



MINUTES

**CERTIFICATION OF CONFIRMATION OF
COUNCIL MEETING MINUTES**

21 MARCH 2013

I, Cr Janet Powell, hereby certify that the following minutes pages 1 to 162 of the Meeting of Council held on 21 March 2013 were confirmed at a meeting of the Council held on 23 May 2013.

A handwritten signature in black ink, appearing to read 'J Powell', is written over a horizontal line.

Signature

Cr Janet Powell

Person presiding at the Council Meeting held on 23 May 2013.



MINUTES

Ordinary Meeting of Council

21 March 2013

ORDINARY MEETING OF COUNCIL

MINUTES

21 March 2013

(REF: COMMITTEES-15187)

An Ordinary Meeting of Council was held at the EMRC Administration Office, 1st Floor, 226 Great Eastern Highway, BELMONT WA 6104 on **Thursday, 21 March 2013**. The meeting commenced at **6:01pm**.

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1 DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS

The Chairman opened the meeting at 6:01pm.

2 ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE PREVIOUSLY APPROVED

Councillor Attendance

Cr Alan Pilgrim (Chairman)	EMRC Member	Shire of Mundaring
Cr Janet Powell (Deputy Chairman)	EMRC Member	City of Belmont
Cr Jennie Carter	EMRC Member	Town of Bassendean
Cr Gerry Pule	EMRC Member	Town of Bassendean
Cr Alan Radford	EMRC Member	City of Bayswater
Cr Graham Pittaway OAM	EMRC Member	City of Bayswater
Cr Phil Marks (Deputising for Cr Godfrey)	EMRC Deputy Member	City of Belmont
Cr Frank Lindsey (<i>from 6:07pm</i>)	EMRC Member	Shire of Kalamunda
Cr Tony Cuccaro	EMRC Member	Shire of Mundaring
Cr David Färdig	EMRC Member	City of Swan
Cr Kevin Bailey (Deputising for Cr Zannino)	EMRC Deputy Member	City of Swan

Apologies

Cr Glenys Godfrey	EMRC Member	City of Belmont
Cr Bob Emery	EMRC Member	Shire of Kalamunda
Cr Charlie Zannino	EMRC Member	City of Swan

EMRC Officers

Mr Peter Schneider	Chief Executive Officer	
Mr Hua Jer Liew	Director Corporate Services	
Mr Brian Jones	Director Waste Services	
Mrs Marilyn Horgan	Director Regional Services	
Ms Terri-Ann Ashton	Manager Administration and Compliance	
Ms Mary-Ann Winnett	Personal Assistant to Director Corporate Services (Minutes)	

EMRC Observers

Mr Steve Fitzpatrick	Manager Project Development	
Mrs Prapti Mehta	Manager Human Resources	
Mr David Ameduri	Manager Financial Services	

Observers

Mr Bob Jarvis	Chief Executive Officer	Town of Bassendean
Ms Francesca Lefante	Chief Executive Officer	City of Bayswater
Mr Ric Lutey	Director Technical Services	City of Belmont
Mr Jim Coten	Executive Manager Operations	City of Swan

3 DISCLOSURE OF INTERESTS

Nil



4 ANNOUNCEMENT BY THE CHAIRMAN OR PERSON PRESIDING WITHOUT DISCUSSION

4.1 BIENNIAL COCKTAIL FUNCTION – SAVE THE DATE

The Chairman announced that this year's Biennial Stakeholder cocktail function would be held on the evening of Friday 7 June 2013. The venue would be the West Australian Ballet Centre in Maylands. This year marks the 30th Anniversary of the EMRC. The Chairman advised that the details would be emailed to Councillors in the near future and he encouraged them to attend.

4.2 SUSTAINABLE BUSINESS AWARD

In September 2012 the EMRC was nominated as a finalist in the Local Chambers Business Awards.

On Friday 8 March 2013, the Deputy Chairman, Cr Janet Powell, the CEO & Manager Administration & Compliance attended the awards ceremony where the overall winners were announced.

The EMRC won the Sustainable Business Award for its Ascot Place administration building refurbishment project.

The Chairman invited the Manager Administration & Compliance, who was the project manager, to present the award to Council and provide a brief overview of EMRC's submission.

4.3 CONGRATULATIONS TO CR GLENYS GODFREY

The Chairman congratulated Cr Godfrey on her successful bid for a seat in State Parliament.

Cr Lindsey entered the meeting at 6:07pm.

5 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

6 PUBLIC QUESTION TIME

Nil

7 APPLICATION FOR LEAVE OF ABSENCE

7.1 CRS TONY CUCCARO AND ALAN RADFORD - LEAVE OF ABSENCE

COUNCIL RESOLUTION(S)

MOVED CR POWELL

SECONDED CR FÄRDIG

THAT COUNCIL APPROVES APPLICATIONS FOR LEAVE OF ABSENCE FOR CR CUCCARO FROM 29 MARCH 2013 TO 13 MAY 2013 INCLUSIVE, AND CR RADFORD FROM 27 APRIL 2013 TO 5 MAY 2013 INCLUSIVE.

CARRIED UNANIMOUSLY

8 PETITIONS, DEPUTATIONS AND PRESENTATIONS

Nil



9 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

9.1 MINUTES OF ORDINARY MEETING OF COUNCIL HELD ON 21 FEBRUARY 2013

That the minutes of the Ordinary Meeting of Council held on 21 February 2013 which have been distributed, be confirmed.

COUNCIL RESOLUTION

MOVED CR FÄRDIG

SECONDED CR PULE

THAT THE MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON 21 FEBRUARY 2013 WHICH HAVE BEEN DISTRIBUTED, BE CONFIRMED.

CARRIED UNANIMOUSLY

10 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

Nil

11 QUESTIONS WITHOUT NOTICE

Nil

12 ANNOUNCEMENT OF CONFIDENTIAL MATTERS FOR WHICH THE MEETING MAY BE CLOSED TO THE PUBLIC

Nil

13 BUSINESS NOT DEALT WITH FROM A PREVIOUS MEETING

Nil



14 REPORTS OF OFFICERS

QUESTIONS

The Chairman invited questions from members on the reports of officers.

RECOMMENDATION

That with the exception of items, which are to be withdrawn and dealt with separately, Council adopts the recommendations in the Officers Reports (Section 14).

COUNCIL RESOLUTION

MOVED CR PITTAWAY

SECONDED CR BAILEY

THAT WITH THE EXCEPTION OF ITEM 14.6, WHICH IS TO BE WITHDRAWN AND DEALT WITH SEPARATELY, COUNCIL ADOPTS THE RECOMMENDATIONS IN THE OFFICERS REPORTS (SECTION 14).

CARRIED UNANIMOUSLY



14 REPORTS OF OFFICERS

14.1 LIST OF ACCOUNTS PAID DURING THE MONTH OF FEBRUARY 2013

REFERENCE: COMMITTEES-15331

PURPOSE OF REPORT

The purpose of this report is to present to Council a list of accounts paid under the Chief Executive Officer's delegated authority during the month of February 2013 for noting.

KEY ISSUES AND RECOMMENDATION(S)

- As per the requirements of the Local Government (Financial Management) Regulations 1996 (Regulation 13(1)), the list of accounts paid during the month of February 2013 is provided for noting.

Recommendation(s)

That Council notes the CEO's list of accounts for February 2013 paid under delegated power in accordance with Regulation 13(1) of the Local Government (Financial Management) Regulations 1996, as attached to this report totalling \$5,296,597.50.

SOURCE OF REPORT

Director Corporate Services
 Manager Financial Services

BACKGROUND

Council has delegated to the Chief Executive Officer (CEO) the exercise of its power to make payments from the Municipal Fund and Trust Fund. In accordance with Regulation 13(1) of the Local Government (Financial Management) Regulations 1996, a list of accounts paid by the CEO is to be provided to Council, where such delegation is made.

REPORT

The table below summarises the payments drawn on the funds during the month of February 2013. A list detailing the payments made is appended as an attachment to this report.

Municipal Fund	EFT Payments:	25622 – 25831	
	Cheque Payments:	219513 – 219536	
	Payroll EFT:	PAY-17 & PAY-18	
	DIRECT DEBITS		
	- Bank Charges:	1*FEB13	
	- Other:	675 - 677	\$5,296,597.50
	LESS		
	Cancelled EFTs and Cheques	N/A	Nil
Trust Fund	Not Applicable		Nil
Total			\$5,296,597.50



Item 14.1 continued

STRATEGIC/POLICY IMPLICATIONS

Key Result Area 4 – Good Governance

- 4.6 To provide responsible and accountable governance and management of the EMRC
- 4.7 To continue to improve financial and asset management practices

FINANCIAL IMPLICATIONS

As contained within the report.

SUSTAINABILITY IMPLICATIONS

Nil

MEMBER COUNCIL IMPLICATIONS

Member Council	Implication Details
Town of Bassendean	} Nil direct implications for member Councils
City of Bayswater	
City of Belmont	
Shire of Kalamunda	
Shire of Mundaring	
City of Swan	

ATTACHMENT(S)

CEO's Delegated Payments List for the month of February 2013 (Ref: Committees-15354)

VOTING REQUIREMENT

Simple Majority

RECOMMENDATION(S)

That Council notes the CEO's list of accounts for February 2013 paid under delegated power in accordance with Regulation 13(1) of the Local Government (Financial Management) Regulations 1996, as attached to this report totalling \$5,296,597.50.

COUNCIL RESOLUTION(S)

MOVED CR PITTAWAY SECONDED CR BAILEY

THAT COUNCIL NOTES THE CEO'S LIST OF ACCOUNTS FOR FEBRUARY 2013 PAID UNDER DELEGATED POWER IN ACCORDANCE WITH REGULATION 13(1) OF THE LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996, AS ATTACHED TO THIS REPORT TOTALLING \$5,296,597.50.

CARRIED UNANIMOUSLY

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Eastern Metropolitan Regional Council



**CEO's DELEGATED PAYMENTS LIST
FOR THE MONTH OF FEBRUARY 2013**

Cheque /EFT No	Date	Payee	Amount
EFT25622	01/02/2013	ANYTHING TELEPHONE & DATA (ATD)	818.40
EFT25623	01/02/2013	INDUSTRIAL MINING SERVICES T/A PVF AUSTRALIA	247.01
EFT25624	01/02/2013	PERTH SECURITY SERVICES - MCW CORPORATION PTY LTD	2,645.17
EFT25625	01/02/2013	ADCORP	330.00
EFT25626	01/02/2013	AIRTIGHT SOLUTIONS	28,798.00
EFT25627	01/02/2013	BATTERY WORLD	15.95
EFT25628	01/02/2013	BLUE COLLAR PEOPLE	1,679.04
EFT25629	01/02/2013	BRING COURIERS	446.67
EFT25630	01/02/2013	BT EQUIPMENT PTY LTD T/A TUTT BRYANT EQUIPMENT	4,626.42
EFT25631	01/02/2013	BULLANT SECURITY PTY LTD	205.00
EFT25632	01/02/2013	BUNNINGS BUILDING SUPPLIES PTY LTD	199.15
EFT25633	01/02/2013	CJD EQUIPMENT PTY LTD	5,784.77
EFT25634	01/02/2013	COCKATOO NETWORK T/A AUSTRALIAN PROJECT DEVELOPMENTS PTY LTD	8,316.00
EFT25635	01/02/2013	COVS PARTS PTY LTD	1,093.68
EFT25636	01/02/2013	DU CLENE PTY LTD	3,179.83
EFT25637	01/02/2013	FUJI XEROX AUSTRALIA PTY LTD	354.49
EFT25638	01/02/2013	ISS WASHROOM SERVICES	61.41
EFT25639	01/02/2013	IT VISION AUSTRALIA PTY LTD	866.25
EFT25640	01/02/2013	MACHINERY WAREHOUSE	30.00
EFT25641	01/02/2013	ONSITE RENTALS PTY LTD	562.38
EFT25642	01/02/2013	ROSS HUMAN DIRECTIONS	4,492.87
EFT25643	01/02/2013	SEEK LIMITED	1,058.75
EFT25644	01/02/2013	ST JOHN AMBULANCE ASSOCIATION	64.50
EFT25645	01/02/2013	SUCCESS WATERS PTY LTD T/A HAYDN ROBINSON	14,764.20
EFT25646	01/02/2013	SYNERGY	3,713.50
EFT25647	01/02/2013	TELSTRA	169.26
EFT25648	01/02/2013	VISY RECYCLING	25.56
EFT25649	01/02/2013	VOLICH WASTE CONTRACTORS PTY LTD	44.00
EFT25650	01/02/2013	WA FIRE PROTECTION SOLUTIONS	687.50
EFT25651	01/02/2013	WESTERN TREE RECYCLERS	56,295.31
EFT25652	01/02/2013	WORKPAC PTY LTD	1,742.82
EFT25653	01/02/2013	WREN OIL	36.30
EFT25654	05/02/2013	KLB SYSTEMS	9,378.60
EFT25655	05/02/2013	ASKWITH COMPANY	330.00
EFT25656	05/02/2013	AUSTRALIAN HVAC SERVICES	550.00
EFT25657	05/02/2013	CIRRENA PTY LTD T/A UNISON INTERACTIVE PTY LTD	396.00
EFT25658	05/02/2013	CJD EQUIPMENT PTY LTD	5,092.80
EFT25659	05/02/2013	FUJI XEROX AUSTRALIA PTY LTD	584.70
EFT25660	05/02/2013	LANDFILL GAS & POWER PTY LTD	6,067.38
EFT25661	05/02/2013	PAYG PAYMENTS	54,393.46
EFT25662	05/02/2013	ROSS HUMAN DIRECTIONS	6,625.82
EFT25663	05/02/2013	STAPLES AUSTRALIA LTD	31.97
EFT25664	05/02/2013	STEVENSON CONSULTING	1,732.50
EFT25665	05/02/2013	TELSTRA	476.71
EFT25666	05/02/2013	TIM DAVIES LANDSCAPING PTY LTD	16,166.15
EFT25667	05/02/2013	TOTALLY WORKWEAR MIDLAND	15.15
EFT25668	05/02/2013	UNIQUE WASTE MANAGEMENT SERVICES	979.00
EFT25669	05/02/2013	VALLEY ROAD PTY T/A CHICA CATERING	684.00
EFT25670	08/02/2013	HOSECO (WA) PTY LTD	8,411.34
EFT25671	08/02/2013	PERTH SECURITY SERVICES - MCW CORPORATION PTY LTD	780.23
EFT25672	08/02/2013	AIR FILTER DRY CLEAN SYSTEMS PTY LTD	426.08

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Eastern Metropolitan Regional Council



**CEO's DELEGATED PAYMENTS LIST
FOR THE MONTH OF FEBRUARY 2013**

Cheque /EFT No	Date	Payee	Amount
EFT25673	08/02/2013	ASSOCIATION WESTERN AUSTRALIAN LOCAL GOVERNMENT (WALGA)	12,040.15
EFT25674	08/02/2013	BLUE COLLAR PEOPLE	1,679.04
EFT25675	08/02/2013	C & H SWEEPING	550.00
EFT25676	08/02/2013	CJD EQUIPMENT PTY LTD	81.95
EFT25677	08/02/2013	CMS EVENTS	2,200.00
EFT25678	08/02/2013	DKSH AUSTRALIA PTY LTD	8,028.31
EFT25679	08/02/2013	KINETIC HEALTH GROUP PTY LTD	156.20
EFT25680	08/02/2013	LANDFILL GAS & POWER PTY LTD	5,777.66
EFT25681	08/02/2013	LGISWA	114.17
EFT25682	08/02/2013	MUNDARING TYRE CENTRE	375.00
EFT25683	08/02/2013	NEVERFAIL SPRINGWATER	423.80
EFT25684	08/02/2013	NEVERFAIL SPRINGWATER LTD - HAZELMERE	58.75
EFT25685	08/02/2013	PIRTEK	849.95
EFT25686	08/02/2013	SAI GLOBAL LIMITED	96.50
EFT25687	08/02/2013	STAPLES AUSTRALIA LTD	434.05
EFT25688	08/02/2013	TELSTRA	1,003.46
EFT25689	08/02/2013	WESTRAC EQUIPMENT PTY LTD	1,498.27
EFT25690	08/02/2013	WORMALD FIRE SYSTEMS	3,245.00
EFT25691	12/02/2013	ANALYTICAL REFERENCE LABORATORY (ARL)	1,271.33
EFT25692	12/02/2013	DATA 3 PERTH	4,897.37
EFT25693	12/02/2013	LIEBHERR AUSTRALIA PTY LTD	971.85
EFT25694	12/02/2013	PRAPTI MEHTA	1,350.00
EFT25695	12/02/2013	ACCESS INDUSTRIAL TYRES PTY LTD	93.50
EFT25696	12/02/2013	ACTION BLAST PTY LTD T/A ACTION MINING SERVICES	1,316.11
EFT25697	12/02/2013	ALL DAY CONTRACTING	1,961.22
EFT25698	12/02/2013	ALLIGHT PTY LTD	554.40
EFT25699	12/02/2013	BLACKADDER WOODBRIDGE CATCHMENT GROUP	23,650.00
EFT25700	12/02/2013	CAPITAL TRANSPORT SERVICES (WA) PTY LTD	578.03
EFT25701	12/02/2013	CITY OF SWAN	26,400.00
EFT25702	12/02/2013	COMSYNC CONSULTING PTY LTD	2,574.00
EFT25703	12/02/2013	DAVID AMEDURI	686.00
EFT25704	12/02/2013	EMISSION TESTING CONSULTANTS PTY LTD	3,146.00
EFT25705	12/02/2013	HILLS FRESH	66.26
EFT25706	12/02/2013	IPING PTY LTD	1,128.80
EFT25707	12/02/2013	LANDMARK OPERATIONS LIMITED	77.72
EFT25708	12/02/2013	LINFOX ARMAGUARD PTY LTD	267.30
EFT25709	12/02/2013	LAUREN PANIZZA	104.58
EFT25710	12/02/2013	MOTORCHARGE PTY LTD	5,076.84
EFT25711	12/02/2013	ROSS HUMAN DIRECTIONS	3,220.74
EFT25712	12/02/2013	STAPLES AUSTRALIA LTD	196.32
EFT25713	12/02/2013	TOLL FAST	53.69
EFT25714	12/02/2013	VALLEY ROAD PTY T/A CHICA CATERING	2,005.33
EFT25715	15/02/2013	OAKVALE TREASURY	2,504.70
EFT25716	15/02/2013	ACCESS INDUSTRIAL TYRES PTY LTD	225.50
EFT25717	15/02/2013	ADCORP	859.64
EFT25718	15/02/2013	AUSTRALIA POST - ASCOT PLACE	3.55
EFT25719	15/02/2013	AUSTRALIA POST - RED HILL	220.42
EFT25720	15/02/2013	BP AUSTRALIA LIMITED	27,264.16
EFT25721	15/02/2013	BP GIDGEGANNUP	25.50
EFT25722	15/02/2013	BUDGET ELECTRICS	692.76
EFT25723	15/02/2013	BUNNINGS BUILDING SUPPLIES PTY LTD	14.65
EFT25724	15/02/2013	CARBON NEUTRAL LTD	1,375.00



**CEO's DELEGATED PAYMENTS LIST
FOR THE MONTH OF FEBRUARY 2013**

Cheque /EFT No	Date	Payee	Amount
EFT25725	15/02/2013	CCH AUSTRALIA LTD	175.77
EFT25726	15/02/2013	CJD EQUIPMENT PTY LTD	1,641.97
EFT25727	15/02/2013	COCKBURN WETLANDS EDU CENTRE	120.00
EFT25728	15/02/2013	COMPU-STOR	708.19
EFT25729	15/02/2013	CPR ELECTRICAL SERVICES	616.00
EFT25730	15/02/2013	DELRON CLEANING PTY LTD	5,060.00
EFT25731	15/02/2013	GOODCHILD ENTERPRISES	312.40
EFT25732	15/02/2013	GOURMET INDULGENCE	495.00
EFT25733	15/02/2013	JAYCOURT NOMINEES PTY LTD T/A BARFIELD MECHANICAL SERVICES	8,974.96
EFT25734	15/02/2013	JOHAN LE ROUX	737.68
EFT25735	15/02/2013	MACHINERY WAREHOUSE	149.95
EFT25736	15/02/2013	MAIL PLUS PERTH	323.40
EFT25737	15/02/2013	NEVERFAIL SPRINGWATER	127.40
EFT25738	15/02/2013	PIRTEK	149.71
EFT25739	15/02/2013	REMIDA PERTH INC	286.00
EFT25740	15/02/2013	STAPLES AUSTRALIA LTD	970.68
EFT25741	15/02/2013	TELSTRA	224.42
EFT25742	15/02/2013	THE UTESHED	565.00
EFT25743	15/02/2013	TIM DAVIES LANDSCAPING PTY LTD	891.02
EFT25744	15/02/2013	VALLEY ROAD PTY T/A CHICA CATERING	516.00
EFT25745	19/02/2013	AUSTRALIAN LABORATORY SERVICES PTY LTD (ALS)	561.00
EFT25746	19/02/2013	LAUREN PANIZZA	174.98
EFT25747	19/02/2013	MIDLAND TOYOTA (DVG)	360.77
EFT25748	19/02/2013	AUSTRALIAN HVAC SERVICES	291.50
EFT25749	19/02/2013	BARBARA HOLLAND CONSULTING	1,650.00
EFT25750	19/02/2013	BEN ROWLAND	132.68
EFT25751	19/02/2013	BENFOSTER PTY LTD T/A ECO ENVIRONMENTAL	66.00
EFT25752	19/02/2013	BP AUSTRALIA LIMITED	66,857.55
EFT25753	19/02/2013	BP AUSTRALIA LIMITED	2,229.42
EFT25754	19/02/2013	BUDGET ELECTRICS	224.84
EFT25755	19/02/2013	HILLS FRESH	63.72
EFT25756	19/02/2013	J & K HOPKINS	607.00
EFT25757	19/02/2013	JOHAN LE ROUX	449.00
EFT25758	19/02/2013	LIEBHERR AUSTRALIA PTY LTD	1,757.59
EFT25759	19/02/2013	ODOUR CONTROL SYSTEMS INTERNATIONAL LTD	12,530.76
EFT25760	19/02/2013	PAYG PAYMENTS	54,909.70
EFT25761	19/02/2013	PIRTEK	172.32
EFT25762	19/02/2013	PUREPROTECT CANNINGVALE	4,702.50
EFT25763	19/02/2013	ROSS HUMAN DIRECTIONS	5,979.62
EFT25764	20/02/2013	ROSS HUMAN DIRECTIONS	17,869.38
EFT25765	22/02/2013	HERBERT SMITH FREEHILLS	2,530.00
EFT25766	22/02/2013	KLB SYSTEMS	9,053.00
EFT25767	22/02/2013	PERTH SECURITY SERVICES - MCW CORPORATION PTY LTD	7,433.20
EFT25768	22/02/2013	VEOLIA ENVIRONMENTAL SERVICES (AUSTRALIA) PTY LTD	1,807.80
EFT25769	22/02/2013	A TEAM PRINTING	479.60
EFT25770	22/02/2013	ADCORP	495.13
EFT25771	22/02/2013	ADT SECURITY	5,680.50
EFT25772	22/02/2013	AIR FILTER DRY CLEAN SYSTEMS PTY LTD	240.21
EFT25773	22/02/2013	BIG BUBBLE RETAIL	45.49
EFT25774	22/02/2013	BLUE COLLAR PEOPLE	2,911.04
EFT25775	22/02/2013	BT EQUIPMENT PTY LTD T/A TUTT BRYANT EQUIPMENT	1,549.05
EFT25776	22/02/2013	BULLANT SECURITY PTY LTD	250.00



**CEO's DELEGATED PAYMENTS LIST
FOR THE MONTH OF FEBRUARY 2013**

Cheque /EFT No	Date	Payee	Amount
EFT25777	22/02/2013	CHAMBERLAIN AUTO ELECTRICS	877.69
EFT25778	22/02/2013	CT BUILDING MAINTENANCE	841.50
EFT25779	22/02/2013	DUN & BRADSTREET PTY LTD	19.80
EFT25780	22/02/2013	ELEMENT HYDROGRAPHIC SOLUTIONS	971.30
EFT25781	22/02/2013	HAYS SPECIALIST RECRUITMENT	1,056.00
EFT25782	22/02/2013	JAYCOURT NOMINEES P/L T/A BARFIELD EARTHMOVING	632.50
EFT25783	22/02/2013	KONICA MINOLTA BUSINESS SOLUTIONS AUSTRALIA P/L	110.23
EFT25784	22/02/2013	LANDFILL GAS & POWER PTY LTD	6,548.26
EFT25785	22/02/2013	LO-GO APPOINTMENTS	657.03
EFT25786	22/02/2013	NATIONAL LUBRICATION SYSTEMS	4,161.94
EFT25787	22/02/2013	NEVERFAIL SPRINGWATER	75.00
EFT25788	22/02/2013	NEVERFAIL SPRINGWATER LTD - COPPIN ROAD	16.25
EFT25789	22/02/2013	NEVERFAIL SPRINGWATER LTD - HAZELMERE	121.25
EFT25790	22/02/2013	NEXUS (AUST) PTY LTD	44,770.00
EFT25791	22/02/2013	PIRTEK	1,041.01
EFT25792	22/02/2013	ROSS HUMAN DIRECTIONS	3,295.42
EFT25793	22/02/2013	SNAP PRINTING	68.00
EFT25794	22/02/2013	STAFF LINK PTY LTD	1,257.96
EFT25795	22/02/2013	STAPLES AUSTRALIA LTD	962.87
EFT25796	22/02/2013	TELSTRA - A/C 148 4710 000 - ASCOT PLACE	5,685.93
EFT25797	22/02/2013	TIM DAVIES LANDSCAPING PTY LTD	1,105.03
EFT25798	22/02/2013	TOTALLY WORKWEAR MIDLAND	288.91
EFT25799	22/02/2013	UNIQUE WASTE MANAGEMENT SERVICES	308.00
EFT25800	22/02/2013	WESTERN RESOURCE RECOVERY PTY LTD	1,320.00
EFT25801	22/02/2013	WREN OIL	18.15
EFT25802	26/02/2013	ANALYTICAL REFERENCE LABORATORY (ARL)	195.53
EFT25803	26/02/2013	AUSTRALIAN LABORATORY SERVICES PTY LTD (ALS)	1,671.45
EFT25804	26/02/2013	PERTH SECURITY SERVICES - MCW CORPORATION PTY LTD	1,788.82
EFT25805	26/02/2013	AUSTRALIAN HVAC SERVICES	731.50
EFT25806	26/02/2013	BLUE COLLAR PEOPLE	1,679.04
EFT25807	26/02/2013	BP AUSTRALIA PTY LTD	970.79
EFT25808	26/02/2013	C & K FABRICATION PTY LTD	1,947.00
EFT25809	26/02/2013	CARDNO (WA) PTY LTD	1,506.97
EFT25810	26/02/2013	CIRRENA PTY LTD T/A UNISON INTERACTIVE PTY LTD	1,480.00
EFT25811	26/02/2013	COMSYNC CONSULTING PTY LTD	2,288.00
EFT25812	26/02/2013	CPR ELECTRICAL SERVICES	7,964.00
EFT25813	26/02/2013	EURO DIESEL SERVICES PTY LTD	3,110.25
EFT25814	26/02/2013	GOODCHILD ENTERPRISES	278.58
EFT25815	26/02/2013	HIGGS DRILLING AND EXPLORATION	38,924.60
EFT25816	26/02/2013	HILLS FRESH	82.20
EFT25817	26/02/2013	KORDT ENGINEERING	26,400.00
EFT25818	26/02/2013	LANDMARK OPERATIONS LIMITED	575.30
EFT25819	26/02/2013	NEVERFAIL SPRINGWATER LTD - MATHIESON ROAD	91.25
EFT25820	26/02/2013	PIRTEK	91.51
EFT25821	26/02/2013	PORTNER PRESS PTY LTD	97.00
EFT25822	26/02/2013	ROSS HUMAN DIRECTIONS	10,871.86
EFT25823	26/02/2013	RUDD INDUSTRIAL AND FARM SUPPLIES	1,042.73
EFT25824	26/02/2013	SHUGS ELECTRICAL	623.70
EFT25825	26/02/2013	STAFF LINK PTY LTD	1,572.45
EFT25826	26/02/2013	TELSTRA	127.29
EFT25827	26/02/2013	TENDERLINK.COM. PTY LTD	165.00
EFT25828	26/02/2013	UNIQUE WASTE MANAGEMENT SERVICES	132.00
EFT25829	26/02/2013	VALLEY ROAD PTY T/A CHICA CATERING	1,629.13



**CEO's DELEGATED PAYMENTS LIST
FOR THE MONTH OF FEBRUARY 2013**

Cheque /EFT			
No	Date	Payee	Amount
EFT25830	26/02/2013	WURTH AUSTRALIA PTY LTD	486.91
EFT25831	28/02/2013	WALGS PLAN	63,128.55
219513	01/02/2013	EMRC PETTY CASH - BELMONT	768.50
219514	05/02/2013	EMRC PETTY CASH - REDHILL	214.75
219515	07/02/2013	CITY OF SWAN	960.00
219516	22/02/2013	EMRC PETTY CASH - REDHILL	241.75
219517	28/02/2013	AMP LIFE LTD	1,291.81
219518	28/02/2013	AMP SUPER LEADER	820.52
219519	28/02/2013	AUSTRALIAN ETHICAL SUPERANNUATION PTY LTD	891.76
219520	28/02/2013	AUSTRALIAN SUPER	2,303.88
219521	28/02/2013	AXA AUSTRALIA (RETIREMENT BOND)	356.02
219522	28/02/2013	BENDIGO BANK	356.76
219523	28/02/2013	BT BUSINESS SUPER	847.79
219524	28/02/2013	BT LIFETIME - PERSONAL SUPER	476.87
219525	28/02/2013	BT SUPER FOR LIFE	321.93
219526	28/02/2013	CBUS INDUSTRY SUPER	452.85
219527	28/02/2013	COLONIAL FIRST STATE	450.46
219528	28/02/2013	GENERATIONS PERSONAL SUPERANNUATION PLAN	403.14
219529	28/02/2013	HOSTPLUS SUPERANNUATION FUND	311.54
219530	28/02/2013	MTAA SUPERANNUATION FUND	362.16
219531	28/02/2013	NORWICH UNION LIFE INSURANCE SOCIETY	514.44
219532	28/02/2013	ONEPATH LIFE LTD	97.32
219533	28/02/2013	PLUM SUPERANNUATION FUND	554.64
219534	28/02/2013	RETAIL EMPLOYEES SUPERANNUATION TRUST	294.72
219535	28/02/2013	TELSTRA SUPER	309.16
219536	28/02/2013	ZURICH AUSTRALIAN SUPERANNUATION	452.51
675	19/02/2013	ENERTECH LTD	8,214.85
676	21/02/2013	WESTPAC BANKING CORPORATION	2,000,000.00
677	27/02/2013	WESTPAC BANKING CORPORATION	2,000,000.00
PAY-17	12/02/2013	PAYROLL FE 12/2/13	190,882.17
PAY-18	26/02/2013	PAYROLL FE 26/2/13	196,714.77
1*FEB13	01/02/2013	BANK CHARGES 1497 - 1501	1,834.48
SUB TOTAL			5,296,597.50
LESS CANCELLED CHEQUES & EFTs			Nil
TOTAL			5,296,597.50

REPORT TOTALS

TOTAL

Bank Code	Bank Name	Amount
1	EMRC - Municipal Fund	5,296,597.50
TOTAL		5,296,597.50



14.2 FINANCIAL REPORT FOR PERIOD ENDED 31 JANUARY 2013

REFERENCE: COMMITTEES-15303

PURPOSE OF REPORT

The purpose of this report is to provide Council with an overview of the Eastern Metropolitan Regional Council's (EMRC's) financial performance for the period ended 31 January 2013.

KEY ISSUES AND RECOMMENDATION(S)

- Significant year to date budget variances greater than 10% or \$10,000, whichever is the greater, within each nature and type category on the Statement of Financial Activity as at 31 January 2013 have been identified and are reported on in the body of the report.

Recommendation(s)

That Council receives the Statement of Comprehensive Income, Capital Expenditure Statement, Statement of Financial Position, Statement of Cash and Investments and the Investment Report for the period ended 31 January 2013.

SOURCE OF REPORT

Director Corporate Services
Manager Financial Services

BACKGROUND

It is a requirement of the Local Government (Financial Management) Regulations 1996 (Clause 34) that a Local Government is to prepare and present to Council financial reports in such a form as the Local Government considers to be appropriate.

The 2012/2013 Budget was presented in a format that separated operating income and expenditure from other revenue and expenses to provide improved disclosure of Council's underlying operating result.

The financial summaries attached to this report provide an overview of year to date budget performance for operating activities and capital works.

Forecast reviews for 2012/2013 were undertaken during November 2012 and January 2013 and are reflected in the January 2013 financial reports.

A Statement of Financial Position is also provided with year to date actual balances compared with budget provisions and end of year forecasts for all balance sheet items.

REPORT

Outlined below are financial summaries for the period ended 31 January 2013. Where possible the year to date monthly budget allocations have been reviewed in order to match the appropriate timing for the various projects budgeted to be undertaken. This will provide a better comparison between the year to date actual and year to date budget figures.



