.05.2024 – no change</u>

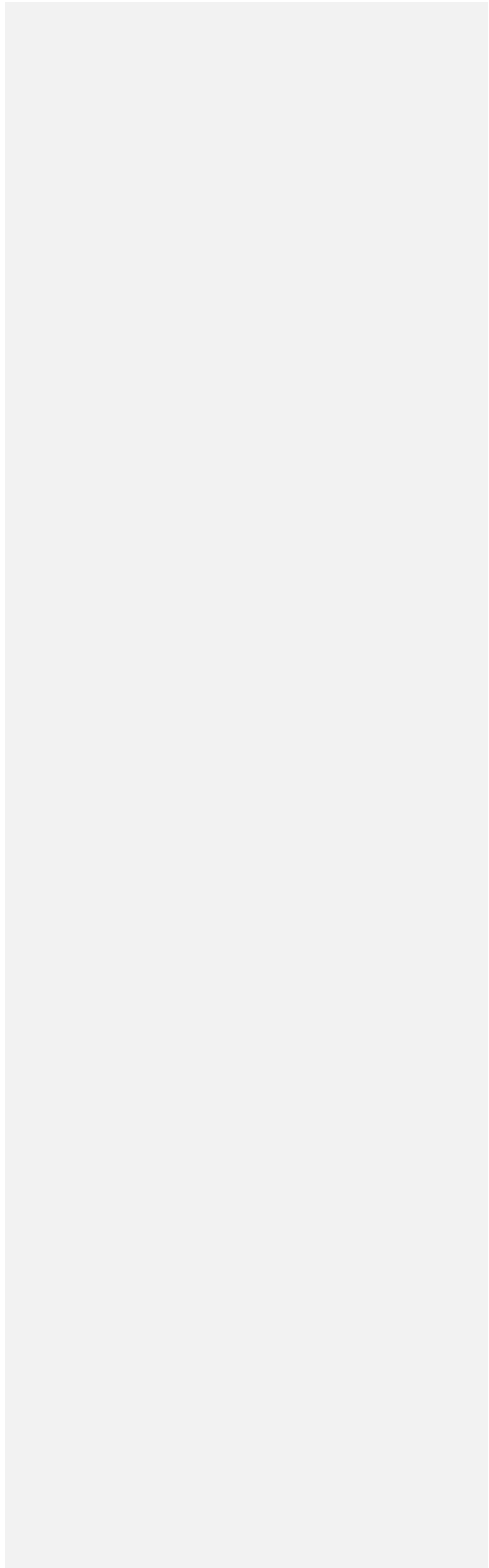
Policy No: CP 06

Reference: D-24-0003745

Policy Title: Purchasing Policy

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Policy Statement

The Mindarie Regional Council (the MRC) is committed to applying the objectives, principles and practices outlined in this Policy, to all purchasing activity and to ensuring alignment with the MRC's strategic and operational objectives.

1.1 OBJECTIVES

Objectives

The MRC's purchasing activities will:

- ~~(a) Achieve best value for money procurement outcome, based on a balanced judgement of financial and non financial factors relevant to the procurement, which considers sustainable benefits, such as; environmental, social and local economic factors;~~
- ~~(b) Foster economic development by maximising participation of local businesses in the delivery of goods and services;~~
- ~~(a) Use ensure that the procurement process achieves the best value for money for the MRC;~~
- ~~(b) ensure best practice policies and procedures are followed in relation to procurement;~~
- ~~(c) ensure efficient and consistent procurement processes are implemented and maintained;~~
- ~~(d) use consistent, efficient and accountable purchasing processes procurement practices;~~
- ~~(e) ensure openness, fairness and decision-making, including; competitive quotation processes, assessment of best value for money and sustainable procurement outcomes forequity to all purchasing activity, including tender exempt arrangements;~~
- ~~(d)(e) Apply fair and equitable competitive purchasing processes that engage potential suppliers impartially, honestly and consistently;~~
- ~~(e)(f) Commitcommit to probity and integrity, including the avoidance of bias and of perceived and actual conflicts of interest;~~
- ~~(f) Comply with the Local Government Act 1995, Local Government (Functions and General) Regulations 1996, other relevant legislation, Codes of Practice, Standards and the MRC's Policies, delegations register and procedures;~~
- ~~(g) Ensure purchasing outcomes contribute to efficiencies (time and resources) for the MRC;~~
- ~~(h) Identify and manage risks arising from purchasing processes and purchasing outcomes in accordance with the MRC's Risk Management framework;~~
- ~~(i) Ensure records evidence purchasing activities in accordance with the State Records Act 2000 and the MRC's Record Keeping Plan;~~
- ~~(j) Ensure confidentiality that protects commercial in confidence information and only releases information where appropriately approved.~~
- ~~(k)(g) Enhance organisational environmental sustainability.~~

1.2 ETHICS & INTEGRITY

The MRC's Code of ConductScope

This Policy applies ~~when undertaking purchasing activities and decision making, requiring Council Members and to all~~ employees to observe the highest standards of ethics and

integrity and act, appointed representatives or agents ('Officers') involved in an honest and professional manner at all times.

1.3 VALUE FOR MONEY

The MRC will apply value for money principles in critically assessing purchasing decisions and acknowledges that the lowest price may not always be the most advantageous.

1.3.1 Assessing Value for Money

Value for money assessment will consider:

- (a) All relevant Total Costs of Ownership (TCO) and benefits including: transaction costs associated with acquisition, delivery, distribution, and other costs such as, but not limited to; holding costs, consumables, deployment, training, maintenance and disposal;
- (b) The technical merits of the procurement of goods and services being offered in terms of compliance with specifications, contractual terms and conditions and any relevant methods of assuring quality. This includes but is not limited to an assessment of compliances, the supplier's resource availability, capacity and capability, value adds offered, warranties, guarantees, repair and replacement policies and response times, ease of inspection and maintenance, ease of after sales service, ease of communications, etc for the MRC.
- (c) The supplier's financial viability and capacity to supply without the risk of default, including the competency of the prospective suppliers in terms of managerial and technical capabilities and compliance history;
- (d) A strong element of competition by obtaining a sufficient number of competitive quotations consistent with this Policy, where practicable;
- (e) The safety requirements and standards associated with both the product design and the specification offered by suppliers and the evaluation of risk arising from the supply, operation and maintenance;
- (f) The environmental, economic and social benefits arising from the goods, services or works required, including consideration of these benefits in regard to the supplier's operations, in accordance with this Policy and any other relevant MRC Policy; and
- (g) Analysis and management of risks and opportunities that may be associated with the purchasing activity, potential supplier/s and the goods or services required.

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1.4 PURCHASING THRESHOLDS AND PRACTICES

1.4.1. Defining the Purchasing Value

The MRC will apply reasonable and consistent methodologies to assess and determine Purchasing Values, which ensure:

- (a) The appropriate purchasing threshold and practice is applied in all purchasing activities; and
- (b) Wherever possible, purchasing activity for the same category of supply is aggregated into single contract arrangements to achieve best value and efficiency in future purchasing activities where the requirements are able to be provided by a single supplier.

A **category of supply** can be defined as groupings of similar goods or services with common: supply and demand drivers; market characteristics; or suppliers.

1. Strategic Purchasing Value Assessments

The MRC will periodically review recent past purchasing activity across its operations to identify categories of supply for which the MRC will have continuing need and which can be aggregated into single contract arrangements in order to achieve best value for money and efficiency in future purchasing activity.

The assessment of aggregated expenditure for the same category of supply capable of being supplied by a single supplier will determine the Purchasing Value threshold applicable to future purchasing activity.

2. Individual Purchasing Value Assessments

In any case, where there is no relevant current contract, each purchasing activity is to assess the Purchasing Value based upon the following considerations:

- (a) Exclusive of Goods and Services Tax (GST); and
- (b) The estimated total expenditure for the proposed supply including the value of all contract extension options and where applicable, the total cost of ownership considerations.
- (c) The appropriate length of a contract is to be determined based on market volatility, ongoing nature of supply, historical purchasing evidence and estimated future purchasing requirements.
- (d) Requirements must not be split to avoid purchasing or tendering thresholds [F&G Reg-12].

The calculated estimated Purchasing Value will determine the applicable threshold and purchasing practice to be undertaken.

Value for Money assessments will be specific to the goods and or services being procured which may include aspects relating to stakeholders, markets, innovation, delivery and reporting.

Table of Definitions

1.4.2. Purchasing Thresholds and Practices

(1) Purchasing Practice Purchasing Value Thresholds

The Purchasing Value, assessed in accordance with clause 1.4.1, determines the Purchasing Practice to be applied to the MRC's purchasing activities.

Purchase Value Threshold (ex GST) ADE	Purchasing Practice means Australian Disability Enterprise	Evaluators
Up to \$5,000 (ex GST)	Direct procurement from suppliers requiring one (1) verbal or written quotation from a suitable supplier. The procurement decision is to be evidenced using preforma templates in accordance with the MRC's Record Keeping Plan.	Minimum of one internal evaluator
From \$5,001 and up to \$20,000 (ex GST) Agreement	Seek a minimum of two (2) written quotations from suitable suppliers. If purchasing from a means an understanding or arrangement between parties (whether written or verbal) to act in a specific manner when engaging in trade. The Agreement must be properly executed, lawful and current. Agreements must	Minimum of one internal evaluator

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	be established using a compliant approach to market (see Item 5 – Purchase Thresholds) and approved by an Officer with sufficient Financial Authority. WALGA PSA, CUA or other tender exempt arrangement, a minimum of one (1) written quotation is to be obtained. The purchasing decision is to be based upon assessment of the suppliers response to: • a brief outline of the specified requirement for the goods; services or works required; and • Value for Money criteria, not necessarily the lowest price. All evaluations must be documented using proforma templates and retained in accordance with the MRC's Record Keeping Plan.	
From \$20,001 and up to \$70,000 (ex GST) <u>Contract</u>	Seek a minimum three (3) written quotations from suitable suppliers, except if purchasing from a WALGA PSA, CUA or other tender exempt arrangement, where a minimum of two (2) written quotation is to be obtained. The procurement decision is to be based upon assessment of the suppliers' responses to: • an outline of the specified requirement for the goods; services or works required; and • against the selection criteria and value for Money criteria, not necessarily the lowest quote. The procurement decision is to be evidenced using proforma templates including the Brief Evaluation Report and retained in accordance with the MRC's Record Keeping Plan. <u>means an Agreement which creates legally enforceable obligations between parties. A purchase order is a form of Contract.</u>	Minimum of two internal evaluators
<u>ELO</u>	<u>means MRC Record Keeping system</u>	
From \$70,001 and up to \$250,000 (ex GST) <u>Open Market</u>	Seek at least three (3) written responses from suppliers by invitation under a formal Request for Quotation. The procurement decision is to be based upon assessment of the supplier's response to: • a detailed written specification for the goods, services or works required; and • pre-determined selection criteria that assesses all best and sustainable value considerations. Quotations must be sought in conjunction with the Projects and Procurement business unit. The procurement decision is to be evidenced using proforma templates including the Evaluation Report and retained in accordance with the MRC's Record Keeping Plan. <u>means</u>	Minimum of three evaluators including Projects and Procurement officer

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	Officers are free to select suppliers from any source to participate in procurement activity. There is no obligation to issue a statewide public notice under Open Market conditions. The City may restrict which suppliers are invited to respond to such requests.	
Over \$250,000 (ex GST) Public Tender	Tender Exempt arrangements (i.e. WALGA PSA, CUA or other tender exemption under F&G Reg.11(2)) require at least three (3) written responses from suppliers by invitation under a formal Request for Quotation. <u>OR</u> Public Tender undertaken in accordance with the <i>Local Government Act 1995</i> and relevant MRC Policy and procedures. The Tender Exempt or Public Tender procurement decision is to be based on the suppliers response to: • A detailed specification; and • Pre-determined selection criteria that assesses all best and sustainable value considerations. The above processes must be conducted in conjunction with the Projects and Procurement business unit and are subject to formal evaluation, review and approvals. All in accordance with the MRC's Recording Keeping Plan means a Tender, Expression of Interest or Panel Request which must be conducted in accordance with Part 4 of the <i>Local Government (Functions and General) Regulations 1996</i>. Public Tenders require statewide public notice to be lodged. Suppliers may not be restricted from responding to the Tender request.	Minimum of three evaluators including Business Unit Manager and Projects and Procurement officer
Purchase Threshold	means the actual or estimated value of a commercial commitment (e.g. Agreement, Contract, or purchase order) over the full term and/or quantity of supply, including all options to extend time or increase volume.	
Risk Assessment	Where goods or services are required for an emergency response and are within scope of an established Panel of Pre-qualified Supplier or existing contract, the emergency supply must be obtained from the Panel or existing contract using relevant unallocated budgeted funds. If there is no existing Panel or contract, then preference should be given to WALGA PSA and CUA to fulfil the requirement, wherever practicable. However, where due to the urgency of the situation; a contracted or tender exempt supplier is unable to provide the emergency supply <u>OR</u> compliance with this Purchasing Policy would cause unreasonable delay, the supply may be obtained from any supplier capable of providing the emergency supply. However, an emergency supply is only to be obtained to the extent necessary to facilitate the	

	urgent emergency response and must be subject to due consideration of best value and sustainable practice. The rationale for policy non-compliance and the procurement decision must be evidenced in accordance with the MRC's Record Keeping Plan means determining the general risk profile of a particular procurement activity giving due consideration to the type of goods or service, nature of the supply market, contracting complexity, Agreement value, party type or quantity, community impact, probity concerns or public perception.
CUA	<u>means the State Government Common User Arrangement.</u>
Emergency Purchases (No budget allocation available) Refer for Clause 1.4.3 Under Agreement	Where no relevant budget allocation is available for an emergency purchasing activity then, in accordance with s.6.8 of the Local Government Act 1995, the Chair must authorise, in writing, the necessary budget adjustment prior to the expense being incurred. The CEO is responsible for ensuring that an authorised emergency expenditure under s.6.8 is reported to the next ordinary Council Meeting. <u>The Purchasing Practices prescribed for Emergency Purchases (within budget) above, then apply means that the MRC is purchasing goods and services through the formation of Contracts (e.g. issuing Purchase Orders), under established Agreements.</u>
Value for Money (VFM)	<u>means the total benefit derived from a good or a service when compared to its total financial cost, assessed over the term of the Agreement, Contract, or expected lifespan of the asset.</u>
WALGA LGIS Services Section 9.58(6)(b) Local Government Act	The suite of LGIS insurances are established in accordance with s.9.58(6)(b) of the Local Government Act 1995 and are provided as part of a mutual, where WALGA Member Local Governments are the owners of LGIS. Therefore, obtaining LGIS insurance services is available as a member base service and is not defined as a purchasing activity subject to this Policy. <u>Should Council resolve to seek quotations from alternative insurance suppliers, compliance with this Policy is required means the Western Australian Local Government Association.</u>
WALGA PSP	<u>means a WALGA Preferred Supplier under the WALGA preferred supplier program</u>

