



MINUTES

ORDINARY COUNCIL MEETING

TIME: 5.30PM

28 APRIL 2011

CITY OF WANNEROO

Managing waste and recovering resources responsibly

*Constituent Members: Cities of Perth, Joondalup, Stirling, and Wanneroo.
Towns of Cambridge, Victoria Park and Vincent*



MINUTES OF THE ORDINARY COUNCIL MEETING OF THE MINDARIE REGIONAL COUNCIL HELD IN THE COUNCIL CHAMBERS OF THE CITY OF WANNEROO, 23 DUNDEBAR ROAD, WANNEROO, WESTERN AUSTRALIA ON 28 APRIL 2011 COMMENCING AT 5.30PM.

PRESENT: Chairman
Cr R Fishwick
Cr J Bissett (arrived at 5.35pm)
Cr D Boothman
Cr R Butler (arrived at 5.40pm)
Cr S Farrell
Cr L Getty JP
Cr K Hollywood
Cr D Newton JP
Cr J Robbins
Cr B Treby
Cr S Withers (arrived at 5.37pm)

APOLOGIES:
Cr S Cooke
Cr L Gray JP
Cr C MacRae
Cr B Stewart

ABSENT:
Nil

IN ATTENDANCE:
Mindarie Regional Council Officers
K F Poynton Chief Executive Officer
K Dhillon
K van Son
L Nyssen
M Tolson

Member Council Officers
K Caple
C Colyer
G Dunne
G Eves
J Giorgi
M Glover
S Spinks
A Vuleta

Consultants
I Watkins

VISITORS:
Nil

MEDIA:
Lucy Jarvis – Community Newspapers

PUBLIC:
One

Confirmed by resolution of the Council on 7 July 2011.

.....Chairman

TABLE OF CONTENTS

ITEM	SUBJECT	FILE NO	PAGE NO
1	OATHS/AFFIRMATIONS OF ALLEGIANCE AND DECLARATIONS OF OFFICE	N/A	P5
2	QUESTION TIME	N/A	P5
3	ATTENDANCE AND APOLOGIES	N/A	P5
4	MINUTES	N/A	P5
4.1	ORDINARY COUNCIL MEETING – 24 FEBRUARY 2011	N/A	P5
4.2	SPECIAL COUNCIL MEETING – 17 MARCH 2011	N/A	P5
5	ANNOUNCEMENTS	N/A	P6
6	DEPUTATIONS	N/A	P6
7	BUSINESS ARISING FROM A PREVIOUS MEETING TREATED AS AN ORDER OF THE DAY	N/A	P6
8	REPORTS (Declaration of Financial/Conflict of Interest to be recorded prior to dealing with each item)	N/A	P6
8.1	CHIEF EXECUTIVE OFFICER	N/A	P6
8.1.1	FINANCIAL STATEMENTS FOR THE PERIODS ENDED 31 JANUARY 2011 AND 28 FEBRUARY 2011	FIN/5-02	P6
8.1.2	LIST OF PAYMENTS MADE FOR THE MONTHS ENDED 31 JANUARY 2011 AND 28 FEBRUARY 2011	FIN/5-02	P6
8.1.3	BUSINESS REPORT (for the period 29 January 2011 – 25 March 2011)	COR/8/02	P7
8.1.4	RESOURCE RECOVERY FACILITY UPDATE REPORT (for the period 10 January 2011 – 31 March 2011)	WST/13-02	P8
8.1.5	BUDGET FINANCIAL YEAR 2010/11 – EXPENDITURE REDUCTION	FIN/48	P9

