

MINUTES

ATTACHMENT 1

Joondalup Lotteries House Management Committee

Meeting held 12 June 2014

commencing at 1.00pm in the Conference Room at Joondalup Lotteries House

| | Agenda Item | Status | Minutes |
|---|--------------------------------------|--|---|
| 1 | Meeting opened. | 1.00pm. | 1.05pm - Introductions made. |
| 2 | Attendance. | | Julie Forrester-Vice Chairperson, Kum Weng Lee-Treasurer, Christopher Paull, Mandy Stringer, Fran Edmeades, Diane Cook, Rose Ngoga, Pam Cackett. Nicole Hanigan, Jenny Drury, Jennie Hague Administrator. |
| 3 | Apologies. | | Roia Atmar- Pat Giles Centre. |
| 4 | Confirmation of previous minutes. | Motion: That the minutes of the meeting held on 10 April 2014 are accepted and the business ratified as a true and correct record. | Motion: That the minutes of the meeting held on 10 April 2014 are accepted and the business ratified as a true and correct record. MOVED: Diane Cooke. SECONDED: Pam Cackett. CARRIED |
| 5 | Nominations for Committee Positions. | Expected from the Roia Atmar Pat Giles Centre, Nicole Hanigan Joondalup Netball Association and Jenny Drury ICA. | Christopher Paull nominated and accepted the position of New Chairperson for Joondalup Lotteries House. Nominations received from the Roia Atmar Pat Giles Centre, Nicole Hanigan Joondalup Netball Association and Jenny Drury ICA and accepted. Also received from Joelle Mandzufas who was unable to attend meeting. All nominations ratified by the Committee. |
| 6 | Insurances. | All completed and paid. | All completed and paid for the house is covered for insurances and we are not now on cover notes. |
| 7 | Lease Agreements. | To be drafted and issued after email to Committee. | Two-year leases issued to all permanent tenants. |

| | Agenda Item | Status | Minutes |
|---|--------------------|---|--|
| 8 | Financial report. | <p>Treasurer presents financial report.</p> <p>Draft budget to be presented 2014-2015 year for ratification.</p> <p>Recommendation that \$50,000 to be on hand for contingency purposes to build up further monies before further upgrade projects are implemented? Rents will have to be reviewed for the new financial year?</p> <p>Julie requested that \$500 for Crèche expenses be included in the 2014-15 budget?</p> | <p>Kum ran through all financials. Banking set up, completed, Internet banking running smoothly. Balance in account \$4,500 approximately and \$65,000 in Telenet Saver. \$50,000 to be put aside for contingency. Jennie to have quotes ready for next meeting for future maintenance costs. Kum proposes 3% increase on all costs from 1 July 2014 keeping up with GDP.</p> <p>20 Security swipe cards to be purchased for audit and replacement of swipe cards.</p> <p>\$5.00 admin charge to be added on all replacement keys and swipe card purchased.</p> <p>Letter to be sent to cancelling the services of Hewitt, Turner & Gelevitis Auditors. New auditor to be appointed. Details to be sent to Jennie.</p> <p>Christopher Paull new Chairperson to be given master use access to general cheque and Telenet saver accounts at Bankwest. Internet Banking at Bankwest also required by Christopher Paull Chairperson.</p> <p>MOVED: Pam Cackett. SECONDED: Mandy Stringer. CARRIED.</p> |
| 9 | Building Security. | <p>Aspect settling in well. New computer and soft wear installed. Issue regarding telephone call connecting to system. Also swipe cards and Jennie training.</p> | <p>Aspect settling in well. New computer and soft wear installed. Due to increased costs on telephone bill it was agreed by the Committee to upgrade security monitoring plan to GPRS monitoring to reduce costs.</p> <p>Security cards to be replaced when needed. Cards issued and paid for by Lotteries House on square meterage of office space.</p> |

| | Agenda Item | Status | Minutes |
|----|---|--|--|
| 10 | Car Parking. | Letter to City of Joondalup to be completed. Festival ran from 23-27 March 2014. The Committee was disappointed that alternative arrangements were not made for tenant parking | Letter to City of Joondalup to be completed. Festival ran from 23-27 March 2014. The Committee was disappointed that alternative arrangements were not made for tenant parking and safety aspect. Problems using credit cards in parking machines Jennie to contact City of Joondalup. |
| 11 | Tenants. | Inclusion WA now moved in and settled, signage ordered. | Inclusion WA now moved in and settled. All suites are now filled. |
| 12 | Creche Update. | Report to be provided. | Volunteers working well. There has been a reduction in children attending due to change over at Womens Health Works. |
| 13 | Carpets. | Completed and paid. | Completed, bill paid and Committee happy with the result. |
| 14 | City of Joondalup Community Development Plan. | Update to be provided. | Meetings have been held to work on the <i>Community Development Plan 2014-2019</i> . The next step is for the City to put out a draft proposal. The committee request to look at the proposal once drafted. |
| 15 | Fire Hydrant and Booster and Fire Doors. | Report to be discussed and decision about costs and future direction. Jennie to discuss Fire Door report. | Committee discussed the proposal to take on the maintenance of the fire hydrant and booster system. Due to the footprint of the building and the costs involved for Lotteries House to accommodate a letter is to be issued to the City of Joondalup declining this proposal. Fire Door report received approximately \$3,000 of works required to bring doors up to Australian standard. Committee request letter sent to City of Joondalup for assistance with this matter since they own the building. |
| 16 | Rubbish Removal. | All going well or any problems? | Email to be sent to tenants regarding recycling and what can be put in the recycling bins. Jennie to contact Visy and check our contract. |
| 17 | Spike on lights. | Working progress... | Working progress...Cost is an issue. Jennie to look into further. |
| 18 | Cleaning Contract. | Charles cleaning contract not renewed JaniKing to start 1 July 2014 and contract to be signed. | Charles cleaning contract not renewed new company JaniKing to start 1 July 2014. Contract to be signed. |

| | Agenda Item | Status | Minutes |
|----|-----------------------------------|--|---|
| 19 | Apply for grant from Lotterywest. | The committee discussed the possibility of applying for a grant from Lotterywest for painting, swipe cards, replacement of lino flooring, lighting and new blinds for the house: Working Progress. | The committee discussed the possibility of applying for a grant from Lotterywest for painting, replacement of lino flooring, lighting and new blinds for the house. |
| 20 | Other Business. | Miscellaneous Items. | Three pictures to be hung in the Conference Room, donated by Womens Healthworks. Suite 4 and 7 doors to be shaved due to new carpets catching. Damage to toilet floors downstairs. Committee decided to leave due to age of tiles. |
| 21 | Future Meetings. | Thursday 14 August 2014. Thursday 9 October 2014. Thursday 11 December 2014. From 1.00pm to 2.30pm - Joondalup Lotteries House Conference Room unless otherwise advised. | Thursday 14 August 2014. Thursday 9 October 2014. Thursday 11 December 2014. From 1.00pm to 2.30pm - Joondalup Lotteries House Conference Room unless otherwise advised. |
| 22 | Meeting Closed | | 2.45pm. |

01-005-03-0001



North Metropolitan Zone

Minutes

28 August 2014

North Metropolitan Zone

Hosted by the City of Stirling, 25 Cedric Street Stirling, 9205 8555

Thursday 28 August 2014

Commenced at 6:01pm

Minutes

MEMBERS

4 Voting Delegates from each Member Council

City of Joondalup

Cr Geoff Amphlett JP (SC) **Chair**
Cr Kerry Hollywood (Zone Deputy)
Cr Philippa Taylor
Cr Sam Thomas (DSC)
Mr Jamie Parry, Director Governance and Strategy – non-voting delegate

City of Stirling

Cr David Michael (SC)
Mayor Giovanni Italiano JP (DCS) **Deputy Chair**
Cr Elizabeth Re JP
Mr Aaron Bowman, Manager Governance & Council Support – non-voting delegate

City of Wanneroo

Mayor Tracey Roberts JP- (SC)
Cr Frank Cvitan JP (DSC)
Cr Hugh Nguyen (Zone Deputy)
Cr Russell Driver
Mr Mustafa Yildiz, Manager Governance and Legal - non-voting delegate

WALGA Representatives

Mr Tony Brown, Executive Manager Governance and Strategy
Ms Margaret Degebrodt, Zone Liaison & Governance Support Officer

DLGC Representative

Ms Kaye Verboon, Principal Project Officer, Strategic Reform

Guest Speakers

Ms Greer Gilroy - Perth Region NRM
Mr Jason Pitman, Environment Program Assistant

APOLOGIES

City of Joondalup

Cr Russ Fishwick JP
Mr Garry Hunt, Chief Executive Officer – non-voting delegate

City of Stirling

Cr David Boothman
Mr Stuart Jardine, Chief Executive Officer

City of Wanneroo

Cr Domenic Zappa
Mr Daniel Simms, Chief Executive Officer – non-voting delegate

ANNOUNCEMENTS

Confirmation of Attendance an attendance sheet was circulated prior to the commencement of the meeting to register your name for the Minutes.

ATTACHMENTS WITHIN THE AGENDA

1. Minutes of previous meeting
2. Zone Status Report
3. President's Report
4. Standing Orders

1. CONFIRMATION OF MINUTES

RESOLUTION

**Moved Mayor Tracey Roberts
Seconded Cr Sam Thomas**

That the Minutes of the meeting of the North Metropolitan Zone held on 26 June 2014 be confirmed as a true and accurate record of the proceedings.

2. DECLARATION OF INTEREST

Pursuant to our Code of Conduct, Councillors must declare to the Chairman any potential conflict of interest they have in a matter before the Zone as soon as they become aware of it. Councillors and deputies may be directly or indirectly associated with some recommendations of the Zone and State Council. If you are affected by these recommendations, please excuse yourself from the meeting and do not participate in deliberations.

Nil

3. BUSINESS ARISING

A Status Report outlining the actions taken on the Zone's resolutions was enclosed as an attachment to the Agenda.

Noted

4. REPORTS FROM MEMBER COUNCILS

4.1 Strategic Assessment of the Perth and Peel Regions

By City of Wanneroo

IN BRIEF

The draft Strategic Assessment of the Perth and Peel Regions (SAPPR) was originally intended to be released for public comment in 2012. The release date has subsequently been put back a number of times, with the current release date being November 2014. It is understood that this date might again be substantially put back.

The SAPPR and the associated planning proposals are likely to have significant implications for the planning of the region. Continual delays in its release is therefore holding up progression of other key initiatives across the region, or posing a risk to projects which are needing to be progressed anyway.

BACKGROUND

In August 2011, the Western Australian Ministers for Planning and Environment and the Commonwealth Minister for Sustainability, Environment, Water, Population and Communities agreed to undertake the SAPPR.

The purpose of the SAPPR is to:

- Significantly reduce the need for project by project assessment under the *Environmental Protection and Biodiversity Conservation Act 1999* (Cth) in the Perth and Peel region;
- Deliver an effective long term and strategic response to key environmental issues in the Perth and Peel region, for example, Carnaby's Cockatoo and water quality in the Peel-Harvey estuary;
- Provide greater certainty to industry as to which areas can be developed and what the obligations will be in terms of mitigation, including environmental offsets; and
- Provide greater certainty in terms of long term land supply to meet the needs of a city of 3.5 million.

