



AGENDA

SPECIAL MEETING

THURSDAY, 18 SEPTEMBER 2014

Notice is given that the next Special Meeting of Council of Tiwi Islands Regional Council will be held on:

- Thursday, 18 September 2014 at
- Wurrumiyanga
- Commencing at 10:00 am

Your attendance at the meeting will be appreciated.

Alan Hudson
Chief Executive Officer

AGENDA

1 WELCOME & APOLOGIES

- 1.1 WELCOME
- 1.2 PRESENT
- 1.3 APOLOGIES
- 1.4 LEAVE OF ABSENCE
- 1.5 DECLARATION OF INTEREST OF MEMBERS OR STAFF
- 1.6 ELECTION OF CHAIRPERSON
- 1.7 CONFIRMATION OF PREVIOUS MINUTES

Special Meeting - 22 August 2014

2 BUSINESS ARISING

Nil

3 CORRESPONDENCE

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4 GENERAL BUSINESS

Nil

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7 NEXT MEETING

CORRESPONDENCE

ITEM NUMBER 3.1
TITLE Meeting of Tiwi Leaders Group
REFERENCE 148957
AUTHOR Alan Hudson, Chief Executive Officer



Council are provided with a copy of the recent letter dated 9th September 2014 sent to the Tiwi Land Council requesting a possible date and location for the next Tiwi Leaders Group Meeting.

BACKGROUND

At the 27th August 2014 Ordinary Council Meeting at Pirlangimpi (Item 5.9 of the Minutes) Council requested that a letter be sent to the Tiwi Land Council seeking a possible date for the next Tiwi Leaders Group Meeting.

Interim advice from the Acting CEO of the Tiwi Land Council is looking positive that there could be a Joint Meeting of the Tiwi Leaders Group (TLG) at Milikapiti on Thursday 25th September 2014 (the day after Council's Ordinary Meeting).

ISSUES/OPTIONS/CONSEQUENCES**CONSULTATION & TIMING****RECOMMENDATION:**

That Council notes the letter to the Tiwi Land Council dated 9th September 2014.

ATTACHMENTS:

- 1 TIRC letter dated 9 September 2014 to Tiwi Land Council re Meeting of Tiwi Leaders Group.pdf



Brian Clancy
A/Chief Executive Officer
Tiwi Islands Land Council

Dear Brian

RE: MEETING OF Tiwi Leaders group

I am writing to follow up on an outstanding request from the last meeting of our collective senior members that they meet again soon.

I know it is relatively short notice but Council has it's monthly meeting scheduled for Wednesday 24 September (at Milikapiti) and, if it suits, I would be happy to hold them over to meet with your members the next day.

Alternatively I would be happy to try and arrange for their presence when it is convenient with your members.

If you are unable to reach me please advise Bruce Moller or Maina Brown in our Wurrumiyanga office.

I would also like to suggest that Council managers meet with land Council staff and managers on a regular basis to discuss and share operational matters. Can you and I get together some time soon to work out how and when they should do this?

Yours truly

Alan Hudson
Chief executive Officer
9 September 2014

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REPORTS FOR DECISION

ITEM NUMBER	5.1
TITLE	Reconstitution of Council's Audit/Finance Subcommittee
REFERENCE	149005
AUTHOR	Alan Hudson, Chief Executive Officer



This report seeks Council's nomination of members from Council and appointment of an independent Chairperson for its Audit/Finance subcommittee.

BACKGROUND

Council's Audit and Finance sub-committee has been inactive due to the death some time ago of the wife of it's independent Chairman (Mike Lane).

It is proposed to get that committee active again and as an independent Chairperson nominated for Council's consideration David Shoobridge comes with a wealth of experience in Local Government, as a senior manager, competent financial management and as a senior public servant. A copy of his resume is attached.

David will also provide a presentation on the need for and role of the Audit / Finance sub-committee.

ISSUES/OPTIONS/CONSEQUENCES

Part 11 of the Local Government Accounting regulations provides for the establishment of such committees as a mechanism to assist Councils, especially in the context of financial reporting outside of Ordinary Council meetings.

Having an independent Chairperson is now a mandatory requirement but also enables Council to access the expertise of someone not involved in the day to day management and running of Council.

The committee should thus consist of an independent Chair and Councillors only, with the CEO to attend but not as a member of the committee.

Immediate tasks for its consideration include finalization of Audited Annual Financial Reports, review of Council's recently adopted budget (staff have been requested to commence this already), reviewing our strategic plan and consideration and upgrading of financial procedures and policies.

CONSULTATION & TIMING

It is suggested that this committee be reconstituted immediately, meet in early October and commencing in November hold at least bi-monthly meetings. This schedule will fit well with anticipated finalization of Council's annual financial reports for the year and immediately reviewing our operational budget.

RECOMMENDATION:

That Council appoint Mr David Shoobridge to be the Independent Chair of it's Audit / Finance sub-committee

That Council seeks nominations for and appoint Council members as members of that same committee.

ATTACHMENTS:

There are no attachments for this report.

REPORTS FOR DECISION

ITEM NUMBER	5.2
TITLE	Frequency and nature of Council meetings
REFERENCE	149002
AUTHOR	Alan Hudson, Chief Executive Officer



This report asks Council to consider options for both the frequency and nature of Council meetings.

BACKGROUND

Council has set meeting dates for Ordinary Council meetings on the last Wednesday of every month. Other than that Council has Special Meetings as the need arises, Pre-Agenda Meetings and Local Authority Meetings (held on a rotational basis).

ISSUES/OPTIONS/CONSEQUENCES

Agendas at Ordinary Council meetings have become very repetitive, consisting mainly of staff reports. Many Councillors also have full time employment but are also members of the committees of other community organizations. Likewise they are automatically members of their Local Authorities.

