

# Minutes

## Policy Review and Development Committee

**Monday 13 March 2023**

*By signing these minutes I certify that they were confirmed at the  
Policy Review and Development Committee  
held on \_\_\_\_\_.*

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CR JOSH EVESON  
CHAIRPERSON

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**Minutes** of the Policy Review and Development Committee of the Bayswater City Council which took place in the Committee Room, City of Bayswater Civic Centre, 61 Broun Avenue, Morley on Monday 13 March 2023.

## 1 OFFICIAL OPENING

The Presiding Member, Cr Josh Eveson, declared the meeting open at 5:01pm.

## 2 ACKNOWLEDGEMENT OF COUNTRY

In accordance with the City of Bayswater's Reflect Reconciliation Action Plan November 2019-November 2020, the Presiding Member will deliver the Acknowledgement of Country.

### Noongar Language

*Ngalla City of Bayswater kaatanginy baalapa Noongar Boodja baaranginy, Wadjuk moort Noongar moort, boordiar's koora koora, boordiar's ye yay ba boordiar's boordawyn wah.*

### English Language Interpretation

*We acknowledge the Traditional Custodians of the Land, the Whadjuk people of the Noongar Nation, and pay our respects to Elders past, present and emerging.*

The Presiding Member, Cr Josh Eveson acknowledged the Traditional Custodians of the land, the Whadjuk people of the Noongar nation, and paid respects to Elders past, present and emerging.

## 3 ATTENDANCE

In accordance with r14C(2)(b)) of the Local Government (Administration) Regulations 1996, Cr Filomena Piffaretti, Mayor, gave approval for Cr Josh Eveson (Presiding Member) and Cr Lorna Clarke to attend this meeting via electronic means.

### Members

Cr Filomena Piffaretti, Mayor	
Cr Catherine Ehrhardt, Deputy Mayor	
Cr Josh Eveson	Presiding Member (attended via electronic means)
Cr Lorna Clarke	(attended via electronic means)
Cr Giorgia Johnson	
Cr Steven Ostaszewskyj	

### Officers

Mr Jeremy Edwards	Chief Executive Officer
Mr Alan Ferris	A/Director Corporate and Strategy
Mr Luke Botica	Director Works and Infrastructure
Ms Amanda Albrecht	Manager Governance, Organisational Planning and Development
Ms Anna Gillespie	Manager People, Culture and Safety (until 5:16pm)
Mr Stuart Monks	Manager Financial Services (until 6:03pm)
Ms Karen D'Cunha	Coordinator Governance

### 3.1 Apologies

Ms Rebecca McKrill	Governance Officer
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### 3.2 Approved Leave Of Absence

Nil.

## 4 DISCLOSURE OF INTEREST SUMMARY

In accordance with section 5.65 of the *Local Government Act 1995*:

A member who has an interest in any matter to be discussed at a Council or Committee meeting that will be attended by the member must disclose the nature of the interest -

- (a) in a written notice given to the CEO before the meeting; or
- (b) at the meeting immediately before the matter is discussed.

No disclosures of interest were made at the meeting.

## 5 DELEGATED AUTHORITY BY COUNCIL

There are no item appearing in this agenda for which the Policy Review and Development Committee has been granted delegated authority by Council in accordance with section 5.23(1)(b) of the *Local Government Act 1995 (WA)*; this meeting is closed to the Public.

## 6 TERMS OF REFERENCE

TERMS OF REFERENCE Policy Review and Development Committee	
<b>Purpose:</b>	<p>The purpose of the Committee is to:</p> <ul style="list-style-type: none"> <li>To review City of Bayswater policies (excluding Planning Policies) and facilitate the development of new policies for the consideration by Council as required.</li> <li>To make recommendations to Council on matters related to policy, policy review and policy development.</li> <li>To explore opportunities that promote policy development in all areas that are within the Council's jurisdiction.</li> <li>To allow any draft policy developed and fully considered by another Committee of Council to be referred directly to Council for consideration.</li> <li>To provide City of Bayswater councillors with assistance and support to develop new policies</li> </ul>
<b>Elected Members membership:</b>	<p>Six Elected Members*.</p> <p><i>*minimum three required under legislation</i></p>
<b>External Member membership:</b>	Nil.
<b>Role of Representatives:</b>	<p>The roles and responsibilities of the City of Bayswater representatives on this Committee are:</p> <ul style="list-style-type: none"> <li>Member in own right; and</li> <li>Spokesperson for City of Bayswater.</li> </ul>
<b>Non-Voting Members:</b>	<p>Director Corporate and Strategy</p> <p>Coordinator Governance and Risk Management</p>
<b>Delegated Authority:</b>	Nil.
<b>Meetings:</b>	Committee meetings are to be in accordance with the <i>City of Bayswater Standing Orders Local Law 2021</i> .
<b>Meeting occurrence:</b>	Quarterly.

<b>TERMS OF REFERENCE</b>	
<b>Policy Review and Development Committee</b>	
<b>Day of Meeting:</b>	When suitable
<b>Time of Meeting:</b>	When suitable
<b>Location of Meeting:</b>	City of Bayswater, Civic Centre, 61 Broun Ave Morley WA 6062.
<b>Liaison Officer:</b>	Director Corporate and Strategy or nominated officer.

## 7 CONFIRMATION OF MINUTES

### COUNCIL RESOLUTION

#### (OFFICER'S RECOMMENDATION)

The Minutes of the Policy Review and Development Committee held on 28 November 2022 which have been distributed, be confirmed as a true and correct record.

Cr Catherine Ehrhardt, Deputy Mayor Moved, Cr Steven Ostaszewskyj Seconded

**CARRIED UNANIMOUSLY: 6/0**

**For:** *Cr Filomena Piffaretti, Mayor, Cr Catherine Ehrhardt, Deputy Mayor, Cr Lorna Clarke, Cr Josh Eveson, Cr Giorgia Johnson and Cr Steven Ostaszewskyj.*

**Against:** *Nil.*

**8 REPORTS****8.1 New Policy: Payment To Employees In Addition To A Contract Or Award**

<b>Responsible Branch:</b>	People, Culture & Safety
<b>Responsible Directorate:</b>	Corporate & Strategy
<b>Authority/Discretion:</b>	Executive/Strategic
<b>Voting Requirement:</b>	Simple Majority
<b>Attachments:</b>	1. Payment to Employees in Addition to a Contract or Award [8.1.1 - 3 pages]

**SUMMARY**

The 'Payment to Employees in addition to a contract or Award provision' is a policy developed under section 5.50 of the Local Government Act 1995 and therefore needs Council approval.

**COMMITTEE RECOMMENDATION TO COUNCIL**  
**(OFFICER'S RECOMMENDATION)**

That Council adopts the 'Payment to employees in addition to a contract or award provision' policy.

**Cr Filomena Piffaretti, Mayor Moved, Cr Catherine Ehrhardt, Deputy Mayor Seconded**

**CARRIED: 5/1**

**For:** *Cr Filomena Piffaretti, Mayor, Cr Catherine Ehrhardt, Deputy Mayor, Cr Lorna Clarke, Cr Josh Eveson and Cr Giorgia Johnson.*

**Against:** *Cr Steven Ostaszewskyj.*

**BACKGROUND**

Section 5.50 of the Local Government Act 1995 requires the City to have a policy which outlines the payments payable to employees outside their contract of employment or award provisions.

A recent audit highlighted that the City did not have a Council approved policy.

**EXTERNAL CONSULTATION**

In developing this policy, a review was undertaken of other Local Governments policies in relation to this matter. The findings of this review were considered when developing the proposed policy.

**OFFICER'S COMMENTS**

In most circumstances, employees are paid within the terms of their contract or award provisions. However, there may be circumstances where a payment in addition to the contract or award would be beneficial to the City and the employee.

Such instances maybe where an employee's employment with the City is no longer tenable, and rather than engaging in a legal process, which costs time and money, a settlement within the terms of the proposed policy may be more appropriate.

While there are processes that deal with these matters, there may be a benefit to settle the matter at any time throughout the process. A settlement could be considered against the cost of a legal process, the time involved and the impact this may have on employees or the broader team culture.

In addition, the proposed policy limits the eligibility of employees that can receive City funding for a farewell function and a gift to long term employees who are retiring.

## LEGISLATIVE COMPLIANCE

The implementation of this policy will ensure the City is compliant with section 5.50 of the *Local Government Act 1995* and will satisfy an audit finding.

## RISK ASSESSMENT

In accordance with the City's Risk Management Framework, the officer's recommendation has been assessed against the City's adopted risk tolerance. Comments are provided against each of the risk categories.

Risk Category	Adopted Risk Appetite	Risk Assessment Outcome
Strategic Direction	Moderate	Low
Reputation	Low	Low
Governance	Low	Low
Community and Stakeholder	Moderate	Low
Financial Management	Low	Low
Environmental Responsibility	Low	Low
Service Delivery	Low	Low
Organisational Health and Safety	Low	Low
<b>Conclusion</b>	The approval of this policy will not increase the risk in any of the risk categories.	

## FINANCIAL IMPLICATIONS

There is expected to be limited financial implications for this policy, and any additional costs will be covered from the existing budget.

## STRATEGIC IMPLICATIONS

In accordance with the City of Bayswater Strategic Community Plan 2021-2031 (as amended), the following applies:

Theme: Leadership and Governance

Goal L4: Communicate in a clear and transparent way.  
Provide the community with useful information about Council's policies, services and events and advise the community of engagement outcomes.

## CONCLUSION

That Council endorse the Payment in Additional to Contract of Award Provision Policy as attached.



<b>Responsible Division</b>	Corporate & Strategy
<b>Responsible Business Unit</b>	People, Culture and Safety
<b>Responsible Officer</b>	Manager People, Culture and Safety
<b>Affected Business Units</b>	All business units
<b>ECM Document Set ID</b>	-

## Purpose

This policy sets out the circumstances in which the City of Bayswater (the City) will pay an employee who is ceasing employment at the City, an amount in addition to any amount to which the employees is entitled to under a contract of employment, industrial instrument, or as ordered by a Court or Tribunal and the matter of assessment of the additional amount.

This Policy is to ensure compliance with Section 5.50 of the *Local Government Act 1995*, which requires all Local Governments to adopt a Policy relating to payment in addition to contract or award to employees who are leaving the Local Government.

## Scope

This policy applies to all City of Bayswater employees except those defined as Senior Employees.

## Definitions

For the purpose of this policy —

**Industrial Instrument** means an instrument that has legal application with respect to minimum entitlements to those covered within its scope, including modern awards, industrial agreements and any instrument made under the industrial relations system.

**Industrial Tribunals** means any jurisdiction that hears and determine claims relating to employment matters.

**Senior Employee** means employees holding the position of Chief Executive Officer in accordance with Section 5.37 of the *Local Government Act 1995*.

## Policy Statement

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

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



- **Settlement of a Claim**

In settlement of a claim or dispute where the employee has or proposes to take action under the relevant industrial relations legislation, up to a maximum of 26 weeks

- **Illness or Impairment**

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

- **Poor Performance/Conduct**

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

## **2. Manner of Assessment of the Payment**

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

In assessing the payment, the following will be considered:

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

## **3. Other circumstances when a payment in accordance with this policy is permissible**

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

## **4. Payment to Senior Employees**

Any payments to Senior Employees under this Policy must be considered by Council.

## **Related Legislation**

*Local Government Act 1995 (WA).*

**Document details**

Relevant delegations	Nil.		
Risk evaluation	High		
Strategic link	Goal L4: Communicate in a clear and transparent way. Provide the community with useful information about Council's policies, services and events and advise the community of engagement outcomes.		
Council adoption	TBA	Resolution	TBA
Next review due	November 2025		

## 8.2 New Policy: Electronic Attendance

<b>Responsible Branch:</b>	Governance and Strategy
<b>Responsible Directorate:</b>	Office of the CEO
<b>Authority/Discretion:</b>	Executive/Strategic Legislative
<b>Voting Requirement:</b>	Simple Majority
<b>Attachments:</b>	1. Draft Electronic Attendance Policy [8.2.1 - 6 pages]

### SUMMARY

A draft Electronic Attendance Policy is presented for Council's adoption at **Attachment 1**.

### **COMMITTEE RECOMMENDATION TO COUNCIL** **(OFFICER'S RECOMMENDATION)**

That Council adopts the Electronic Attendance Policy as contained in **Attachment 1**.

Cr Catherine Ehrhardt, Deputy Mayor Moved, Cr Steven Ostaszewskyj Seconded

**CARRIED: 4/2**

**For:** *Cr Filomena Piffaretti, Mayor, Cr Catherine Ehrhardt, Deputy Mayor, Cr Josh Eveson and Cr Steven Ostaszewskyj.*

**Against:** *Cr Lorna Clarke and Cr Giorgia Johnson.*

### BACKGROUND

As part of the State Government's package of local government reforms, the *Local Government Administration Regulations 1996* (Regulations) were amended on 9 November 2022 to enable local governments to continue to conduct Council and Committee meetings outside of emergency situations.

The Department of Local Government, Sport and the Cultural Industries (the Department) issued ["Guidelines for Developing Policies on Electronic Attendance and Meetings"](#), which recommended that local governments develop a policy in relation to dealing with requests for electronic attendance at meetings and the expectations of council in relation to equipment and location.

### EXTERNAL CONSULTATION

This policy was developed in accordance with the guidelines provided by the Department of Local Government, Sport and Cultural Industries at ["Guidelines for Developing Policies on Electronic Attendance and Meetings"](#).

### OFFICER'S COMMENTS

A draft Electronic Attendance Policy is presented in **Attachment 1**. The overarching purpose of the policy is to establish parameters for requests for electronic attendance at meetings and set out expectations of Council and Committee members attending meetings electronically in relation to equipment and location.

This Policy applies to electronic attendance at Ordinary Council Meetings, Special Council Meetings and Committee Meetings for Elected Members, Independent Members of Committees and City Officers who are members of Committees. There are provisions for electronic attendance at these types of meetings in the Regulations. The Regulations mandate who may provide approval for electronic attendance (the Mayor or Council for electronic attendance at meetings, and Council

for meetings which are held entirely by electronic means). The regulations also stipulate that electronic attendance must be from a “suitable location” and utilising “suitable equipment”.

The Regulations allow for local governments to develop their own policy positions around how requests for remote attendance at meetings will be made; suitable locations and equipment for remote attendance; the preferred electronic means for remote access; the 50% cap on remote attendance; and the decision-making procedures for matters relating to the holding of meetings conducted by electronic means.

The policy in **Attachment 1** also applies to Elected Member attendance at Agenda Briefing Forums, Council Briefing Sessions and Council Workshops. Although electronic attendance at these types of meetings is not covered by legislation, it is considered important to include them in the policy to provide clarity for members around how to apply for electronic attendance at these types of meetings and to provide controls to ensure confidentiality is able to be maintained at meetings, and to enable all members to effectively engage in communications and deliberations during these types of meetings.