8.1.6	TENDER 13/115 RECOMMENDATION – ADMINISTRATION BUILDING COURTYARD CONVERSION AT TAMALA PARK WASTE DISPOSAL FACILITY	COP/2-05	P10
8.1.7	RE-ALLOCATION OF MINDARIE REGIONAL COUNCIL WESTERN AUSTRALIAN TRANSITIONAL E-WASTE PROGRAM FUNDING	WST/27	P10
8.1.8	MINDARIE REGIONAL COUNCIL – POLICY DOCUMENTATION – NEW POLICY	COR/23	P11
8.2	STRATEGIC PROJECTS COMMITTEE	N/A	P11
8.2.1	STRATEGIC PROJECTS COMMITTEE MINUTES – 11 MARCH 2011	GOV/28/05	P11
8.2.2	STRATEGIC PROJECTS COMMITTEE MINUTES – 8 APRIL 2011	GOV/28/05	P12
8.3	AUDIT COMMITTEE	N/A	P13
8.3.1	AUDIT COMMITTEE MINUTES – 4 APRIL 2011	GOV/28/03	P13
8.4	CONFIDENTIAL ITEMS	N/A	P13
8.4.1	TENDER 13/116 RECOMMENDATION – THE ESTABLISHMENT OF A PANEL OF PROVIDERS FOR THE WET AND DRY HIRE OF PLANT AND MACHINERY	PES/31	P14
8.4.2	RESOURCE RECOVERY FACILITY AGREEMENT WASTE DIVERSION TARGET	WST/179	P14
8.4.3	USE OF CONSULTANTS	COR/16	P15
9	NOTICE OF MOTION	N/A	P16
10	GENERAL BUSINESS	N/A	P16
11	NEXT MEETING	N/A	P17
12	CLOSURE	N/A	P17

1 OATHS/AFFIRMATIONS OF ALLEGIANCE AND DECLARATIONS OF OFFICE
--

Cr Getty, Cr Treby and Cr Withers completed Form 7 Declaration by Elected Member of Council.

2 QUESTION TIME

Nil

3 ATTENDANCE AND APOLOGIES

Refer page 2.

The Chairman welcomed Crs Getty, Treby and Withers to the meeting.

4 MINUTES

4.1 ORDINARY COUNCIL MEETING – 24 FEBRUARY 2011
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The Minutes of the Ordinary Council Meeting held on 24 February 2011 have been printed and circulated to members of the Council.

MOTION: (Moved: Cr Robbins Seconded: Cr Boothman)

RECOMMENDATION

That the Minutes of the Ordinary Council Meeting of Council held on 24 February 2011 be taken as read, confirmed and the Chairman invited to sign same as a true record of the proceedings.

(Carried: 8/0)

For: Crs Fishwick, Boothman, Farrell, Getty, Hollywood, Newton, Robbins, and Treby

4.2 SPECIAL COUNCIL MEETING – 17 MARCH 2011
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Cr Bissett arrived at 5.35pm

The Minutes of the Special Council Meeting held on 17 March 2011 have been printed and circulated to members of the Council.

MOTION: (Moved: Cr Getty Seconded: Cr Robbins)

RECOMMENDATION

That the Minutes of the Special Council Meeting of Council held on 17 March 2011 be taken as read, confirmed and the Chairman invited to sign same as a true record of the proceedings.

(Carried: 9/0)

For: Crs Fishwick, Bissett, Boothman, Farrell, Getty, Hollywood, Newton, Robbins and Treby

5 ANNOUNCEMENTS

Chairman announced that Item 8.4.1, 8.4.2 and 8.4.3 are confidential items and will be dealt with behind closed doors.

6 DEPUTATIONS

Nil

7 BUSINESS FROM A PREVIOUS MEETING TREATED AS AN ORDER OF THE DAY
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Nil

8 REPORTS

Mr Watkins declared a financial interest in Items 8.1.4 and 8.4.2.
Cr Farrell declared a financial interest in Items 8.1.4 and 8.4.2.

8.1 CHIEF EXECUTIVE OFFICER

Cr Withers arrived at 5.37pm.

8.1.1

File No: FIN/5-02

**SUBJECT: FINANCIAL STATEMENTS FOR THE PERIODS ENDED
31 JANUARY 2011 AND 28 FEBRUARY 2011**

MOTION: (Moved: Cr Boothman Seconded: Cr Newton)

Nil discussion.

COUNCIL RECOMMENDATION

That the Financial Statements as attached at Attachment One and Two for the months ended 31 January 2011 and 28 February 2011 be noted.

(Carried: 10/0)

For: Crs Fishwick, Bissett, Boothman, Farrell, Getty, Hollywood, Newton, Robbins, Treby and Withers

8.1.2

File No: FIN/5-02

**SUBJECT: LIST OF PAYMENTS MADE FOR THE MONTHS ENDED
31 JANUARY 2011 AND 28 FEBRUARY 2011**

MOTION: (Moved: Cr Treby Seconded: Cr Robbins)

Nil discussion.