Until now Council's Audit/Finance sub-committee has not functioned recently (due to the death of the wife of the independent head of that committee). Concurrently Council is asked to reconstitute that committee with an alternative independent head person and that committee is expected to meet bi-monthly.

A direct consequence of all these commitments is that it has become difficult for all Councillors to attend all meetings and extremely difficult to get additional Councillor involvement outside meetings.

In reality Councillor involvement in matters such as portfolio related issues has also fallen by the wayside as a consequence.

In order for the re-constituted Audit/Finance sub-committee to function viably, to get greater Councillor involvement in their individual portfolio matters and to ensure that Councillors can commit to all of their roles an alternative schedule of meetings is suggested as follows;

Ordinary Council Meetings	every second month
Audit/Finance Subcommittee	alternate months
Local Authority Meetings	Monthly (rotated between locations as currently)
Portfolio Meetings (Councillors/Directors) formally at least every 2 months but as required should issues arise	
Tiwi Leaders Forum	As decided from each meeting

CONSULTATION & TIMING

It is suggested that meetings for the remainder of this financial year would thus be held as follows;

Ordinary Council Meetings September, October, December, February, April and June

This staggers the meetings to coincide with the end of the financial year and to meeting statutory deadlines such as rates declarations and budget approvals.

Audit/Finance Committee Meetings October (allowing for an immediate start), November, January, March and May. (Additional meetings as required)

Local Authority Meetings 4 ordinary and 2 special meetings (minimum) held monthly at alternative locations (as currently)

Portfolio Meetings alternate months to Ordinary Council meetings, councillors and directors to determine whether these are held as a group or individually according to the issues for discussion

Tiwi Leaders Forum As decided at each meeting noting that we are trying to also arrange bi-monthly meetings between staff of Council and the Tiwi Land Council)

RECOMMENDATION:

That Council endorses this schedule of meetings on a trial basis to 30 June 2015

ATTACHMENTS:

There are no attachments for this report.

REPORTS FOR DECISION

ITEM NUMBER	5.3
TITLE	Draft Travel & Accommodation Policy
REFERENCE	149010
AUTHOR	Alan Hudson, Chief Executive Officer



Council is being asked to review and approve the Draft Travel & Accommodation Policy.

BACKGROUND

Attached for Councillors information is an updated version of the Travel & Accommodation Policy which has recently been reviewed and includes the new Tiwi Islands Regional Council Logo.

This policy outlines travel and accommodation guidelines for all Council employees, Elected Members and all other persons authorised to undertake business travel on behalf of Tiwi Islands Regional Council (TIRC).

ISSUES/OPTIONS/CONSEQUENCES**CONSULTATION & TIMING****RECOMMENDATION:**

That Council adopts the Travel and Accommodation Policy and that this policy supersedes all previous versions.

ATTACHMENTS:

- 1 2014-09-05 Draft Travel and Accommodation Policy.pdf



Tiwi Islands Regional Council

Title: Travel and Accommodation Policy
Policy No: 015
Adopted By: Council
Next Review Date:
Responsibility: Chief Executive Officer
InfoXpert Document Number

Version	Decision Number	Adoption Date	History
1			

PURPOSE:

This policy outlines travel and accommodation guidelines for all Council employees, Elected Members and all other persons authorized to undertake business travel on behalf of Tiwi Islands Regional Council (TIRC).

Business related travel includes training, meetings and conferences and special events related to TIRC business attended as the **nominated representative** of the Council. It does not include attendance at events in any other role or representation, including but not limited to Sporting & Cultural Associations, Land Councils etc. Nominated representation by staff will be determined by the Chief Executive Officer. Nominated representation by Elected Members will be determined by the Council and travel approved by the CEO.

OBJECTIVES:

The objectives of this policy are:

- To clarify Council's responsibilities to meet accommodation, travel and incidental expenses for Council employees, elected members and other authorized persons whilst on approved Council business
- To ensure that Council representatives provide clear accounting for all travel expenditures and are not financially disadvantaged as a result of business travel requirements.
- To maximize the effectiveness of travel budgets available to Council.

POLICY:

Delegations

Approval of all interstate and international travel and accommodation undertaken for Council business rests exclusively with the Chief Executive Officer.

All other business travel may be approved by the following delegates for employees under their direct line supervision and in accordance with financial delegations:

- Chief Executive Officer



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- Directors/Deputy Directors (where no Director exists)
- Executive Human Resources Manager

All Elected Members travel must be approved by the Chief Executive Officer or, in his absence, a Director or Deputy Director Corporate Services.

All Directors' travel must be approved by the Chief Executive Officer.

BUSINESS TRAVEL within the NORTHERN TERRITORY

Movement Requisition

All employees and other authorized persons must receive prior written approval, normally in the form of a properly completed and authorized Movement Requisition. All requisitions for accommodation and travel allowances shall be authorized by the relevant Director/Deputy Director. Elected members and Directors travel shall be authorized by the CEO.

Directors approving business travel and related expenses must ensure that funds are available under the relevant budget line items and provide appropriate finance codes.

Incomplete Movement Requisitions will not be processed and will be returned to the employee or manager. Failure to gain prior written approval for travel may result in reimbursement claims being refused.

In the event of an emergency or in unforeseen circumstances, every effort must be made by the traveler to seek approval by Movement Requisition, by phone, email or SMS from the relevant Director during business hours or by contacting them after hours if necessary. Phone approvals must be followed by a properly approved Movement Requisition with a covering memo outlining the reasons for post-travel approval.

There are two types of Movement Requisition form for staff, depending on the traveler's salary, it is the traveler's responsibility to ensure correct and current version of the form is used.

Airfares

Airfares will be booked by the Travel Officers using details provided on the Movement Requisition. All domestic travel bookings should be the best economy airfare or best travel time for the event that is available; unless there is good cause for booking a flexible fare. Where possible, airfares will be booked for travel during daylight hours.