Principles

MRC's procurement activities will be conducted in a manner which maintains compliance with legislative requirements and upholds the following:

- (a) **Value for Money:** The financial cost of procuring the good or service is not the only factor in determining VFM. Factors such as fit for purpose, quality, delivery on time, after sales service, warranty, research and development support, reputation, inclusivity, and sustainability may be important criteria in making procurement decisions
- (b) **Thinking commercially:** Approaching procurement in a way that makes efficient and effective use of MRC resources to maximise direct and indirect value created. This can be achieved through smart inventory management, productive negotiation, proactive supplier management, flexible contracting and consideration for the total cost of ownership (including initial purchase price, operating costs, maintenance cost, cost of change, disposal, exchange rates, rise & fall, interest payments and outgoings, etc.).

(c) **Sourcing Sustainability:** The MRC endorses procurement practices which seek to improve the lives of minority, marginalised or at-risk groups through equitable participation in procurement opportunities. Procurement decisions should strive to achieve the most positive economic, environmental, and social impacts possible over the life cycle of a good or service, while minimising adverse impacts.

(d) **Mitigating Risk:** The MRC will engage suppliers on commercial terms favourable to the MRC with the aim of reducing risk. Goods and services will be preferred from suppliers who agree to and can demonstrate appropriate levels of indemnity, insurance, health and safety, compliance, financial stability, service delivery, confidentiality and conformance with applicable laws.

Legislative Requirements

All procurement activities will comply with the following:

(a) Local Government Act 1995 ('Act')

(b) Part 4 of the Local Government (Functions and General) Regulations 1996, ('Regulations')

(c) Competition and Consumer Act 2010 (Cth)

(d) State Records Act 2000

Purchasing Thresholds

Quotations may be obtained from either:

- an existing list of suppliers administered by the MRC
- an existing panel of pre-qualified suppliers administered by the MRC
- a pre-qualified supplier on the WALGA Preferred Supplier Program or State Government Common Use arrangements; or

from the open market.

The Purchase Value Threshold relates to the actual or expected value of a contract over the full contract period or the extent to which the MRC will continue to purchase a particular category of goods, services or work and the total value of that purchase.

The following thresholds apply where the total value (excluding GST) of the full contract period for the purchasing of goods and/or services is, or is expected to be.

<u>Purchase Value Threshold (ex GST)</u>	<u>Purchasing Open Market</u>	<u>Pre-Qualified Suppliers</u> WALGA PSP, CUA, Supply Nation or an ADE
<u>Up to \$5,000</u>	<u>Direct procurement from suppliers requiring one (1) verbal or written quotation from a suitable supplier.</u>	<u>Obtain a minimum of one (1) quotation is required.</u>
	<u>When a verbal quote is received the Officer must provide a written record of the quote details.</u>	
<u>\$5,000 up to \$20,000</u>	<u>Seek a minimum of two (2) written quotations from suitable suppliers.</u>	<u>Obtain a minimum of one (1) written quotation is required.</u>
	<u>A basic scope of work/specification, evaluation criteria and risk assessment should be documented by MRC Officers.</u>	
<u>\$20,000 up to \$70,000</u>	<u>Seek a minimum of three (3) written quotations from suitable suppliers.</u>	<u>Seek a minimum of two (2) written quotations.</u>
	<u>The procurement request will include a basic scope of work/specification, evaluation criteria and risk assessment should be documented by MRC Officers.</u>	
<u>\$70,000 up to \$250,000</u>	<u>Seek a minimum of three (3) written responses from suppliers by invitation using the MRC's Request for Quotation documentation.</u>	<u>Seek a minimum of three (3) written quotations.</u>
	<u>A suitable scope of work/specification, evaluation criteria and risk assessment are required to be documented and recorded prior to engaging the market. The process must be conducted in conjunction with the Projects and Procurement business unit.</u>	
<u>Over \$250,000</u>	<u>Conduct a public tender process in accordance with Part 4, Divisions 2 and 3 of the Regulations, and this Policy.</u>	<u>Seek a minimum of three (3) written quotations from Applicable exemptions under (Part 4, Div 2, Reg 11(2)).</u> <u>The above processes must be conducted in conjunction with the</u>

<u>Purchase Value Threshold (ex GST)</u>	<u>Purchasing Open Market</u>	<u>Pre-Qualified Suppliers</u> <u>WALGA PSP, CUA, Supply Nation or an ADE</u>
	<u>The process must be conducted in conjunction with the Projects and Procurement business unit.</u>	<u>Projects and Procurement business unit</u>
<u>Emergency Purchases (Within Budget)</u> <u>Refer to Clause 1</u>	<u>Where goods or services are required for an emergency response and are within scope of an existing contract, the emergency supply must be obtained from the existing contract using relevant unallocated budgeted funds.</u> <u>If there is no existing Panel or contract, then preference should be given to WALGA PSP, CUA, Supply Nation or an Australian Disability Enterprise to fulfil the requirement, wherever practicable.</u> <u>However, where due to the urgency of the situation; a contracted or tender exempt supplier is unable to provide the emergency supply OR compliance with this Purchasing Policy would cause unreasonable delay, the supply may be obtained from any supplier capable of providing the emergency supply.</u> <u>However, an emergency supply is only to be obtained to the extent necessary to facilitate the urgent emergency response and must be subject to due consideration of best value and sustainable practice.</u> <u>The rationale for policy non-compliance and the procurement decision must be evidenced.</u>	
<u>Emergency Purchases (No budget allocation available)</u> <u>Refer for Clause 1</u>	<u>Where no relevant budget allocation is available for an emergency purchasing activity then, in accordance with s.6.8 of the Local Government Act 1995, the Chair must authorise, in writing, the necessary budget adjustment prior to the expense being incurred.</u> <u>The CEO is responsible for ensuring that an authorised emergency expenditure under s.6.8 is reported to the next ordinary Council Meeting.</u> <u>The Purchasing Practices prescribed for Emergency Purchases (within budget) above, then apply.</u>	

1.4.3.1. Emergency Purchases

Emergency purchases are defined as the supply of goods or services associated with:

- (a) A local emergency and the expenditure is required (within existing budget allocations) to respond to an imminent risk to public safety, or to protect or make safe property or infrastructure assets; OR
- (b) A local emergency and the expenditure is required (with no relevant available budget allocation) to respond to an imminent risk to public safety, or to protect or make safe property or infrastructure assets in accordance with s.6.8 of the Local Government Act 1995 and Functions and General Regulation 11(2)(a); OR
- (c) A State of Emergency declared under the Emergency Management Act 2005 and therefore, Functions and General Regulations 11(2)(aa), (ja) and (3) apply to vary the application of this policy.

Time constraints, administrative omissions and errors do not qualify for definition as an emergency purchase. Instead, every effort must be made to research and anticipate

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purchasing requirements in advance and to allow sufficient time for planning and scoping proposed purchases and to then obtain quotes or tenders, as applicable.

1.4.4.2. Inviting Tenders Though not ~~Required~~required to do so

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The MRC may determine to invite Public Tenders, despite the estimated Purchase Value being less than the \$250,000 prescribed tender threshold, but only where an assessment determines that the purchasing requirement cannot be met through a tender exempt arrangement and the use of a public tender process will enhance; value for money, efficiency, risk mitigation and sustainable procurement benefits.

In such cases, the tender process must comply with the legislative requirements and the MRC's tendering procedures ~~[F&G Reg.13]~~.

1.4.5. Public Tendering Exemptions

~~An exemption from publicly inviting tenders may apply in the following instances:~~

- ~~• The purchase is obtained from a pre-qualified supplier under the WALGA Preferred Supplier Program or State Government Common Use Arrangement~~
- ~~• The purchase is from a Regional Local Government or another Local Government.~~
- ~~• The supply of the goods or services is associated with a state of emergency.~~
- ~~• The purchase is from a pre-qualified supplier under a Panel established by the MRC;~~
~~or~~
- ~~• Any of the other exclusions under Regulation 11 of the Regulations apply.~~

1.4.6.3. Other Procurement Exemptions

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~~The following are further exemptions where Specific types of procurement may qualify for exceptions in accordance with this Policy or the MRC is not required Regulations, Part 4, Division 2, clause 11(2). Authority to undertake a competitive procurement process and only where the total value of the tender exempt procurement does not exceed \$250,000 (exclusive of GST):~~

- ~~• Advanced payments (accommodation, travel seminars, training, conferences).~~
- ~~• Annual service / software maintenance / support or licensing fees.~~
- ~~• Legal services (is found in Delegation Register and the use of these exemptions is subject to legal preferred supplier panel arrangements).this Policy.~~
- ~~• Memberships, subscriptions and/or renewals~~
- ~~• Provision of advertising services.~~
- ~~• Provision of temporary personnel under established panel arrangements~~
- ~~• Provision of utility services~~
- ~~• Procurement from an original equipment manufacturer and where warranty provision may be void; and~~
- ~~• Contracts for petrol, oil, or other liquid or gas used for internal combustion engines (regardless of value).~~

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1.4.7. Sole Source of Supply

~~The procurement of goods, services or works available from only one private sector source of supply (manufacturer, supplier or agency) is permitted without undertaking a competitive process (Public Tender or RFQ processes) provided the MRC is satisfied that there is~~

~~genuinely only one source of supply for those goods, services or works. Written confirmation to evidence this must be kept on file for audit purposes.~~

Category	Details
<u>On Contract Spend</u>	<u>Goods or services are procured Under Agreement do not require quotes to be obtained prior to purchase where:</u> - <u>The purchase is within the general Scope of Work; and/or</u> - <u>There is an agreed price.</u> <u>Where ad-hoc goods or services are procured, or where new items are required Under Agreement, the Officer should:</u> - <u>Ensure the purchase is reasonably within the general scope of work; and</u> <u>Obtain a quote from the supplier which may be permanently added to the Agreement by way of variation (or similar).</u>
<u>Public Tender Exempt</u>	<u>Tenders over \$250,000 (ex GST) do not have to be publicly invited where qualified for exemption under Part 4, Division 2, reg 11(2) of the Regulations.</u>
<u>LGIS Services Section 9.58(6)(b) Local Government Act</u>	<u>The suite of LGIS insurances are established in accordance with s.9.58(6)(b) of the Local Government Act 1995 and are provided as part of a mutual, where WALGA Member Local Governments are the owners of LGIS. Therefore, obtaining LGIS insurance services is available as a member-base service and is not defined as a purchasing activity subject to this Policy.</u> <u>Should Council resolve to seek quotations from alternative insurance suppliers, compliance with this Policy is required.</u>
<u>Unique Goods or Services Justification</u>	<u>Officers must obtain a minimum of one quote and complete a Unique Goods or Service Justification to be approved by CEO. Officers must complete a Unique Goods or Services Justification application that must be approved prior to a contract being entered into, or a purchase order raised.</u>
<u>External Recruitment (Fixed term/ Permanent)</u>	<u>Officers must obtain a minimum of one quote from a WALGA PSP or CUA when seeking support for external recruitment services. This exemption does not give Officers 'Authority to Recruit' and does not apply to labour hire services.</u>
<u>Advance Payments</u>	<u>Advance payments for accommodation, travel, seminars, training or conferences.</u>
<u>Utility Services</u>	<u>Provision of utility services (where the relevant utility or nominated contractor is the only accredited provider of such services).</u>
<u>OEM or Warranty</u>	<u>Procurement from an original equipment manufacturer and where warranty provisions may be void.</u>

4. Unique Goods or Services

Due to the unique nature of the goods or services required or for any other reasonable reason, it is unlikely that there is more than one potential supplier a supplier may be engaged in lieu of obtaining the usual number of quotations or conducting a tender process nominated in the Purchase Thresholds. Officers must complete a Unique Goods or Services Justification

application that must be approved prior to a contract being entered into, or a purchase order raised.