The table below provides a synopsis of the key features in the draft Electronic Attendance Policy:

Provision	Rationale
Requests for electronic attendance to go to the Mayor in the first instance.	Provides a timely avenue for requests for electronic attendance, as requests to Council may only be made at a monthly Council meeting, however requests can be made to the Mayor at any time.
Requests for electronic attendance should be made at least two days prior to the meeting, briefing or workshop for which electronic attendance is being requested.	To allow adequate time for approvals to be organised and for preparation for the electronic attendance.
All requests for electronic attendance should specify the location from which the member wishes to attend the meeting and the equipment the member intends to use to attend the meeting.	To ensure the location and equipment can be assessed for suitability against the provisions of the policy.
Requests for electronic attendance at Ordinary Council Meetings, Briefings and Workshops are to be made by email to the Mayor and copied in to <a href="mailto:governance@bayswater.wa.gov.au">governance@bayswater.wa.gov.au</a> ; and the CEO.	The regulations require that the Mayor or Council provide approval. The CEO and governance are to be copied in to ensure that the administration are aware of requests and to provide assurance that none are missed.
Requests for electronic attendance at Committee Meetings are to be made by email to the Mayor and copied in to the Committee Chairperson, <a href="mailto:governance@bayswater.wa.gov.au">governance@bayswater.wa.gov.au</a> ; and the CEO.	As above, and to ensure that the Committee Chairperson is aware of electronic attendance requests.
Approval to attend a meeting, briefing or workshop electronically will be provided via return email from the Mayor, with a copy sent to all parties included on the original email request.	To ensure all relevant parties are aware of the approval.

Provision	Rationale
Should the application for electronic attendance at a meeting meet the requirements for approval as specified in this policy, and approval for electronic attendance is denied by the Mayor, the member may seek approval of the Council.	Council serves as an avenue of appeal should a request for electronic attendance be denied.
All requests for approval of electronic attendance by Council must be submitted to the Chief Executive Officer, and copied to <a href="mailto:governance@bayswater.wa.gov.au">governance@bayswater.wa.gov.au</a> at least 10 clear working days ahead of the meeting at which the request is to made.	To enable adequate time for a report on the matter to be prepared.
There is no limit to the number of meetings that can be attended electronically due to a public health emergency, state of emergency or a natural disaster (regulation 14(2)(a)).	As per the Regulations.
For Ordinary Council Meetings, Special Council Meetings and Committee Meetings, the member's electronic attendance at the proposed meeting under r14(2)(b) of the Regulations must not result in the member attending more than half of the meetings (including the proposed meeting) of the Council or Committee in the relevant period under an authorisation under r14(2)(b) of the Regulations. This cap does not apply to a member who is a person with a disability as defined in s3 of the <i>Disability Services Act 1993</i> .	As per the Regulations.
There is no cap on electronic attendance for Agenda Briefing Forums, briefings and workshops however physical presence is encouraged, particularly for meetings that require a high level of collaboration and involvement.	These types of meetings are not legislated and electronic attendance should be allowed in order to provide flexibility for members of Council.
The City's Governance team will record electronic attendance on the Attendance register and will advise the Mayor or Council if the requester is eligible for electronic attendance based on the percentage of meetings the person has attended electronically under Regulation 14C(2)(b).	To ensure compliance with the 50% cap on electronic attendance as prescribed in the Regulations.
In approving the request, the Mayor or Council must have regard to whether the location from which the member wishes to attend the meeting and the equipment the member intends to use to attend the meeting are deemed suitable for the member to be able to effectively engage in deliberations and communications during the meeting, in line with the provisions of this Policy.	To ensure compliance with the Regulations.

Provision	Rationale
Locations within Australia and its Territories are considered to be suitable for electronic attendance. Due to increased cyber security risks with overseas communications networks, attendance from international locations will not be approved.	Connecting from overseas networks has been identified as a cybersecurity risk due to the number of 'hops' between networks.
The location from which the member attends must be indoors, quiet and private.	To enable all members to effectively engage in communications and deliberations during these types of meetings and to ensure confidentiality can be maintained if the meeting is closed to the public.
If other people are present at the location at the time of the meeting, the member must be able to close a door in order or take other measures required to minimise noise and maintain privacy.	As above.
The electronic means for all electronic meetings will be set up by City officers using a software or web-based application approved for use by the City.	To ensure the appropriate software is used for the connection, and is vetted by the City's Information Services department to ensure it is compliant with the City's network policies and does not introduce high cyber security risks.
City officers will provide the details of how to connect to the electronic meeting to the participant as soon as practicable following approval of their electronic attendance by the Mayor or Council.	To provide assurance that officers will set up and provide the link for online attendance within a reasonable timeframe.
Members attending meetings electronically must connect through a suitable network and using suitable equipment.	In line with the Regulations.
Suitable networks include private home internet and WIFI, or a mobile hotspot from a trusted personal mobile device. Due to increased cyber security risks, public WIFI is not considered to be a suitable connection for electronic attendance (this includes connections at cafes, airports, hotels and restaurants).	Public WIFI networks are easy for cyber criminals to compromise. Hence a member using a public network to connect to a remote could not guarantee that confidentiality could be maintained.

Provision	Rationale
Suitable equipment for attending electronic meetings includes City provided devices (such as an Apple iPad or Microsoft Surface) or a personal computer or laptop with antivirus software and a video camera. Mobile phones are not considered to be suitable for attending meetings electronically.	City provided devices are considered to be appropriate for connecting to remote meetings as they have the required specifications, hardware, software and security to be able to join meetings remotely. If a City provided devices is not able to be used, a personal computer or laptop with antivirus software and video camera is considered to be acceptable. Mobile phones are not considered acceptable for connection as the small screen size may limit the ability of the member to participate in effective deliberations and decision making.
It is recommended that remote participants use fully charged headphones with at least 6 hours talk-time during the meeting.	Headphones provide better clarity of sound for all meeting participants, which is of particularly high importance for meetings that are livestreamed.
If the meeting or part of the meeting for which a member is attending electronically is to be closed to the public, the member must make a declaration that they can maintain confidentiality during the meeting or the closed part of the meeting (as the case requires).	In line with the Regulations.
This declaration must be recorded in the minutes of the meeting and should be worded as follows:  <i>"I [Member Name], declare that I am able to maintain confidentiality during the closed part of this meeting. If I am no longer able to maintain confidentiality, I will excuse myself from the meeting."</i>	In line with the Regulations.
Should the member make the above declaration and subsequently cannot maintain confidentiality, they must leave the meeting or the closed part of the meeting.	In line with the Regulations.
The declaration is to be made before the meeting goes behind closed doors.	In line with the Regulations.
Clauses 30. To 33. of this Policy apply to all attendees of meetings where the entire meeting is held by electronic means.	In line with the Regulations.

## LEGISLATIVE COMPLIANCE

*Disability Services Act 1993, s3.*

*Local Government Act 1995*

*Local Government (Administration) Regulations 1996, r.14C-r14E.*

## RISK ASSESSMENT

In accordance with the City's Risk Management Framework, the officer's recommendation has been assessed against the City's adopted risk tolerance. Comments are provided against each of the risk categories.

Risk Category	Adopted Risk Appetite	Risk Assessment Outcome
Strategic Direction	Moderate	Low
Reputation	Low	Low
Governance	Low	Low
Community and Stakeholder	Moderate	Low
Financial Management	Low	Low
Environmental Responsibility	Low	Low
Service Delivery	Low	Low
Organisational Health and Safety	Low	Low
<b>Conclusion</b>	The Electronic Attendance Policy introduces controls to manage risks associated with electronic attendance at meetings. These controls include clear procedures for applying for and approval of electronic attendance and requirements to connect using suitable equipment and networks to ensure confidentiality can be maintained when required and to reduce the chance of cyber-attacks which could occur if using unsecured networks.	

## FINANCIAL IMPLICATIONS

Nil.

## STRATEGIC IMPLICATIONS

In accordance with the City of Bayswater Strategic Community Plan 2021-2031 (as amended), the following applies:

Theme: Leadership and Governance  
 Goal L4: Communicate in a clear and transparent way.  
 Provide the community with useful information about Council's policies, services and events and advise the community of engagement outcomes.

## CONCLUSION

A draft Electronic Attendance Policy is presented for Council's consideration at **Attachment 1**.





# Electronic Attendance Policy

<b>Responsible Division</b>	Office of the Chief Executive Officer
<b>Responsible Business Unit</b>	Governance and Organisational Development and Planning
<b>Responsible Officer</b>	Manager Governance and Organisational Development and Planning
<b>Affected Business Units</b>	Governance and Organisational Development and Planning
<b>ECM Document Set ID</b>	TBA

## Purpose

This Policy establishes parameters for requests for electronic attendance at meetings and the expectations of Council and Committee members attending meetings electronically in relation to equipment and location.

## Scope

This Policy applies to electronic attendance at Ordinary Council Meetings, Special Council Meetings and Committee Meetings for Elected Members, Independent Members of Committees and City Officers who are members of Committees.

This policy also applies to Elected Member attendance at Agenda Briefing Forums, Council Briefing Sessions and Council Workshops.

## Definitions

For the purpose of this policy —

**Briefing** means a briefing session of Council as listed in the City of Bayswater Notice of Meetings or an Agenda Briefing Forum for an Ordinary Council Meeting.

**Meeting** means an Ordinary Council Meeting, Special Council Meeting, or Committee Meeting (including the Audit and Risk Management Committee) of the City of Bayswater.

**Natural Disaster** includes fire, flood, lightning, movement of land and storm.

**Relevant period** means the period of 12 months ending on the day on which the proposed meeting is to be held.

**Regulation** means a regulation from the *Local Government (Administration) Regulations 1996*.

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

**Workshop** means an informal workshop of Council as listed in the City of Bayswater Notice of Meetings

## Policy Statement

### Meetings Held by Electronic Means

1. Meetings may be held by electronic means in accordance with Regulation 14D(2).  
“(2) A meeting may be held by electronic means —
  - (a) if —
    - (i) a public health emergency or a state of emergency exists in the whole or a part of the area of the district of a local government; and
    - (ii) the mayor, president or council considers it appropriate for the meeting to be held by electronic means because of the public health emergency or state of emergency and having regard to the matters in subregulation (2B);
  - or
  - (b) if —
    - (i) a direction is issued under the Public Health Act 2016 or the Emergency Management Act 2005 that prevents the meeting from being held in person; and
    - (ii) the mayor, president or council authorises the meeting to be held by electronic means; or
  - (c) if the council otherwise authorises the meeting to be held by electronic means.”
2. Under the Regulations, Council cannot authorise a meeting to be held under subregulation (2)(c) if holding the proposed meeting under that authorisation would result in more than half of the meetings (including the proposed meeting) of the council or committee, in the relevant period, being held under an authorisation under subregulation (2)(C).
3. Council must have regard to whether the location from which each member attends the meeting via electronic means and the equipment the member intends to use to attend the meeting are deemed suitable for the member to be able to effectively engage in deliberations and communications during the meeting. Suitable locations and equipment are designated by the provisions of this Policy.

### Requests for Electronic Attendance at Meetings

4. Requests for electronic attendance at meetings must be made in accordance with Regulation 14C(2):  
“(2) A member of a council or committee may attend a meeting by electronic means —
  - (a) if —
    - (i) a public health emergency or state of emergency exists or a natural disaster has occurred; and
    - (ii) because of the public health emergency, state of emergency or natural disaster, the member is unable, or considers it inappropriate, to be present in person at the meeting; and

(iii) *the member is authorised to attend the meeting by electronic means by the mayor, president or council;*

*or*

(b) *if the member is otherwise authorised to attend the meeting by electronic means by the mayor, president or council."*

5. Requests for electronic attendance at briefings and workshops are not legislated, however are covered by this Policy.
6. Requests for electronic attendance should be made at least two business days prior to the meeting, briefing or workshop for which electronic attendance is being requested.
7. All requests for electronic attendance should specify the location from which the member wishes to attend the meeting and the equipment the member intends to use to attend the meeting.
8. Requests for electronic attendance at Ordinary Council Meetings, Briefings and Workshops are to be made by email to the Mayor and copied in to [governance@bayswater.wa.gov.au](mailto:governance@bayswater.wa.gov.au); and the CEO.
9. Requests for electronic attendance at Committee Meetings are to be made by email to the Mayor and copied in to the Committee Chairperson, [governance@bayswater.wa.gov.au](mailto:governance@bayswater.wa.gov.au); and the CEO.
10. Approval to attend a meeting, briefing or workshop electronically will be provided via return email from the Mayor, with a copy sent to all parties included on the original email request.
11. Should the application for electronic attendance at a meeting meet the requirements for approval as specified in this policy, and approval for electronic attendance is denied by the Mayor, the member may seek approval of the Council.
12. All requests for approval of electronic attendance by Council must be submitted to the Chief Executive Officer, and copied to [governance@bayswater.wa.gov.au](mailto:governance@bayswater.wa.gov.au) at least 10 clear business days ahead of the meeting at which the request is to be made.
13. A matrix can be found in Appendix 1 to this Policy, to assist with making requests for electronic attendance at meetings.

### **Requirements for Approval**

14. There is no limit to the number of meetings that can be attended electronically due to a public health emergency, state of emergency or a natural disaster (regulation 14(2)(a)).
15. For Ordinary Council Meetings, Special Council Meetings and Committee Meetings, the member's electronic attendance at the proposed meeting under r14(2)(b) of the Regulations must not result in the member attending more than half of the meetings (including the proposed meeting) of the Council or Committee in the relevant period under an authorisation under r14(2)(b) of the Regulations. This cap does not apply to a member who is a person with a disability as defined in s3 of the *Disability Services Act 1993*.
16. There is no cap on electronic attendance for Agenda Briefing Forums, briefings and workshops, however physical presence is encouraged, particularly for meetings that require a high level of collaboration and involvement.

17. The City's Governance team will record electronic attendance on the Attendance register and will advise the Mayor or Council if the requester is eligible for electronic attendance based on the percentage of meetings the person has attended electronically under Regulation 14C(2)(b).
18. In approving the request, the Mayor or Council must have regard to whether the location from which the member wishes to attend the meeting and the equipment the member intends to use to attend the meeting are deemed suitable for the member to be able to effectively engage in deliberations and communications during the meeting, in line with the provisions of this Policy.

### **Suitable Locations**

19. Locations within Australia and its Territories are considered to be suitable for electronic attendance.
20. Due to increased cyber security risks with overseas communications networks, attendance from international locations will not be approved.
21. The location from which the member attends must be indoors, quiet and private.
22. If other people are present at the location at the time of the meeting, the member must be able to close a door in order or take other measures required to minimise noise and maintain privacy.