Airfares should be paid by Purchase Order; a credit card should not be used to pay for airfares unless there is no alternative.

For interstate travel cancellation policies may vary depending on the classification of the ticket purchased. The terms and conditions of cancellations are provided on the ticket document issued, it is the responsibility of the person travelling to familiarize themselves with the cancellation procedures that apply to their bookings.

Penalties apply for cancellations and, where the terms and conditions for cancellations are not followed, the penalty to the traveler may be required to repay the full price of the ticket.



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Accommodation

When travel is required outside the Council area, or within the Council area, but away from home, for a period requiring overnight absence, the Council will pay accommodation costs. Accommodation is only payable for authorized overnight TIRC business and no cash advance is payable. Should an employee choose to extend their stay for personal reasons, either travelling earlier than required or staying extra days, accommodation and meal allowances will not be paid for any additional nights spent away.

All accommodation must be booked through the designated Travel Officer(s) providing as much advance notice of travel as possible; unless there are exceptional circumstances such as out of hour's approval, last minute advice for urgent travel.

All accommodation, where practicable, should be booked through preferred providers. The selection of accommodation will be based on cost, proximity to the business venues to be visited on behalf of Council and availability. All accommodation should be booked at Government Rates or better.

Where possible, and cost effective, accommodation will be booked to include meals; for example accommodation with breakfast included. No meal allowance will be paid for these meals when this occurs.

Holders of Council issued credit cards shall not book accommodation directly with any hotel except where there is no other alternative. All booking confirmations should be kept as receipt of payment.

The Travel Officer, or person authorized to book the accommodation, must be informed if bookings need to be cancelled or travel arrangements changed.

TRAVEL ALLOWANCE

To be entitled to travel allowances, the traveler must be away for minimum of one night from their primary place of residence.

Travel allowances shall be paid in accordance with the current rates determined by the Australian Taxation Office.

Should an employee choose to extend their stay for personal reasons (either post or prior extension), travel allowances will only be paid from or up to the time the employee would have left or arrived home.

The payment of travel allowance does not apply to those who hold Council issued credit cards and elect to pay expenses rather than claim Travel Allowance. Credit card holders should refer to the Credit Card policy, but should be mindful of the allowances otherwise payable when incurring expenses.

Meal allowances:

Payment of meal allowances depends on the period and time of travel. These rates only apply from the commencement of travel to the end of the travel period. Meal allowance for breakfast and dinner will depend on the time that travel begins and ends where the traveler is more than one



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hour's travel or 60km from their home location at the recognized meal time *excluding day travel to Darwin*. Travel time will be deemed to begin and end at the airport; or the office, where vehicle travel is undertaken.

A meal allowance is not payable where a meal is provided:

- By the Council; e.g. attending Council meetings, workshops, etc.
- as part of conference attendance or where a meal is included in the accommodation booking,

Where travel allowance is paid in advance and the traveler is subsequently provided with a meal while travelling, the allowance for that meal should be repaid.

Costs incurred for meals and refreshments which exceed the daily allowance, shall be the responsibility of the traveler.

There is no requirement to provide receipts for food or drink purchased with the travel allowance.

Incidentals allowance

Incidentals allowance is paid for each day, assessed as a 24 hour block of time that the traveler is away from home. Incidental allowance covers minor personal expenses associated with travel, e.g. toiletries, food spoilage, laundry expenses, personal phone/internet and personal excess baggage charges.

Incidentals allowance will not be paid for any additional days if the traveler chooses to extend their stay, for personal reasons; where travel is extended for business reasons additional days of incidentals allowance must be approved by the authorized approval officer.

Other Travel Expenses

The Council will pay other travel costs incurred by Council employees and representatives for expenses not covered by the Travel Allowance. Other travel expenses may include:

- Taxi and public transport fares when a Cabcharge voucher has not been provided
- Parking fees for work cars
- Excess baggage costs for Council goods only (excess baggage will not be paid for personal items)
- Postal costs for Council business
- Internet costs e.g. e-mails to Council when without access to the system
- Telephone costs for council business when without access to Council mobile phone.
- Meal costs for travelers using corporate cards when a meal has been purchased from an outlet where cards are not accepted

These costs will be reimbursed upon provision of a tax invoice and a properly completed and authorized Staff Reimbursement Claim Form.



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Changes and cancellation of travel arrangements

The Council recognizes that, from time to time, circumstances may arise that require changes to, and cancellation of, travel arrangements.

To maximize the effectiveness of travel budgets, changes to, and cancellations of, travel arrangements must be kept to a minimum.

All persons travelling on Council business, including Elected Members, current and potential Council employees, guests and consultants, must:

- a) be informed in advance of procedures for varying and cancelling travel arrangements; and
- b) seek prior approval to change and cancel airfares and accommodation.

The Director responsible for approving the initial travel arrangements may approve changes and cancellations.

Wherever possible, changes and cancellations will be made by the Travel Officer or the person authorized to make the original bookings upon receipt of approval from the relevant Manager or Director.

In the case of an emergency or unforeseen event requiring cancellation of travel arrangements, all persons travelling on Council business must make every effort to contact the Director or the Travel Officers to ensure that cancellations are made in as timely a manner as possible.

In an emergency or due to other constraints, where cancellations have been made without prior approval as outlined above, a written report must be submitted to the Director with a copy to the Travel Officer outlining the reasons for the changes or cancellation. Failure to provide an explanation for changing travel arrangements may lead to Council seeking reimbursement of penalties incurred.

BUSINESS TRAVEL WITHIN THE TIWI ISLANDS

When undertaking travel within the Tiwi Islands, in particular when travelling to and from Council premises in the three main communities, employees are expected to develop travel plans approved in advance by the relevant Manager or Director.