For purchasing activity with a consideration exceeding the tender threshold, a unique goods or service exemption must be approved by Council resolution. Below the tender threshold, the CEO is responsible for approving all Unique Goods or Services Justification applications (refer to the MRC's Delegation Register). Supplier awards resulting from approved Unique Goods or Services Justification applications are subject to individual Financial Authority

1.4.8.5. Anti-Avoidance

The MRC will not conduct multiple purchasing activities with the intent (inadvertent or otherwise) of "splitting" the purchase value or the contract value, so that the effect is to avoid a particular purchasing threshold or the need to call a Public Tender. This includes the creation of two or more contracts or creating multiple purchase order transactions of a similar nature.

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1.4.9.6. Contract Renewals, Extensions and Variations

Where a contract has been entered into as the result of a publicly invited tender process, then *Functions and General Regulation 21A* applies.

For any other contract, the contract must not be varied unless

- (a) The variation is necessary in order for the goods or services to be supplied and does not change the scope of the contract; or
- (b) The variation is a renewal or extension of the term of the contract where the extension or renewal options were included in the original contract.

(c) The revised value (if applicable) of the contract as a result of the variation can be incorporated into approved MRC budgets and/or the MRC's Long-term Financial Plans.

Upon expiry of the original contract, and after any options for renewal or extension included in the original contract have been exercised, the MRC is required to review the purchasing requirements and commence a new competitive purchasing process in accordance with this Policy.

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1.4.10. 7. Panels of Pre-Qualified Suppliers

In accordance with *Functions and General Regulations 24AC*, a Panel of Pre-qualified Suppliers may be created where the MRC determines that there is or will be a continuing need for the goods or services to be supplied by pre-qualified suppliers.

Should the MRC determine that a Panel is beneficial to be created, it must do so in accordance with Part 4, Division 3 of the *Functions and General Regulations*.

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8. Sustainable Procurement

The MRC ~~is committed to implementing may consider~~ sustainable procurement ~~by providing a preference to suppliers that demonstrate sustainable business practices (social advancement, environmental protection and local economic benefits).~~

~~The MRC will apply Sustainable Procurement criteria as part of the value for money assessment to ensure that wherever possible our suppliers demonstrate outcomes which contribute to improved environmental, social and local economic outcomes.~~

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~~Sustainable Procurement can be demonstrated as being internally focussed (i.e. operational environmental efficiencies or employment opportunities and benefits relating to special needs), or externally focussed (i.e. initiatives such as corporate philanthropy).~~

~~Requests for Quotation and Tenders will include a request for Suppliers to provide information regarding their sustainable practices and/or demonstrate that their product or service offers enhanced sustainable benefits.~~

~~2.1. LOCAL ECONOMIC BENEFIT~~

~~The MRC, where possible, will seek to maximise the use of competitive local businesses, when purchasing Goods and/or Services, or contracted on behalf of the Council.~~

~~2.2. SOCIALLY SUSTAINABLE PROCUREMENT~~

~~The MRC will support the purchasing of requirements from socially sustainable suppliers such as Australian Disability Enterprises and Aboriginal businesses wherever a value for money assessment demonstrates benefit towards achieving the MRC's strategic and operational objectives.~~

~~2.3. ENVIRONMENTALLY SUSTAINABLE PROCUREMENT~~

~~The MRC will support the purchasing of recycled and environmentally sustainable products and services whenever a value for money assessment demonstrates benefit toward achieving the MRC's strategic and operational objectives.~~

~~Qualitative weighted selection criteria of 10% will be used in the evaluation of Requests for Quote and Tenders to provide advantages to suppliers which:~~

~~demonstrate policies and practices that have been implemented by the business as part of its operations; evaluation criteria with other VFM criteria (and appropriately weighted) to ensure respondents contribute to the economic, social and environmental outcomes for the benefit all.~~

~~(a) generate less waste material by reviewing how supplies, materials and equipment are manufactured, purchased, packaged, delivered, used, and disposed; and~~

~~(b) encourage waste prevention, recycling, market development and use of recycled/recyclable materials.~~

9. Record Keeping

~~All Local Government purchasing activity~~procurement activities, communications and transactions, including verbal quotations and evaluations must be evidenced and retained as ~~local government~~MRC records in accordance with the *State Records Act 2000* and the MRC's policies and procedures including the MRC Record Keeping Plan.

~~In addition, the MRC will consider and include in each contract for the provision of works or services, the contractor's obligations for creating, maintaining and where necessary the transferral of records to the MRC relevant to the performance of the contract.~~

10. Policy Non-Compliance

Failure to comply with the requirements of this Policy will be subject to investigation, with findings to be considered in context of the responsible person's training, experience, seniority, and reasonable expectations for performance of their role. While an investigation

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is being undertaken, engagement in procurement activity may be suspended. Where a breach is substantiated it may be treated as:

- (a) an opportunity for additional training to be provided;
- (b) a requirement to terminate or suspend procurement activities;
- (c) a disciplinary matter, which may or may not be subject to reporting requirements under the Public Sector Management Act 1994; and/or
- (d) misconduct in accordance with the Corruption, Crime and Misconduct Act 2003.

Legislation	s.3-57 of the Local Government Act 1995 Part 4 of the Local Government (Functions and General) Regulations 1996 Local Government Act 1995 (WA) Part 4 of the Local Government (Functions and General) Regulations 1996 State Records Act 2000 (WA) Competition and Consumer Act 2010 (Cth)
Organisational	Council Policy No. CP19 Record Keeping Record Keeping Plan 2023
Responsible Officer	Chief Executive Officer
Council Meeting Date	24 September 2023 30 May 2024
Review History	Revision and update April 2024 New layout from September 2023 Previously called Purchase of Goods and Services Previous Document Number D-22-0005494
Next Review Date	April May 2024 2025

Policy No: CP 08**Reference: D-24-0003750****Policy Title: Provision and use of Council Vehicles****Policy Statement:**

The primary purpose of this policy is for the acquisition of motor vehicles by the Mindarie Regional Council (MRC) is to meet the business needs. Secondly, to acknowledge the current market place environment and to make vehicles available for use as part of an employee's salary packaging.

This policy has been established with the aim of effective motor vehicle asset management.

The policy applies to MRC's employees who are allocated MRC's owned motor vehicles.

Policy Procedure:

1. Acquisition of vehicles will adhere to the MRC CP06 Purchasing Policy, Asset Management Plan (AMP) and Annual Budget.
2. Where practicable, all vehicles purchased by the MRC shall have been awarded a minimum five star rating through the Australasian New Car Assessment Program (ANCAP).
3. In consideration of the MRC's commitment to environmental sustainability, preference will be given to the purchase of vehicles with emissions below the CO₂ threshold, hybrid vehicles and or full electric vehicles where suited to operational requirements.
4. All repairs, maintenance and replacement are to be provided by the MRC, including insurance and licensing, unless a Novated Lease option of an employment contract is elected, in which case the contract conditions will prevail.
5. Vehicle changeover will be in line with the AMP and the Annual Budget, every two years or 60,000 km whichever is the earlier and are depreciated accordingly. However, the MRC monitors market factors and may change the vehicles at a more economical time period.
6. Disposal of vehicles will be by public auction, with a reserve price based on valuations in line with CP06 Purchasing policy or by trade in against the replacement vehicle.
7. The CEO shall have full private use of the MRC's vehicle, as specified in the employment contract.
8. Executive Managers shall have full private use as specified in the employment contract.
9. Vehicles may be made available to Council Officers during work hours for operational requirements only.
10. The spouse or partner, family members or friend of an employee who is provided with a vehicle under this policy 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.
11. The MRC will provide fuel for full private use, wherever possible the fuel station at Tamala Park should be used. MRC Fuel cards will be made available to employees where this is not practicable.

Employee Responsibilities:

All drivers of MRC vehicle are responsible to ensure that they:

1. Are the holder of a current Western Australian driver's licence for the vehicle.
2. If you have been disqualified from driving a motor vehicle for any reason, immediately cease driving and notify the Human Resource Manager.
3. Lock the vehicle at all times when the vehicle is unattended.
4. All personal items in the motor vehicle are the responsibility of the employee.
5. Take full responsibility for all traffic and parking and any other infringements incurred whilst in control of the vehicle
6. Ensure that the vehicle is made available for service in accordance with the manufacturers' recommended schedules.
7. Report any defects immediately to Human Resource Manager.
8. Immediately report all accidents or damage to the vehicle, including the completion of the necessary accident incident form, insurance report and claim forms to report same to the Police Department.
9. Ensure that the no smoking rule applies to driver and all passengers using the motor vehicle.
10. Be aware of the current conditions and content of all relevant policies and procedures at all times.
11. Breach of any of the above conditions will constitute a breach of the MRC's Code of Conduct and will be dealt with accordingly.

Legislation	
Responsible Officer	Chief Executive Officer
Council Meeting Date	21 September 2023
Review History	02/05/2013; 05/09/2013; 04/09/2014, 20/08/2015; 01/09/2016; 14/09/2017; 14/08/2018; 13/09/2019, 18/06/2020, 12/08/2021; 21.09.2023 ; 14.05.2024
Next Review Date	01/05/2024 2025
Revision History	14/8/2018 1. At point 1, remove rows for Site Supervisor and Plant Supervisor 2. At point 3, delete words 'Site Supervisor and Plant Supervisor' 3. At point 4, delete word 'supervisor's' and add sentence to clarify the use of the vehicles on sealed roads 12/08/2021 Vehicle value increase and remove reference to the RAC guide. 19/08/2022 Remove references to Director of Corporate Services and replace with Finance Manager 13/08/2023 word changes to incorporate environmental factors and alignment to the AMP and the Annual Budget. New section employee responsibilities. 14.05.2024 No change
Delegation to the Chief Executive Officer	Nil

Policy No: CP 09**Reference: D-24-0003744****Policy Title: Investments**

The Policy was developed to provide guidelines for the investment of funds which are surplus to the MRC's immediate requirements.

Policy Statement:

The investment policy is directed to achieve the following objectives:

- adherence to legislative requirements
- optimisation of investment income and net returns in a conservative manner, whilst striving to achieve the best outcome for the Council;
- to yield a suitable level of diversification of counter party risk;
- to maintain a low level of risk exposure by using recognised rating criteria; and
- ensure there is sufficient liquidity to allow to meet the operational r day to day funding 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 no longer comply with the parameters of this policy, the funds are to be liquidated in the most effective and expedient manner.
3. Funds may only be invested in interest bearing term deposits with Authorised Deposit Taking Institutions (ADI's) or other bank guaranteed instruments for a maximum term of three years, or Bonds guaranteed by the Commonwealth and State or Territory Government with a maturity of less than three years.
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.
6. Where practical, funds should be invested in such a manner to adequately meet the reasonable expected liquidity needs of the City's funding requirements.
7. The Regional Council's investment portfolio is not to be leveraged to obtain funding.
8. Preference is to be given to financial institutions that do not invest in or finance the fossil fuel industry, where the investment is compliant with all other aspects of the Investment Policy. Financial institutions that do not invest in or finance the fossil fuel industry will be identified based on publicly available information.
9. Subject to investments meeting the standard of this policy, MRC will ensure its financial investments consider ethical, social and environmental aspects by investing into non-fossil fuels, Green Term Deposits and Term Deposits with Environmental, Social and Governance (ESG) ratings.

Delegation of Authority

The implementation of this Policy is delegated by Council to the Chief Executive Officer in accordance with the LGA 1995. The Chief Executive Officer has the authority to sub-delegate the day to day investment activities to the Executive Manager Corporate Services.

Reporting

A monthly report must be provided to Council detailing the investment portfolio in terms of performance, portfolio balances, the income received including accrued income year to date. Documentary evidence must be held for each investment within the Investment register.

For audit purposes, confirmation certificates must be provided independently, directly to the MRC's auditors by institutions and fund managers confirming the amounts of investments held on the MRC's behalf at 30 June each financial year.

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	21 September 2023 <u>30 May 2024</u>
Review History	02/05/2013; 04/09/2014, 20/08/2015, 01/09/2016; 14/09/2017; 14/08/2018; 13/08/2019, 18/06/2020, 12/08/2021; <u>29.09.2022</u> ; <u>21/09.2023</u> ; <u>14.05.2024</u>
Next Review Date	01/08/2024 <u>05/2024</u> <u>2025</u>
Revision History	04/09/2014 - Changes made to procedure for clarity as per recommendations made by MRC Auditors. 12/08/2021 no change 19/08/2022 no change 08/8/2023 changes made to align with the Financial Regulations <u>14.05.2024 No change</u>
Delegation to the Chief Executive Officer	Yes

Policy No: CP 10**Reference:** D-24-0003749**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 is performing an activity or activities that assists the MRC in achieving its objectives may be provided with a non cash donation of up to \$500 value, for waste disposal at the MRC weighbridge in any financial year. This donation will be provided in the form of a letter to be presented at the Weighbridge.
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	21 September 2023
Review History	02/05/2013; 05/09/2013; 04/09/2014, 20/08/2015, 01/09/2016; 14/09/2017; 14/08/2018; 13/08/2019, 18/06/2020, 12/08/2021; 29/09/2022 ; 21/09/2023 ; 14.05.2024
Next Review Date	01/08/2024
Revision History	14/08/2018 Point 1 and 2. Minor text/grammar 18/06/2020 Donations wording clarity 12/08/2021 – no change 29/08/2022 – minor text change 08/08/2023 – donation to external parties is tipping fees only. 14.05.2024 – no change
Delegation to the Chief Executive Officer	Yes

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Policy No: CP11

Reference: D-24-0003749

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.