Item 14.2 continued

Statement of Comprehensive Income - Nature and Type (refer Attachment 1)

The operating result from normal activities as at 31 January 2013 is a favourable variance of \$1,394,244. The following information is provided on key aspects of Council's financial performance:

<u>Operating Income</u>	<i>Year to Date</i>	An unfavourable variance of \$1,121,809 (4.62%).
	<i>End of Year Forecast</i>	A favourable variance of \$492,830 (1.19%).

Operating Income variances previously reported to Council:

1. The year end forecast for Interest on Municipal Funds is above the annual budget provision by \$117,262 or 49.20%. This represents the value of change in the accrued interest as at 30 June 2013 that has been reallocated to Interest on Restricted Assets.
2. Year to date Other income of \$641,001 is \$272,841 (29.86%) below the year to date budget of \$913,842 due to the lower than budgeted income from the sale of products. This is primarily due to lower than budgeted woodwaste products sales (actual year to date income of \$229,183 compared to a budget of \$437,507). It is forecast that by year end, Other income will be marginally above budget by \$10,271 (0.59%).

There were no further significant Operating Income variances as at 31 January 2013.

<u>Operating Expenditure</u>	<i>Year to Date</i>	A favourable variance of \$2,516,053 (11.78%).
	<i>End of Year Forecast</i>	An unfavourable variance of \$160,588 (0.42%).

Operating Expenditure variances previously reported to Council:

1. Year to date Salary Expenses of \$4,489,291 is \$838,724 (15.74%) below the year to date budget provision of \$5,328,015. The variance is attributable to the budgeted positions that have not been filled.

The year end forecast of \$8,099,375 for salary expenses is \$1,057,827 (11.55%) lower than the annual budget provision of \$9,157,202. This variance is attributable to the budgeted positions that have not been filled together with a lower forecast of overtime costs compared to budget. This relates primarily to the waste management operations where savings in salary expenses for this location have been partially offset by an increase in contract labour expenses.

2. Contract Expenses of \$2,874,655 is \$813,163 (22.05%) lower than the year to date budget due predominantly to the timing of various projects. Major variances include Undertake Engineering/Waste Management Special Projects - Regional Funding Program (\$385,632), Rehabilitate Class III Cells (\$217,731) and various Environmental Impact Monitoring projects at Red Hill (\$56,955). Other projects from Waste Services contribute a further \$205,579 to the variance. Additional variances include various Corporate Services activities (\$280,212), various Environmental Services projects (\$150,824) and various Regional Development projects (\$93,406).

This is offset by contract expenses associated with the removal and crushing of lateritic caprock at the Redhill Waste Management Facility which is \$577,569 greater than the year to date budget. This was outlined in a report to Council at its meeting on 6 December 2012 (Ref: Committees-15034).



Item 14.2 continued

Year end Contract Expenses of \$8,548,955 have been forecast to be above the annual budget provision of \$7,356,790 by \$1,192,165 (16.20%). Significant variances are attributable to:

- As outlined above and reported to Council in December 2012, an additional \$600,000 that has been forecast for the removal and crushing of lateritic caprock at the Redhill Waste Management Facility.
 - An increase in Waste Management contract material and labour expenses of \$453,442 which is offset by a forecast reduction in wages and salaries. Other Contract Expenses for projects in Waste Services contribute a further \$41,201 to the variance.
 - An increase in Regional Development contract material and labour expenses of \$195,640 which is partially offset by a forecast reduction in wages and salaries of \$110,789.
 - These increases are partially offset by a reduction in forecast Contract Expenses for various Corporate Services activities (\$67,068) and Environmental Services activities (\$33,550).
3. Year to date Material Expenses of \$457,948 is \$161,445 (26.07%) below the year to date budget of \$619,393. Part of the variance relates to lower than budgeted expenditure in Operating and Maintaining Plant (\$10,811) and Remediation of contaminated soils (\$10,000). Other projects from Waste Services contribute a further \$44,144 to the variance. Additional variances include Governance and Corporate Services activities (\$62,957), Environmental Services projects (\$21,651) and Regional Development projects (\$10,871).
4. Depreciation Expenses of \$3,096,013 is \$439,988 (12.44%) below the year to date budget of \$3,536,001. The variance is attributable to the timing of the capital expenditure totalling \$10,128,127 to 31 January 2013 compared to an annual budget of \$24,090,652.

There were no further significant Operating Expenditure variances as at 31 January 2013.

*Other	<i>Year to Date</i>	A favourable variance of \$1,067,112 (27.76%).
<u>Revenues and Expenses (Net)</u>	<i>End of Year Forecast</i>	An unfavourable variance of \$1,512,290 (17.44%).

Other Revenues and Expenses variances previously reported to Council:

1. Year to date Salary Expenses is \$55,726 (30.95%) below the budget of \$180,054 and is forecast to be \$64,855 (20.78%) below the annual budget provision of \$312,116 by year end. This variance is due to the timing of recruiting for a vacant staff position and a lower than budgeted staff utilisation by the Resource Recovery Project. The vacant position has been filled at the end of January 2013.
2. Year to date Contract Expenses is \$270,370 (61.93%) below the budget of \$436,553 and is forecast to be \$102,000 (13.61%) below the annual budget provision of \$749,600 by year end. This relates to the timing of Resource Recovery Project consultancy contracts which will be carried forward in the 2013/2014 financial year.
3. The total change in Fair Value of Investments for the period ending 31 January 2013 and as at year end is a realised net gain of \$919,052. This is attributable to the disposal of CDO's in October 2012.

Unrealised gains or losses represent a fair market value measurement of the financial instruments during the period in which they are held, i.e. marked to market. It should be noted that actual gains or losses on financial instruments will not be realised until such time as the individual investments are sold.

No budget provision was included in the original budget as it is not possible to budget for an unrealised gain or loss from the change in fair value of investments. These valuations are dictated by market factors and as such a budget provision cannot be ascertained.



Item 14.2 continued

Other Revenues and Expenses variances not previously reported to Council:

1. The decrease in Operating Grant (\$2,250,000) is attributable to the protracted nature of the grant application process with AusIndustry for the construction of the pyrolysis plant at the Resource Recovery Park located at Hazelmere. The amount will be carried forward into the 2013/2014 financial year.
2. Year to date Miscellaneous Expenses of \$39,276 is \$11,577 (22.74%) below the year to date budget of \$50,833. This relates to the timing of Resource Recovery Project activities.

As at year end Miscellaneous Expenses has been forecast to be \$32,500 (31.08%) below the annual budget of \$104,555. This variance relates to a lower than budgeted cost of the Resource Recovery Project Study Tour which was undertaken in October 2012.

There were no further significant Other Revenues and Expenses variances as at 31 January 2013.

Capital Expenditure Statement (refer Attachment 2)

<u>Capital Expenditure</u>	<i>Year to Date</i>	A favourable variance of \$2,024,342.
	<i>End of Year Forecast</i>	A favourable variance of \$4,137,596.

Capital Expenditure variances:

A favourable variance of \$2,024,342 exists as at 31 January 2013 when compared to the year to date capital expenditure budget provision of \$12,152,469. The year to date budget provisions are used as a guide only as expenditure of a capital nature is undertaken as and when required.

Major capital expenditure to 31 January 2013 includes:

- Purchase Waste Management Land - Red Hill Waste Disposal Site (\$6,712,713).
- Purchase/Replace Plant - Redhill Waste Management Facility (\$1,755,755);
- Purchase/Replace Plant - Hazelmere (\$503,217);
- Purchase Fire Fighting System/Equipment - Hazelmere (\$275,699);
- Purchase of Vehicles - Ascot Place (\$160,433);
- Purchase of Vehicles - Redhill Waste Management Facility (\$154,812);
- Purchase/Replace Minor Plant & Equipment - Redhill Waste Management Facility (\$127,050); and
- Construct Hardstand and Road - Hazelmere (\$117,122).

As at year end Capital Expenditure has been forecast to be below the annual budget by \$4,137,596 (17.18%).

Significant variances to current capital budgets are attributable to:

- A reduction of \$3,024,000 for the construction of the pyrolysis structure, inclusive of infrastructure, plant and equipment costs, at the Hazelmere site which will be carried forward into the 2013/2014 financial year. This is attributable to the protracted nature in the grant application process with AusIndustry and the need to defer the timing of this expenditure until the grant is received.
 - A reduction of \$600,000 for the construction of the C & I Building (\$450,000) and the weighbridge (\$150,000) associated with the Resource Recovery Park project at the Hazelmere site which will be carried forward into the 2013/2014 financial year. This is attributable to the need to obtain quotations for the design work and to conduct an audit of the waste stream.
-



Item 14.2 continued

- A reduction of \$450,000 for the construction of a water storage dam at the Red Hill Waste Disposal Facility with the capital expenditure being carried forward into the 2013/2014 financial year. The water storage dam was originally planned to be sited to the east of the current landfill, but, following the acquisition of Lots 8, 9 and 10 at Red Hill, a redesign is required to ensure access to the water within those lots.
- A reduction of \$150,000 for the construction of a Class III leachate pond at the Red Hill Waste Disposal Facility with the capital expenditure being carried forward into the 2013/2014 financial year. The construction of the proposed leachate pond has been deferred until the effectiveness of the floating covers project has been determined.
- An increase of \$131,618 for capital expenditure for works associated with the leachate project at the Red Hill Waste Disposal Facility as a result of tenders that were received for the manufacture and installation of floating leachate pond covers that were higher than the budget provision. This was previously reported to Council at its 6 December 2012 meeting (Ref: Committees-14954).
- A reduction of \$130,000 for the construction of siltation ponds at the Red Hill Waste Disposal Facility with the capital expenditure being carried forward into the 2013/2014 financial year. The construction of the siltation pond has been deferred until the Red Hill Farm Stage 2 Class III Cell has been completed
- An increase of \$123,000 for the purchase of land at the Red Hill Waste Management Facility. This variance relates to the Deed of Call interest payment costs associated with the purchase of Lots 8, 9 and 10 at Red Hill. It was budgeted that settlement would occur in September 2012. This is offset by the interest earned on the principal up to the settlement date in December 2012.

Statement of Financial Position (refer Attachment 3)

The Statement of Financial Position shows the overall impact of actual balances compared with budget provisions and end of year forecasts for operating and capital works activities.

It has been forecast that Total Equity as at 30 June 2013 will be below the original budget of \$89,340,530 by \$1,180,048.

Statement of Cash and Investments (refer Attachment 4)

The level of cash and investments in the Municipal fund as at 31 January 2013 is \$7,761,145 and Restricted Assets amount to \$39,481,819. This figure is net of cumulative unrealised losses of \$601,485 which have been provided for in this amount.

The net movement for the month is a decrease of \$672,840.

Investment Report (refer Attachment 5)

Term deposits which matured in the month of January 2013 were reinvested into further term deposits.

STRATEGIC/POLICY IMPLICATIONS

Key Result Area 4 - Good Governance

- 4.6 To provide responsible and accountable governance and management of the EMRC
- 4.7 To continue to improve financial and asset management practices.

FINANCIAL IMPLICATIONS

As outlined in the attached financial reports.



Item 14.2 continued

SUSTAINABILITY IMPLICATIONS

Nil

ATTACHMENT(S)

1. Statement of Comprehensive Income by Nature and Type (Ref: Committees-15344)
2. Capital Expenditure Statement (Ref: Committees-15345)
3. Statement of Financial Position (Ref: Committees-15346)
4. Statement of Cash and Investments (Ref: Committees-15347)
5. Investment Report (Ref: Committees-15348)

VOTING REQUIREMENT

Simple Majority

RECOMMENDATION(S)

That Council receives the Statement of Comprehensive Income, Capital Expenditure Statement, Statement of Financial Position, Statement of Cash and Investments and the Investment Report for the period ended 31 January 2013.

COUNCIL RESOLUTION(S)

MOVED CR PITTAWAY

SECONDED CR BAILEY

THAT COUNCIL RECEIVES THE STATEMENT OF COMPREHENSIVE INCOME, CAPITAL EXPENDITURE STATEMENT, STATEMENT OF FINANCIAL POSITION, STATEMENT OF CASH AND INVESTMENTS AND THE INVESTMENT REPORT FOR THE PERIOD ENDED 31 JANUARY 2013.

CARRIED UNANIMOUSLY



STATEMENT OF COMPREHENSIVE INCOME

Nature and Type

Year to Date				JANUARY 2013				Full Year			
Actual	Budget	Variance		Forecast	Budget	Variance		Forecast	Budget	Variance	
Operating Income											
(\$20,309,074)	(\$21,118,325)	(\$809,251)	(U)	User Charges	(\$36,424,617)	(\$35,972,544)	\$452,073				(F)
(\$211,031)	(\$228,487)	(\$17,456)	(U)	Special Charges	(\$354,861)	(\$391,680)	(\$36,819)				(U)
(\$587,924)	(\$594,320)	(\$6,396)	(U)	Contributions	(\$644,893)	(\$655,113)	(\$10,220)				(U)
(\$686,787)	(\$657,472)	\$29,315	(F)	Operating Grants	(\$1,359,993)	(\$1,434,588)	(\$74,595)				(U)
(\$226,416)	(\$219,093)	\$7,323	(F)	Interest Municipal Cash Investments	(\$355,596)	(\$238,334)	\$117,262				(F)
(\$479,070)	(\$531,574)	(\$52,504)	(U)	Reimbursements	(\$962,140)	(\$927,282)	\$34,858				(F)
(\$641,001)	(\$913,842)	(\$272,841)	(U)	Other	(\$1,754,108)	(\$1,743,837)	\$10,271				(F)
(\$23,141,304)	(\$24,263,113)	(\$1,121,809)	(U)	Total Operating Income	(\$41,856,208)	(\$41,363,378)	\$492,830				(F)
Operating Expenditure											
\$4,489,291	\$5,328,015	\$838,724	(F)	Salary Expenses	\$8,099,375	\$9,157,202	\$1,057,827				(F)
\$2,874,655	\$3,687,818	\$813,163	(F)	Contract Expenses	\$8,548,955	\$7,356,790	(\$1,192,165)				(U)
\$457,948	\$619,393	\$161,445	(F)	Material Expenses	\$1,156,758	\$1,198,814	\$42,056				(F)
\$135,877	\$148,840	\$12,963	(F)	Utility Expenses	\$252,128	\$255,582	\$3,454				(F)
\$471,507	\$453,362	(\$18,145)	(U)	Fuel Expenses	\$775,028	\$777,328	\$2,300				(F)
\$11,117	\$8,918	(\$2,199)	(U)	Finance Fees and Interest Expenses	\$19,650	\$15,300	(\$4,350)				(U)
\$159,842	\$173,975	\$14,133	(F)	Insurance Expenses	\$262,903	\$255,252	(\$7,651)				(U)
\$3,096,013	\$3,536,001	\$439,988	(F)	Depreciation Expenses	\$6,073,840	\$6,062,103	(\$11,737)				(U)
\$7,256,208	\$7,518,672	\$262,464	(F)	Miscellaneous Expenses	\$12,989,495	\$12,948,600	(\$40,895)				(U)
\$54,714	\$61,262	\$6,548	(F)	Provision Expenses	\$111,870	\$122,526	\$10,656				(F)
(\$160,570)	(\$173,602)	(\$13,032)	(U)	Costs Allocated	(\$289,507)	(\$309,590)	(\$20,083)				(U)
\$18,846,601	\$21,362,654	\$2,516,053	(F)	Total Operating Expenditure	\$38,000,495	\$37,839,907	(\$160,588)				(U)
(\$4,294,703)	(\$2,900,459)	\$1,394,244	(F)	OPERATING RESULT FROM NORMAL ACTIVITIES	(\$3,855,713)	(\$3,523,471)	\$332,242				(F)
Surplus	Surplus				Surplus	Surplus					

Notes:

1. User Charges - include member Councils and casual users pertaining to waste, risk management and environmental services fees and charges;
2. Special Charges - Waste Education Levy;
3. Contributions - member Councils' contributions to projects and services;
4. Operating Grants - grant income predominantly from government agencies; and
5. Miscellaneous Expenses - includes the Landfill Levy expense of \$5,350,048 as at 31 January 2013.

Operating Income and Expenditure relates to the ordinary operations of the organisation.

Other Revenues and Expenses relates to the Resource Recovery Project, interest from cash reserves and disposal of assets.

(F) denotes Favourable variance and (U) denotes Unfavourable variance



STATEMENT OF COMPREHENSIVE INCOME Nature and Type

JANUARY 2013

Year to Date			Full Year					
Actual	Budget	Variance		Forecast	Budget	Variance		
Other Revenues								
(\$3,143,469)	(\$3,314,230)	(\$170,761)	(U)	Secondary Waste Charge	(\$5,322,672)	(\$5,590,416)	(\$267,744)	(U)
\$0	\$0	\$0	(F)	Operating Grants	\$0	(\$2,250,000)	(\$2,250,000)	(U)
(\$1,235,821)	(\$1,244,439)	(\$8,618)	(U)	Interest Restricted Cash Investments	(\$2,016,098)	(\$2,133,360)	(\$117,262)	(U)
(\$45)	(\$28)	\$17	(F)	Reimbursements	(\$50)	(\$50)	\$0	(F)
(\$169,818)	(\$172,018)	(\$2,200)	(U)	Proceeds from Sale of Assets	(\$690,226)	(\$690,226)	\$0	(F)
(\$4,549,153)	(\$4,730,715)	(\$181,562)	(U)	Total Other Revenues	(\$8,029,046)	(\$10,664,052)	(\$2,635,006)	(U)
Other Expenses								
\$124,328	\$180,054	\$55,726	(F)	Salary Expenses	\$247,261	\$312,116	\$64,855	(F)
\$166,183	\$436,553	\$270,370	(F)	Contract Expenses	\$647,600	\$749,600	\$102,000	(F)
\$15,335	\$15,729	\$394	(F)	Material Expenses	\$24,456	\$27,050	\$2,594	(F)
\$1,230	\$1,862	\$632	(F)	Utility Expenses	\$2,500	\$3,200	\$700	(F)
\$680	\$1,358	\$678	(F)	Insurance Expenses	\$1,250	\$2,337	\$1,087	(F)
\$5,936	\$6,825	\$889	(F)	Depreciation Expenses	\$11,720	\$11,720	\$0	(F)
\$39,276	\$50,833	\$11,557	(F)	Miscellaneous Expenses	\$72,055	\$104,555	\$32,500	(F)
\$43,658	\$45,284	\$1,626	(F)	Carrying Amount of Assets Disposed Of	\$525,293	\$525,138	(\$155)	(U)
\$160,570	\$148,319	(\$12,251)	(U)	Costs Allocated	\$254,507	\$254,590	\$83	(F)
\$557,195	\$886,817	\$329,622	(F)	Total Other Expenses	\$1,786,642	\$1,990,306	\$203,664	(F)
Realised/Unrealised (Gain)/Loss From Change in Fair Value of Investments								
\$21,862	\$0	(\$21,862)	(U)	Unrealised (Gain)/Loss	\$21,862	\$0	(\$21,862)	(U)
(\$940,914)	\$0	\$940,914	(F)	Realised (Gain)/Loss	(\$940,914)	\$0	\$940,914	(F)
(\$919,052)	\$0	\$919,052	(F)	Total (Gain)/Loss from change in Fair Value of Investments	(\$919,052)	\$0	\$919,052	(F)
(\$4,911,010)	(\$3,843,898)	\$1,067,112	(F)	OPERATING RESULT FROM OTHER ACTIVITIES	(\$7,161,456)	(\$8,673,746)	(\$1,512,290)	(U)
Surplus	Surplus				Surplus	Surplus		
(\$9,205,713)	(\$6,744,357)	\$2,461,356	(F)	CHANGE IN NET ASSETS FROM OPERATIONS	(\$11,017,169)	(\$12,197,217)	(\$1,180,048)	(U)
Surplus	Surplus				Surplus	Surplus		



CAPITAL EXPENDITURE STATEMENT

JANUARY 2013

Year to Date						Full Year			
Actual	Budget	Variance		On Order	(F) = Favourable variation (U) = Unfavourable variation	Forecast	Budget	Variance	
Governance and Corporate Services									
\$160,433	\$299,607	\$139,174	(F)	\$204,318	Purchase Vehicles - Ascot Place (24440/00)	\$513,617	\$513,617	\$0	(F)
\$45,667	\$28,931	(\$16,736)	(U)	\$0	Purchase Furniture Fittings & Equipment - Corporate Services (24510/01)	\$49,600	\$49,600	\$0	(F)
\$12,278	\$386,011	\$373,733	(F)	\$22,508	Purchase Information Technology & Communication Equipment (24550/00)	\$645,000	\$665,600	\$20,600	(F)
\$36,364	\$11,662	(\$24,702)	(U)	\$0	Purchase Art Works (24620/00)	\$40,000	\$20,000	(\$20,000)	(U)
\$28,115	\$57,631	\$29,516	(F)	\$36,023	Capital Improvement Administration Building - Ascot Place (25240/01)	\$95,161	\$98,800	\$3,639	(F)
\$3,639	\$0	(\$3,639)	(U)	\$0	Upgrade Security Equipment - Ascot Place (25530/01)	\$3,639	\$0	(\$3,639)	(U)
\$286,495	\$783,842	\$497,347	(F)	\$262,850		\$1,347,017	\$1,347,617	\$600	(F)



CAPITAL EXPENDITURE STATEMENT

JANUARY 2013

Year to Date			On Order	(F) = Favourable variation (U) = Unfavourable variation	Full Year		
Actual	Budget	Variance			Forecast	Budget	Variance

Environmental Services

\$0	\$1,162	\$1,162	(F)	\$0	Purchase Office Equipment - Environmental Services (24510/05)	\$1,000	\$2,000	\$1,000	(F)
\$0	\$875	\$875	(F)	\$0	Purchase Office Furniture and Fittings - Environmental Services (24610/05)	\$1,000	\$1,500	\$500	(F)
\$0	\$2,037	\$2,037	(F)	\$0		\$2,000	\$3,500	\$1,500	(F)

Regional Development

\$0	\$581	\$581	(F)	\$0	Purchase Office Equipment - Regional Development (24510/04)	\$1,000	\$1,000	\$0	(F)
\$0	\$581	\$581	(F)	\$0	Purchase Office Furniture and Fittings - Regional Development (24610/04)	\$1,000	\$1,000	\$0	(F)
\$0	\$1,162	\$1,162	(F)	\$0		\$2,000	\$2,000	\$0	(F)

Risk Management

\$0	\$287	\$287	(F)	\$0	Purchase Office Equipment - Risk Management (24510/06)	\$500	\$500	\$0	(F)
\$0	\$287	\$287	(F)	\$0	Purchase Office Furniture and Fittings - Risk Management (24610/06)	\$500	\$500	\$0	(F)
\$0	\$574	\$574	(F)	\$0		\$1,000	\$1,000	\$0	(F)

Resource Recovery

\$0	\$0	\$0	(F)	\$0	Construct and Commission Resource Recovery Park - Land (24150/05)	\$0	\$30,000	\$30,000	(F)
\$0	\$0	\$0	(F)	\$0	Construct and Commission Resource Recovery Park - C & I Building (24259/04)	\$50,000	\$500,000	\$450,000	(F)



CAPITAL EXPENDITURE STATEMENT

JANUARY 2013

Year to Date					Full Year		
Actual	Budget	Variance	On Order	(F) = Favourable variation (U) = Unfavourable variation	Forecast	Budget	Variance

Resource Recovery

\$0	\$0	\$0	(F)	\$0	Construct and Commission Resource Recovery Park - Pyrolysis Building (24259/05)	\$0	\$263,000	\$263,000	(F)
\$0	\$0	\$0	(F)	\$0	Construct and Commission Resource Recovery Park - Weighbridge (24392/02)	\$0	\$150,000	\$150,000	(F)
\$22,488	\$0	(\$22,488)	(U)	\$18,890	Construct and Commission Resource Recovery Park - Infrastructure (24399/01)	\$35,000	\$636,000	\$601,000	(F)
\$0	\$0	\$0	(F)	\$0	Construct and Commission Resource Recovery Park - Plant & Equipment (24410/03)	\$0	\$2,160,000	\$2,160,000	(F)
\$0	\$1,162	\$1,162	(F)	\$0	Purchase Office Equipment - Resource Recovery (24510/07)	\$1,000	\$2,000	\$1,000	(F)
\$0	\$1,162	\$1,162	(F)	\$0	Purchase Other Equipment - Resource Recovery (24590/07)	\$500	\$2,000	\$1,500	(F)
\$281	\$2,912	\$2,631	(F)	\$1,490	Purchase Office Furniture and Fittings - Resource Recovery (24610/07)	\$2,500	\$5,000	\$2,500	(F)
\$22,769	\$5,236	(\$17,533)	(U)	\$20,380		\$89,000	\$3,748,000	\$3,659,000	(F)

Waste Management

\$6,712,713	\$6,619,015	(\$93,698)	(U)	\$0	Purchase Waste Management Land - Midland Brick (24150/02)	\$6,742,015	\$6,619,015	(\$123,000)	(U)
\$0	\$10,000	\$10,000	(F)	\$0	Purchase Waste Management Land - Hazelmere (24150/04)	\$10,000	\$10,000	\$0	(F)
\$0	\$45,000	\$45,000	(F)	\$660	Construct Waste Management Facility Buildings - Red Hill Landfill Facility (24250/01)	\$167,772	\$98,886	(\$68,886)	(U)



CAPITAL EXPENDITURE STATEMENT

JANUARY 2013

Year to Date					Full Year		
Actual	Budget	Variance	On Order	(F) = Favourable variation (U) = Unfavourable variation	Forecast	Budget	Variance

Waste Management

\$4,100	\$23,000	\$18,900	(F)	\$0	Construct Waste Management Facility Buildings - Hazelmere (24250/02)	\$78,000	\$78,000	\$0 (F)
\$0	\$0	\$0	(F)	\$0	Construct Weighbridge Office - Hazelmere (24250/03)	\$8,000	\$8,000	\$0 (F)
\$0	\$16,400	\$16,400	(F)	\$0	Construct Storage Shed for Mattresses - Hazelmere (24250/05)	\$16,400	\$16,400	\$0 (F)
\$0	\$100,000	\$100,000	(F)	\$0	Construct Mobile workshop - Red Hill Landfill Facility (24250/06)	\$100,000	\$100,000	\$0 (F)
\$300	\$20,000	\$19,700	(F)	\$0	Construct Lunchroom and Ablution Block - Red Hill Landfill Facility (24250/07)	\$20,000	\$20,000	\$0 (F)
\$0	\$0	\$0	(F)	\$0	Construct Waste Management Facility Buildings - Other - Hazelmere (24259/02)	\$5,000	\$5,000	\$0 (F)
\$12,750	\$12,750	\$0	(F)	\$0	Upgrade Power - Redhill Landfill Facility (24259/03)	\$12,750	\$12,750	\$0 (F)
\$30,161	\$323,591	\$293,430	(F)	\$3,733,499	Construct Class III Cell Farm Stage 2 - Red Hill Landfill Facility (24310/11)	\$4,144,800	\$4,144,800	\$0 (F)
\$0	\$0	\$0	(F)	\$0	Construct Class III Cell Stage 14 - Red Hill Landfill Facility (24310/12)	\$270,000	\$270,000	\$0 (F)
\$0	\$0	\$0	(F)	\$0	Construct Class III Leachate Pond - Red Hill Landfill Facility (24320/01)	\$0	\$150,000	\$150,000 (F)
\$9,344	\$0	(\$9,344)	(U)	\$531,163	Leachate Project - Red Hill Landfill Facility (24320/02)	\$546,618	\$415,000	(\$131,618) (U)
\$0	\$0	\$0	(F)	\$0	Construct Siltation Ponds - Red Hill Landfill Facility (24350/00)	\$0	\$130,000	\$130,000 (F)
\$0	\$0	\$0	(F)	\$0	Construct Stormwater Control Pond - Red Hill Farm Stage I (24350/01)	\$100,000	\$100,000	\$0 (F)



CAPITAL EXPENDITURE STATEMENT

JANUARY 2013

Year to Date						Full Year		
Actual	Budget	Variance		On Order	(F) = Favourable variation (U) = Unfavourable variation	Forecast	Budget	Variance
Waste Management								
\$0	\$0	\$0	(F)	\$0		\$60,500	\$60,500	\$0 (F)
\$0	\$233,571	\$233,571	(F)	\$0		\$485,000	\$485,000	\$0 (F)
\$9,040	\$10,000	\$960	(F)	\$33,695		\$50,000	\$500,000	\$450,000 (F)
\$0	\$100,000	\$100,000	(F)	\$0		\$100,000	\$100,000	\$0 (F)
\$0	\$50,000	\$50,000	(F)	\$0		\$50,000	\$50,000	\$0 (F)
\$0	\$0	\$0	(F)	\$0		\$175,000	\$175,000	\$0 (F)
\$117,122	\$100,000	(\$17,122)	(U)	\$45,065		\$286,175	\$286,175	\$0 (F)
\$0	\$30,000	\$30,000	(F)	\$35,386		\$48,846	\$48,846	\$0 (F)
\$0	\$0	\$0	(F)	\$0		\$120,000	\$120,000	\$0 (F)
\$0	\$0	\$0	(F)	\$0		\$70,000	\$70,000	\$0 (F)
\$0	\$0	\$0	(F)	\$0		\$30,000	\$30,000	\$0 (F)
\$1,755,755	\$1,776,500	\$20,745	(F)	\$0		\$1,776,500	\$1,776,500	\$0 (F)
\$503,217	\$715,009	\$211,792	(F)	\$105,345		\$1,503,779	\$1,503,779	\$0 (F)
\$0	\$75,000	\$75,000	(F)	\$0		\$75,000	\$75,000	\$0 (F)



CAPITAL EXPENDITURE STATEMENT

JANUARY 2013

Year to Date			Full Year		
Actual	Budget	Variance	Forecast	Budget	Variance

On (F) = Favourable variation
Order (U) = Unfavourable variation

Waste Management

\$127,050	\$133,734	\$6,684 (F)	\$0	Purchase / Replace Minor Plant and Equipment-Red Hill Landfill Facility (24420/00)	\$263,586	\$263,586	\$0 (F)
\$25,590	\$16,000	(\$9,590) (U)	\$0	Purchase / Replace Minor Plant and Equipment - Hazelmere (24420/02)	\$30,000	\$30,000	\$0 (F)
\$58,870	\$64,400	\$5,530 (F)	\$5,500	Purchase Minor Plant and Equipment - Cardboard Recycling Project (24420/03)	\$142,100	\$142,100	\$0 (F)
\$154,812	\$119,205	(\$35,607) (U)	\$0	Purchase / Replace Vehicles - Red Hill Landfill Facility (24430/00)	\$145,770	\$145,770	\$0 (F)
\$109	\$550	\$441 (F)	\$0	Purchase / Replace Office Equipment - Engineering / Waste Management (24510/02)	\$550	\$550	\$0 (F)
\$0	\$6,333	\$6,333 (F)	\$0	Purchase / Replace Office Equipment - Red Hill Landfill Facility (24510/08)	\$19,000	\$19,000	\$0 (F)
\$275,699	\$371,360	\$95,661 (F)	\$24,188	Purchase Fire Fighting System/Equipment - Hazelmere (24520/07)	\$371,360	\$371,360	\$0 (F)
\$0	\$1,000	\$1,000 (F)	\$0	Purchase / Replace Fire Fighting Equipment - Red Hill Landfill Facility (24520/08)	\$1,000	\$1,000	\$0 (F)
\$0	\$143,600	\$143,600 (F)	\$643	Purchase / Replace Security System - Red Hill Waste Management Facility (24530/08)	\$143,600	\$143,600	\$0 (F)
\$0	\$11,000	\$11,000 (F)	\$0	Purchase / Replace Security System - Hazelmere (24530/10)	\$11,000	\$11,000	\$0 (F)
\$9,736	\$167,000	\$157,264 (F)	\$0	Purchase / Replace Other Equipment - Red Hill Landfill Facility (24590/00)	\$283,150	\$283,150	\$0 (F)
\$11,066	\$2,000	(\$9,066) (U)	\$0	Purchase / Replace Miscellaneous Equipment - Hazelmere (24590/02)	\$12,000	\$2,000	(\$10,000) (U)



CAPITAL EXPENDITURE STATEMENT

JANUARY 2013

Year to Date						Full Year		
Actual	Budget	Variance		On Order	(F) = Favourable variation (U) = Unfavourable variation	Forecast	Budget	Variance
Waste Management								
\$0	\$0	\$0	(F)	\$0	Purchase/Replace Other Equipment - Engineering and Waste Management (24590/03)	\$3,000	\$3,000	\$0 (F)
\$0	\$0	\$0	(F)	\$0	Purchase Office Furniture and Fittings-Engineering and Waste Management (24610/03)	\$3,500	\$3,500	\$0 (F)
\$1,081	\$1,100	\$19	(F)	\$0	Purchase / Replace Office Furniture and Fittings - Red Hill Landfill Facility (24610/08)	\$5,768	\$5,768	\$0 (F)
\$349	\$1,500	\$1,151	(F)	\$0	Purchase Office Furniture and Fittings-Hazelmere (24610/10)	\$1,500	\$1,500	\$0 (F)
\$0	\$1,000	\$1,000	(F)	\$0	Purchase Miscellaneous Furniture and Fittings - Red Hill Education Programme (24690/01)	\$1,000	\$1,000	\$0 (F)
\$0	\$0	\$0	(F)	\$0	Refurbish Environmental Education Centre - Redhill Landfill Facility (25253/00)	\$2,000	\$2,000	\$0 (F)
\$0	\$60,000	\$60,000	(F)	\$0	Refurbish Waste Transfer Station Building - Red Hill Landfill Facility (25259/01)	\$0	\$80,000	\$80,000 (F)
\$0	\$0	\$0	(F)	\$0	Refurbish Plant - Red Hill Landfill Facility (25410/00)	\$20,000	\$20,000	\$0 (F)
\$9,818,864	\$11,359,618	\$1,540,754	(F)	\$4,515,145		\$18,512,039	\$18,988,535	\$476,496 (F)
\$10,128,127	\$12,152,469	\$2,024,342	(F)	\$4,798,374	TOTAL CAPITAL EXPENDITURE	\$19,953,056	\$24,090,652	\$4,137,596 (F)