COUNCIL RECOMMENDATION

That Council endorse the list of payments made, as per the delegation made to the Chief Executive Officer, for the months ended 31 January 2011 and 28 February 2011.

(Carried: 10/0)

For: Crs Fishwick, Bissett, Boothman, Farrell, Getty, Hollywood, Newton, Robbins, Treby and Withers

8.1.3

File No: COR/8/02

SUBJECT: BUSINESS REPORT (for the period 29 January 2011 – 25 March 2011)

MOTION: (Moved: Cr Farrell Seconded: Cr Getty)

Cr Butler arrived at 5.40pm

The CEO advised Council that the Gift Register was available for inspection at the meeting, as per an earlier request.

The CEO accepted tasks from the Council in response to questions.

- The provision of a Report on the effectiveness of the various education programs
- The provision of breakdown of cab charge journey details to substantiate payments contained in this item
- Issue Hyder Report on request from Councillors (Cr Robbins requires copy)
- Information regarding Shopping Centre charges (MRC not charged fees by Shopping Centres)
- Timetable for provision of information related to legal expenditure for Financial Year 2004/05 – Financial Year 2009/10 including providers/expenditure/nature of work
- Minor changes to PricewaterhouseCoopers Stage 1 report
- Provision of outcome of Special Strategic Projects Committee (SPC) meeting to be held on 29 April 2011.

Council agreed that each part of the motion be put separately.

COUNCIL RECOMMENDATION

That Council:

- (i) **receive this progress report for the period 29 January 2011 – 25 March 2011 against Annual Business Plan 2010/2011**

(Carried: 11/0)

For: Crs Fishwick, Bissett, Boothman, Butler, Farrell, Getty, Hollywood, Newton, Robbins, Treby and Withers

-
- (ii) **support the Price Waterhouse Coopers approach to the valuation of the business described at Attachment Four to this Item**

(Carried: 8/3)

For: Crs Fishwick, Boothman, Butler, Farrell, Getty, Hollywood, Newton and Treby

Against: Crs Bissett, Robbins and Withers

- (iii) **notes that the proposed approach is being considered, concurrently, by the seven participant Councils**

(Carried: 11/0)

For: Crs Fishwick, Bissett, Boothman, Butler, Farrell, Getty, Hollywood, Newton, Robbins, Treby and Withers

8.1.4

File No: WST/13-02

**SUBJECT: RESOURCE RECOVERY FACILITY UPDATE REPORT
(for the period 10 January 2011 – 31 March 2011)**

MRC OFFICER RECOMMENDATION

That Council:

- (i) note the RRF update report for the period 11 January 2011 to 31 March 2011
- (ii) note the following operational aspects associated with the RRF that are currently being dealt with:
 - composter long-term repairs;
 - composter crack insurance claims (MRC and BV);
 - SITA ongoing investigation of accepting rear lift vehicles;
 - assessment of incoming waste and facility operations in order to finalise the Waste Diversion Target by July 2011;
 - SITA problems associated with disposal of ferrous metal;
 - RRF Project Insurance renewal process and cost; and
 - vehicle wash down facility.

MOTION: (Moved: Cr Newton Seconded: Cr Treby)

The CEO in response to a question stated that the MRC has not born any costs in regards to the rear lift vehicles inability to dump rubbish at the Resource Recovery Facility.

ALTERNATE RECOMMENDATION

That Council:

- (i) **note the RRF update report for the period 11 January 2011 to 31 March 2011**
 - (ii) **note the following operational aspects associated with the RRF that are currently being dealt with:**
 - **composter long-term repairs;**
 - **composter crack insurance claims (MRC and BV);**
-

-
- SITA ongoing investigation of accepting rear lift vehicles;
 - assessment of incoming waste and facility operations in order to finalise the Waste Diversion Target by July 2011;
 - SITA problems associated with disposal of ferrous metal;
 - RRF Project Insurance renewal process and cost; and
 - vehicle wash down facility.
- (iii) Requests that the CEO submits a report to the next Ordinary Council Meeting of the Mindarie Regional Council to seek **ENDORSEMENT OR APPROVAL** of the Council on all aspects relating to any Standstill Agreement or Extension of Contract Proposal relating to the Resource Recovery Facility