### **Electronic Means**

23. The electronic means for all electronic meetings will be set up by City officers using a software or web-based application approved for use by the City.
24. City officers will provide the details of how to connect to the electronic meeting to the participant as soon as practicable following approval of their electronic attendance by the Mayor or Council.

### **Suitable Networks and Equipment**

25. Members attending meetings electronically must connect through a suitable network and using suitable equipment.
25. Suitable networks include private home internet and WIFI, or a mobile hotspot from a trusted personal mobile device.
27. Due to increased cyber security risks, public WIFI is not considered to be a suitable connection for electronic attendance (this includes connections at cafes, airports, hotels and restaurants).
28. Suitable equipment for attending electronic meetings includes City provided devices (e.g. tablet or laptop) or a personal computer or laptop with a video camera. Mobile phones are not considered to be suitable for attending meetings electronically.
29. It is recommended that remote participants use fully charged headphones with at least 6 hours talk-time during the meeting.

**Maintaining Confidentiality During the Meeting**

30. If the meeting or part of the meeting for which a member is attending electronically is to be closed to the public, the member must make a declaration that they can maintain confidentiality during the meeting or the closed part of the meeting (as the case requires).
31. This declaration must be recorded in the minutes of the meeting and should be worded as follows:
- "I [Member Name], declare that I am able to maintain confidentiality during the closed part of this meeting. If I am no longer able to maintain confidentiality, I will excuse myself from the meeting."*
32. Should the member make the above declaration and subsequently cannot maintain confidentiality, they must leave the meeting or the closed part of the meeting.
33. The declaration is to be made before the meeting goes behind closed doors.
34. Clauses 30. to 33. of this Policy apply to all attendees of meetings where the entire meeting is held by electronic means.

**Related Legislation**

*Disability Services Act 1993, s3.*

*Local Government Act 1995*

*Local Government (Administration) Regulations 1996, r.14C-r14E.*

**Related Documentation**

Nil.

**Document details**

Relevant delegations	Nil.		
Risk evaluation	Moderate		
Strategic link	Communicate in a clear and transparent way.		
Council adoption	TBA	Resolution	TBA
Next review due	March 2025		

Appendix 1
Matrix for Making Requests to Attend Meetings Electronically

<b>The request for electronic attendance is due to a Public Health Emergency, State of Emergency or Natural Disaster</b>				
<b>Circumstance</b>	<b>Type of Meeting</b>	<b>Request Approval From</b>	<b>Copy In</b>	<b>50% Cap Applies?</b>
Initial request	Ordinary Council Meeting, Special Council Meeting	Mayor	CEO, <a href="#">Governance</a>	No
Initial request	Committee Meeting	Mayor	Committee Chairperson, CEO, <a href="#">Governance</a>	No
Initial request	Agenda Briefing Forum, Council Briefing, Council Workshop	Mayor	CEO, <a href="#">Governance</a>	No
Application for electronic attendance has been denied by Mayor but meets the requirements for approval as specified in this policy	Ordinary Council Meeting, Special Council Meeting	Council. Send request to CEO at least 10 business days clear of the Council meeting at which the request is to be made.	<a href="#">Governance</a>	No

<b>The request for electronic attendance is <u>NOT</u> due to a Public Health Emergency, State of Emergency or Natural Disaster</b>				
<b>Circumstance</b>	<b>Type of Meeting</b>	<b>Request Approval From</b>	<b>Copy In</b>	<b>50% Cap Applies?</b>
Initial request	Ordinary Council Meeting, Special Council Meeting	Mayor	CEO, <a href="#">Governance</a>	Yes
Initial request	Committee Meeting	Mayor	Committee Chairperson, CEO, <a href="#">Governance</a>	Yes
Initial request	Agenda Briefing Forum, Council Briefing, Council Workshop	Mayor	CEO, <a href="#">Governance</a>	No
Application for electronic attendance has been denied by Mayor but meets the requirements for approval as specified in this policy	Ordinary Council Meeting, Special Council Meeting	Council. Send request to CEO at least 10 business days clear of the Council meeting at which the request is to be made.	<a href="#">Governance</a>	Yes

**8.3 Policy Review: Anniversary Recognitions Policy**

<b>Responsible Branch:</b>	Governance and Strategy
<b>Responsible Directorate:</b>	Office of the CEO
<b>Authority/Discretion:</b>	Executive/Strategic
<b>Voting Requirement:</b>	Simple Majority
<b>Attachments:</b>	1. Anniversary Recognitions Policy (Old Format) [8.3.1 - 1 page] 2. Anniversary Recognitions Policy (New Format) [8.3.2 - 2 pages]
<b>Refer:</b>	OCM 14.2.2006

**SUMMARY**

The Anniversary Recognitions Policy provides a guideline for when anniversaries and birthdays of City of Bayswater residents are recognised. This report presents a review of the Policy.

**OFFICER'S RECOMMENDATION**

That Council endorses the continuation of the Anniversary Recognitions Policy as outlined in **Attachment 2**.

**COMMITTEE RECOMMENDATION TO COUNCIL**

That Council endorses the continuation of the Anniversary Recognitions Policy as outlined in **Attachment 2**, amended to increase the maximum value of the card and flowers provided to recipients from \$100 to \$150.

Cr Catherine Ehrhardt, Deputy Mayor Moved, Cr Filomena Piffaretti, Mayor Seconded

**CARRIED: 3/3**

*In accordance with section 5.21(3) of the Local Government Act 1995, as the votes were equally divided, the Presiding Member, Cr Josh Eveson, used his casting vote to carry the motion.*

**For:** Cr Filomena Piffaretti, Mayor, Cr Catherine Ehrhardt, Deputy Mayor and Cr Josh Eveson.

**Against:** Cr Lorna Clarke, Cr Giorgia Johnson and Cr Steven Ostaszewskyj.

*Cr Giorgia Johnson foreshadowed the Officer's Recommendation.*

**REASON FOR CHANGE**

*The Committee increased the maximum value of the card and flowers to \$150 to account for inflation since the amount has not increased since 2006.*

**BACKGROUND**

The Anniversary Recognitions Policy was first developed in 2006 and has not been reviewed since. The Policy provides a guideline for when anniversaries and birthdays of residents of the City of Bayswater are recognised.

**EXTERNAL CONSULTATION**

City Officers have conducted a desktop review to find out about how other WA local governments acknowledge important milestones for their residents. Not many other local governments have information on their websites regarding acknowledging resident milestones, and no other relevant

policies were found, however City of Stirling and City of Joondalup's websites did contain the following information:

#### City of Stirling

The City of Stirling recognises birthdays of residents over 100 years old, and wedding anniversaries above 50 in 5-year increments. Recipients receive a plaque, a bottle of wine and chocolates presented by The Mayor or the corresponding Ward Councillors on behalf of Council.

#### City of Wanneroo

The Mayor will present flowers and a certificate to residents celebrating a 90th or 100th birthday and a 50th or 60th wedding anniversary.

### **OFFICER'S COMMENTS**

The Anniversary Recognitions Policy is still considered to be relevant in its current form, as it recognises significant milestones in the lives of senior City of Bayswater residents, being 50th wedding anniversaries and every ten-year anniversary thereafter and 90th, 100th and every birthday after 100 years.

As these significant anniversaries happen rarely, the cost to the City is nominal. \$172.72 has been expended on flowers for this policy so far in 2022/23, and in 2021/22 the amount spent was \$254.55.

It is recommended that Council retain the policy with no changes, however update the policy to the City's current policy format as contained in **Attachment 2**.

### **LEGISLATIVE COMPLIANCE**

Nil.

### **RISK ASSESSMENT**

In accordance with the City's Risk Management Framework, the officer's recommendation has been assessed against the City's adopted risk tolerance. Comments are provided against each of the risk categories.

Risk Category	Adopted Risk Appetite	Risk Assessment Outcome
Strategic Direction	Moderate	Low
Reputation	Low	Low
Governance	Low	Low
Community and Stakeholder	Moderate	Low
Financial Management	Low	Low
Environmental Responsibility	Low	Low
Service Delivery	Low	Low
Organisational Health and Safety	Low	Low
<b>Conclusion</b>	This Policy is considered to be low risk as it celebrates significant milestones in the lives of senior residents of the City and presents a nominal cost to the City.	

### **FINANCIAL IMPLICATIONS**

There are no new budgeting implications for this Policy. The City expends around \$300 per annum on flowers for anniversaries under this Policy.

### **STRATEGIC IMPLICATIONS**

In accordance with the City of Bayswater Strategic Community Plan 2021-2031 (as amended), the following applies:



Theme: Community

Goal C4: Empower the community by helping them develop social connections.

Theme: Leadership and Governance

Goal L4: Communicate in a clear and transparent way.

Provide the community with useful information about Council's policies, services and events and advise the community of engagement outcomes.

## CONCLUSION

It is recommended that Council endorses the continuation of the Anniversary Recognitions Policy as outlined in **Attachment 2**.

## ANNIVERSARY RECOGNITIONS POLICY

Responsible Division	Executive Services
Responsible Business Unit/s	Executive Services
Responsible Officer	Chief Executive Officer
Affected Business Unit/s	Executive Services



### PURPOSE:

To provide a guideline for when anniversary and birthdays of residents of the City of Bayswater are recognised.

### POLICY STATEMENT:

1. The City of Bayswater shall provide a card and flowers to the value of \$100 to residents of the community in recognition of birthdays and anniversaries as follows:
  - Resident or family member shall make formal contact by phone or in writing to the City;
  - Wedding anniversaries will be recognised as follows – 50th wedding anniversary and every ten year anniversary thereafter; and
  - Birthdays will be recognised as follows – 90th birthday, 100th birthday and every birthday after 100 years.

### DEFINITIONS:

*Nil*

### RELATED LEGISLATION:

*Nil*

### RELATED DOCUMENTATION:

*Nil*

Relevant Delegations		
Risk Evaluation		
Council Adoption	Date	14 February 2006
Reviewed / Modified	Date	
Reviewed / Modified	Date	
Reviewed / Modified	Date	



# Anniversary Recognitions Policy

<b>Responsible Division</b>	Office of the Chief Executive Officer
<b>Responsible Business Unit</b>	Governance and Organisational Planning and Development
<b>Responsible Officer</b>	Chief Executive Officer
<b>Affected Business Units</b>	Office of the Chief Executive Officer
<b>ECM Document Set ID</b>	4431040

## Purpose

To provide a guideline for when anniversary and birthdays of residents of the City of Bayswater are recognised.

## Definitions

Nil.

## Policy Statement

1. The City of Bayswater shall provide a card and flowers up to the value of \$100 to residents of the community in recognition of birthdays and anniversaries as follows:
  - (a) Resident or family member shall make formal contact by phone or in writing to the City;
  - (b) Wedding anniversaries will be recognised as follows – 50th wedding anniversary and every ten year anniversary thereafter; and
  - (c) Birthdays will be recognised as follows – 90th birthday, 100th birthday and every birthday after 100 years.

## Related Legislation

Nil.

## Related Documentation

Nil.

## Document details

<b>Relevant delegations</b>	Nil.
<b>Risk evaluation</b>	Low
<b>Strategic link</b>	Leadership and Governance

Provide Good Customer Service

Respond to the needs of our community in a respectful and timely way.

<b>Council adoption</b>	14 February 2006		
<b>Next review due</b>	28 March 2027		
<b>Reviewed/modified</b>	28 March 2023	<b>Resolution</b>	TBA

Draft

## 8.4 Policy Review: Investment

<b>Responsible Branch:</b>	Financial Services
<b>Responsible Directorate:</b>	Corporate & Strategy
<b>Authority/Discretion:</b>	Review
<b>Voting Requirement:</b>	Simple Majority
<b>Attachments:</b>	<ol style="list-style-type: none"> <li>1. Current Investment Policy [8.4.1 - 5 pages]</li> <li>2. Current Policy with Tracked Changes - Investment Policy [8.4.2 - 5 pages]</li> <li>3. Revised Investment Policy [8.4.3 - 5 pages]</li> </ol>
<b>Refer:</b>	Item 13.4.1 OCM 27.06.2017 Item 10.5.2.3 OCM 23.06.2020

### SUMMARY

For Council to consider amending the Investment Policy.

*Cr Filomena Piffaretti, Mayor, withdrew from the meeting at 5:45pm and rejoined the meeting at 5:49pm.*

### OFFICER'S RECOMMENDATION

That Council adopts the revised Investment Policy as outlined in Attachment 3.

### PROCEDURAL MOTION

That, in accordance with clause 11.6 of the *City of Bayswater Standing Orders Local Law 2021*, this item be referred to the next meeting of the Policy Review and Development Committee.

Cr Lorna Clarke Moved, Cr Giorgia Johnson Seconded

**CARRIED UNANIMOUSLY: 6/0**

**For:** *Cr Filomena Piffaretti, Mayor, Cr Catherine Ehrhardt, Deputy Mayor, Cr Lorna Clarke, Cr Josh Eveson, Cr Giorgia Johnson and Cr Steven Ostaszewskyj.*

**Against:** *Nil.*

### REASON FOR CHANGE

*Consideration of the Investment Policy was referred to the next meeting of the Policy Review and Development Committee to allow more time for Officers to review and redraft the Policy.*

### BACKGROUND

The Investment Policy sets out the requirements for the management of the City's cash and investment portfolio. It was first adopted in September 2016 and has been reviewed in both June 2017 and June 2020. It is critical to the financial performance and reputation of the organisation to have a robust Investment Policy. This Policy has enabled the City to manage its investments appropriately from both a strategic and compliance perspective.

### EXTERNAL CONSULTATION

No consultation has yet occurred with the public or other agencies on this matter.

### OFFICER'S COMMENTS

The current wording in the policy regarding divestment requires 'that preference is to be given to financial institutions that have no current record of funding fossil fuels and do not invest in or finance the fossil fuel industry, subject to all such investments meeting the risk ratings, favourable returns and diversification limits set out in the Investment Policy. The City will use resources such as Market Forces in determining fossil-free investments. The Policy is due to be reviewed due to operation requirements

Unfortunately, the Market Forces report referred to within the policy basically includes all of the major banks as well as many of the mid-tier banks with the action being to 'put them on notice' and 'tell them to stop'. It's ambiguous how this should be approached and not practical to exclude such a significant number of Authorised Deposit-Taking Institutions (ADI's).

The recommended policy change is that 'The City acknowledges climate change and attempts to reduce its investments that fund the fossil fuel industry and contribute to greenhouse gas emissions. Providing the cost is no more than 5 basis points and the associated risks within those limits provided in this policy then preference can be given to those ADI's not involved with investing or lending to the fossil fuel industry.

This effectively would give preference to those ADI's not involved with the fossil fuel industry where the rates on offer are competitive.

A copy of the revised policy, with amendments shown in 'tracked changes' is provided in **Attachment 1**.

A copy of the revised policy, with amendments included, is provided in **Attachment 2**.