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STATEMENT OF FINANCIAL POSITION

JANUARY 2013

Actual June 2012	Actual Year to Date	(F) = Favourable variation (U) = Unfavourable variation	Full Year		
			Forecast	Budget	Variance
Current Assets					
\$4,614,448	\$3,135,661	Cash and Cash Equivalents	\$3,706,709	\$3,688,839	\$17,870 (F)
\$43,144,608	\$44,107,302	Investments	\$41,854,766	\$38,913,852	\$2,940,914 (F)
\$2,930,193	\$4,619,308	Trade and Other Receivables	\$2,930,193	\$2,930,193	\$0 (F)
\$44,528	\$53,546	Inventories	\$44,528	\$44,528	\$0 (F)
\$108,495	\$257,657	Other Assets	\$108,495	\$108,495	\$0 (F)
\$50,842,271	\$52,173,473	Total Current Assets	\$48,644,690	\$45,685,906	\$2,958,784 (F)
Current Liabilities					
\$4,251,981	\$2,886,866	Trade and Other Payables	\$4,251,981	\$4,251,981	\$0 (F)
\$1,190,512	\$1,190,512	Provisions	\$1,206,095	\$1,206,095	\$0 (F)
\$5,442,493	\$4,077,378	Total Current Liabilities	\$5,458,076	\$5,458,076	\$0 (F)
\$45,399,778	\$48,096,095	Net Current Assets	\$43,186,614	\$40,227,830	\$2,958,784 (F)
Non Current Assets					
\$9,255,511	\$15,968,224	Land	\$16,007,526	\$15,914,526	\$93,000 (F)
\$4,870,225	\$4,832,904	Buildings	\$5,152,136	\$5,879,889	(\$727,753) (U)
\$10,102,339	\$8,722,799	Structures	\$13,968,422	\$15,328,167	(\$1,359,745) (U)
\$8,070,794	\$7,781,885	Plant	\$9,403,456	\$11,563,456	(\$2,160,000) (U)
\$538,428	\$510,417	Equipment	\$1,610,140	\$1,622,198	(\$12,058) (U)
\$148,164	\$143,123	Furniture and Fittings	\$185,984	\$168,916	\$17,068 (F)
\$412,861	\$3,436,130	Work in Progress	\$412,861	\$412,861	\$0 (F)
\$33,398,321	\$41,395,480	Total Non Current Assets	\$46,740,524	\$50,890,012	(\$4,149,488) (U)
Non Current Liabilities					
\$1,654,786	\$3,142,548	Provisions	\$1,766,656	\$1,777,312	\$10,656 (F)
\$1,654,786	\$3,142,548	Total Non Current Liabilities	\$1,766,656	\$1,777,312	\$10,656 (F)
\$77,143,313	\$86,349,027	Net Assets	\$88,160,482	\$89,340,530	(\$1,180,048) (U)
Equity					
\$32,442,815	\$32,442,816	Accumulated Surplus/Deficit	\$32,442,815	\$32,442,815	\$0 (F)
\$44,700,498	\$44,700,498	Cash Backed Reserves	\$44,700,498	\$44,700,498	\$0 (F)
\$0	\$9,205,713	Net change in assets from operations	\$11,017,169	\$12,197,217	(\$1,180,048) (U)
\$77,143,313	\$86,349,027	Total Equity	\$88,160,482	\$89,340,530	(\$1,180,048) (U)



28 CASH AND INVESTMENTS

JANUARY 2013

Actual June 2012	Actual Year to Date		Full Year		
			Forecast	Budget	Variance
Municipal Cash and Investments					
4,611,198	3,132,411	Cash at Bank - Municipal Fund 01001/00	3,703,459	3,685,589	17,870 (F)
1,250	1,250	Cash on Hand - Ascot Place 01019/00	1,250	1,250	0 (F)
200	200	Cash on Hand - Walliston/Mathieson & Coppin Road Transfer Stations 01019/01	200	200	0 (F)
1,800	1,800	Cash on Hand - Red Hill / Hazelmere 01019/02	1,800	1,800	0 (F)
1,051,499	4,625,484	Investments - Municipal Fund 02021/00	635,871	768,627	(132,755) (U)
5,665,946	7,761,145	Total Municipal Cash	4,342,580	4,457,465	(114,885) (U)
Restricted Cash and Investments					
1,211,123	1,246,653	Restricted Investments - Plant and Equipment 02022/01	107,141	107,138	3 (F)
1,697,942	1,747,753	Restricted Investments - Site Rehabilitation Red Hill 02022/02	1,889,978	1,889,977	0 (F)
2,913,350	131,636	Restricted Investments - Future Development 02022/03	280,812	199,812	81,000 (F)
526,688	542,139	Restricted Investments - Environmental Monitoring Red Hill 02022/04	551,808	551,808	0 (F)
195,912	201,659	Restricted Investments - Environmental Insurance Red Hill 02022/05	168,770	168,770	0 (F)
12,071	12,425	Restricted Investments - Risk Management 02022/06	12,649	12,649	0 (F)
362,862	373,507	Restricted Investments - Class IV Cells Red Hill 02022/07	440,104	438,690	1,414 (F)
17,913	18,439	Restricted Investments - Regional Development 02022/08	20,196	210,564	(190,368) (U)
33,522,665	31,491,192	Restricted Investments - Secondary Waste Processing 02022/09	36,103,620	34,797,053	1,306,567 (F)
3,517,865	3,621,065	Restricted Investments - Class III Cells 02022/10	1,481,582	1,612,433	(130,851) (U)
60,945	62,733	Restricted Investments - Building Refurbishment (Ascot Place) 02022/11	63,862	63,862	0 (F)
0	(46,455)	Restricted Investments - Accrued Interest 02022/19	0	0	0 (F)
(2,607,389)	(601,485)	Restricted Investments - Unrealised Loss/Gain on Investments 02022/20	(601,485)	(2,607,389)	2,005,904 (F)
661,162	680,558	Restricted Investments - Long Service Leave 02022/90	699,858	699,858	0 (F)
42,093,109	39,481,819	Total Restricted Cash	41,218,894	38,145,225	3,073,669 (F)
47,759,055	47,242,963	TOTAL CASH AND INVESTMENTS	45,561,474	42,602,690	2,958,784 (F)

The Cash at Bank - Municipal Fund represents the balance on the last day of the relevant month. Any portion of the balance available for investment is transferred into the Investment - Municipal Fund account in the following period. Funds held in the Cash at Bank - Municipal Fund continue to accrue interest as per the Westpac commercial rates.

EMRC Investment Report

January 2013

Investment Report Including CDOs

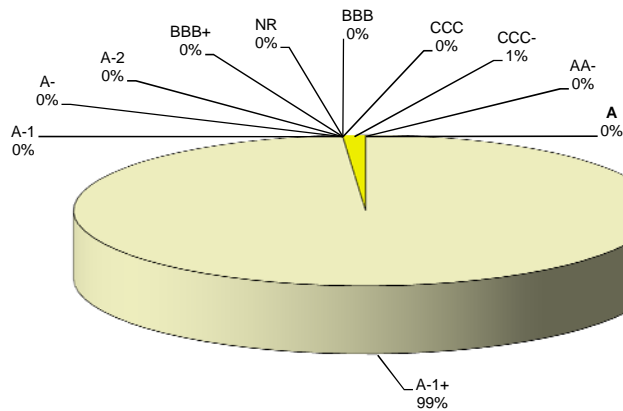
I. Overall Portfolio Limits

S&P Long Term Rating	S&P Short Term Rating	% Portfolio	Investment Maximum %	Comments
AAA	A-1+	98.64%	100%	
AA	A-1	0.00%	100%	
CCC and less		1.36%	0%	Policy Breached ¹
		<u>100.00%</u>		

Notes

1. Policy breach above relates to the Lehman Brothers CDO investment

Investment by S&P Rating

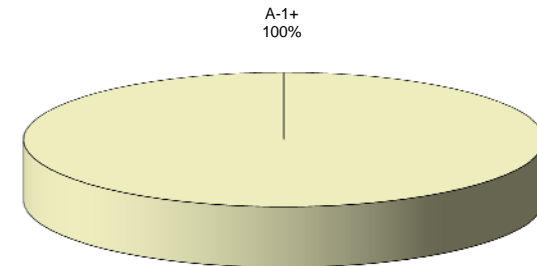


Investment Report Excluding CDOs

I. Overall Portfolio Limits

S&P Long Term Rating	S&P Short Term Rating	% Portfolio	Investment Maximum %	Comments
AAA	A-1+	100.00%	100%	
AA	A-1	0.00%	100%	
CCC and less		0.00%	0%	
		<u>100.00%</u>		

Investment by S&P Rating (excluding CDOs)



EMRC Investment Report

January 2013

Investment Report Including CDOs

II. Single Entity Exposure

	% Portfolio	Comments
ANZ Banking Group	21.54%	
Bankwest	4.54%	
Macquarie Bank	0.00%	
NAB	30.61%	
Westpac / St. George Bank	27.21%	
Lehman Brothers	1.36%	Policy breached ²

Notes

2. Policy breach above relates to the Lehman Bros CDO investment

III. Term to Maturity Framework

Maturity Profile	Investment Policy Guidelines			Comments
	% Portfolio	% Min	% Max	
Less Than 1 Year	98.73%	40.00%	100.00%	
Greater Than 3 Years	1.27%	0.00%	0.00%	Policy breached ³
	<u>100.00%</u>			

Notes

3. Policy breach above relates to the Lehman Bros CDO investment

Investment Report Excluding CDOs

II. Single Entity Exposure

	% Portfolio	Comments
ANZ Banking Group	21.84%	
Bankwest	4.60%	
Macquarie Bank	0.00%	
NAB	31.03%	
Westpac / St. George Bank	27.59%	

III. Term to Maturity Framework

Maturity Profile	Investment Policy Guidelines			Comments
	% Portfolio	% Min	% Max	
Less Than 1 Year	100.00%	40.00%	100.00%	
Greater Than 3 Years	0.00%	0.00%	0.00%	
	<u>100.00%</u>			

NB: This report is consistent with the reporting requirements of the Policy 3.3 - Management of Investments Policy



14.3 DRAFT ASSET MANAGEMENT POLICY

REFERENCE: COMMITTEES-15281

PURPOSE OF REPORT

The purpose of this report is for Council to adopt an Asset Management Policy.

KEY ISSUES AND RECOMMENDATION(S)

- As a result of changes made to the Local Government (Administration) Regulations 1996 (the Regulations) in relation to a local government's "plan for the future", local authorities, including EMRC, are required to develop and integrate asset management into their planning processes.
- The Department of Local Government has developed an Asset Management Framework (DLG Framework) in order to provide clarity and consistency in how asset management is planned for within the local government industry in Western Australia.
- The DLG Framework specifies that local authorities must develop an asset management policy, strategy and plans. In addition local authorities must also develop a process for evaluating their asset management plans as well as link asset management to the Annual Report.
- RSM Bird Cameron were appointed to assist with the development of EMRC's Asset Management Framework (AMF) based on the DLG Framework.
- The AMF has clear linkages to other EMRC strategic documents and is comprised of an Asset Management Policy, Strategic Asset Management Plan and Operational Asset Management Plan. Attachment 1 illustrates the linkages of the AMF with EMRC's Integrated Planning Framework.
- The first tier of the AMF is the draft Asset Management Policy forming Attachment 2 to this report.
- It is intended that the Policy objectives will be achieved through the development of the Strategic Asset Management Plan and Operational Asset Management Plan, and utilisation of an integrated asset management and financial management system.

Recommendation(s)

That Council adopts the draft Asset Management Policy forming Attachment 2 to this report.

SOURCE OF REPORT

Director Corporate Services
 Manager Human Resources

BACKGROUND

Under changes made to the Local Government (Administration) Regulations 1996 (the Regulations) in relation to a local government's "plan for the future", local authorities, including EMRC, are required to develop and adopt two new planning instruments, as a minimum requirement being:

- *A ten year strategic plan, and*
- *A corporate business plan.*

The new requirements came into effect on 26 August 2011. The transitional provisions clarify that full compliance with the regulations will neither be required nor enforced until 30 June 2013.

Council adopted a ten year strategic plan on 6 December 2012 (Ref: Committees-14986). At that meeting Council was informed that the regulations also require local authorities to develop and integrate asset management into their planning processes.



Item 14.3 continued

REPORT

WA Asset Management Framework

The Department of Local Government has developed an Asset Management Framework (DLG Framework) in order to provide clarity and consistency in how asset management is planned for within the local government industry in Western Australia.

The DLG Framework incorporates various frameworks including the Local Government Financial Sustainability Nationally Consistent Frameworks; Institute of Public Works Engineering Australia (IPWEA) and the WA Department of Treasury and Finance Strategic Asset Management Framework; and the Western Australian Local Government Accounting Manual (Edition 2) February 2011.

The DLG Framework aims to:

- Enhance sustainable management of local government assets and financial resources through a 'whole of life' and 'whole of organisation' approach;
- Emphasise the importance of linking robust asset management plans with rigorous long term financial and strategic planning - as part of an integrated planning approach; and
- Enable local governments to develop a process of continuous improvement in their asset management practice to match:
 - The changing service delivery needs; and
 - The increasing integration of asset management with their strategic directions.

The DLG Framework specifies that local authorities must develop an asset management policy, strategy and plans. In addition local authorities must also develop a process for evaluating their asset management plans as well as link asset management to the Annual Report.

EMRC's Strategic Asset Management Framework (AMF)

In late 2012 EMRC staff appointed RSM Bird Cameron, following a request for quote process, to assist with the development of EMRC's AMF based on the DLG Framework.

The AMF has clear linkages to other EMRC strategic documents such as the Corporate Business Plan, Long Term Financial Plan and Annual Budget and comprises:

- Asset Management Policy – establishes the platform for asset management and provides the framework that enables the Strategic Asset Management Strategy and Operational Asset Management Plan to be developed.
- Strategic Asset Management Plan – a high level strategic document which will, among other things, define service levels; link to financial plans; detail governance arrangements; and outline data and system requirements to support asset management.
- Operational Asset Management Plan – will define current levels of service and the processes used to manage each of EMRC's asset classes.
- Evaluation – this will be conducted annually (in line with the DLG Framework) to ensure the sustainable delivery of EMRC's asset portfolio, and maintain a 'whole of organisation' approach to asset management.
- Reporting – The prescribed reporting requirement is that asset management service delivery is reported annually through the annual report.

Attachment 1 illustrates the linkages of the AMF with EMRC's Integrated Planning Framework.



Item 14.3 continued

Asset Management Policy

The DLG Framework specifies that Council's role is to adopt an Asset Management Policy and ensure that appropriate resources for asset management activities are made available. The role of EMRC Administration is to develop and implement asset management plans as well as put in place effective monitoring and reporting mechanisms.

The first tier of the AMF is the draft Asset Management Policy (the Policy). The objectives of the Policy are to:

- Ensure that assets and service levels are maintained in an efficient, sustainable and cost effective manner for all member Councils through long term planning;
- Integrate asset management with other corporate planning to ensure that the impacts of changes in demands and service levels are taken into consideration;
- Assign accountability and responsibility for asset management; and
- Maintain accurate and reliable asset data to effectively inform decision-making.

It is intended that the objectives will be achieved through the development of the Strategic Asset Management Plan and Operational Asset Management Plan, and utilisation of an integrated asset management and financial management system.

The draft Asset Management Policy (Attachment 2) is tabled for Council adoption.

STRATEGIC/POLICY IMPLICATIONS

Key Result Area 4 – Good Governance

- 4.7 To continue to improve financial and asset management practices

FINANCIAL IMPLICATIONS

Funding for asset management activities will be included in long term financial plans and the annual budget.

SUSTAINABILITY IMPLICATIONS

Implementation of the Asset Management Policy will drive sustainable management of EMRC's assets and financial resources through a 'whole of life' and 'whole of organisation' approach. It will enable EMRC to develop a process of continuous improvement in asset management practices to match service delivery needs and ensure the integration of asset management is aligned with the organisation's strategic direction.

MEMBER COUNCIL IMPLICATIONS

Member Council	Implication Details
Town of Bassendean	} Nil
City of Bayswater	
City of Belmont	
Shire of Kalamunda	
Shire of Mundaring	
City of Swan	



Item 14.3 continued

ATTACHMENT(S)

1. EMRC Asset Management Framework (Ref: Committees-15300)
2. Draft Asset Management Policy (Ref: Committees-15301)

VOTING REQUIREMENT

Simple Majority

RECOMMENDATION(S)

That Council adopts the draft Asset Management Policy forming Attachment 2 to this report.

COUNCIL RESOLUTION(S)

MOVED CR PITTAWAY SECONDED CR BAILEY

THAT COUNCIL ADOPTS THE DRAFT ASSET MANAGEMENT POLICY FORMING ATTACHMENT 2 TO THIS REPORT.

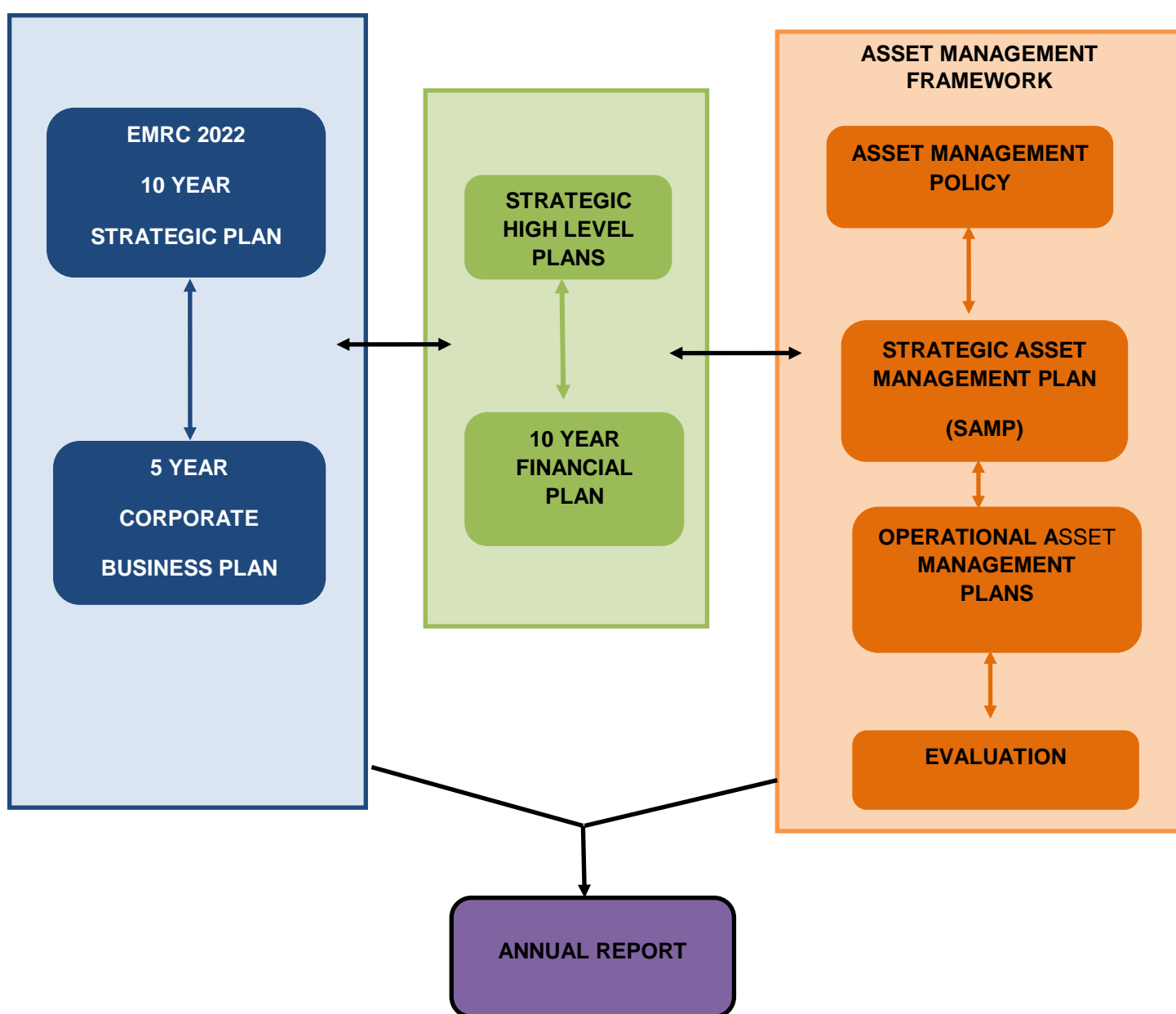
CARRIED UNANIMOUSLY



ASSET MANAGEMENT FRAMEWORK

The Asset Management Framework is an element of EMRC’s Integrated Planning Framework and has been developed to ensure that the goals within EMRC’s 10 Year Strategic Plan are met.

The Framework aims to enhance sustainable management of EMRC’s assets and financial resources through a ‘whole of life’ and ‘whole of organisation’ approach.





Asset Management Policy

STRATEGIC PLAN OBJECTIVE

GOOD GOVERNANCE

4.4 To continue to improve financial and asset management practices

PURPOSE

To establish a policy for the responsible management of EMRC controlled assets.

LEGISLATION

Local Government Act 1995

POLICY STATEMENT

EMRC recognises the role that efficient, sustainable and cost effective asset management has in underpinning the delivery of quality services, both in the present and in the future, to its member Councils.

EMRC is committed to an integrated and strategic approach to asset management that is underpinned by the following key principles:

- ensuring service delivery needs form the basis of asset management;
- informed decision-making, incorporating a life-cycle approach to asset management and risk management; and
- sustainability, providing for present needs while sustaining resources for future generations.

SCOPE

This policy covers all assets controlled by EMRC and applies to all areas of EMRC that have responsibility to manage, maintain, operate or provide a service utilising EMRC's assets.

DEFINITION

An **asset** is a resource controlled by the entity as a result of past events and from which future economic benefits are expected to flow to the entity – *Australian Accounting Standards Board*.



POLICY OBJECTIVES

The objectives of this policy are to:

- Ensure that assets and service levels are maintained in an efficient, sustainable and cost effective manner through long term planning;
- Integrate asset management with other corporate planning to ensure that the impacts of changes in demands and service levels are taken into consideration;
- Assign accountability and responsibility for asset management; and
- Maintain accurate and reliable asset data to effectively inform decision-making.

It is intended that the above policy objectives will be achieved through the following:

- The development of a 10 Year Strategic Asset Management Plan (SAMP) to support EMRC's corporate strategic and business planning;
- The development of a 5 Year Operational Asset Management Plan (OAMP) which provides detailed action plans on key initiatives to be delivered in the next 5 financial years to support the SAMP;
- Identification of existing and new asset requirements based on changes in demands and service levels as part of asset management planning;
- Establishment of clear roles and responsibilities for asset management; and
- Utilisation of an integrated asset management and financial management information system to maintain asset data.

ROLES AND RESPONSIBILITIES

Position	Roles and Responsibilities
Council	<ul style="list-style-type: none"> • Act as stewards for all assets owned by EMRC • Provides strategic direction for asset management • Endorses asset management policy and strategy • Endorses SAMP (as part of strategic planning) and OAMP (as part of budget process)
Chief Executive Officer	<ul style="list-style-type: none"> • Develops asset management policy and strategy for submission to Council • Develops SAMP for submission to Council • Develops OAMP • Develops business cases • Monitors and reports progress of SAMP and OAMP to Council as required



Position	Roles and Responsibilities
Directors	<ul style="list-style-type: none"> • Contribute towards preparation of SAMP and OAMP • Authorise asset additions and disposals in accordance with the approved OAMP • Maintain oversight over assets under their control (including usage, safeguards, risk management and insurance)
Asset Officer	<ul style="list-style-type: none"> • Maintains Asset Register and asset related records • Updates General Ledger for asset related transactions (including depreciation, write off, acquisition and disposal) • Provides assistance to business unit as required
Staff	<ul style="list-style-type: none"> • Initiate acquisition or disposal requests • Utilise assets in a responsible manner

FINANCIAL CONSIDERATIONS

The EMRC prepares its financial reports in accordance with Australian Accounting Standards as they apply to local governments, Australian Accounting Interpretations, other authoritative pronouncements of the Australian Accounting Standards Board, the Local Government Act 1995 and accompanying regulations.

The EMRC reports on the classes of assets including:

- Land;
- Buildings;
- Structures;
- Plant;
- Equipment;
- Furniture; and
- Fittings.

Provisions will be included in financial plans and annual budgets.

Adopted/Reviewed by Council

1. 21 March 2013

Next Review

Following the Ordinary Elections in 2015

Responsible Unit

Governance and Corporate Services



14.4 EMRC SUBMISSION ON LOCAL GOVERNMENT REFORM

REFERENCE: COMMITTEES-15282

PURPOSE OF REPORT

To seek Council endorsement of the EMRC's submission to the Final Report released for comment by the Metropolitan Local Government Review Panel.

KEY ISSUES AND RECOMMENDATION(S)

- The State Government has initiated reform of Western Australia's local government sector and as part of this the Minister for Local Government Hon John Castrilli MLA announced a review of Perth metropolitan government boundaries and governance structures.
- An independent Metropolitan Review Panel (the Panel) was appointed to examine the social, economic, environmental and governance challenges facing metropolitan Perth.
- The Panel released two consultation papers and the Eastern Metropolitan Regional Council (EMRC) made submissions to both of these.
- The Panel submitted its "Final Report" to the Minister for Local Government (the Minister) in June 2012, which was subsequently released by the Minister for extensive public consultation in October 2012. Public consultation closes on 5 April 2013.
- A draft Response to the Metropolitan Local Government Review Panel's Final Report has been prepared and is attached to this report for Council's consideration and endorsement.

Recommendation(s)

That Council endorse the draft "EMRC Response to the Metropolitan Local Government Review Panel's Final Report" forming the attachment to this report for submission to the Minister for Local Government by 5 April 2013.

SOURCE OF REPORT

Chief Executive Officer
 Manager Human Resources

BACKGROUND

On 24 June 2011, the Minister for Local Government Hon John Castrilli MLA announced a review of Perth metropolitan local government boundaries and governance structures.

An independent Metropolitan Review Panel (the Panel) was appointed to examine the social, economic, environmental and governance challenges facing metropolitan Perth. The Panel released an Issues Paper inviting submissions in relation to this. On 14 December 2011 EMRC Council resolved, at a Special Council meeting (Ref: Committees-13518) to:

"ENDORSE THE DRAFT POSITION PAPER FOR SUBMISSION TO THE LOCAL GOVERNMENT METROPOLITAN REVIEW PANEL BY 23 DECEMBER 2011".



Item 14.4 continued

In April 2012 the Panel released a consultation paper titled - Draft Findings, which provided an indication on the Panel's thoughts on the future of local government in metropolitan Perth. A Council workshop was organised on 10 May 2012. EMRC Councillors, Deputy Councillors, member Council Chief Executive Officers and EMRC staff attended the session. The purpose of the workshop was for EMRC Councillors to develop a potential response to the Draft Findings. On 24 May 2012 (Ref: Committees-14174) EMRC Council resolved to:

"ENDORSE THE DRAFT "EMRC COMMENTS ON DRAFT FINDINGS" FORMING THE ATTACHMENT TO THIS REPORT, SUBJECT TO THE AMENDMENT TO PAGE 6 OF THE REPORT, AS OUTLINED UNDER THE 'REVISED' HEADING ON THE TABLED EMRC "COMMENTS ON DRAFT FINDINGS" ABOVE, FOR SUBMISSION TO THE LOCAL GOVERNMENT METROPOLITAN REVIEW PANEL BY 25 MAY 2012".

REPORT

The Panel submitted its "Final Report" to the Minister for Local Government (the Minister) in June 2012, which was subsequently released by the Minister for extensive public consultation in October 2012. Public consultation closes on 5 April 2013.

The EMRC has prepared a draft "Response to the Metropolitan Local Government Review Panel's Final Report" (draft Response). The draft response has been developed to address the following two recommendations within the Final Report:

Recommendation 6: The State Government consider the management of waste treatment and disposal at a metropolitan-wide scale either be undertaken by a State authority or through a partnership with local government.

Recommendation 11: The existing Regional Local Governments in the metropolitan area be dissolved, their provisions in the Local Government Act 1995 be repealed for the metropolitan area and a transitional plan for existing bodies in the metropolitan area be developed.

The draft response is attached for Council consideration and endorsement before being submitted to the Minister for Local Government by 5 April 2013.

STRATEGIC/POLICY IMPLICATIONS

Key Result Area 4 – Good Governance

4.2 To provide advice and advocacy on issues affecting Perth's Eastern Region

FINANCIAL IMPLICATIONS

Nil

SUSTAINABILITY IMPLICATIONS

Nil



Item 14.4 continued

MEMBER COUNCIL IMPLICATIONS

Member Council	Implication Details
Town of Bassendean	} Nil
City of Bayswater	
City of Belmont	
Shire of Kalamunda	
Shire of Mundaring	
City of Swan	

ATTACHMENT(S)

Response to the Metropolitan Local Government Review Panel's Final Report (Ref: Committees-15351)

VOTING REQUIREMENT

Simple Majority

RECOMMENDATION(S)

That Council endorse the draft "EMRC Response to the Metropolitan Local Government Review Panel's Final Report" forming the attachment to this report for submission to the Minister for Local Government by 5 April 2013.

COUNCIL RESOLUTION(S)

MOVED CR PITTAWAY SECONDED CR BAILEY

THAT COUNCIL ENDORSE THE DRAFT "EMRC RESPONSE TO THE METROPOLITAN LOCAL GOVERNMENT REVIEW PANEL'S FINAL REPORT" FORMING THE ATTACHMENT TO THIS REPORT FOR SUBMISSION TO THE MINISTER FOR LOCAL GOVERNMENT BY 5 APRIL 2013.

CARRIED UNANIMOUSLY



A proud history with a bright future ➔

EMRC Response to the Metropolitan Local Government Review Panel's Final Report

Adopted unanimously by Council on
21 March 2013



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1 Executive Summary

The EMRC welcomes the opportunity to comment on the independent Metropolitan Local Government Review Panel's Final Report (June 2012). This submission – *EMRC Response to the Metropolitan Local Government Review Panel's Final Report* is a response, in particular to the following two recommendations, within the Final Report:

Recommendation 6: The State Government consider the management of waste treatment and disposal at a metropolitan-wide scale either be undertaken by a State authority or through a partnership with local government.

Recommendation 11: The existing Regional Local Governments in the metropolitan area be dissolved, their provisions in the *Local Government Act 1995* be repealed for the metropolitan area and a transitional plan for existing bodies in the metropolitan area be developed.

In addressing these recommendations the EMRC maintains its previously stated position that the State Government's role in waste management is to set out a Waste management Policy and regulate to achieve the policy outcomes. As such:

- The State Government should not undertake the “*management of waste treatment and disposal at a metropolitan wide scale*” as the State Government has neither the expertise nor a track record of managing waste. Furthermore, there would be a conflict of interest if the State Government undertook both a regulatory and operational role in waste management.
- The State Government has an important role to play as a regulatory body, regulating waste, developing policy and facilitating and funding strategic initiatives to achieve policy objectives in waste management. An independent, well-managed and well-resourced Waste Authority is needed to provide the regulatory environment for the delivery of waste management services to the community.



- The State Government has very limited experience in the delivery of waste services and local government, in partnership with the waste industry, is best placed to provide this service. Regional councils such as the EMRC, have considerable expertise and capital investment in waste management. Therefore waste management should remain at the local/regional government levels.
- In relation to Recommendation 11 and regardless of the outcomes of the local government reform process, there is a need for a regional body such as the EMRC to collaborate with local, state and federal governments, and other regional councils, to develop regional policies and strategies in alignment with State Government policies, in the delivery of strategic regional outcomes. The EMRC has a 30-year proven track record and demonstrated expertise in regional-scale waste management, economic development, transport planning and environmental management.
- The EMRC's governance model can be scaled to operate (if required) at a metropolitan wide or sub-metropolitan scale.
- Notwithstanding the future size of local government, or whether there are one, five, twelve or more local governments there will still be a need and role for a body, such as the EMRC, to take a lead role in waste management and strategic planning, and the focus would be, as it currently is, on working with local governments to deliver social, environmental and economic outcomes on a collaborative regional scale.

EMRC recommends that:

1. The State Government's role is as policy maker and regulator, not operator;
2. Waste management is best undertaken by Regional Local Government;
3. Regional Local Governments could be consolidated down from five to three;
4. Appropriate clustering / groupings of Regional Local Government members should be considered;
5. If the State Government were to centralise waste management for metropolitan Perth then EMRC would be the most logical and best placed organisation to take this on.



