

# AGENDA

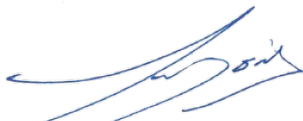
D2022/03258

## Agenda Briefing Forum 10 March 2022

### Notice of Meeting

Dear Councillors

The next Agenda Briefing Forum will be held on Thursday, 10 March 2022 at the EMRC Administration Office, 1<sup>st</sup> Floor, 226 Great Eastern Highway, Ascot WA 6104 commencing at 6:00pm.



Marcus Geisler | Chief Executive Officer

8 March 2022

### Please Note

If any Councillor has a query regarding a report item or requires additional information in relation to a report item, please contact the responsible officer (SOURCE OF REPORT) prior to the meeting.

The meeting will be recorded for administrative purposes only.

Per the meeting structure as adopted by the EMRC Council, there will be no public questions at Agenda Briefing Forums.

Public question time will continue as usual at Ordinary Meetings of Council and questions may be submitted electronically prior to the meeting, no later than 4.00pm on the day of the meeting to [CouncilEnquiry@emrc.org.au](mailto:CouncilEnquiry@emrc.org.au).



## EMRC Council Members

|                        |                      |                    |
|------------------------|----------------------|--------------------|
| Cr Mel Congerton       | EMRC Chairman        | City of Swan       |
| Cr Dylan O'Connor      | EMRC Deputy Chairman | City of Kalamunda  |
| Cr Kathryn Hamilton    | EMRC Member          | Town of Bassendean |
| Cr Hilary MacWilliam   | EMRC Member          | Town of Bassendean |
| Cr Steven Ostaszewskyj | EMRC Member          | City of Bayswater  |
| Cr Michelle Sutherland | EMRC Member          | City of Bayswater  |
| Cr Margaret Thomas     | EMRC Member          | City of Kalamunda  |
| Cr John Daw            | EMRC Member          | Shire of Mundaring |
| Cr Doug Jeans          | EMRC Member          | Shire of Mundaring |
| Cr Charlie Zannino     | EMRC Member          | City of Swan       |

## EMRC Council Deputies

|                    |                    |                    |
|--------------------|--------------------|--------------------|
| Cr Emily Wilding   | EMRC Deputy Member | Town of Bassendean |
| Cr Giorgia Johnson | EMRC Deputy Member | City of Bayswater  |
| Cr Janelle Sewell  | EMRC Deputy Member | City of Kalamunda  |
| Cr Jo Cicchini     | EMRC Deputy Member | Shire of Mundaring |
| Cr Andrew Kiely    | EMRC Deputy Member | City of Swan       |

**Agenda Briefing Forum  
10 March 2022**

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**1 DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS**

**1.1 ACKNOWLEDGEMENT OF COUNTRY**

We wish to acknowledge the traditional custodians of the land on which we meet today and to pay our respects to elders past, present and future.

**2 ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE (PREVIOUSLY APPROVED)**

**3 DISCLOSURE OF INTERESTS**

**4 ANNOUNCEMENTS BY THE CHAIRMAN OR PRESIDING MEMBER WITHOUT DISCUSSION**

NOTE: Section 5.23(2) of the *Local Government Act 1995*, details a number of matters upon which Council may discuss and make decisions without members of the public being present. These matters include: matters affecting employees; personal affairs of any person; contractual matters; legal advice; commercial-in-confidence matters; security matters; among others.

The following confidential reports are covered in Section 6 of this agenda:

- PROGRESS REPORT ON EMRC REQUEST FOR TENDER 2021-002 PERMANENT FOGO PROCESSING FACILITY (D2022/02672)

**5 REPORTS OF EMPLOYEES**

**5.1 REVIEW OF COUNCIL POLICIES (D2022/03144)**

## **5.1 REVIEW OF COUNCIL POLICIES**

**D2022/03144**

### **PURPOSE OF REPORT**

The purpose of this report is to review five (5) of the EMRC's policies in accordance with Council's decision of 6 December 2018 that all EMRC policies be reviewed in the twelve months following the ordinary election day in 2021.

### **KEY POINT(S)**

- Council Policies 1.7, 3.6, 3.7 and 6.2 were last fully reviewed at the meeting of Council held on 6 December 2018.
- Council Policy 1.5 was last fully reviewed at the meeting of Council held on 23 March 2019.
- It is proposed that existing policies, as revised, be adopted.

### **RECOMMENDATION(S)**

That:

1. The five (5) policies, as reviewed and amended forming attachment 3 to this report, be adopted.
2. That the five (5) policies, as reviewed and amended forming attachment 3 to this report, be reviewed in the twelve months following the ordinary election day in 2023.

### **SOURCE OF REPORT**

Chief Financial Officer

### **BACKGROUND**

1 The following five (5) Council policies:

- Council Policy 1.5 - Meeting Agenda/Minutes - Confidential Items;
- Council Policy 1.7 - Legal Representation Costs Indemnification;
- Council Policy 3.6 - Asset Management;
- Council Policy 3.7 - Related Party Transaction and Disclosure; and
- Council Policy 6.2 - Appointed Members and Staff - Conferences, Seminars, and Other Events.

were last reviewed at the meeting of Council held on 6 December 2018 (D2018/14285) and Council resolved inter alia that:

“All EMRC policies be reviewed in the twelve months following the ordinary election day in 2021.”

2 Council Policy 1.5 - Meeting Agenda/Minutes - Confidential Items, was again reviewed at the meeting of Council held on 21 March 2019 (D2019/03460)

## REPORT

- 3 The policies of the EMRC, determined by Council as required by Section 2.7(2)(b) of the *Local Government Act 1995* (the Act), guide and inform management and the public about key Council principles. It is important that policies are reviewed periodically and amended where necessary.
- 4 EMRC's Executive Leadership Team, together with relevant Officers, have undertaken a comprehensive review of the five (5) policies. The following objectives were used as a basis for undertaking the review:
- To ensure policies met the definition of a policy;
  - To incorporate in the policies appropriate amendments to account for changes due to legislative changes (if any) or details such as dates, times and values since the last review;
  - To realign all Council policies with the adopted EMRC 10 Year Strategic Plan 2017 - 2027 under the heading 'Strategic Plan Objective'; and
  - To ensure the policies are contemporary and appropriate for the Council.
- 5 Five (5) policies have been reviewed and the changes are tabled here for Council's consideration.
- 6 A summary of the proposed changes to the Council policies are provided in Attachment 1 of this report.
- 7 The main types of considerations for this review are as follows:
- Maintain the current policy without amendment;
  - Maintain the policy with amendments; and
  - Delete the policy if it is no longer required, for example if these are covered under the *Local Government Act 1995* and regulations or has been incorporated into another policy.
- 8 No policy has been recommended for deletion.
- 9 The proposed changes are tracked and provided in Attachment 2 of this report.
- 10 All the changes are minor updates only. No significant changes have been made to the policies.
- 11 A clean copy of the final draft of the five (5) policies are tabled for Council's consideration for adoption, forming Attachment 3 of this report.