The Corporate Credit Card is an alternative method of purchasing small value goods and services outside of the normal purchasing system.

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 issued, a register of corporate cards is to be maintained, outlining the following:
 - Holder's name
 - Card number
 - Expiry date
 - Credit limit
 - Variations
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. **Physical** Cards are not to be used by anyone other than the cardholder. 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 immediately:
 - Commonwealth Bank - Phone 13 22 21
 - MRC Finance Officer

The MRC Finance Officer will prepare the application for replacement card from the bank and ensure it is received and registered.

6. Corporate Credit Card details may be used for on-line purchases only with the expressed written permission of the cardholder.

- 6.7. The MRC Finance Officer will ensure a replacement card is sought and received from the bank and will prepare the application for a replacement.

- 7.8. 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.

- 8.9. The credit limit on each Card is to be determined by the CEO and/or the Executive Manager Corporate Services, but may not exceed the maximum credit facility.

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~~9-10.~~ Corporate Credit Cards may only be used to purchase goods and services on behalf of the MRC. Personal expenditure and cash withdrawals are prohibited any prohibited expenditure must be reimbursed.

~~10-11.~~ Conference and subscriptions payments are allowed to be paid by credit card.

~~11-12.~~ Cardholders are to provide tax invoices each month to Financial Services to substantiate expenditures on their Card. Card expenditures and tax invoices are to be reviewed by the Executive Manager Corporate Services monthly.

~~12-13.~~ A summary of expenditures incurred by the MRC credit card holders will be presented to each Ordinary Council meeting as part of the financial reporting pack.

~~13-14.~~ Failure by a cardholder to abide by this policy will result in an investigation under the Employee Code of Conduct.

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	21 September 2023 30 May 2024
Review History	03/09/2014; 20/08/2015; 01/09/2016; 14/09/17; 14/08/2018, 13/08/2019, 18/06/2020, 12/08/2021; <u>21/09/2022</u>
Next Review Date	01/08/2024 <u>05/2025</u>
Revision History	14/08/2018 Insert new sentence at point 10, previous point 10 changed to point 11. 12/08/2021 no change. 19/8/2021 Reference to Director Corporate Services changed to Finance Manager 13/08/2023 major review to incorporate additional controls and fraud protection. <u>xxx14.05.2025 new point 6 added and document renumbered; at no 10. Clarification that prohibited expenditure must be reimbursed.</u>
Delegation to the Chief Executive Officer	Yes

Policy No: CP12**Reference: D-24-0003743****Policy Title: Gate Fee Setting****Policy Statement:**

The purpose of this policy is to outline the 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:
 - Cover the costs of its operations, including the costs associated with the Neerabup facility.
 - Adequately fund its site restoration and post closure liabilities
 - Adequately fund its non-infrastructure capital expenditures
 - Keep ratios within the levels prescribed in the 10-year Long Term 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. The Council may approve discounts to the gate fee on an exception basis for commercial or strategic reasons.
4. 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.
5. Specific fees and charges for other 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 as part of budget deliberation process.

Legislation	Local Government Act 1995 s.6.16
Responsible Officer	Chief Executive Officer
Council Meeting Date	21 September 2023 <u>30 May 2024</u>
Review History	03/09/2015; 20/08/2015; 01/09/2016; 14/09/2017; 14/08/2018; 13/08/2019, 18/06/2020, 12/08/2021; <u>29/09/2022; 21/09/2023</u>
Next Review Date	01/08/ 2024 <u>2025</u>
Delegation to the Chief Executive Officer	Yes
Review History	12/08/2021 no – change 08/08/2023 – updated in line with current practices <u>30/04/2024 – no change</u>

Policy No: CP 14**Reference: D-24-0003742****Policy Title: TEMPORARY EMPLOYMENT OR ACTING APPOINTMENT OF
CHIEF EXECUTIVE OFFICER**

Policy Objective

To establish policy, in accordance with Section 5.39C of the *Local Government Act 1995* ('the Act'), that details the Mindarie Regional Council's processes for appointing an Acting or Temporary Chief Executive Officer (CEO) for periods of less than 3 months of planned or unplanned leave or an interim vacancy in the substantive office.

Policy Scope

This policy applies to the statutory position of Chief Executive Officer (CEO) of the Mindarie Regional Council.

Policy Statement

1. DEFINITIONS

- (1) **Acting CEO** means a person employed or appointed to fulfil the statutory position of CEO during a period where the substantive CEO remains employed but is on planned or unplanned leave.
- (2) **Temporary CEO** means a person employed or appointed to fulfil the statutory position of CEO for the period of time between the end of the substantive CEO's employment and the appointment and commencement of a newly appointed substantive CEO.

2. ACTING AND TEMPORARY CEO REQUIREMENTS AND QUALIFICATION

- (1) When the CEO is on planned or unplanned leave, or the CEO's employment with the Local Government has ended, an Acting or Temporary CEO is to be appointed in accordance with this Policy to fulfil the functions of CEO as detailed in Section 5.41 of the *Local Government Act 1995*, and other duties as set out in the Act and associated Regulations.

Absence from Australia for any reason, including leave or work related travel, an acting CEO is to be appointed in accordance with clause 3(1) of this policy.

- (2) Through this policy, and in accordance with section 5.36(2)(a) of the Act, the Council determines that employees appointed to the substantive position(s) of Executive Manager Corporate Services or Executive Manager Operations are considered suitably qualified to perform the role of Acting or Temporary CEO.
- (3) An employee appointed to temporarily act in the position of Executive Manager Corporate Services or Executive Manager Operations is not included in the determination set out in Clause 3 (2).

3. APPOINT ACTING CEO – PLANNED AND UNPLANNED LEAVE FOR PERIODS UP TO 3 MONTHS:

1. The CEO is authorised to appoint an Executive Manager, in writing, as Acting CEO, where the CEO is on planned or unplanned leave for periods not exceeding 3 months, subject to the CEO's consideration of the Executive Manager's performance, availability, operational requirements and, where appropriate, the equitable access to the professional development opportunity.
2. The CEO must appoint an Acting CEO for any leave periods greater than 4 days and less than 3 months.
3. The CEO is to advise the Chair when and for what period of time the Executive Manager is appointed as Acting CEO.
4. If the CEO is unavailable or unable to make the decision to appoint an Acting CEO in accordance with (1), then the following line of succession shall apply:
 - a. The Executive Manager Corporate Services will be appointed as Acting CEO; or
 - b. If the Executive Manager Corporate Services is unable to act, the Executive Manager Operations will be appointed as Acting CEO; or-
 - b-c. Another person in consultation with the Chair.
5. Council may, by resolution, extend an Acting CEO period under subclause (3) beyond 3 months if the substantive CEO remains unavailable or unable to perform their functions and duties.

4. APPOINT ACTING CEO FOR EXTENDED LEAVE PERIODS GREATER THAN 3 MONTHS BUT LESS THAN 12 MONTHS

- (1) This clause applies to the following periods of extended leave:
 - Substantive CEO's Extended Planned Leave which may include accumulated annual leave, long service leave or personal leave; and
 - Substantive CEO's Extended Unplanned Leave which may include any disruption to the substantive CEO's ability to continuously perform their functions and duties.
- (2) The Council will, by resolution, appoint an Acting CEO for periods greater than 3 months but less than 12 months, as follows:
 - a. Appoint one employee, or multiple employees for separate defined periods, as Acting CEO to ensure the CEO position is filled continuously for the period of extended leave; or
 - b. Conduct an external recruitment process in accordance with the principles of merit and equity prescribed in section 5.40 of the Act.

- (3) The Chair will liaise with the CEO, or in their unplanned absence the Human Resource Officer to coordinate Council reports and resolutions necessary to facilitate an Acting CEO appointment.
- (4) Subject to Council's resolution, the Chair will execute in writing the Acting CEO appointment with administrative assistance from the Human Resource Officer.

5. APPOINT TEMPORARY CEO – SUBSTANTIVE VACANCY

- (1) In the event that the substantive CEO's employment with the Mindarie Regional Council is ending, the Council when determining to appoint a Temporary CEO may either:
 - a. by resolution, appoint an Executive Manager as the Temporary CEO for the period of time until the substantive CEO has been recruited and commences their employment with the Local Government; or
 - b. by resolution, appoint an Executive Manager as the interim Temporary CEO for the period of time until an external recruitment process for a Temporary CEO can be completed; or
 - c. following an external recruitment process, in accordance with the principles of merit and equity prescribed in section 5.40 of the Act, appoint a Temporary CEO for the period of time until the substantive CEO has been recruited and commences employment with the Local Government.
- (2) The Chair will liaise with the Human Resources Officer to coordinate Council reports and resolutions necessary to facilitate a Temporary CEO appointment.
- (3) The Chair is authorised to execute in writing the appointment of a Temporary CEO in accordance with Councils resolution/s, with administrative assistance from the Human Resources Officer.

6. REMUNERATION AND CONDITIONS OF ACTING OR TEMPORARY CEO

- (1) Unless Council otherwise resolves, an employee appointed as Acting CEO shall be remunerated at 90% of the cash component only of the substantive CEO's total reward package.
- (2) Council will determine by resolution, the remuneration and benefits to be offered to a Temporary CEO when entering into a contract in accordance with the requirements of Sections 5.39(1) and (2)(a) of the Act.
- (3) Subject to relevant advice, the Council retains the right to terminate or change, by resolution, any Acting or Temporary CEO Appointment.

Legislation	Local Government Act 1995 s.5.36 Local government employees s.5.39 Contracts for CEO and senior employees s.5.39C Policy for temporary employment or appointment of CEO s.5.40 Principles affecting employment by Local Governments s.5.41 Functions of CEO
Council Meeting Date	30 November 2023 <u>30 May 2024</u>
Responsible Officer	CEO
Review History	13/08/2019, 18/06/2020, 21.09.2023; <u>30.11.2023; 30.05.2024</u>
Next Review Date	01/08/2024 <u>05/20242025</u>
Revision History	13/08/2019 no change 21/09/2021 remove Interim CEO 19/08/2022 no change 21/09/2021 no change 02/10/2023 changes include positions that can act as CEO/temporary employment of CEO and Remuneration. 30.11.2023 New format, policy renamed <u>14.05.2024 New 3.4(c) added</u>

Policy No: CP15**Reference: D-24-0003741****Policy Title: Employee / Employer Matching Community Contributions****Policy Statement:**

The Mindarie Regional Council (MRC) recognises that employees may as a group wish to support the broader community through various charitable causes and organisations that are of importance to them. In support of its employees the MRC will match employee contributions to approved initiatives on a dollar for dollar basis for monetary donations.

Procedure:

1. All permanent employees may apply to have their personal contributions to an approved community based charity or cause matched, dollar for dollar by the MRC.
2. The total contributions by the MRC under this policy are limited to \$5,000 per financial year, in aggregate.
3. The minimum application amount for matching is \$100.
4. All applications must:
 - a. Be in writing, addressed to the Chief Executive Officer (CEO);
 - b. Support a recognised charity or community organisation;
 - c. Be supported by at least 4 additional employees.
 - d. State the matching amount requested;
 - e. State the organisation's cause or benefit;
 - f. Impact the WA community.
 - g. Be accompanied by proof of employee personal contribution e.g. tax receipt.
3. The CEO is authorised to approve which charities or causes the MRC will support and to accept or decline any application.
4. Donations made under this policy will be reported to Council via the Members' Information Bulletin annually.
5. Applications that fall outside this policy may be referred to Council at the discretion of the CEO for determination.

Legislation	N/A
Responsible Officer	Chief Executive Officer
Council Meeting Date	21.09.2023 <u>30.05.2024</u>
Review History	13/08/2019, 18/06/2020, 12/08/2021; 29/09/2022; 21/09/2023, <u>14.05.2024</u>
Next Review Date	01/05/2025
Review History	13/08/2019 no change 12/08/2021 no change 19/08/2022 no change 15/08/2023 no change <u>14/05/2024 no change</u>
Delegation to the Chief Executive Officer	Yes

Policy No: CP16

Reference: D-24-0006425

Policy Title: Legal Representation for Mindarie Regional Council Elected Members, Committee Members and Employees.

Policy Statement:

The Council may provide financial assistance to relevant persons in connection with the performance of their functions provided that the relevant person has acted in good faith and in accordance with their role(s), power(s) and responsibility(s).

In each case it will be necessary to determine whether assistance with legal costs and other liabilities is justified for the good governance of the Council.

Definitions

Approved lawyer is to be:

- a) A 'person who is admitted to the legal profession' under the *Legal Profession Act 2008*;
- b) From a law firm listed as a WALGA preferred supplier, if relevant, unless the Council considers that this is not the appropriate – for example where there is or may be a conflict of interest or insufficient expertise; and
- c) Approved in writing by the Council or the Chief Executive Officer (CEO) under delegated authority.

Council is the Mindarie Regional Council

Good faith means a sincere belief or motive without any malice or desire to defraud others.

Legal proceedings may be civil, criminal or investigative.

Legal representation is the provision of legal services, to or on behalf of a relevant person, by an approved lawyer that are in respect of;

- a) A matter or matters arising from the performance of the functions of the relevant person; and
- b) Legal proceedings involving the relevant person that have been or may be commenced.

Legal representation costs are the costs, including fees and disbursements, properly incurred in providing legal representation.