2 Background

In 2011, the Minister for Local Government, Hon John Castrilli, MLA initiated a review of local governments in the Perth metropolitan area. The objective of the review was aimed at identifying options for the establishment of the most effective local government structures and governance models, which would meet the future needs of metropolitan Perth. Two consultation papers were released by an independent Metropolitan Local Government Review Panel (the Panel). The Eastern Metropolitan Regional Council (EMRC) made submissions to both of these. It is to be noted, as stated within its two previous submissions, that the EMRC has not commented on matters relating to local government structures and boundaries, as these are issues for our member Councils.

Through its first submission (*The EMRC - an effective governance model*, December 2011) - EMRC demonstrated that an organisation such as the EMRC is well positioned to partner with all levels of government and take a lead role in delivering sustainable, broad scale social, economic and environmental outcomes. The key notions in support of this included the following:

- The EMRC model provides economic advantages resulting from economies of scale and resource sharing;
- The cooperative, political and executive framework of the EMRC enables advocacy on issues for the benefit of local government and to better serve the community; and
- The EMRC model is sufficiently robust and flexible enough to accommodate any new functions given to local government as part of the reform agenda, which would be best delivered on a regional basis.

Through its second submission (*Comments on Draft Findings*, May 2012) the EMRC considered and disagreed with the Panel's position that the State Government could, or should undertake waste management. The EMRC also argued that its governance model and track record clearly demonstrated the ability for an organisation such as the EMRC, to deliver long-term strategic outcomes for the community on a scale beyond the boundaries of individual local governments.



This submission – *EMRC Response to the Metropolitan Local Government Review Panel's Final Report* – has been prepared in response to the Panel's Final Report, which was submitted to the Minister for Local Government in June 2012.

3 Argument against the State Government undertaking waste management

Final Report Recommendation 6

The State Government consider the management of waste treatment and disposal at a metropolitan-wide scale either be undertaken by a State authority or through a partnership with local government.

EMRC's previously stated position is that waste management should remain at the local/regional government level and should not be a State Government responsibility¹. Recommendation 6 can best be achieved through a partnership with local and regional governments, the latter group in particular because they were formed by clusters of local governments specifically to manage waste at a regional scale. There is an opportunity to consolidate metropolitan Regional Local Governments from the existing five to three i.e. in the east, south and north of the Perth Metropolitan area - as an outcome of local government reform.

The State's proper role is to develop policy and legislation and regulation through the existing agencies charged with this responsibility, namely the Waste Authority and the Department of Environment and Conservation (DEC). The discharge of these responsibilities by both agencies has been lacking in recent times and a more focussed approach is required. The Waste Authority for example has developed several versions of a State Waste Strategy over the last twelve years. The latest version – which lacks any implementation strategy - took two years from the industry consultation phase to public release.

¹ *Comments on Draft Findings (2012)*. EMRC



If the State Government were to consider taking over “*management of waste treatment and disposal at a metropolitan wide scale*” there are a number of significant issues that would need to be taken into account.

- There would be a clear and perceived conflict of interest (with the State Government playing both a regulatory as well as an operational role). The State Government has previously resolved such conflicts by out-sourcing or commercialising enterprises through creation of a government trading enterprise created to generate profit (e.g. Synergy and the Water Corporation). Based on past experience, such an initiative would not be looked at favourably by the community. Commercial enterprises have a primary aim – to generate revenue - and this aim is not necessarily consistent with the provision of environmentally safe, low cost waste management solutions which address social and environmental outcomes. Waste management is an essential service and therefore should not be outsourced.
- EMRC is not in favour of a State Government centralised waste management model due to its poor track record in this area. For example:

1. Brookdale Waste Treatment Facility

The Brookdale non-hazardous Liquid Waste Treatment Facility (LWTF) was the first example of publicly funded private infrastructure in WA and was a failure. The facility was operated by Cleanaway Technical Services, under contract from Waste Management WA (the proponent) in Waterworks Road, off Armadale Road, Brookdale. The Brookdale LWTF operated under various environmental approvals from 1988 as a septage treatment plant and from 1990, the environmental approvals included the acceptance and treatment of non-hazardous industrial liquid waste. Amid a public outcry over the operation of the facility, Brookdale was closed in 2003.

There were issues with the design and operation of the plant and its ability to accept the range of wastes received, problems with community liaison and a community campaign which brought about its demise. A



Consultative Environmental Review (CER) was released in 2001 on possible changes to the conditions and procedures relating to the acceptance and treatment of waste outside specifications at the facility. Appeals were lodged against the EPA's Report and Recommendations on the CER in February 2002. One of the conclusions of an Appeals Report on the CER in February 2002 was:

*"Residents expressed a complete lack of trust in government handling and management of the Brookdale LWTF. The situation was exacerbated by a government institution being the proponent, particularly when Waste Management WA is closely associated with the DEP which has a regulatory role in relation to the plant and the DEP is seen to be linked with the EPA. There was concern that Waste Management WA would not be subject to the same rigour as a private operator in the environmental assessment process, and that the DEP did not adequately enforce Cleanaway's activities."*²

2. Mt Walton Intractable Waste Disposal Facility

The Mt Walton Intractable Waste Disposal Facility is another example, which although still operating, is not working as well as it could, as the contract for the site operation has been managed by various government departments (originally Waste Management WA, then DEC followed by Department of Housing and now Treasury). There has been a lack of continuity and understanding of the site purpose. There are also problems with the operational campaign mode of the site (managed disposals only every 3 years) compared to the practicalities of dealing with class V waste which needs to be disposed of on a much shorter timescale and is likely being disposed of inappropriately. This facility demonstrates the operator/regulator conflict.

3. Waste Strategy Implementation in WA

Apart from the introduction of the landfill levy, the Waste Authority has not been able to deliver on the various State Waste Strategies developed over the last ten years. This is largely because of the lack of an implementation strategy to go with the policy and waste reduction targets, as well as a

²Consultative Environmental Review Proposal to change plant processes and waste acceptance criteria at the Brookdale Liquid Waste Management Facility (2001).



lack of engagement with local government and the waste industry on such an implementation strategy. There would also appear to have been political interference by the DEC, a classic example of operator/regulator conflict.

4. Other States

The only State in Australia that has managed waste on a metropolitan wide scale was New South Wales (NSW), where under the auspices of a privatized Waste New South Wales (WSN) and then WSN Environmental, NSW ran a significant number of facilities including landfills and resource recovery facilities. In 2011, the financially troubled NSW Government sold WSN Environmental to SITA³ apart from some of the landfill legacy sites. Whilst WSN Environmental achieved some good outcomes, they did make some mistakes with the Eastern Creek facility and then again with Jack's Gully treatment facility (now decommissioned). It is believed there was a significant concern about operator/regulator conflict and a Government body competing on an uneven footing with private industry.

ZeroWaste SA in South Australia (SA) has driven the policy implementation in SA for over 10 years. As part of this ZeroWaste SA set up an ecopark, managed the container deposit system, etc. ZeroWaste SA is now being cut from the public service from 2015-16 with minimal funding support.

ACT have NOWaste. This is the territory body responsible for driving change. They have done a reasonable job in reducing waste to landfill and fostering C&D and greenwaste recycling at their landfill site but are beset by lack of funding and political influence.

- The DEC and the Waste Authority, therefore have a key role in development of policy and regulations to facilitate the achievement of the State Waste Strategy. They can't be the proponent and the regulator as was the case at Brookdale

³ SITA is a private organisation specialising in resource recovery, recycling and waste management.



Waste Treatment Plant. Even the long running annual State Waste & Recycle Conference has lost direction because the DEC and the Waste Authority manage the conference. In all other states, the equivalent conference is run by the Waste Management Association of Australia with support from the DEC's and Environmental Protection Authorities.

- The financial imposition to the State Government taking over the existing waste management assets and liabilities could far outweigh any benefit. Some of the activities that would need to occur include alignment of household collection systems (to realise the benefits of economies of scale). At the same time it will be important to maintain different service levels and variations across local government jurisdictions in line with community expectations.
- With regard to the need for post-closure management of landfills to manage leachate, landfill gas and rehabilitation of completed landfills into the future, local and regional government has a higher level of accountability and will do a better job of this than the private sector. Local and regional governments are highly responsible in this regime and have set aside cash reserves to finance the management of these facilities for a period of up to 30 years post-closure.
- A major challenge for the State Government would be to develop an appropriate valuation method to reimburse local governments at a fair market value for all existing waste infrastructure (landfill sites and alternative waste treatment facilities) owned by local government. In addition the complexities of calculating the value of landfill airspace, both existing and future capacity, adds another important dimension to the overall issue.
- The fact that the State Government, through the Waste Authority, has not to date made any significant financial contributions towards establishment of waste infrastructure required to achieve the waste reduction targets, demonstrates that the State is not committed to waste management, and not serious about its stated objective to reduce waste to landfill. The State Government has not fully appreciated the impost placed on local government. The Waste Strategy is not supported by an implementation strategy and does not provide for compensation related to required activities that local / regional governments are required to



undertake. Furthermore the State Government's Landfill Levy, imposed to fund waste-reduction initiatives, is now primarily used to offset the general expenditure of the Waste Authority and the DEC. Should the State Government take over waste management there would be the need to fund well-managed metropolitan-wide waste infrastructure. As pointed out by the Municipal Waste Advisory Council: *"...uncertainty around spending of the monies raised will only have a negative impact on the sector as a variable or unstable levy affects investment"*⁴.

The question therefore is "Where will the State Government find funding for waste management?" If it is through another levy such as the Emergency Services Levy there is the potential of community backlash at the prospect. A partnership approach with regional and local governments would avoid much of the uncertainty around local government reform. It would also clarify that the State Government's role, through the Waste Authority and DEC is to take a regulatory role and local / regional government's role is to plan waste management and resource recovery activities.

4 The continuing role of Regional Councils

Recommendation 11:

The existing Regional Local Governments in the metropolitan area be dissolved, their provisions in the *Local Government Act 1995* be repealed for the metropolitan area and a transitional plan for existing bodies in the metropolitan area be developed.

Perth's population is projected to grow rapidly and is likely to reach approximately 3.5 to 4.2 million in the next 50 years⁵. Therefore there will be the need to strategically establish waste facilities, including secondary waste treatment infrastructure across metropolitan Perth, as this is vital to responsible environmental management. The Panel has previously acknowledged that:

⁴ MWAC response to Metropolitan Local Government Review. 2011

⁵ Perth @ 3.5 Million and Beyond Discussion Paper (2011) Committee for Perth



“Despite increasing population,the proposed resource recovery target for municipal waste of 70% relies heavily on metropolitan Regional Councils providing continued investment in alternative waste technologies and increased collections⁶.

In addition the Panel has stated that Regional Local Governments and organisations of councils provide economies of scale resulting in more effective waste management⁷, and, as noted in the Final Report:

“The efficient and environmentally sound management of waste treatment and disposal is critical and there would seem to be a strong case for this to be managed at a metropolitan scale, potentially by the State Government, or a joint State/local government body”.

Further The Final Report states that it would be desirable for waste to be approached from a metropolitan perspective and:

“Given the uniformity of the service being delivered and the technical nature of emerging secondary waste treatment infrastructure, it can be argued that greater efficiency could be gained via a single Regional Council servicing the entire Perth metropolitan region.”

Therefore it can be argued that Regional Local Governments should be retained. The opportunity is for the State Government to acknowledge that wide-scale social, environmental and economic benefits have been possible due to local governments being able to leverage off the economies of scale and synergies offered through their collaboration with Regional Local Governments.

There is also the opportunity and scope for consolidation of the current five metropolitan Regional Local Governments down to three. The groupings should be based on contiguous geographic clusters, similar to the EMRC’s current membership regional boundary (refer Figure 1). The benefit of this is that it represents a compact, contiguous region, which facilitates the successful provision of regional strategies and services, regional advocacy, regional partnerships and grant submissions and administration. This option will require change and transitional arrangements to be put in place. The benefit of consolidation is also in facilitating and strengthening the role of the Forum of Regional Councils (FORC) who work together to implement waste strategies, comment and have input into State Waste policy development and have reciprocal arrangements

⁶ Metropolitan Local Government Review (2011). *Critical and Strategic Issues for Metropolitan Perth*

⁷ Metropolitan Local Government Review – Issues Paper, October 2011



for disposal in the event of facility closures and maintenance downtime etc. The change therefore will not be as radical and drastic as the notion of completely dissolving all Regional Local Governments.

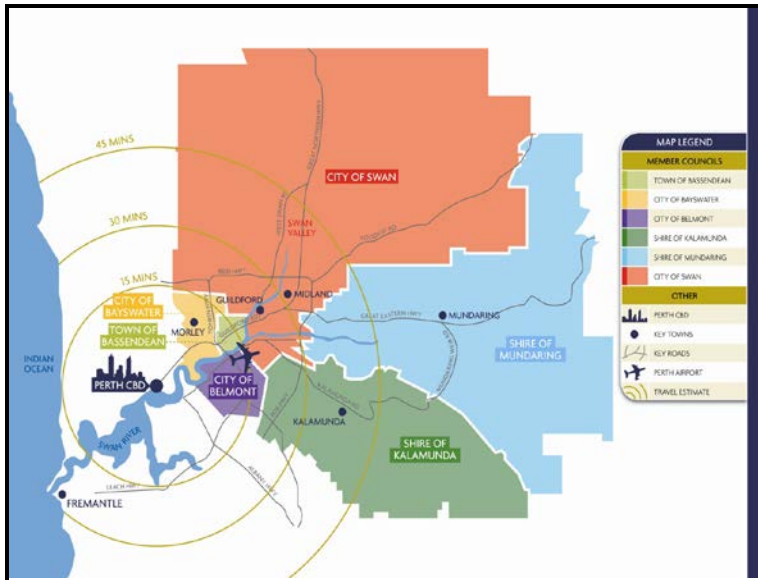


Figure 1 Eastern Metropolitan Regional Council

The EMRC governance model has been recognised and held up as best practice⁸ and it would therefore be remiss of the State Government to consider dissolving Regional Local Governments, given their success and track record. The role of a Regional Local Government such as the EMRC is to enable a focus on developing:

- A cooperative model that increases capacity yet still allows for local identity and decision making;
- A strong working relationship and integration with Local Governments on operations and decision-making;
- A robust partnership with local, state and federal governments, communities and businesses, to deliver strategic regional outcomes;
- Development of a strong revenue stream and lower costs due to services being provided at a regional level.

If the State Government decided to dissolve the existing Regional Local Governments within the Perth metropolitan area a number of matters would need to be considered:

⁸ *The Journey: Sustainability into the Future* (WALGA, 2008)
Ensuring the Future Sustainability of Communities (Department of Local Government, 2006).



- There are issues that require cooperation and support between agencies and collective solutions that can extend beyond individual local government boundaries and jurisdictions. A Regional Local Government governance framework model enables individual local governments to retain local services and identity, whilst being offered the flexibility of delivering cross boundary services by a coordinating entity. The model offers reassurance to local communities concerned with maintaining a community of interest, as local representation is maintained. The economies of scale possible as a result of these regional arrangements would be difficult to attain if Recommendation 11 was to be implemented.
- The dissolution and winding up of Regional Local Governments has significant financial and procedural implications for the division of assets and liabilities. Added to the overall complexity, as highlighted within this report, is the requirement to adequately reimburse local governments at a fair market value for all existing and committed waste infrastructure. Additionally, not all waste management and disposal is undertaken via regional councils. For example the Cities of Rockingham, Armadale and Cockburn operate their own landfills and the income generated is used to offset the wider capital and operational costs of each Council. It could therefore be argued that residents' rates would need to be increased to meet each Council's service delivery obligation towards its ratepayers, if the local Council's revenue generation from waste management was removed. The EMRC believes that waste is fundamentally part of local government's core competency, well understood and accepted by the community and best delivered at a local/regional level.
- EMRC, on behalf of its six member Councils, has invested significant research and development over the last 12 years into a proposed Resource Recovery Facility at Red Hill. A wealth of expertise and experience has been gained by the EMRC and this project is poised to proceed to tender. It will divert a significant amount of waste from landfill, produce compost and / or renewable power depending on the final technology choice and extend the life of the Red Hill Waste Management Facility well into the future.



- Functions such as transport planning, economic development, environmental management etc should be managed on a scale broader than the local level, and EMRC has proven that its model can effectively deliver strategic regional outcomes (e.g. regional integrated transport planning, natural resource management, economic development, risk management). Therefore the EMRC is well placed to undertake a metropolitan wide approach to transport planning, environmental, economic and employment strategies, as well as continue its activities in waste management.

5 Options for Consideration

“Waste management is a public service, and the provision of a quality service should be the main priority. To be able to achieve this requires local/regional government retaining control over the strategic and technical operations involved in the collection, treatment and disposal of waste. Commercial enterprises are, at the end of the day just that – commercial. Their primary aim is to generate revenue and this aim is not necessarily consistent with the provision of environmentally safe waste management solutions which address the social and behavioural targets”⁹

Given the above, the role of the State Government in relation to waste management should be to partner with organisations such as the EMRC to plan the orderly and systematic implementation of waste management facilities in metropolitan Perth; provide funding for these developments; set aside land for future waste management facilities and recognise waste management’s status as an essential service. If the State Government were to centralise waste management then the EMRC would be the most logical and best placed organisation to take this on.

Formalising the management of waste through partnership agreements between State Government and Regional Local Government may maximise service delivery outcomes as well as acknowledge the important role that local government plays in achieving social and economic goals.



As an example of this, the Tasmanian State Government has established a partnership agreement (the Agreement) with local government¹⁰ in relation to waste management. The Agreement provides for the development of an integrated and strategic approach to statewide, regional and local waste management, with both tiers of government committing to working cooperatively. The State Government's role under the Agreement is, among other things, "to provide the legislative framework for the management of the environment and waste" and local government's role includes "Developing and coordinating local and, where applicable, regional waste management policies and plans taking into account the State context".

The only way a State-based approach could work would be if the Waste Authority was separate from the DEC and staffed by appropriately trained and experienced people, with the competence to run the organisation and drive the objectives set out in the strategy.

A partnership with local government or a regional government(s) could work but it would still need the State authority to be separate from DEC and resourced appropriately (funds and people). The question to be asked however is how would this achieve anything that the existing regional councils are not already doing?

The EMRC is the only metropolitan Regional Local Government that delivers services beyond waste management. The EMRC supports the Panel's comment that there will be a need, in the future, for "regional groupings of local governments to cooperate on common issues of joint lobbying"¹¹. The EMRC would like to point out that this arrangement is already in place, and therefore it would be beneficial for structural reform to leverage off the successes of the past. EMRC's strength is in its expertise and capacity to advocate on strategic regional issues, and it has a track record for delivering on regional community outcomes that extend beyond individual local government boundaries.

⁹ Attributed to Paul Deffontaine, Vice President Communauté Urbaine de Lille, France

¹⁰ Partnership Agreement with the Government of Tasmania and the Local Government Association of Tasmania on Waste Management (2000).

¹¹ Draft Findings (2012). Metropolitan Local Government Review Panel



An option that could be considered is one that the EMRC has previously proposed¹², whereby Regional Local Governments such as the EMRC would continue to provide regional strategic planning, and deliver services and programmes. Waste management would continue to form part of the total suite of services offered by the Regional Local Government, and depending on what, new functions are transferred to local government as part of the reform agenda, EMRC would be well placed to deliver those best suited to being provided at a regional scale.

The EMRC is an acknowledged best practice operator in waste management. The EMRC operates one of Perth's largest municipal landfills – the Red Hill Waste Management Facility (Red Hill), which includes Western Australia's only Class IV contaminated waste landfill cells. With the establishment of a Resource Recovery Park being developed on EMRC freehold land at Hazelmere, the capacity to divert the recyclable components of commercial, industrial and municipal waste from landfill will increase. It will also extend the life of Red Hill beyond 50 years. With 30 years of experience in waste management the EMRC has the expertise, experience and proven track record in developing proactive responses to State Government strategies, policies and regulation and is best placed to continue to do so.

6 Recommendations

EMRC has a proud history with a bright future and can play a central role in waste management for Perth, as well as continue to partner with the federal, state and other local governments in delivering a host of regional outcomes (e.g. regional integrated transport planning, natural resource management, economic development).

Therefore in response to the Metropolitan Local Government Review Panel's Final Report (June 2012) the EMRC recommends that:

1. The State Government's role is as policy maker and regulator, not operator;
2. Waste management is best undertaken by Regional Local Government;
3. Regional Local Governments could be consolidated down from five to three;

¹² Position Paper: the EMRC – an effective governance model (2011)



4. Appropriate clustering / groupings of Regional Local Government members should be considered;
5. If the State Government were to centralise waste management for metropolitan Perth then EMRC would be the most logical and best placed organisation to take this on.



14.5 TENDER NUMBER 2012-13 PREFERRED SUPPLIER PANEL LABOUR HIRE

REFERENCE: COMMITTEES-15310

PURPOSE OF REPORT

To advise Council of the results of the tender for the Preferred Supplier Panel of Labour Hire agencies, and recommend a panel for approval.

KEY ISSUES AND RECOMMENDATION(S)

- A tender for the provision of labour hire services was advertised in the West Australian newspaper on 19 January 2013.
- The tender sought the provision of technical and tradespeople, clerical, administrative and customer service staff.
- Tenders closed on 18 February 2013. Twenty (20) submissions were received.

Recommendation(s)

That:

1. Council award Tender number 2012-13 Preferred Supplier Panel Labour Hire to the listed tenderers for the specific roles at the rates forming the attachment to this report for the period 1 April 2013 to 31 March 2016 with an option of two single year extensions.
2. The contract rates for Tender number 2012-13 be adjusted annually using the Consumer Price Index for Perth at the anniversary of the contract.
3. The Chief Executive Officer be authorised, on behalf of the Eastern Metropolitan Regional Council to enter into a contract with each of the companies listed in the attachment to this report in accordance with their submitted tender, subject to any minor variation that may be agreed to between the Chief Executive Officer and each of the companies.

SOURCE OF REPORT

Director Corporate Services
 Manager Human Resources

BACKGROUND

The EMRC often has the need for labour hire personnel to fill temporary vacancies. Vacancies may be for technical and tradespeople, or for clerical, administrative and customer service staff, and may be required at any of the sites where the EMRC has operations.

Additionally, due to staff turnover and the required amount of time to recruit, the use of labour hire personnel is required to meet the short term needs.

A new Preferred Supplier Panel (PSP) for labour is proposed to continue to provide flexibility in filling future staff vacancies and seasonal demand of EMRC's workforce.



Item 14.5 continued

REPORT

Tender 2012-13 – PSP for Labour Hire (the tender) was advertised on 19 January 2013, and twenty (20) submissions were received by the deadline of 18 February 2013. Tenders were received from:

- APMS Group;
- Chandler Macleod Group Ltd;
- Clarius Group t/a Alliance Recruitment Pty Ltd;
- Core Business Australia Pty Ltd;
- Core Staff WA Pty Ltd;
- DFP Recruitment Services Pty Ltd;
- Flexi Staff Pty Ltd;
- Green Skills Inc;
- Hays Specialist Recruitment (Australia) Pty Ltd;
- LO-GO Appointments;
- M2 Recruitment Pty Ltd;
- Michael Page International (Australia);
- Mining Maintenance Solutions Australia Pty Ltd;
- Placer Management Group;
- Programmed Group Corporate;
- RecruitWest Pty Ltd;
- Spectrum Community Outcomes Pty Ltd;
- Sure People Solutions;
- Workforce Recruitment & Labour Services Pty Ltd; and
- WorkPac.

Tenders were assessed based on the following assessment criteria:

Organisational Capabilities/Experience

Performance

Key Personnel

The price tendered was evaluated separately using a non-weighted cost method.

In order for the organisation to be able to source both white and blue collar workers, the size of the PSP is required to ensure sufficient breadth to meet EMRC's requirements for temporary labour.

The attachment provides a list of successful tenderers including their schedule of rates. The tender will be in place for a three year period - 1 April 2013 to 31 March 2016, with an option of two single year extensions.

The contract rates for the tender are to be adjusted annually using the Consumer Price Index for Perth at the anniversary of the contract.

STRATEGIC/POLICY IMPLICATIONS

Key Result Area 4 – Good Governance

- 4.6 To provide responsible and accountable governance and management of the EMRC



Item 14.5 continued

FINANCIAL IMPLICATIONS

Financial implications depend upon the number of vacancies during the year, and the difficulties experienced in filling vacated positions. The amounts are reflected in the annual budget process.

For the calendar year from 1 January 2012 to 31 December 2012, the total spend on labour hire has been in excess of \$580,000.

SUSTAINABILITY IMPLICATIONS

Nil

MEMBER COUNCIL IMPLICATIONS

Member Council	Implication Details
Town of Bassendean	} Nil
City of Bayswater	
City of Belmont	
Shire of Kalamunda	
Shire of Mundaring	
City of Swan	

ATTACHMENT(S)

Pricing Schedule – Preferred Supplier Panel for Labour Hire (Ref: Committees-15392)

VOTING REQUIREMENT

Simple Majority

RECOMMENDATION(S)

That:

1. Council award Tender number 2012-13 Preferred Supplier Panel Labour Hire to the listed tenderers for the specific roles at the rates forming the attachment to this report for the period 1 April 2013 to 31 March 2016 with an option of two single year extensions.
2. The contract rates for Tender number 2012-13 be adjusted annually using the Consumer Price Index for Perth at the anniversary of the contract.
3. The Chief Executive Officer be authorised, on behalf of the Eastern Metropolitan Regional Council to enter into a contract with each of the companies listed in the attachment to this report in accordance with their submitted tender, subject to any minor variation that may be agreed to between the Chief Executive Officer and each of the companies.



Item 14.5 continued

COUNCIL RESOLUTION(S)

MOVED CR PITTAWAY SECONDED CR BAILEY

THAT:

1. COUNCIL AWARD TENDER NUMBER 2012-13 PREFERRED SUPPLIER PANEL LABOUR HIRE TO THE LISTED TENDERERS FOR THE SPECIFIC ROLES AT THE RATES FORMING THE ATTACHMENT TO THIS REPORT FOR THE PERIOD 1 APRIL 2013 TO 31 MARCH 2016 WITH AN OPTION OF TWO SINGLE YEAR EXTENSIONS.
2. THE CONTRACT RATES FOR TENDER NUMBER 2012-13 BE ADJUSTED ANNUALLY USING THE CONSUMER PRICE INDEX FOR PERTH AT THE ANNIVERSARY OF THE CONTRACT.
3. THE CHIEF EXECUTIVE OFFICER BE AUTHORISED, ON BEHALF OF THE EASTERN METROPOLITAN REGIONAL COUNCIL TO ENTER INTO A CONTRACT WITH EACH OF THE COMPANIES LISTED IN THE ATTACHMENT TO THIS REPORT IN ACCORDANCE WITH THEIR SUBMITTED TENDER, SUBJECT TO ANY MINOR VARIATION THAT MAY BE AGREED TO BETWEEN THE CHIEF EXECUTIVE OFFICER AND EACH OF THE COMPANIES.

CARRIED UNANIMOUSLY



Tender 2012-13

Pricing Schedule

Preferred Supplier Panel

for

Labour Hire

Tender No 2012-13 – Preferred Supplier Panel for Labour Hire

1. Core Staff WA Pty Ltd

Description	Total Charge out Rates Ranges (\$)	
	From (ex GST)	To (ex GST)
Category 1 – Technical and Tradespeople:		
Plant Operators	\$28.48	\$33.48
Truck Drivers	\$28.75	\$33.48
Labourers	\$26.36	\$31.36
Trades Assistants	\$26.36	\$31.36
Transfer Station Attendants	\$26.36	\$31.36
Category 2 – Clerical and Administrative:		
Accounts Officers (both debtors & creditors)	\$26.36	\$31.36
Receptionists	\$26.36	\$31.36
Function Assistants	\$26.36	\$31.36
Records Officers	\$26.36	\$31.36
Procurement Officers	\$26.36	\$31.36
Weighbridge / Administration Officers	\$26.36	\$31.36
Gatehouse Operators	\$26.36	\$31.36

Tender No 2012-13 – Preferred Supplier Panel for Labour Hire

2. Chandler Macleod Group Ltd

Description	Total Charge out Rates Ranges (\$)	
	From (ex GST)	To (ex GST)
Category 1 – Technical and Tradespeople:		
Plant Operators	\$34.49	\$41.38
Truck Drivers	\$34.49	\$41.38
Labourers	\$30.35	\$33.11
Trades Assistants	\$33.11	\$36.56
Transfer Station Attendants	\$31.73	\$36.56
Category 2 – Clerical and Administrative:		
Accounts Officers (both debtors & creditors)	\$38.62	\$41.38
Receptionists	\$31.73	\$34.49
Function Assistants	\$27.59	\$31.73
Records Officers	\$36.56	\$40.00
Procurement Officers	\$40.00	\$45.52
Weighbridge / Administration Officers	\$33.11	\$36.56
Gatehouse Operators	\$33.11	\$36.56

Tender No 2012-13 – Preferred Supplier Panel for Labour Hire

3. Clarius Group t/a Alliance Recruitment Pty Ltd

Description	Total Charge out Rates Ranges (\$)	
	From (ex GST)	To (ex GST)
Category 1 – Technical and Tradespeople:		
Plant Operators	N/A	N/A
Truck Drivers	N/A	N/A
Labourers	N/A	N/A
Trades Assistants	N/A	N/A
Transfer Station Attendants	N/A	N/A
Category 2 – Clerical and Administrative:		
Accounts officers (both debtors & creditors)	\$39.00	\$49.00
Receptionists	\$26.00	\$38.00
Function Assistants	\$34.00	\$39.00
Records Officers	\$35.00	\$42.00
Procurement Officers	\$42.00	\$49.00
Weighbridge / Administration Officers	\$35.00	\$46.00
Gatehouse Operators	\$35.00	\$46.00
Clerical Officers *	\$31.00	\$42.00
HR/Payroll	\$42.00	\$49.00
Accountants/Finance Officers	\$56.00	\$70.00
Environmental/Urban/Town Planners etc	\$56.00	\$84.00
Other Professionals/Engineers etc	\$70.00	\$140.00

* Supplied additional to requests

EMRC-157094 – Tender – EMRC – 2012-13 – Preferred Supplier Panel – Successful Tenderers Schedule of Rates – March 2013

Tender No 2012-13 – Preferred Supplier Panel for Labour Hire

4. WorkPac Group Pty Ltd

Description	Total Charge out Rates Ranges (\$)	
	From (ex GST)	To (ex GST)
Category 1 – Technical and Tradespeople:		
Plant Operators	\$40.41	\$49.63
Truck Drivers	\$40.41	\$40.41
Labourers	\$34.03	\$34.03
Trades Assistants	\$36.87	\$36.87
Transfer Station Attendants	\$36.87	\$36.87
General Trades	\$56.72	\$63.81
Gardener	\$34.03	\$34.03
Cleaner	\$34.03	\$34.03
Category 2 – Clerical and Administrative:		
Accounts Officers (both debtors & creditors)	\$35.45	\$42.54
Receptionists	\$31.20	\$35.45
Function Assistants	\$31.20	\$35.45
Records Officers	\$35.45	\$49.63
Procurement Officers	\$49.63	\$63.81
Weighbridge / Administration Officers	\$32.61	\$38.29
Gatehouse Operators	\$32.61	\$38.29

Tender No 2012-13 – Preferred Supplier Panel for Labour Hire

5. Workforce Recruitment & Labour Service Pty Ltd

Description	Total Charge out Rates Ranges (\$)	
	From (ex GST)	To (ex GST)
Category 1 – Technical and Tradespeople:		
Plant Operators	\$35.00	\$45.00
Truck Drivers	\$33.00	\$40.00
Labourers	\$30.00	\$35.00
Trades Assistants	\$35.00	\$42.00
Transfer Station Attendants	\$31.00	\$37.00
Category 2 – Clerical and Administrative:		
Accounts Officers (both debtors & creditors)	\$35.00	\$40.00
Receptionists	\$31.00	\$35.00
Function Assistants	\$32.00	\$38.00
Records Officers	\$32.00	\$38.00
Procurement Officers	\$38.00	\$46.00
Weighbridge / Administration Officers	\$33.00	\$38.00

6. Spectrum Community Outcomes Pty Ltd

Description	Total Charge out Rates Ranges (\$)	
	From (ex GST)	To (ex GST)
Category 1 – Technical and Tradespeople:		
Plant Operators	\$34.16	\$36.78
Truck Drivers	\$32.42	\$34.40
Labourers	\$29.81	\$31.34
Trades Assistants	\$35.73	\$37.21
Transfer Station Attendants	\$30.90	\$33.08
Diesel Mechanic*	\$43.14	\$45.76
Electrician, Plumber, Carpenter	\$45.83	\$47.91
Category 2 – Clerical and Administrative:		
Accounts Officers (both debtors & creditors)	\$33.51	\$36.05
Receptionists	\$31.60	\$32.66
Function Assistants	\$31.60	\$32.66
Records Officers	\$33.51	\$36.05
Procurement Officers	\$36.05	\$38.17
Weighbridge / Administration Officers	\$33.51	\$36.05
Gatehouse Operators	\$33.51	\$36.05
Customer Service *	\$33.51	\$36.05

* Supplied additional to requests

EMRC-157094 – Tender – EMRC – 2012-13 – Preferred Supplier Panel – Successful Tenderers Schedule of Rates – March 2013