## STRATEGIC/POLICY IMPLICATIONS

- 12 Key Result Area 3 – Good Governance
- 3.3 To provide responsible and accountable governance and management of the EMRC.

## FINANCIAL IMPLICATIONS

- 13 Nil

## SUSTAINABILITY IMPLICATIONS

- 14 The policy under review contributes to sustainability by informing management and the public about key Council principles.

**RISK MANAGEMENT**

**Risk – Non Compliance with Local Government Act and Administration Regulations.**

| Consequence  | Likelihood | Rating   |
|--|------------|----------|
| Moderate   | Unlikely   | Moderate |
| Action/Strategy  |            |          |
| ➤ Council to adopt the new and revised Council Policies 1.5, 1.7, 3.6, 3.7 and 6.2 |            |          |

**MEMBER COUNCIL IMPLICATIONS**

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

**ATTACHMENT(S)**

1. Summary of five (5) x EMRC policies and recommended changes (Ref: D2021/25373)
2. Five (5) x EMRC policies with tracked changes to the documents (Ref: D2021/25443)
3. Five (5) x EMRC policies incorporating changes made i.e. final policy documents (Ref: D2021/25376)

**VOTING REQUIREMENT**

Simple Majority

**RECOMMENDATION(S)**

That:

1. The five (5) policies, as reviewed and amended forming attachment 3 to this report, be adopted.
2. That the five (5) policies, as reviewed and amended forming attachment 3 to this report, be reviewed in the twelve months following the ordinary election day in 2023.

**COUNCIL RESOLUTION(S)**

MOVED

SECONDED



## Summary of EMRC Policies and Recommended Changes

### 1.0 MANAGEMENT

| No: | Policy Title   | Summary of Changes         |
|-----|--|----------------------------|
| 1.5 | Meeting Agenda / Minutes – Confidential Items Policy | Keep with minor Amendments |
| 1.7 | Legal representation costs indemnification           | Keep with minor Amendments |

### 3.0 FINANCE

| No: | Policy Title                                    | Summary of Changes         |
|-----|---|----------------------------|
| 3.6 | Asset Management Policy                         | Keep with minor Amendments |
| 3.7 | Related Party Transaction and Disclosure Policy | Keep with minor Amendments |

### 6.0 CONFERENCES

| No: | Policy Title   | Summary of Changes         |
|-----|--|----------------------------|
| 6.2 | Reimbursement of Expenses for Conferences, Seminars and Other Events | Keep with minor Amendments |





## Council Policy 1.5

### Meeting Agenda/Minutes - Confidential Items

#### Strategic Plan Objective

3.3 To provide responsible and accountable governance and management of the EMRC.

#### Purpose

To ensure that confidential items, appearing on the Council and/or Committee agendas are easily recognised so that they can be dealt with in accordance with their special nature.

#### Legislation

*Local Government Act 1995 s.5.23, s.5.25(1)(j), 5.94 and 5.95*

*Local Government (Administration) Regulations 1996 s.5.23, r14, 29 and 29A*

*Local Government (Rules of Conduct) Regulations 2007*

*Freedom of Information Act 1992 r.6 Schedule 1 Clause 4*

*EMRC Standing Order Local Law 2013 clauses, 4.20 and 5.13*

#### Policy Statement

1. That items which at the discretion of the Chief Executive Officer (CEO) are ~~felt to require confidentiality~~ are to be distributed separate from but accompanying the Council and/or Committee agendas and marked confidential, on paper of a colour not used elsewhere in the agenda.
2. That the agenda is to indicate that an item is to be treated as confidential while it is being considered by Council/Committee.
3. That the Council and/or Committee decision relating to a confidential item be included in the minutes of the meeting.
4. That confidential documents and attachments are ~~to be distributed~~ emailed to all councillor and deputy members via an online platform (i.e. Diligent Board) upon delivery of all relevant agendas.
5. ~~That there is no requirement of councillors or deputy members to return confidential attachments to the CEO.~~
6. That the power of the CEO, under section 5.25(1)(j) of the *Local Government Act 1995* be exercised so that the reports and other documents, relating to the confidential item and presentation at the meeting, not be available for inspection by the public unless the document has been declassified.

The ~~procedure~~ process for dealing with confidential information is:

1. Confidential information will be categorised by the ~~EMRC CEO of the EMRC~~ into information that will be disclosed only to the Council and information which may be disclosed to committees and member Council CEOs and officers.
2. Confidential information which will only be disclosed to the Council will include information which is the subject of legal professional privilege, commercially sensitive information and information relating to employees and information which, if disclosed will or may cause economic harm to the EMRC.

3. Where confidential information is to be disclosed only to the Council, it will be considered behind closed doors. Release of confidential with the result the recipients of the information will be limited to officers and employees of the EMRC and Council members. This eConfidential information will not be disclosed to any third party, inclusive of member Council CEOs and officers unless authorised by the EMRC CEO prior.
4. Confidential information which may be disclosed to committees and member Council CEOs and officers will be marked as being expressly subject to confidentiality and will also be considered behind closed doors.
5. Confidential information which is categorised by the CEO to be not disclosed to committees and member Council CEO's and officers may be referred to Council for review about whether it should be disclosed to committees and member Council CEOs and officers.
6. Application of these procedures protect will be made in a manner which will facilitate decision making by the EMRC and its Council and committees, prevent confidential information being accidentally disseminated, minimise the conflict of interest member Council CEOs and officers may have consequent upon the duty they owe to a participant and the legal and equitable duty of confidence they owe to the EMRC and to avoid the need for litigation by the EMRC.