The SAPPR will consider not only the environmental impacts of future urban development, but also the industrial land, transport and infrastructure corridors and future basic raw material extraction nodes required to support future development.

The SAPPR will assess the impact of the future development proposed under the following state land and planning documents:

- Directions 2031 and Beyond;
- The Western Australian Planning Commission's forthcoming subregional structure plans for the north-west, north-east, southern metropolitan and Peel sub-regions; and
- A revised State Planning Policy – Basic Raw Materials.

The SAPPR is being led by the Department of Premier and Cabinet (DPC) in partnership with the Commonwealth Department of the Environment.

COMMENT

The draft SAPPR and the associated planning proposals, including the draft sub-regional structure plans, were originally intended to be released for public comment in 2012. The release date has been put back a number of times, and it is understood that the current release date of November 2014 is likely to be put back yet again for a substantial period.

The continued delays of these proposals is holding up progression of other major projects across the region. Where projects are having to be progressed regardless, it is posing a risk that they may prove to be misaligned with the strategic direction of the SAPPR and related proposals.

A Strategic Assessment Stakeholder Reference Group has been established and local government is represented on that group. While the group has had seven meetings between November 2012 and November 2013, it has not met again since November 2013. This, together with the confidentiality constraints which group members are understood to be subject to, indicates a number of needs:

1. For DPC to provide an update to WALGA regarding the current position on progression of the SAPPR and associated proposals, in a form which WALGA can then pass onto all affected local governments; and
2. For the State Government to be advised of the concerns currently held by local government regarding the continual delays in release of the draft SAPPR and associated proposals.

The City of Wanneroo Administration has recently sought broad advice, on a confidential basis, on some of the research being undertaken to inform preparation of the SAPP and associated proposals. This was to assist in a number of strategic planning studies currently being undertaken by this City, including preparation of a Local Planning Strategy. These requests have been unsuccessful.

Access to some of this research should be provided as soon as possible to enhance prospects for eventual alignment and integration of major current local government projects and the strategic directions which will arise from the SAPP project.

RESOLUTION

**Moved Cr Frank Cvitan
Seconded Cr Hugh Nguyen**

That WALGA request the State Government, through the Ministers for Planning and Environment, and the Department of Premier and Cabinet, to:

- 1. Provide WALGA with an update regarding the current position regarding progression of the SAPP and associated proposals, in a form which WALGA can then convey to all affected local governments;**
- 2. Ensure that all possible steps are taken, and resources made available, to facilitate the progression of the SAPP and associated proposals as soon as possible, as continual delays are in turn delaying other key initiatives in the region, or where such initiatives are having to be progressed regardless, posing a risk of eventual possible misalignment with the SAPP; and**
- 3. Authorise provision to relevant local governments, on a confidential basis, of some of the research associated with preparation of the SAPP and related proposals, to ensure that prior to public release of such information, local governments may be in a position to align their current strategic planning and other major projects in a manner which may have a greater likelihood of alignment with the eventual outcomes of the SAPP and associated proposals.**

CARRIED

5. STATE COUNCIL AGENDA - MATTERS FOR DECISION

RESOLUTION

**Moved Cr Sam Thomas
Seconded Cr Frank Cvitan**

That the North Metropolitan Zone endorses 'en-bloc' all items within the September 2014 State Council Agenda.

CARRIED

6. EXECUTIVE REPORTS

6.1 President's Report to the Zone

Mr Tony Brown presented the President's Report.

Noted

6.2 State Councillor's report to the Zone

Cr Geoff Amphlett and Mayor Tracey Roberts presented on the previous State Council meeting.

Noted

7. DEPUTATIONS

7.1 Presentation by the Perth Region NRM

Ms Greer Gilroy, Perth Region NRM and Mr Jason Pitman, Environment Program Assistant presented the Draft Swan Region Strategy for Natural Resource Management.

The purpose of the presentation was to introduce the new strategic framework and the draft strategic priorities for the next 5 years.

Background

Since April 2013, Perth Region NRM has undertaken a comprehensive consultation process to review and update the Swan Region Strategy for Natural Resource Management (NRM).

The original Strategy, launched in 2004, was the first NRM plan for the Swan region, bringing together local, regional, state and national priorities into a single document. Leveraging both State and Commonwealth investment, the 2004 Strategy was the launching pad for numerous high profile projects such as the Perth Biodiversity Project, EnviroPlanning and the Light Industry Audit.

The NRM landscape in Perth has changed significantly since 2004, but the need for an integrated planning framework for the region has never been stronger. The new Strategy addresses that need with a common sense strategic framework that is accessible, logical and action-orientated.

Developed in consultation with more than 130 people from 74 organisations and groups across industry, community and government, the draft Strategy shines a light on the critical needs for the region and the visionary projects that will pave the way to a sustainable, vibrant and liveable community and will be a critical tool to guide future Australian Government investment into NRM in the region.

The Zone thanked Greer and Jason for a very informative presentation.

8. EXECUTIVE REPORTS CONTINUED

8.1 Department of Local Government and Communities Representative Update Report.

Department of Local Government and Communities representative, Ms Kaye Verboon, presented the Director General's Update Report.

Noted

9. BUSINESS

9.1 Strategic Assessment of the Perth Peel Region

Mr Simon Taylor, Department of Premier and Cabinet, and Kym Davis, Department of Planning would like to present to the North Metropolitan Zone on the Strategic Assessment of the Perth Peel Region.

Background

On 18 August 2011, the Western Australian Ministers for Planning and Environment and the Commonwealth Minister for Sustainability, Environment, Water, Population and Communities agreed to undertake a Strategic Assessment of the Perth and Peel regions of Western Australia.

The Strategic Assessment will assess the potential impacts arising from Perth's development on matters of national environmental significance as protected by the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

This presentation will provide an overview of the process, timelines and implications. Key focus areas that will be of interest and concern to local government including the implications for Directions 2031, sub-regional structure plans and planning strategies, schemes and policies; the supply and demand of basic raw materials, and opportunities for local government natural assets to be recipients of environmental offsets from urban development.

RESOLUTION

**Moved Mayor Tracey Roberts
Seconded Cr Frank Cvitan**

That the North Metropolitan Zone invite Mr Simon Taylor, Department of Premier and Cabinet together with Kym Davis, Department of Planning to present to the Zone on the Strategic Assessment of the Perth Peel Region at their next meeting, 6pm 27 November 2014 at the City of Joondalup.

CARRIED

10. OTHER BUSINESS

Nil

11. DATE, TIME AND PLACE OF NEXT MEETING

That the next ordinary meeting of the North Metropolitan Zone will be held at 6:00pm on Thursday 27 November 2014 at the City of Joondalup, commencing at 6pm.

12. CLOSURE

There being no further business the Chair declared the meeting closed at 6:50pm



STATE COUNCIL SUMMARY MINUTES

September 2014

NOTICE OF MEETING

Meeting No. 4 of 2014 of the Western Australian Local Government Association State Council held at WALGA, 170 Railway Parade, West Leederville on 3 September 2014 beginning at 4:03pm.

1. ATTENDANCE, APOLOGIES & ANNOUNCEMENTS

1.1 Attendance

| | | |
|-------------|--|---|
| Chairman | President of WALGA Deputy President of WALGA Pilbara Country Zone | Mayor Troy Pickard Cr Lynne Craigie |
| Members | Avon-Midland Country Zone Central Country Zone Central Metropolitan Zone East Metropolitan Zone Goldfields Esperance Country Zone Gascoyne Country Zone Great Eastern Country Zone Great Southern Country Zone Murchison Country Zone North Metropolitan Zone Northern Country Zone Peel Country Zone South East Metropolitan Zone South Metropolitan Zone South West Country Zone | Cr Lawrie Short President Cr Philip Blight Cr Janet Davidson JP Mayor Heather Henderson Cr Steve Wolff Cr Mick Wainwright Mayor Ron Yuryevich AM RFD Cr Ross Winzer President Cr Eileen O'Connell President Cr Ken Clements Cr Simon Broad Mayor Tracey Roberts JP Cr Geoff Amphlett JP Cr David Michael President Cr Karen Chappel President Cr Wally Barrett Mayor Cr Henry Zelones OAM JP Cr Fiona Reid Mayor Carol Adams Cr Doug Thompson Mayor Logan Howlett Cr Wayne Sanford |
| Ex-Officio | Local Government Managers Australia | Mr Jonathon Throssell (Deputy President) |
| Secretariat | Chief Executive Officer Deputy Chief Executive Officer EM Environment & Waste EM Governance & Strategy EM Marketing & Communications A/EM Planning & Community Development EM Infrastructure EM Business Solutions Manager Governance EO Governance and Strategy Marketing & Media Manager | Ms Ricky Burges Mr Wayne Scheggia Mr Mark Batty Mr Tony Brown Mr Zac Donovan Ms Jodie Holbrook Mr Ian Duncan Mr Nick Wood Mr James McGovern Ms Ana Fernandez Ms Annaliese Battista |

1.2 Apologies

| | | |
|------------|---|---|
| Ex-Officio | Local Government Managers Australia Kimberley Country Zone | Mr Mark Chester (President) Cr Chris Mitchell President Cr Elsia Archer |
| Associate | The Rt Hon Lord Mayor of the City of Perth | Ms Lisa Scaffidi |

OBSERVERS

- Cr John Bissett – Town of Victoria Park

MEETING ASSESSMENT

Cr Philip Blight was invited to undertake a meeting assessment at the conclusion of the meeting.

ANNOUNCEMENTS

Nil

2. MINUTES OF THE PREVIOUS MEETINGS

2.1 Minutes of July 2014 State Council Meeting

It is recommended that a correction be made to the minutes in relation to Item 5.4, as the secretariat comment was incorrect as the Great Eastern Country Zone had not been afforded the opportunity to provide comment through a regional workshop on the issue of Bushfire Risk Management.

Moved: Mayor H Henderson

Seconded: Mayor C Adams

That the Minutes of the Western Australian Local Government Association (WALGA) State Council Meeting held on 2 July 2014 be confirmed as a true and correct record of proceedings subject to deleting the secretariat comment from Item 5.4.

RESOLUTION 83.4/2014

CARRIED

2.1.1 Business Arising from the Minutes of July 2014

Nil.

3. DECLARATION OF INTEREST

Pursuant to our Code of Conduct, the following State Councillors declared an interest to the Chairman:

- Item 4.1 – Cr Reid, Mayor Henderson, Mayor Howlett
- Item 5.6 – Cr Barrett, Cr Short, Mayor Zelones

4. EMERGING ISSUES

4.1 EMERGING ISSUE: Councils For Democracy

PROPONENT: WALGA President, Mayor Troy Pickard

The following State Councillors advised of their council's involvement in the Councils For Democracy group:

- Mayor Logan Howlett
- Cr Fiona Reid
- Mayor Heather Henderson

Mayor Henderson absented herself and left the room at 4.11pm.
Cr Reid absented herself and left the room at 4.18pm.

Moved: Cr J Davidson

Seconded: Mayor R Yuryevich

All State Councillors participate in discussion on this Item.