## LEGISLATIVE COMPLIANCE

All investments are to comply with the following:

- *Local Government Act 1995* – Section 6.14;
- *Trustees Act 1962* – Part III Investments;
- *Local Government (Financial Management) Regulations 1996* – Regulation 19,19C,28 and 49; and
- Australian Accounting Standards.

## RISK ASSESSMENT

In accordance with the City's Risk Management Framework, the officer's recommendation has been assessed against the City's adopted risk tolerance. Comments are provided against each of the risk categories.

Risk Category	Adopted Risk Appetite	Risk Assessment Outcome
Strategic Direction	Moderate	Moderate
Reputation	Low	Low
Governance	Low	Low
Community and Stakeholder	Moderate	Moderate
Financial Management	Low	Low
Environmental Responsibility	Low	Low
Service Delivery	Low	Low
Organisational Health and Safety	Low	Low
<b>Conclusion</b>	That Council adopts the revised Investment Policy.	

## FINANCIAL IMPLICATIONS

The interest earnings from investment will have an impact on the City's financials.

## **STRATEGIC IMPLICATIONS**

In accordance with the City of Bayswater Strategic Community Plan 2021-2031 (as amended), the following applies:

Theme: Leadership and Governance

Goal L4: Communicate in a clear and transparent way.

Provide the community with useful information about Council's policies, services and events and advise the community of engagement outcomes.

## **CONCLUSION**

That Council adopts the revised Investment Policy.

# Investment Policy



<b>Responsible Division</b>	Corporate & Strategy
<b>Responsible Business Unit/s</b>	Financial Services
<b>Responsible Officer</b>	Manager Financial Services
<b>Affected Business Unit/s</b>	All Branches
<b>Document Ref</b>	3698740

## Purpose

The Investment Policy sets out the requirements for the management of the City's cash and investment portfolio.

## Policy Statement

This policy sets the following objectives:

- safeguard the City's cash and investments portfolio;
- achieve appropriate earnings; and
- manage the City's cash resources to ensure sufficient liquidity to meet the City's business objectives over the long, medium and short term.

This policy reinforces the City's ongoing commitment to maintaining a conservative risk and return portfolio; an important feature of its ongoing prudent financial management practices.

## Scope

This policy applies to all managers and employees who actively manage the City's cash and investments or have the responsibility for employees who actively manage the City's cash and investments.

## Definitions

Standard and Poor's (S&P) Credit Ratings is an opinion of the general creditworthiness of an obligor with respect to particular debt security or other financial obligation based on relevant risk factors. Credit ratings are based on the following considerations:

- likelihood of payment;
- nature and provisions of the obligation; and
- protection afforded by, and relative position of, the obligation in the event of bankruptcy, reorganisation or other laws affecting creditors' rights.

The issue rating definitions are expressed in terms of default risk.

Long-term risk ratings (greater than 12 months to maturity)



Category	Definition
AAA	An obligation rated 'AAA' has the highest rating assigned by Standard & Poor's. The obligor's capacity to meet its financial commitment on the obligation is extremely strong.
AA	An obligation rated 'AA' differs from the highest-rated obligations only to a small degree. The obligor's capacity to meet its financial commitment on the obligation is very strong.
A	An obligation rated 'A' is somewhat more susceptible to the adverse effects of changes in circumstances and economic conditions than obligations in higher-rated categories. However, the obligor's capacity to meet its financial commitment on the obligation is still strong.
BBB	An obligation rated 'BBB' exhibits adequate protection parameters. However, adverse economic conditions or changing circumstances are more likely to lead to a weakened capacity of the obligor to meet its financial commitment on the obligation.

Short-term risk ratings (less than 12 months to maturity)

Category	Definition
A-1	A short-term obligation rated 'A-1' is rated in the highest category by Standard & Poor's. The obligor's capacity to meet its financial commitment on the obligation is strong. Within this category, certain obligations are designated with a plus sign (+). This indicates that the obligor's capacity to meet its financial commitment on these obligations is extremely strong.
A-2	A short-term obligation rated 'A-2' is somewhat more susceptible to the adverse effects of changes in circumstances and economic conditions than obligations in higher rating categories. However, the obligor's capacity to meet its financial commitment on the obligation is satisfactory.
A-3	A short-term obligation rated 'A-3' exhibits adequate protection parameters. However, adverse economic conditions or changing circumstances are more likely to lead to a weakened capacity of the obligor to meet its financial commitment on the obligation.

Reference:

<https://www.spratings.com/documents/20184/86966/Standard+%26+Poor%27s+Ratings+Definitions/fd2a2a96-be56-47b8-9ad2-390f3878d6c6>

## Related Legislation

All investments are to comply with the following:

- *Local Government Act 1995* – Section 6.14;
- *Trustees Act 1962* – Part III Investments;
- *Local Government (Financial Management) Regulations 1996* – Regulations 19, 19C, 28 and 49; and
- Australian Accounting Standards.

## PRUDENT PERSON STANDARD

The City requires that all investment activities be exercised with the care, diligence and skill of a prudent person, and not for speculative purposes.

Officers shall not engage in activities that would conflict with the proper execution and management of the City's investment portfolio. Any potential conflicts of interest should be appropriately disclosed to the Chief Executive Officer in accordance with the City's Code of Ethics.

**APPROVED INVESTMENTS**

Investments are limited to:

- Interest-bearing deposits with an authorised deposit-taking institution (ADI) as defined in the *Banking Act 1959 (Commonwealth)* section 5 for a term not exceeding three years;
- Interest-bearing deposits with the Western Australian Treasury Corporation established by the *West Australian Corporation Act 1986*, not exceeding three years; and
- Bonds guaranteed by the Commonwealth Government, or a State or Territory Government for a maturity term not exceeding three years.

All investments are to be in Australian currency.

**PROHIBITIVE INVESTMENTS**

The City is not able to do any of the following:

- deposit with any institution except an authorised deposit-taking institution;
- deposit for a fixed term exceeding three years;
- invest in bonds that are not guaranteed by the Commonwealth Government, or a State or Territory Government;
- invest in bonds with a maturity term of more than three years; nor
- invest in a foreign currency.

In addition the Investment Policy prohibits any investment carried out for speculative purposes and includes derivative-based instruments such as mortgage and asset-backed securities, 'principal only' investments and 'stand-alone' securities such as Collateral Debt Obligations (CDO's).

**DIVESTMENT**

When exercising the power of investment, preference is to be given to financial institutions that have no current record of funding fossil fuels and do not invest in or finance the fossil fuel industry, subject to all such investments meeting the risk ratings, favourable returns and diversification limits set out in the Investment Policy. The City will use resources such as Market Forces in determining fossil-free investments <https://www.marketforces.org.au/info/compare-bank-table/>

**RISK MANAGEMENT GUIDELINES**

Investments are to comply with:

- Portfolio Credit Framework: limit overall credit exposure of the portfolio (Direct investment maximum);
- Counterparty Credit Framework: limit exposure to individual ADI counterparties / institutions (Exposure to a single institution); and
- Term to Maturity Framework: limits on period of maturity.

Investments must have a credit rating and the credit rating structure of the total portfolio must comply with the contents of the following table:

S&P Long-Term Rating	S&P Short-Term Rating	Direct Investment Maximum % (as a % of Total Portfolio)	Exposure to a Single Institution (as a % of Total Portfolio)
AAA	A-1+	100%	45%
AA	A-1	100%	35%
A	A-2	80%	30%

If any ADI's or investments are downgraded to an extent that they no longer comply they will be divested as soon as practicable, subject to the risks of default and prevailing market liquidity.

### INVESTMENT ADVISOR

Council approval is required to appoint an Investment Advisor to provide expert financial advice. The Investment Advisor must be authorised by an entity licensed by the Australian Securities and Investment Commission. The Investment Advisor is required to have no actual or potential conflict of interest in relation to investment products being recommended, and may recommend the most appropriate products within the terms and conditions of the Investment Policy.

Managed funds on advice from the City's financial advisor, if limited to cash funds or cash plus funds, would take into account the need for funds over a twelve-month period and the security of the principal of the investment. In terms of the various risk levels, with any investment advisor/s approved by the City, the maximum amount of investment held on advice should not exceed 5% of average annual funds invested by the City.

### AUDIT

All of the City's investments are to be held in the name of the 'City of Bayswater'. Certificates are to be provided by the ADI and reconciled monthly to the City's financial records.

The City's records are to show a clear and transparent record of investment holdings in accordance with terms, percentage exposure and maturities, and comply with the *Local Government Act 1995* and its subordinate legislation.

### REPORTING AND REVIEW

The City will maintain a separate record of money it has invested. Pursuant to the *Local Government (Financial Management) Regulations 1996* the City will provide a monthly report to Council on investments. This report will include (among other things): the total value of the portfolio; net investment income for the month; and a complete schedule of all investments within the total portfolio.

Investment performance will be measured monthly in relation to the Reserve Bank of Australia (RBA) average cash rate.

The City will undertake an annual review of its Investment Policy. If there are any significant changes to the Act, Regulations, issued guidelines, or if the market changes to a degree that warrants an earlier examination, the policy will be reviewed and referred to Council for further consideration.

**Relevant Delegations****Risk Evaluation**

<b>Council Adoption</b>	13 September 2016
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<b>Review/Modified</b>	27 June 2017
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<b>Review/Modified</b>	23 June 2020
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<b>Review/Modified</b>	
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# Investment Policy

<b>Responsible Division</b>	Corporate & Strategy
<b>Responsible Business Unit</b>	Financial Services
<b>Responsible Officer</b>	Manager Financial Services
<b>Affected Business Units</b>	All Branches
<b>ECM Document Set ID</b>	3698740

## Purpose

The Investment Policy sets out the requirements for the management of the City's cash and investment portfolio.

## Scope

This policy applies to all managers and employees who actively manage the City's cash and investments or have the responsibility for employees who actively manage the City's cash and investments.

## Definitions

Standard and Poor's (S&P) Credit Ratings is an opinion of the general creditworthiness of an obligor with respect to particular debt security or other financial obligation based on relevant risk factors. Credit ratings are based on the following considerations:

- likelihood of payment;
- nature and provisions of the obligation; and
- protection afforded by, and relative position of, the obligation in the event of bankruptcy, reorganisation or other laws affecting creditors' rights.

The issue rating definitions are expressed in terms of default risk.

Long-term risk ratings (greater than 12 months to maturity)

Category	Definition
AAA	An obligation rated 'AAA' has the highest rating assigned by Standard & Poor's. The obligor's capacity to meet its financial commitment on the obligation is extremely strong.
AA	An obligation rated 'AA' differs from the highest-rated obligations only to a small degree. The obligor's capacity to meet its financial commitment on the obligation is very strong.
A	An obligation rated 'A' is somewhat more susceptible to the adverse effects of changes in circumstances and economic conditions than obligations in higher-rated categories. However, the obligor's capacity to meet its financial commitment on the obligation is still strong.
BBB	An obligation rated 'BBB' exhibits adequate protection parameters. However, adverse economic conditions or changing circumstances are more likely to lead to a weakened capacity of the obligor to meet its financial commitment on the obligation.

Short-term risk ratings (less than 12 months to maturity)

Category	Definition
A-1	A short-term obligation rated 'A-1' is rated in the highest category by Standard & Poor's. The obligor's capacity to meet its financial commitment on the obligation is strong. Within this category, certain obligations are designated with a plus sign (+). This indicates that the obligor's capacity to meet its financial commitment on these obligations is extremely strong.
A-2	A short-term obligation rated 'A-2' is somewhat more susceptible to the adverse effects of changes in circumstances and economic conditions than obligations in higher rating categories. However, the obligor's capacity to meet its financial commitment on the obligation is satisfactory.
A-3	A short-term obligation rated 'A-3' exhibits adequate protection parameters. However, adverse economic conditions or changing circumstances are more likely to lead to a weakened capacity of the obligor to meet its financial commitment on the obligation.

Reference:

<https://www.spratings.com/documents/20184/86966/Standard+%26+Poor%27s+Ratings+Definitions/fda2a96-be56-47b8-9ad2-390f3878d6c6>

## Policy Statement

This policy sets the following objectives:

- safeguard the City's cash and investments portfolio;
- achieve appropriate earnings; and
- manage the City's cash resources to ensure sufficient liquidity to meet the City's business objectives over the long, medium and short term.

This policy reinforces the City's ongoing commitment to maintaining a conservative risk and return portfolio; an important feature of its ongoing prudent financial management practices.

## Related Legislation

All investments are to comply with the following:

- Local Government Act 1995 – Section 6.14;
- Trustees Act 1962 – Part III Investments;
- Local Government (Financial Management) Regulations 1996 – Regulations 19, 19C, 28 and 49; and
- Australian Accounting Standards.

### PRUDENT PERSON STANDARD

The City requires that all investment activities be exercised with the care, diligence and skill of a prudent person, and not for speculative purposes.

Officers shall not engage in activities that would conflict with the proper execution and management of the City's investment portfolio. Any potential conflicts of interest should be appropriately disclosed to the Chief Executive Officer in accordance with the City's Code of Ethics.

### APPROVED INVESTMENTS

Investments are limited to:

- Interest-bearing deposits with an authorised deposit-taking institution (ADI) as defined in the Banking Act 1959 (Commonwealth) section 5 for a term not exceeding three years;
- Interest-bearing deposits with the Western Australian Treasury Corporation established by the West Australian Corporation Act 1986, not exceeding three years; and
- Bonds guaranteed by the Commonwealth Government, or a State or Territory Government for a maturity term not exceeding three years.

All investments are to be in Australian currency.

### PROHIBITIVE INVESTMENTS

The City is not able to do any of the following:

- deposit with any institution except an authorised deposit-taking institution;
- deposit for a fixed term exceeding three years;
- invest in bonds that are not guaranteed by the Commonwealth Government, or a State or Territory Government;
- invest in bonds with a maturity term of more than three years; nor
- invest in a foreign currency.

In addition, the Investment Policy prohibits any investment carried out for speculative purposes and includes derivative-based instruments such as mortgage and asset-backed securities, 'principal only' investments and 'stand-alone' securities such as Collateral Debt Obligations (CDO's).

**DIVESTMENT**

When exercising the power of investment, preference is to be given to financial institutions that have no current record of funding fossil fuels and do not invest in or finance the fossil fuel industry, subject to all such investments meeting the risk ratings, favourable returns and diversification limits set out in the Investment Policy. The City will use resources such as Market Forces in determining fossil-free investments <https://www.marketforces.org.au/info/compare-bank-table/>. The City acknowledges climate change and attempts to reduce its investments that fund the fossil fuel industry and contribute to greenhouse gas emissions. Providing the cost is no more than 5 basis points and the associated risks within those limits provided in this policy then preference can be given to those ADI's not involved with investing or lending to the fossil fuel industry

**RISK MANAGEMENT GUIDELINES**

Investments are to comply with:

- Portfolio Credit Framework: limit overall credit exposure of the portfolio (Direct investment maximum);
- Counterparty Credit Framework: limit exposure to individual ADI counterparties / institutions (Exposure to a single institution); and
- Term to Maturity Framework: limits on period of maturity.