7. RecruitWest Pty Ltd

Description	Total Charge out Rates Ranges (\$)	
	From (ex GST)	To (ex GST)
Category 1 – Technical and Tradespeople:		
Plant Operators	\$32.16	\$37.52
Truck Drivers	\$30.28	\$36.18
Labourer	\$28.41	\$30.82
Trades Assistant	\$29.48	\$33.50
Store Person *	\$29.48	\$33.50
Cleaner	\$28.41	\$30.82
Gardener	\$29.48	\$33.50
General Trades	\$40.20	\$46.90
Category 2 – Clerical and Administrative:		
Accounts Officers (both debtors & creditors)	\$30.82	\$34.84
Receptionists	\$26.80	\$29.48
Function Assistants	\$26.80	\$29.48
Records Officers	\$29.48	\$33.50
Procurement Officers	\$32.16	\$34.84
Weighbridge / Administration Officers	\$26.80	\$29.48
Gatehouse Operators	\$29.48	\$33.50

‡ * Supplied additional to requests

8. Programmed Integrated Workforce Limited

Description	Total Charge out Rates Ranges (\$)	
	From (ex GST)	To (ex GST)
Category 1 – Technical and Tradespeople:		
Plant Operators	\$33.90	\$42.50
Truck Drivers	\$32.35	\$41.05
Labourers	\$28.30	\$35.40
Trades Assistants	\$31.15	\$39.65
Transfer Station Attendants	\$33.90	\$40.35
Category 2 – Clerical and Administrative:		
Accounts Officers (both debtors & creditors)	\$37.20	\$48.25
Receptionists	\$33.05	\$38.60
Function Assistants	\$33.05	\$38.60
Records Officers	\$35.80	\$44.10
Procurement Officers	\$41.35	\$57.90
Weighbridge / Administration Officers	\$33.05	\$41.35
Gatehouse Operators	\$33.05	\$41.35

Tender No 2012-13 – Preferred Supplier Panel for Labour Hire

9. Michael Page International (Australia) Pty Ltd

Description	Total Charge out Rates Ranges (\$)	
	From (ex GST)	To (ex GST)
Category 1 – Technical and Tradespeople:		
Plant Operators	N/A	N/A
Truck Drivers	N/A	N/A
Labourers	N/A	N/A
Trades Assistants	N/A	N/A
Transfer Station Attendants	N/A	N/A
Category 2 – Clerical and Administrative:		
Accounts Officers (both debtors & creditors)	\$38.26	\$40.99
Receptionists	\$31.43	\$34.16
Function Assistants	\$32.79	\$35.52
Records Officers	\$32.79	\$35.52
Procurement Officers	\$47.82	\$61.48
Weighbridge / Administration Officers	\$34.16	\$36.89
Gatehouse Operators	N/A	N/A

Tender No 2012-13 – Preferred Supplier Panel for Labour Hire

10. Lo-Go Appointments

Description	Total Charge out Rates Ranges (\$)	
	From (ex GST)	To (ex GST)
Category 1 – Technical and Tradespeople:		
Plant Operators	\$40.77	\$44.99
Truck Drivers	\$39.37	\$42.18
Labourers	\$35.15	\$37.96
Trades Assistants	\$33.74	\$37.96
Transfer Station Attendants	\$33.74	\$37.96
Category 2 – Clerical and Administrative:		
Accounts Officers (both debtors & creditors)	\$36.56	\$42.02
Receptionists	\$33.74	\$37.96
Function Assistants	\$32.34	\$35.15
Records Officers	\$35.15	\$40.77
Procurement Officers	\$35.15	\$40.77
Weighbridge / Administration Officers	\$33.67	\$37.96
Gatehouse Operators	\$33.74	\$37.96

11. Hays Specialist Recruitment Australia Pty Ltd

Description	Total Charge out Rates Ranges (\$)	
	From (ex GST)	To (ex GST)
Category 1 – Technical and Tradespeople:		
Plant Operators	\$34.75	\$38.44
Truck Drivers	\$33.52	\$37.21
Labourers	\$31.12	\$34.75
Trades Assistants	\$33.52	\$37.21
Transfer Station Attendants	\$33.52	\$37.21
Mechanics / Trades *	\$42.13	\$49.51
Leading Hand (gardening / labouring)	\$35.98	\$39.67
Other	\$33.52	\$38.44
Category 2 – Clerical and Administrative:		
Accounts Officers (both debtors & creditors)	\$37.50	\$42.50
Receptionists	\$33.48	\$38.25
Function Assistants	\$33.48	\$38.25
Records Officers	\$33.48	\$41.09
Procurement Officers	\$39.06	\$41.85
Weighbridge / Administration Officers	\$33.48	\$38.25
Gatehouse Operators	\$33.48	\$38.25
Secretaries *	\$36.52	\$45.65
Clerical Officers	\$33.48	\$38.25
Financial Accountants	\$60.00	\$70.00
Management Accountants	\$58.00	\$68.50
Business Analysts	\$60.00	\$70.00
Finance Manager	\$65.00	\$77.50

* Supplied additional to requests

EMRC-157094 – Tender – EMRC – 2012-13 – Preferred Supplier Panel – Successful Tenderers Schedule of Rates – March 2013

12. Flexi Staff Pty Ltd

Description	Total Charge out Rates Ranges (\$)	
	From (ex GST)	To (ex GST)
Category 1 – Technical and Tradespeople:		
Plant Operators	\$32.84	\$37.09
Truck Drivers	\$32.84	\$37.09
Labourers	\$31.40	\$32.84
Trades Assistants	\$32.84	\$37.09
Transfer Station Attendants	\$31.40	\$32.43
Category 2 – Clerical and Administrative:		
Accounts Officers (both debtors & creditors)	\$32.84	\$34.62
Receptionists	\$32.43	\$34.62
Function Assistants	\$32.43	\$34.62
Records Officers	\$32.43	\$34.62
Procurement Officers	\$32.84	\$37.09
Weighbridge / Administration Officers	\$32.43	\$34.62
Gatehouse Operators	\$32.43	\$34.62



14.6 MAKING OF EMRC STANDING ORDERS LOCAL LAW 2013

REFERENCE: COMMITTEES-15391

PURPOSE OF REPORT

To seek Council approval to make EMRC Standing Orders Local Law 2013 (Standing Orders) as a result of the review of the existing 1998 Standing Orders as per the requirement of the Local Government Act 1995.

KEY ISSUES AND RECOMMENDATION(S)

- Local laws are required to be reviewed within a period of eight (8) years from the day they commenced.
- Following a review of the existing 1998 Standing Orders, it was recommended that they be repealed and a new local law be adopted.
- To facilitate this, the statutory process per section 3.12 of the Local Government Act 1995 is to be followed.

Recommendation(s)

That:

1. Council, by absolute majority in accordance with section 3.12 of the Local Government Act 1995, make the EMRC Standing Orders Local Law 2013.
2. Local public notice of the gazetted EMRC Standing Orders Local Law 2013 be given.
3. EMRC Standing Orders Local Law 2013 be sent to the Joint Standing Committee on Delegated Legislation within 10 working days of their gazettal in the *Government Gazette*.

SOURCE OF REPORT

Chief Executive Officer
Manager Administration & Compliance

BACKGROUND

The Local Government Act 1995 (the Act) Section 3.16 'Periodic review of local laws' states:

"(1) Within a period of 8 years from the day when a local law commenced or a report of a review of the local law was accepted under this section, as the case requires, a local government is to carry out a review of the local law to determine whether or not it considers that it should be repealed or amended."

Under the powers conferred by the Act, the EMRC Council resolved on 29 April 1999 (Ref: Committees-939) to adopt the Model Local Law (Standing Orders) 1998 which was published in the Government Gazette on 3 April 1998. EMRC made some modifications and the Eastern Metropolitan Regional Council Standing Orders Local Law 1998 was gazetted on Monday 20 September 1999.

S 3.16 of the Act stipulates the review process which incorporates the following:

- S. 3.16 (2) (a) giving Statewide public notice that the Local Government proposes to review the local law
- S. 3.16 (2) (b) permitting copies of the local law to be inspected or obtained
- S. 3.16 (2) (c) allowing 6 weeks from printing of public notice for submissions to be made
- S. 3.16 (2a) notice to be published and exhibited as though it were a local public notice
- S. 3.16 (3) Local Government to consider any public submissions and prepare a report of the review for Council consideration
- S. 3.16 (4) Any determination to repeal or amend the local law to be made by absolute majority



Item 14.6 continued

At the Ordinary Meeting of Council 24 May 2012 (Ref: Committees-14092), it was resolved:

“THAT COUNCIL COMMENCE A REVIEW OF THE ‘EASTERN METROPOLITAN REGIONAL COUNCIL STANDING ORDERS LOCAL LAW 1998’ UNDER SECTION 3.16 OF THE LOCAL GOVERNMENT ACT 1995.”

On Tuesday 25 October 2012 (Ref: Committees-14903), EMRC held a Council Strategy/Briefing Session at which McLeod’s Solicitors provided an overview of revised standing orders which they had drafted.

An advertisement was placed in the West Australian newspaper informing members of the public of a review of the EMRC Standing Orders Local Law 1998 to determine whether it should be repealed or amended. The information was available for public comment for a period of 21 days (30 May 2012 to 12 July 2012). By the closing date, the EMRC had not received any public submissions.

An initial review of Standing Orders by EMRC’s legal representative noted that the current structure was sound and only minor amendments would have been required to ensure consistency with current provisions of the Local Government Act 1995 and regulations and the requirements of the Joint Standing Committee on Delegated Legislation. However, due to the eventual changes required to update the Standing Orders to current standards, McLeod’s advised that the EMRC could either:

1. Table a revision to the EMRC Standing Orders Local Law 1998; or
2. Repeal the existing version and table a new local law (EMRC Standing Orders Local Law 2013).

At the Ordinary Meeting of Council 6 December 2012 (Ref: Committees-15027), it was resolved:

“THAT

1. *COUNCIL, BY ABSOLUTE MAJORITY IN ACCORDANCE WITH SECTION 3.16 OF THE LOCAL GOVERNMENT ACT 1995, REPEAL THE EMRC STANDING ORDERS LOCAL LAW 1998.*
2. *LOCAL PUBLIC NOTICE OF THE MAKING OF THE EMRC STANDING ORDERS LOCAL LAW 2013 BE GIVEN.”*

REPORT

The proposed new local law was advertised in accordance with S3.12 of the Local Government Act and state wide public notice was given in The West Australian Saturday 15 December 2012. The 42 day comment period closed on January 29 2013 and no submissions were received.

The Department of Local Government Senior Legislation Officer has reviewed the Standing Orders making sure that the Local Law is in line with the requirements of the Joint Standing Committee on Delegated Legislation and provided feedback; minor changes have been incorporated into the Standing Orders.

After the local law has been published in the *Government Gazette* the local government is to give local public notice.

Once the Council has published a local law in the *Government Gazette*, EMRC must comply with the requirements of the Minister’s *Local Laws Explanatory Memoranda Directions 2010*. The Council, within ten working days of the gazettal publication date, needs to forward the required signed Explanatory Memoranda material to the Joint Standing Committee.



Item 14.6 continued

STRATEGIC/POLICY IMPLICATIONS

Key Result Area 4 – Good Governance

4.6 To provide responsible and accountable governance and management of the EMRC

FINANCIAL IMPLICATIONS

Nil

SUSTAINABILITY IMPLICATIONS

Nil

MEMBER COUNCIL IMPLICATIONS

Member Council	Implication Details
Town of Bassendean	} Nil
City of Bayswater	
City of Belmont	
Shire of Kalamunda	
Shire of Mundaring	
City of Swan	

ATTACHMENT(S)

EMRC Standing Orders Local Law 2013 (Ref: Committees-15397)

VOTING REQUIREMENT

Absolute Majority

RECOMMENDATION(S)

That:

1. Council, by absolute majority in accordance with section 3.12 of the Local Government Act 1995, make the EMRC Standing Orders Local Law 2013.
2. Local public notice of the gazetted EMRC Standing Orders Local Law 2013 be given.
3. EMRC Standing Orders Local Law 2013 be sent to the Joint Standing Committee on Delegated Legislation within 10 working days of their gazettal in the *Government Gazette*.



Item 14.6 continued

COUNCIL RESOLUTION(S)

MOVED CR FÄRDIG

SECONDED CR PULE

THAT:

1. COUNCIL, BY ABSOLUTE MAJORITY IN ACCORDANCE WITH SECTION 3.12 OF THE LOCAL GOVERNMENT ACT 1995, MAKE THE EMRC STANDING ORDERS LOCAL LAW 2013.
2. LOCAL PUBLIC NOTICE OF THE GAZETTED EMRC STANDING ORDERS LOCAL LAW 2013 BE GIVEN.
3. EMRC STANDING ORDERS LOCAL LAW 2013 BE SENT TO THE JOINT STANDING COMMITTEE ON DELEGATED LEGISLATION WITHIN 10 WORKING DAYS OF THEIR GAZETTAL IN THE GOVERNMENT GAZETTE.

CARRIED BY AN ABSOLUTE MAJORITY 11/0



Standing Orders Local Law 2013



**For members of Council,
members of Committees
and employees**



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Local Government Act 1995

Eastern Metropolitan Regional Council

Standing Orders Local Law 2013

Under the powers conferred by the *Local Government Act 1995* and all other enabling powers, the Council of the Eastern Metropolitan Regional Council resolved on [add date] to make the following local law.

Part 1 - Preliminary

1.1 Short title

- (1) This is the *Eastern Metropolitan Regional Council Standing Orders Local Law 2013*.
- (2) In the clauses that follow, this local law is referred to as “these Standing Orders”.

1.2 Commencement

This local law commences 14 days after it is published in the *Government Gazette*.

1.3 Application and intent

- (1) These Standing Orders contain the rules that apply to the conduct of meetings of the Council and its committees.
- (2) All meetings are to be conducted in accordance with the Act, the Regulations and this local law.
- (3) These Standing Orders are intended to result in –
 - (a) better decision making by the Council and its committees;
 - (b) the orderly conduct of meetings;
 - (c) better understanding of the process of conducting meetings; and
 - (d) more efficient and effective use of time at meetings.

1.4 Defined terms

In these Standing Orders unless the context otherwise requires -

absolute majority has the meaning given to it in the Act;



Act means the *Local Government Act 1995*;

CEO means the Chief Executive Officer or Acting Chief Executive Officer for the time being of the EMRC;

Chairman means the Chairman of the EMRC elected under clause 7.3 of the Establishment Agreement;

Code of Conduct means the EMRC's Code of Conduct;

committee means a committee of the Council established under section 5.8 of the Act;

Council means the Council of the EMRC;

Deputy Chairman means the Deputy Chairman of the EMRC elected under clause 7.3 of the Establishment Agreement;

deputy member means a member of the council of a Participant appointed by the Participant under clause 7.1 (5) of the Establishment Agreement to act temporarily in place of a member appointed by that Participant;

employee has the same meaning as is given to it in the Act;

EMRC means the Eastern Metropolitan Regional Council;

Establishment Agreement means the establishment agreement entered into by the Participants in or about June 1998;

meeting means a meeting of the Council, or a meeting of a committee, as the context requires;

member means a member of the council of a Participant appointed by the Participant under clause 7.1 of the Establishment Agreement to be a member of the Council;

Participant means a party to the Establishment Agreement;

presiding member means -

- (a) in respect of the Council, the Chairman or other person presiding under section 5.6 of the Act (see clause 3.1); and
- (b) in respect of a committee, the person presiding under sections 5.12, 5.13 and 5.14 of the Act (see clauses 3.4 and 3.5);

Regulations means the *Local Government (Administration) Regulations 1996*;

Rules of Conduct Regulations means the *Local Government (Rules of Conduct) Regulations 2007*;

simple majority means more than 50% of the members present and voting;



special majority has the meaning given to it in the Act; and

substantive motion means an original motion, or an original motion as amended, but does not include an amendment motion or a procedural motion.

1.5 Interpretation

Unless otherwise defined, the terms used in these Standing Orders have the meaning given to them in the Act and Regulations.

1.6 Deputy member

- (1) If a member is unable to attend a meeting or part of a meeting, a deputy member may attend in place of that member provided that –
 - (a) the deputy member has been appointed by the Participant which appointed the absent member.
 - (b) the deputy member has made a declaration in the prescribed form (under section 2.29 of the Act) before acting in the office.
- (2) While attending a meeting in place of a member, a deputy member has all the powers of that member.

1.7 Repeal

The *Eastern Metropolitan Regional Council Standing Orders Local Law 1998*, published in the *Government Gazette* on 20 September 1999, is repealed.

Part 2 - Meetings of the Council and committees

2.1 Ordinary and special Council meetings

- (1) Ordinary and special Council meetings are dealt with in the Act.
- (2) An ordinary meeting of the Council, held on a monthly basis or otherwise as determined by the Council, is for the purpose of considering and dealing with the ordinary business of the Council.
- (3) A special meeting of the Council is held for the purpose of considering and dealing with Council business that is urgent, complex in nature, for a particular purpose or confidential.

2.2 Calling Council meetings

The calling of Council meetings is dealt with in the Act.

2.3 Convening Council meetings

- (1) The convening of a Council meeting is dealt with in the Act.



- (2) Subject to subclause (3), the CEO is to give at least 48 hours' notice, for the purposes of section 5.5 of the Act, in convening a special meeting of the Council.
- (3) Where, in the opinion of the Chairman or at least 1/3 of the members, there is a need to meet urgently, the CEO may give a lesser period of notice of a special Council meeting

2.4 Calling committee meetings

A meeting of a committee is to be held –

- (a) if called for in a verbal or written request to the CEO by the Chairman or by the presiding member of the committee, setting out the date and purpose of the proposed meeting;
- (b) if called for by at least 1/3 of the members of the committee in a notice to the CEO, setting out the date and purpose of the proposed meeting;
- (c) if called for by the CEO; or
- (d) in accordance with a decision of the Council or the committee.

2.5 Public notice of meetings

Public notice of meetings is dealt with in the Regulations.

2.6 Minor irregularity

The legal effect of a minor irregularity on the validity of a meeting is dealt with in the *Interpretation Act 1984*.

Part 3 - Presiding member and quorum

3.1 Who presides

Who presides at a Council meeting is dealt with in the Act.

3.2 When the Deputy Chairman can act

When the Deputy Chairman can act is dealt with in the Act.

3.3 Who acts if no Chairman or Deputy Chairman

Who acts if there is no Chairman is dealt with in the Act.

3.4 Election of presiding members of committees

The election of presiding members of committees is dealt with in the Act



3.5 Election of deputy presiding members of committees

The election of deputy presiding members of committees is dealt with in the Act

3.6 Functions of deputy presiding members

The functions of deputy presiding members are dealt with in the Act.

3.7 Who acts if no presiding member

Who acts if no presiding member is dealt with in the Act

3.8 Quorum for meetings

The quorum for meetings is dealt with in the Act.

3.9 Attendance by means of instantaneous communication

The circumstances in which a person who is not physically present at a meeting of the Council or a committee is taken to be present at the meeting are dealt with in the Regulations.

3.10 Reduction of quorum for Council meetings

The power of the Minister to reduce the number for a quorum and certain majorities is dealt with in the Act.

3.11 Reduction of quorum for committee meetings

The reduction of a quorum for committee meetings is dealt with in the Act.

3.12 Procedure where no quorum to begin a meeting

The procedure where there is no quorum to begin a meeting is dealt with in the Regulations.

3.13 Procedure where quorum not present during a meeting

If at any time during a meeting a quorum is not present –

- (a) the Chairman or presiding member is immediately to suspend the proceedings of the meeting for a period of up to 15 minutes;
- (b) if a quorum is not present at the expiry of the suspension period under subclause (a), the Chairman or presiding member may either adjourn the meeting to some future time or date or may extend the extension period for a further period of 30 minutes; and
- (c) if a quorum is not present at the expiry of the extended period of suspension under subclause (b), the Chairman or presiding member is to adjourn the meeting to a later time on the same day or to another day.



3.14 Names to be recorded

At any meeting –

- (a) at which there is not a quorum present to begin the meeting; or
- (b) which is adjourned under clause 3.13,

the names of the members then present are to be recorded in the minutes.

Part 4 - Business of a meeting

4.1 Business to be specified

- (1) No business is to be transacted at any ordinary meeting of the Council other than that specified in the agenda, without the approval of the presiding member or a decision of the Council.
- (2) No business is to be transacted at a special meeting of the Council other than that given in the notice as the purpose of the meeting.
- (3) No business is to be transacted at a committee meeting other than that specified in the agenda, or given in the notice of the meeting as the purpose of the meeting, without the approval of the presiding member or a decision of the committee.
- (4) Where a Council meeting is adjourned to the next ordinary meeting of the Council, the business unresolved at the meeting that is adjourned is to be dealt with under item 13 of clause 4.2 at that ordinary meeting.
- (5) Where a committee meeting is adjourned to the next ordinary committee meeting, the business unresolved at the meeting that is adjourned is to be given precedence at that ordinary meeting.
- (6) Where a Council or committee meeting is adjourned to a meeting not described in subclauses (4) or (5), no business is to be transacted at that later meeting other than that -
 - (a) specified in the notice of the meeting that is adjourned; and
 - (b) which remains unresolved.

4.2 Order of business

- (1) Unless otherwise decided by the Council, the order of business at any ordinary meeting of the Council is to be as follows -
 - 1. Declaration of opening and announcement of visitors
 - 2. Record of attendance, apologies and leave of absence (previously approved)



3. Disclosure of interests
 4. Announcements by the Chairman or presiding member without discussion
 5. Response to previous public questions taken on notice
 6. Public question time
 7. Applications for leave of absence
 8. Petitions, deputations and presentations
 9. Confirmation of minutes of previous meetings
 10. Questions by members of which due notice has been given
 11. Questions by members without notice
 12. Announcement of confidential matters for which meetings may be closed to the public
 13. Business not dealt with from a previous meeting
 14. Reports of employees
 15. Reports of committees
 16. Reports of delegates
 17. Members' motions of which previous notice has been given
 18. New business of an urgent nature approved by the Chairman or presiding member or by decision of meeting
 19. Confidential matters for which the meeting may be closed to the public
 20. Future meetings of Council
 21. Declaration of closure of meeting
- (2) Unless otherwise decided by the members present, the order of business at any special meeting of the Council or at a committee meeting is to be the order in which that business stands in the notice of, or agenda for, the meeting.
- (3) Notwithstanding subclauses (1) and (2), the CEO may include on the agenda of a Council or committee meeting in an appropriate place within the order of business any matter which must be decided, or which he or she considers is appropriate to be decided, by that meeting.



4.3 Change to the order of business

- (1) The Chairman or presiding member may propose a change to the order of business.
- (2) Any member may move that a change in order of business proposed by the Chairman or presiding member not be accepted and, if carried by a majority of members present, the proposed change in order is not to take place.

4.4 Disclosure of Interest

Written notices of disclosure of interests are to be announced –

- (a) at item 3 of clause 4.2(1); and
- (b) immediately before the matter to which the disclosure relates is discussed.

4.5 Announcements by the Chairman or presiding member

Announcements by the Chairman or presiding member under item 4 of clause 4.2(1) are –

- (a) to inform the Council or the committee of any matter of interest or relevance to the business of the Council or a committee;
- (b) to be brief and concise; and
- (c) to be completed within 10 minutes.

4.6 Response to previous questions taken on notice

Where a question is taken on notice, the CEO is to ensure that -

- (a) a written answer is forwarded to the questioner as soon as practicable; and
- (b) a summary of the answer is recorded in the minutes of the following meeting of the Council or committee under item 5 of clause 4.2(1).

4.7 Public question time

Provisions relating to public question time are set out in Part 5 of these Standing Orders.

4.8 Application for leave of absence

- (1) A request for leave of absence may be made by a member –
 - (a) verbally at the meeting; or
 - (b) in writing to the CEO before the meeting.



- (2) The grant of leave of absence is dealt with in the Act.

4.9 Petitions, deputations and presentations

Provisions relating to petitions, deputations and presentations are set out in Part 5 of these Standing Orders.

4.10 Confirmation of minutes of previous meetings

Provisions relating to minutes are set out in Part 7 of these Standing Orders.

4.11 Questions by members of which due notice has been given

- (1) A question on notice is to be given by a member in writing to the CEO at least 48 hours before the meeting at which it is asked.
- (2) If the CEO considers that the question breaches or may breach these Standing Orders or any other law –
- (a) the CEO is to refer the question to the Chairman;
 - (b) the Chairman is to exclude the question if he or she concurs with the view of the CEO; and
 - (c) if the question is excluded, the CEO is to give all members, as soon as practicable but not later than the next ordinary meeting, the reasons for the exclusion.
- (3) Notice of a question that is not withdrawn or excluded under subclause (2), together with the answer to that question, are -
- (a) where practicable, to be included in the agenda of the meeting; or
 - (b) otherwise, to be tabled at the meeting.
- (4) Each question and answer is to be submitted as briefly and concisely as possible and, unless with the consent of the Chairman or presiding member, there is to be no discussion on the question or answer.

4.12 Questions without notice

- (1) In this clause, question includes a request for information.
- (2) At any time during the debate on a motion, before the motion is put, a member may ask a question and, with the consent of the Chairman or the presiding member, may ask one or more further questions.
- (3) A question asked by a member, and a response given by a member or an employee –
- (a) is to be brief and concise; and
 - (b) is not to be accompanied by –



- (i) expressions of opinion, statement of fact or other comment, except where necessary to explain the question or answer; or
 - (ii) any discussion or further question, except with the consent of the Chairman or presiding member.
- (4) Where a question requests information from an employee who is present at the meeting, the employee may ask that -
- (a) the question be placed on notice for the next meeting of the Council; or
 - (b) the answer to the question be given to the member who asked it prior to the next ordinary meeting of the Council.
- (5) If the answer to the question without notice cannot be given at the meeting at which it is asked, the member asking the question may request that the answer be given to the appropriate committee or Council meeting and the Chairman or presiding member may, if he or she thinks fit, so direct.

4.13 Announcement of confidential matters for which meetings may be closed to the public

Any confidential matters for which the meeting may be closed to the public are to be announced under item 12 of clause 4.2(1).

4.14 Business not dealt with from a previous meeting

The Council is to deal, under item 13 of clause 4.2(1), with any business that was listed on the agenda of a previous meeting and has not been dealt with.

4.15 Employee reports

The Council is to deal, under item 14 of clause 4.2(1), with any employee reports included in the agenda under this item by the CEO.

4.16 Reports of committees

The Council is to deal, under item 15 of clause 4.2(1), with reports of committees.

4.17 Reports of delegates

- (1) Under item 16 of clause 4.2(1) a member may give a written or oral report on an activity undertaken by the member on behalf of the EMRC.
- (2) Unless the Council decides otherwise on the grounds of urgency, a report which requires a decision of the Council must be the subject of a written report by or on behalf of the CEO.



- (3) The Chairman or presiding member may declare any report by a member to be out of order and, if he or she does so, the member must immediately cease speaking.

4.18 Members' motions of which previous notice has been given

- (1) Unless the Act, Regulations or these Standing Orders otherwise provide, a member may raise at a meeting such business of the EMRC as he or she considers appropriate, in the form of a motion, of which notice has been given in writing to the CEO.
- (2) A notice of motion under subclause (1) is to be given at least 4 clear working days before the meeting at which the motion is proposed to be moved.
- (3) A notice of motion must relate to the regional purposes for which the EMRC is established under the Establishment Agreement.
- (4) The CEO -
 - (a) with the concurrence of the Chairman or presiding member, may exclude from the notice paper any notice of motion that he or she considers to be out of order; or
 - (b) may make such amendments to the form, but not the substance, as will bring the notice of motion into due form.
- (5) A notice of motion is not out of order because its subject is considered to be objectionable.
- (6) If a notice of motion is excluded under subclause (4), the CEO is to provide the reason for its exclusion to all members as soon as practicable.
- (7) The CEO may provide relevant and material facts and circumstances relating to the notice of motion on such matters as policy, budget and law.
- (8) A motion of which notice has been given is to lapse unless -
 - (a) the member who gave notice of it, or some other member authorised by him or her in writing, moves the motion when called on; or
 - (b) the Council or committee on a motion decides to defer consideration of the motion to a later stage or date.
- (9) If a notice of motion is given and lapses in the circumstances referred to in subclause (8), a notice of motion in substantially the same terms, or to substantially the same effect, is not to be given again for at least 3 months from the date of the lapse.

4.19 New business of an urgent nature

- (1) In cases of extreme urgency or other special circumstance, matters may, on the initiative of the Chairman or presiding member or by way of a motion that



is carried by the meeting, be raised without notice and decided by the meeting.

- (2) In subclause (1), “cases of extreme urgency or other special circumstances” means matters –
- (a) that have arisen after the preparation of the agenda that are considered by the meeting to be of such importance and urgency that they are unable to be dealt with administratively by the EMRC and must be considered and dealt with by the Council before the next meeting; and
 - (b) that, if not dealt with at the meeting, are likely to –
 - (i) have a significant adverse effect (financially or otherwise) on the EMRC; or
 - (ii) result in a contravention of a written law.
- (3) Before debate begins on a matter under this clause that is not the subject of a written employee report to the meeting –
- (a) the Chairman or presiding member is to ask the CEO to give; and
 - (b) the CEO, or the CEO’s nominee, is to give,
a verbal report to the meeting.
- (4) The minutes of the meeting are to include –
- (a) a summary of the verbal report and any recommendations of the CEO or the CEO’s nominee; and
 - (b) the reasons for any decision made at the meeting that is significantly different from any recommendations of the CEO or the CEO’s nominee.

4.20 Confidential matters for which the meeting may be closed to the public

Provisions relating to the closure of all or part of the meeting to the public are set out in Part 5 of these Standing Orders.

4.21 Future meetings of Council

Under item 20 of clause 4.2(1), future meeting dates as previously resolved or amended (in accordance to the Act and Regulations) are to be listed.

4.22 Adoption by exception resolution

- (1) In this clause 'adoption by exception resolution' means –



- (a) a resolution of the Council that has the effect of adopting, for each of a number of specifically identified reports, the committee or employee recommendation as the Council resolution; and
 - (b) a resolution of a committee that has the effect of adopting, for each of a number of specifically identified reports, the employee recommendation as the committee resolution.
- (2) Subject to subclause (3), the Council or a committee may pass an adoption by exception resolution.
- (3) An adoption by exception resolution may not be used for a matter –
- (a) that requires an absolute majority or a special majority;
 - (b) in which an interest has been disclosed;
 - (c) that has been the subject of a petition or deputation;
 - (d) that is a matter on which a member wishes to make a statement; or
 - (e) that is a matter on which a member wishes to move a motion that is different to the recommendation.

4.23 Closure – time limits for meetings

- (1) If a meeting of the Council is in progress 3 hours after its commencement –
- (a) the Chairman or presiding member is to give the Council the opportunity to decide whether the meeting should continue;
 - (b) the meeting may continue –
 - (i) for up to 1 more hour;
 - (ii) only if a motion that the meeting continue is carried; and
 - (iii) only for the time (up to 1 more hour) specified in that motion; and
 - (c) the Chairman or presiding member is to adjourn the meeting –
 - (i) if the motion under paragraph (b) is not carried; or
 - (ii) at the conclusion of any extension specified in a motion that is carried under paragraph (b).
- (2) Subject to subclause (1), each Council and committee meeting is to be closed not later than 11.00pm.



Part 5 - Public participation

5.1 Meetings generally open to the public

Meetings being generally open to the public is dealt with in the Act.

5.2 Meetings not open to the public

- (1) The CEO may, at any time, recommend that a meeting or part of a meeting be closed to members of the public (other than any person specified in a resolution).
- (2) The Council or a committee, in one or more of the circumstances dealt with in the Act, may at any time, by resolution, decide to close to members of the public a meeting or part of a meeting.
- (3) If a resolution under subclause (2) is carried –
 - (a) the presiding member is to direct everyone to leave the meeting except –
 - (i) the members;
 - (ii) the CEO;
 - (iii) any other employee of the EMRC specified in a resolution; and
 - (iv) any other person specified in a resolution; and
 - (b) the meeting is to be closed to the public until, at the conclusion of the matter justifying the closure of the meeting to the public, the Council or the committee, by resolution, decides otherwise.
- (4) A person who fails to comply with a direction under subclause (3) may, by order of the presiding member, be removed from the meeting.
- (5) A resolution under this clause may be made without notice of the relevant motion.
- (6) The CEO may require any person, other than a member or employee, to sign a confidentiality agreement relating to the disclosure of information acquired at a meeting closed to members of the public.
- (7) Unless the Council or the committee resolves otherwise, once the meeting is reopened to members of the public the presiding member is to ensure that –
 - (a) any resolution of the Council or committee made while the meeting was closed is to be read out; and
 - (b) the vote of a member or members is recorded in the minutes.



5.3 Question time for the public

Question time for the public is dealt with in the Act.

5.4 Question time for the public at certain meetings

Question time for the public at certain meetings is dealt with in the Regulations.

5.5 Minimum question time for the public

Minimum question time for the public is dealt with in the Regulations.

5.6 Procedures for question time for the public

Procedures for question time for the public are dealt with in the Regulations.