RESOLUTION 84.4/2014

CARRIED

Mayor Henderson and Cr Reid returned at 4.22pm

BACKGROUND

Over the last few months the Councils For Democracy group has emerged as a result of purported dissatisfaction with the way in which the metropolitan Local Government reform debate has been prosecuted by the Association, in particular the way in which the President has represented (or allegedly failed to represent) the sector. The WALGA President seeks for this matter to be discussed as an emerging issue to seek some direction from the State Council on how to interact with the C4D group into the future.

Moved: Cr D Thompson

Seconded: Mayor C Adams

1. **Notes the inaccurate information in the report accompanying the recommendation in the South Metro Zone (and other Zones) in relation to review of WALGA's constitution, political structure and accountability to members.**
LOST
2. **Notes and rejects the statement in the report accompanying the recommendation "the intent of resolutions passed at the AGMs of WALGA are being diverted or subdued within the ranks of State Council".**
LOST
3. **The CEO be requested to provide guidance to the Zones for best practice in ensuring that sponsored motions that have their genesis outside the Zone or are from third party organisations has sufficient clarity about provenance and processes to enable State and Zone Councillors to make fully informed decisions.**
LOST
4. **State Council reaffirm its strong support for WALGA, its President, CEO and Staff.**

RESOLUTION 85.4/2014

CARRIED

5. MATTERS FOR DECISION

5.1 2014 Annual General Meeting Minutes (01-003-02-0003 WS)

WALGA RECOMMENDATION

That Annual General Meeting Motions:

1. 4.6B & 4.7B Part (a) be noted as in accordance with Association Policy;
2. 4.1, 4.2, 4.3, 4.4, 4.5 and 4.7B Part (b) be noted and forwarded to the relevant WALGA business unit for consideration; and,
3. 4.7B Part (c) be endorsed.

| | |
|--|---|
| Gascoyne Zone | WALGA Recommendation Supported |
| Goldfields Esperance Country Zone | WALGA Recommendation Supported |
| Kimberley Zone | Meeting held prior to Agenda Distribution |
| Murchison Country Zone | WALGA Recommendation Supported |
| North Metropolitan Zone | WALGA Recommendation Supported |
| Northern Country Zone | WALGA Recommendation Supported |
| Peel Zone | WALGA Recommendation Supported |
| Pilbara Zone | Meeting held prior to Agenda Distribution |
| South Metropolitan Zone | WALGA Recommendation Supported |
| South West Country Zone | WALGA Recommendation Supported |

EAST METROPOLITAN ZONE

- That part 4.7B part (b) be deleted and
- Insert 5.1.3:4.7B Part (b) to be considered by the appropriate business unit of WALGA and “any associated criteria and any percentages to be agreed to by a majority of all Local Governments in Western Government in Western Australia’ through the Zone Process and endorsed by State Council.
- Item 5.1.3 be renumbered accordingly.

SECRETARIAT COMMENT

This motion appears to reflect WALGA’s current process where a business unit will prepare a report following sector consultation which will then be presented through the Zone process to State Council. The composite recommendation has provided clarification.

AVON MIDLAND COUNTRY ZONE

That the Zone supports items 1 and 2 of the WALGA Recommendation and submits an amendment to item 3 that “4.7B Part (c) be endorsed and acted upon by State Council”.

SECRETARIAT COMMENT

An item endorsed by State Council is acted upon.

CENTRAL COUNTRY ZONE

That Annual General Meeting Motions:

1. 4.6B & 4.7B Part (a) be noted as in accordance with Association Policy;
2. 4.1, 4.2, 4.3, 4.4, 4.5 and 4.7B Part (b) be noted and forwarded to the relevant WALGA business unit for consideration and that a report on the consideration of these matters by the relevant WALGA business unit be submitted to the December State Council Meeting unless resolved earlier; and
3. 4.7B Part (c) be endorsed.

GREAT EASTERN COUNTRY ZONE

That Annual General Meeting Motions:

1. 4.6B & 4.7B Part (a) be noted as in accordance with Association Policy;
2. 4.1, 4.2, 4.3, 4.4, 4.5 and 4.7B Part (b) be noted and forwarded to the relevant WALGA business unit for consideration and that a report on the consideration of these matters by the relevant WALGA business unit be submitted to the December State Council Meeting unless resolved earlier; and
3. 4.7B Part (c) be endorsed.

GREAT SOUTHERN COUNTRY ZONE

- Great Southern Zone to vote against AGM motion 4.3 – Bushfire Management, Support Vehicles. Delegates felt that only bushfire trucks should be eligible for capital and operational funding under the Emergency Services Levy.
- Cr Clements to query the intention of Point 2 of motion 4.1 to ensure that councils will not be financially disadvantaged.

SECRETARIAT COMMENT

These issues can be considered as part of the research and report that will be presented to the Zones and State Council.

CENTRAL METROPOLITAN ZONE

- That part 4.7B part (b) be deleted and
- Insert 5.1.3:4.7B Part (b) to be considered by the appropriate business unit of WALGA and “any associated criteria and any percentages to be agreed to by a majority of all Local Governments in Western Government in Western Australia’ through the Zone Process and endorsed by State Council.
- Item 5.1.3 be renumbered accordingly.

SECRETARIAT COMMENT

This motion appears to reflect WALGA’s current process where a business unit will prepare a report following sector consultation which will then be presented through the Zone process to State Council. The composite recommendation has provided clarification.

SOUTH EAST METROPOLITAN ZONE

That Annual General Meeting Motions:

- 1) 4.6B be noted as in accordance with Association Policy;
- 2) 4.7B Part (a) as amended be endorsed:
[reaffirm] WALGA's position of providing community access to the poll provisions where 1 or more districts are to be abolished rather than the 2 or more districts as currently provided for in the *Local Government Act 1995*;
- 3) 4.1, 4.2, 4.3, 4.4, and 4.5 be noted and forwarded to the relevant WALGA business unit for consideration;
- 4) Rescind 4.7B Part (b) of the State Council Resolution adopted at its meeting held on 2 July 2014;
 - 2.) *Adopt, and advocate for, a policy position that the poll provisions contained in the Local Government Act 1995 should be amended so that electors of a Local Government where 1 or more Local Governments will be abolished or significantly affected by a boundary change proposal are able to demand a poll on the proposal, with ‘significantly affected’ being specifically defined as causing a fifty percent variation in:*
 - i) *Population; or,*
 - ii) *Rateable properties; or,*
 - iii) *Revenue.*
- 5.) 4.7B Part (b) be endorsed as amended;
 - (b) [reaffirm] WALGA's proposed extension of the poll provisions to significant boundary adjustments subject to any associated criteria and any percentages being agreed to by a majority of all local governments in



Western Australia, and the subject be referred to the relevant WALGA Business Unit for further consideration; and

6.) 4.7B Part (c) be adopted.

(c) reaffirm as policy, that WALGA is opposed to the removal or dilution of the 'Dadour' poll provisions including the temporary dilution or removal of those provisions.

SECRETARIAT COMMENT

With reference to Point 4 of the Zones resolution, it is prudent to carry out the research and analysis and report back with recommendations to the next round of Zone/ State Council Meetings prior to rescinding the previous position.

**Moved: Cr M Wainwright
Seconded: Cr G Amphlett**

That Annual General Meeting Motions:

1. 4.6B & 4.7B Part (a) be noted as in accordance with Association Policy;
2. 4.1, 4.2, 4.3, 4.4 and 4.5 be noted and forwarded to the relevant WALGA business unit for consideration;
3. 4.7B Part (b) endorse WALGA's proposed extension of the poll provisions to include significant boundary adjustments subject to further research and sector consultation being carried out on any associated criteria and for a report to be presented through the next Zone/State Council Meetings; and
4. 4.7B Part (c) be endorsed.

RESOLUTION 86.4/2014

CARRIED UNANIMOUSLY

5.2 Metropolitan Local Government Reform (05-014-02-0018 TL)

WALGA RECOMMENDATION

That WALGA:

1. Continues to advocate for the State Government to provide adequate funding for the implementation of Metropolitan Local Government Reform; and
2. Works with affected Local Governments, following the Minister for Local Government's announcement relating to the Metropolitan Local Government Reform process, to quantify the cost of implementation of reform.

| | |
|-----------------------------------|---|
| Avon Midland Country Zone | WALGA Recommendation Supported |
| East Metropolitan Zone | WALGA Recommendation Supported |
| Gascoyne Zone | WALGA Recommendation Supported |
| Goldfields Esperance Country Zone | WALGA Recommendation Supported |
| Great Eastern Country Zone | WALGA Recommendation Supported |
| Great Southern Country Zone | WALGA Recommendation Supported |
| Kimberley Zone | Meeting held prior to Agenda Distribution |
| Murchison Country Zone | WALGA Recommendation Supported |
| North Metropolitan Zone | WALGA Recommendation Supported |
| Northern Country Zone | WALGA Recommendation Supported |
| Peel Zone | WALGA Recommendation Supported |
| Pilbara Zone | Meeting held prior to Agenda Distribution |
| South Metropolitan Zone | WALGA Recommendation Supported |

SOUTH WEST COUNTRY ZONE

That the State Council recommendation 5.2 be supported with the inclusion of the following after the words "the cost of implementation of reform": and the State Government should accept the full cost of amalgamation and a response from government be requested by 30th September 2014 to enable the process to proceed.

SECRETARIAT COMMENT

The composite recommendation requests the State Government to fully fund the process.

CENTRAL COUNTRY ZONE

That WALGA:

1. Continues to strongly advocate for the State Government to fully fund the implementation of Metropolitan Local Government Reform; and
2. Works with affected Local Governments, following the Minister for Local Government's announcement relating to the Metropolitan Local Government Reform process, to quantify the cost of implementation of reform.

SECRETARIAT COMMENT

The Zones motion is included in the composite recommendation.

CENTRAL METROPOLITAN ZONE

If by the commencement of State Council meeting at 4pm on 3 September 2014 the State Government has not committed to provide \$100 million to fund (not loans) its Metropolitan Local Government Reform, WALGA cease any collaborative involvement with the State Government's reform agenda effective forthwith.

SECRETARIAT COMMENT

The State Government have not received the Local Government Advisory Board (LGAB) report for the Government to ascertain the full cost of the reform program.

SOUTH EAST METROPOLITAN ZONE

That

1. As a matter of priority, WALGA allocate necessary funds to conduct a high profile media campaign, advocates for the State Government and lobbies all members of Parliament to provide adequate funding for the implementation of Metropolitan Local Government Reform; and
2. Works with affected Local Governments, following the Minister for Local Government's announcement relating to the Metropolitan Local Government Reform process, to quantify the cost of implementation of reform.

SECRETARIAT COMMENT

- Funds exist in WALGA reserves that can be used for this purpose.
- WALGA is advocating to the State Government to fully fund the implementation cost of the reform process.

Moved: Cr D Thompson

Seconded: Cr W Barrett

That WALGA:

1. Continues to advocate for the State Government to **fully fund** the implementation of Metropolitan Local Government Reform; and
2. Works with affected Local Governments, following the Minister for Local Government's announcement relating to the Metropolitan Local Government Reform process, to quantify the cost of implementation of reform.