When using Council vehicles to travel within the Council area, travelers are expected to make every effort to combine travel with others, where practicable, to minimize the costs. Travelers must book a vehicle providing as much advance notice as practicable and provide an Internal Work Order. Advance notice of at least two working days is required.

All employees booking a Council vehicle must hold a current Australian drivers licence of the appropriate class for the type of vehicle used.

Refer to Motor Vehicles policy for more information regarding use of Council vehicles.

Meal and incidental allowances

The On Island per day travel rate applies. There is no entitlement for meal and incidental allowances for same day travel within the Council area, including travel between Darwin and the islands. Costs incurred for meals and refreshments shall be the responsibility of the employee.



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INTERNATIONAL TRAVEL

If an employee or elected member is required to travel overseas on Council related business the Council will pay the following expenses:

- Passport and application fees
- Vaccinations if recommended by World Health Organization for the particular destination
- Visa fees
- International travel insurance
- Airport taxes.

Meal and incidentals allowances will be paid as per the rates determined by the Australian Taxation Office for the country or countries visited. The policy outlined above for payment of meal allowances will also apply to international travel. Such travel must also be approved in accordance with local government finance regulations.

MONITORING EMPLOYEE TRAVEL

For safety reasons as well as courtesy to colleagues, whose day to day work relates to the performance of the duties of other employees, it is essential that an employee's whereabouts and contact details are available to their supervisor and others.

When working off site, whether within the Council area or travelling outside the Council area, employees shall ensure that their travel plans and/or absences from their primary place of work during Council business hours are displayed on the appropriate office white board or on the shared calendar in MS Outlook.

A detailed Travel Report attaching Movement Requisitions and all approved expenditures shall be provided to the Chief Executive Officer and Deputy Director Corporate Services on the third Monday of every month.

Other relevant Council documents:

Code of Conduct

Financial Delegations.

Vehicle Management and Use Policy

Credit Card Policy

REPORTS FOR DECISION

ITEM NUMBER	5.4
TITLE	Draft Corporate Credit Card Policy
REFERENCE	149018
AUTHOR	Alan Hudson, Chief Executive Officer



Council is being asked to review and approve the Draft Corporate Credit Card Policy.

BACKGROUND

Attached for Councillors information is an updated version of the Corporate Credit Card Policy which has recently been reviewed and includes the new Tiwi Islands Regional Council Logo.

This policy outlines the guidelines for use of Tiwi Islands Regional Council (TIRC) issued credit cards and the responsibilities of the cardholders.

ISSUES/OPTIONS/CONSEQUENCES**CONSULTATION & TIMING****RECOMMENDATION:**

That Council adopts the Corporate Credit Card Policy and that this policy supersedes all previous versions.

ATTACHMENTS:

- 1 2014-09-05 Draft Corporate Credit Card Policy.pdf



Tiwi Islands Regional Council

Title: Corporate Credit Card Policy
Policy No: 014
Adopted By: Council
Next Review Date:
Responsibility: Chief Executive Officer
InfoXpert Document Number

Version	Decision Number	Adoption Date	History
1			

PURPOSE:

This policy defines the guidelines for use of Tiwi Islands Regional Council (TIRC) issued credit cards and the responsibilities of the cardholders.

OBJECTIVES:

The objectives of this policy are to ensure that the Council has adequate records and is able to:

- claim GST on credit card purchases;
- correctly allocate expenditure to grants, projects, assets etc;
- support the expenditure in an audit;
- properly record FBT liability; and
- prevent misuse and possible fraud.

POLICY:

Credit cards will not be issued to any person other than an officer of the TIRC and the Mayor of TIRC.

Credit cards will only be issued with the approval of the Chief Executive Officer (CEO). The CEO will determine the credit limit for each card, keeping the total credit for all issued cards within the limit set by the Councils' financial institution.

Upon approval by the CEO an authorised officer of the Council will prepare and lodge the credit card application with the Councils' financial institution.

Council issued credit cards may only be used for Council purposes, the purchases must relate to business related transactions only. A tax invoice must be obtained for all transactions.

Council issued credit cards shall not be used to obtain cash advances or for personal purchases.

Credit cards may be used when the Council has established a trading account with a supplier, if there is an urgent need for an item; otherwise the preferred transaction method is via a purchase order.



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Credit cards may be used to purchase meals while on approved travel provided travel allowance for meals has not been claimed and/or paid.

Credit cards should not be used by any person other than the cardholder.

RESPONSIBILITIES:

Tax Invoice

Holders of Council issued cards must ensure that a Tax Invoice is provided for every purchase. A Tax Invoice will include details of the goods or services provided, have a total amount paid and will include the GST amount. An EFTPOS receipt is not a Tax Invoice and will not be accepted on its own as proof of purchase.

Emailed requests for goods and services, particularly conference registrations, must all have a Tax Invoice. All suppliers will provide a Tax Invoice on request.

Travel Expenses

All travel should be arranged with the Travel Officer who will arrange the necessary documentation and purchase orders. Credit cards should only be used as a final resort when booking travel and/or accommodation.

Credit cards should not be used to purchase meals when a Travel Allowance for meals has been claimed. All purchase of meals for travel and/or entertainment must include sufficient details including names of people dining (staff and non-staff) and a brief description of the occasion *e.g. meeting with Dept. Prime Minister and Cabinet to discuss funding*. There are Fringe Benefits Tax implications when food and drink are provided to Council staff so accurate record keeping is essential to minimise the Council's FBT liability.

Other

Each card holder is responsible for **all** the transactions on their credit card. Card information should not be given to any other person in order for that person to incur expenses unless there is no other means to pay for items *e.g. conference registration, on-line orders*, the card holder must agree to the card use for each transaction and a tax invoice must be provided to the card holder.

RECONCILIATION:

At the start of each month a nominated finance officer will receive the Credit Card statement for the previous month. The statement will be emailed to each card holder with the Credit Card Journal.