Investments must have a credit rating and the credit rating structure of the total portfolio must comply with the contents of the following table.

S&P Long-Term Rating	S&P Short-Term Rating	Direct Investment Maximum % (as a % of Total Portfolio)	Exposure to a Single Institution (as a % of Total Portfolio)
AAA	A-1+	100%	45%
AA	A-1	100%	35%
A	A-2	80%	30%

If any ADI's or investments are downgraded to an extent that they no longer comply they will be divested as soon as practicable, subject to the risks of default and prevailing market liquidity.

**INVESTMENT ADVISOR**

Council approval is required to appoint an Investment Advisor to provide expert financial advice. The Investment Advisor must be authorised by an entity licensed by the Australian Securities and Investment Commission. The Investment Advisor is required to have no actual or potential conflict of interest in relation to investment products being recommended, and may recommend the most appropriate products within the terms and conditions of the Investment Policy.

Managed funds on advice from the City's financial advisor, if limited to cash funds or cash plus funds, would take into account the need for funds over a twelve-month period and the security of the principal of the investment. In terms of the various risk levels, with any investment advisor/s approved by the City, the maximum amount of investment held on advice should not exceed 5% of average annual funds invested by the City.



**AUDIT**

All of the City's investments are to be held in the name of the 'City of Bayswater'. Certificates are to be provided by the ADI and reconciled monthly to the City's financial records.

The City's records are to show a clear and transparent record of investment holdings in accordance with terms, percentage exposure and maturities, and comply with the Local Government Act 1995 and its subordinate legislation.

**REPORTING AND REVIEW**

The City will maintain a separate record of money it has invested. Pursuant to the *Local Government (Financial Management) Regulations 1996* the City will provide a monthly report to Council on investments. This report will include (among other things): the total value of the portfolio; net investment income for the month; and a complete schedule of all investments within the total portfolio.

Investment performance will be measured monthly in relation to the Reserve Bank of Australia (RBA) average cash rate.

The City will undertake an annual review of its Investment Policy. If there are any significant changes to the Act, Regulations, issued guidelines, or if the market changes to a degree that warrants an earlier examination, the policy will be reviewed and referred to Council for further consideration.

**Related Documentation**

-

**Document details**

<b>Relevant delegations</b>	<a href="#">M-D01 Power to Invest</a>		
<b>Risk evaluation</b>	<a href="#">Low</a>		
<b>Strategic link</b>	<a href="#">Goal L2:</a> <a href="#">Plan and deliver projects and services in a sustainable way.</a> <a href="#">Work together to deliver the best outcomes for the community by man: financially sustainable way.</a>		
<b>Council adoption</b>	13 September 2016	<b>Resolution</b>	13.5
<b>Next review due</b>	<a href="#">27 June 2017</a> <a href="#">14 March 2023</a>		
<b>Reviewed/modified</b>	<a href="#">23 June 2020</a> <a href="#">TBA</a>	<b>Resolution</b>	10.5.2.3



# Investment Policy

<b>Responsible Division</b>	Corporate & Strategy
<b>Responsible Business Unit</b>	Financial Services
<b>Responsible Officer</b>	Manager Financial Services
<b>Affected Business Units</b>	All Branches
<b>ECM Document Set ID</b>	3698740

## Purpose

The Investment Policy sets out the requirements for the management of the City's cash and investment portfolio.

## Scope

This policy applies to all managers and employees who actively manage the City's cash and investments or have the responsibility for employees who actively manage the City's cash and investments.

## Definitions

Standard and Poor's (S&P) Credit Ratings is an opinion of the general creditworthiness of an obligor with respect to particular debt security or other financial obligation based on relevant risk factors. Credit ratings are based on the following considerations:

- likelihood of payment;
- nature and provisions of the obligation; and
- protection afforded by, and relative position of, the obligation in the event of bankruptcy, reorganisation or other laws affecting creditors' rights.

The issue rating definitions are expressed in terms of default risk.

Long-term risk ratings (greater than 12 months to maturity)

Category	Definition
AAA	An obligation rated 'AAA' has the highest rating assigned by Standard & Poor's. The obligor's capacity to meet its financial commitment on the obligation is extremely strong.
AA	An obligation rated 'AA' differs from the highest-rated obligations only to a small degree. The obligor's capacity to meet its financial commitment on the obligation is very strong
A	An obligation rated 'A' is somewhat more susceptible to the adverse effects of changes in circumstances and economic conditions than obligations in higher-rated categories. However, the obligor's capacity to meet its financial commitment on the obligation is still strong.
BBB	An obligation rated 'BBB' exhibits adequate protection parameters. However, adverse economic conditions or changing circumstances are more likely to lead to a weakened capacity of the obligor to meet its financial commitment on the obligation.

Short-term risk ratings (less than 12 months to maturity)

Category	Definition
A-1	A short-term obligation rated 'A-1' is rated in the highest category by Standard & Poor's. The obligor's capacity to meet its financial commitment on the obligation is strong. Within this category, certain obligations are designated with a plus sign (+). This indicates that the obligor's capacity to meet its financial commitment on these obligations is extremely strong.
A-2	A short-term obligation rated 'A-2' is somewhat more susceptible to the adverse effects of changes in circumstances and economic conditions than obligations in higher rating categories. However, the obligor's capacity to meet its financial commitment on the obligation is satisfactory.
A-3	A short-term obligation rated 'A-3' exhibits adequate protection parameters. However, adverse economic conditions or changing circumstances are more likely to lead to a weakened capacity of the obligor to meet its financial commitment on the obligation.

Reference:

<https://www.spratings.com/documents/20184/86966/Standard+%26+Poor%27s+Ratings+Definitions/fda2a96-be56-47b8-9ad2-390f3878d6c6>

## Policy Statement

This policy sets the following objectives:

- safeguard the City's cash and investments portfolio;
- achieve appropriate earnings; and
- manage the City's cash resources to ensure sufficient liquidity to meet the City's business objectives over the long, medium and short term.

This policy reinforces the City's ongoing commitment to maintaining a conservative risk and return portfolio; an important feature of its ongoing prudent financial management practices.

### Related Legislation

All investments are to comply with the following:

- Local Government Act 1995 – Section 6.14;
- Trustees Act 1962 – Part III Investments;
- Local Government (Financial Management) Regulations 1996 – Regulations 19, 19C, 28 and 49; and
- Australian Accounting Standards.

### PRUDENT PERSON STANDARD

The City requires that all investment activities be exercised with the care, diligence and skill of a prudent person, and not for speculative purposes.

Officers shall not engage in activities that would conflict with the proper execution and management of the City's investment portfolio. Any potential conflicts of interest should be appropriately disclosed to the Chief Executive Officer in accordance with the City's Code of Ethics.

### APPROVED INVESTMENTS

Investments are limited to:

- Interest-bearing deposits with an authorised deposit-taking institution (ADI) as defined in the Banking Act 1959 (Commonwealth) section 5 for a term not exceeding three years;
- Interest-bearing deposits with the Western Australian Treasury Corporation established by the West Australian Corporation Act 1986, not exceeding three years; and
- Bonds guaranteed by the Commonwealth Government, or a State or Territory Government for a maturity term not exceeding three years.

All investments are to be in Australian currency.

### PROHIBITIVE INVESTMENTS

The City is not able to do any of the following:

- deposit with any institution except an authorised deposit-taking institution;
- deposit for a fixed term exceeding three years;
- invest in bonds that are not guaranteed by the Commonwealth Government, or a State or Territory Government;
- invest in bonds with a maturity term of more than three years; nor
- invest in a foreign currency.

In addition, the Investment Policy prohibits any investment carried out for speculative purposes and includes derivative-based instruments such as mortgage and asset-backed securities, 'principal only' investments and 'stand-alone' securities such as Collateral Debt Obligations (CDO's).

## **DIVESTMENT**

The City acknowledges climate change and attempts to reduce its investments that fund the fossil fuel industry and contribute to greenhouse gas emissions. Providing the cost is no more than 5 basis points and the associated risks within those limits provided in this policy then preference can be given to those ADI's not involved with investing or lending to the fossil fuel industry

## **RISK MANAGEMENT GUIDELINES**

Investments are to comply with:

- Portfolio Credit Framework: limit overall credit exposure of the portfolio (Direct investment maximum);
- Counterparty Credit Framework: limit exposure to individual ADI counterparties / institutions (Exposure to a single institution); and
- Term to Maturity Framework: limits on period of maturity.

Investments must have a credit rating and the credit rating structure of the total portfolio must comply with the contents of the following table.

<b>S&amp;P Long-Term Rating</b>	<b>S&amp;P Short-Term Rating</b>	<b>Direct Investment Maximum (as a % of Total Portfolio)</b>	<b>Exposure to a Single Institution (as a % of Total Portfolio)</b>
AAA	A-1+	100%	45%
AA	A-1	100%	35%
A	A-2	80%	30%

If any ADI's or investments are downgraded to an extent that they no longer comply they will be divested as soon as practicable, subject to the risks of default and prevailing market liquidity.

## **INVESTMENT ADVISOR**

Council approval is required to appoint an Investment Advisor to provide expert financial advice. The Investment Advisor must be authorised by an entity licensed by the Australian Securities and Investment Commission. The Investment Advisor is required to have no actual or potential conflict of interest in relation to investment products being recommended, and may recommend the most appropriate products within the terms and conditions of the Investment Policy.

Managed funds on advice from the City's financial advisor, if limited to cash funds or cash plus funds, would take into account the need for funds over a twelve-month period and the security of the principal of the investment. In terms of the various risk levels, with any investment advisor/s approved by the City, the maximum amount of investment held on advice should not exceed 5% of average annual funds invested by the City.

**AUDIT**

All of the City's investments are to be held in the name of the 'City of Bayswater'. Certificates are to be provided by the ADI and reconciled monthly to the City's financial records.

The City's records are to show a clear and transparent record of investment holdings in accordance with terms, percentage exposure and maturities, and comply with the Local Government Act 1995 and its subordinate legislation.

**REPORTING AND REVIEW**

The City will maintain a separate record of money it has invested. Pursuant to the *Local Government (Financial Management) Regulations 1996* the City will provide a monthly report to Council on investments. This report will include (among other things): the total value of the portfolio; net investment income for the month; and a complete schedule of all investments within the total portfolio.

Investment performance will be measured monthly in relation to the Reserve Bank of Australia (RBA) average cash rate.

The City will undertake an annual review of its Investment Policy. If there are any significant changes to the Act, Regulations, issued guidelines, or if the market changes to a degree that warrants an earlier examination, the policy will be reviewed and referred to Council for further consideration.

**Related Documentation**

Nil.

**Document details**

<b>Relevant delegations</b>	M-D01 Power to Invest		
<b>Risk evaluation</b>	Low		
<b>Strategic link</b>	Goal L2:	Plan and deliver projects and services in a sustainable way. Work together to deliver the best outcomes for the community by man. financially sustainable way.	
<b>Council adoption</b>	13 September 2016	<b>Resolution</b>	13.5
<b>Next review due</b>	27 June 2017		
<b>Reviewed/modifed</b>	23 June 2020	<b>Resolution</b>	10.5.2.3

**8.5 Policy Review: Corporate Credit Card**

<b>Responsible Branch:</b>	Financial Services
<b>Responsible Directorate:</b>	Corporate & Strategy
<b>Authority/Discretion:</b>	Review
<b>Voting Requirement:</b>	Simple Majority
<b>Attachments:</b>	<ol style="list-style-type: none"> <li>1. Current Policy with Tracked Changes - Corporate Credit Card Policy [8.5.1 - 4 pages]</li> <li>2. Revised Corporate Credit Card Policy [8.5.2 - 3 pages]</li> <li>3. Current Agreement with Tracked Changes - Corporate and Purchase Card Employee Agreement [8.5.3 - 2 pages]</li> <li>4. Revised Corporate Credit Card Employee Agreement [8.5.4 - 2 pages]</li> </ol>
<b>Refer:</b>	Item 13.2.1 OCM 20.02.2018

**SUMMARY**

For Council to consider amending the Corporate Credit Card Policy.

**OFFICER'S RECOMMENDATION**

That Council adopts the revised 'Corporate Credit Card' Policy.

**COMMITTEE RECOMMENDATION TO COUNCIL**

That Council adopts the revised 'Corporate Credit Card' Policy with the following amendments under the section entitled "General":

1. The word "Monthly" inserted before the word "Acquittal" in the first point.
2. The words "by Personal Assistant" removed from the fifth point.
3. The words "received from their Personal Assistant" removed from the sixth point.

**Cr Catherine Ehrhardt, Deputy Mayor Moved, Cr Giorgia Johnson Seconded**

**CARRIED: 5/1**

**For:** Cr Filomena Piffaretti, Mayor, Cr Catherine Ehrhardt, Deputy Mayor, Cr Lorna Clarke, Cr Josh Eveson and Cr Giorgia Johnson.

**Against:** Cr Steven Ostaszewskyj.

**REASON FOR CHANGE**

*The Committee changed the Officer's Recommendation to ensure that cardholders remain responsible for acquitting credit card transactions monthly, and to reinforce that acquittals are the responsibility of the cardholder.*

**BACKGROUND**

The Corporate Credit Card Policy is intended to set out the requirements for the management of the City's corporate credit cards. It was first adopted in February 2013 and previously reviewed in February 2018. Although purchasing using corporate credit cards is low in value, they are a key payment method and need careful consideration in how they are managed.

**EXTERNAL CONSULTATION**

No consultation has yet occurred with the public or other agencies on this matter.

## OFFICER'S COMMENTS

The following revisions are proposed to the 'Corporate Credit Card' policy:

Revision	Rationale
Added: Corporate Credit Card is not tied to any form of third-party payment platform	Recommended in the Office of Auditor General's (OAG) report on "Controls Over Purchasing Cards". This will reduce the risk of Corporate Credit Card being used for private purposes.
Added: The return of the card to the Manager Financial Services for safe keeping purposes while on extended leave	Recommended in the OAG's report on "Controls Over Purchasing Cards". This will reduce the risk of Corporate Credit Card being used for private purpose and ensure that the card is securely stored while the cardholder is on extended leave.
Added: Periodically review the necessity of the use of Corporate Credit Card	Recommended in the OAG's report on "Controls Over Purchasing Cards". This will ensure that the card is still set up and used for its intended business purposes.
Added: Masked card number	To comply with the Purchase Card Industry (PCI) standard. This is to reduce the risk of fraudulent transactions and enhance the security level of Corporate Credit Card use.
Modified: Transaction acquittals are to be completed by Personal Assistants within 5 working days	OAG's recommendation on timely acquittal of credit card transactions by stipulating the acquittal timeline. This will facilitate the timeliness of Corporate Credit Card control account reconciliations.
Modified: Reviewing and approving the acquitted transactions received from their Personal Assistant within 5 working days	Recommended in the OAG's report on timely approval of credit card transactions by stipulating the reviewing timeline. This will facilitate the timeliness of Corporate Credit Card control account reconciliations.
Modified: Corporate Credit Cards are to be surrendered to and destroyed by Manager Financial Services	This has changed from "Corporate Credit Cards are to be surrendered to and destroyed by <i>the CEO</i> " to " <i>Manager Financial Services</i> " in order to facilitate operational efficiency.
Replaced: "Cardholder approval and acknowledgment" form is replaced with "Corporate Credit Card Agreement"	The old acknowledgment is replaced to formalise the cardholder's agreement on the expanded list of detailed responsibilities.