## Financial Considerations

Nil

## Adopted/Reviewed

18 September 1997

22 July 1999

02 May 2002

20 May 2004

23 February 2006

18 September 2008

23 September 2010

18 September 2014

06 December 2018

21 March 2019

24 March 2022

## Next Review

Following the Ordinary Elections in 20231

## Responsible Unit

Business Support Team

## Council Policy 1.7

### Legal Representation Costs Indemnification

#### Strategic Plan Objective

3.3 To provide responsible and accountable governance and management of the EMRC.

#### Purpose

To protect the interests of Council members and employees (including past members and former employees) where they become involved in civil legal proceedings because of their official functions. In most situations the EMRC may assist the individual in meeting reasonable expenses and any liabilities incurred in relation to those proceedings.

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

#### Legislation

*Local Government Act 1995 s9.56 – 9.57*

*Local Government (Functions and General) Regulations 1996 r35*

#### Policy Statement

##### 1 General Principles

- a) The EMRC may provide financial assistance to members and employees in connection with the performance of their duties provided that the member or employee has acted reasonably and has not acted illegally, dishonestly, against the interests of the EMRC or otherwise in bad faith.
- b) The EMRC may provide such assistance in the following types of legal proceedings:
  - i) Those brought by members and employees to enable them to carry out their EMRC functions (eg where a member or employee seeks a restraining order against a person using threatening behaviour);
  - ii) Those brought against members or employees (this could be in relation to a decision of Council or an employee which aggrieves another person or where the conduct of a member or employee in carrying out his or her functions is considered detrimental to the person (eg defending defamation actions)); and
  - iii) Statutory or other inquiries where representation of members or employees is justified.
- c) The EMRC will not support any defamation actions seeking the payment of damages for individual members or employees in regard to comments or criticisms levelled at their conduct in their respective roles. Members or employees are not precluded, however, from taking their own private action. Further, the EMRC may seek its own advice on any aspect relating to such comments and criticisms of relevance to it.
- d) The legal services the subject of assistance under this policy will usually be provided by the EMRC's solicitors. Where this is not appropriate for practical reasons or because of a conflict of interest then the service may be provided by other solicitors approved by the EMRC.

## 2 Applications for Financial Assistance

- a) Subject to item (f), decisions as to financial assistance under this policy are to be made by Council.
- b) A member or employee requesting financial support for legal services under this policy is to make an application in writing, where possible in advance, to the Council providing full details of the circumstances of the matter and the legal services required. Such a request is to contain a declaration that the applicant has acted in good faith, and has not acted unlawfully or in any way that constitutes improper conduct in relation to the matter to which the application relates.
- c) The application is to be accompanied by a written statement by the applicant that he or she:
  - i) has read, and understands, the terms of this policy;
  - ii) acknowledges that any approval of legal representation costs is conditional on the repayment provisions of clause 3 and any other conditions to which the approval is subject; and
  - iii) undertakes to repay to the EMRC any legal representation costs in accordance with the provisions of clause 3.
- d) An application to the Council is to be accompanied by an assessment of the request and with a recommendation, which has been prepared by, or on behalf of, the Chief Executive Officer (CEO) or where the CEO is the applicant by the Chief Financial Officer.
- e) A member or employee requesting financial support for legal services, or any other person who ~~—~~might have a financial interest in the matter, should take care to ensure compliance with the ~~—~~financial interest provisions of the *Local Government Act 1995*.
- f) Where there is a need for the provision of urgent legal services before an application can be considered by Council, the CEO may give an authorisation to the value of \$5,000 provided that the power to make such an authorisation has been delegated to the CEO in writing under section 5.42 of the *Local Government Act 1995*. Council has delegated the authority to the CEO, up to \$5,000 per application, where the need arises for urgent legal services. (Delegation [reference](#) C7/2001).
- g) Where it is the CEO who is seeking urgent financial support for legal services the Chief Financial Officer in consultation with the Chairman shall deal with the application.

## 3 Repayment of Assistance

- a) Any amount recovered by a member or employee in proceedings, whether for costs or damages, will be off set against any monies paid or payable by the EMRC.
- b) Assistance will be withdrawn where the Council determines, upon legal advice, that a person has acted unreasonably, illegally, dishonestly, against the interests of the EMRC or otherwise in bad faith; or where information from the person is shown to have been false or misleading.
- c) Where assistance is so withdrawn, the person who obtained financial support is to repay any moneys already provided. The EMRC may take action to recover any such moneys in a court of competent jurisdiction.

## Financial Considerations

A contingent item that could materialise at any time and therefore requires a budget allocation.

## Adopted/Reviewed

20 October 2000

14 December 2000

02 May 2002

20 May 2004

23 February 2006

18 September 2008

23 September 2010

18 September 2014

06 December 2018

24 March 2022

## Next Review

Following the Ordinary Elections in 202~~3~~<sup>4</sup>

## Responsible Unit

Business Support Team



## Council Policy 3.6

### Asset Management Policy

#### Strategic Plan Objective

3.4 To continue to improve financial and asset management practices.

#### Purpose

To provide for the responsible management of EMRC controlled assets.

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

#### Definitions

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.

#### Legislation

*Local Government Act 1995 s 5.56*

*Local Government (Administration) Regulations 1996 r19C and 19 DA*

#### 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.

#### 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 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.

| Position                | Roles and Responsibilities  |
|-------------------------|---|
| Council                 | <ul style="list-style-type: none"> <li>➤ Act as stewards for all assets owned by EMRC</li> <li>➤ Provides strategic direction for asset management</li> <li>➤ Endorses asset management policy and strategy</li> <li>➤ Endorses SAMP (as part of strategic planning) and OAMP (as part of budget process)</li> </ul>        |
| Chief Executive Officer | <ul style="list-style-type: none"> <li>➤ Develops asset management policy and strategy for submission to Council</li> <li>➤ Develops SAMP for submission to Council</li> <li>➤ Develops OAMP</li> <li>➤ Develops business cases</li> <li>➤ Monitors and reports progress of SAMP and OAMP to Council as required</li> </ul> |
| <u>Directors/Chiefs</u> | <ul style="list-style-type: none"> <li>➤ Contribute towards preparation of SAMP and OAMP</li> <li>➤ Authorise asset additions and disposals in accordance with the approved OAMP</li> <li>➤ Maintain oversight over assets under their control (including usage, safeguards, risk management and insurance)</li> </ul>      |
| Asset Officer           | <ul style="list-style-type: none"> <li>➤ Maintains Asset Register and asset related records</li> <li>➤ Updates General Ledger for asset related transactions (including depreciation, write off, acquisition and disposal)</li> <li>➤ Provides assistance to <u>business unit/EMRC teams</u> as required</li> </ul>         |
| Staff                   | <ul style="list-style-type: none"> <li>➤ Initiate acquisition or disposal requests</li> <li>➤ Utilise assets in a responsible manner</li> </ul>   |

## 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 and Equipment;
- ~~Equipment;~~
- Furniture and Fittings; and and
- Fittings/Artworks;-

Provisions will be included in financial plans and annual budgets.