Legal services include advice, representation or documentation that is provided by an approved lawyer.

Payment by the Council of legal representation costs may be either by:

- a) A direct payment to the approved lawyer; or
- b) A reimbursement to the relevant person.

Relevant Person mean a current or former Elected Members, Committee Members and Employees of the Council.

Procedure:**1. Payment Criteria**

- 1.1. There are four major criteria for determining whether the Council will pay the legal representation costs of a relevant person. These are:
- a) The legal representation costs must relate to a matter that arises from the performance by the relevant person, or his or her functions;
 - b) The legal representation cost must be in respect of legal proceedings that have been, or may be, commenced;
 - c) In performing his or her functions, to which the legal representation relates, the relevant person must have acted in good faith, and must not have acted unlawfully or in a way that constitutes improper conduct; and
 - d) The legal representation costs do not relate to a matter that is of a personal or private nature.

2. Examples of Legal Representation Costs that may be Approved

- 2.1. If the criteria in clause 1 of this policy are satisfied, the Council may approve the payment of legal representation costs:
- a) where proceedings are brought against a relevant person in connection with his or her functions an action for defamation or negligence arising out of a decision made or action taken by the relevant person;
 - b) to enable proceedings to be commenced and/or maintained by a relevant person to permit his or her functions (e.g. where a relevant person seeks to take action to obtain a restraining order against a person using threatening behaviour to the relevant person; or
 - c) where exceptional circumstances are involved (e.g. where a person or organisation is lessening the confidence of the community in the Council by publicly making adverse personal comments about a relevant person.)
- 2.2. The Council will not approve, unless under exceptional circumstances, the payment of legal representation costs for a defamation action, or a negligence action, instituted by a relevant person.

3. Applications for Payment

- 3.1. A relevant person who seeks assistance under this policy is to make an application in writing to the Council or the CEO.
- 3.2. The written application for payment of legal representation costs is to give details of:
- a) the matter for which legal representation is sought;
 - b) how the matter relates to the functions of the relevant person making the application;
 - c) the proposed lawyer (or law firm) who is to be asked to provide the legal representation;
 - d) the nature of legal representation to be sought (such as advice, representation in court, preparation of documents etc.);
 - e) an estimated cost of the legal representation; and
 - f) why it is in the interest of the Council for payment to be made.
- 3.3. The application is to contain a declaration by the applicant that he or she has acted in good faith, and has not acted unlawfully or in a way that constitutes improper conduct in relation to the matter to which the application relates.
- 3.4. As far as possible the application is to be made before commencement of the legal representation to which the application relates.
- 3.5. The application is to be accompanied by a signed written statement by the applicant that he or she:

- a) has read and understands, the terms of this policy;
 - b) acknowledges that any approval of legal representation costs is conditional on the repayment provisions of clause 7 and any other conditions to which the approval is subject; and
 - c) undertakes to repay the Council any legal representation costs in accordance with the provisions of clause 7.
- 3.6. In relation to clause 3.5 (c), when a relevant person is to be in receipt of such monies the relevant person should sign a document which requires repayment of that money to the Council as may be required by the Council and the terms of the Policy.
- 3.7. An application is also to be accompanied by a report prepared by the CEO or where the CEO is the applicant, by an appropriate employee.

4. Legal representation costs – Limit

- 4.1. The Council, in approving an application in accordance with this policy, shall set a limit on the costs to be paid based on the estimated costs in the application or any other amount that it sees fit.
- 4.2. A relevant person may make a further application to the Council in respect of the same matter.

5. Council's Powers

- 5.1. The Council may:
- a) refuse;
 - b) grant; or
 - c) grant subjects to conditions,
- an application for payment of legal representation costs.
- 5.2. Conditions under clause 5.1 may include, but are not restricted to, a financial limit and/or a requirement to enter into a formal agreement, including a security agreement, relating to the payment, and repayment, of legal representation costs.
- 5.3. In assessing an application, Council may have regard to any insurance benefits that may be available to the applicant under the Council relevant person's insurance policy or its equivalent.
- 5.4. The Council may at any time revoke or vary an approval, or any conditions of approval, for the payment of legal representation costs.
- 5.5. The Council may, subject to clause 5.6, determine that a relevant person whose application for legal representation costs has been approved has, in respect of the matter for which legal representation costs were approved:
- a) not acted in good faith, or has acted unlawfully or in a way that constitutes improper conduct; or
 - b) given false or misleading information in respect of the application.
- 5.6. A determination under clause 5.5 may be made by the Council only on the basis of, and consistent with, the findings of a court, tribunal or inquiry.
- 5.7. Where the Council makes a determination under clause 5.5, the legal representation costs paid by the Council are to be repaid by the relevant person in accordance with clause 7.

6. Delegation to the Chief Executive Officer

- 6.1. In cases where a delay in the approval of an application will be detrimental to the legal rights of the applicant, the CEO may exercise, on behalf of the Council, any of the powers of the Council under clause 5.1 and 5.2, to a maximum of \$10,000 in respect of each application.
- 6.2. An application approved by the CEO under clause 6.1, is to be submitted to the next ordinary meeting of the Council. Council may exercise any of its powers under this policy, including its powers under clause 5.4.
- 6.3. This clause shall not apply where the applicant is the CEO. The matter will instead be referred to Council at the earliest opportunity, including a special meeting.

7. Repayment of Legal Representation Costs

- 7.1. A relevant person whose legal representation costs have been paid by the Council is to repay the Council:
- a) all or part of those costs – in accordance with a determination by Council under clause 5.7;
 - b) as much of those costs as are available to be paid by way of set-off, where the relevant employee receives monies paid for costs, damages or settlement, in respect of the matter for which the Council paid the legal representation costs.
- 7.2. The Council may take action in a court of competent jurisdiction to recover any monies due to it under Policy.

Legislation	<i>Local Government Act 1995 S9.56, S3.1, S6.7(2) Legal Profession Act 2008</i>
Guidelines	Department of Local Government of Communities Operational Guideline No 14 Legal Representation for Council Members and Employees April 2006
Responsible Officer	Chief Executive Officer
Council Meeting Date	21 September 2023 30 May 2024
Review History	01/08/2019, 18/06/2020, 12/08/2021
Next Review Date	01/08/2024; <u>14/05/2024</u>
Delegation to the Chief Executive Officer	Clause 6
Review History	19/08/2022 no change 15/08/2023 no change <u>14/05/2024 no change</u>

Policy No: CP17**Reference: D-24-0003740****Policy Title: Elected Member continuing professional development****Policy Statement:**

The Mindarie Regional Council (MRC) is required to adopt a policy regarding the continuing professional development of council members.

The MRC is made up of seven local governments comprising of the Cities of Joondalup, Perth, Stirling, Vincent, Wanneroo and the Towns of Cambridge and Victoria Park.

Policy Procedure:

Under section 5.128 of the Local Government Act 1995 (the Act), local governments are required to have adopted a policy regarding the continuing professional development of council members.

The MRC's Councillors are each required to complete training that is set in the regulations within twelve (12) months of being elected by their respective local government.

Each of the MRC's member councils is required to prepare and adopt a policy for the continuing professional development of its council members.

Each member council CEO is required to prepare a report per financial year outlining the training that has been completed by each of their respective council members in that financial year.

Each member council CEO is then required to publish the report on the local government website within one month of the end of the financial year.

The policy, training and reporting requirements of the MRC Councillors, as required under the Act, are fulfilled by the training undertaken through their respective councils.

To comply with the requirements of the Act, the MRC's website will provide a link to each member councils' website where compliance with the policy, training and reporting requirements in respect of each of the MRC's respective councillors is evidenced.

In addition, the MRC requires Councillors, within 3 months of their appointment onto the MRC, to take part in a tour of MRC facilities and to complete the next WASTE 101 training course delivered by WALGA.

Legislation	Local Government Act 1995 s.5.128
Responsible Officer	Chief Executive Officer
Council Meeting Date	21 September 2023 30 May 2024
Review History	12/08/2021, 12/08/2022, 21/09/2023
Next Review Date	01/05/2024 2025
Delegation to the Chief Executive Officer	Nil

Review History	12/08/21 no change, 12/08/2022 no change, 21/09/2023 no change 14.05.2024 no change
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Policy No: CP18

Reference: D-24-0003738

Policy Title: Information Technology Policy**PURPOSE**

To show that the Mindarie Regional Council (MRC) is committed to managing and maintaining its Information Technology whilst using current best practices.

- The MRC practices the highest levels of security measures to ensure the safety of its data. This is achieved by partnering with the Australian Cyber Security Centre (ACSC) and the WA Local Government Association (WALGA) IT development division, to stay informed of current best practice in local government.
- The MRC assists users to make appropriate use of the MRC's Information Technology resources and keeps users regularly informed about the consequences of misuse, to avoid exposure to viruses and attacks that can compromise the network and its data.
- The MRC manages all records in compliance with the State Records Act 2000 and Australian Standards on Records Management AS ISO 15489.
- The MRC provides employees with regular training on new systems and hardware to keep users competent in current best practice.
- The MRC manages all Information Technology assets and maintains its warranty and licensing to ensure all hardware and systems are compliant.
- The MRC completes quarterly access audits across all its systems to ensure that users have the correct permissions for their roles.
- The MRC maintains an Information Technology Strategic Plan to project future upgrades to, or replacements of software, systems and hardware, ensuring that the MRC's systems continue to meet the needs of the organisation.

Legislation	Local Government Act 1995 Local Government (Financial Management) Regulations 1996 State Records Act 2000
Reference/s	
Attachment/s	Nil
Responsible Officer	Chief Executive Officer
Council Meeting Date	21 September 2023 30 May 2024
Review History	07/09/2020, 12/08/2021, 29.09.2022 , 21.09.2023
Next Review Date	01/05/2024 2025
Revision History	12/08/2021 no change, 19/08/2022 no change, 21/09/2023 <u>no change</u>

Policy Title: RECORDKEEPING POLICY**Policy Statement:**

To ensure that the Mindarie Regional Council (MRC) effectively manages its records to provide for accountable and transparent decision-making.

The MRC's core business is waste management delivered on behalf of seven Member Councils across Perth. The MRC makes decisions on a daily basis that impacts its Member Councils and the local community, these decisions create corporate records. This Policy establishes the MRC's position in relation to appropriate definitions, records accessibility, destruction of records, management of ephemeral records, training and education.

Objective:

To ensure that the Mindarie Regional Council (MRC) complies with *The States Records Act 2000* which sets out the framework for records management in local government.

1. Scope:

This Policy applies to all MRC Councillors, MRC staff, and MRC contractors.

2. Records and Definitions:

Records can take many forms including file notes of decisions and accounting judgements, letters, memos, emails, photos, videos, recordings and social media posts. They are important because they are the corporate knowledge of the MRC, independent of staff turnover. They may also form important evidence in legal proceedings or have priceless value as an historic record.

“corporate record” means any hard-copy, digital or online record that meets one or more of the following criteria:

- a. It conveys information essential or relevant in decision-making processes.
- b. It conveys information upon which others will, or may, use to make decisions affecting the MRC's operations, rights and obligations under legislation.
- c. It commits the MRC to certain courses of action, the commitment of resources or the provision of services.
- d. It conveys information about matters of public safety or public interest, or involves information upon which contractual undertakings are entered into.
- e. The information is likely to be needed for future use, or is of historical value.

“ephemeral record” means any record that has no continuing value to the MRC and is generally only needed for a few hours or a few days. The MRC uses the guidelines contained within the *General Disposal Authority for Local Government Records* to determine which records are considered ephemeral.

3. Details:

3.1 General Recordkeeping:

Under s5.41(h) of the *Local Government Act 1995*, one of the primary functions of the CEO is to ensure that records and documents of the MRC are properly kept for the purposes of the Local Government Act and any other written law.

All MRC Councillors, staff and contractors are responsible for maintaining complete, accurate and reliable evidence of all business transactions, and ensuring all corporate records are retained within the MRC's official recordkeeping systems at the point of creation, regardless of the format, being in accordance with the following:

- ***Evidence Act 1906***
- ***Freedom of Information Act 1992***
- ***Local Government Accounting Directions 1994***
- ***Local Government Act 1995***
- ***State Records Act 2000***
- ***Electronic Transactions Act 2011***

3.2 Access:

- a. Access to corporate records by MRC staff and contractors will be in accordance with designated access and security classifications, as determined by the Records Manager.
- b. Access to corporate records by the general public will be in accordance with the *Freedom of Information Act 1992*.
- c. Access to corporate records by MRC Councillors will be via the Chief Executive Officer in accordance with Section 5.92 of the *Local Government Act 1995*.

3.3 Destruction:

The Records Manager coordinates an annual disposal program of corporate records in accordance with the *General Disposal Authority for Local Government Records*, the Chief Executive Officer provides the final authorisation for the disposal of corporate records.

3.4 Ephemeral Records:

Ephemeral records may not be required to be placed within the MRC's official recordkeeping systems. Elected Members, staff or contractors may dispose of such ephemeral records once reference ceases.

3.5 Training and Education:

Training in recordkeeping practices and the use of the MRC's electronic document and records management system is available to all newcomers upon commencement and ongoing training is available upon request to the Records Manager.

MRC Councillors are made aware of their recordkeeping responsibilities as part of the Elected Member Induction Program with their respective Councils and also reminded of obligations when on boarded onto the MRC.