5.7 Other procedures for question time for the public

- (1) A member of the public who wishes to ask a question during question time must –
 - (a) first state his or her name and address;
 - (b) direct the question to the presiding member;
 - (c) ask the question briefly and concisely;
 - (d) limit any preamble to matters directly relevant to the question; and
 - (e) ensure that the question is not accompanied by any expression of opinion, statement of fact or other comment, except where necessary to explain the question.
- (2) Each member of the public with a question is entitled to ask up to 3 questions before other members of the public will be invited to ask their questions.
- (3) A member of the public may give prior written notice to the CEO of the text or substance of a question that he or she wishes to ask at a meeting.
- (4) Unless the presiding member determines otherwise, a question of which prior written notice has been given to the CEO is to be given priority in question time.
- (5) Where a member of the public gives written notice of a question, the presiding member may determine that the question is to be responded to as normal business correspondence.
- (6) A question may be taken on notice by the Council or committee for later response.
- (7) When a question is taken on notice, the CEO is to ensure that –



- (a) a written response is given to the person who asked the question; and
 - (b) a summary of the response is included in the agenda for the next meeting of the Council or committee.
- (8) Where a question relating to a matter in which a person has an interest is directed to that person, that person is to –
- (a) declare that he or she has an interest in the matter; and
 - (b) allow another person to respond to the question.
- (9) A response to a question –
- (a) is to be brief and concise; and
 - (b) is not to be the subject of any discussion, except that if in the opinion of a member, false information or any adverse reflection is contained in any question asked or comments made by a member of the public, then (through the presiding member) the member may correct or clarify the matter.
- (10) Where a response to a question is given at a meeting, a summary of the question and the response is to be included in the minutes.
- (11) The presiding member may decide that a question is not to be responded to where –
- (a) the same or similar question was asked at a previous meeting, a response was provided and the person who asked the question is directed to the minutes of the meeting at which the response was provided;
 - (b) it is in the form of a statement, provided that the presiding member has taken reasonable steps to assist the person to phrase the statement as a question; or
 - (c) the question is offensive or defamatory in nature, or is one which, if asked by a member, would be in breach of these Meeting Procedures or any other law.
- (12) The Council or committee, by resolution, may agree to extend public question time.

5.8 Distinguished visitor

If a distinguished visitor is present at a meeting of the Council or a committee, the Chairman or presiding member –

- (a) may invite the distinguished visitor to sit beside the Chairman or presiding member or at the Council table;



- (b) may acknowledge the presence of the distinguished visitor at an appropriate time during the meeting; and
- (c) may direct that the presence of the distinguished visitor be recorded in the minutes.

5.9 Petitions

(1) A petition must -

- (a) be addressed to the Chairman;
- (b) be made by electors of the Participants;
- (c) state the request on each page;
- (d) contain the legible names, addresses and signatures of the electors making the request, and the date each elector signed;
- (e) contain a summary of the reasons for the request;
- (f) state the name of the person upon whom, and an address at which, notice to the petitioners can be given;
- (g) be respectful and temperate in its language; and
- (h) comply with any form prescribed by the Act or any other written law.

(2) On the presentation of a petition –

- (a) the member presenting it is confined to reading the petition; and
- (b) the only motion that is in order is that the petition be received and, if necessary, that it be referred for the CEO's report.

(3) At any meeting, the Council or committee is not to vote on any matter that is the subject of a petition presented to that meeting, unless –

- (a) the matter is the subject of a report included in the agenda; and
- (b) the Council or committee has considered the issues raised in the petition.

5.10 Deputations

(1) A deputation may be made to the Council or a committee in accordance with this clause.

(2) A person or group who wishes to be received as a deputation by a committee must –

- (a) apply in writing to the CEO for approval; and



- (b) include with the application information relating to the subject matter to be raised by the deputation in concise terms, but in sufficient detail to provide a general understanding of the purpose of the delegation.
- (3) The CEO is to refer a copy of a summary of the application –
 - (a) to the Chairman – if the request is to attend a Council meeting; or
 - (b) the presiding member – if the request is to attend a committee meeting.
- (4) The Chairman or presiding member (as the case may be) –
 - (a) may approve the request, in which case the CEO is to invite the deputation to attend a meeting of the Council or committee as the case may be; or
 - (b) may ask the CEO to refer the request to the Council or committee to decide whether or not to receive the deputation.
- (5) Unless the meeting resolves otherwise -
 - (a) a deputation is not to exceed 5 people, only 2 of whom may address the meeting, although others may respond to specific questions from the members; and
 - (b) the deputation may address the meeting for up to 15 minutes.
- (6) For the purposes of this clause, a deputation comprises all those people either in favour of, or opposed to, the matter which is the subject of the deputation.
- (7) A matter which is the subject of a deputation to the committee is not to be decided by the committee until the deputation has completed its presentation.
- (8) Where a deputation is to be received by the committee, the person or group comprising of the deputation is to address the meeting at the relevant part in the order of business as detailed in clause 4.2(2).
- (9) Any item of business to be discussed at a committee meeting that is subject of a received deputation, is to be brought forward in the order of business for the meeting as the next item of business after the deputation has been received.

5.11 Participation at committee meetings

- (1) In this clause a reference to a “person” is to a person who –
 - (a) is entitled to attend a committee meeting;



- (b) attends a committee meeting; and
 - (c) is not a member of that committee.
- (2) A member may attend, as an observer, any meeting of a committee of which he or she is not a member or the deputy of a member.
 - (3) Without the consent of the presiding member, a person must not address a committee meeting.
 - (4) The presiding member of a committee may allow a person to make an oral submission to the committee for up to 3 minutes.
 - (5) A person addressing the committee with the consent of the presiding member must cease that address immediately after being directed to do so by the presiding member.
 - (6) A person who fails to comply with a direction of the presiding member under subclause (5) may, by order of the presiding member, be removed from the committee room.
 - (7) The Council may make a policy dealing with the circumstances in which a person may be given consent to address a committee meeting.

5.12 Public inspection of agenda material

The right of a member of the public to inspect the documents relating to a Council or committee meeting are dealt with in the Regulations.

5.13 Confidentiality of information withheld

- (1) Information withheld by the CEO from members of the public under regulation 14(2) of the Regulations is to be -
 - (a) identified in the agenda of a Council or committee meeting under item 19 of clause 4.2(1) (ie “Confidential matters for which the meeting may be closed to the public”);
 - (b) marked “confidential” in the agenda; and
 - (c) kept confidential by members and employees until the Council or committee resolves otherwise.
- (2) A member or an employee who has –
 - (a) confidential information under subclause (1); or
 - (b) information that is provided or disclosed for the purposes of, or during, a meeting or part of a meeting that is closed to the public,



must not disclose any part of that information to any person other than another member or an employee of the Council to the extent necessary for the purpose of carrying out his or her functions.

- (3) Subclause (2) does not prevent a member or employee from disclosing information –
- (a) at a closed meeting;
 - (b) to the extent specified by the Council and subject to such other conditions as the Council decides;
 - (c) that is already in the public domain;
 - (d) to an officer of the Department;
 - (e) to the Minister;
 - (f) to a legal practitioner for the purpose of obtaining legal advice; or
 - (g) if the disclosure is required or permitted by law.

5.14 Recording of proceedings

- (1) A person must not use any electronic, visual or vocal recording device or instrument to record the proceedings of the Council or a committee without the permission of the Council.
- (2) Subclause (1) does not apply if the record is taken by or at the direction of the CEO, with the permission of the Council or committee.

5.15 Prevention of disturbance

- (1) A reference in this clause to a “person” is to a person other than a member.
- (2) A person must ensure that his or her electronic communication or information device is not switched on or used during any meeting of the Council or a committee.
- (3) A person addressing the Council or a committee must extend due courtesy and respect to the Council or committee and the processes under which it operates and must comply with any direction by the presiding member.
- (4) A person present at or observing a meeting must not create a disturbance, by interrupting or interfering with the orderly conduct of the proceedings, whether by expressing approval or dissent, by conversing or by any other means.
- (5) The presiding member may warn a person who fails to comply with this clause.
- (6) If –



- (a) after being warned, the person again acts contrary to this clause, or to these Standing Orders; or
- (b) a person refuses or fails to comply with a direction by the presiding member,

the presiding member may expel the person from the meeting by ordering him or her to leave the meeting room.

- (7) A person who is ordered to leave the meeting room and fails to do so may, by order of the presiding member, be removed from the meeting room and, if the presiding member orders, from the premises.

Part 6 - Disclosure of interests

6.1 Disclosure of interests

The requirements for members and employees to disclose financial and other interests, the nature of the interests that must be disclosed, and related matters, are dealt with in the Act, the Regulations, the Rules of Conduct and the Code of Conduct.

6.2 Separation of committee recommendations

Where, at a committee meeting, a member discloses a financial or proximity interest in a matter, and the matter is included in the recommendations (or part of the recommendations) of the committee to a Council or to another committee meeting that will or may be attended by the member, the agenda of that Council or committee meeting is to separate the relevant recommendation (or relevant part of the recommendations) from other recommendations of the committee.

Part 7 - Conduct of members

7.1 Official titles to be used

A speaker, when speaking or referring to the Chairman or Deputy Chairman, or to a member or employee, must use the title of that person's office.

7.2 Members to occupy own seats

- (1) At Council meetings, members must be seated in the positions determined by the Council.
- (2) At committee meetings, committee members must be seated in those positions, if any, that are determined by the relevant committee.



7.3 Entering or leaving a meeting

During the course of a meeting, a member must not enter or leave the meeting without giving an appropriate indication, in order to facilitate the recording in the minutes of the time of entry or departure.

7.4 Members who wish to speak

A member who wishes to speak at a Council meeting –

- (a) must indicate his or her intention to speak by raising his or her hand, or by any other method determined by the Council; and
- (b) when invited by the Chairman or presiding member to speak, must address the meeting through the Chairman or presiding member and, unless otherwise determined by the Council, may either rise or remain seated while speaking.

7.5 Priority of speaking

- (1) At a Council meeting where 2 or more members indicate, at the same time, their intention to speak, the Chairman or presiding member is to decide which member is entitled to be heard first.
- (2) At a committee meeting, the presiding member is first to invite committee members to speak followed by, at the discretion of the presiding member, other members and attendees.
- (3) A decision of the Chairman or presiding member under this clause is not open to discussion or dissent.

7.6 The Chairman or presiding member may take part in debates

- (1) Subject to compliance with the procedures for the debate of motions contained in these Standing Orders, the Chairman or presiding member, without vacating the chair, may take part in a discussion of any matter before the meeting.
- (2) Before the Chairman or presiding member moves a motion or amendment, he or she must first vacate the chair and the Deputy Chairman or other person elected for the purpose is to preside over the meeting while the motion or amendment is being debated and voted upon.

7.7 Relevance

- (1) A member must restrict his or her remarks to the motion or amendment under discussion, or to a personal explanation or point of order.
- (2) The Chairman or presiding member, at any time, may –
 - (a) draw the attention of the meeting to any irrelevant or repetitious remarks by a member; or



(b) direct that member, if speaking, to discontinue his or her speech.

(3) A member must comply with the direction of the presiding member under subclause (2) by immediately ceasing to speak.

7.8 Speaking twice

(1) A member must not address the Council more than once on any motion or amendment except –

(a) as the mover of a substantive motion, to exercise a right of reply;

(b) to raise a point of order; or

(c) to make a personal explanation.

(2) A member who asks a question before speaking has not addressed the meeting for the purposes of this clause.

7.9 Duration of speeches

A member must not speak on any matter for more than 5 minutes without the consent of the meeting which, if given, is to be given without discussion.

7.10 No speaking after conclusion of debate

A member must not speak on any motion or amendment –

(a) after the member has replied; or

(b) after the question has been put.

7.11 No interruption

A member must not interrupt another member who is speaking unless -

(a) to raise a point of order;

(b) to call attention to the absence of a quorum;

(c) to make a personal explanation under clause 7.16; or

(d) to move a procedural motion that the member be no longer heard (see clause 10.1(e)).

7.12 Respect for the Chairman or presiding member and speaker

A member must not –

(a) while a motion is being voted on, walk out of or across the Chamber;
and



- (b) while any other member is speaking, pass between the speaker and the Chairman or presiding member.

7.13 No re-opening of discussion

A member must not re-open a discussion on any decision of the Council or committee, except to move that the decision be revoked or changed (see Part 14).

7.14 Offensive language

- (1) A member must not reflect adversely on a decision of the Council or a committee except on a motion that the decision be revoked or changed (see Part 14).
- (2) A member must not –
 - (a) reflect adversely on the character or actions of another member or employee;
 - (b) impute any motive to a member or employee; or
 - (c) use an expression that is offensive or objectionable,
- (3) A member must not use offensive or objectionable expressions in reference to any other member, employee or other person.

7.15 Withdrawal of offensive language

A member who, in the opinion of the Chairman or presiding member –

- (a) reflects adversely on the character or actions of another member or employee;
- (b) imputes any motive to a member or employee; or
- (c) uses an expression that is offensive or objectionable,

must, when directed by the Chairman or presiding member, withdraw the reflection, imputation or expression and make a satisfactory apology.

7.16 Personal explanation

- (1) A member who wishes to make a personal explanation relating to a matter referred to by another member who is then speaking must indicate to the Chairman or presiding member his or her intention to make a personal explanation.
- (2) The Chairman or presiding member is to determine whether the personal explanation is to be heard immediately or at the conclusion of the speech by the other member.



- (3) A member making a personal explanation must confine his or her observations to a succinct statement relating to the specific part of the speech at which he or she may have been misunderstood.

Part 8 - Preserving Order

8.1 The Chairman or presiding member to preserve order

The Chairman or presiding member is to preserve order and, whenever he or she considers it necessary, may –

- (a) call a member to order; or
- (b) may direct a member to cease breaching, or to comply with, any of these Standing Orders.

8.2 Point of order

- (1) A member may object, by way of a point of order, only to a breach of –

- (a) any of these Standing Orders; or
- (b) any other written law.

- (2) Examples of valid points of order are –

- (a) a speaker's remarks not being relevant to the motion or amendment being debated (see clause 7.7); and
- (b) a speaker's use of offensive or objectionable expressions (see clause 7.14).

- (3) Despite anything in these Standing Orders to the contrary, a point of order –

- (a) takes precedence over any discussion; and
- (b) until determined, suspends the consideration or discussion of any other matter.

8.3 Procedures on a point of order

- (1) A member who is addressing the Chairman or presiding member must not be interrupted except on a point of order.

- (2) A member interrupted on a point of order must resume his or her seat until –

- (a) the member raising the point of order has been heard; and
- (b) the presiding member has ruled on the point of order,

and, if permitted, the member who has been interrupted may then proceed.



8.4 Ruling by the Chairman or presiding member

- (1) The Chairman or presiding member is to rule on any point of order which is raised by either upholding or rejecting the point of order.
- (2) A ruling by the presiding member on a point of order is to be final unless the majority of members then present and voting, on a motion moved immediately after the ruling, dissent from the ruling.
- (3) Subject to a motion of dissent being carried under subclause (2), if the presiding member rules that –
 - (a) any motion, amendment or other matter before the meeting is out of order, it is not to be considered further; and
 - (b) a statement made or act done by a member is out of order, the presiding member may direct the member to make an explanation, retraction or apology.

8.5 Continued breach of order

If a member –

- (a) persists in any conduct that the Chairman or presiding member had ruled is out of order; or
- (b) fails or refuses to comply with a direction from the presiding member (such as a direction under clause 7.7(2)(b), 7.15 or 8.4),

the presiding member may direct the member to refrain from taking any further part in the debate of that item, other than by voting, and the member must comply with that direction.

8.6 Presiding member may adjourn meeting

- (1) For the purpose of preserving or regaining order, the presiding member may adjourn the meeting for a period of up to 15 minutes.
- (2) On resumption, the debate is to continue at the point at which the meeting was adjourned.
- (3) If, at any one meeting, the presiding member adjourns the meeting more than once for the purpose of preserving or regaining order, the second or subsequent adjournment may be to a later time on the same day or to another day.



Part 9 - Debate of substantive motions

9.1 Motions to be stated and in writing

- (1) A member who wishes to move a substantive motion, or an amendment to a substantive motion –
 - (a) is to state the substance of the motion before speaking to it; and
 - (b) if required by the Chairman or presiding member, is to put the motion or amendment in writing.
- (2) The written terms of the motion or amendment are to be given to the CEO who is to ensure that they are recorded in the minutes.

9.2 Motions to be supported

- (1) A substantive motion or an amendment to a substantive motion is not open to debate until it has been seconded.
- (2) A motion to revoke or change a decision made at a meeting is not open to debate unless the motion has the support required under regulation 10 of the Regulations (see clause 14.1).

9.3 Unopposed business

- (1) Immediately after a substantive motion has been moved and seconded, the Chairman or presiding member may ask the meeting if any member opposes it.
- (2) If no member opposes the motion, the Chairman or presiding member may put the motion directly to the vote.
- (3) If a member opposes the motion, the motion is to be dealt under this Part.
- (4) This clause does not apply to any motion or decision to revoke or change a decision which has been made at a meeting (see Part 14).

9.4 Only one substantive motion at a time

The Council or committee –

- (a) is not to accept a substantive motion while another substantive motion is being debated; and
- (b) is not to consider more than one substantive motion at any time.

9.5 Complex motions

The Chairman or presiding member may require that order a complex substantive motion, or a complex amendment to a substantive motion, is to be broken down and put in the form of more than one motion, each of which is to be put in sequence.



9.6 Call of order in debate

The Chairman or presiding member is to call speakers to a substantive motion in the following order -

- (a) the mover to state the motion;
- (b) a seconder to the motion;
- (c) the mover to speak to the motion;
- (d) the seconder to speak to the motion;
- (e) a speaker against the motion;
- (f) a speaker for the motion;
- (g) other speakers, alternating between those against and for the motion; and
- (h) the mover invited to take the right of reply which closes debate.

9.7 Limit of debate

The Chairman or presiding member may offer the right of reply and put a substantive motion to the vote if he or she considers that sufficient discussion has taken place even though all members may not have spoken.

9.8 Members may require motion to be read

A member may require the motion under discussion to be read at any time during a debate, but not so as to interrupt any other member who is speaking.

9.9 Consent of seconder required to amend motion

The mover of a substantive motion may not amend the motion without the consent of the seconder.

9.10 Order of amendments

Any number of amendments may be proposed to a substantive motion, but when an amendment is moved to a substantive motion, no second or subsequent amendment is to be moved or considered until the first amendment has been withdrawn, lost or carried.

9.11 Amendments must not negate original motion

An amendment to a substantive motion cannot negate the original motion or the intent of the original motion.



9.12 Relevance of amendments

An amendment must be relevant to the substantive motion in respect of which it is moved.

9.13 Mover of motion may speak on amendment

Any member may speak during debate on an amendment.

9.14 Effect of an amendment

If an amendment to a substantive motion is carried, the motion as amended then becomes the substantive motion, on which any member may speak and any further amendment may be moved.

9.15 Withdrawal of motion and amendments

- (1) The Council or a committee may, without debate, grant leave to withdraw a substantive motion or amendment on the request of the mover of the motion or amendment if –
 - (a) it has the approval of the seconder; and
 - (b) there is no voice expressed to the contrary by any member, in which case discussion on the motion or amendment is to continue.
- (2) If either paragraph (a) or (b) of subclause (1) applies, the discussion on the motion or amendment is to continue.
- (3) Where an amendment has been proposed to a substantive motion, the substantive motion is not to be withdrawn, except by consent of the majority of members present, until the amendment proposed has been withdrawn or lost.

9.16 Right of reply

- (1) The mover of a substantive motion has the right of reply.
- (2) The right of the reply may be exercised only –
 - (a) where no amendment is moved to the substantive motion – at the conclusion of the discussion on the motion; or
 - (b) where one or more amendments have been moved to the substantive motion – at the conclusion of the discussion on the substantive motion and any amendments.
- (3) After the mover of the substantive motion has commenced the reply –
 - (a) no other member is to speak on the motion; and
 - (b) there is to be no further discussion on, or any further amendment to, the motion.



- (4) The right of the reply is to be confined to rebutting arguments raised by previous speakers and no new matter is to be introduced.
- (5) At the conclusion of the right of reply, the substantive motion, or the substantive motion as amended, is immediately to be put to the vote.

Part 10 - Procedural motions

10.1 Permissible procedural motions

In addition to the right to move an amendment to a substantive motion (under Part 9), a member may move any of the following procedural motions -

- (a) that the meeting proceed to the next item of business;
- (b) that the item be referred or adjourned to a Council or committee meeting;
- (c) that the meeting now adjourn;
- (d) that the motion be now put;
- (e) that the member be no longer heard;
- (f) that the ruling of the Chairman or presiding member be disagreed with; and
- (g) that the meeting be closed to members of the public (see clause 5.2).

10.2 No debate on procedural motion

- (1) The mover of a motion stated in paragraphs (a), (b), (c), (f) or (g) of clause 10.1 may speak to the motion for not more than 5 minutes, the seconder is not to speak other than to formally second the motion, and there is to be no debate on the motion.
- (2) The mover of a motion stated in paragraphs (d) and (e) of clause 10.1 may not speak to the motion, the seconder is not to speak other than to formally second the motion, and there is to be no debate on the motion.

10.3 Who may move

A person who has moved, seconded, or spoken for or against a substantive motion, or any amendment to a substantive motion, cannot move any procedural motion which, if carried, would close the debate on the substantive motion or amendment.



10.4 Right of reply on substantive motion

The carrying of a procedural motion which closes debate on the substantive motion or amendment and forces a decision on the substantive motion or amendment does not deny the right of reply to the mover of the substantive motion.

10.5 Meeting to proceed to next item of business

A motion “that the meeting proceed to the next item of business”, if carried, has the effect that –

- (a) the debate on the substantive motion or amendment ceases immediately; and
- (b) no decision is made on the substantive motion;
- (c) the meeting moves to the next item of business; and
- (d) there is no requirement for the matter to be raised again for consideration.

10.6 Item to be referred or adjourned

A motion “that the item be adjourned” -

- (a) is to state the time to which the debate is to be adjourned (and the reasons for the motion); and
- (b) if carried, has the effect that all debate on the substantive motion or amendment ceases immediately, but continues at the meeting, and at the time, stated in the motion.

10.7 Meeting now adjourn

- (1) A member is not to move or second more than one motion of adjournment during the same meeting.
- (2) Before putting a motion for the adjournment, the Chairman or presiding member may seek leave of the meeting to deal first with matters that may be the subject of an adoption by exception resolution (see clause 4.22);
- (3) a motion “that the meeting now adjourn” -
 - (a) is to state the time and date to which the meeting is to be adjourned; and
 - (b) if carried, has the effect that the meeting is adjourned to the time and date specified in the motion.



- (4) A meeting adjourned under subclause (3) is to continue from the point at which it was adjourned, unless the Chairman or presiding member, or the meeting, determines otherwise.

10.8 Motion to be put

- (1) If a motion “that the motion be now put”, is carried during discussion on a substantive motion without amendment, the Chairman or presiding member to offer the right of reply and then immediately put the motion to the vote without further debate.
- (2) If the motion, “that the motion be now put” is carried during debate of the amendment, the presiding member to put the amendment to the vote without further debate.
- (3) If the motion, “that the motion be now put” is lost, debate is to continue.

10.9 Member to be no longer heard

If the motion “that the member be no longer heard”, is carried, the speaker against whom the motion has been moved cannot speak further on the current substantive motion, or any amendment relating to it, except to exercise the right of reply if he or she is the mover of the substantive motion.

10.10 Ruling of the Chairman or presiding member be disagreed with

If the motion “that the ruling of the Chairman or presiding member be disagreed with” is carried, that ruling is to have no effect and the meeting is to proceed accordingly.

Part 11 - Voting

11.1 Motion – when put

- (1) Immediately after the debate on any motion is concluded and the right of reply has been exercised, the Chairman or presiding member –
- (a) is to put the motion to the meeting; and ,
 - (b) if requested by any member, is again to state the terms of the motion.
- (2) A member must not leave a meeting when the Chairman or the presiding member is putting any motion.

11.2 Voting

Voting is dealt with in the Act and the Regulations.



11.3 Majorities required for decisions

The majorities required for decisions of the Council and committees are dealt with in the Act.

11.4 Method of taking vote

In taking the vote on any motion, the presiding member –

- (a) is to put the motion, first in the affirmative, and then in the negative;
- (b) may put the motion in this way as often as may be necessary to enable him or her to determine whether the affirmative or the negative has the majority of votes;
- (c) is to count and determine the votes of members in any way (such as electronically or by a show of hands) that enables a record to be taken of each member's vote; and
- (d) subject to this clause, is to declare the result.

Part 12 - Adjournment of meeting

12.1 Meeting may be adjourned

The Council or a committee may decide to adjourn any meeting to a later time on the same day, or to any other day.

12.2 Limit to moving adjournment

No member is to move or second more than one motion of adjournment during the same meeting of the Council or committee.

12.3 Unopposed business – motion for adjournment

On a motion for the adjournment of the Council or committee, the Chairman or presiding member, before putting the motion, may seek leave of the Council or committee to proceed to the transaction of unopposed business.

12.4 Withdrawal of motion for adjournment

A motion or an amendment relating to the adjournment of the Council or a committee may be withdrawn by the mover, with the consent of the seconder, except that if any member objects to the withdrawal, debate of the motion is to continue.

12.5 Time to which adjourned

The time to which a meeting is adjourned for want of a quorum, by the Chairman or presiding member to regain order, or by decision of the Council,



may be to a specified hour on a particular day or to a time which coincides with the conclusion of another meeting or event on a particular day.

Part 13 - Minutes

13.1 Keeping of minutes

The keeping and confirmation of minutes are dealt with in the Act.

13.2 Content of minutes

The content of minutes is dealt with in the Regulations.

13.3 Public inspection of unconfirmed minutes

The public inspection of unconfirmed minutes is dealt with in the Regulations.

13.4 Confirmation of minutes

- (1) If a member is dissatisfied with the accuracy of the unconfirmed minutes, he or she is to provide to the CEO a written copy of the alternative wording to amend the unconfirmed minutes no later than 3 clear working days before the meeting where the minutes are to be confirmed.
- (2) At that meeting, the member who provided the alternative wording shall, at the time for confirmation of minutes –
 - (a) state the item or items with which he or she is dissatisfied; and
 - (b) propose a motion clearly outlining the alternative wording to amend the minutes.

Part 14 - Revoking or changing a decision

14.1 Requirements to revoke or change a decision

The requirements to revoke or change a decision made at a meeting are dealt with in regulation 10 of the Regulations.

14.2 Limitations on powers to revoke or change a decision

- (1) In this clause –

"authorisation" means a licence, permit, approval or other means of authorising a person to do anything; and

"implement", in relation to a decision, includes –

- (a) communicate notice of the decision to a person affected by, or with an interest in, the decision; and



- (b) take any other action to give effect to the decision.
- (2) Subject to subclause (3), the Council or a committee is not to consider a motion to revoke or change a decision –
 - (a) where, at the time the motion is moved or notice is given, any action has been taken under clause 12.4 to implement the decision;
 - (b) where the decision concerns the grant of an authorisation, and where that authorisation has been communicated in writing by the EMRC to the applicant; or
 - (c) where the decision is procedural in its form or effect.
- (3) The Council or a committee may consider a motion to revoke or change a decision of the kind described in subclause (2)(a) or (b) if the motion is accompanied by a written statement, by or on behalf of the CEO, of the legal and financial consequences of the motion being carried.

Part 15 - Committees

15.1 Establishment and appointment of committees

- (1) The establishment of committees is dealt with in the Act.
- (2) A Council resolution to establish a committee under section 5.8 of the Act is to include -
 - (a) the terms of reference or functions of the committee;
 - (b) either –
 - (i) the names or titles of the members, employees and any other persons to be appointed to the committee; or
 - (ii) the number of members, employees and other persons to be appointed to the committee and a provision that they be appointed under a separate resolution; and
 - (c) details of the delegation of any powers or duties to the committee under section 5.16 of the Act.

15.2 Types of committees

The types of committees are dealt with in the Act.

15.3 Delegation of some powers and duties to certain committees

The delegation of some powers and duties to certain committees is dealt with in the Act.



15.4 Limits on delegation of powers and duties to certain committees

The limits on the delegation of powers and duties to certain committees are dealt with in the Act.

15.5 Appointment of committee members

The appointment of committee members is dealt with in the Act.

15.6 Tenure of committee membership

Tenure of committee membership is dealt with in the Act.

15.7 Appointment of deputies

The appointment of a person to be a deputy of a member of committee is dealt with in the Act.

15.8 Resignation of committee members

The resignation of committee members is dealt with in the Regulations.

15.9 Register of delegations to committees

The register of delegations to committees is dealt with in the Act.

15.10 Appointment of Participant members to committees

- (1) Where the Council establishes a committee with a member from a Participant, the appointment of that member must be made according to the wishes of the Participant.
- (2) Where the members of a committee established by the Council is to include an employee of a Participant, that employee is to be the CEO of the Participant or an employee appointed by the CEO of the Participant.

15.11 Reports of committees – questions

Where a recommendation of a committee is submitted for adoption by the Council, any member of the Council may direct a question directly relating to the recommendation, through the Chairman or presiding member, to the presiding member of the committee or to any member of the committee in attendance.

15.12 Permissible motions on committee recommendations

A recommendation made a committee may -

- (a) be adopted by the Council without amendment;
- (b) be rejected by the Council and replaced by an alternative decision;
- (c) be amended, and adopted as amended, by the Council; or



- (d) referred back to the committee for further consideration.

15.13 Standing Orders to apply

These Standing Orders apply generally to the proceedings of committees except for -

- (a) clause 7.2, in relation to seating; and
(b) clause 7.8, in relation to the limit on the number of speeches.

Part 16 - Administrative matters

16.1 Suspension of Standing Orders

- (1) The Council or a committee may decide, by simple majority vote, to suspend temporarily one or more of the Standing Orders.
- (2) The mover of a motion to suspend temporarily any one or more of the Standing Orders is to state the clause or clauses to be suspended, and the purpose of the suspension.
- (3) A Standing Order so suspended is to remain suspended until decided otherwise by the Council or the committee.

16.2 Cases not provided for in Standing Orders

- (1) The Chairman or presiding member is to decide questions of procedure in cases where these Standing Orders and the Act and Regulations are silent.
- (2) The decision of the Chairman or presiding member in these cases is final, except where a motion is moved and carried under clause 10.1(f).

16.3 Representation of public bodies

Wherever it becomes necessary to nominate a member of the Council to represent the Council on a public body or State agency, that nomination must be made by the Council.

Part 17 - Enforcement

17.1 Penalty for breach

A person who breaches a provision of these Standing Orders commits an offence.

Penalty: \$1,000 and a daily penalty of \$500.

17.2 Who can prosecute

Who can prosecute is dealt with in the Act.



Part 18 - Common seal

18.1 Custody of the common seal

The CEO is to have charge of the common seal of the EMRC, and is responsible for the safe custody and proper use of it.

18.2 Use of the common seal

The use of the common seal is dealt with in the Act.

18.3 Recording of common seal uses

The CEO is to record in a register each instance where the common seal of the EMRC was affixed to a document including -

- (a) the date on which it was affixed;
- (b) the nature of the document; and
- (c) where the document is an agreement, the parties to that agreement.



15 REPORTS OF COMMITTEES

15.1 AUDIT COMMITTEE MEETING HELD 7 MARCH 2013 (REFER TO MINUTES OF COMMITTEE – PINK PAGES) REFERENCE: COMMITTEES-15106

The minutes of the Audit Committee meeting held on **7 March 2013** accompany and form part of this agenda - (refer to pink section of 'Minutes of Committees' for Council accompanying this Agenda).

QUESTIONS

The Chairman invited general questions from members on the report of the Audit Committee.

RECOMMENDATION(S)

That with the exception of items, which are to be withdrawn and dealt with separately, Council adopts the recommendations in the Audit Committee report (Section 15.1).

The Chairman advised that as one of the two recommendations in the Audit Committee report required an absolute majority decision, both items would be dealt with individually.

AUDIT COMMITTEE**MINUTES****7 March 2013****(REF: COMMITTEES-15106)**

A meeting of the Audit Committee was held at the EMRC Administration Office, 1st Floor, 226 Great Eastern Highway, BELMONT WA 6104 on **Thursday, 7 March 2013**. The meeting commenced at **5:00pm**.

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1 DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS

The Chairman opened the meeting at 5:00pm.

2 ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE PREVIOUSLY APPROVED

Councillor Attendance

Cr Janet Powell (Chairman)	EMRC Member	City of Belmont
Cr David Färdig (Deputy Chairman)	EMRC Member	City of Swan
Cr Gerry Pule	EMRC Member	Town of Bassendean
Cr Graham Pittaway OAM	EMRC Member	City of Bayswater
Cr Frank Lindsey	EMRC Member	Shire of Kalamunda
Cr Tony Cuccaro (Deputising for Cr Pilgrim)	EMRC Member	Shire of Mundaring

Apologies

Cr Alan Pilgrim	EMRC Member	Shire of Mundaring
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EMRC Officers

Mr Peter Schneider	Chief Executive Officer
Mr Hua Jer Liew	Director Corporate Services
Mr David Ameduri	Manager Financial Services
Ms Terri-Ann Ashton	Manager Administration & Compliance
Ms Mary-Ann Winnett	Personal Assistant to Director Corporate Services (Minutes)

3 DISCLOSURE OF INTERESTS

Nil

4 ANNOUNCEMENT BY THE CHAIRMAN OR PERSON PRESIDING WITHOUT DISCUSSION

Nil

5 APPLICATION FOR LEAVE OF ABSENCE

Nil

6 PRESENTATIONS

Nil



7 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

7.1 MINUTES OF AUDIT COMMITTEE MEETING HELD ON 6 SEPTEMBER 2012

That the Minutes of the Audit Committee meeting held 6 September 2012, which have been distributed, be confirmed.