Each card holder should confirm that all charges on the statement are correct and ensure that a Tax Invoice has been obtained for each charge.

The Credit Card journal should be completed with as much information as possible in the blue section. All Action SDC and Natural Account numbers are selected using the pick lists in the yellow section of the spreadsheet. When all purchases have been entered the spreadsheet should be emailed to the nominated finance officer, together with tax invoices and receipts within the required timeframe for inclusion in the monthly financial reports.



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The finance officer will hold all reconciliations for review and approval by the Chief Executive Officer (the Mayor will approve the CEO reconciliation).

Cardholder Declaration:

I have read and agree to adhere to the Credit Card policy.

..... Signature

..... Name

Date / /

END OF POLICY.

DRAFT

REPORTS FOR DECISION

ITEM NUMBER	5.5
TITLE	Draft Higher Duties Policy
REFERENCE	149030
AUTHOR	Alan Hudson, Chief Executive Officer



Council is being asked to review and approve the Draft Higher Duties Policy.

BACKGROUND

Attached for Councillors information is an updated version of the Higher Duties Policy which has recently been reviewed and includes the new Tiwi Islands Regional Council Logo.

This policy outlines the parameters applying to, and identifies the opportunities, benefits and skills to be gained by various staff members across the organisation in enhancing their career advancement.

ISSUES/OPTIONS/CONSEQUENCES**CONSULTATION & TIMING****RECOMMENDATION:**

That Council adopts the Higher Duties Policy and that this policy supersedes all previous versions.

ATTACHMENTS:

- 1 2014-08-25 Draft Higher Duties Policy.pdf



Tiwi Islands Regional Council

Title: Higher Duties Policy
Policy No: 016
Adopted By: Council
Next Review Date:
Responsibility: Chief Executive Officer
InfoXpert Document Number

Version	Decision Number	Adoption Date	History
1			

Background: Higher Duties are used to fill positions during leave absences of staff; it provides the opportunity for staff to act in a higher grade position, learn the requirements of a higher grade position, gain experience, build capacity and enhance career advancement, caretaking of the higher position and smooth operational performance of the organisation. Higher duties should be used to encourage staff who have shown a willingness and capacity to expand their work knowledge and skills, it can reward desirable workplace behaviour, it is not a right of a subordinate employee.

This document explains the parameters applying to the use of Higher Duties.

Parameters:

- In the event of a leave absence from the workplace of 2 weeks or more, a senior manager, manager, coordinator, or team leader should consider placing a subordinate employee to act in their position under Higher Duties. Acting in a position and Higher Duties cannot occur if the incumbent employee is on duty (i.e. not on leave) but absent from the workplace e.g. attending a multi day workshop.
- In considering such an employee for placement in Higher Duties, the knowledge, ability and capacity of the subordinate officer to step up to a higher grade should be considered, also their willingness to undertake higher duties while maintaining functionality of their existing position. The role, obligations and caretaker role should be explained.
- Should the subordinate officer decline Higher Duties OR if senior person does not wish to place a subordinate employee in an acting and higher duties role, this should be discussed with the CEO so that critical duties can be managed by alternate means.
- The percentage of Higher Duties will be proposed and agreed between the parties but may not be less than 30% of the duties of the higher position, recorded on the Higher Duties form.
- A Higher Duties Request form must be filled out and approved prior to the period of Higher Duties,



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- Higher Duties must be worked for a minimum of 5 working days to be payable.
- Higher Duties Allowance will not apply if the employee takes leave, is on leave or if there are Public Holidays (LGIA Section 18.2) or Special Leave days occurring during the period of Higher Duties.
- Higher Duties Allowance will be paid at the base salary rate for the position (not the rate of the incumbent officer); in arrears, after attendance is checked and the percentage of work has been confirmed by the incumbent employee, this advice must be sent to HR prior Pay Period Ending and payment of Higher Duties.
- The incumbent officer should discuss the performance of the subordinate officer and record this information in writing, then send it CEO for review and to HR for filing.

Review as needed or in 3 years whichever occurs first.

REPORTS FOR DECISION

ITEM NUMBER	5.6
TITLE	Draft Financial Delegations Policy
REFERENCE	149056
AUTHOR	Alan Hudson, Chief Executive Officer



Council is being asked to review and approve the Draft Financial Delegations Policy.

BACKGROUND

Attached for Councillors information is an updated version of the Financial Delegations Policy which has recently been reviewed and includes the new Tiwi Islands Regional Council Logo.

This policy outlines the financial delegations for a wide range of goods and services within approved Council budgets.

ISSUES/OPTIONS/CONSEQUENCES**CONSULTATION & TIMING****RECOMMENDATION:**

That Council adopts the Financial Delegations Policy and that this policy supersedes all previous versions.

ATTACHMENTS:

- 1 2014-09-05 Draft Financial Delegations Policy V3.pdf



Tiwi Islands Regional Council

Title: Financial Delegations Policy
Policy No: 013
Adopted By: Council
Next Review Date:
Responsibility: Chief Executive Officer
InfoXpert Document Number

Version	Decision Number	Adoption Date	History
1			

It is important to balance prompt purchase of goods and services, while ensuring sound budgetary controls.

Decision making may only be exercised in relation to activities:

- for which a delegate exercising the authority has responsibility,
- certainty of funding and
- control over those funds.

This financial delegation allows identified officers to approve various supply documents **within approved budgets**.

Requests for **items not within the approved budget** must be referred to the CEO.

Any case where expenditure is incurred due to malpractice or carelessness is to be brought to the attention of either a Director or the CEO.