A copy of the revised policy, with amendments shown in 'tracked changes' is provided in **Attachment 1**.

A copy of the revised policy, with amendments included, is provided in **Attachment 2**.

## LEGISLATIVE COMPLIANCE

The following provisions of the *Local Government Act 1995* (the Act) and associated regulations impact on the use and control of corporate credit cards:

- Section 2.7(2)(a) and (b) of the Act requires the council to oversee the allocation of the local government's finances and resources and to determine the policies of the local government.



- Section 6.5(a) of the Act requires the Chief Executive Officer (CEO) to ensure that proper accounts and records of the transactions and affairs of the local government are kept in accordance with regulations.
- Local Government (Financial Management) Regulation 11(1)(a) requires local governments to develop procedures for the authorisation and payment of accounts to ensure that there is effective security and appropriate authorisations in place for the use of credit cards.

Use of corporate credit cards should also comply with the City's Procurement Policy.

## RISK ASSESSMENT

In accordance with the City's Risk Management Framework, the officer's recommendation has been assessed against the City's adopted risk tolerance. Comments are provided against each of the risk categories.

Risk Category	Adopted Risk Appetite	Risk Assessment Outcome
Strategic Direction	Moderate	Low
Reputation	Low	Low
Governance	Low	Low
Community and Stakeholder	Moderate	Low
Financial Management	Low	Low
Environmental Responsibility	Low	Low
Service Delivery	Low	Low
Organisational Health and Safety	Low	Low
<b>Conclusion</b>	That Council adopts the revised Corporate Credit Card Policy.	

## FINANCIAL IMPLICATIONS

The expenditure incurred on an annual basis by corporate credit cards is negligible.

## STRATEGIC IMPLICATIONS

In accordance with the City of Bayswater Strategic Community Plan 2021-2031 (as amended), the following applies:

Theme: Leadership and Governance

Goal L4: Communicate in a clear and transparent way.

Provide the community with useful information about Council's policies, services and events and advise the community of engagement outcomes.

## CONCLUSION

That Council adopts the revised policy 'Corporate Credit Card Policy'.



# Corporate Credit Card Policy

<b>Responsible Division</b>	Corporate & Strategy
<b>Responsible Business Unit</b>	Financial Services
<b>Responsible Officer</b>	Manager Financial Services
<b>Affected Business Units</b>	All branches
<b>ECM Document Set ID</b>	-

## Purpose

To set out ~~the business practices guidelines~~ for the effective use of Corporate Credit Cards in the City's operations.

## Scope

This policy applies to the card holders and employees who use and/or manage the City's Corporate Credit Cards or have the responsibility for the employees who actively manage the City's Corporate Credit Card purchase.

## Definitions

Nil.

## Policy Statement

### ISSUING OF CORPORATE CREDIT CARDS

Corporate Credit Cards will only be made available to:

- The Chief Executive Officer; and
- Directors.

~~-and shall only be used for work related expenses and in limited circumstances where payment methods such as cheque or EFT would not be practical.~~

### LIMITATIONS

Each Corporate Credit Card is not to exceed a monthly limit of \$10,000.

### CONDITIONS OF USE

~~The corporate credit cards shall:~~ Card holders must ensure that the Corporate Credit Card:

- Nis not ~~be~~ used for any private purchases.
- Be is restricted to trusted and, secure internet sites.
- Nis not ~~be~~ used for cash advances under any circumstances.

- Is used only for work related expenses in limited circumstances where ordinary payment methods are not practical.
- Is not tied to any form of personal reward point system (for example, Flybuys, or any type of loyalty card). Any such reward points shall be the property of the City of Bayswater.
- Is not tied to any form of third-party payment platform (for example, Paypal).

**GENERAL**

The cardholders ~~are will be~~ responsible for:

- ~~A monthly reconciliation~~ Acquittal of transactions ~~ensuring including~~ supporting documentation such as tax invoices and receipts are attached.
- ~~Monthly reconciliations are to be signed and dated and held by the Finance Department (for record and audit purposes).~~
- The administration of credit card uses ~~s~~ and any transactions that are incurred.
- ~~The card should not be tied to any form of personal reward point system. Any such reward points shall be the property of the City of Bayswater.~~
- Reporting any fraudulent, unauthorised or disputed transactions.
- The return of the card to the Manager Financial Services for safe keeping purposes while on extended leave (for example, leave longer than 6 weeks)
- Transaction acquittals are to be completed by Personal Assistant within 5 working days.
- Reviewing and approving the acquitted transactions received from their Personal Assistant within 5 working days.

A list of all Corporate Credit Card transactions for the month showing each officer's transactions summarised by nature and type is to be included in the monthly financial reports to Council.

**SECURITY**

The card is the responsibility of the cardholder. Lost or stolen cards are to be reported immediately to the financial institution and the ~~Director of Finance~~ Manager Financial Services.

A ~~Corporate Credit Card~~ a ~~Agreement~~ is to be signed by the cardholder setting out the cardholder's responsibilities and guidelines (see attached).

A register of all current cardholders is to be maintained by the ~~Financial Services e Department~~ and is to include:

- Masked Card Number
- Expiry Date
- Credit Limit

Credit cards are not transferable to other users.

On leaving employment with the City of Bayswater, credit cards shall be surrendered to the ~~Chief Executive Officer~~ Manager Financial Services. All surrendered credit cards shall be destroyed by cutting or other method as directed by the ~~Chief Executive Officer~~ Manager Financial Services.

In the event that a cardholder does not comply with the conditions of use, the Chief Executive Officer shall have the discretion to withdraw the card.

## Related Legislation

Nil.

## Related Documentation

- Corporate Credit Card ~~Cardholder Approval and Acknowledgement Form Agreement~~.

## Document details

<b>Relevant delegations</b>	<u>M-D04A Authority to incur expenses and apply money from the Municipal Fund Account</u>		
<b>Risk evaluation</b>	<u>Medium</u>		
<b>Strategic link</b>	<u>Goal L4: Communicate in a clear and transparent way.</u> <u>Provide the community with useful information about Council's policies, services and events and advise the community of engagement outcomes.</u>		
<b>Council adoption</b>	28 September 2010	<b>Resolution</b>	12.2.17
<b>Next review due</b>	<u>14 March 2023</u>		
<b>Reviewed/modified</b>	26 February 2013, 28 February 2017, 20 February 2018	<b>Resolution</b>	12.2.9, 10.9, 13.2.1

**CORPORATE CREDIT CARD****CARDHOLDER APPROVAL AND ACKNOWLEDGEMENT**

<b>APPROVAL</b>
Cardholder's Name:
Position:
Credit Limit (Monthly) : \$
Chief Executive Officer
Signature

<b>ACKNOWLEDGEMENT</b>
I acknowledge receipt of the City of Bayswater Corporate Credit Card and agree that :
1. I will not use the Corporate Credit Card, nor permit it to be used, other than for official Council purposes.
2. I will ensure security of the Corporate Credit Card at all times and will not permit the card to be used by any other person.
3. If the Corporate Credit Card is lost or stolen, I will immediately report it missing to the Chief Executive Officer and the Director of Finance.
4. If my position with City of Bayswater changes or my employment terminates, or I am asked to surrender the card for any other reason, I will immediately return the card.
5. I will retain all original supporting documentation that meets the requirements of a tax invoice for presentation to the relevant authorising officer within the City of Bayswater.
6. I will not misuse the Corporate Credit Card (i.e. use it in a manner otherwise than in accordance with the instructions provided), and agree that in the event of any such misuse I will be liable for disciplinary action.

Card No :
Signature of Cardholder :
Witness Name (print) :

# Corporate Credit Card Policy



<b>Responsible Division</b>	Corporate & Strategy
<b>Responsible Business Unit</b>	Financial Services
<b>Responsible Officer</b>	Manager Financial Services
<b>Affected Business Units</b>	All branches
<b>ECM Document Set ID</b>	-

## Purpose

To set out guidelines for the effective use of Corporate Credit Cards in the City's operations.

## Scope

This policy applies to the card holders and employees who use and/or manage the City's Corporate Credit Cards.

## Definitions

Nil.

## Policy Statement

### ISSUING OF CORPORATE CREDIT CARDS

Corporate Credit Cards will only be made available to:

- The Chief Executive Officer; and
- Directors.

### LIMITATIONS

Each Corporate Credit Card is not to exceed a monthly limit of \$10,000.

### CONDITIONS OF USE

Card holders must ensure that the Corporate Credit Card:

- Is not used for any private purchases.
- Is restricted to trusted and secure internet sites.
- Is not used for cash advances under any circumstances.
- Is used only for work related expenses in limited circumstances where ordinary payment methods are not practical.

- Is not tied to any form of personal reward point system (for example, Flybuys, or any type of loyalty card). Any such reward points shall be the property of the City of Bayswater.
- Is not tied to any form of third-party payment platform (for example, Paypal).

**GENERAL**

The cardholders are responsible for:

- Acquittal of transactions ensuring supporting documentation such as tax invoices and receipts are attached.
- The administration of credit card uses and any transactions that are incurred.
- Reporting any fraudulent, unauthorised or disputed transactions.
- The return of the card to the Manager Financial Services for safe keeping purposes while on extended leave (for example, leave longer than 6 weeks)
- Transaction acquittals are to be completed by Personal Assistant within 5 working days.
- Reviewing and approving the acquitted transactions received from their Personal Assistant within 5 working days.

A list of all Corporate Credit Card transactions for the month showing each officer's transactions summarised by nature and type is to be included in the monthly financial reports to Council.

**SECURITY**

The card is the responsibility of the cardholder. Lost or stolen cards are to be reported immediately to the financial institution and the Manager Financial Services.

A Corporate Credit Card Agreement is to be signed by the cardholder setting out the cardholder's responsibilities and guidelines (see attached).

A register of all current cardholders is to be maintained by the Financial Services and is to include:

- Masked Card Number
- Expiry Date
- Credit Limit

Credit cards are not transferable to other users.

On leaving employment with the City of Bayswater, credit cards shall be surrendered to the Manager Financial Services. All surrendered credit cards shall be destroyed by cutting or other method as directed by the Manager Financial Services.

In the event that a cardholder does not comply with the conditions of use, the Chief Executive Officer shall have the discretion to withdraw the card.

**Related Legislation**

Nil.

**Related Documentation**

- Corporate Credit Card Agreement.

**Document details**

<b>Relevant delegations</b>	M-D04A Authority to incur expenses and apply money from the Municipal Fund Account		
<b>Risk evaluation</b>	Medium		
<b>Strategic link</b>	Goal L4:	Communicate in a clear and transparent way. Provide the community with useful information about Council's policies, services and events and advise the community of engagement outcomes.	
<b>Council adoption</b>	28 September 2010	<b>Resolution</b>	12.2.17
<b>Next review due</b>	February 2026		
<b>Reviewed/modified</b>	26 February 2013, 28 February 2017, 20 February 2018	<b>Resolution</b>	12.2.9, 10.9, 13.2.1



Corporate ~~Credit and Purchase~~ Card Agreement

<u>Reason for application</u>	<u>New / Renewal</u>
<u>If renewal, has the card been used within the City's Corporate Credit Card policy for the past 12 months?</u>	<u>Yes / No / NA</u>
<u>If renewal, has the card been actively used for the past 12 months?</u>	<u>Yes / No / NA</u>

Based on the review outcome above, I confirm that this position continues to require the Corporate Credit Card.

CEO signature \_\_\_\_\_ Date \_\_\_\_\_

<b>Name of Cardholder</b>	
<b>Position Title</b>	
<b>Directorate</b>	

I acknowledge receipt of a Corporate/~~Purchase Credit~~ Card issued in my name and agree to adhere to the following conditions of use for this ~~C~~card in my employment with City of Bayswater:

#### 1. Cardholder ~~R~~esponsibilities

- The ~~C~~cardholder must maintain awareness and comply with; legislation, the City's Code of Ethics, ~~and~~ Corporate ~~& Purchase Credit~~ Card ~~Policy Guidelines, policies and procedures~~.
- The ~~C~~card is to be kept in a secure and safe manner, preventing improper use.
- ~~The ~~C~~card is not transferrable and all transactions are the responsibility of the named cardholder, and is prohibited for use by any other person.~~
- ~~The ~~C~~card is only to be used for Allowable Transactions in the performance of official duties for which there is an Annual Budget provision.~~
- ~~Transaction records are to be retained as evidence of compliance with legislation and the City's policies-policy and procedures. A Statutory Declaration is required where transaction records have been lost or are unobtainable.~~
- ~~Statements must be reconciled within one week of receipt by the Cardholder, inclusive of written verification of all transactions to the satisfaction of the CEO.~~
- ~~Any matter that may affect the integrity or use of the Transaction ~~C~~card must be reported immediately to the Financial Service Branch, including:~~
  - ~~Transactions exceeding~~Exceeding a transaction the limit or breaching a condition of use.
  - ~~Transaction Card misuse~~Misuse of the card, whether intentional, erroneous or otherwise.
  - Transactions perceived as fraudulent, unauthorised or disputed.
  - ~~Transaction~~ Card loss or theft.
- ~~The ~~C~~cardholder must promptly provide any information requested by the City for the purposes of statement reconciliation or the investigation or audit of the ~~P~~urchase or ~~C~~orporate credit ~~C~~card activities.~~
- ~~The ~~C~~card must be returned inclusive of full reconciliation, prior to vacating the above named position with the City.~~
- ~~The ~~C~~cardholder agrees to repay to the City, the value of transactions determined as misuse.~~

#### 2. Conditions and ~~L~~imitations

- This ~~C~~card is subject to the following limits:
  - Daily transaction limit of \$10,000.00
  - Monthly transaction limit of \$10,000.00
- ~~Misuse or any breach of this Agreement will be investigated and where substantiated, the ~~C~~cardholder will be subject to disciplinary action in accordance with their terms of employment.~~

~~G.~~

*Please acknowledge your acceptance of the above by signing and returning to Financial Services.*

Cardholder's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Witness Name: \_\_\_\_\_ Signature: \_\_\_\_\_

Tracked Changes



# Corporate Credit Card Agreement

Reason for application	New / Renewal
If renewal, has the card been used within the City's Corporate Credit Card policy for the past 12 months?	Yes / No / NA
If renewal, has the card been actively used for the past 12 months?	Yes / No / NA

Based on the review outcome above, I confirm that this position continues to require the Corporate Credit Card.