AC RESOLUTION(S)

MOVED CR PULE

SECONDED CR LINDSEY

THAT THE MINUTES OF THE AUDIT COMMITTEE HELD ON 6 SEPTEMBER 2012, WHICH HAVE BEEN DISTRIBUTED, BE CONFIRMED.

CARRIED UNANIMOUSLY

8 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

Nil

9 QUESTIONS WITHOUT NOTICE

Nil

10 ANNOUNCEMENT OF CONFIDENTIAL MATTERS FOR WHICH THE MEETING MAY BE CLOSED TO THE PUBLIC

Nil

11 BUSINESS NOT DEALT WITH FROM A PREVIOUS MEETING

Nil



12 REPORTS OF OFFICERS/AUDITORS

12.1 HALF YEAR BUDGET REVIEW 2012/2013

REFERENCE: COMMITTEES-15233

PURPOSE OF REPORT

The purpose of this report is to provide Council, via the Audit Committee, with an overview of the Eastern Metropolitan Regional Council's (EMRC's) 2012/2013 budget review for adoption and subsequent submission to the Department of Local Government.

KEY ISSUES AND RECOMMENDATION(S)

- It is a requirement of the Local Government (Financial Management) Regulations 1996 (Clause 33A) that a Local Government, between 1 January and 31 March in each year, is to carry out a review of its annual budget for that year.
- Council receives monthly financial reports inclusive of end of year forecasts. Forecasts have been constantly monitored and reviewed based on current information and circumstances available to provide a more accurate forecast of the year end result.

Recommendation(s)

That Council, by an absolute majority in accordance with the provisions of Local Government (Financial Management) Regulation 33A, adopts the review of the 2012/2013 budget and approve its submission to the Department of Local Government within 30 days.

SOURCE OF REPORT

Director Corporate Services
 Manager Financial Services

BACKGROUND

It is a requirement of the Local Government (Financial Management) Regulations 1996 (Clause 33A) that a Local Government, between 1 January and 31 March in each year, is to carry out a review of its annual budget for that year.

Clause 33A also states that within 30 days after a review of the annual budget of a local government is carried out it is to be submitted to the Council who is to consider the review submitted to it and is to determine, by absolute majority, whether or not to adopt the review, any parts of the review or any recommendation made to the review.

The EMRC's budget is presented in a format that separates operating income and expenditure from other revenue and expenses to provide improved disclosure of Council's underlying operating result.

Submitted to each meeting of Council is a financial report and summaries which provide an overview of year to date budget performance for operating activities and capital works. Variances greater than 10% or \$10,000, whichever is the greater, within each nature and type category on the Income Statement are reported on in the body of the report. Also included are end of year forecasts by nature and type for operating activities and end of year forecasts for each capital works project. These forecasts are reviewed regularly in order to provide an accurate forecast of the end of year result.



Item 12.1 continued

REPORT

It is a requirement of the Local Government (Financial Management) Regulations 1996 (Clause 33A) that a Local Government, between 1 January and 31 March in each year, is to carry out a review of its annual budget for that year.

The EMRC currently undertakes forecast reviews in November and January of each financial year with changes incorporated within the financial report submitted to Council at its next ordinary meeting.

Format of Budget Review

The format of the review undertaken is based on a review by officers of all EMRC accounts (operating income, operating expenditure and capital expenditure accounts) within their area of responsibility.

A review of the tonnages budgeted to be received at the Red Hill Waste Management Facility is also undertaken. Tonnage budgets are reviewed to provide a forecast of volumes expected to be received by 30 June 2013. These forecasts, when calculated against the appropriate disposal rates, provide financial forecasts relating to the following:

- Income from normal operations (including landfill levy);
- Secondary Waste Income;
- Landfill Levy Expenditure;
- Carbon Price;
- Waste Education Levy Income; and
- Cell Depreciation/Usage.

All forecasts, which are an actual review of the budgets set against each account, are inputted into the financial management system in order to provide a more accurate forecast of the end of year result.

The year to date monthly budget allocations are also reviewed in order to match the appropriate timing for the various projects budgeted to be undertaken. Significant effort is undertaken to ensure that the year to date budget allocations best reflect the timing applicable either to expenditure expected to be incurred or income to be received. This process commences immediately following adoption of the budget and is constantly being monitored and reviewed based on current information and circumstances available. This process provides a better comparison between the year to date actual and year to date budget figures.

Adjustments resulting from Budget Review

EMRC Officers undertook the latest review based on the actual financial data provided for the period ended 31 December 2012. The financial report relating to the period ended 31 January 2013 will be submitted to Council at its meeting to be held on 21 March 2013. Variances reported in that report will be based on the budget review as specified within the body of this report. This is undertaken as part of the EMRC's ongoing budget and forecast review process and in accordance with Council's adopted criteria.

In accordance with the process followed in previous years, the original budget is not updated with the revised forecasts, as relevant regulations require the end of year results to be compared to the original adopted annual budget, rather than the reviewed budget. The original budget is not updated due to the current inability of the financial system to retain the "budget spreads" that have been manually adjusted since adoption of the budget.

Each nature and type code within the financial system is allocated a predetermined spread depending on the general nature of the expenditure or income. For example, salaries budgets are spread in accordance with the timing of the actual fortnightly payroll, telephone expenses are spread evenly throughout the year to reflect the nature of the billing, whilst vehicle registration costs are spread to July and December.



Item 12.1 continued

Whilst it is accepted that many costs are incurred generally within a specific pattern as outlined in the above examples, many are not. These may include costs incurred relating to operating and capital projects, for which the EMRC have many, and depend solely on the timing of when the project is undertaken.

As outlined earlier in the report significant time and effort is allocated throughout the year following adoption of the annual budget to ensure that the year to date monthly budget allocations reflect the actual timing of expenditure to be incurred and income to be received.

Outlined below is a summary of the forecast changes to budget provisions resulting from the half year budget review:

• (Increase) / Decrease in Operating Income/Other Revenues:	\$2,142,176
• Increase / (Decrease) in Operating Expenditure/Other Expenses:	(\$43,076)
• (Increase) / Decrease in Realised/Unrealised gain or loss from change in fair value of investments:	(\$919,052)
• (Increase) / Decrease in Change in net assets from operations:	\$1,180,048
• Increase / (Decrease) in Capital Expenditure:	(\$4,137,596)
• Increase / (Decrease) in expenditure:	(\$2,957,548)

Provided below is a summary of changes to original budget provisions to reflect the forecast budget as at 30 June 2013. Comments are provided for significant variances using Council's adopted criteria of 10% or \$10,000, which ever is the greater, as a guide:

Operating Income/Other Revenues

User Charges

- Current Budget: \$35,972,544 Forecast Budget: \$36,424,617 Variance: \$452,073; 1.26%

Special Charges

- Current Budget: \$391,680 Forecast Budget: \$354,861 Variance: (\$36,819); (9.40%)

Contributions

- Current Budget: \$655,113 Forecast Budget: \$644,893 Variance: (\$10,220); (1.56%)

Operating Grants

- Current Budget: \$1,434,588 Forecast Budget: \$1,359,993 Variance: (\$74,595); (5.20)%

Interest Municipal Cash & Investments

- Current Budget: \$238,334 Forecast Budget: \$355,596 Variance: \$117,262; 49.20%

The year end forecast for Interest on Municipal Funds is above the annual budget provision by \$117,262 or 49.20%. This represents the value of change in the accrued interest as at 30 June 2013 that has been reallocated to Interest on Restricted Assets.

Reimbursements

- Current Budget: \$927,282 Forecast Budget: \$962,140 Variance: \$34,858; 3.76%

Other Income

- Current Budget: \$1,743,837 Forecast Budget: \$1,754,108 Variance: \$10,271; 0.59%



Item 12.1 continued

Secondary Waste Charge (Other Revenues)

- Current Budget: \$5,590,416 Forecast Budget: \$5,322,672 Variance: (\$267,744); (4.79%)

Operating Grants (Other Revenues)

- Current Budget: \$2,250,000 Forecast Budget: \$0 Variance: (\$2,250,000); (100.00%)

The decrease in Operating Grants is attributable to the protracted nature of the grant application process with AusIndustry for the construction of the pyrolysis plant at the Resource Recovery Park located at Hazelmere. The amount will be carried forward into the 2013/2014 financial year.

Interest Restricted Cash Investments (Other Revenues)

- Current Budget: \$2,133,360 Forecast Budget: \$2,016,098 Variance: (\$117,262); (5.50%)

Reimbursements (Other Revenues)

- Current Budget: \$50 Forecast Budget: \$50 Variance: \$0; 0.00%

Proceeds from Sale of Assets (Other Revenues)

- Current Budget: \$690,226 Forecast Budget: \$690,226 Variance: \$0; 0.00%

Operating Expenditure

Salary Expenses

- Current Budget: \$9,157,202 Forecast Budget: \$8,099,375 Variance: \$1,057,827; 11.55%

The variance in salary expenses is attributable to the budgeted positions that have not been filled together with a lower forecast of overtime costs compared to budget. This relates primarily to the waste management operations where savings in salary expenses for this location have been partially offset by an increase in contract labour expenses.

Contract Expenses

- Current Budget: \$7,356,790 Forecast Budget: \$8,548,955 Variance: (\$1,192,165); (16.20%)

Significant variances to Contract Expenses are attributable to:

- An additional \$600,000 that has been forecast for the removal and crushing of lateritic caprock at the Redhill Waste Management Facility. This was outlined in a report to Council at its meeting on 6 December 2012 (Ref: Committees-15034).
- An increase in Waste Management contract material and labour expenses of \$453,442 which is offset by a forecast reduction in wages and salaries. Other Contract Expenses for projects in Waste Services contribute a further \$41,201 to the variance.
- An increase in Regional Development contract material and labour expenses of \$195,640 which is partially offset by a forecast reduction in wages and salaries of \$110,789.
- These increases are partially offset by a reduction in forecast Contract Expenses for various Corporate Services activities (\$67,068) and Environmental Services activities (\$33,550).

Material Expenses

- Current Budget: \$1,198,814 Forecast Budget: \$1,156,758 Variance: \$42,056; 3.51%

Utility Expenses

- Current Budget: \$255,582 Forecast Budget: \$252,128 Variance: \$3,454; 1.35%



Item 12.1 continued

Fuel Expenses

- Current Budget: \$777,328 Forecast Budget: \$775,028 Variance: \$2,300; 0.30%

Finance Fees and Interest Expenses

- Current Budget: \$15,300 Forecast Budget: \$19,650 Variance: (\$4,350); (28.43%)

Insurance Expenses

- Current Budget: \$255,252 Forecast Budget: \$262,903 Variance: (\$7,651); (3.00%)

Depreciation Expenses

- Current Budget: \$6,062,103 Forecast Budget: \$6,073,840 Variance: (\$11,737); (0.19%)

Miscellaneous Expenses (incl. landfill levy expenditure)

- Current Budget: \$12,948,600 Forecast Budget: \$12,989,495 Variance: (\$40,895); (0.32%)

Provision Expenses

- Current Budget: \$122,526 Forecast Budget: \$111,870 Variance: \$10,656; 8.70%

Costs Allocated

- Current Budget: (\$309,590) Forecast Budget: (\$289,507) Variance: (\$20,083); (6.49%)

Salary Expenses (Other Expenses)

- Current Budget: \$312,116 Forecast Budget: \$247,261 Variance: \$64,855; 20.78%

The variance is due to the timing of recruiting for a vacant staff position and a lower than budgeted staff utilisation by the Resource Recovery Project.

Contract Expenses (Other Expenses)

- Current Budget: \$749,600 Forecast Budget: \$647,600 Variance: \$102,000; 13.61%

The variation is due to the timing of Resource Recovery Project consultancy contracts which will be carried forward into the 2013/2014 financial year.

Material Expenses (Other Expenses)

- Current Budget: \$27,050 Forecast Budget: \$24,456 Variance: \$2,594; 9.59%

Utility Expenses (Other Expenses)

- Current Budget: \$3,200 Forecast Budget: \$2,500 Variance: \$700; 21.88%

Insurance Expenses (Other Expenses)

- Current Budget: \$2,337 Forecast Budget: \$1,250 Variance: \$1,087; 46.51%

Depreciation Expenses (Other Expenses)

- Current Budget: \$11,720 Forecast Budget: \$11,720 Variance: \$0; 0.00%

Miscellaneous Expenses (Other Expenses)

- Current Budget: \$104,555 Forecast Budget: \$72,055 Variance: \$32,500; 31.08%

This variance relates to a lower than budgeted cost of the Resource Recovery Project Study Tour which was undertaken in October 2012.

Carrying Amount of Assets Disposed Of (Other Expenses)

- Current Budget: \$525,138 Forecast Budget: \$525,293 Variance: (\$155); (0.03%)



Item 12.1 continued

Costs Allocated (Other Expenses)

- Current Budget: \$254,590 Forecast Budget: \$254,507 Variance: \$83; 0.03%

Realised/Unrealised (Gain)/Loss from Change in Fair Value of Investments

Unrealised (Gain)/Loss

- Current Budget: \$0 Forecast Budget: (\$21,862) Variance: (\$21,862);

Realised (Gain)/Loss

- Current Budget: \$0 Forecast Budget: \$940,914 Variance: \$940,914;

Unrealised gains or losses represent a fair market value measurement of the financial instruments during the period in which they are held, i.e. marked to market. It should be noted that actual gains or losses on financial instruments will not be realised until such time as the individual investments are sold.

No budget provision was included in the original budget as it is not possible to budget for an unrealised gain or loss from the change in fair value of investments. These valuations are dictated by market factors and as such a budget provision cannot be ascertained.

The above variance of \$940,914 is attributable to the realised gain on the disposal of 4 x CDO's.

Capital Expenditure

- Current Budget: \$24,090,652 Forecast Budget: \$19,953,056 Variance: \$4,137,596; 17.18%

Significant variances to current capital budgets are attributable to:

- A reduction of \$3,024,000 for the construction of the pyrolysis structure, inclusive of infrastructure, plant and equipment costs, at the Hazelmere site which will be carried forward into the 2013/2014 financial year. This is attributable to the protracted nature in the grant application process with AusIndustry and the need to defer the timing of this expenditure until the grant is received.
- A reduction of \$600,000 for the construction of the C & I Building (\$450,000) and the weighbridge (\$150,000) associated with the Resource Recovery Park project at the Hazelmere site which will be carried forward into the 2013/2014 financial year. This is attributable to the need to obtain quotations for the design work and to conduct an audit of the waste stream.
- A reduction of \$450,000 for the construction of a water storage dam at the Red Hill Waste Disposal Facility with the capital expenditure being carried forward into the 2013/2014 financial year. The water storage dam was originally planned to be sited to the east of the current landfill, but, following the acquisition of Lots 8, 9 and 10 at Red Hill, a redesign is required to ensure access to the water within those lots.
- A reduction of \$150,000 for the construction of a Class III leachate pond at the Red Hill Waste Disposal Facility with the capital expenditure being carried forward into the 2013/2014 financial year. The construction of the proposed leachate pond has been deferred until the effectiveness of the floating covers project has been determined.
- An increase of \$131,618 for capital expenditure for works associated with the leachate project at the Red Hill Waste Disposal Facility as a result of tenders that were received for the manufacture and installation of floating leachate pond covers that were higher than the budget provision. This was previously reported to Council at its 6 December 2012 meeting (Ref: Committees-14954).
- A reduction of \$130,000 for the construction of siltation ponds at the Red Hill Waste Disposal Facility with the capital expenditure being carried forward into the 2013/2014 financial year. The construction of the siltation pond has been deferred until the Red Hill Farm Stage 2 Class III Cell has been completed.



Item 12.1 continued

- o An increase of \$123,000 for the purchase of land at the Red Hill Waste Management Facility. This variance relates to the Deed of Call interest payment costs associated with the purchase of Lots 8, 9 and 10 at Red Hill. It was budgeted that settlement would occur in September 2012. This is offset by the interest earned on the principal up to the settlement date in December 2012.

STRATEGIC/POLICY IMPLICATIONS

Key Result Area 4 - Good Governance

- 4.6 To provide responsible and accountable governance and management of the EMRC
- 4.7 To continue to improve financial and asset management practices

FINANCIAL IMPLICATIONS

Nil

SUSTAINABILITY IMPLICATIONS

Nil

ATTACHMENT(S)

1. Income Statement by Nature and Type (Ref: Committees-15283)
2. Capital Expenditure Statement (Ref: Committees-15284)
3. Balance Sheet (Ref: Committees-15285)
4. Statement of Cash and Investments (Ref: Committees-15286)

VOTING REQUIREMENT

Absolute Majority

RECOMMENDATION(S)

That Council, by an absolute majority in accordance with the provisions of Local Government (Financial Management) Regulation 33A, adopts the review of the 2012/2013 budget and approve its submission to the Department of Local Government within 30 days.

The CEO gave a brief overview of the budget and discussion ensued.

AUDIT COMMITTEE RECOMMENDATION(S)

MOVED CR PITTAWAY

SECONDED CR LINDSEY

That Council, by an absolute majority in accordance with the provisions of Local Government (Financial Management) Regulation 33A, adopts the review of the 2012/2013 budget and approve its submission to the Department of Local Government within 30 days.

CARRIED UNANIMOUSLY



Item 12.1 continued

COUNCIL RESOLUTION(S)

MOVED CR PULE

SECONDED CR FÄRDIG

THAT COUNCIL, BY AN ABSOLUTE MAJORITY IN ACCORDANCE WITH THE PROVISIONS OF LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATION 33A, ADOPTS THE REVIEW OF THE 2012/2013 BUDGET AND APPROVE ITS SUBMISSION TO THE DEPARTMENT OF LOCAL GOVERNMENT WITHIN 30 DAYS.

CARRIED BY AN ABSOLUTE MAJORITY 11/0



STATEMENT OF COMPREHENSIVE INCOME

Nature and Type

Year to Date				JANUARY 2013				Full Year			
Actual	Budget	Variance		Forecast	Budget	Variance		Forecast	Budget	Variance	
Operating Income											
(\$20,309,074)	(\$21,118,325)	(\$809,251)	(U)	User Charges	(\$36,424,617)	(\$35,972,544)	\$452,073				(F)
(\$211,031)	(\$228,487)	(\$17,456)	(U)	Special Charges	(\$354,861)	(\$391,680)	(\$36,819)				(U)
(\$587,924)	(\$594,320)	(\$6,396)	(U)	Contributions	(\$644,893)	(\$655,113)	(\$10,220)				(U)
(\$686,787)	(\$657,472)	\$29,315	(F)	Operating Grants	(\$1,359,993)	(\$1,434,588)	(\$74,595)				(U)
(\$226,416)	(\$219,093)	\$7,323	(F)	Interest Municipal Cash Investments	(\$355,596)	(\$238,334)	\$117,262				(F)
(\$479,070)	(\$531,574)	(\$52,504)	(U)	Reimbursements	(\$962,140)	(\$927,282)	\$34,858				(F)
(\$641,001)	(\$913,842)	(\$272,841)	(U)	Other	(\$1,754,108)	(\$1,743,837)	\$10,271				(F)
(\$23,141,304)	(\$24,263,113)	(\$1,121,809)	(U)	Total Operating Income	(\$41,856,208)	(\$41,363,378)	\$492,830				(F)
Operating Expenditure											
\$4,489,291	\$5,328,015	\$838,724	(F)	Salary Expenses	\$8,099,375	\$9,157,202	\$1,057,827				(F)
\$2,874,655	\$3,687,818	\$813,163	(F)	Contract Expenses	\$8,548,955	\$7,356,790	(\$1,192,165)				(U)
\$457,948	\$619,393	\$161,445	(F)	Material Expenses	\$1,156,758	\$1,198,814	\$42,056				(F)
\$135,877	\$148,840	\$12,963	(F)	Utility Expenses	\$252,128	\$255,582	\$3,454				(F)
\$471,507	\$453,362	(\$18,145)	(U)	Fuel Expenses	\$775,028	\$777,328	\$2,300				(F)
\$11,117	\$8,918	(\$2,199)	(U)	Finance Fees and Interest Expenses	\$19,650	\$15,300	(\$4,350)				(U)
\$159,842	\$173,975	\$14,133	(F)	Insurance Expenses	\$262,903	\$255,252	(\$7,651)				(U)
\$3,096,013	\$3,536,001	\$439,988	(F)	Depreciation Expenses	\$6,073,840	\$6,062,103	(\$11,737)				(U)
\$7,256,208	\$7,518,672	\$262,464	(F)	Miscellaneous Expenses	\$12,989,495	\$12,948,600	(\$40,895)				(U)
\$54,714	\$61,262	\$6,548	(F)	Provision Expenses	\$111,870	\$122,526	\$10,656				(F)
(\$160,570)	(\$173,602)	(\$13,032)	(U)	Costs Allocated	(\$289,507)	(\$309,590)	(\$20,083)				(U)
\$18,846,601	\$21,362,654	\$2,516,053	(F)	Total Operating Expenditure	\$38,000,495	\$37,839,907	(\$160,588)				(U)
(\$4,294,703)	(\$2,900,459)	\$1,394,244	(F)	OPERATING RESULT FROM NORMAL ACTIVITIES	(\$3,855,713)	(\$3,523,471)	\$332,242				(F)
Surplus	Surplus				Surplus	Surplus					

- Notes:
1. User Charges - include member Councils and casual users pertaining to waste, risk management and environmental services fees and charges;
 2. Special Charges - Waste Education Levy;
 3. Contributions - member Councils' contributions to projects and services;
 4. Operating Grants - grant income predominantly from government agencies; and
 5. Miscellaneous Expenses - includes the Landfill Levy expense of \$5,350,048 as at 31 January 2013.

Operating Income and Expenditure relates to the ordinary operations of the organisation.
 Other Revenues and Expenses relates to the Resource Recovery Project, interest from cash reserves and disposal of assets.

(F) denotes Favourable variance and (U) denotes Unfavourable variance



STATEMENT OF COMPREHENSIVE INCOME Nature and Type

Year to Date			JANUARY 2013			Full Year		
Actual	Budget	Variance		Forecast	Budget	Variance		
Other Revenues								
(\$3,143,469)	(\$3,314,230)	(\$170,761)	(U)	Secondary Waste Charge	(\$5,322,672)	(\$5,590,416)	(\$267,744)	(U)
\$0	\$0	\$0	(F)	Operating Grants	\$0	(\$2,250,000)	(\$2,250,000)	(U)
(\$1,235,821)	(\$1,244,439)	(\$8,618)	(U)	Interest Restricted Cash Investments	(\$2,016,098)	(\$2,133,360)	(\$117,262)	(U)
(\$45)	(\$28)	\$17	(F)	Reimbursements	(\$50)	(\$50)	\$0	(F)
(\$169,818)	(\$172,018)	(\$2,200)	(U)	Proceeds from Sale of Assets	(\$690,226)	(\$690,226)	\$0	(F)
(\$4,549,153)	(\$4,730,715)	(\$181,562)	(U)	Total Other Revenues	(\$8,029,046)	(\$10,664,052)	(\$2,635,006)	(U)
Other Expenses								
\$124,328	\$180,054	\$55,726	(F)	Salary Expenses	\$247,261	\$312,116	\$64,855	(F)
\$166,183	\$436,553	\$270,370	(F)	Contract Expenses	\$647,600	\$749,600	\$102,000	(F)
\$15,335	\$15,729	\$394	(F)	Material Expenses	\$24,456	\$27,050	\$2,594	(F)
\$1,230	\$1,862	\$632	(F)	Utility Expenses	\$2,500	\$3,200	\$700	(F)
\$680	\$1,358	\$678	(F)	Insurance Expenses	\$1,250	\$2,337	\$1,087	(F)
\$5,936	\$6,825	\$889	(F)	Depreciation Expenses	\$11,720	\$11,720	\$0	(F)
\$39,276	\$50,833	\$11,557	(F)	Miscellaneous Expenses	\$72,055	\$104,555	\$32,500	(F)
\$43,658	\$45,284	\$1,626	(F)	Carrying Amount of Assets Disposed Of	\$525,293	\$525,138	(\$155)	(U)
\$160,570	\$148,319	(\$12,251)	(U)	Costs Allocated	\$254,507	\$254,590	\$83	(F)
\$557,195	\$886,817	\$329,622	(F)	Total Other Expenses	\$1,786,642	\$1,990,306	\$203,664	(F)
Realised/Unrealised (Gain)/Loss From Change in Fair Value of Investments								
\$21,862	\$0	(\$21,862)	(U)	Unrealised (Gain)/Loss	\$21,862	\$0	(\$21,862)	(U)
(\$940,914)	\$0	\$940,914	(F)	Realised (Gain)/Loss	(\$940,914)	\$0	\$940,914	(F)
(\$919,052)	\$0	\$919,052	(F)	Total (Gain)/Loss from change in Fair Value of Investments	(\$919,052)	\$0	\$919,052	(F)
(\$4,911,010)	(\$3,843,898)	\$1,067,112	(F)	OPERATING RESULT FROM OTHER ACTIVITIES	(\$7,161,456)	(\$8,673,746)	(\$1,512,290)	(U)
Surplus	Surplus				Surplus	Surplus		
(\$9,205,713)	(\$6,744,357)	\$2,461,356	(F)	CHANGE IN NET ASSETS FROM OPERATIONS	(\$11,017,169)	(\$12,197,217)	(\$1,180,048)	(U)
Surplus	Surplus				Surplus	Surplus		



CAPITAL EXPENDITURE STATEMENT

JANUARY 2013

Year to Date						Full Year			
Actual	Budget	Variance		On Order	(F) = Favourable variation (U) = Unfavourable variation	Forecast	Budget	Variance	
Governance and Corporate Services									
\$160,433	\$299,607	\$139,174	(F)	\$204,318		\$513,617	\$513,617	\$0	(F)
\$45,667	\$28,931	(\$16,736)	(U)	\$0		\$49,600	\$49,600	\$0	(F)
\$12,278	\$386,011	\$373,733	(F)	\$22,508		\$645,000	\$665,600	\$20,600	(F)
\$36,364	\$11,662	(\$24,702)	(U)	\$0		\$40,000	\$20,000	(\$20,000)	(U)
\$28,115	\$57,631	\$29,516	(F)	\$36,023		\$95,161	\$98,800	\$3,639	(F)
\$3,639	\$0	(\$3,639)	(U)	\$0		\$3,639	\$0	(\$3,639)	(U)
\$286,495	\$783,842	\$497,347	(F)	\$262,850		\$1,347,017	\$1,347,617	\$600	(F)



CAPITAL EXPENDITURE STATEMENT

JANUARY 2013

Year to Date			On (F) = Favourable variation Order (U) = Unfavourable variation	Full Year		
Actual	Budget	Variance		Forecast	Budget	Variance

Environmental Services

\$0	\$1,162	\$1,162	(F)	\$0	Purchase Office Equipment - Environmental Services (24510/05)	\$1,000	\$2,000	\$1,000	(F)
\$0	\$875	\$875	(F)	\$0	Purchase Office Furniture and Fittings - Environmental Services (24610/05)	\$1,000	\$1,500	\$500	(F)
\$0	\$2,037	\$2,037	(F)	\$0		\$2,000	\$3,500	\$1,500	(F)

Regional Development

\$0	\$581	\$581	(F)	\$0	Purchase Office Equipment - Regional Development (24510/04)	\$1,000	\$1,000	\$0	(F)
\$0	\$581	\$581	(F)	\$0	Purchase Office Furniture and Fittings - Regional Development (24610/04)	\$1,000	\$1,000	\$0	(F)
\$0	\$1,162	\$1,162	(F)	\$0		\$2,000	\$2,000	\$0	(F)

Risk Management

\$0	\$287	\$287	(F)	\$0	Purchase Office Equipment - Risk Management (24510/06)	\$500	\$500	\$0	(F)
\$0	\$287	\$287	(F)	\$0	Purchase Office Furniture and Fittings - Risk Management (24610/06)	\$500	\$500	\$0	(F)
\$0	\$574	\$574	(F)	\$0		\$1,000	\$1,000	\$0	(F)

Resource Recovery

\$0	\$0	\$0	(F)	\$0	Construct and Commission Resource Recovery Park - Land (24150/05)	\$0	\$30,000	\$30,000	(F)
\$0	\$0	\$0	(F)	\$0	Construct and Commission Resource Recovery Park - C & I Building (24259/04)	\$50,000	\$500,000	\$450,000	(F)



CAPITAL EXPENDITURE STATEMENT

JANUARY 2013

Year to Date					Full Year		
Actual	Budget	Variance	On Order	(F) = Favourable variation (U) = Unfavourable variation	Forecast	Budget	Variance

Resource Recovery

\$0	\$0	\$0	(F)	\$0	Construct and Commission Resource Recovery Park - Pyrolysis Building (24259/05)	\$0	\$263,000	\$263,000	(F)
\$0	\$0	\$0	(F)	\$0	Construct and Commission Resource Recovery Park - Weighbridge (24392/02)	\$0	\$150,000	\$150,000	(F)
\$22,488	\$0	(\$22,488)	(U)	\$18,890	Construct and Commission Resource Recovery Park - Infrastructure (24399/01)	\$35,000	\$636,000	\$601,000	(F)
\$0	\$0	\$0	(F)	\$0	Construct and Commission Resource Recovery Park - Plant & Equipment (24410/03)	\$0	\$2,160,000	\$2,160,000	(F)
\$0	\$1,162	\$1,162	(F)	\$0	Purchase Office Equipment - Resource Recovery (24510/07)	\$1,000	\$2,000	\$1,000	(F)
\$0	\$1,162	\$1,162	(F)	\$0	Purchase Other Equipment - Resource Recovery (24590/07)	\$500	\$2,000	\$1,500	(F)
\$281	\$2,912	\$2,631	(F)	\$1,490	Purchase Office Furniture and Fittings - Resource Recovery (24610/07)	\$2,500	\$5,000	\$2,500	(F)
\$22,769	\$5,236	(\$17,533)	(U)	\$20,380		\$89,000	\$3,748,000	\$3,659,000	(F)

Waste Management

\$6,712,713	\$6,619,015	(\$93,698)	(U)	\$0	Purchase Waste Management Land - Midland Brick (24150/02)	\$6,742,015	\$6,619,015	(\$123,000)	(U)
\$0	\$10,000	\$10,000	(F)	\$0	Purchase Waste Management Land - Hazelmere (24150/04)	\$10,000	\$10,000	\$0	(F)
\$0	\$45,000	\$45,000	(F)	\$660	Construct Waste Management Facility Buildings - Red Hill Landfill Facility (24250/01)	\$167,772	\$98,886	(\$68,886)	(U)



CAPITAL EXPENDITURE STATEMENT

JANUARY 2013

Year to Date					Full Year		
Actual	Budget	Variance	On Order	(F) = Favourable variation (U) = Unfavourable variation	Forecast	Budget	Variance

Waste Management

\$4,100	\$23,000	\$18,900	(F)	\$0	Construct Waste Management Facility Buildings - Hazelmere (24250/02)	\$78,000	\$78,000	\$0 (F)
\$0	\$0	\$0	(F)	\$0	Construct Weighbridge Office - Hazelmere (24250/03)	\$8,000	\$8,000	\$0 (F)
\$0	\$16,400	\$16,400	(F)	\$0	Construct Storage Shed for Mattresses - Hazelmere (24250/05)	\$16,400	\$16,400	\$0 (F)
\$0	\$100,000	\$100,000	(F)	\$0	Construct Mobile workshop - Red Hill Landfill Facility (24250/06)	\$100,000	\$100,000	\$0 (F)
\$300	\$20,000	\$19,700	(F)	\$0	Construct Lunchroom and Ablution Block - Red Hill Landfill Facility (24250/07)	\$20,000	\$20,000	\$0 (F)
\$0	\$0	\$0	(F)	\$0	Construct Waste Management Facility Buildings - Other - Hazelmere (24259/02)	\$5,000	\$5,000	\$0 (F)
\$12,750	\$12,750	\$0	(F)	\$0	Upgrade Power - Redhill Landfill Facility (24259/03)	\$12,750	\$12,750	\$0 (F)
\$30,161	\$323,591	\$293,430	(F)	\$3,733,499	Construct Class III Cell Farm Stage 2 - Red Hill Landfill Facility (24310/11)	\$4,144,800	\$4,144,800	\$0 (F)
\$0	\$0	\$0	(F)	\$0	Construct Class III Cell Stage 14 - Red Hill Landfill Facility (24310/12)	\$270,000	\$270,000	\$0 (F)
\$0	\$0	\$0	(F)	\$0	Construct Class III Leachate Pond - Red Hill Landfill Facility (24320/01)	\$0	\$150,000	\$150,000 (F)
\$9,344	\$0	(\$9,344)	(U)	\$531,163	Leachate Project - Red Hill Landfill Facility (24320/02)	\$546,618	\$415,000	(\$131,618) (U)
\$0	\$0	\$0	(F)	\$0	Construct Siltation Ponds - Red Hill Landfill Facility (24350/00)	\$0	\$130,000	\$130,000 (F)
\$0	\$0	\$0	(F)	\$0	Construct Stormwater Control Pond - Red Hill Farm Stage I (24350/01)	\$100,000	\$100,000	\$0 (F)