PURPOSE:

This authorisation provides financial delegation to:

- Authorise purchase requisitions
- Authorise purchase orders,
- Delegation levels
- Within the approved budget of their area of responsibility
- Authorise release of payments
- Corporate Credit cards
- Write Off Irrecoverable debts
- Approve refunds
- Motor Vehicle procurement
- Reallocation of funds across existing projects within approved expenditure allocation
- Engagement of Consultants
- Tenders/Quotes - General



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LEGAL PROVISIONS:

These delegations are a legal requirement, and made in accordance with S 102 of the *Local Government Act 2014*.

Purchase Requisitions and Orders

This delegation allows the officer identified below to authorise purchase requisitions within their approved budget to the level stated.

Noting that ALL purchase orders should include certification as follows:

- That the proposed purchase is within Council's approved budget, and;
- That there are funds available

Position	Level of delegation
Chief Executive Officer	\$250,000
Director Community Support	\$50,000
Director Infrastructure	\$50,000
Deputy Director Corporate Services (position reports to CEO)	\$10,000
Finance Manager	\$10,000
Contracts Manager	\$10,000
Deputy Director Community Support	\$10,000
Executive Human Resource Manager	\$10,000
IT Manager	\$10,000
Governance Manager	\$10,000
Regional Fleet Manager	\$10,000
Civil Works Manager	\$10,000
Records Administrator	\$5,000
Workshop Managers	\$5,000
Works Coordinators	\$5,000
Youth and Community Manager	\$4,000
Children's Services Manager	\$4,000
Community Safety Manager	\$4,000
Sport & Recreation Regional Manager	\$4,000
Office Managers – Wurrumiyanga, Pirlangimpi, Milikapiti	\$2,500



Tiwi Islands Regional Council

To Authorise and make Payments

This delegation allows the officers identified below to authorise payments (electronic, cheque and cash) to the level stated, provided that;

NOTE

- All Payments are authorised by two officers from this list, and
- All individual transactions are authorised within individual delegation levels
- For Individual Payments over \$10,000, one officer must be from category A
- All Individual Payments above \$50,000 (excluding payroll, internal bank transfers, consolidated accounts payable transfers, ATO PAYG and ATO BAS payments) are reported at the subsequent meeting of Council.

Cat.	Position	Level of delegation
A	Chief Executive Officer	\$250,000 (cheque) Unlimited (EFT)
A	Director Community Support	\$100,000 (cheque) Unlimited (EFT)
A	Director Infrastructure	\$100,000 (cheque) Unlimited (EFT)
A	Deputy Director Corporate Services (position reports direct to CEO)	\$100,000 (cheque) Unlimited (EFT)
A	Finance Manager	\$100,000 (cheque) Unlimited (EFT)
B	Executive Human Resource Manager	\$10,000 (cheque) Unlimited (EFT)
B	Deputy Director Community Support	\$10,000 (cheque) Unlimited (EFT)



Tiwi Islands Regional Council

Other delegations

DELEGATION DESCRIPTION	DELEGATE		
	CEO	Director	Deputy Director
<p>1. <u>CORPORATE CREDIT CARDS</u></p> <p>CEO approves the allocation of a Corporate Credit Card with a maximum credit limit and corresponding transaction limit.</p>	Up to max.bank credit limit		
<p>2. <u>WRITE-OFF IRRECOVERABLE DEBTS</u></p> <p>Authority to write off irrecoverable debts and losses where the debt or loss does not exceed the amount specified in the column opposite corresponding to the delegate's position.</p> <p><i>Report to Council required.</i></p>	\$10K		
<p>3. <u>APPROVE REFUNDS</u></p> <p>Authority to approve refunds of amounts properly returnable</p>	≥ \$5K	<\$5K	<\$1K



Tiwi Islands Regional Council

ASSETS

DELEGATION DESCRIPTION	DELEGATE		
	CEO	Director	Deputy Director
4. <u>MOTOR VEHICLES</u> Authority to approve the purchase/lease of additional motor vehicles, where the purchase price or cost of the lease does not exceed the amount (if any) specified in the column opposite corresponding to the delegate's position and within procurement limits.	>\$50K	\$50K	
5. <u>DISPOSAL OF ASSETS</u> See existing Disposal Policy.			

BUDGET

DELEGATION DESCRIPTION	DELEGATE		
	CEO	Director	Deputy Director
6. <u>RE-ALLOCATION OF FUNDS ACROSS EXISTING PROJECTS WITHIN AN APPROVED EXPENDITURE ALLOCATION</u>			
6.1 Approve re-allocation of funds within the recurrent expenditure vote between items in the same section of the program, where the amount of the funds to be re-allocated does not exceed the amount (if any) specified in the column opposite corresponding to the delegate's position. Subject to any applicable funding agreement.	\$50K	\$25K	\$5K
6.2 Approve re-allocation of capital funds between items in the same section of the same program, where the amount of the funds to be re-allocated does not exceed the amount (if any) specified in the column opposite corresponding to the delegate's position. Subject to any applicable funding agreement.	\$50K	\$25K	\$5K