AMENDMENT

Moved: Cr W Sanford

Seconded: Cr L Craigie

1. Continues to advocate for the State Government to fully fund the implementation of Metropolitan Local Government Reform and **a response from the State Government be requested by 30th September 2014;**

MOTION AS AMENDED

That WALGA:

1. Continues to advocate for the State Government to fully fund the implementation of Metropolitan Local Government Reform and a response from the State Government be requested by 30th September 2014;
2. Works with affected Local Governments, following the Minister for Local Government's announcement relating to the Metropolitan Local Government Reform process, to quantify the cost of implementation of reform.

RESOLUTION 87.4/2014

CARRIED

5.3 Interim Submission to the Department of Local Government and Communities – Review of the Local Government (Functions and General) Regulations 1996 (05-034-01-0007 JM)

WALGA RECOMMENDATION

That the Association's interim submission to the Department of Local Government and Communities on the review of the Local Government (Functions and General) Regulations 1996 be endorsed.

| | |
|--|---|
| Avon Midland Country Zone | WALGA Recommendation Supported |
| Central Country Zone | WALGA Recommendation Supported |
| Central Metropolitan Zone | WALGA Recommendation Supported |
| East Metropolitan Zone | WALGA Recommendation Supported |
| Gascoyne Zone | WALGA Recommendation Supported |
| Goldfields Esperance Country Zone | WALGA Recommendation Supported |
| Great Eastern Country Zone | WALGA Recommendation Supported |
| Great Southern Country Zone | WALGA Recommendation Supported |
| Kimberley Zone | Meeting held prior to Agenda Distribution |
| Murchison Country Zone | WALGA Recommendation Supported |
| North Metropolitan Zone | WALGA Recommendation Supported |
| Northern Country Zone | WALGA Recommendation Supported |
| Peel Zone | WALGA Recommendation Supported |
| Pilbara Zone | Meeting held prior to Agenda Distribution |
| South Metropolitan Zone | WALGA Recommendation Supported |
| South West Country Zone | WALGA Recommendation Supported |

SOUTH EAST METROPOLITAN ZONE

That the WALGA recommendation be adopted subject to the comments shown below being incorporated in the submission to the Department of Local Government and Communities.

Regulation 18 (page 24 of the submission)

Reference is made to Steering Committee Recommendation (iv) that where a tender panel is selected the arrangements should apply for a period not exceeding 12 months.

It is suggested that this period is far too short and that as other tenders are not subject to a term; that the regulations state that a Local Government is to specify the contract term in the Request for Tender.

Additional recommendations (page 27 of submission)

Tender Threshold – Time Implications

It seems that the Dept of LG has a view that in relation to purchases, there is no time limit applied to purchases so that eventually just about all purchases will exceed the tender threshold. WALGA has suggested that a time frame of three years apply – but even this is considered to be unnecessarily cumbersome, bureaucratic and involves costly compliance processes being put in place to monitor each rolling period of three years. Since there is no time limit contained in the Regulations, it is suggested that the time be set at 1 year.

It is therefore suggested that Regulation 11(1) be amended to read within a one-year period.

SECRETARIAT COMMENT

Regulation 18 – The Zones position is included in the composite recommendation.

**Moved: Mayor L Howlett
Seconded: Cr L Short**

That the Association's interim submission to the Department of Local Government and Communities on the review of the Local Government (Functions and General) Regulations 1996 be endorsed subject to the following change:

- 1. Regulation 18 - That the panel tender Request for Tender (RFT) specification clearly state the contract period determined by the Local Government.**

AMENDMENT

**Moved: Cr F Reid
Seconded: Cr K Chappel**

- 2. Regulation 11(1) be amended to read within a one-year period.**

MOTION AS AMENDED

That the Association's interim submission to the Department of Local Government and Communities on the review of the Local Government (Functions and General) Regulations 1996 be endorsed subject to the following change:

- 1. Regulation 18 - That the panel tender Request for Tender (RFT) specification clearly state the contract period determined by the Local Government.**
- 2. Regulation 11(1) be amended to read within a one-year period.**

RESOLUTION 88.4/2014

CARRIED UNANIMOUSLY

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|--|
| 5.4 Interim Submission to the Developing Northern Australia Green Paper (05-055-03-0002 PS) |
|--|

WALGA RECOMMENDATION

That the Association's interim submission in response to the Australian Government's Green Paper on Developing Northern Australia be endorsed.

| | |
|--|---|
| Central Country Zone | WALGA Recommendation Supported |
| Central Metropolitan Zone | WALGA Recommendation Supported |
| East Metropolitan Zone | WALGA Recommendation Supported |
| Gascoyne Zone | WALGA Recommendation Supported |
| Goldfields Esperance Country Zone | WALGA Recommendation Supported |
| Great Eastern Country Zone | WALGA Recommendation Supported |
| Great Southern Country Zone | WALGA Recommendation Supported |
| Kimberley Zone | Meeting held prior to Agenda Distribution |
| Murchison Country Zone | WALGA Recommendation Supported |
| North Metropolitan Zone | WALGA Recommendation Supported |
| Northern Country Zone | WALGA Recommendation Supported |
| Peel Zone | WALGA Recommendation Supported |
| Pilbara Zone | Meeting held prior to Agenda Distribution |
| South East Metropolitan Zone | WALGA Recommendation Supported |
| South Metropolitan Zone | WALGA Recommendation Supported |

AVON MIDLAND COUNTRY ZONE

That the Zone considers that the WA Local Government Association's interim submission on Developing Northern Australia Green Paper is too general in nature and recommends that it be reviewed with a greater emphasis on significant economic development and encouragement to increasing population.

SECRETARIAT COMMENT

The Association's submission is deliberately general in nature because the most effective role for Government in developing the northern Australian economy is through building infrastructure, providing effective regulation and creating generally favourable conditions for investors and businesses. If the Government performs these roles well, then business and employment opportunities in a number of industries should be viable in northern Australia. Where there are specific economic opportunities in the north of WA, it was felt those opportunities are best raised and promoted by organisations from northern WA.

SOUTH WEST COUNTRY ZONE

That the State Council recommendation 5.4 be supported with the addition of a recommendation that:

The Australian Government provides a dedicated program "Grow Northern of Australia Fund" to enable local governments to fund strategic projects in northern Australia without having to provide matching funds.

SECRETARIAT COMMENT

With regards to the proposed 'Grow northern Australia' fund, this could be included in the submission. However, any new Federal funding for Local Governments in northern Australia should not be provided at the expense of existing programs such as Roads to Recovery or Financial Assistance Grants.

**Moved: Mayor H Zelones
Seconded: Cr G Amphlett**

That the Association's interim submission in response to the Australian Government's Green Paper on Developing Northern Australia be endorsed.

AMENDMENT

**Moved: Cr W Sanford
Seconded: Cr L Short**

That the Association's interim submission in response to the Australian Government's Green Paper on Developing Northern Australia be endorsed subject to including the following:

The Australian Government considers a dedicated program "Grow Northern of Australia Fund" to enable Local Governments to fund strategic projects in northern Australia without having to provide matching funds.

THE MOTION AS AMENDED

RESOLUTION 89.4/2014

CARRIED UNANIMOUSLY

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| 5.5 Housing for the Aged: Understanding the Issues (05-036-03-0020 CG) |
|---|

WALGA RECOMMENDATION

That State Council endorse the discussion paper ‘Aged Housing: Understanding the Issues’ and;

1. Support the development of Local Government guidance and tools to assist in the preparation of local housing strategies as part of the Association’s Planning Improvement Program; and
2. Investigate potential residential property tax reforms that may improve the efficiency of the housing market.

| | |
|--|---|
| Avon Midland Country Zone | WALGA Recommendation Supported |
| Central Country Zone | WALGA Recommendation Supported |
| Central Metropolitan Zone | WALGA Recommendation Supported |
| East Metropolitan Zone | WALGA Recommendation Supported |
| Gascoyne Zone | WALGA Recommendation Supported |
| Goldfields Esperance Country Zone | WALGA Recommendation Supported |
| Great Eastern Country Zone | WALGA Recommendation Supported |
| Great Southern Country Zone | WALGA Recommendation Supported |
| Kimberley Zone | Meeting held prior to Agenda Distribution |
| Murchison Country Zone | WALGA Recommendation Supported |
| North Metropolitan Zone | WALGA Recommendation Supported |
| Northern Country Zone | WALGA Recommendation Supported |
| Peel Zone | WALGA Recommendation Supported |
| Pilbara Zone | Meeting held prior to Agenda Distribution |
| South East Metropolitan Zone | WALGA Recommendation Supported |
| South Metropolitan Zone | WALGA Recommendation Supported |

SOUTH WEST COUNTRY ZONE

That the State Council recommendation 5.5 be supported subject to WALGA confirming that the Zone does not accept any proposed exemption on rates and charges, confirming the WALGA policy position that there be no rate/charge exemption for charitable bodies that provide over 55 and affordable housing.

SECRETARIAT COMMENT

The Zone position is looking to restate the WALGA policy position on the rating of charitable organisations: as below.

1. Amend the Local Government Act to clarify that Independent Living Units should only be exempt from rates where they qualify under the Commonwealth Aged Care Act 1997.

**Moved: Mayor R Yuryevich
Seconded: Cr M Wainwright**

That State Council endorse the discussion paper 'Aged Housing: Understanding the Issues' and;

- 1. Support the development of Local Government guidance and tools to assist in the preparation of local housing strategies as part of the Association's Planning Improvement Program;**
- 2. Investigate potential residential property tax reforms that may improve the efficiency of the housing market; and**
- 3. Reaffirm WALGA's policy position that Independent Living Units should only be exempt from rates where they qualify under the Commonwealth Aged Care Act 1997.**

RESOLUTION 90.4/2014

CARRIED UNANIMOUSLY

Cr Reid left the meeting 5.56pm and did not return.

**MATTERS FOR CONSIDERATION BY STATE COUNCILLORS
(UNDER SEPARATE COVER)**

5.6 Selection Committee Minutes (01-006-03-0011 MD)

Cr Barrett, Mayor Zelones and Mayor Howlett, declared an interest and left the meeting at 5.56pm.

**Moved: Cr L Craigie
Seconded: Cr M Wainwright**

The recommendations from the Selection Committee meeting minutes dated 27 August 2014 be endorsed by State Council.

RESOLUTION 91.4/2014

CARRIED

Cr Barrett, Mayor Zelones and Mayor Howlett, returned to the meeting at 5.59pm.

5.7 Finance & Services Committee Minutes (01-006-03-0006 TB)

**Moved: Mayor H Zelones
Seconded: Mayor L Howlett**

That the Minutes of the Finance and Services Committee meeting of 23 July and 20 August 2014 be endorsed.