CAPITAL EXPENDITURE STATEMENT

JANUARY 2013

Year to Date						Full Year		
Actual	Budget	Variance		On Order	(F) = Favourable variation (U) = Unfavourable variation	Forecast	Budget	Variance
Waste Management								
\$0	\$0	\$0	(F)	\$0		\$60,500	\$60,500	\$0 (F)
\$0	\$233,571	\$233,571	(F)	\$0		\$485,000	\$485,000	\$0 (F)
\$9,040	\$10,000	\$960	(F)	\$33,695		\$50,000	\$500,000	\$450,000 (F)
\$0	\$100,000	\$100,000	(F)	\$0		\$100,000	\$100,000	\$0 (F)
\$0	\$50,000	\$50,000	(F)	\$0		\$50,000	\$50,000	\$0 (F)
\$0	\$0	\$0	(F)	\$0		\$175,000	\$175,000	\$0 (F)
\$117,122	\$100,000	(\$17,122)	(U)	\$45,065		\$286,175	\$286,175	\$0 (F)
\$0	\$30,000	\$30,000	(F)	\$35,386		\$48,846	\$48,846	\$0 (F)
\$0	\$0	\$0	(F)	\$0		\$120,000	\$120,000	\$0 (F)
\$0	\$0	\$0	(F)	\$0		\$70,000	\$70,000	\$0 (F)
\$0	\$0	\$0	(F)	\$0		\$30,000	\$30,000	\$0 (F)
\$1,755,755	\$1,776,500	\$20,745	(F)	\$0		\$1,776,500	\$1,776,500	\$0 (F)
\$503,217	\$715,009	\$211,792	(F)	\$105,345		\$1,503,779	\$1,503,779	\$0 (F)
\$0	\$75,000	\$75,000	(F)	\$0		\$75,000	\$75,000	\$0 (F)



CAPITAL EXPENDITURE STATEMENT

JANUARY 2013

Year to Date					Full Year		
Actual	Budget	Variance	On Order	(F) = Favourable variation (U) = Unfavourable variation	Forecast	Budget	Variance

Waste Management

\$127,050	\$133,734	\$6,684	(F)	\$0	Purchase / Replace Minor Plant and Equipment-Red Hill Landfill Facility (24420/00)	\$263,586	\$263,586	\$0	(F)
\$25,590	\$16,000	(\$9,590)	(U)	\$0	Purchase / Replace Minor Plant and Equipment - Hazelmere (24420/02)	\$30,000	\$30,000	\$0	(F)
\$58,870	\$64,400	\$5,530	(F)	\$5,500	Purchase Minor Plant and Equipment - Cardboard Recycling Project (24420/03)	\$142,100	\$142,100	\$0	(F)
\$154,812	\$119,205	(\$35,607)	(U)	\$0	Purchase / Replace Vehicles - Red Hill Landfill Facility (24430/00)	\$145,770	\$145,770	\$0	(F)
\$109	\$550	\$441	(F)	\$0	Purchase / Replace Office Equipment - Engineering / Waste Management (24510/02)	\$550	\$550	\$0	(F)
\$0	\$6,333	\$6,333	(F)	\$0	Purchase / Replace Office Equipment - Red Hill Landfill Facility (24510/08)	\$19,000	\$19,000	\$0	(F)
\$275,699	\$371,360	\$95,661	(F)	\$24,188	Purchase Fire Fighting System/Equipment - Hazelmere (24520/07)	\$371,360	\$371,360	\$0	(F)
\$0	\$1,000	\$1,000	(F)	\$0	Purchase / Replace Fire Fighting Equipment - Red Hill Landfill Facility (24520/08)	\$1,000	\$1,000	\$0	(F)
\$0	\$143,600	\$143,600	(F)	\$643	Purchase / Replace Security System - Red Hill Waste Management Facility (24530/08)	\$143,600	\$143,600	\$0	(F)
\$0	\$11,000	\$11,000	(F)	\$0	Purchase / Replace Security System - Hazelmere (24530/10)	\$11,000	\$11,000	\$0	(F)
\$9,736	\$167,000	\$157,264	(F)	\$0	Purchase / Replace Other Equipment - Red Hill Landfill Facility (24590/00)	\$283,150	\$283,150	\$0	(F)
\$11,066	\$2,000	(\$9,066)	(U)	\$0	Purchase / Replace Miscellaneous Equipment - Hazelmere (24590/02)	\$12,000	\$2,000	(\$10,000)	(U)



CAPITAL EXPENDITURE STATEMENT

JANUARY 2013

Year to Date						Full Year			
Actual	Budget	Variance		On Order	(F) = Favourable variation (U) = Unfavourable variation	Forecast	Budget	Variance	
Waste Management									
\$0	\$0	\$0	(F)	\$0	Purchase/Replace Other Equipment - Engineering and Waste Management (24590/03)	\$3,000	\$3,000	\$0	(F)
\$0	\$0	\$0	(F)	\$0	Purchase Office Furniture and Fittings-Engineering and Waste Management (24610/03)	\$3,500	\$3,500	\$0	(F)
\$1,081	\$1,100	\$19	(F)	\$0	Purchase / Replace Office Furniture and Fittings - Red Hill Landfill Facility (24610/08)	\$5,768	\$5,768	\$0	(F)
\$349	\$1,500	\$1,151	(F)	\$0	Purchase Office Furniture and Fittings-Hazelmere (24610/10)	\$1,500	\$1,500	\$0	(F)
\$0	\$1,000	\$1,000	(F)	\$0	Purchase Miscellaneous Furniture and Fittings - Red Hill Education Programme (24690/01)	\$1,000	\$1,000	\$0	(F)
\$0	\$0	\$0	(F)	\$0	Refurbish Environmental Education Centre - Redhill Landfill Facility (25253/00)	\$2,000	\$2,000	\$0	(F)
\$0	\$60,000	\$60,000	(F)	\$0	Refurbish Waste Transfer Station Building - Red Hill Landfill Facility (25259/01)	\$0	\$80,000	\$80,000	(F)
\$0	\$0	\$0	(F)	\$0	Refurbish Plant - Red Hill Landfill Facility (25410/00)	\$20,000	\$20,000	\$0	(F)
\$9,818,864	\$11,359,618	\$1,540,754	(F)	\$4,515,145		\$18,512,039	\$18,988,535	\$476,496	(F)
\$10,128,127	\$12,152,469	\$2,024,342	(F)	\$4,798,374	TOTAL CAPITAL EXPENDITURE	\$19,953,056	\$24,090,652	\$4,137,596	(F)



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STATEMENT OF FINANCIAL POSITION
JANUARY 2013

Actual June 2012	Actual Year to Date	(F) = Favourable variation (U) = Unfavourable variation	Full Year		
			Forecast	Budget	Variance
Current Assets					
\$4,614,448	\$3,135,661	Cash and Cash Equivalents	\$3,706,709	\$3,688,839	\$17,870 (F)
\$43,144,608	\$44,107,302	Investments	\$41,854,766	\$38,913,852	\$2,940,914 (F)
\$2,930,193	\$4,619,308	Trade and Other Receivables	\$2,930,193	\$2,930,193	\$0 (F)
\$44,528	\$53,546	Inventories	\$44,528	\$44,528	\$0 (F)
\$108,495	\$257,657	Other Assets	\$108,495	\$108,495	\$0 (F)
\$50,842,271	\$52,173,473	Total Current Assets	\$48,644,690	\$45,685,906	\$2,958,784 (F)
Current Liabilities					
\$4,251,981	\$2,886,866	Trade and Other Payables	\$4,251,981	\$4,251,981	\$0 (F)
\$1,190,512	\$1,190,512	Provisions	\$1,206,095	\$1,206,095	\$0 (F)
\$5,442,493	\$4,077,378	Total Current Liabilities	\$5,458,076	\$5,458,076	\$0 (F)
\$45,399,778	\$48,096,095	Net Current Assets	\$43,186,614	\$40,227,830	\$2,958,784 (F)
Non Current Assets					
\$9,255,511	\$15,968,224	Land	\$16,007,526	\$15,914,526	\$93,000 (F)
\$4,870,225	\$4,832,904	Buildings	\$5,152,136	\$5,879,889	(\$727,753) (U)
\$10,102,339	\$8,722,799	Structures	\$13,968,422	\$15,328,167	(\$1,359,745) (U)
\$8,070,794	\$7,781,885	Plant	\$9,403,456	\$11,563,456	(\$2,160,000) (U)
\$538,428	\$510,417	Equipment	\$1,610,140	\$1,622,198	(\$12,058) (U)
\$148,164	\$143,123	Furniture and Fittings	\$185,984	\$168,916	\$17,068 (F)
\$412,861	\$3,436,130	Work in Progress	\$412,861	\$412,861	\$0 (F)
\$33,398,321	\$41,395,480	Total Non Current Assets	\$46,740,524	\$50,890,012	(\$4,149,488) (U)
Non Current Liabilities					
\$1,654,786	\$3,142,548	Provisions	\$1,766,656	\$1,777,312	\$10,656 (F)
\$1,654,786	\$3,142,548	Total Non Current Liabilities	\$1,766,656	\$1,777,312	\$10,656 (F)
\$77,143,313	\$86,349,027	Net Assets	\$88,160,482	\$89,340,530	(\$1,180,048) (U)
Equity					
\$32,442,815	\$32,442,816	Accumulated Surplus/Deficit	\$32,442,815	\$32,442,815	\$0 (F)
\$44,700,498	\$44,700,498	Cash Backed Reserves	\$44,700,498	\$44,700,498	\$0 (F)
\$0	\$9,205,713	Net change in assets from operations	\$11,017,169	\$12,197,217	(\$1,180,048) (U)
\$77,143,313	\$86,349,027	Total Equity	\$88,160,482	\$89,340,530	(\$1,180,048) (U)



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JANUARY 2013

Actual June 2012	Actual Year to Date	(F) = Favourable variation (U) = Unfavourable variation	Full Year		
			Forecast	Budget	Variance
Municipal Cash and Investments					
4,611,198	3,132,411	Cash at Bank - Municipal Fund 01001/00	3,703,459	3,685,589	17,870 (F)
1,250	1,250	Cash on Hand - Ascot Place 01019/00	1,250	1,250	0 (F)
200	200	Cash on Hand - Walliston/Mathieson & Coppin Road Transfer Stations 01019/01	200	200	0 (F)
1,800	1,800	Cash on Hand - Red Hill / Hazelmere 01019/02	1,800	1,800	0 (F)
1,051,499	4,625,484	Investments - Municipal Fund 02021/00	635,871	768,627	(132,755) (U)
5,665,946	7,761,145	Total Municipal Cash	4,342,580	4,457,465	(114,885) (U)
Restricted Cash and Investments					
1,211,123	1,246,653	Restricted Investments - Plant and Equipment 02022/01	107,141	107,138	3 (F)
1,697,942	1,747,753	Restricted Investments - Site Rehabilitation Red Hill 02022/02	1,889,978	1,889,977	0 (F)
2,913,350	131,636	Restricted Investments - Future Development 02022/03	280,812	199,812	81,000 (F)
526,688	542,139	Restricted Investments - Environmental Monitoring Red Hill 02022/04	551,808	551,808	0 (F)
195,912	201,659	Restricted Investments - Environmental Insurance Red Hill 02022/05	168,770	168,770	0 (F)
12,071	12,425	Restricted Investments - Risk Management 02022/06	12,649	12,649	0 (F)
362,862	373,507	Restricted Investments - Class IV Cells Red Hill 02022/07	440,104	438,690	1,414 (F)
17,913	18,439	Restricted Investments - Regional Development 02022/08	20,196	210,564	(190,368) (U)
33,522,665	31,491,192	Restricted Investments - Secondary Waste Processing 02022/09	36,103,620	34,797,053	1,306,567 (F)
3,517,865	3,621,065	Restricted Investments - Class III Cells 02022/10	1,481,582	1,612,433	(130,851) (U)
60,945	62,733	Restricted Investments - Building Refurbishment (Ascot Place) 02022/11	63,862	63,862	0 (F)
0	(46,455)	Restricted Investments - Accrued Interest 02022/19	0	0	0 (F)
(2,607,389)	(601,485)	Restricted Investments - Unrealised Loss/Gain on Investments 02022/20	(601,485)	(2,607,389)	2,005,904 (F)
661,162	680,558	Restricted Investments - Long Service Leave 02022/90	699,858	699,858	0 (F)
42,093,109	39,481,819	Total Restricted Cash	41,218,894	38,145,225	3,073,669 (F)
47,759,055	47,242,963	TOTAL CASH AND INVESTMENTS	45,561,474	42,602,690	2,958,784 (F)

The Cash at Bank - Municipal Fund represents the balance on the last day of the relevant month. Any portion of the balance available for investment is transferred into the Investment - Municipal Fund account in the following period. Funds held in the Cash at Bank - Municipal Fund continue to accrue interest as per the Westpac commercial rates.



12.2 COMPLIANCE AUDIT RETURN 2012

REFERENCE: COMMITTEES-15280

PURPOSE OF REPORT

The purpose of the report is to present to Council for adoption the Compliance Audit Return (CAR) for the year ended 31 December 2012.

KEY ISSUES AND RECOMMENDATION(S)

- Each local government is required to complete a compliance audit return at the end of each calendar year.
- The CAR is required to be reviewed by the Audit Committee (AC) before being adopted by Council, certified by the Chairman and Chief Executive Officer (CEO) and submitted to the Director General of the Department of Local Government, by 31 March 2013.

Recommendation(s)

That Council adopts the draft Compliance Audit Return 2012, that it be certified by the Chairman and Chief Executive Officer and be submitted to the Director General, Department of Local Government by 31 March 2013.

SOURCE OF REPORT

Director Corporate Services
 Manager Administration and Compliance

BACKGROUND

The audit and applicable return is completed in accordance with the requirements of regulation 14 and 15 of the *Local Government (Audit) Regulations 1996*. It is a compliance audit for the period 1 January to 31 December 2012 against the requirements included in the Compliance Audit Return for that period.

A change to Regulation 14 of the Local Government (Audit) Regulation 1996 in 2011 now requires the Audit Committee to review the CAR and to report the results of the review to Council prior to adoption by Council.

REPORT

The Compliance Audit Return, as required by the Local Government Act 1995 (the Act) and relevant Regulations, was received from the Director General of the Department of Local Government with Departmental Circular No 34-2012 (the circular) on 19 December 2012.

The CAR sought advice on the extent of compliance by the EMRC to a range of sections of the Act and the local government regulations.

The 2012 CAR continues in the reduced format introduced in 2011, with the areas of compliance restricted to those considered high risk.

A satisfactory level of compliance was achieved. The details and explanations applicable to the completion of the return appear in the relevant comment sections of the CAR.



Item 12.2 continued

After the Compliance Audit Return has been adopted by Council a certified copy of the Return, along with the relevant section of the minutes and any additional information explaining or qualifying the compliance audit, is to be submitted to the Director General of the Department of Local Government by 31 March 2013.

STRATEGIC/POLICY IMPLICATIONS

Key Result Area 4 – Good Governance

4.6 To provide responsible and accountable governance and management of the EMRC

FINANCIAL IMPLICATIONS

Nil

SUSTAINABILITY IMPLICATIONS

Nil

MEMBER COUNCIL IMPLICATIONS

Member Council	Implication Details
Town of Bassendean	} Nil
City of Bayswater	
City of Belmont	
Shire of Kalamunda	
Shire of Mundaring	
City of Swan	

ATTACHMENT(S)

Local Government Compliance Audit Return from 1 January 2012 to 31 December 2012
 (Ref: Committees-15292)

VOTING REQUIREMENT

Simple Majority

RECOMMENDATION(S)

That Council adopts the draft Compliance Audit Return 2012, that it be certified by the Chairman and Chief Executive Officer and be submitted to the Director General, Department of Local Government by 31 March 2013.



Item 12.2 continued

Cr Cuccaro congratulated EMRC officers on the level of compliance.

AC RECOMMENDATION(S)

MOVED CR PULE

SECONDED CR FÄRDIG

That Council adopts the draft Compliance Audit Return 2012, that it be certified by the Chairman and Chief Executive Officer and be submitted to the Director General, Department of Local Government by 31 March 2013.

CARRIED UNANIMOUSLY

Cr Powell thanked EMRC officers for their level of compliance this year.

COUNCIL RESOLUTION(S)

MOVED CR PITTAWAY

SECONDED CR POWELL

THAT COUNCIL ADOPTS THE DRAFT COMPLIANCE AUDIT RETURN 2012, THAT IT BE CERTIFIED BY THE CHAIRMAN AND CHIEF EXECUTIVE OFFICER AND SUBMITTED TO THE DIRECTOR GENERAL, DEPARTMENT OF LOCAL GOVERNMENT BY 31 MARCH 2013.

CARRIED UNANIMOUSLY



Eastern Metropolitan Regional Council - Compliance Audit Return Regional Local Government 2012

Commercial Enterprises by Local Governments					
No	Reference	Question	Response	Comments	Respondent
1	s3.59(2)(a)(b)(c) Functions & General Regulation 7,9	Has the local government prepared a business plan for each major trading undertaking in 2012.	N/A		Terri-Ann Ashton
2	s3.59(2)(a)(b)(c) Functions & General Regulation 7,10	Has the local government prepared a business plan for each major land transaction that was not exempt in 2012.	N/A		Terri-Ann Ashton
3	s3.59(2)(a)(b)(c) Functions & General Regulation 7,10	Has the local government prepared a business plan before entering into each land transaction that was preparatory to entry into a major land transaction in 2012.	N/A		Terri-Ann Ashton
4	s3.59(4)	Has the local government given Statewide public notice of each proposal to commence a major trading undertaking or enter into a major land transaction for 2012.	N/A		Terri-Ann Ashton
5	s3.59(5)	Did the Council, during 2012, resolve to proceed with each major land transaction or trading undertaking by absolute majority.	N/A		Terri-Ann Ashton

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Delegation of Power / Duty						
No	Reference	Question	Response	Comments	Respondent	
1	s5.16, 5.17, 5.18	Were all delegations to committees resolved by absolute majority.	N/A		Terri-Ann Ashton	
2	s5.16, 5.17, 5.18	Were all delegations to committees in writing.	N/A		Terri-Ann Ashton	
3	s5.16, 5.17, 5.18	Were all delegations to committees within the limits specified in section 5.17.	N/A		Terri-Ann Ashton	
4	s5.16, 5.17, 5.18	Were all delegations to committees recorded in a register of delegations.	N/A		Terri-Ann Ashton	
5	s5.18	Has Council reviewed delegations to its committees in the 2011/2012 financial year.	Yes		Terri-Ann Ashton	
6	s5.42(1),5.43 Administration Regulation 18G	Did the powers and duties of the Council delegated to the CEO exclude those as listed in section 5.43 of the Act.	Yes		Terri-Ann Ashton	
7	s5.42(1)(2) Admin Reg 18G	Were all delegations to the CEO resolved by an absolute majority.	Yes		Terri-Ann Ashton	
8	s5.42(1)(2) Admin Reg 18G	Were all delegations to the CEO in writing.	Yes		Terri-Ann Ashton	
9	s5.44(2)	Were all delegations by the CEO to any employee in writing.	N/A		Terri-Ann Ashton	
10	s5.45(1)(b)	Were all decisions by the Council to amend or revoke a delegation made by absolute majority.	N/A		Terri-Ann Ashton	
11	s5.46(1)	Has the CEO kept a register of all delegations made under the Act to him and to other employees.	Yes		Terri-Ann Ashton	
12	s5.46(2)	Were all delegations made under Division 4 of Part 5 of the Act reviewed by the delegator at least once during the 2011/2012 financial year.	Yes		Terri-Ann Ashton	
13	s5.46(3) Admin Reg 19	Did all persons exercising a delegated power or duty under the Act keep, on all occasions, a written record as required.	Yes		Terri-Ann Ashton	

Disclosure of Interest						
No	Reference	Question	Response	Comments	Respondent	
1	s5.67	If a member disclosed an interest, did he/she ensure that they did not remain present to participate in any discussion or decision-making procedure relating to the matter in which the interest was disclosed (not including participation approvals granted under s5.68).	Yes		Terri-Ann Ashton	
2	s5.68(2)	Were all decisions made under section 5.68(1), and the extent of participation allowed, recorded in the minutes of Council and Committee meetings.	Yes		Terri-Ann Ashton	



No	Reference	Question	Response	Comments	Respondent
3	s5.73	Were disclosures under section 5.65 or 5.70 recorded in the minutes of the meeting at which the disclosure was made.	Yes		Terri-Ann Ashton
4	s5.75(1) Admin Reg 22 Form 2	Was a primary return lodged by all newly elected members within three months of their start day.	Yes		Terri-Ann Ashton
5	s5.75(1) Admin Reg 22 Form 2	Was a primary return lodged by all newly designated employees within three months of their start day.	Yes		Terri-Ann Ashton
6	s5.76(1) Admin Reg 23 Form 3	Was an annual return lodged by all continuing elected members by 31 August 2012.	Yes		Terri-Ann Ashton
7	s5.76(1) Admin Reg 23 Form 3	Was an annual return lodged by all designated employees by 31 August 2012.	Yes		Terri-Ann Ashton
8	s5.77	On receipt of a primary or annual return, did the CEO, (or the Mayor/ President in the case of the CEO's return) on all occasions, give written acknowledgment of having received the return.	Yes		Terri-Ann Ashton
9	s5.88(1)(2) Admin Reg 28	Did the CEO keep a register of financial interests which contained the returns lodged under section 5.75 and 5.76	Yes		Terri-Ann Ashton
10	s5.88(1)(2) Admin Reg 28	Did the CEO keep a register of financial interests which contained a record of disclosures made under sections 5.65, 5.70 and 5.71, in the form prescribed in Administration Regulation 28.	Yes		Terri-Ann Ashton
11	s5.88 (3)	Has the CEO removed all returns from the register when a person ceased to be a person required to lodge a return under section 5.75 or 5.76.	Yes		Terri-Ann Ashton
12	s5.88(4)	Have all returns lodged under section 5.75 or 5.76 and removed from the register, been kept for a period of at least five years, after the person who lodged the return ceased to be a council member or designated employee.	Yes		Terri-Ann Ashton
13	s5.103 Admin Reg 34C & Rules of Conduct Reg 11	Where an elected member or an employee disclosed an interest in a matter discussed at a Council or committee meeting where there was a reasonable belief that the impartiality of the person having the interest would be adversely affected, was it recorded in the minutes.	Yes		Terri-Ann Ashton
14	s5.70(2)	Where an employee had an interest in any matter in respect of which the employee provided advice or a report directly to the Council or a Committee, did that person disclose the nature of that interest when giving the advice or report.	Yes		Terri-Ann Ashton



No	Reference	Question	Response	Comments	Respondent
15	s5.70(3)	Where an employee disclosed an interest under s5.70(2), did that person also disclose the extent of that interest when required to do so by the Council or a Committee.	Yes		Terri-Ann Ashton
16	s5.103(3) Admin Reg 34B	Has the CEO kept a register of all notifiable gifts received by Council members and employees.	Yes		Terri-Ann Ashton

Disposal of Property

No	Reference	Question	Response	Comments	Respondent
1	s3.58(3)	Was any property that was not disposed of by public auction or tender, given local public notice prior to disposal (except where excluded by Section 3.58(5)).	N/A		Terri-Ann Ashton
2	s3.58(4)	Where the local government disposed of property under section 3.58(3), did it provide details, as prescribed by section 3.58(4), in the required local public notice for each disposal of property.	N/A		Terri-Ann Ashton

Finance

No	Reference	Question	Response	Comments	Respondent
1	s7.1A	Has the local government established an audit committee and appointed members by absolute majority in accordance with section 7.1A of the Act.	Yes		Terri-Ann Ashton
2	s7.1B	Where a local government determined to delegate to its audit committee any powers or duties under Part 7 of the Act, did it do so by absolute majority.	N/A		Terri-Ann Ashton
3	s7.3	Was the person(s) appointed by the local government to be its auditor, a registered company auditor.	Yes		Terri-Ann Ashton
4	s7.3	Was the person(s) appointed by the local government to be its auditor, an approved auditor.	Yes		Terri-Ann Ashton
5	S7.3, s7.6(3)	Was the person or persons appointed by the local government to be its auditor, appointed by an absolute majority decision of Council.	Yes		Terri-Ann Ashton
6	Audit Reg 10	Was the Auditor's report for the financial year ended 30 June 2012 received by the local government within 30 days of completion of the audit.	Yes		Terri-Ann Ashton
7	s7.9(1)	Was the Auditor's report for 2011/2012 received by the local government by 31 December 2012.	Yes		Terri-Ann Ashton



No	Reference	Question	Response	Comments	Respondent
8	s7.12A(3), (4)	Where the local government determined that matters raised in the auditor's report prepared under s7.9 (1) of the Act required action to be taken by the local government, was that action undertaken.	N/A		Terri-Ann Ashton
9	s7.12A(3), (4)	Where the local government determined that matters raised in the auditor's report (prepared under s7.9 (1) of the Act) required action to be taken by the local government, was a report prepared on any actions undertaken.	N/A		Terri-Ann Ashton
10	s7.12A(3), (4)	Where the local government determined that matters raised in the auditor's report (prepared under s7.9 (1) of the Act) required action to be taken by the local government, was a copy of the report forwarded to the Minister by the end of the financial year or 6 months after the last report prepared under s7.9 was received by the local government whichever was the latest in time.	N/A		Terri-Ann Ashton
11	A Reg 7	Did the agreement between the local government and its auditor include the objectives of the audit.	Yes		Terri-Ann Ashton
12	A Reg 7	Did the agreement between the local government and its auditor include the scope of the audit.	Yes		Terri-Ann Ashton
13	A Reg 7	Did the agreement between the local government and its auditor include a plan for the audit.	Yes		Terri-Ann Ashton
14	A Reg 7	Did the agreement between the local government and its auditor include details of the remuneration and expenses to be paid to the auditor.	Yes		Terri-Ann Ashton
15	A Reg 7	Did the agreement between the local government and its auditor include the method to be used by the local government to communicate with, and supply information to, the auditor.	Yes		Terri-Ann Ashton

ONLY



Local Government Employees					
No	Reference	Question	Response	Comments	Respondent
1	Admin Reg 18C	Did the local government approve the process to be used for the selection and appointment of the CEO before the position was advertised.	N/A		Terri-Ann Ashton
2	s5.36(4), 5.37(3), Admin Reg 18A	Were all vacancies for the position of CEO and other designated senior employees advertised and did the advertising comply with s5.36(4), s5.37(3) and Admin Reg 18A.	N/A		Terri-Ann Ashton
3	s5.37(2)	Did the CEO inform council of each proposal to employ or dismiss a designated senior employee.	N/A		Terri-Ann Ashton
4	Admin Reg 18F	Was the remuneration and other benefits paid to a CEO on appointment the same remuneration and benefits advertised for the position of CEO under section 5.36(4).	N/A		Terri-Ann Ashton
5	Admin Regs 18E	Did the local government ensure checks were carried out to confirm that the information in an application for employment was true (applicable to CEO only).	N/A		Terri-Ann Ashton

NLY



Official Conduct						
No	Reference	Question	Response	Comments	Respondent	
1	s5.120	Where the CEO is not the complaints officer, has the local government designated a senior employee, as defined under s5.37, to be its complaints officer.	Yes		Terri-Ann Ashton	
2	s5.121(1)	Has the complaints officer for the local government maintained a register of complaints which records all complaints that result in action under s5.110(6)(b) or (c).	Yes		Terri-Ann Ashton	
3	s5.121(2)(a)	Does the complaints register maintained by the complaints officer include provision for recording of the name of the council member about whom the complaint is made.	Yes		Terri-Ann Ashton	
4	s5.121(2)(b)	Does the complaints register maintained by the complaints officer include provision for recording the name of the person who makes the complaint.	Yes		Terri-Ann Ashton	
5	s5.121(2)(c)	Does the complaints register maintained by the complaints officer include provision for recording a description of the minor breach that the standards panel finds has occurred.	Yes		Terri-Ann Ashton	
6	s5.121(2)(d)	Does the complaints register maintained by the complaints officer include the provision to record details of the action taken under s5.110(6)(b) (c).	Yes		Terri-Ann Ashton	

Tenders for Providing Goods and Services						
No	Reference	Question	Response	Comments	Respondent	
1	s3.57 F&G Reg 11	Did the local government invite tenders on all occasions (before entering into contracts for the supply of goods or services) where the consideration under the contract was, or was expected to be, worth more than the consideration stated in Regulation 11(1) of the Local Government (Functions & General) Regulations (Subject to Functions and General Regulation 11(2)).	No	A panel of preferred suppliers for Labour Hire under Tender 2009-03 was in place throughout the year, however a supplier outside this panel was utilised due to the inability of existing panelists to supply the labour required. The total expenditure for the supplier exceeded \$100,000 and as soon as this was identified the use of the supplier was terminated. EMRC has commenced the process of re-tendering for the provision of the service.	Terri-Ann Ashton	



No	Reference	Question	Response	Comments	Respondent
2	F&G Reg 12	Did the local government comply with F&G Reg 12 when deciding to enter into multiple contracts rather than inviting tenders for a single contract.	Yes		Terri-Ann Ashton
3	F&G Reg 14(1)	Did the local government invite tenders via Statewide public notice.	Yes		Terri-Ann Ashton
4	F&G Reg 14, 15 & 16	Did the local government's advertising and tender documentation comply with F&G Regs 14,15 & 16.	Yes		Terri-Ann Ashton
5	F&G Reg 14(5)	If the local government sought to vary the information supplied to tenderers, was every reasonable step taken to give each person who sought copies of the tender documents or each acceptable tenderer, notice of the variation.	Yes		Terri-Ann Ashton
6	F&G Reg 18(1)	Did the local government reject the tenders that were not submitted at the place, and within the time specified in the invitation to tender.	Yes		Terri-Ann Ashton
7	F&G Reg 18 (4)	In relation to the tenders that were not rejected, did the local government assess which tender to accept and which tender was most advantageous to the local government to accept, by means of written evaluation criteria.	Yes		Terri-Ann Ashton
8	F&G Reg 17	Did the information recorded in the local government's tender register comply with the requirements of F&G Reg 17.	Yes		Terri-Ann Ashton
9	F&G Reg 19	Was each tenderer sent written notice advising particulars of the successful tender or advising that no tender was accepted.	Yes		Terri-Ann Ashton
10	F&G Reg 21 & 22	Did the local governments' advertising and expression of interest documentation comply with the requirements of F&G Regs 21 and 22.	N/A		Terri-Ann Ashton
11	F&G Reg 23(1)	Did the local government reject the expressions of interest that were not submitted at the place and within the time specified in the notice.	N/A		Terri-Ann Ashton
12	F&G Reg 23(4)	After the local government considered expressions of interest, did the CEO list each person considered capable of satisfactorily supplying goods or services.	N/A		Terri-Ann Ashton
13	F&G Reg 24	Was each person who submitted an expression of interest, given a notice in writing in accordance with Functions & General Regulation 24.	N/A		Terri-Ann Ashton



Government of Western Australia
Department of Local Government

No	Reference	Question	Response	Comments	Respondent
14	F&G Reg 24E	Where the local government gave regional price preference in relation to a tender process, did the local government comply with requirements of F&G Reg 24E in relation to the preparation of a regional price preference policy (only if a policy had not been previously adopted by Council).	N/A		Terri-Ann Ashton
15	F&G Reg 11A	Does the local government have a current purchasing policy in relation to contracts for other persons to supply goods or services where the consideration under the contract is, or is expected to be, \$100,000 or less.	Yes		Terri-Ann Ashton

COPY ONLY



13 REPORTS OF DELEGATES

Nil

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

Nil

15 GENERAL BUSINESS

Nil

16 FUTURE MEETINGS OF THE AUDIT COMMITTEE

Meetings of the Audit Committee are covered under the Audit Committee Terms of Reference as follows.

“2.3 Meetings

The Committee meet as required at the discretion of the Chairman of the Committee at least three (3) times per year to coincide with approval of strategic and annual plans, the annual budget and the auditor’s report on the annual financial report.

Additional meetings shall be convened at the discretion of the Chairman or at the written request of any member of the Committee or external auditor.”

Future Meetings 2013

Thursday	4	April (if required)	at	EMRC Administration Office
Thursday	9	May (if required)	at	EMRC Administration Office
Thursday	6	June	at	EMRC Administration Office
Thursday	4	July (if required)	at	EMRC Administration Office
Thursday	8	August (if required)	at	EMRC Administration Office
Thursday	5	September	at	EMRC Administration Office
Thursday	10	October (if required)	at	EMRC Administration Office
Thursday	21	November (if required)	at	EMRC Administration Office

17 DECLARATION OF CLOSURE OF MEETING

There being no further business the meeting was closed at 5:25pm.



16 REPORTS OF DELEGATES

Nil

17 MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

18 NEW BUSINESS OF AN URGENT NATURE APPROVED BY THE CHAIRMAN OR PERSON PRESIDING OR BY DECISION OF MEETING

Nil

19 CONFIDENTIAL MATTERS FOR WHICH THE MEETING MAY BE CLOSED TO THE PUBLIC

Nil

20 FUTURE MEETINGS OF COUNCIL

The next meeting of Council will be held on **Thursday 18 April 2013 (if required)** at the EMRC Administration Office, 1st Floor, Ascot Place, 226 Great Eastern Highway, Belmont WA 6104 commencing at 6:00pm.

Future Meetings 2013

Thursday	18 April (if required)	at	EMRC Administration Office
Thursday	23 May	at	EMRC Administration Office
Thursday	20 June	at	EMRC Administration Office
Thursday	18 July (if required)	at	EMRC Administration Office
Thursday	22 August	at	EMRC Administration Office
Thursday	19 September	at	EMRC Administration Office
Thursday	5 December	at	EMRC Administration Office
January 2014 (recess)			

21 DECLARATION OF CLOSURE OF MEETING

There being no further business, the meeting was closed at 6:10pm.