**Adopted/Reviewed**

- 21 March 2013
- 18 September 2014
- 06 December 2018
- 24 March 2022

**Next Review**

Following the Ordinary Elections in 2024~~2023~~

**Responsible Unit**

Business Support Team

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## Council Policy 3.7

### Related Party Transaction and Disclosure

#### Strategic Plan Objective

3.3 To provide responsible and accountable governance and management of the EMRC.

#### Purpose

To ensure that the Eastern Metropolitan Regional Council's (EMRC) Financial Statements contain disclosures necessary to comply with the Australian Accounting Standard AASB 124 Related Party Disclosures, which draws attention to the possibility that the EMRC's financial position and profit or loss may have been affected by the existence of transactions with a related party and outstanding balances and commitments with such parties.

#### Legislation

Australian Accounting Standard AASB 124 Related Party Disclosures

#### Policy Statement

The Related Party Disclosure Policy aims to assist Council in complying with the disclosure requirements and the level of reporting within the Financial Statements as per AASB-124 Related Party Disclosures. It aims to define the parameters for related party transactions and the level of disclosure and reporting.

#### Scope

The Policy is to be applied in:

- Identifying and recording related parties and related party relationships;
- Identifying and recording related party transactions and their terms and conditions;
- Assessing materiality and or significance of these transactions;
- Identifying the circumstances in which disclosure of points 1 and 2 is required;
- Determining the disclosures to be made about points 1 and 2; and
- Disclosing relevant information in the Financial Statements.

#### Definitions

##### 1 Related Party

A person or an entity that is related to the EMRC, referred to as the "reporting entity".

Examples of related parties of the EMRC are:

- Council Subsidiaries;
- Key Management Personnel (KMP);
- Close family members of KMP; and
- Entities that are controlled or jointly controlled by KMP or their close family members.



## 2 Key Management Personnel (KMP)

A person or persons having authority and responsibility for planning, directing and controlling the activities of the entity, either directly or indirectly, including any director (executive or otherwise) of that entity. In the case of the EMRC, KMP will include, but is not limited to, Councillors, CEO and [Directors/Chiefs](#).

## 3 Close members of the family

Those are family members who may be expected to influence or be influenced by those individuals' dealings with the EMRC and include:

- Children and spouse or domestic partner;
- Children of that person's spouse or domestic partner; and
- Dependents of that person or that person's spouse or domestic partner.
- Under AASB 124, close members of the family could also include extended members of the family such as parents, siblings, grandparents, uncles/aunts or cousins if they could be expected to have influence or be influenced by the KMP in their dealings with the EMRC.

## 4 Related Party Transactions

These are a transfer of resources, services or obligations between the EMRC and a related party, regardless of whether there is a cost involved.

## 5 Ordinary Citizen Transaction

These are transactions that an ordinary citizen would undertake with the EMRC, which would be undertaken at arm's length and in the ordinary course of carrying out the EMRC's functions and activities. They would not be seen as material in nature.

Example of ordinary citizen transactions would be:

- The paying of disposal charges at EMRC facilities; and
- The purchase of saleable products from EMRC facilities.

## 6 Control

The power to govern the financial and operating policies of any entity to obtain benefits from its activities.

## 7 Significant Influence

The power to participate in the financial and operating policy decision of an entity but not to control those policies.

### Responsibilities

Key Management Personnel will include, but is not limited to, Councillors, CEO and [Directors/Chiefs](#).

### Recommended Practices

From 1 July 2016, AASB 124 Related Party Disclosures applies to the EMRC. This means that the EMRC will be required to disclose information about related parties and the EMRC's transactions with those related parties in the 2016-2017 financial statements and onwards. In the context of transactions, this means cash and non-cash transactions.

As the disclosures will form part of the financial statements, they will be subject to audit by the external auditors.



KMP will be identified and the position they hold with the EMRC disclosed. They will be required to complete a disclosure notification, which at minimum will require details of the related party, (family members and/or entities) that may have existing transaction potential with the EMRC and the relationship to the KMP.

As per paragraph 17 AASB 124, the EMRC shall disclose compensation in total provided to KMP, and for each of the following categories:

- Short term employee benefits;
- Post-employment benefits;
- Other long-term benefits;
- Termination benefits; and
- Share based payments.

For disclosure requirements of AASB 124, the EMRC shall implement a process to capture related party transactions for reporting in the financial statements. The following will be collated and recorded throughout each year:

- Related parties to the KMP;
- Relationship to KMP;
- Transactions that are monetary and/or non-monetary;
- The value of the transaction if monetary;
- The benefit if non-monetary;
- The value of outstanding balances;
- Details of commitments and/or guarantees; and
- Recognition for the provision of doubtful debts related to outstanding balances of related parties.

KMP who no longer hold that role with the EMRC will still be subject to disclosure requirements up until their status as KMP is no longer applicable. The same will apply for KMP who acquire the role in that year.

Once the related party transactions have been identified, they will be assessed by the Manager Financial Services and a determination will be made regarding the materiality of the transaction. This will include assessment of Ordinary Citizen Transactions and whether the terms and conditions differ from normal practice, which would then exclude them from being Ordinary Citizen Transactions.

If a Councillor believes a transaction may constitute a related party transaction, they must notify the CEO who will discuss the matter with the Manager Financial Services to confirm whether the transaction falls within the scope of this policy.

If an Employee believes a transaction may constitute a related party transaction, they must notify their supervisor or manager who will discuss the matter with the Manager Financial Services to confirm whether the transaction falls within the scope of this policy.

The Finance Department will be responsible for the maintenance of a register that captures all related party transactions of KMP.

#### **Privacy**

The EMRC will endeavour to ensure that only those staff and the external auditors who are involved in the preparation of the related party disclosures will have access to the related party declarations and related party transactions.



**Adopted/Reviewed**

22 June 2017

6 December 2018

[24 March 2022](#)

**Next Review**

Following the Ordinary Elections in [2024](#)~~2023~~

**Responsible Unit**

Business Support Team

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## Council Policy 6.2

### Reimbursement of Expenses – Appointed Members and Staff - Conferences, Seminars, and Other Events

#### Strategic Plan Objective

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

#### Purpose

To establish a policy governing the reimbursement of reasonable out of pocket expenses actually and necessarily incurred by appointed members of Council, EMRC staff, or a participant staff member, whilst attending approved conferences, seminars and other events that are considered to be in the course of their authorised EMRC duties.