RESOLUTION 92.4/2014

CARRIED UNANIMOUSLY

5.8 LGIS Components of Policy on Access by Non Member Local Governments to WALGA Programs and Services (04-002-01-0014 NW)

Recommendation

That the Policy on Access by Non-Member Local Governments to WALGA Programs and Services as it relates to LGIS be amended as follows:

A Local Government that participates as a member of WALGA and a member of all eligible Scheme segments is classed as a “Full Member”. All of the following shall apply to members that do not satisfy the Full Membership criteria:

- Loss of 25% member discount on LGIS Scheme Contributions;
- Loss of LGIS member dividend payments (where the Member is not a member of WALGA or not a member of all LGIS Schemes as at the date of distribution);
- Loss of risk management funding pool entitlements;
- Loss of access to Health and Wellbeing Services that are funded by LGIS for Local Government staff and elected members; and
- Loss of subsidy for asset valuation costs by licensed valuer.

In Brief

- State Council previously endorsed an update to its Policy on Access by Non-Member Local Governments to WALGA Programs and Services.
- LGIS Board has met to consider the WALGA Policy resolution and determine how it can be implemented in relation to the LGIS Scheme.
- Recommended amendment to the State Council Policy to ensure that the intent of the WALGA Policy resolution but which would not undermine the objective of reducing risks of claims to the Scheme.

Relevance to Strategic / Business Plan

- Providing strong representation for Local Government
- Providing effective leadership for Local Government
- Building a positive profile for Local Government
- Enhancing the capacity of Local Government to deliver services

Policy Implications

Amendment to WALGA’s Policy on Access by Non-Member Local Governments to WALGA Programs and Services

Budgetary Implications

Nil.

Background

The LGIS Board has met on two (2) separate occasions to consider the State Council Policy resolution pertaining to access by non-Members to WALGA Programs and Services. The specific aspects of the Policy that relate to LGIS are as follows:

- Loss of 25% Member Discount on insurance costs relating to the LGIS Scheme, including Workers Compensation Insurance, Public Liability Insurance, Property Insurance, Bushfire Volunteers Injury Fund and any other insurance facilities within LGIS.

- Loss of LGIS member dividend payments, funding pool entitlements and entitlements to performance-based credits on WorkCare contributions and Liability contributions.
- Loss of access to Health and Wellbeing Services that are funded by LGIS for Local Government staff and elected members.
- Loss of subsidy for asset valuation costs by licensed valuer.
- Loss of access to organisational risk management, injury management support and regional risk coordinator programs through LGIS.

Comment

One of the issues identified related to the administrative requirements and implications stemming from implementation of the policy position. The WALGA President, Board Chairman, WALGA Management and LGIS Management subsequently engaged in discussions to provide a consensus approach that was consistent with the intent of the WALGA policy resolution but would not undermine the objective of reducing risks of claims within any of the LGIS Scheme segments. The issue with preventing non-members from accessing the organisational risk management, injury management support and regional risk coordinator programs would be the likely impact on the risk profile of Councils and therefore the greater potential for future claims in these areas. Not permitting a Local Government to access these risk mitigation programs may negatively impact the Schemes.

The agreed approach between WALGA and LGIS takes account of the policy direction of State Council together with the objectives previously stated by the LGIS Board; namely that incentives are provided to Local Governments for maintaining WALGA membership and participating in all LGIS Scheme segments.

Any Local Government that participates as a member of WALGA and a member of all LGIS Scheme segments is classed as a "Full Member". It is recommended that the following apply to members that do not satisfy the Full Membership criteria:

- Loss of 25% member discount on LGIS Scheme Contributions;
- Loss of LGIS member dividend payments (where the Member is not a member of WALGA or not a member of all LGIS Schemes as at the date of distribution);
- Loss of risk management funding and pool entitlements;
- Loss of access to Health and Wellbeing Services that are funded by LGIS for Local Government staff and elected members; and
- Loss of subsidy for asset valuation costs by licensed valuer.

**Moved: Mayor R Yuryevich
Seconded: Cr K Chappel**

That the Policy on Access by Non-Member Local Governments to WALGA Programs and Services as it relates to LGIS be amended as follows:

A Local Government that participates as a member of WALGA and a member of all eligible Scheme segments is classed as a “Full Member”. All of the following shall apply to members that do not satisfy the Full Membership criteria:

- **Loss of 25% member discount on LGIS Scheme Contributions;**
- **Loss of LGIS member dividend payments (where the Member is not a member of WALGA or not a member of all LGIS Schemes as at the date of distribution);**
- **Loss of risk management funding pool entitlements;**
- **Loss of access to Health and Wellbeing Services that are funded by LGIS for Local Government staff and elected members; and**
- **Loss of subsidy for asset valuation costs by licensed valuer.**

RESOLUTION 93.4/2014

CARRIED UNANIMOUSLY

6. MATTERS FOR NOTING / INFORMATION

6.1 Local Road Crash Report 2012 and Local Road Crash Map Book 2008-2012 (06-057-01-0001 MWS)

WALGA RECOMMENDATION

That the inaugural Local Road Crash Reports; and the Local Road Crash Map Books be noted.

| | |
|--|---|
| Avon Midland Country Zone | WALGA Recommendation Noted |
| Central Country Zone | WALGA Recommendation Noted |
| Central Metropolitan Zone | WALGA Recommendation Noted |
| East Metropolitan Zone | WALGA Recommendation Noted |
| Gascoyne Zone | WALGA Recommendation Noted |
| Goldfields Esperance Country Zone | WALGA Recommendation Noted |
| Great Eastern Country Zone | WALGA Recommendation Noted |
| Great Southern Country Zone | WALGA Recommendation Noted |
| Kimberley Zone | Meeting held prior to Agenda Distribution |
| Murchison Country Zone | WALGA Recommendation Noted |
| North Metropolitan Zone | WALGA Recommendation Noted |
| Northern Country Zone | WALGA Recommendation Noted |
| Peel Zone | WALGA Recommendation Noted |
| Pilbara Zone | Meeting held prior to Agenda Distribution |
| South East Metropolitan Zone | WALGA Recommendation Noted |
| South Metropolitan Zone | WALGA Recommendation Noted |
| South West Country Zone | WALGA Recommendation Noted |

Moved: Mayor L Howlett
Seconded: Cr W Barrett

That the inaugural Local Road Crash Reports; and the Local Road Crash Map Books be noted.

RESOLUTION 94.4/2014

CARRIED UNANIMOUSLY

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|---|
| 6.2 Release of Microeconomic Reform Inquiry Final Report (05-100-03-0001 PS) |
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WALGA RECOMMENDATION

That the Association notes the release of the Economic Regulation Authority's Microeconomic Reform Inquiry Final Report.

| | |
|--|---|
| Avon Midland Country Zone | WALGA Recommendation Noted |
| Central Country Zone | WALGA Recommendation Noted |
| Central Metropolitan Zone | WALGA Recommendation Noted |
| East Metropolitan Zone | WALGA Recommendation Noted |
| Gascoyne Zone | WALGA Recommendation Noted |
| Goldfields Esperance Country Zone | WALGA Recommendation Noted |
| Great Eastern Country Zone | WALGA Recommendation Noted |
| Great Southern Country Zone | WALGA Recommendation Noted |
| Kimberley Zone | Meeting held prior to Agenda Distribution |
| Murchison Country Zone | WALGA Recommendation Noted |
| North Metropolitan Zone | WALGA Recommendation Noted |
| Northern Country Zone | WALGA Recommendation Noted |
| Peel Zone | WALGA Recommendation Noted |
| Pilbara Zone | Meeting held prior to Agenda Distribution |
| South East Metropolitan Zone | WALGA Recommendation Noted |
| South Metropolitan Zone | WALGA Recommendation Noted |
| South West Country Zone | WALGA Recommendation Noted |

Moved: Mayor L Howlett
Seconded: Cr W Barrett

That the Association notes the release of the Economic Regulation Authority's Microeconomic Reform Inquiry Final Report.

RESOLUTION 95.4/2014

CARRIED UNANIMOUSLY

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|--|
| 6.3 Report Municipal Waste Advisory Council (MWAC) (01-006-03-0008 RNB) |
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WALGA RECOMMENDATION

That the resolutions of the Municipal Waste Advisory Council at its 18 June 2014 meeting be noted.

| | |
|--|---|
| Avon Midland Country Zone | WALGA Recommendation Noted |
| Central Country Zone | WALGA Recommendation Noted |
| Central Metropolitan Zone | WALGA Recommendation Noted |
| East Metropolitan Zone | WALGA Recommendation Noted |
| Gascoyne Zone | WALGA Recommendation Noted |
| Goldfields Esperance Country Zone | WALGA Recommendation Noted |
| Great Eastern Country Zone | WALGA Recommendation Noted |
| Great Southern Country Zone | WALGA Recommendation Noted |
| Kimberley Zone | Meeting held prior to Agenda Distribution |
| Murchison Country Zone | WALGA Recommendation Noted |
| North Metropolitan Zone | WALGA Recommendation Noted |
| Northern Country Zone | WALGA Recommendation Noted |
| Peel Zone | WALGA Recommendation Noted |
| Pilbara Zone | Meeting held prior to Agenda Distribution |
| South East Metropolitan Zone | WALGA Recommendation Noted |
| South Metropolitan Zone | WALGA Recommendation Noted |
| South West Country Zone | WALGA Recommendation Noted |

Moved: Mayor L Howlett
Seconded: Cr W Barrett

That the resolutions of the Municipal Waste Advisory Council at its 18 June 2014 meeting be noted.

RESOLUTION 96.4/2014

CARRIED UNANIMOUSLY

7. ORGANISATIONAL REPORTS

7.1 Key Activity Reports

7.1.1 Report on Key Activities, Environment and Waste (01-006-03-0017 MJB)

Moved: Cr W Barrett
Seconded: Mayor T Roberts

That the Key Activities Report from the Environment and Waste Unit to the September 2014 State Council meeting be noted.

RESOLUTION 97.4/2014

CARRIED

7.1.2 Report on Key Activities, Governance and Strategy (01-006-03-0007 TB)

Moved: Cr W Barrett
Seconded: Mayor T Roberts

That the Key Activities Report from the Governance and Strategy Unit to the September 2014 State Council meeting be noted.

RESOLUTION 98.4/2014

CARRIED

7.1.3. Report on Key Activities, Infrastructure (05-001-02-0003 ID)

Moved: Cr W Barrett
Seconded: Mayor T Roberts

That the Key Activities Report from the Infrastructure Unit to the September 2014 State Council meeting be noted.

RESOLUTION 99.4/2014

CARRIED

7.1.4 Report on Key Activities, Planning and Community Development (01-006-03-0014 AH)

Moved: Cr W Barrett
Seconded: Mayor T Roberts

That the Key Activities Report from the Planning and Community Development Unit to September 2014 State Council meeting be noted.

RESOLUTION 100.4/2014

CARRIED

7.2 Policy Forum Report (01-006-03-0007 TB)

Moved: Cr W Barrett
Seconded: Mayor T Roberts

That the report on the key activities of the Association's Policy Forums to the September 2014 State Council meeting be noted.

RESOLUTION 101.4/2014

CARRIED

7.3 President's Report

Moved: Mayor R Yuryevich
Seconded: Cr W Sanford

That the President's Report for September 2014 be received.

RESOLUTION 102.4/2014

CARRIED

7.4 CEO's Report

Moved: Cr P Blight
Seconded: Cr E O'Connell

That the CEO's Report for September 2014 be received.