Tiwi Islands Regional Council

PROJECT

DELEGATION DESCRIPTION	CEO	Director	Deputy Director
7. <u>ENGAGEMENT OF CONSULTANTS</u>			
7.1 Approve engagement of consultants where the cost of the engagement does not exceed the amount (if any) specified in the column opposite corresponding to the delegate's position.	\$50K	\$10K	
7.2 Approve an extra to a contract, where the value of the extra does not exceed the amount (if any) specified in the column opposite corresponding to the delegate's position.	≥ 10%	<10%	
7.3 Approve a deduction to a contract, where the amount of the deduction does not exceed the amount (if any) specified in the column opposite corresponding to the delegate's position.	No limit	<20%	<10%
7.4 Approve extensions of time, where the period of the extension does not exceed the period of time (if any) specified in the column opposite corresponding to the delegate's position.	12 weeks	4 weeks	2 weeks
8. <u>QUOTES/TENDERS – GENERAL</u>			
8.1 Approve calling of tenders and quotations, where the value of the tender does not exceed the amount (if any) specified in the column opposite corresponding to the delegate's position. Note: Quotes not required for amounts less than or equal to \$10,000; Quotes >\$10,000 require three quotes. Contracts for provision of supplies >\$100,00 require a call for tender <i>Local Government (Accounting) Regulations 2014</i>	No limit	\$250K	\$100K
8.2 Approve extension of closing date of tenders and quotations <i>(to a total quote/tender amount in accordance with 8.1 above).</i>	4 weeks	2 weeks	
8.3 Approve amendment by agreement of rates or prices in schedule of rates prior to award of contract. <i>(To a total quote/tender amount in accordance with 8.1 above).</i>	≥ 5%	<5%	
8.4 Approve or reject acceptance of quotations for approved works and services, where the value of the tender does not exceed the amount (if any) specified in the column opposite corresponding to the delegate's delegation level	No Limit	\$50K	\$10K
8.5 Approve or reject acceptance of tenders for approved works and services, following panel assessment, where the value of the tender does not exceed the amount (if any) specified in the column opposite corresponding to the delegate's delegation level	No Limit		



Tiwi Islands Regional Council

DELEGATION DESCRIPTION	CEO	Director	Deputy Director
8.6 Approve acceptance of late tenders not meeting criteria for submission deadline	2 weeks		
8.7 Approve charge rates and prices in a schedule of charges approved by Council and CEO corresponding to the delegate's position	\$250K		
8.8 Approve an extra to a contract, where the amount of the extra does not exceed the amount (if any) specified in the column opposite corresponding to the delegate's position <i>(to a total quote/tender amount in accordance with 8.1 above).</i>	≥ 10%	<10%	<5%
8.9 Approve a deduction to a contract, where the amount of the extra does not exceed the amount (if any) specified in the column opposite corresponding to the delegate's position	≥ 10%	<10%	
9.0 Approve an extension of time, where the period of any extension does not exceed the period of time (if any) specified in the column opposite corresponding to the delegate's position.	12 weeks	4 weeks	

END OF POLICY.

REPORTS FOR INFORMATION

ITEM NUMBER	6.1
TITLE	Outline of legal costs for the current financial year
REFERENCE	148946
AUTHOR	Alan Hudson, Chief Executive Officer



At it's last Ordinary Council Meeting a request was made for details of legal expenses as reported in the Finance Manager's report

BACKGROUND

Council receives monthly reports of all expenses, At its last meeting Councillors queried and asked for details of how the expenses reported were incurred.

ISSUES/OPTIONS/CONSEQUENCES

The table below details costs incurred, including those paid during the subsequent month. It appears there were some concerns that these costs included industrial relations matters. Councillors should note that no legal expenses have been incurred by Council in relation to any industrial relations matters.

date	amount	purpose
3.7.2014	1163.75	Recovery of TLC charges
3.7.2014	701.58	Debt collection Mantiyupi
4.7.2014	662.87	Debt collection D Wright
5.8.2014	4435.66	Recover TLC charges
5.8.2014	1236.07	Maritime safety objection
5.8.2014	973.54	Debt collection D Wright
5.8.2014	3677.64	Debt collection Mantiyupi
1.7.2014	13,970.00	Due diligence (BDO 2011)
Total	28,821.11	

Councillors may note the following aspects of each of these matters:

TLC This is for collection of outstanding refuse charges. Whilst the costs are out of proportion to the amount owed, collection of these sets a precedent where the same legal argument will apply to debts owed by Mantiyupi and TITEB (both of whom owe considerably more than the costs now involved). The argument against payment that has been provided is that they dispute the legality of creation of Councils under the Local Government Act. Essentially what is at issue here is our legal capacity to collect rates and charges.

Mantiyupi whilst they have paid some of their rates and charges they have paid nothing in relation to the new store nor in relation to their accommodation complex. Their argument in defence mirrors that of TLC as to the legality of Council.

Daniel Wright Is a building contractor who hired equipment from Council but his payment by credit card bounced back after completion of his task (only a few days)

Maritime safety this was a legal objection to fines totalling over \$12,000 to Council and an individual staff member over the accident that occurred recently when unloading the Darwin ferry. As a result of this action the fines were totally withdrawn.

BDO (accounting) this was for due diligence work undertaken in 2011 (but not billed until recently) for commercial due diligence concerning the concept of a condensate plant.

CONSULTATION & TIMING

In all of these cases a process of both reminders , phone calls, sometimes meetings and other times formal conciliation has been undertaken before resorting to legal action. Subsequent legal proceedings have only been commenced where such negotiation was ineffective.

RECOMMENDATION:

That Council notes the report on expenses occurred for legal actions

ATTACHMENTS:

There are no attachments for this report.

REPORTS FOR INFORMATION

ITEM NUMBER	6.2
TITLE	Response to Council query regarding Industrial Relations actions
REFERENCE	148956
AUTHOR	Alan Hudson, Chief Executive Officer



At their last Ordinary Council meeting Councillors requested details as to how many “court” cases Council had had to respond to over the last 12 months.

BACKGROUND

Concerns were raised by Councillors regarding what they believed were actions against the CEO and Council on industrial relations matters.

The simple answer is that there have been no industrial relations “court” cases involving either the CEO or Council.

A number of matters were referred to Fair Work Australia (which is not a court).

The first matter concerned 3 staff who claimed unfair treatment because we refused to make them redundant following the loss of a contract that partially supported their employment. Factually there remained 2 other contracts that also required their continued employment, albeit on altered duties. The complaint was withdrawn after conciliation at no cost and with no financial payment being required of Council.

In the second matter an officer who was on probationary higher duties was demoted back to their normal duties after failing to meet the requirements of the more senior position. No abnormal payment or settlement was required of Council. The release of specific details of this case has been specifically suppressed by fair work. No costs were incurred by Council nor was there any finding of wrong doing.