Legislation	Local Government Act 1995, State Records Act 2000, Evidence Act 1906, Freedom of Information Act 1992, Local Government Accounting Directions 1994, Electronic Transactions Act 2011, General Disposal Authority for Local Government Records MRC Recordkeeping Plan 2023
Responsible Officer	Chief Executive Officer
Council Meeting Date	21-September 30 May 20232024
Created	01/08/2022
Next Review Date	01/0805/20242025
Revision History	21.09.2023 no change, <u>14/05/2024 no change</u>
Delegation to the Chief Executive Officer	Nil

Policy No: CP 20**Reference: D-24-0003735****Policy Title: ATTENDANCE AT EVENTS POLICY****Policy Statement:**

Section 5.90A of the *Local Government Act 1995* provides that a local government must prepare and adopt an Attendance at Events policy.

This policy is made in accordance with those provisions.

Objective:

This policy addresses attendance at any events, including concerts, conferences, functions or sporting events, whether free of charge, part of a sponsorship agreement, or paid by the local government. The purpose of the policy is to provide transparency about the attendance at events of MRC Councillors and the Chief Executive Officer (CEO).

Statutory Requirements:**Local Government Act 1995****5.90A Policy for attendance at events**

(1) In this section —

event includes the following —

- (a) a concert;
- (b) a conference;
- (c) a function;
- (d) a sporting event;
- (e) an occasion of a kind prescribed for the purposes of this definition.

(2) A local government must prepare and adopt* a policy that deals with matters relating to the attendance of MRC Councillors and the CEO at events, including —

- (a) the provision of tickets to events; and
- (b) payments in respect of attendance; and
- (c) approval of attendance by the local government and criteria for approval; and
- (d) any prescribed matter.

* *Absolute majority required.*

(3) A local government may amend* the policy.

* *Absolute majority required.*

(4) When preparing the policy or an amendment to the policy, the local government must comply with any prescribed requirements relating to the form or content of a policy under this section.

(5) The CEO must publish an up-to-date version of the policy on the local government's official website.

1. Invitations

- 1.1 All invitations or offers of tickets for a MRC Councillor or CEO to attend an event should be in writing and addressed to the Mindarie Regional Council.
- 1.2 Any invitation or offer of tickets not addressed to the Mindarie Regional Council is not captured by this policy and must be disclosed in accordance with the gift and interest provisions in the Act.
- 1.3 A list of events and attendees authorised by the local government in advance of the event is at Attachment A

2. Approval of attendance

- 2.1 In making a decision on attendance at an event, the council will consider:
 - a) who is providing the invitation or ticket to the event,
 - b) the location of the event in relation to the local government (within the district or out of the district),
 - c) the role of the MRC Councillor or CEO when attending the event (participant, observer, presenter) and the value of their contribution,
 - d) whether the event is sponsored by the local government,
 - e) the benefit of local government representation at the event,
 - f) the number of invitations / tickets received, and
 - g) the cost to attend the event, including the cost of the ticket (or estimated value of the event per invitation) and any other expenses such as travel and accommodation.
- 2.2 Decisions to attend events in accordance with this policy will be made by simple majority or by the CEO in accordance with any authorisation provided in this policy.
- 2.3 The CEO must report to Council annually of all decisions to approve or refuse MRC Councillors, CEO or employee's attendance at Events that are not Pre-Approved Events in accordance with this policy.

Payments in respect of attendance

- 3.1 Where an invitation or ticket to an event is provided free of charge, the local government may contribute to appropriate expenses for attendance, such as travel and accommodation, for events outside the district if the council determine attendance to be of public value.
- 3.2 For any events where a member of the public is required to pay, unless previously approved and listed in Attachment A, the council will determine whether it is in the best interests of the local government for a council member or the CEO or another officer to attend on behalf of the council.
- 3.3 If the council determines that a council member or CEO should attend a paid event, the local government will pay the cost of attendance and reasonable expenses, such as travel and accommodation.
- 3.4 Where partners of an authorised local government representative attend an event, any tickets for that person, if paid for by the local government, must be reimbursed by the representative unless expressly authorised by the council.

4. Exemptions:

4.1 In accordance with regulation 20B of the Local Government (Administration) Regulations 1996, invitations or offers of tickets from the following organisations are excluded from the conflict of interest provisions, but Gifts from these sources (if over \$300) must still be disclosed and published on the gifts register:

- WALGA (excluding LGIS);
- Local Government Professionals Australia (WA);
- Australian Local Government Association;
- A department of the public service or statutory authority;
- A government department of another State, a Territory or the Commonwealth; and
- A local government or regional local government.

Invitations or offers of tickets in accordance with the above list will exclude the Gift holder from the requirement to disclose an interest, if the donor has a matter before Council and the ticket is above \$300. However, receipt of the Gift will still be required to be disclosed and published on the MRC's gift register in accordance with the gift provisions. Any other invitation or offer of tickets not sent to the MRC are not captured by this policy and must be disclosed.

5. Purchase of event tickets by the MRC:

5.1 Where it is considered significant and necessary for a representative of the MRC to attend an event, in line with considerations made under clause 2 of this policy, the CEO may approve the purchase of event tickets. Any approval to purchase event tickets must be in line with the adopted annual budget.

5.2 Clause 5 does not apply to the purchase of conference tickets and any associated costs thereof. Purchases relating to conference tickets, and any associated costs thereof, must be in the adopted annual budget and in line with Policy CP 03 – Conference Attendance (MRC Councillors) CP 04 – Conference Attendance (MRC Employees).

Legislation	Local Government Act 1995 s5.57, s5.62(1B), s.5.90A Local Government (Administration) Regulations 1996 regulation 20B
Responsible Officer	Chief Executive Officer
Council Meeting Date	29-21 September 2022 2023 30 May 2024
Created date:	01/08/2022
Next Review Date	01/08/ 2023 2024
Revision History	<u>21/09//2024 no change</u> <u>14/04/2024 no change</u>

Attachment A - Pre-approved events

The Council has pre-approved the following events which are exempt from the disclosure of interest provisions of the *Local Government Act 1995*:

Event and venue	Date of event	Attendee/s	Cost	Date of Council resolution

Policy No: CP 21

Reference: D-24-0003736

Policy Title: Payments to Employees Upon Cessation of Employment Policy**Policy Statement:**

Section 5.50 of the *Local Government Act 1995* provides that a local government must prepare and adopt a Policy for Payments to Employees in addition to contract or award to employees upon cessation of employment with the Mindarie Regional Council (MRC). The Policy must address the following:

- (a) The circumstances in which the local government will pay an employee an amount in addition to any amount to which the employee is entitled under a contract of employment or award relating to the employee; and
- (b) the manner of assessment of the additional amount.

Statutory Requirements:

Local Government Act 1995 s5.50

5.50. Payments to employees in addition to contract or award

(1) A local government is to prepare a policy in relation to employees whose employment with the local government is finishing, setting out —

- (a) the circumstances in which the local government will pay an employee an amount in addition to any amount to which the employee is entitled under a contract of employment or award relating to the employee; and
- (b) the manner of assessment of the additional amount.

(1a) A local government must not make any payment of the kind described in subsection (1)(a) unless the local government has adopted a policy prepared under subsection (1).

(2) A local government may make a payment —

- (a) to an employee whose employment with the local government is finishing; and
- (b) that is more than the additional amount set out in the policy prepared under subsection (1) and adopted by the local government, but local public notice is to be given in relation to the payment made.

(3) The value of a payment or payments made to a person under this section is not to exceed such amount as is prescribed or provided for by regulations.

(4) In this section a reference to a payment to a person includes a reference to the disposition of property in favour of, or the conferral of any other financial benefit on, the person.

(5) The CEO must publish the policy prepared under subsection (1) and adopted by the local government on the local government's official website

Objective:

The objective of this Policy is to ensure compliance with Section 5.50 of the *Local Government Act 1995* to set out the circumstances when an employee who is ceasing employment with the MRC may be paid an amount in addition to their entitlements under an award or contract of employment.

Section 5.50(5) of the Act requires the Policy to be published and prepared under subsection (1), and adopted by the local government on the local government's official website.

Scope:

This Policy applies to all MRC employees, except those defined by the Council as 'Senior Employees'. Any cessation payments to Senior Employees must be approved by Council.

The CEO is responsible for implementation, and compliance with this Policy, and for providing interpretation in the event of the need for clarification or a dispute.

This policy does not allow for the disposition of MRC property to employees upon cessation of employment.

Implications (Strategic, Financial, Human Resources):

1. When a payment in accordance with this policy is permissible

Subject to the Chief Executive Officer's approval, and the employee agreeing to sign a Confidential Deed of Settlement by resigning as an employee, the MRC may initiate a settlement payment in accordance with the following circumstances.

• **Settlement of a Claim**

In settlement of a claim or dispute where the employee has or proposes to take action under industrial relations legislation, up to a maximum of 52 week's pay.

• **Illness or Impairment**

To facilitate a situation where an employee is unable to perform their role due to illness or impairment and there has been mutual agreement that the employment must end, up to 26 week's pay.

• **Poor Performance / Conduct**

To facilitate a situation where the MRC determines an employee is not performing to the satisfaction of the MRC, and the MRC proposes that it is beneficial (to the MRC) to end the employment relationship by paying a settlement, up to 12 week's pay.

Manner of Assessment of the Payment

Where the settlement payment is based on the weekly pay, this is the normal ordinary pay (excluding overtime, vehicle or any other allowance, or superannuation).

In assessing the payment, the following will be considered:

- The amount recommended by a Court or Tribunal to settle a matter
- The exposure to litigation and the strength of the respective cases
- The cost of legal services
- Disruption to operations
- Length of service and personal circumstances of the employee
- Position held by the employee.

2. Other Circumstances When a Payment in accordance with this Policy is Permissible:

Employees who have worked for the MRC for a minimum of ten (10) years, and who have confirmed their intent to retire permanently from the workforce may receive a corporate gift to a maximum value of up to \$500, subject to there being no recent performance or conduct concerns.

Legislation	Local Government Act 1995 s5.50
Responsible Officer	Chief Executive Officer
Council Meeting Date	21 September 2023 30 May 2024
Created	01/08/2022
Next Review Date	01/08/2024 01/05/2024
Revision History	21/09/2023 no change. <u>14.05.2024 no change</u>
Delegation to the Chief Executive Officer	Nil

Policy No: CP 22**Reference: D-24-0004267****Policy Title: MRC COUNCILLORS' COMMUNICATIONS POLICY****Policy Statement:**

To establish a communication protocol for Councillors that allows them access to information to undertake their statutory roles.

Objective:

The objectives of this policy is to:

- provide a documented process for Councillors to access MRC information;
- ensure Councillors have access to all information necessary for them to exercise their statutory role as a member of the MRC;
- ensure that Councillors receive timely advice to assist them in the performance of their duties
- provide clarity on communications with the media

Statutory Requirements:

There are various statutory requirements relevant to Councillor communications as follows:

- a. State Records Act 2000 requires that all correspondence, including email, relating to the business of the MRC and the Council must be retained in the official records of the MRC
- b. Sections 2.8(1)(d) and 5.41(f) of the Local Government Act 1995, provide that only the Chair may speak on behalf of the MRC (or the Chief Executive Officer if authorised by the Chair to do so).
- c. Freedom of Information Act 1992 requires the preservation of correspondence and its availability for Freedom of Information purposes.
- d. Section 5.93 of the Local Government Act 1995 provides that Councillors (as well as employees) must not make improper use of any information acquired.

Procedures for Councillors to Access Council Information:

1. Councillors wishing to access information must make a request to Governance@mrc.wa.gov.au
2. The Councillor request should be drafted precisely detailing the information being sought.
3. Councillor Requests will be actioned by the MRC as soon as possible and a response will be provided using the following guidelines:
 - Same day response – information easily accessible and no investigation required
 - 1 to 5 working days – enquiry where research and investigation required
 - Within 10 working days – complex enquiry where extensive research and investigation is required.
4. Councillor Requests received outside normal business hours will be actioned on the next working day, subject to clause 3 above, unless the matter is deemed to be of an urgent nature or an emergency.
Where the matter is deemed urgent or an emergency and outside normal business hours, the Councillor must contact the CEO direct.

Electronic Correspondence:

Electronic correspondence generated and received by Councillors that relate to the business of the MRC is subject to the State Records Act 2000, and the MRC's Recordkeeping Plan, and as such must be retained within the MRC's corporate recordkeeping system. MRC Councillors must use their respective Local Government email address and is to be used for electronic correspondence between other persons/entities where it relates to the business of the MRC.

Media Relations:

In accordance with the Local Government Act 1995, only the Chair can speak on behalf of the MRC, or if authorised by the Chair, the Chief Executive Officer.

When speaking to the media as a spokesperson for the MRC, the Chair may only represent the official view of the MRC, having regard to the Local Government (Model Code of Conduct) Regulations 2021.

Councillors other than the Chair, or the Deputy Chair in the role of Acting Chair, may not speak to the media purporting to represent the views of the Council or the MRC.

Use of Social Media:

Councillors must ensure that their use of social media and other forms of communication complies with the Local Government (Model Code of Conduct) Regulations 2021.