RESOLUTION 103.4/2014

CARRIED

8. ADDITIONAL ZONE RESOLUTIONS

Moved: Cr M Wainwright
Seconded: Cr J Davidson

That the additional Zone Resolutions from the September 2014 round of Zones meetings as follows be referred to the appropriate policy area for consideration.

RESOLUTION 104.4/2014

CARRIED UNANIMOUSLY

AVON-MIDLAND COUNTRY ZONE

Local Government Structural Reform - Proposed WALGA Review (Governance & Strategy)

That given the impact of the Metropolitan Local Government inquiries process, WALGA undertake an independent review of its constitution, political structure, responsibility and accountability to its members and, in particular, how members have the opportunity to influence policy and advocacy in a meaningful and timely manner.

NORTH METROPOLITAN ZONE

Strategic Assessment of the Perth and Peel Regions (Planning & Community Development)

That WALGA request the State Government, through the Ministers for Planning and Environment, and the Department of Premier and Cabinet, to:

1. Provide WALGA with an update regarding the current position regarding progression of the SAPPR and associated proposals, in a form which WALGA can then convey to all affected local governments;
2. Ensure that all possible steps are taken, and resources made available, to facilitate the progression of the SAPPR and associated proposals as soon as possible, as continual delays are in turn delaying other key initiatives in the region, or where such initiatives are having to be progressed regardless, posing a risk of eventual possible misalignment with the SAPPR; and
3. Authorise provision to relevant local governments, on a confidential basis, of some of the research associated with preparation of the SAPPR and related proposals, to ensure that prior to public release of such information, local governments may be in a position to align their current strategic planning and other major projects in a manner which may have a greater likelihood of alignment with the eventual outcomes of the SAPPR and associated proposals.

SOUTH METROPOLITAN ZONE

Our Heritage and Our Future: Health of the Swan Canning River System (Environment & Waste)

1. That the South Metropolitan Zone request WALGA to re-form the Swan Canning Catchment Policy Forum.
2. That relevant Local Governments raise the Auditor General's Report and the Priority Plan with their local member of Parliament, to seek their support for the Environment Minister engaging with the Association in actioning additional key elements of the Priority Plan.

Local Government Structural Reform – Proposed WALGA Review (Governance & Strategy)

That given the impact of the Metropolitan Local Government inquiries process, WALGA undertake an independent review of its constitution, political structure, responsibility and accountability to its members and, in particular, how members have the opportunity to influence policy and advocacy in a meaningful and timely manner post Local Government reform.

CENTRAL COUNTRY ZONE

Closure of Tier 3 Railway Lines – Shire of Wickepin (Infrastructure)

1. That the Central Country Zone request WALGA State Council to advise the State Government that it condemns the closure of the Tier 3 rail network and request WALGA State Council to keep lobbying the State Government Cooperative Bulk Handling and Brookfield Rail to maintain and reopen all Tier 3 rail lines.
2. That the Central Country Zone request WALGA State Council to strongly lobby the State Government for ongoing funding to manage Grain Freight Routes.

GREAT EASTERN COUNTRY ZONE

Permits for Agricultural Vehicle Movements (Infrastructure)

That the Great Eastern Country Zone request the WALGA President give urgent consideration to the formalisation of the previously announced Policy Transport Forum, ensuring that it is adequately resourced to ensure an early and effective outcome to the Forum's work, and that knowledge and expertise of the Local Government Grain Infrastructure Freight Group be utilised in establishing the Forum.

Local Government Structural Reform - Proposed WALGA Review (Governance & Strategy)

That given the impact of the metropolitan local government inquiries process, WALGA undertake an independent review of its constitution, political structure, responsibility and accountability to its members and, in particular, how members have the opportunity to influence policy and advocacy in a meaningful and timely manner.

GREAT SOUTHERN COUNTRY ZONE

Metropolitan Local Government Reform Funding (Governance & Strategy)

Resolved by the Great Southern Zone:

1. That the State Government adequately funds any local government structural reform including amalgamations and boundary adjustments.
2. That WALGA stays at the negotiating table with the State Government on structural reform.

CENTRAL METROPOLITAN ZONE

Local Government Structural Reform - Proposed WALGA Review (Governance & Strategy)

That given the impact of the metropolitan local government inquiries process, WALGA undertake an independent review of its constitution, political structure, responsibility and accountability to its members and, in particular, how members have the opportunity to influence policy and advocacy in a meaningful and timely manner.

SOUTH EAST METROPOLITAN ZONE

Local Government Structural Reform - Proposed WALGA Review (Governance & Strategy)

That given the impact of the Metropolitan Local Government inquiries process, WALGA undertake an independent review following the outcome of the Local Government Reform, of its constitution, political structure, responsibility and accountability to its members and, in particular, how members have the opportunity to influence policy and advocacy in a meaningful and timely manner.

9. MEETING ASSESSMENT

Cr Philip Blight provided feedback as to the effectiveness of the meeting.

10. DATE OF NEXT MEETING

That the next meeting of the Western Australia Local Government Association State Council be held in the Boardroom at WALGA, ONE70, 170 Railway Parade, West Leederville, on Wednesday 3 December commencing 4pm.

11. CLOSURE

Meeting declared closed at 6:26pm.



MINUTES

ORDINARY COUNCIL MEETING

TIME: 5.30PM

4 SEPTEMBER 2014

CITY OF VINCENT

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

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| 13 | QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN | 50 |
| 14 | MATTERS FOR WHICH THE MEETING MAY BE CLOSED TO THE PUBLIC | 50 |
| 14.1 | Chief Executive Officer - Performance Review | 50 |
| 15 | NEXT MEETING | 51 |
| 16 | CLOSURE | 51 |

Prior to taking their seats for the meeting Cr Norman (City of Joondalup), Cr MacRae (Town of Cambridge), Cr Jenkinson and Cr Caddy (City of Stirling), made the required Declaration of Elected Member for the position of Councillor of the Mindarie Regional Council in accordance with the Transitional Provisions of the Local Government Act 1995 (Schedule 9.3) using s.702 of the Local Government Act 1960 (repealed).

1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Deputy Chair declared the meeting open at 5.30pm

2 ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE

Councillor Attendance

| | |
|--------------------------------|-----------------------|
| Cr B Stewart (Deputy Chairman) | City of Stirling |
| Cr J Bissett | Town of Victoria Park |
| Cr K Caddy | City of Stirling |
| Cr J Carey | City of Vincent |
| Cr J Davidson OAM JP | City of Perth |
| Cr R Driver | City of Wanneroo |
| Cr K Hollywood | City of Joondalup |
| Cr S Jenkinson | City of Stirling |
| Cr C MacRae | Town of Cambridge |
| Cr D Newton JP | City of Wanneroo |
| Cr M Norman | City of Joondalup |
| Cr E Re JP | City of Stirling |

Leave of Absence

| | |
|-----------------------------|-------------------|
| Cr R Fishwick JP (Chairman) | City of Joondalup |
| Cr S Withers | Town of Cambridge |

City of Joondalup resolved at its meeting on 19 August 2014 to appoint Cr Norman as Cr Fishwick's replacement and Town of Cambridge resolved at its meeting on 22 July 2014 to appoint Cr MacRae as Cr Withers replacement.

Apologies

| | |
|---------------|------------------|
| Cr D Boothman | City of Stirling |
| Cr S Proud | City of Stirling |

City of Stirling resolved at its meeting on 2 September 2014 to appoint Cr Caddy as Cr Boothman's replacement and Cr Jenkinson as Cr Proud's replacement.

MRC Officers

Mr B Callander (Chief Executive Officer)
Mr G Hoppe (Director Corporate Services)
Ms L Nyssen (Executive Support)

Member Council Observers

Mr A Murphy (City of Joondalup)
Mr N Claassen (City of Joondalup)
Mr E Herne (City of Stirling)
Mr S Sciberras (City of Stirling)
Mr M Penson (City of Wanneroo)
Mr D Simms (City of Wanneroo)
Mr W Bow (Town of Victoria Park)

Visitors

Nil

Members of the Public

Nil

Press

Nil

3 DECLARATION OF INTERESTS

| | |
|------------------------------------|---|
| Interest Type | Interest that may affect impartiality |
| Name and Position of Person | Cr Kerry Hollywood |
| Report Item No. and Topic | Item 9.3 – Stage 2 Phase 3 Landfill Wall Liner |
| Nature of Interest | Socialise with the Director of Ertech from time to time |

4 PUBLIC QUESTION TIME

Nil

5 ANNOUNCEMENTS BY THE PRESIDING PERSON

The Deputy Chair advised that the CEO, on behalf of the Forum of Regional Councils, is organising a workshop on Waste to Energy. The date for this workshop has not been finalised but is likely to be 9th October 2014 at the Administration Centre of the Town of Victoria Park.

6 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

7 PETITIONS / DEPUTATIONS / PRESENTATIONS

Nil

8 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

8.1 ORDINARY COUNCIL MEETING – 3 JULY 2014

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

RESPONSIBLE OFFICER RECOMMENDATION

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

RESOLVED

**Cr Re moved, Cr Hollywood seconded
That the recommendation be adopted.**

CARRIED UNANIMOUSLY (12/0)

9 CHIEF EXECUTIVE OFFICER REPORTS

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

SUMMARY

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

BACKGROUND

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

The financial statements presented for each month consist of:

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

DETAIL

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

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

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

Summary of results for the year ended 30 June 2014

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

Commentary

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

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

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

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

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

VOTING REQUIREMENT

Simple Majority

RESPONSIBLE OFFICER RECOMMENDATION

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

RESOLVED

**Cr MacRae moved, Cr Davidson seconded
 That the recommendation be adopted.**

CARRIED UNANIMOUSLY (12/0)

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

SUMMARY

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

COMMENT

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

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

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

VOTING REQUIREMENT

Simple Majority

RESPONSIBLE OFFICER RECOMMENDATION

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

RESOLVED

**Cr Re moved, Cr Newton seconded
 That the recommendation be adopted.**

CARRIED UNANIMOUSLY (12/0)

| | |
|-----------------------------|---|
| 9.3 | REVIEW OF COUNCIL POLICIES AND DELEGATIONS TO THE CHIEF EXECUTIVE OFFICER |
| File No: | GOV/27 |
| Attachment(s): | Attachment 1 – Council Policy Manual (including amendments to, and new, policies) Attachment 2 – Register of Delegations (including amendment) |
| Date: | 4 September 2014 |
| Responsible Officer: | Chief Executive Officer |

SUMMARY

The report seeks endorsement of:

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

BACKGROUND

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

DETAIL

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

COUNCIL POLICIES

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

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

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

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

CP01 - Annual Fees, Allowances and Expenses for Councillors

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

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

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

Annual allowance for the Chairman of a Regional Council

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

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

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

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

CP06 - Purchase of Goods and Services

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

"h. Tender Evaluation Panel

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

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

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

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

“6. When public tenders or quotations are NOT required

b. The purchase is under a contract of WALGA (Preferred Supplier Arrangements or E-Quotes), Department of Treasury and Finance (permitted Common Use Arrangements), Regional Council, or another Local Government;

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

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

CP09 – Investments

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

“Policy Statement:

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

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

Policy Procedure:

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

8. *The Regional Council's investment portfolio is not to be leveraged to obtain funding.* (CP09, including the proposed amendments above, is included in Attachment 2 to this report).