#### Legislation

Nil

#### Policy Statement

Where an appointed member, staff member, or a committee member is authorised to attend a conference, seminar or other event on behalf of the EMRC, expenses incurred will be reimbursed as follows:

##### Registration Costs

Actual cost of registration for the conference, seminar and/or other event being attended.

##### Travel and Accommodation Costs

Air Travel - Intrastate and Interstate

- Return economy class airfare to the airport nearest the venue.
- Individuals travelling have the option of upgrading to business class travel at their own expense with the difference between the applicable economy rate and business class rate being payable to the EMRC in advance. Personal frequent flyer credits may be used to upgrade travel class however no reimbursement will be made by EMRC in this case.

Where an appointed member and/or a staff member is required to spend the night away from their normal residence, the actual cost of reasonable hotel or motel accommodation including the night immediately prior to the event and the evening of the last day of the event will be reimbursed.

Air Travel - International Destinations

- Return economy class airfare to the airport nearest the venue.
- Individuals travelling have the option of upgrading to business class travel at their own expense with the difference between the applicable economy rate and business class rate being payable to [the](#) EMRC in advance. Personal frequent flyer credits may be used to upgrade travel class however no reimbursement will be made by EMRC in this case.



Where an appointed member and/or a staff member is required to spend the night away from their normal residence, the actual cost of reasonable hotel or motel accommodation including up to two (2) nights immediately prior to the event and the evening of the last day of the event will be reimbursed, subject to the availability of flights.

#### Other Travel

- Travel to and from airports and other terminals at both ends of the journey.
- Train, bus and taxi fares to and from the venue.
- Car rental and associated petrol costs.
- Personal mileage for use of own vehicle. Where a staff member is authorised to use their own vehicle for business related travel, an allowance shall be paid for the relevant kilometres travelled using the "cents per kilometre method" permissible under the Income Tax Assessment Act.

#### Accommodation Costs

Accommodation bookings should be made at a hotel, motel, and/or serviced apartment located in close proximity to the conference seminar or event. As a guide, accommodation standards will generally be of a 4/5 star rating with the most competitive rate available at the time of booking being selected.

Meals (including reasonable liquid refreshments served with meals)

The actual cost of the meal consumed with the production of a receipt, or the following rates if receipts are not retained:

- Breakfast \$30
- Lunch \$40
- Dinner \$70

Incidental Expenses - including dry cleaning, telephone calls (necessitated by attendance at the conference), parking, and internet access

Actual reasonable expenses incurred as included on the accommodation account or supported by receipts or credit card accounts.

#### Accompanying Person(s)

Appointed members and/or members of staff may travel with an accompanying person(s) provided:

- (i) the accompanying person(s) does not incur any costs at Council expense; and/or
- (ii) the presence of the accompanying person(s) does not interfere with the business requirements of the travel.

The only exception to point (i) is the nominated cost for conference related social functions ~~ie~~ ~~e.g.~~ dinner or cocktail ~~function~~ ~~for~~function for the appointed member's and/or staff member's partner, which will be reimbursed.

#### Cash Advance

A cash advance of \$70 per day for the duration of the event will be made to an appointed member, staff member and/or participant staff member attending the event on behalf of the EMRC. An additional cash advance may be made, at the discretion of the CEO, when it is apparent that payments by cash will exceed \$70 per day.



Persons receiving cash advances are liable to reimburse EMRC for the difference where the advance exceeds the actual expenditure authorised in accordance with this policy.

#### **Supporting Documentation**

All claims for travel related expenses, including cash advance payments, must be supported by provision of the appropriate documentation including receipts, itemised accounts, and/or credit card records. A Statutory Declaration detailing the exact costs making up the claim is acceptable where a receipt is not able to be provided.

All supporting documentation should be provided and settled, including outstanding cash advances, within four (4) working weeks following return from the conference, seminar and other event.

#### **Chief Executive Officer Approval**

Any expenses incurred which are not related to official travel should be paid personally by the person attending the approved conference, seminar and other event.

The Chief Executive Officer has the discretion to approve other non-personal out-of-pocket expenses associated with attendance at approved conferences, seminars and other events that are considered to be in the course of authorised duties.

#### **Certification**

The officer for whom the expense was incurred, is where possible, to certify the account. Discretion is to be exercised to ensure that reasonable costs only are incurred.

#### **Financial Considerations**

An amount will be provided in the annual budget to meet estimated costs.

#### **Adopted/Reviewed**

- 22 July 1999
- 02 May 2002
- 20 May 2004
- 08 December 2005
- 23 February 2006
- 18 September 2008
- 23 September 2010
- 18 September 2014
- 06 December 2018

[23 March 2022](#)

#### **Next Review**

Following the Ordinary Elections in [2024](#)~~2023~~

#### **Responsible Unit**

Business Support Team

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## Council Policy 1.5

### Meeting Agenda/Minutes - Confidential Items

#### Strategic Plan Objective

3.3 To provide responsible and accountable governance and management of the EMRC.

#### Purpose

To ensure that confidential items, appearing on the Council and/or Committee agendas are easily recognised so that they can be dealt with in accordance with their special nature.

#### Legislation

*Local Government Act 1995 s.5.23, s.5.25(1)(j), 5.94 and 5.95*

*Local Government (Administration) Regulations 1996 s.5.23, r14, 29 and 29A*

*Local Government (Rules of Conduct) Regulations 2007*

*Freedom of Information Act 1992 r.6 Schedule 1 Clause 4*

*EMRC Standing Order Local Law 2013 clauses, 4.20 and 5.13*

#### Policy Statement

1. That items which at the discretion of the Chief Executive Officer (CEO) are confidential are to be distributed separate from but accompanying the Council and/or Committee agendas and marked confidential.
2. That the agenda is to indicate that an item is to be treated as confidential while it is being considered by Council/Committee.
3. That the Council and/or Committee decision relating to a confidential item be included in the minutes of the meeting.
4. That confidential documents and attachments are distributed to all councillor and deputy members via an online platform (i.e. Diligent Board) upon delivery of all relevant agendas.
5. That the power of the CEO, under section 5.25(1)(j) of the *Local Government Act 1995* be exercised so that the reports and other documents, relating to the confidential item and presentation at the meeting, not be available for inspection by the public unless the document has been declassified.