Legislation	State Records Act 2000 Local Government Act 1995 s.2.8(1)(d), 5.93, 5.41(f) Freedom of Information Act 1992 Local Government (Model Code of Conduct) Regulations 2021.
Responsible Officer	Chief Executive Officer
Council Meeting Date	21 September 2023 30 May 2024
Creation date	01.08.2022
Next Review Date	01.08.2024
Revision History	21.9.2023 no change, 14.05.2024 no change
Delegation to the Chief Executive Officer	Nil

Policy No: CP23

Reference: D-24-0004267

Policy Title: CONDUCTING ELECTRONIC MEETINGS AND ATTENDANCE BY ELECTRONIC MEANS POLICY

Objective:

To establish a framework enabling electronic attendance at in-person meetings and for the conduct of meetings by electronic means.

The policy is to be read in conjunction with the *Local Government Act 1995* ('the Act') and the *Local Government (Administration) Act 1996, Regulations 14C, 14CA, 14D, and 14E*.

Definitions:

- **Electronic Means** refers to the approved electronic requirements to access an in-person meeting or attend an electronic meeting, encompassing hardware and software requirements to enable instantaneous communication [Admin.r.14CA(3)]. The electronic means must be determined before the suitability of a location and equipment can be assessed as part of a request to attend electronically to an in-person meeting or to an electronic meeting.
- **Members** refers to a MRC Councillor and any other person appointed as a member of a committee under Section 5.10 of the Act.
- **Chair or Deputy Chair** refers to the MRC Chair or MRC Deputy
- **Council** refers the MRC Council
- **Committee** refers to the MRC Committees

Policy Statement

1. Electronic Attendance at an In-Person Meeting [Administration Regulations 14C and 14CA]

- (1) For efficiency and the avoidance of unnecessary inconvenience, Members are to submit requests for electronic attendance at the earliest opportunity, but in any case, requests must be received so that there is sufficient time for the request to be considered and the necessary technology and meeting protocols to be implemented.
- (2) A request for electronic attendance at an in-person meeting:
 - a. Is to be provided to the Chair;
 - b. Where the Chair is unavailable to approve a request, the request is to be considered by Council (the request is to be moved, seconded and approved);
 - c. Where the Chair rejects a request, the requester may ask Council to re-consider the request; and
 - d. The Chair may refer their own request to the Deputy Chair, or alternatively, may refer the request to Council for decision.

Note: for committees, a request for electronic attendance to an in-person committee meeting can only be approved by the Chair or Council (not the relevant committee).

- (3) Where a request **meets** the following criteria, approval will not be unreasonably withheld:
 - a. The electronic means of instantaneous communication, and the location and equipment from which the Member seeks to attend the meeting, are determined as suitable for the Member to effectively engage in deliberations and communications throughout the meeting [Admin.r.14C(5)];
 - b. The Member has made a declaration prior to the meeting, or that part of the meeting, that will be closed, that confidentiality can be maintained. In the absence

- of such a declaration, the Member is prohibited from participation in the meeting, or that part of the meeting, that is closed [Admin.r.14CA(5)]; and
- c. The approval does not exceed prescribed limitations for the number of meetings attended by that Member by electronic means [Admin.r.14C(3) and r.14C(4)].
- (4) Records of requests and decisions about requests must be retained:
 - a. Where the Chair makes the decision, the record is retained as a Local Government record (e.g. email communication) in accordance with the Local Government's Record Keeping Plan and protocols established by the CEO; and
 - b. Where Council makes the decision, the decision must be recorded in the minutes [Admin.r.11(d)].
 - (5) Subject to the member council chambers being able to accommodate use of their equipment, the CEO shall ensure that necessary administrative and technological support is readily available to facilitate attendance by electronic means at any meeting, on the basis that approvals may be given at any reasonable time prior to commencement of the meeting by the Chair or during the meeting itself by Council for a Council meeting.

2. Conducting a Meeting by Electronic Means [Administration Regulation 14D and 14E]

- (1) Ordinary meetings will primarily be held as in-person meetings.
- (2) Where a declared public health or state of emergency, or associated directions, are in effect that prevent an in-person meeting being held, the Chair or the Council can approve a meeting to be held by electronic means:
 - Meetings held by electronic means in these circumstances are not subject to, or included in, the prescribed limitation on the number of meetings held by electronic means [Admin.r.14D(2)(a)(b)].
- (3) Where it is otherwise considered expedient or necessary (and there is no declared emergency), this policy allows for Special Council meetings and Committee meetings to be held by electronic means, subject to:
 - a. The prescribed limitation is not exceeded on the number of electronic meetings allowed [Admin.r.14D(2A)];
 - b. The CEO has been consulted, before the electronic means by which the meeting is to be held is determined by the Chair or Council resolution [Admin.r.14D(3)(4)];
 - c. The decision has given due regard to whether the location from which each Member seeks to attend the meeting and the equipment each Member intends to use, are suitable to ensure each Member is able to effectively engage in deliberations and communications throughout the meeting; and
 - d. Each Member has made a declaration prior to the meeting, or that part of the meeting, that is closed, that confidentially can be maintained [Admin.r.14D(6)]. In the absence of such a declaration, a Member is prohibited from participation in the meeting, or that part of the meeting that is closed.
- (4) Where a meeting is authorised to be held as an electronic meeting, the CEO must ensure details are:
 - a. published on the Local Government's Official webpage [Admin.r.12];
 - b. provided in the Notice of Meeting/Agenda; and
 - c. broadly promoted to ensure community awareness, such as website and noticeboard.

3. Participating in Meetings by Electronic Means

- (1) **Presiding at Meeting** – Where the Chair is approved to attend an in-person meeting by electronic means, the Chair may choose to defer to the Deputy Chair [acting under Section 5.34 of the Act] for the purpose of presiding at the meeting.
- (2) **Conduct** – Members are to be familiar with the Meeting Procedures and Code of Conduct requirements, in particular, protecting confidential information and appropriate communication practices, when participating in a meeting by electronic means.
- (3) **Meeting Procedures** – Where provisions of a Meeting Procedures are not applicable to an electronic meeting environment, the Presiding Member may need to consider modification or suspension of the inconsistent subject provisions.
- (4) **Approved Electronic Means** - The approved electronic means is ZOOM
- (5) **Cameras** - MRC requests that Members cameras are operational for the duration of the meeting. Members must ensure that they are visible on screen at all times during the meeting. Member's visibility is crucial to assure members of the public that Council is fully engaged during the meeting. Members must indicate to the Chair if they are leaving or re-joining a meeting. The time a member leaves and re-joins a meeting will be reflected in the minutes.
- (6) **Location** – Members must confirm that the location from which they attend is safe, quiet, private, devoid of distractions, and where a meeting is closed to the public, a place where confidentiality can be maintained. Location requirements must be satisfied before authorisation is given to a Member to attend any meeting by electronic means.
- (7) **Equipment** – Equipment supplied by the respective Member Councils (ie IT devices such as laptop, tablets or phones) may be used to log into an electronic meeting. You may use either your Local Government electronic device supplied to you by your respective Member Council or your own personal device.
- (8) **Public Question Time** –Public Question Time will be advertised in the public notice, the MRC will invite public questions by email, and the cut off for public questions will be mid-day the day prior to the meeting.
- (9) **External Parties Participating in Council and Committee meetings** – Where external parties are invited to participate in Council or Committee meetings (such as auditor attending an electronic Audit and Risk Committee meeting/Council meeting), the External party participating in the meeting must have been approved to attend. Approval to attend is by authorisation, in the case of a committee meeting; the Chair of that Committee, or in the case of a Council meeting the Chair of the Council; or by Council resolution. The external meeting participant prior to attending the meeting must confirm they have met the electronic means, location and equipment suitability requirements of this policy, including maintaining confidentiality.
- (10) **Observers of Meetings held by Electronic Means** - Where Member Council CEOs and members of the Strategic Working Group are invited to attend an Electronic Council meeting, they may log into the meeting for the purposes of observing the meeting. Audio and Video must be turned off. Officers must display their name and the Member Council they represent. Officers will be required to confirm, prior to the meeting that they have met the electronic means, location and equipment suitability requirements of this policy, including maintaining confidentiality.

Legislation	Local Government Act 1995 s5.25 Local Government (Administration) Regulations 1996 regulations 14C, 14CA, 14D and 14E
Responsible Officer	Chief Executive Officer
Council Meeting Date	30 November 2023 <u>30 May 2024</u>
Creation date	09 June 2023
Next Review Date	31 March 2023 <u>01 May 2025</u>
Revision History	<u>30.11.2023 text changed at point 3(5); 14.05.2024 no change</u>
Delegation to the Chief Executive Officer	Nil

Policy No: CP24**Reference: D-24-0003738****Policy Title: Fraud and Misconduct Control and Resilience****Policy Statement:**

In adopting a zero tolerance approach to Fraud and Misconduct, the Mindarie Regional Council (MRC) will appropriately address all allegations and suspected instances of Fraud and Misconduct. This includes notifying, reporting or referring any such instances to the appropriate authority for investigation and possible prosecution. The MRC will seek to recover any losses incurred after considering all relevant issues.

Policy Objective

To articulate the MRC's commitment to a zero-tolerance approach to Fraud, Misconduct, Bribery and Corruption and to building resilience through the implementation of strategies to prevent, detect and respond to Fraud and Misconduct.

Scope

The management of Fraud and Misconduct is a collective responsibility of all persons engaged or closely associated with the MRC in any capacity, which includes but is not limited to Council Members, Employees and contractors.

Policy Procedure

The MRC has adopted a Risk Management Plan and Appetite Statement ("the Risk Plan") and all policies and procedure relating to the management of risk of fraud are aligned with the Australian Standard AS8001:2008 Fraud and Corruption Control.

This Policy along with the MRC Code of Conduct for employees, the Local Government Model Code of Conduct for Elected Member, the MRC's values, culture and its governance all operate in synergy to prevent, detect and respond to potential or actual Fraud and Misconduct.

The Risk Plan and the related council policies and procedures establishes the strategies and processes by which the MRC will determine specific practices, plans and procedures to manage the prevention and detection of fraudulent activities, the related investigation and, where appropriate, referral of incidents to the appropriate authorities.

Reporting Serious or Minor Misconduct

A Public Officer or any other person may report to the Corruption and Crime Commission or the Public Sector Commission any matter which that person suspects on reasonable grounds concerns or may concern serious or minor misconduct respectively. Information on reporting to the appropriate authority is available on the MRC's website.

Public Interest Disclosure

Any person may make an appropriate disclosure of public interest information to a proper authority which includes a local government. The legislation which governs such disclosures is the Public Interest Disclosure Act 2003 (PID Act).

A disclosure can be made by anyone and may be made anonymously. If disclosures are made in accordance with the PID Act, the person making them is protected from reprisal. This means that the person enjoys immunity from civil or criminal liability and is protected from any disciplinary action or dismissal.

The PID Act requires local governments to appoint a PID Officer to whom disclosures may be made. The PID Officer should be consulted when considering whether to make a disclosure. Information on public interest disclosures and the MRC's PID Officer is available on the MRC's website.

Disciplinary and Recovery Action

The MRC will respond to all instances of Fraud and Misconduct in accordance with its disciplinary process which may lead to termination. The MRC will also seek to recover any losses it may have suffered through Fraud and Misconduct.

ROLES AND RESPONSIBILITIES:

The roles and responsibilities of the CEO, Executive Managers, Managers, Council Members, and all Employees in respect of this Policy are articulated in detail in the Risk Plan.

DISPUTE RESOLUTION:

All disputes in respect of this Policy must be referred to the CEO.

EVALUATION AND REVIEW PROVISIONS

This Policy will be reviewed annually, however the Risk Plan is dynamic and will be reviewed as frequently as required to ensure it is implemented appropriately and that it remains relevant to address the identified risks.

DEFINITIONS

Any definitions listed in the following table apply to this Policy only.

Term	Definition
Bribe	The offering, giving, receiving, or soliciting of something of value for the purpose of influencing the action of an official in the discharge of his or her public or legal duties
CEO	Chief Executive Officer
Code of Conduct	The documented code that sets out the principles, values, ethical standards, appropriate behaviour and accountability that guides the conduct and decisions of all Employees
Corruption	Dishonest activity in which a director, executive, manager, employee, or contractor of an entity acts contrary to the interests of the entity and abuses his/her position of trust in order to achieve some personal gain or advantage for him or herself or for another person or entity. The concept of "corruption" [within this standard] can also involve corrupt conduct by the entity, or a person purporting to act on behalf of and in the interests of the entity, in order to secure some form of improper advantage for the entity
Employee	A person employed by a local government in accordance with section 5.36 of the LGA including the CEO, Directors, Managers, officers, casual and contract employees

Fraud	Dishonest activity causing actual or potential financial loss to any person or entity including theft of moneys or other property by employees or persons external to the entity and where deception is used at the time, immediately before or immediately following the activity. This also includes the deliberate falsification, concealment, destruction or use of falsified documentation used or intended for use for a normal purpose or the improper use of information or position for personal financial benefit. The theft of property belonging to an entity by a person or persons internal to the entity but where deception is not used is also considered 'fraud' [for the purposes of this standard] (Source: AS8001:2008).
LGA	Local Government Act 1995
Minor Misconduct	Minor misconduct occurs if a Public Officer engages in conduct that: (a) adversely affects the honest or impartial performance of the functions of a Public Authority or Public Officer, whether or not the Public Officer was acting in their Public Officer capacity at the time of engaging in the conduct; or (b) involves the performance of functions in a manner that is not honest or impartial; or (c) involves a breach of the trust placed in the Public Officer; or (d) involves the misuse of information or material that is in connection with their functions as a Public Officer, whether

Legislation	Local Government Act 1995 s.9.49A
Responsible Officer	Chief Executive Officer
Council Meeting Date	21.09.2023 30 May 2024
Created on	08.08.2023
Review History	14.05.2024 no change
Next Review Date	01.05.2025

Policy No: EP 01

Reference: D-24-0003733

Policy Title: ENVIRONMENTAL POLICY**PURPOSE**

To show that Mindarie Regional Council (MRC) is committed to pollution prevention strategies and compliance with legal and non-legal requirements. MRC strives to undertake best practice environmental approaches to protect the natural environment and to minimise the social and environmental impacts associated with its landfill and recycling operations at Tamala Park.