CP11 - Use of Corporate Credit Cards

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

"Policy Statement:

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

Policy Procedure:

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

9. *Cardholders are to provide receipts each month to substantiate expenditures on their Card. Card expenditures and receipts are to be reviewed by the Director Corporate Services monthly.*
10. *Failure by a cardholder to abide by this policy will result in disciplinary action, which may include the revocation of the Card.”*
(CP11 is included in Attachment 1 to this report).

CP12 - Gate Fee Setting

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

“Policy Statement:

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

Policy Procedure:

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

(CP12 is included in Attachment 1 to this report).

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

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

(Changes to the Delegation Register are included in Attachment 2 to this report)

CONSULTATION

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

STATUTORY ENVIRONMENT

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

Local Government Act 1995

Definitions

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

3.58. *Disposing of property*

(1) *In this section —*

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

(5) *This section does not apply to —*

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

5.42. *Delegation of some powers and duties to CEO*

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

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

(Absolute majority required)

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

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

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

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

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

Local Government (Functions and General Regulations) 1996

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

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

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

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

STRATEGIC/COMMUNITY AND CORPORATE/BUSINESS PLAN IMPLICATIONS

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

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

COMMENT

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

VOTING REQUIREMENT

Simple Majority / Absolute Majority

RESPONSIBLE OFFICER RECOMMENDATION

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

(Absolute Majority Required)

- B. That the Council acknowledges:

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

(Absolute Majority Required)

Cr MacRae proposed an amendment to Policy No. CP12 - Gate Fee Setting by deleting the word "conceptual" from the Policy Statement.

RESOLVED

Cr Re moved, Cr Norman seconded

That the recommendation be adopted with the inclusion of an amendment to delete the word "conceptual" from the Policy Statement for Policy No. CP12 – Gate Fee Setting.

CARRIED BY ABSOLUTE MAJORITY (12/0)

ATTACHMENT 1

COUNCIL POLICIES



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



Policy No: CP 01

TRIM Reference: D/13/393

Policy Title: Annual Fees, Allowances and Expenses for Councillors

Policy Statement:

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

Policy Procedure:

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

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

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

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

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



Policy No: CP 02

TRIM Reference: D/13/394

Policy Title: Affixing of the Common Seal

Policy Statement:

To authorise the affixing of the Common Seal to documents

Policy Procedure:

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

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



Policy No: CP 03

TRIM Reference: D/13/396

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

Policy Statement:

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

Policy Procedure:

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

Notes:

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

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



Policy No: CP 04

TRIM Reference: D/13/397

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

Policy Statement:

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

Policy Procedure:

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

Notes:

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

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



Policy No: CP 05

TRIM Reference: D/13/398

Policy Title: Environmental Management of Tamala Park

Policy Statement:

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

Policy Procedure:

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

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



Policy No: CP 06

TRIM Reference: D/13/400

Policy Title: Purchase of Goods and Services

Policy Statement:

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

Policy Procedure:

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

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

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

Notes: The general principles for obtaining verbal quotations are:

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

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

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

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

The general principles relating to written quotations are:

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

- e. Responses should be assessed for compliance, in order:
 - (i) against the selection criteria, and
 - (ii) value for money.All evaluations must be documented.
- f. Invited suppliers should be advised of the outcome of their quotations as soon as possible after the final determination is made and approved.

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

At least three (3) written quotes are required.

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

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

At least three (3) written quotes are required.

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

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

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

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

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

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

The following minimum requirements must be met:

a. **Anti-Avoidance**

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

b. **Tender Criteria**

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

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

c. **Advertising Tenders**

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

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

The notice must include:

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

d. **Issuing Tender Documentation**

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

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

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

e. **Tender Deadline**

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

f. **Opening of Tenders**

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

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

Tenders are to be opened in accordance with the advertised time and place. There is no obligation to disclose or record tendered prices at the tender opening, and price information should be regarded as *commercial-in-confidence* to the MRC. Members of the public are entitled to be present at opening of tenders.

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

g. **No Tender Received**

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

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

h. **Tender Evaluation Panel**

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

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

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

i. **Tender Evaluation**

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

j. **Addendum to Tender**

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

k. **Minor Variation**

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

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

l. Notification of Outcome

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

The name of the successful tenderer;

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

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

m. Records Management

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

6. When public tenders or quotations are NOT required

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

- a. An emergency situation as defined by the Local Government Act 1995;
- b. The purchase is under a contract of WALGA (Preferred Supplier Arrangements **or E-Quotes**), Department of Treasury and Finance (permitted Common Use Arrangements), Regional Council, or another Local Government;
 - i. Notwithstanding the above, where there are multiple WALGA Preferred Suppliers and the contract value is in excess of \$39,999, the requirements of 4. above are to be complied with;*
- c. The purchase is under auction which has been authorised by Council;
- d. The contract is for petrol, oil, or other liquid or gas used for internal combustion engines;
- e. Any of the other exclusions applicable under Regulation 11 of the Functions and General Regulations.

7. Recording Quotations

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

8. Local supplier

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

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



Policy No: CP 07 **TRIM Reference: D/13/401**

Policy Title: Gratuity Payments

Policy Statement:

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

Policy Procedure:

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

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

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



Policy No: CP 08

TRIM Reference: D/13/404

Policy Title: Provision and use of Council Vehicles

Policy Statement:

To determine the vehicle type and usage for employees.

Policy Procedure:

- The following positions will be allocated vehicles as follows:

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

Vehicles are to be purchased using the State Vehicle Pricing contract

- Vehicle Usage Type

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

- The Manager Operations, Site Supervisor and Plant Supervisor may elect to take Restricted Private Use of the vehicle by contributing *\$20/week after tax, drawn from their salary.

*The level of contribution will be subject to an annual review and any adjustments shall be affected as at 1 July each year. The adjustment in percentage on the above payment shall not exceed any increase in the operating costs of vehicles as outlined on the RAC website consumer guide to vehicle running costs.

- Use of the Managers/Supervisors vehicle is unlimited on sites owned or managed by the MRC. Use of all the vehicles are otherwise limited to sealed roads.

5. During working hours the vehicle is to be made available to other staff members when not required by the Manager or relevant officer.
6. All vehicle maintenance and repairs will be provided other than for the CEO if the Novated Lease option of the CEO's contract is elected, in which case the contract conditions will prevail.
7. Fuel costs will be provided as follows:

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

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

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



Policy No: CP 09

TRIM Reference: D/13/405

Policy Title: Investments

Policy Statement:

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

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

Policy Procedure:

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

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



Policy No: CP 10

TRIM Reference: D/13/921

Policy Title: Donations – Financial Assistance/Support

Policy Statement:

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

Procedure:

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

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



Policy No: CP 11

TRIM Reference: D/13/

Policy Title: Use of Corporate Credit Cards

Policy Statement:

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

Policy Procedure:

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

10. Failure by a cardholder to abide by this policy will result in disciplinary action, which may include the revocation of the Card.

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



Policy No: CP 12

TRIM Reference: D/13/

Policy Title: Gate Fee Setting

Policy Statement:

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

Policy Procedure:

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

The gate fee rates are to be reviewed annually during the mid-year budget review and the Council may choose to adjust the gate fee rates to take into account an expected deficit or surplus if it deems it appropriate to do so.

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

ATTACHMENT 2 -
 REGISTER OF DELEGATIONS FROM THE COUNCIL TO THE CEO

MINDARIE REGIONAL COUNCIL – Delegations of Authority Register – September 2013

COUNCIL TO CHIEF EXECUTIVE OFFICER

| 1. GOVERNANCE | | | | |
|---------------|--|---|--|--------------|
| No. | Reference | Delegation | Condition(s) | Assignee(s)? |
| 1.1 | LGAct 1995 s.9.10 | Appoint persons or classes of persons to be authorised for the purposes of performing particular functions | Each authorised person to be issued with a certificate of authorisation | NO |
| 1.2 | LGAct 1995 s.5.42 | Appoint an employee of the MRC to the position of Acting CEO where the CEO is unable, or expected to be unable by reason of illness, temporary absence from WA, or any other reason, to perform the functions of the position | Not exceeding 3 months in any period of 12 months | NO |
| 2. FINANCE | | | | |
| 2.1 | | Approve requisitions and purchase orders for the supply of goods and services | Requisitions and purchase orders to be within the budget allocation as reviewed from time to time | YES |
| 2.2 | LG(Financial Management Regulations) 1996 Reg.8 | Open and close bank accounts, access accounts electronically and transfer funds electronically | | YES |
| 2.3 | LG(Financial Management Regulations) 1996 Reg.12 | Approve and make payment of accounts | 1. In accordance with approved procedure set out in Reg.11; 2. Where funds have been provided in the budget and the accounts are acquitted prior to payment; 3. List of accounts paid to be reported to Council as required by Reg.13 | YES |
| 2.4 | LG(Financial Management Regulations) 1996 Reg.34(1)(a) | Prepare monthly financial reports | In accordance with Reg.34 | YES |
| 2.5 | LGAct s.6.14 | Invest funds surplus to the immediate needs of the Council | Subject to the internal control procedures set out in Reg.19 | YES |
| 2.6 | LGAct s.6.12 | Waive Fees and Write Off Debts | 1. Not exceeding a total of \$10,000 for any one debtor in any financial year; 2. Ensure all reasonable effort has been made to recover the debt; 3. Where fees or debts have been waived, or concessions granted, they are to be reported in the mid-year budget review | NO |
| 2.7 | LGAct s.3.57 | Seek Expressions of Interest and/or call tenders for goods or services | For items listed on the budget and subsequently approved for proceeding by Council | YES |
| 2.8 | LG(Functions & General) Regs.14(2a) and 20 | Vary contracts up to \$50,000 or 10% of the contract value, whichever is the lesser | 1. For the RRFA only if it incurs no additional risk or liability to the MRC; 2. Variations approved for significant contracts, including all contracts awarded following public tenders, to be reported to the next following council meeting | NO |

| | | | | |
|-----|--|--|--|----|
| 2.9 | LGAct s.3.58(5) and LG(Functions & General) Regs.30(3) | Dispose, <i>which includes writing off, of property (assets) items or materials arising from the waste management activities</i> | 1. The value of the property (assets) item or material is less than \$20,000; 2. Ensure all reasonable effort has been made to secure current market prices for the item or material | NO |
|-----|--|--|--|----|

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

SUMMARY

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

BACKGROUND

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

DETAILS

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

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

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

LEGAL COMPLIANCE

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

FINANCIAL IMPLICATIONS

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

COMMENT

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

VOTING REQUIREMENT

Simple Majority

RESPONSIBLE OFFICER RECOMMENDATION

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

Cr Re was nominated by Cr Davidson to be representative on the Municipal Waste Advisory Council. Cr Re accepted the nomination. No further nominees were received.

RESOLVED

Cr Davidson moved, Cr Carey seconded

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

CARRIED UNANIMOUSLY (12/0)

As Cr Re was the current deputy for MWAC the Chairperson sought nominations for a new Deputy.