The procedure for dealing with confidential information is:

1. Confidential information will be categorised by the EMRC CEO into information that will be disclosed only to the Council and information which may be disclosed to committees and member Council CEOs and officers.
2. Confidential information which will only be disclosed to the Council will include information which is the subject of legal professional privilege, commercially sensitive information and information relating to employees and information which, if disclosed will or may cause economic harm to the EMRC.



3. Where confidential information is to be disclosed only to the Council, it will be considered behind closed doors. Release of confidential information will be limited to officers and employees of the EMRC and Council members. Confidential information will not be disclosed to any third party, inclusive of member Council CEOs and officers unless authorised by the EMRC CEO prior.
4. Confidential information which may be disclosed to committees and member Council CEOs and officers will be marked as being expressly subject to confidentiality and will also be considered behind closed doors.
5. Confidential information which is categorised by the CEO to be not disclosed to committees and member Council CEO's and officers may be referred to Council for review about whether it should be disclosed to committees and member Council CEOs and officers.
6. Application of these procedures will be made in a manner which will facilitate decision making by the EMRC and its Council and committees, prevent confidential information being accidentally disseminated, minimise the conflict of interest member Council CEOs and officers may have consequent upon the duty they owe to a participant and the legal and equitable duty of confidence they owe to the EMRC and to avoid the need for litigation by the EMRC.

### **Financial Considerations**

Nil

### **Adopted/Reviewed**

18 September 1997

22 July 1999

02 May 2002

20 May 2004

23 February 2006

18 September 2008

23 September 2010

18 September 2014

06 December 2018

21 March 2019

24 March 2022

### **Next Review**

Following the Ordinary Elections in 2023

### **Responsible Unit**

Business Support Team

# Council Policy 1.7

## Legal Representation Costs Indemnification

### Strategic Plan Objective

3.3 To provide responsible and accountable governance and management of the EMRC.

### Purpose

To protect the interests of Council members and employees (including past members and former employees) where they become involved in civil legal proceedings because of their official functions. In most situations the EMRC may assist the individual in meeting reasonable expenses and any liabilities incurred in relation to those proceedings.

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

### Legislation

*Local Government Act 1995 s9.56 – 9.57*

*Local Government (Functions and General) Regulations 1996 r35*

### Policy Statement

#### 1 General Principles

- a) The EMRC may provide financial assistance to members and employees in connection with the performance of their duties provided that the member or employee has acted reasonably and has not acted illegally, dishonestly, against the interests of the EMRC or otherwise in bad faith.
- b) The EMRC may provide such assistance in the following types of legal proceedings:
  - i) Those brought by members and employees to enable them to carry out their EMRC functions (eg where a member or employee seeks a restraining order against a person using threatening behaviour);
  - ii) Those brought against members or employees this could be in relation to a decision of Council or an employee which aggrieves another person or where the conduct of a member or employee in carrying out his or her functions is considered detrimental to the person (eg defending defamation actions); and
  - iii) Statutory or other inquiries where representation of members or employees is justified.
- c) The EMRC will not support any defamation actions seeking the payment of damages for individual members or employees in regard to comments or criticisms levelled at their conduct in their respective roles. Members or employees are not precluded, however, from taking their own private action. Further, the EMRC may seek its own advice on any aspect relating to such comments and criticisms of relevance to it.
- d) The legal services the subject of assistance under this policy will usually be provided by the EMRC's solicitors. Where this is not appropriate for practical reasons or because of a conflict of interest then the service may be provided by other solicitors approved by the EMRC.

## **2 Applications for Financial Assistance**

- a) Subject to item (f), decisions as to financial assistance under this policy are to be made by Council.
- b) A member or employee requesting financial support for legal services under this policy is to make an application in writing, where possible in advance, to the Council providing full details of the circumstances of the matter and the legal services required. Such a request is to contain a declaration that the applicant has acted in good faith, and has not acted unlawfully or in any way that constitutes improper conduct in relation to the matter to which the application relates.
- c) The application is to be accompanied by a written statement by the applicant that he or she:
  - i) has read, and understands, the terms of this policy;
  - ii) acknowledges that any approval of legal representation costs is conditional on the repayment provisions of clause 3 and any other conditions to which the approval is subject; and
  - iii) undertakes to repay to the EMRC any legal representation costs in accordance with the provisions of clause 3.
- d) An application to the Council is to be accompanied by an assessment of the request and with a recommendation, which has been prepared by, or on behalf of, the Chief Executive Officer (CEO) or where the CEO is the applicant by the Chief Financial Officer.
- e) A member or employee requesting financial support for legal services, or any other person who might have a financial interest in the matter, should take care to ensure compliance with the financial interest provisions of the *Local Government Act 1995*.
- f) Where there is a need for the provision of urgent legal services before an application can be considered by Council, the CEO may give an authorisation to the value of \$5,000 provided that the power to make such an authorisation has been delegated to the CEO in writing under section 5.42 of the *Local Government Act 1995*. Council has delegated the authority to the CEO, up to \$5,000 per application, where the need arises for urgent legal services. (Delegation reference C7/2001).
- g) Where it is the CEO who is seeking urgent financial support for legal services the Chief Financial Officer in consultation with the Chairman shall deal with the application.

## **3 Repayment of Assistance**

- a) Any amount recovered by a member or employee in proceedings, whether for costs or damages, will be off set against any monies paid or payable by the EMRC.
- b) Assistance will be withdrawn where the Council determines, upon legal advice, that a person has acted unreasonably, illegally, dishonestly, against the interests of the EMRC or otherwise in bad faith; or where information from the person is shown to have been false or misleading.
- c) Where assistance is so withdrawn, the person who obtained financial support is to repay any moneys already provided. The EMRC may take action to recover any such moneys in a court of competent jurisdiction.

## **Financial Considerations**

A contingent item that could materialise at any time and therefore requires a budget allocation.

## **Adopted/Reviewed**

20 October 2000  
14 December 2000  
02 May 2002  
20 May 2004  
23 February 2006  
18 September 2008  
23 September 2010  
18 September 2014  
06 December 2018  
24 March 2022

## **Next Review**

Following the Ordinary Elections in 2023

## **Responsible Unit**

Business Support Team

## Council Policy 3.6

### Asset Management Policy

#### Strategic Plan Objective

3.4 To continue to improve financial and asset management practices.

#### Purpose

To provide for the responsible management of EMRC controlled assets.