CEO Signature \_\_\_\_\_ Date \_\_\_\_\_

Name of Cardholder	
Position Title	
Directorate	

I acknowledge receipt of a Corporate Credit Card issued in my name and agree to adhere to the following conditions of use for this card in my employment with City of Bayswater:

## 1. Cardholder responsibilities

- a. The cardholder must maintain awareness and comply with; legislation, the City's Code of Ethics and Corporate Credit Card Policy..
- b. The card is to be kept in a secure and safe manner, preventing improper use.
- c. The card is not transferrable and all transactions are the responsibility of the named cardholder.
- d. The card is only to be used for allowable transactions in the performance of official duties for which there is an Annual Budget provision.
- e. Transaction records are to be retained as evidence of compliance with legislation and the City's policy. A Statutory Declaration is required where transaction records have been lost or are unobtainable.
- f. Any matter that may affect the integrity or use of the card must be reported immediately to the Financial Service Branch, including:
  - i. Transactions exceeding the limit or breaching a condition of use.
  - ii. Misuse of the card, whether intentional, erroneous or otherwise.
  - iii. Transactions perceived as fraudulent, unauthorised or disputed.
  - iv. Card loss or theft.
- g. The cardholder must promptly provide any information requested by the City for the purposes of statement reconciliation or the investigation or audit of the purchase or corporate credit card activities.
- h. The card must be returned inclusive of full reconciliation, prior to vacating the above named position with the City.
- i. The cardholder agrees to repay to the City, the value of transactions determined as misuse.

## 2. Conditions and limitations

- a. This card is subject to the following limits:
  - i. Daily transaction limit of \$10,000.00
  - ii. Monthly transaction limit of \$10,000.00

Misuse or any breach of this Agreement will be investigated and where substantiated, the cardholder will be subject to disciplinary action in accordance with their terms of employment.

*Please acknowledge your acceptance of the above by signing and returning to Financial Services*

Cardholder's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Witness Name: \_\_\_\_\_ Signature: \_\_\_\_\_

Draft

**8.6 Policy Review: Sundry Debt Collection And Recovery Policy**

<b>Responsible Branch:</b>	Financial Services
<b>Responsible Directorate:</b>	Corporate & Strategy
<b>Authority/Discretion:</b>	Review
<b>Voting Requirement:</b>	Simple Majority
<b>Attachments:</b>	<ol style="list-style-type: none"> <li>1. Current Sundry Debt Collection and Recovery Policy [8.6.1 - 3 pages]</li> <li>2. Current Policy with Tracked Changes - Sundry Debt Collection and Recovery Policy [8.6.2 - 3 pages]</li> <li>3. Revised Sundry Debt Collection and Recovery Policy [8.6.3 - 3 pages]</li> </ol>
<b>Refer:</b>	Item 10.9 OCM 28.02.2017

**SUMMARY**

For Council to consider amending the Sundry Debt Collection and Recovery Policy.

**COMMITTEE RECOMMENDATION TO COUNCIL**  
**(OFFICER'S RECOMMENDATION)**

That Council adopts the revised policy 'Sundry Debt Collection and Recovery' as per Attachment 3.

Cr Georgia Johnson Moved, Cr Catherine Ehrhardt, Deputy Mayor Seconded

**CARRIED UNANIMOUSLY: 6/0**

**For:** *Cr Filomena Piffaretti, Mayor, Cr Catherine Ehrhardt, Deputy Mayor, Cr Lorna Clarke, Cr Josh Eveson, Cr Georgia Johnson and Cr Steven Ostaszewskyj.*

**Against:** *Nil.*

**BACKGROUND**

The Sundry Debt Collection and Recovery is intended to set out the requirements for the management of the City's Sundry Debt Collection and Recovery. It was first adopted in July 2014 and previously reviewed in February 2017 and April 2019. It is critical to the financial performance of the organisation as it provides a framework to ensure the efficient and effective recovery of outstanding sundry debts and aligned to the requirements of the Delegated Authority Register FM-D05 Granting Concessions and Write-Offs.

**EXTERNAL CONSULTATION**

No consultation has yet occurred with the public or other agencies on this matter.

**OFFICER'S COMMENTS**

The following revisions are proposed to the policy 'Sundry Debt Collection and Recovery'.

Revision	Rationale
Modified: The amount stated on the original policy was inconsistent with the CEO's Delegated Authority that allows bad debt write-off up to \$1,000.	There is an inconsistency in the current policy whereby it states CEO has delegated authority to write off any bad debts (not including rates or other charges) considered irrecoverable to the limit of \$500 per account. This amount is different in the Delegated Authority Register which it allows for \$1,000. To avoid the inconsistency, the updated policy will refer to the amount approved within the Delegated

	Authority Register that from time to time may be amended by Council.
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A copy of the current policy, with amendments shown in 'tracked changes' is provided in **Attachment 2**.

A copy of the revised policy, with amendments included, is provided in **Attachment 3**.

## LEGISLATIVE COMPLIANCE

Section 6.12 of the *Local Government Act 1995* allows for writing off bad debt, as follows:

*Power to defer, grant discounts, waive or write off debts*

- (1) *Subject to subsection (2) and any other written law, a local government may-*
- (a) *when adopting the annual budget, grant\* a discount or other incentive for the early payment of any amount of money; or*
  - (b) *wave or grant concessions in relation to any amount of money; or*
  - (c) *write off any amount of money,*
- which is owed to the local government.*

## RISK ASSESSMENT

In accordance with the City's Risk Management Framework, the officer's recommendation has been assessed against the City's adopted risk tolerance. Comments are provided against each of the risk categories.

Risk Category	Adopted Risk Appetite	Risk Assessment Outcome
Strategic Direction	Moderate	Low
Reputation	Low	Low
Governance	Low	Low
Community and Stakeholder	Moderate	Low
Financial Management	Low	Low
Environmental Responsibility	Low	Low
Service Delivery	Low	Low
Organisational Health and Safety	Low	Low
<b>Conclusion</b>	That Council adopts the revised 'Sundry Debt Collection and Recovery' Policy.	

## FINANCIAL IMPLICATIONS

The bad debt written off under this policy is expected to be immaterial.

## STRATEGIC IMPLICATIONS

In accordance with the City of Bayswater Strategic Community Plan 2021-2031 (as amended), the following applies:

Theme: Leadership and Governance

Goal L4: Communicate in a clear and transparent way.  
Provide the community with useful information about Council's policies, services and events and advise the community of engagement outcomes.

## **CONCLUSION**

That Council adopts the revised 'Sundry Debt Collection and Recovery' Policy.

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## SUNDRY DEBT COLLECTION AND RECOVERY POLICY

Responsible Division	Finance and Corporate Services
Responsible Business Unit/s	Finance
Responsible Officer	Accounts Officer (Receivable)
Affected Business Unit/s	All
ECM Reference	3406377

### PURPOSE:

This policy states the Council's position to ensure the efficient and effective recovery of outstanding sundry debtors while maintaining quality customer service.

### POLICY STATEMENT:

In order to ensure the efficient and effective recovery of outstanding sundry debtors while maintaining quality customer service, the City of Bayswater adopts the following policy:

### OBJECTIVE

- To provide a framework within which procedures for the recovery of outstanding sundry debts can be developed for the City of Bayswater.
- To ensure all sundry debts owed to the City are paid by the due date and followed up within specified timeframes.
- To ensure the fair, equitable, transparent and consistent approach to the City's sundry debt management decisions and practices.

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### PRINCIPLES

#### Debt Management

Prudent debt management practices will apply and include:

- Raising invoices - ensuring debt is raised in accordance with services provided, account details are correct and GST provisions are applied,
- Ensure the issuing of monthly statements to overdue debtors are sent out at the end of each month,
- Reviewing Aged Debtor reports monthly,
- Liaising with departments which requested the invoice to be raised that all information is correct,
- Keeping regular contact with Debtors,
- In consultation with the department initiating the debt, negotiated exemptions up to \$100 may be provided depending on the nature of the debt and debtor e.g. community groups or welfare recipients.

Sundry debts other than library:



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- Systematic debt recovery approach based on 30 day, 60 day and 90 day timeframes.
- Issuing 7 Day Reminder Letters to Debtors.
- A Notice of Intention to Summons is to be issued at least fourteen (14) days after the due date of the Final Demand Letter to those persons, who did not respond accordingly to the Final Demand Letter. The Notice of Intention to Summons is to specify that the sundry debtors have seven (7) days to pay in full or to enter into a special repayment arrangement – failure to do so will result in a General Procedure Claim being issued without further notice.
- Report Bad Debts and/or Doubtful Debts to the relevant Director or Manager on a regular basis.
- Recommend Write Off of Sundry Debtors when all avenues have failed or it is uneconomical to proceed to recover process.

Sundry debts from library:

- A tax invoice is raised 10 days after an overdue letter has been issued. Two phone calls are made within sixty (60) days of invoice being raised. A Sixty (60) day letter is then issued to the persons, who did not respond accordingly to the tax invoice.
- Recommend Write Off of Sundry Debtors when debts exceed twelve (12) months and debt has been reported to State Library.

#### **Provision of Doubtful Debts**

Aged debts greater than 150 days shall be reviewed and provided for as a doubtful debt, following advice from the initiating section, according to an assessment which has regard for:

- The size and nature of the debt.
- The debtor in question.

Aged debts less than 150 days may be provided for as a doubtful debt if the recovery of the debt is known to be unlikely. Any adjustments to the Provision for Doubtful Debts shall be made annually and will be charged to a Bad Debt Expense corporate account.

#### **Write Offs**

Debts shall be written off only when all reasonable attempts at recovery have been taken.

Recommendations for write off shall be made by the Director of Finance and Corporate Services following discussion with the department responsible for the raising of the debt.

In accordance with section 6.12(c) of the *Local Government Act 1995* all debts which require Councils approval to be written off will be reported to Council.

#### **Delegated Authorities**

In accordance with section 5.42 of the *Local Government Act 1995* the following delegated authority applies:

- The Chief Executive Officer has delegated authority to write off any bad debts (not including rates or other charges) considered irrecoverable to the limit of \$500 per account. Any write offs less than \$500 will be reported to Council for noting.
- Any amount in excess of \$500 to be written off will require the authorisation of

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Council. All debts which require Council's approval to be written off will be reported to Council.

**DEFINITIONS:**

Sundry Debtors comprises accounts receivable due to the City of Bayswater by customers for the supply of goods and services e.g. Income from property including community reserve and hall hire, private works reimbursements and recovery of fines and penalties.

**RELATED LEGISLATION:**

*Local Government Act 1995:*

- *Local Government Act 1995*
- *Local Government (Financial Management) Regulations 1996*

**RELATED DOCUMENTATION:**

Delegated Authority Register - FS-D10

Relevant Delegations		
Risk Evaluation		
Council Adoption	Date	22 July 2014
Reviewed / Modified	Date	28 February 2017
Reviewed / Modified	Date	9 April 2019
Reviewed / Modified	Date	

# Sundry Debt Collection and Recovery Policy



<b>Responsible Division</b>	Corporate & Strategy
<b>Responsible Business Unit/s</b>	Financial Services
<b>Responsible Officer</b>	Manager Financial Services
<b>Affected Business Unit/s</b>	All branches
<b>Document Ref</b>	34066377

## Purpose

This policy states the Council's position to ensure the efficient and effective recovery of outstanding sundry debtors while maintaining quality customer service.

## Policy Statement

In order to ensure the efficient and effective recovery of outstanding sundry debtors while maintaining quality customer service, the City of Bayswater adopts the following policy:

## OBJECTIVE

- To provide a framework within which procedures for the recovery of outstanding sundry debts can be developed for the City of Bayswater.
- To ensure all sundry debts owed to the City are paid by the due date and followed up within specified timeframes.
- To ensure the fair, equitable, transparent and consistent approach to the City's sundry debt management decisions and practices.

## PRINCIPLES

### Debt Management

Prudent debt management practices will apply and include:

- Raising invoices - ensuring debt is raised in accordance with services provided, account details are correct and GST provisions are applied,
- Ensure the issuing of monthly statements to overdue debtors are sent out at the end of each month,
- Reviewing Aged Debtor reports monthly.
- Liaising with departments which requested the invoice to be raised that all information is correct,
- Keeping regular contact with Debtors,

- In consultation with the department initiating the debt, negotiated exemptions up to \$100 may be provided depending on the nature of the debt and debtor e.g. community groups or welfare recipients.

**Sundry debts other than library**

- Systematic debt recovery approach based on 30 day, 60 day and 90 day timeframes.
- Issuing 7 Day Reminder Letters to Debtors.
- A Notice of Intention to Summons is to be issued at least fourteen (14) days after the due date of the Final Demand Letter to those persons, who did not respond accordingly to the Final Demand Letter. The Notice of Intention to Summons is to specify that the sundry debtors have seven (7) days to pay in full or to enter into a special repayment arrangement – failure to do so will result in a General Procedure Claim being issued without further notice.
- Report Bad Debts and/or Doubtful Debts to the relevant Director or Manager on a regular basis.
- Recommend Write-Off of Sundry Debtors when all avenues have failed or it is uneconomical to proceed recover process.

**Sundry debts from library:**

- A tax invoice is raised 10 days after an overdue letter has been issued. Two phone calls are made within sixty (60) days of invoice being raised. A Sixty (60) day letter is then issued to the persons, who did not respond accordingly to the tax invoice.
- Recommend Write Off of Sundry Debtors when debts exceed twelve (12) months and debt has been reported to State Library

**Provision of Doubtful Debts**

Aged debts greater than 150 days shall be reviewed and provided for as a doubtful debt, following advice from the initiating section, according to an assessment which has regard for:

- The size and nature of the debt.
- The debtor in question.

Aged debts less than 150 days may be provided for as a doubtful debt if the recovery of the debt is known to be unlikely. Any adjustments to the Provision for Doubtful Debts shall be made annually and will be charged to a Bad Debt Expense corporate account.

**Write Offs**

Debts shall be written off only when all reasonable attempts at recovery have been taken.

Recommendations for write off shall be made by the Director of Finance and Corporate Services following discussion with the department responsible for the raising of the debt.

In accordance with section 6.12(c) of the Local Government Act 1995 all debts which require Councils approval to be written off will be reported to Council.