Cr Hollywood nominated herself to be the deputy on the Municipal Waste Advisory Council. No further nominees were received.

RESOLVED

Cr Hollywood moved, Cr Newton Seconded

That Council appoint Cr Hollywood as its deputy on the Municipal Waste Advisory Council.

CARRIED UNANIMOUSLY (12/0)

ATTACHMENT NO.1

MUNICIPAL WASTE ADVISORY COUNCIL

MEMBERSHIP

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

MEETING FREQUENCY

Bi-Monthly

DUTIES AND RESPONSIBILITIES

General Functions of the MWAC

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

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

APPOINTMENT/TENURE

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

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

SUMMARY

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

BACKGROUND

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

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

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

External Audit Plan

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

CEO's Financial Management Systems Review

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

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

Risk Management Framework

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

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

DETAIL

CEO's Financial Management Systems Review

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

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

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

Following discussions with the auditors and management, the Audit Committee was satisfied with the findings of the report. In addition, the audit committee recommended that Council

request the CEO to prepare two new policies covering Gate Fee Setting and the Use of Corporate Credit Cards for its consideration and approval.

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

Risk Management Framework

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

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

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

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

CONSULTATION

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

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

LEGAL COMPLIANCE

Nil

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

Nil.

STRATEGIC/COMMUNITY AND CORPORATE/BUSINESS PLAN IMPLICATIONS

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

COMMENT

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

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

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

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

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

VOTING REQUIREMENT

Simple Majority

AUDIT COMMITTEE RECOMMENDATION TO COUNCIL

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

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

RESOLVED

**Cr Newton moved, Cr Davidson seconded
That the recommendation be adopted.**

CARRIED UNANIMOUSLY (12/0)

| | |
|-----------------------------|--|
| 9.6 | STAGE 2 PHASE 3 – LANDFILL WALL LINER |
| File No: | WST/195 |
| Attachment(s): | Nil |
| Date: | 22 August 2014 |
| Responsible Officer: | Chief Executive Officer |

SUMMARY

The report is seeking a change to the lining material being used on the walls of Stage 2 Phase 3 of the landfill. Currently clay is being used to line the walls, which is causing operational issues as it has to be constructed in stages as the waste is being placed in the landfill and cannot be placed in wet conditions. The proposed replacement material is a Geosynthetic Clay Liner, which can be placed within a short timeframe. It is not dependant on the level of waste in the landfill and is not as susceptible to wet conditions. This alternative solution is also more cost effective.

BACKGROUND

The Council at its meeting on 4 July 2013 awarded the tender for the supply and laying of clay on the walls of the Tamala Park landfill to Ertech Pty Ltd to protect against the leaching of contaminated water into adjacent soils. Tender was awarded for a period of five years, with two one year options, on the basis that the work would be progressing in line with the placement of waste in the landfill.

The placement of clay commenced in August 2013 at Reduced Level (RL) height of 9.6 metres and has reached a RL of 18.6 metres.

Working with clay has caused a number of issues for both the contractor and the MRC relating to the following:

- The cost of the clay;
- The time it takes to lay the clay;
- The cost and difficulty involved in testing the compaction of the clay; and
- The down time in the laying of clay due to:
 - Weather conditions (clay cannot be laid in wet weather);
 - Testing regimes and Department of Environment and Regulations (DER) approvals required prior to being able to place the waste against the clay;
 - The cost of mobilising and demobilising during the extended periods of wet weather.

Clay was originally recommended as the most appropriate solution to line the landfill walls due to the excessive length and steep angle of the walls of the landfill. Now that the depth has been reduced it is possible to consider the use of a Geosynthetic Clay Liner.

At the last few project team meetings where these issues have been discussed, agreement was reached to consider reviewing the possibility of completing the project using a Geosynthetic Clay Liner. Golders were requested to undertake a desk top study of alternative solutions based on the change in current circumstances due to the drop along the landfill wall being reduced significantly in length. Golders recommended a number of solutions including, the use of a Geosynthetic Clay Liner. In discussions with the project team, the use of a Geosynthetic Clay Liner was deemed to be the best technology for use at Tamala Park.

Further discussions were held with Ertech to determine if they would be willing to support the change in the liner material on the basis that the change would require Ertech to continue to

lay clay during the transition phase of any new contract and agree to terminating the current contract on completion of the transition process. Ertech verbally agreed to these conditions. A Deed of Variation, Termination and Settlement (Deed) to formalise this agreement has been drafted by the MRC's solicitors and has been signed by both parties.

DETAILS

To ensure that the placement of waste can continue in line with operational requirements in the short term, further clay lining works will be required. It has been estimated that work will not commence on the Geosynthetic Clay Liner until early in 2015 and as such Ertech will have to continue to lay the clay lining to RL of 24.6 metres to ensure that the landfill remains operational. The Deed provides for Ertech to continue to lay clay in accordance with the original contract until the new Geosynthetic Clay Liner contract has been finalised and defined transition period has been completed. The deed also requires Ertech to complete the original contract if, for whatever reason, a new contract using a Geosynthetic Clay Liner cannot be entered into.

New design specifications will be required for the new works, which will also need to be put out to tender in accordance with the Local Government Act 1995 and the Local Government (Functions and General) Regulations 1996. The outcome of the tender will be presented to Council for its consideration.

The Geosynthetic Clay Liner work will be completed in a single process in a matter of months rather than years, as is the case with the clay lining which has to be progressively placed in 3 metre lifts as the waste is placed in the landfill. The laying of the clay is also seasonal and during the wet season (June to September/October) the clay cannot be placed or sourced as it is too wet, or under water at source, and as a result, would not achieve the required densities and moisture content to protect the landfill.

The clay lining project has been issued a work approval from the DER. The Superintendent and MRC's Chief Executive Officer have met with the DER to gauge the impact a change in the lining material would have on the approval. The DER have indicated that the approval would only require an amendment, which could be handled in a timely manner, rather than having to apply for a new licence

The superintendent and Golders have estimated the cost of the Geosynthetic Clay Liner to be about half of the cost of the clay (refer table in the Financial Implications section of this report). These costs are best estimates only and could vary, however the Council will have the ability to consider the actual costs when it receives the tenders for the new works. The only cost that will be incurred prior to the consideration of the tender is that of the design specifications, which Golders have quoted at \$43,000 excluding GST.

LEGAL COMPLIANCE

As the works will exceed \$100,000 they will have to be tendered in accordance with the *Local Government Act 1995* and the *Local Government (Functions & General) Regulations 1996*. The following extracts detail the requirements:

Extract from the Local Government Act 1995

3.57. Tenders for providing goods or services

- (1) A local government is required to invite tenders before it enters into a contract of a prescribed kind under which another person is to supply goods or services.
 - (2) Regulations may make provision about tenders.
-

Extract from the Local Government (Functions and general) Regulations 1996

11. When tenders have to be publicly invited
- (1) Tenders are to be publicly invited according to the requirements of this Division before a local government enters into a contract for another person to supply goods or services if the consideration under the contract is, or is expected to be, more, or worth more, than \$100 000 unless sub regulation (2) states otherwise.

FINANCIAL IMPLICATIONS

The following table details the difference in costs relating to completing the work to the top of the landfill with clay versus Geosynthetic Clay Liner.

| Contract Costs | Clay Lining (\$117/m3) | Geosynthetic Clay Lining (\$55/m2) |
|--|-----------------------------------|---|
| Clay Lining from 24.6m to top of Landfill | \$3,436,524 | |
| Contractor Related Costs | \$150,000 | |
| Smoothing and Cleaning of Wall | | \$78,188 |
| Geo-synthetic Lining from 24.6m to top of landfill | | \$1,417,790 |
| Other Contracting Works | | \$250,000 |
| CQA Costs | | \$37,527 |
| Superintendent Costs | \$28,800 | \$13,600 |
| Specification Design Work (Golder) | | \$43,000 |
| TOTAL COST | \$3,615,324 | \$1,840,105 |

All prices quoted in the table above exclude GST

The 2014/15 Budget includes borrowings of \$3.8M to cover the costs of clay lining for the 2014/15 financial year. It is considered that this amount will allow enough funds for the additional clay lining work to a RL of 26 metres, the development of the new design specifications for the Geosynthetic Clay Liner and the contract for its installation.

COMMENT

Given the issues associated with the laying of clay described above, it is recommended that the Council approve the development of new design specifications by Golder at a value of \$43,000 excluding GST and that the specifications form the basis for a tender to complete the lining of the walls of Stage 2 Phase 3 of the landfill using a Geosynthetic Clay Liner in place of clay.

VOTING REQUIREMENT

Simple Majority

RESPONSIBLE OFFICER RECOMMENDATION

That the Council:

- 1. Contract Golder to develop design specifications for the use of a Geosynthetic Clay Liner to complete the lining of the walls of Stage 2 Phase 3 of the landfill at a cost of \$43,000 excluding GST.**

- 2. Approve the use of the design specifications in (1) above as the basis for the tendering of the new works.**
- 3. Receive a report on the responses to the tender detailed in (2) above.**

RESOLVED

**Cr Re moved, Cr Norman seconded
That the recommendation be adopted.**

CARRIED UNANIMOUSLY (12/0)

10 MEMBERS INFORMATION BULLETIN – ISSUE NO. 18

RESPONSIBLE OFFICER RECOMMENDATION

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

RESOLVED

Cr Re moved, Cr Hollywood seconded
That the recommendation be adopted.

CARRIED UNANIMOUSLY (12/0)

11 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

12 URGENT BUSINESS

The Deputy Chair advised that the City of Wanneroo has requested a change to the October meeting due to a clash with a major fund raising event it has scheduled. The City of Perth has advised that the change in date to 30 October 2014 is acceptable. The CEO is currently reviewing the request and it would appear that the 30 October 2014 would be the most appropriate date. As such the Deputy Chair moved the following motion:

MOTION:

That the Council Authorise the CEO:

1. To investigate a change in date for the Ordinary Council Meeting scheduled for 23 October 2014, as resolved at its meeting on 10 October 2013.
2. To issue Public Notice advertising any change in date resulting from the CEO's investigation in accordance with the *Local Government Act 1995* and the *Local Government (Administration) Regulations 1996*.

RESOLVED

Cr Stewart moved, Cr Driver seconded
That the motion be adopted.

CARRIED UNANIMOUSLY (12/0)

13 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

Nil

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

14.1 CHIEF EXECUTIVE OFFICER – PERFORMANCE REVIEW

The Deputy Chair advised that Item 14.1 – Chief Executive Officer Performance Review has been withdrawn and will be relisted for the Ordinary Council meeting to be held in October 2014.

15 NEXT MEETING

Next meeting to be held on Thursday 23 October 2014 or the 30 October 2014 in the Council Chambers at City of Perth commencing at 5.30pm pending the outcome of the CEO's investigation to change the meeting date.

16 CLOSURE

The Deputy Chair closed the meeting at 5.55pm and thanked the councillors, staff and the City of Vincent for their hospitality and use of their meeting facilities.

These Minutes were confirmed by the Council as a true and accurate record of the Ordinary Meeting of the Council held on 4 September 2014.

Signed Chairman

Dated this day of 2014