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

#### Definitions

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.

#### Legislation

*Local Government Act 1995 s 5.56*

*Local Government (Administration) Regulations 1996 r19C and 19 DA*

#### 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.

#### 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 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.

| Position                | Roles and Responsibilities  |
|-------------------------|---|
| Council                 | <ul style="list-style-type: none"> <li>➤ Act as stewards for all assets owned by EMRC</li> <li>➤ Provides strategic direction for asset management</li> <li>➤ Endorses asset management policy and strategy</li> <li>➤ Endorses SAMP (as part of strategic planning) and OAMP (as part of budget process)</li> </ul>        |
| Chief Executive Officer | <ul style="list-style-type: none"> <li>➤ Develops asset management policy and strategy for submission to Council</li> <li>➤ Develops SAMP for submission to Council</li> <li>➤ Develops OAMP</li> <li>➤ Develops business cases</li> <li>➤ Monitors and reports progress of SAMP and OAMP to Council as required</li> </ul> |
| Chiefs                  | <ul style="list-style-type: none"> <li>➤ Contribute towards preparation of SAMP and OAMP</li> <li>➤ Authorise asset additions and disposals in accordance with the approved OAMP</li> <li>➤ Maintain oversight over assets under their control (including usage, safeguards, risk management and insurance)</li> </ul>      |
| Asset Officer           | <ul style="list-style-type: none"> <li>➤ Maintains Asset Register and asset related records</li> <li>➤ Updates General Ledger for asset related transactions (including depreciation, write off, acquisition and disposal)</li> <li>➤ Provides assistance to EMRC teams as required</li> </ul>                              |
| Staff                   | <ul style="list-style-type: none"> <li>➤ Initiate acquisition or disposal requests</li> <li>➤ Utilise assets in a responsible manner</li> </ul>   |

## 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 and Equipment;
- Furniture and Fittings; and
- Artworks.

Provisions will be included in financial plans and annual budgets.



### **Adopted/Reviewed**

21 March 2013

18 September 2014

06 December 2018

24 March 2022

### **Next Review**

Following the Ordinary Elections in 2023

### **Responsible Unit**

Business Support Team

# Council Policy 3.7

## Related Party Transaction and Disclosure

### Strategic Plan Objective

3.3 To provide responsible and accountable governance and management of the EMRC.

### Purpose

To ensure that the Eastern Metropolitan Regional Council's (EMRC) Financial Statements contain disclosures necessary to comply with the Australian Accounting Standard AASB 124 Related Party Disclosures, which draws attention to the possibility that the EMRC's financial position and profit or loss may have been affected by the existence of transactions with a related party and outstanding balances and commitments with such parties.

### Legislation

Australian Accounting Standard AASB 124 Related Party Disclosures

### Policy Statement

The Related Party Disclosure Policy aims to assist Council in complying with the disclosure requirements and the level of reporting within the Financial Statements as per AASB-124 Related Party Disclosures. It aims to define the parameters for related party transactions and the level of disclosure and reporting.

### Scope

The Policy is to be applied in:

- Identifying and recording related parties and related party relationships;
- Identifying and recording related party transactions and their terms and conditions;
- Assessing materiality and or significance of these transactions;
- Identifying the circumstances in which disclosure of points 1 and 2 is required;
- Determining the disclosures to be made about points 1 and 2; and
- Disclosing relevant information in the Financial Statements.

### Definitions

#### 1 Related Party

A person or an entity that is related to the EMRC, referred to as the "reporting entity".

Examples of related parties of the EMRC are:

- Council Subsidiaries;
- Key Management Personnel (KMP);
- Close family members of KMP; and
- Entities that are controlled or jointly controlled by KMP or their close family members.



## **2 Key Management Personnel (KMP)**

A person or persons having authority and responsibility for planning, directing and controlling the activities of the entity, either directly or indirectly, including any director (executive or otherwise) of that entity. In the case of the EMRC, KMP will include, but is not limited to, Councillors, CEO and Chiefs.

## **3 Close members of the family**

Those are family members who may be expected to influence or be influenced by those individuals' dealings with the EMRC and include:

- Children and spouse or domestic partner;
- Children of that person's spouse or domestic partner; and
- Dependents of that person or that persons spouse or domestic partner.
- Under AASB 124, close members of the family could also include extended members of the family such as parents, siblings, grandparents, uncles/aunts or cousins if they could be expected to have influence or be influenced by the KMP in their dealings with the EMRC.

## **4 Related Party Transactions**

These are a transfer of resources, services or obligations between the EMRC and a related party, regardless of whether there is a cost involved.

## **5 Ordinary Citizen Transaction**

These are transactions that an ordinary citizen would undertake with the EMRC, which would be undertaken at arm's length and in the ordinary course of carrying out the EMRC's functions and activities. They would not be seen as material in nature.

Example of ordinary citizen transactions would be:

- The paying of disposal charges at EMRC facilities; and
- The purchase of saleable products from EMRC facilities.

## **6 Control**

The power to govern the financial and operating policies of any entity to obtain benefits from its activities.

## **7 Significant Influence**

The power to participate in the financial and operating policy decision of an entity but not to control those policies.

### **Responsibilities**

Key Management Personnel will include, but is not limited to, Councillors, CEO and Chiefs.

### **Recommended Practices**

From 1 July 2016, AASB 124 Related Party Disclosures applies to the EMRC. This means that the EMRC will be required to disclose information about related parties and the EMRC's transactions with those related parties in the 2016-2017 financial statements and onwards. In the context of transactions, this means cash and non-cash transactions.

As the disclosures will form part of the financial statements, they will be subject to audit by the external auditors.

KMP will be identified and the position they hold with the EMRC disclosed. They will be required to complete a disclosure notification, which at minimum will require details of the related party, (family members and/or entities) that may have existing transaction potential with the EMRC and the relationship to the KMP.

As per paragraph 17 AASB 124, the EMRC shall disclose compensation in total provided to KMP, and for each of the following categories:

- Short term employee benefits;
- Post-employment benefits;
- Other long-term benefits;
- Termination benefits; and
- Share based payments.

For disclosure requirements of AASB 124, the EMRC shall implement a process to capture related party transactions for reporting in the financial statements. The following will be collated and recorded throughout each year:

- Related parties to the KMP;
- Relationship to KMP;
- Transactions that are monetary and/or non-monetary;
- The value of the transaction if monetary;
- The benefit if non-monetary;
- The value of outstanding balances;
- Details of commitments and/or guarantees; and
- Recognition for the provision of doubtful debts related to outstanding balances of related parties.