The final matter concerns a complaint made by the CEO and is listed for hearing on 22 September 2014. Subject to whatever outcome and ruling is made this matter will be further reported on to Council.

ISSUES/OPTIONS/CONSEQUENCES

Neither Council nor the CEO have been found to have undertaken any wrong doing at any time.

CONSULTATION & TIMING**RECOMMENDATION:**

That Council notes this report.

ATTACHMENTS:

There are no attachments for this report.

REPORTS FOR INFORMATION

ITEM NUMBER	6.3
TITLE	Options for Darwin based Council services
REFERENCE	149073
AUTHOR	Alan Hudson, Chief Executive Officer



This report canvasses options to reflect a reduced presence for Council through its Darwin office.

BACKGROUND

Council have been consistent in its preference to have as much of its operations and staff based on the Tiwi islands. Only two years ago there were 13 staff based in Darwin, These staff were mainly involved in Finance, Governance, Grant management and Records management. Many of those staff have chosen to relocate and work within the Council area and with the reduction of activity caused by the loss of CDEP, housing and essential services programs we have also had staff move on to other employment. The only full time staff remaining in Darwin are our accounts payable and receivable officers. The lease of our current office space also expires at the end of October. The loss of some of these staff has also required us to engage specific providers to complete financial reports and for some end of year accounting.

ISSUES/OPTIONS/CONSEQUENCES

Staffing, lease and on costs for the office in Darwin in the last year were around \$550,000. Whilst staffing costs would now be considerably reduced leasing and other running costs could remain high.

Councillors are aware that we have also received funding for employment of an island based accounting position specifically to prepare and advise on reports to Council and our Local Authorities.

Councillors were advised (verbally) that options such as contracting out the provision of financial services were to be canvassed. The following options are the result;

- Stay as and where we are whilst this would show considerably reduced costs for staffing we would still be facing office running costs in excess of \$110K on top of wages. The preparation of some reports would need to be contracted out and this would cost an estimated \$30 k per annum. Total costs for this option would thus be as follows;

Staffing	150,000
Office	110,000
Contracted services	<u>30,000</u>
Total	290,000

- Contract all our financial support services to Latitude 12 (a financial services company owned by East and West Arnhem Regional Councils, providing the same services to them)
As quoted \$530-580,000
- Contract most of our financial support services to Councilbiz (the company belonging to all the Regional Councils which provides our IT support and who are now providing financial support services to the new West Daly Regional Council)
As quoted \$320,000
Additional services required \$ 60,000
Total \$380,000

Under the latter two options outlined above (Latitude 12 and Councilbiz) they would be a service provider only and Council would still retain responsibility for Financial Management, as it would with all the options canvassed.

- Retain our existing staff and move to lower cost premises. Alternative premises have been located in a new complex at Winnellie

Staffing	150,000
Office	45,000
Contracted services	<u>30,000</u>
Total	225,000

In considering all of these options I am mindful also that the two remaining staff have stated emphatically that they do NOT wish to work for Latitude 12. Whilst the lower cost of services offered by Councilbiz are more reasonable they are nonetheless incomplete and their re-entry into the provision of financial services is yet to be proven.

I am also mindful that termination of existing staff would require payment of both long service leave and redundancy entitlements which together could exceed \$100,000. I note that these staff are also our most experienced and competent staff in the performance of their specific roles.

CONSULTATION & TIMING

An inspection of the lower cost premises at Winnellie is planned for later this week.

RECOMMENDATION:

That Council notes that the costs of remaining in our existing premises, the alternatives presented and that a final report will be presented to them shortly.

ATTACHMENTS:

There are no attachments for this report.

REPORTS FOR INFORMATION

ITEM NUMBER	6.4
TITLE	Proposal for Darwin to Tiwi Ferry to recommence operations on Sundays
REFERENCE	149089
AUTHOR	Alan Hudson, Chief Executive Officer



Proposal by Sealink Ferries to recommence operations on Sundays.

BACKGROUND

Informally we have been advised that the Darwin ferry service proposes to recommence operations on Sundays. Councilors may recall that this was reluctantly supported last year in an effort to ensure continuation of a service to the Tiwi islands. Factually this service was dependent on Council's car ferry also operating to both unload their passengers and transport passengers to Melville Island. Whilst we incurred losses operating this service we were able to also transport football teams playing interisland games and for home games of the Tiwi bombers.

We have already advised the TIFL that we would prefer to only operate such a service on Saturdays because of the higher costs to do so on Sundays.

Whilst it is now not necessary for us to unload the ferry, they will not disembark passengers on the Melville side of the straights.

We are also advised that people travelling to Darwin by ferry for the weekend do not want to have to return on Sunday mornings.

ISSUES/OPTIONS/CONSEQUENCES

There are insurmountable cost considerations that compel council NOT to operate a support ferry service on Sundays, especially not to meet the needs of a commercial operator.

Council might also note that the NTG subsidize the operation of this commercial service to the tune of \$1m annually (to quote the Chief Minister from a speech in Alice Springs) yet provide no operational subsidy to what, in reality is an even more vital service between our Islands.

CONSULTATION & TIMING

Council have NOT been formally consulted about this proposal. It is understood the revised timetable is proposed for commencement in 2 weeks time.

RECOMMENDATION:**That Council raise it's concerns as follows;**

- To the head of the Department and Minister for Transport pointing out that we have again been ignored and will NOT be providing any supporting service
- To the operators of the Ferry that we have not been consulted, even advised and that they should not expect that Council will operate ANY form of support service on Sundays
- To the media pointing out the sheer hypocrisy in a commercial service being subsidized when a vital community service goes ignored.

ATTACHMENTS:

There are no attachments for this report.