MRC is committed to:

- Managing the facilities in accordance with the various legal regulations and other relevant non-legal environmental requirements.
- Promoting a '*Reduce, Reuse and Recycle and Dispose Wisely*' ethos to its staff and the wider community.
- Providing employees with information and training on environmental aspects pertaining to the facility.
- Actively mitigating pollution impacts and continuously improving the standard of environmental management through audits and reviews of the Site Management Plan (SMP), its objectives and targets.
- Communicating regularly with the local community on environmental issues and responding to any concerns regarding its operations promptly.
- Periodically review the environmental risk register.

Legislation	Part V Environmental Health Act
Reference/s	
Attachment/s	Nil
Responsible Officer	CEO
Council Meeting Date	21 September 2023 30 May 2024
Review History	03/10/2013; 08/05/2014; 07/05/2015; 13/05/2016; 01/09/2016; 14/09/2017; 14/08/2018; 13/08/2019, 18/06/2020, 12/08/2021; 25/08/2022; 08/08/2023; <u>01/05/2024</u>
Next Review Date	01/ 08 <u>05</u> / 2024 <u>2025</u>
Revision History	08/05/2014 – minor changes throughout the document. 07/05/2015 – included words 'non-legal' at the first dot point. 13/05/2016 – minor changes to the purpose. 14/08/2018 – remove references to ISO 14001. 13/08/2019 – no change 18/06/2020 EMMP now SMP 12/06/2021 - no change 25/08/2022 – minor changes/08/ 08/08/2023 – no changes <u>01/05/2024 – no change</u>

10 MEMBERS INFORMATION BULLETIN – ISSUE NO. 83**RESPONSIBLE OFFICER RECOMMENDATION**

That the Members Information Bulletin Issue No. 83 be received.

11 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Date of submission	15 April 2024
Meeting date	30 May 2024
Item title	NOTICE OF MOTION – CR JORDAN WRIGHT – PROPOSED INCREASE TO COUNCILLOR ICT ALLOWANCE
Name of Councillor	Councillor Jordan Wright

Notice of motion

That Council:

1. ENDORSES the amended changes to CP01 Annual Fees Allowances and Expenses for Councillors policy in attachment 1.

Reason for Motion

It is noted that the Salaries and Allowance Tribunal determination dated 8 April 2024 provides a range between \$500 and \$3500 per annum for ICT allowance. The MRC has set the amount at \$1040 per annum.

The Tribunal allow Councils to pay up to the maximum amount, therefore I would like to propose that the allowance is increased to the maximum amount of \$3500.

Officer response to Notice of Motion

Responsible Officer	Chief Executive Officer
Voting requirement	Absolute Majority

Officer Comment

BACKGROUND:

The Salaries and Allowance Tribunal determines adjustment to fees, expenses and allowances payable to council members, each year.

In accordance with *Section 7B(2) of the Salaries and Allowance Act 1975 (the SA Act)* the *Salaries and Allowances Tribunal (the Tribunal)* is required to “*inquire into and determine the amount of –*

- 1. fees, or the minimum and maximum amount of fees, to be paid under the Local Government Act 1995 (the LG Act) to elected council members for attendance at meetings;*
- 2. expenses, or the minimum and maximum amounts of expenses, to be reimbursed under the LG Act to elected council members; and*
- 3. allowances, or the minimum and maximum amounts of allowances, to be paid under the LG Act to elected council members”*

In 2013 the Tribunal set a new ICT allowance for equipment and communication costs. Council members could either be reimbursed for ICT expenses or the MRC Council could set, by absolute majority, an allowance within the range \$500 and \$3500.

The ICT allowance range set by SAT has not been adjusted since its introduction in 2013, the range remains at \$500 to \$3500.

Excerpts below from the current determination dated 8 April 2024 provide the rationale and offer guidance on the implementation of the current year’s determination:

“9.1 GENERAL

- 1. Pursuant to section 5.99A of the LG Act, a local government or regional local government may decide by absolute majority that instead of reimbursing council members under the LG Act section 5.98(2) for all of a particular type of expense, it will pay all council members, for that type of expense, the annual allowance determined in section 9.2 of this Part or, as the case requires, an annual allowance within the range determined in that section.*
 - 2. Where a local government or regional local government has decided to pay council members an annual allowance for an expense of a particular type instead of reimbursing expenses of that type under section 5.98(2) of the LG Act, section 5.99A of the LG Act*
-

provides for reimbursement of expenses of that type in excess of the amount of the allowance.

3. *In determining the maximum annual allowance for expenses of a particular type, the Tribunal has taken into account a range of factors including the following:*
 - o *the intent of the allowance to reflect the extent and nature of the expenses incurred and not to result in a windfall gain for council members;*
 - o *the capacity of local governments to set allowances appropriate to their varying operational needs;*
 - o *the particular practices of local governments in the use of information and communication technology (e.g. laptop computers, iPads);*
4. *With respect to ICT expenses, the Tribunal's intention is for the maximum annual allowance to cover the cost of providing ICT hardware and equipment. It is not the intention for the allowance to be paid in addition to providing equipment and hardware.*

ICT expenses means:

1. *rental charges in relation to one telephone and one facsimile machine, as prescribed by regulation 31(1)(a) of the LG Regulations; or*
2. *any other expenses that relate to information and communications technology (for example, telephone call charges and internet service provider fees) and that are a kind of expense prescribed by regulation 32(1) of the LG Regulations; or*
3. *any expenses, including the purchase costs, of ICT hardware provided to elected members.*

DETAILS

In 2013, the ICT allowance for MRC Councillors was set at \$1000 annually, with minor increases relating to CPI approved by Council in 2022 and 2023. The current ICT allowance is \$1040 per annum, equating to \$83 per month.

MRC Councillors are appointed to the MRC by their respective member councils. A comparison of ICT allowances provided by various member councils reveals a range of amounts, with most councils offering the maximum allowance of \$3,500 as shown in the table below:

City of Joondalup	\$3,500
City of Perth	\$3,500
City of Stirling	\$3,500
City of Vincent	\$2,500
City of Wanneroo	\$3,500
Town of Cambridge	\$3,500
Town of Victoria Park	\$3,500

The MRC's historic practice has been to not provide Councillors with information and communication technology (laptop computers, ipads etc) as these devices are routinely

provided to individual councillors by their respective member councils, and which are then used when conducting MRC business, such as attending MRC Council and Committee meetings, workshops, events, and any other necessary MRC business.

The MRC does provide an ICT allowance in recognition that MRC Councillors incur expenses relating to telephone call charges and internet provider charges, acknowledging that a portion of those expenses directly relate to the MRC Councillor role.

To ensure that MRC Councillors are not out of pocket for any ICT expenses incurred directly relating to their role as an MRC Councillor then, through the provisions included in the LG Act, each is entitled to make further claims for reimbursement for other relevant ICT costs.

Should the proposal for an increase to the maximum allowance of \$3,500 from \$1040 be approved, this will incur additional costs to the MRC of \$29,520 per annum.

Notice of Motion – Cr Wright
CP01 Tracked Change

Item 11	ATTACHMENT 1	Item 11
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Policy No: CP 01

Reference: D-23-0005094

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:

a **Chairperson:** The annual regional local government allowance for the Chairperson (in addition to any fees or reimbursements of expenses payable under the LG Act and LG Regulations) is to be the maximum amount within the prescribed legislation.

b **Deputy Chairperson:** An annual regional local government allowance is to be paid to the Deputy Mayor (in addition to any fees or reimbursements of expenses payable under the LG Act and LG Regulations), which is 25% of the annual local government allowance payable to the Chairperson within prescribed legislation.

c **Councillor:** In lieu of paying Members a meeting attendance fee for Council, Committee or prescribed meetings, MRC will pay the maximum amount within the range set by the Salaries and Allowances Tribunal through a determination published in the Government Gazette from time to time.

d **Deputy Councillor:** Nil.

e **ICT Expenses Allowance:** Council Members are to be paid the maximum annual amount for ICT Expenses each year within the range set by the Salaries and Allowances Tribunal through a determination published in the Government Gazette from time to time.

f **Other Expenses to be Reimbursed:** 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.

4.2. All meeting fees and allowances to which the elected members are entitled, are to be paid in monthly in arrears from 01 July 2024. Payments will be made by direct deposit in arrears. Allowances will be paid on a pro-rata basis where Councillors hold office for only a portion of the year.

	Fee (\$)	LG Allowance (\$)	Allowance (\$) (Technology)
Chairperson	16,480	20,875	1,040
Deputy Chairperson	10,990	5,090	1,040
Councillor	10,990		1,040
Deputy Councillor	Nil		

Expenses Other	Child Care and Travel Costs will be reimbursed in accordance with Reg. 31 and 32 of the Local Government (Administration) Regulations 1996
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~~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. Payments will be made by direct deposit. Allowances will be paid on a pro-rata basis where Councillors hold office for only a portion of the 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.~~

4.3. The fees and allowances are increased in line with the determination of the Salaries and Allowances Tribunal effective from the date of the determination 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	30 May 2024 <u>21 September 2023</u>
Review History	18/04/2002, 07/06/2005, 06/07/2006, 23/10/2008, 25/10/2012, 02/05/2013, 05/09/2013, 04/09/2014, 20/08/2015; 01/09/2016; 14/09/2017; 14/08/2018; 13/08/2019; 18/06/2020, 12/08/2021; 31/0/2022
Next Review Date	01/08 <u>5</u> /202 <u>5</u> 3
Revision History	04/09/2014 — Increase in fees/allowances provided to councillors as determined by SAT. New part 4. 14/08/2018 clarification regarding pro-rata payments 21/11/2019 — Deputy Councillor meeting fee removed 12/08/2021 — no change 11/04/2022 SAT 2.5% increase 12/04/2023 SAT 1.5% increase
Delegation to the Chief Executive Officer	Nil

Notice of Motion – Cr Wright
CP01 Clean Copy

Item
11

ATTACHMENT 2

Item
11

Policy No: CP 01

Reference: D-23-0005094

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:

- a **Chairperson:** The annual regional local government allowance for the Chairperson (in addition to any fees or reimbursements of expenses payable under the LG Act and LG Regulations) is to be the maximum amount within the prescribed legislation.
- b **Deputy Chairperson:** An annual regional local government allowance is to be paid to the Deputy Mayor (in addition to any fees or reimbursements of expenses payable under the LG Act and LG Regulations), which is 25% of the annual local government allowance payable to the Chairperson within prescribed legislation.
- c **Councillor:** In lieu of paying Members a meeting attendance fee for Council, Committee or prescribed meetings, MRC will pay the maximum amount within the range set by the Salaries and Allowances Tribunal through a determination published in the Government Gazette from time to time.
- d **Deputy Councillor:** Nil.
- e **ICT Expenses Allowance:** Council Members are to be paid the maximum annual amount for ICT Expenses each year within the range set by the Salaries and Allowances Tribunal through a determination published in the Government Gazette from time to time.
- f **Other Expenses to be Reimbursed:** 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.

2. All meeting fees and allowances to which the elected members are entitled, are to be paid in monthly in arrears from 01 July 2024. Payments will be made by direct deposit in arrears. Allowances will be paid on a pro-rata basis where Councillors hold office for only a portion of the year.

3. The fees and allowances are increased in line with the determination of the Salaries and Allowances Tribunal effective from the date of the determination 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	30 May 2024
Review History	18/04/2002, 07/06/2005, 06/07/2006, 23/10/2008, 25/10/2012, 02/05/2013, 05/09/2013, 04/09/2014, 20/08/2015; 01/09/2016; 14/09/2017; 14/08/2018; 13/08/2019; 18/06/2020, 12/08/2021; 31/0/2022
Next Review Date	01/05/2025
Delegation to the Chief Executive Officer	Nil

12 URGENT BUSINESS

13 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

Nil

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

This Report is Confidential and dealt with in a Confidential Session, under section 5.23 (2)(c) of the Local Government Act 1995 as the report deals with matters where a contract may be entered into.

14.1	Environmental Monitoring Services – Tender Exempt Award Council Delegation Request
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File No:	GF-23-0000091
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Attachment(s):	Nil
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Date:	21 May 2024
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Responsible Officer:	Chief Executive Officer
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TO BE SENT UNDER SEPARATE COVER TO MRC COUNCILLORS AND MEMBER COUNCILS

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14.2	Tamala Park Critical Infrastructure Plan
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File No:	GF-24-0000175
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Attachment(s):	Attachment A – Draft Critical Infrastructure Plan (CIP)
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Date:	13 May 2024
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Responsible Officer:	Chief Executive Officer
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MINDARIE REGIONAL COUNCIL
ORDINARY COUNCIL MEETING AGENDA
30 May 2024

15	NEXT MEETING
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The next Ordinary Council meeting is to be held on Thursday 27 June 2024 at the Town of Cambridge commencing at 6.30 pm.

16	CLOSURE
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