KMP who no longer hold that role with the EMRC will still be subject to disclosure requirements up until their status as KMP is no longer applicable. The same will apply for KMP who acquire the role in that year.

Once the related party transactions have been identified, they will be assessed by the Manager Financial Services and a determination will be made regarding the materiality of the transaction. This will include assessment of Ordinary Citizen Transactions and whether the terms and conditions differ from normal practice, which would then exclude them from being Ordinary Citizen Transactions.

If a Councillor believes a transaction may constitute a related party transaction, they must notify the CEO who will discuss the matter with the Manager Financial Services to confirm whether the transaction falls within the scope of this policy.

If an Employee believes a transaction may constitute a related party transaction, they must notify their supervisor or manager who will discuss the matter with the Manager Financial Services to confirm whether the transaction falls within the scope of this policy.

The Finance Department will be responsible for the maintenance of a register that captures all related party transactions of KMP.

### **Privacy**

The EMRC will endeavour to ensure that only those staff and the external auditors who are involved in the preparation of the related party disclosures will have access to the related party declarations and related party transactions.



### **Adopted/Reviewed**

22 June 2017

6 December 2018

24 March 2022

### **Next Review**

Following the Ordinary Elections in 2023

### **Responsible Unit**

Business Support Team

## **Council Policy 6.2**

### **Reimbursement of Expenses – Appointed Members and Staff - Conferences, Seminars, and Other Events**

#### **Strategic Plan Objective**

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

#### **Purpose**

To establish a policy governing the reimbursement of reasonable out of pocket expenses actually and necessarily incurred by appointed members of Council, EMRC staff, or a participant staff member, whilst attending approved conferences, seminars and other events that are considered to be in the course of their authorised EMRC duties.

#### **Legislation**

Nil

#### **Policy Statement**

Where an appointed member, staff member, or a committee member is authorised to attend a conference, seminar or other event on behalf of the EMRC, expenses incurred will be reimbursed as follows:

##### **Registration Costs**

Actual cost of registration for the conference, seminar and/or other event being attended.

##### **Travel and Accommodation Costs**

Air Travel - Intrastate and Interstate

- Return economy class airfare to the airport nearest the venue.
- Individuals travelling have the option of upgrading to business class travel at their own expense with the difference between the applicable economy rate and business class rate being payable to the EMRC in advance. Personal frequent flyer credits may be used to upgrade travel class however no reimbursement will be made by EMRC in this case.

Where an appointed member and/or a staff member is required to spend the night away from their normal residence, the actual cost of reasonable hotel or motel accommodation including the night immediately prior to the event and the evening of the last day of the event will be reimbursed.

Air Travel - International Destinations

- Return economy class airfare to the airport nearest the venue.
- Individuals travelling have the option of upgrading to business class travel at their own expense with the difference between the applicable economy rate and business class rate being payable to the EMRC in advance. Personal frequent flyer credits may be used to upgrade travel class however no reimbursement will be made by EMRC in this case.

Where an appointed member and/or a staff member is required to spend the night away from their normal residence, the actual cost of reasonable hotel or motel accommodation including up to two (2) nights immediately prior to the event and the evening of the last day of the event will be reimbursed, subject to the availability of flights.

### **Other Travel**

- Travel to and from airports and other terminals at both ends of the journey.
- Train, bus and taxi fares to and from the venue.
- Car rental and associated petrol costs.
- Personal mileage for use of own vehicle. Where a staff member is authorised to use their own vehicle for business related travel, an allowance shall be paid for the relevant kilometres travelled using the “cents per kilometre method” permissible under the Income Tax Assessment Act.

### **Accommodation Costs**

Accommodation bookings should be made at a hotel, motel, and/or serviced apartment located in close proximity to the conference seminar or event. As a guide, accommodation standards will generally be of a 4/5 star rating with the most competitive rate available at the time of booking being selected.

Meals (including reasonable liquid refreshments served with meals)

The actual cost of the meal consumed with the production of a receipt, or the following rates if receipts are not retained:

- Breakfast      \$30
- Lunch            \$40
- Dinner           \$70

Incidental Expenses - including dry cleaning, telephone calls (necessitated by attendance at the conference), parking, and internet access

Actual reasonable expenses incurred as included on the accommodation account or supported by receipts or credit card accounts.

### **Accompanying Person(s)**

Appointed members and/or members of staff may travel with an accompanying person(s) provided:

- (i) the accompanying person(s) does not incur any costs at Council expense; and/or
- (ii) the presence of the accompanying person(s) does not interfere with the business requirements of the travel.

The only exception to point (i) is the nominated cost for conference related social functions i.e. dinner or cocktail function for the appointed member's and/or staff member's partner, which will be reimbursed.

### **Cash Advance**

A cash advance of \$70 per day for the duration of the event will be made to an appointed member, staff member and/or participant staff member attending the event on behalf of the EMRC. An additional cash advance may be made, at the discretion of the CEO, when it is apparent that payments by cash will exceed \$70 per day.



Persons receiving cash advances are liable to reimburse EMRC for the difference where the advance exceeds the actual expenditure authorised in accordance with this policy.

### **Supporting Documentation**

All claims for travel related expenses, including cash advance payments, must be supported by provision of the appropriate documentation including receipts, itemised accounts, and/or credit card records. A Statutory Declaration detailing the exact costs making up the claim is acceptable where a receipt is not able to be provided.

All supporting documentation should be provided and settled, including outstanding cash advances, within four (4) working weeks following return from the conference, seminar and other event.

### **Chief Executive Officer Approval**

Any expenses incurred which are not related to official travel should be paid personally by the person attending the approved conference, seminar and other event.

The Chief Executive Officer has the discretion to approve other non-personal out-of-pocket expenses associated with attendance at approved conferences, seminars and other events that are considered to be in the course of authorised duties.

### **Certification**

The officer for whom the expense was incurred, is where possible, to certify the account. Discretion is to be exercised to ensure that reasonable costs only are incurred.

### **Financial Considerations**

An amount will be provided in the annual budget to meet estimated costs.

### **Adopted/Reviewed**

22 July 1999  
02 May 2002  
20 May 2004  
08 December 2005  
23 February 2006  
18 September 2008  
23 September 2010  
18 September 2014  
06 December 2018  
23 March 2022

### **Next Review**

Following the Ordinary Elections in 2023

### **Responsible Unit**

Business Support Team