### Delegated Authorities

In accordance with section 5.42 of the Local Government Act 1995 the following delegated authority applies:

- The Chief Executive Officer has delegated authority to write off any bad debts (not including rates or other charges) considered irrecoverable as specified in the Delegated Authority Register, to the limit of \$500 per account. Any write offs less than \$500 performed under the Chief Executive Officers delegation will be reported to Council for noting.
- Any amount in excess of \$500 the specified value to be written off will require the authorisation of Council. All debts which require Council's approval to be written off will be reported to Council.

### Definitions

Sundry Debtors comprises accounts receivable due to the City of Bayswater by customers for the supply of goods and services e.g. Income from property including community reserve and hall hire, private works reimbursements and recovery of fines and penalties

### Related Legislation

Local Government Act 1995:

- Local Government Act 1995
- Local Government (Financial Management) Regulations 1996

### Related Documentation

Nil.

Relevant Delegations	Delegated Authority Register - <a href="#">FS-D40FM – D05 Granting Concessions and Write-Offs</a>	
Risk Evaluation	<a href="#">Low</a>	
Council Adoption	22 July 2014	<a href="#">Resolution: 12.3.1.2</a>
Review/Modified	28 February 2017	<a href="#">Resolution: 10.9</a>
Review/Modified	9 April 2019	<a href="#">Resolution: 10.5.2.1</a>
Review/Modified	<a href="#">TBA</a>	<a href="#">Resolution: TBA</a>

# Sundry Debt Collection and Recovery Policy



<b>Responsible Division</b>	Corporate & Strategy
<b>Responsible Business Unit/s</b>	Financial Services
<b>Responsible Officer</b>	Manager Financial Services
<b>Affected Business Unit/s</b>	All branches
<b>Document Ref</b>	34066377

## Purpose

This policy states the Council's position to ensure the efficient and effective recovery of outstanding sundry debtors while maintaining quality customer service.

## Policy Statement

In order to ensure the efficient and effective recovery of outstanding sundry debtors while maintaining quality customer service, the City of Bayswater adopts the following policy:

## OBJECTIVE

- To provide a framework within which procedures for the recovery of outstanding sundry debts can be developed for the City of Bayswater.
- To ensure all sundry debts owed to the City are paid by the due date and followed up within specified timeframes.
- To ensure the fair, equitable, transparent and consistent approach to the City's sundry debt management decisions and practices.

## PRINCIPLES

### Debt Management

Prudent debt management practices will apply and include:

- Raising invoices - ensuring debt is raised in accordance with services provided, account details are correct and GST provisions are applied,
- Ensure the issuing of monthly statements to overdue debtors are sent out at the end of each month,
- Reviewing Aged Debtor reports monthly.
- Liaising with departments which requested the invoice to be raised that all information is correct,
- Keeping regular contact with Debtors,

- In consultation with the department initiating the debt, negotiated exemptions up to \$100 may be provided depending on the nature of the debt and debtor e.g. community groups or welfare recipients.

**Sundry debts other than library**

- Systematic debt recovery approach based on 30 day, 60 day and 90 day timeframes.
- Issuing 7 Day Reminder Letters to Debtors.
- A Notice of Intention to Summons is to be issued at least fourteen (14) days after the due date of the Final Demand Letter to those persons, who did not respond accordingly to the Final Demand Letter. The Notice of Intention to Summons is to specify that the sundry debtors have seven (7) days to pay in full or to enter into a special repayment arrangement – failure to do so will result in a General Procedure Claim being issued without further notice.
- Report Bad Debts and/or Doubtful Debts to the relevant Director or Manager on a regular basis.
- Recommend Write-Off of Sundry Debtors when all avenues have failed or it is uneconomical to proceed recover process.

**Sundry debts from library:**

- A tax invoice is raised 10 days after an overdue letter has been issued. Two phone calls are made within sixty (60) days of invoice being raised. A Sixty (60) day letter is then issued to the persons, who did not respond accordingly to the tax invoice.
- Recommend Write Off of Sundry Debtors when debts exceed twelve (12) months and debt has been reported to State Library

**Provision of Doubtful Debts**

Aged debts greater than 150 days shall be reviewed and provided for as a doubtful debt, following advice from the initiating section, according to an assessment which has regard for:

- The size and nature of the debt.
- The debtor in question.

Aged debts less than 150 days may be provided for as a doubtful debt if the recovery of the debt is known to be unlikely. Any adjustments to the Provision for Doubtful Debts shall be made annually and will be charged to a Bad Debt Expense corporate account.

**Write Offs**

Debts shall be written off only when all reasonable attempts at recovery have been taken.

Recommendations for write off shall be made by the Director of Finance and Corporate Services following discussion with the department responsible for the raising of the debt.

In accordance with section 6.12(c) of the Local Government Act 1995 all debts which require Councils approval to be written off will be reported to Council.

### **Delegated Authorities**

In accordance with section 5.42 of the Local Government Act 1995 the following delegated authority applies:

- The Chief Executive Officer has delegated authority to write off any bad debts (not including rates or other charges) considered irrecoverable as specified in the Delegated Authority Register. . Any write offs performed under the Chief Executive Officers delegation will be reported to Council for noting.
- Any amount in excess of the specified value to be written off will require the authorisation of Council. All debts which require Council's approval to be written off will be reported to Council.

### **Definitions**

Sundry Debtors comprises accounts receivable due to the City of Bayswater by customers for the supply of goods and services e.g. Income from property including community reserve and hall hire, private works reimbursements and recovery of fines and penalties

### **Related Legislation**

*Local Government Act 1995:*

- *Local Government Act 1995*
- *Local Government (Financial Management) Regulations 1996*

### **Related Documentation**

<b>Relevant Delegations</b>	Delegated Authority Register - FM – D05 Granting Concessions and Write-Offs	
<b>Risk Evaluation</b>	Low	
<b>Council Adoption</b>	22 July 2014	<b>Resolution</b> 12.3.1.2
<b>Review/Modified</b>	28 February 2017	<b>Resolution</b> 10.9
<b>Review/Modified</b>	9 April 2019	<b>Resolution</b> 10.5.2.1
<b>Review/Modified</b>	TBA	<b>Resolution</b> TBA



**8.7 New Policy: Extended Street Verge Policy**

<b>Responsible Branch:</b>	Parks and Gardens
<b>Responsible Directorate:</b>	Works and Infrastructure
<b>Authority/Discretion:</b>	Executive/Strategic
<b>Voting Requirement:</b>	Simple Majority Required
<b>Attachments:</b>	1. Extended Street Verge Policy 2023 [8.7.1 - 2 pages]
<b>Refer:</b>	Item 10.1.3: OCM 06.12.2022

**SUMMARY**

For Council to adopt a new policy as requested at the Annual General Meeting of Electors (AGM) held on 7 November 2022 and endorsed by Council at its Ordinary Meeting held on 6 December 2022, which is titled *Extended Street Verge Policy*.

**COMMITTEE RESOLUTION**

That Item 8.7, New Policy: Extended Street Verge Policy, be accepted as a late item on the Committee agenda.

**Cr Steven Ostaszewskyj Moved, Cr Catherine Ehrhardt, Deputy Mayor Seconded**

**CARRIED UNANIMOUSLY: 6/0**

**For:** Cr Filomena Piffaretti, Mayor, Cr Catherine Ehrhardt, Deputy Mayor, Cr Lorna Clarke, Cr Josh Eveson, Cr Giorgia Johnson and Cr Steven Ostaszewskyj.

**Against:** Nil.

**COMMITTEE RECOMMENDATION TO COUNCIL  
(OFFICER'S RECOMMENDATION)**

That Council adopts the *Extended Street Verge Policy* as outlined in Attachment 1.

**Cr Steven Ostaszewskyj Moved, Cr Catherine Ehrhardt, Deputy Mayor Seconded**

**CARRIED UNANIMOUSLY: 6/0**

**For:** Cr Filomena Piffaretti, Mayor, Cr Catherine Ehrhardt, Deputy Mayor, Cr Lorna Clarke, Cr Josh Eveson, Cr Giorgia Johnson and Cr Steven Ostaszewskyj.

**Against:** Nil.

**BACKGROUND**

At its Ordinary Meeting held on 6 December 2022, Council made the following resolution:

*“Council requests the Chief Executive Officer to develop a Policy that will enable the following:*

- 1. Residents of a property whose verge is adjacent to a verge in front of a residential-street water corporation drain can improve and/or maintain that verge, if the resident chooses to do so.*
- 2. Residents should be able to improve and/or maintain these verges in accordance with existing policies and laws that are applicable to residential verges.*
- 3. Offer the same rebates for these spaces as are currently offered to residents to improve their own verges.*
- 4. Offer the subsidised 10 native plants scheme for these spaces as seasonally offered to residents own verges under the “Plants to Residents” programme.*
- 5. Recognition of any improved verges, so that the Policy can be endorsed and operational by March 2023.”*

A new policy has been developed and is presented as an attachment to this report.

## EXTERNAL CONSULTATION

No consultation has occurred with the public or other agencies on the draft policy.

However, there has been discussions with a resident in regard to the possibility of improving a verge adjacent to a Water Corporation drain, which has led to the motion being raised at the AGM. Discussions had also occurred with Water Corporation on the same matter.

## OFFICER'S COMMENTS

The new policy effectively extends the provisions of the current *Street Verge Policy* to enable residents to improve and or maintain verges in front of land owned and or managed by utility providers and state agencies where that verge adjoins their verge.

Under this policy, residents are permitted to undertake activities to improve and or maintain these additional verges in a similar way to that permitted in the existing local laws, policies and guidelines that are applicable to residential verges. These are all referenced in the policy under the 'Related Documentation' section.

The policy also includes provision that allows the same rebates, subsidies and programmes for improving residential verges to be applied to improving these additional verges.

Consideration will be given to possibly incorporating this policy into the *Street Verge Policy* when it is reviewed in future.

## LEGISLATIVE COMPLIANCE

Not applicable.

## RISK ASSESSMENT

In accordance with the City's Risk Management Framework, the officer's recommendation has been assessed against the City's adopted risk tolerance. Comments are provided against each of the risk categories.

Risk Category	Adopted Risk Appetite	Risk Assessment Outcome
Strategic Direction	Moderate	Low
Reputation	Low	Low
Governance	Low	Low
Community and Stakeholder	Moderate	Low
Financial Management	Low	Low
Environmental Responsibility	Low	Low
Service Delivery	Low	Low
Organisational Health and Safety	Low	Low
<b>Conclusion</b>	The approval of this policy will not increase the risk in any of the risk categories.	

## FINANCIAL IMPLICATIONS

There is expected to be limited financial implications for this policy, and any additional costs will be covered from the existing budget.

## STRATEGIC IMPLICATIONS

In accordance with the City of Bayswater Strategic Community Plan 2021-2031, the following applies:

Theme Community

Goal C3: Maximise the use of the City's facilities and parks by all sections of the community.

Theme: Environment and Liveability

Goal E2: Remain focused on greening the City's suburbs and streetscapes and increasing the tree canopy.

Goal E5: Protect and enhance the City's natural environment and biodiversity, and encourage the community to participate in its protection.

Theme: Leadership and Governance

Goal L1: Engage the community in a meaningful way.

Provide opportunities for the community to have their say and consider their views when making decisions.

## CONCLUSION

That Council adopts the *Extended Street Verge Policy* in accordance with its resolution at the Ordinary Council Meeting held on 6 December 2022.



# Extended Street Verge Policy

<b>Responsible Division</b>	Works and Infrastructure
<b>Responsible Business Unit</b>	Parks and Gardens, Engineering and Spatial Services
<b>Responsible Officer</b>	Manager Parks and Gardens, Manager Engineering and Spatial Services
<b>Affected Business Units</b>	Parks and Gardens Engineering and Spatial Services
<b>ECM Document Set ID</b>	[ECM document set ID]

## Purpose

This policy provides guidance on how residents can improve verge areas adjacent to land owned and / or managed by utility providers and State agencies.

## Definitions

For the purpose of this policy —

**verge** means land within the road reserve that is between the boundary of private or public property and the back of existing kerb or edge of road surface.

## Policy Statement

1. An owner or occupier of a property whose verge is adjacent to a verge in front of a property owned and / or managed by a utility provider or State agency can improve and / or maintain that verge subject to meeting the requirements of this Policy.
2. Residents are permitted to improve and / or maintain these verges in a similar way to that permitted in the existing local laws, policies and guidelines that are applicable to residential verges.
3. The improvement and maintenance of the verge must not impact on access to the property. Any modifications to access must be approved in writing by the property owner / manager.
4. Residents will be eligible for rebates, subsidies and programmes when offered by the City in regards to verge improvement initiatives and provision of native plants.

## Related Legislation

- *Local Government (Miscellaneous Provisions) Act 1995*
- *Environmental Protections Act 1986*
- *Thoroughfares Local Law 2020*
- *Department of Mines, Industry Regulation and Safety - Guidelines for the management of vegetation near power lines.*

**Related Documentation**

- *Street Verges Policy*
- *Verge Greening Guidelines*
- *Garden Planting Guideline*
- *Tree Planting Guideline*
- *Urban Tree Planting and Maintenance Policy*
- *Crossovers Policy*

**Document details**

<b>Relevant delegations</b>	[list]		
<b>Risk evaluation</b>	[low/moderate/high/extreme]		
<b>Strategic link</b>	[link to Strategic Community Plan]		
<b>Council adoption</b>	[date]	<b>Resolution</b>	[item no.]
<b>Next review due</b>	[date]		
<b>Reviewed/modified</b>	[date]	<b>Resolution</b>	[item no.]
<b>Revision details</b>	[description]		

**9 PREVIOUS MATTERS DEALT WITH NOT ON THE AGENDA**

Nil.

**10 GENERAL BUSINESS**

Cr Steven Ostaszewskyj asked why some of the Policies scheduled for review at this meeting were not in the agenda.

Mr Jeremy Edwards, Chief Executive Officer, explained that due to capacity constraints in some areas some of the policies were not presented in this round but should be presented within the year. Also, other policies, such as the Sundry Debt Collection Policy, were brought forward on a needs basis.

Cr Georgia Johnson requested that the schedule of policy items due for review in 2023 be included in the agenda for each Policy Committee Meeting so that the Committee could monitor progress against the schedule. Ms Amanda Albrecht, Manager Governance, Organisational Planning and Development, advised this could be included as a standard agenda item at future meetings of the Committee.

**11 CONFIDENTIAL ITEMS**

Nil.

**12 NEXT MEETING**

The next meeting of the Policy Review and Development Committee is scheduled for 12 June 2023. The Committee members asked if this meeting can be rescheduled to another date. Officers will provide alternative dates to the members of the Committee and the meeting will be rescheduled once a consensus about an appropriate date is reached and approved by the Presiding Member.

**13 CLOSURE**

There being no further business to discuss, the Presiding Member, Cr Josh Eveson, declared the meeting closed at 6:15pm.