(Carried: 11/0)

For: Crs Fishwick, Bissett, Boothman, Butler, Farrell, Getty, Hollywood, Newton, Robbins, Treby and Withers

8.1.5

File No: FIN/48

SUBJECT: BUDGET FINANCIAL YEAR 2010/11 – EXPENDITURE REDUCTION

MOTION: (Moved: Cr Boothman Seconded: Cr Getty)

Nil discussion

COUNCIL RECOMMENDATION

That Council:

- (i) approve the decrease in expenditure of \$319,200 in the following areas:
- | | |
|--|------------------|
| - Employee Costs | \$45,300 |
| - Consultants & Contract Labour | \$13,600 |
| - Communications & Public Consultation | \$30,500 |
| - Landfill Expenses | \$159,700 |
| - Office Expenses | \$3,300 |
| - Information Systems Expenses | \$49,000 |
| - Plant & Vehicle Operating & Hire | \$12,800 |
| - Elected Members Costs | \$5,000 |
| Total Savings | \$319,200 |
- (ii) note the strategies Administration is adopting to reduce the deficit for this financial year to zero

Voting Requirement: Absolute Majority

(Carried: 11/0)

For: Crs Fishwick, Bissett, Boothman, Butler, Farrell, Getty, Hollywood, Newton, Robbins, Treby and Withers

8.1.6

File No: COP/2-05

TENDER 13/115

**SUBJECT: TENDER RECOMMENDATION – ADMINISTRATION BUILDING
COURTYARD CONVERSION AT TAMALA PARK WASTE DISPOSAL
FACILITY**

MOTION: (Moved: Cr Treby Seconded: Cr Robbins)
Nil discussion

COUNCIL RECOMMENDATION

That Council:

- (i) accept the tender offered by the Adrina Construction of \$117,571.80 (exclusive of GST) Administration Building Courtyard Conversion at Tamala Park Waste Disposal Facility
- (ii) approve the re-allocation up to a maximum of \$26,000 from the Landfill Phase III Development budget to fund the additional project cost

*Voting Requirement: Absolute Majority
(Carried: 11/0)*

For: Crs Fishwick, Bissett, Boothman, Butler, Farrell, Getty, Hollywood, Newton, Robbins, Treby and Withers

8.1.7

File No: WST/13-02

**SUBJECT: RE-ALLOCATION OF MINDARIE REGIONAL COUNCIL WESTERN
AUSTRALIAN TRANSITIONAL E-WASTE PROGRAM FUNDING**

MOTION: (Moved: Cr Newton Seconded: Cr Withers)

MRC OFFICER RECOMMENDATION

That Council:

- (i) approve the re-allocation of the Town of Cambridge Western Australian Transitional E-Waste Program (WATEP) Year One funding of \$4,153 to the Western Metropolitan Regional Council
- (ii) authorise the CEO Mindarie Regional Council to re-allocate Town of Cambridge WATEP funding for years Two and Three when these amounts are advised, to the Western Metropolitan Regional Council

The Mover and Seconder agreed minor changes to the wording of this Recommendation, as proposed by the CEO.

AMENDED RECOMMENDATION

That Council:

- (i) approve the re-allocation of the Town of Cambridge Western Australian Transitional E-Waste Program (WATEP) Year One funding of \$4,153 to the Western Metropolitan Regional Council
-

-
- (ii) approve the re-allocation of Town of Cambridge WATEP funding for years Two and Three of the program from Mindarie Regional Council to Western Metropolitan Regional Council
 - (iii) authorise Chief Executive Officer to write to Waste Authority (WA), advising that Council has resolved as per (i) and (ii)

Voting Requirement: Absolute Majority

(Carried: 11/0)

For: Crs Fishwick, Bissett, Boothman, Butler, Farrell, Getty, Hollywood, Newton, Robbins, Treby and Withers

8.1.8

File No: WST/13-02

SUBJECT: MINDARIE REGIONAL COUNCIL – POLICY DOCUMENTATION – NEW POLICY

MOTION: (Moved: Cr Getty Seconded: Cr Boothman)

Nil discussion

COUNCIL RECOMMENDATION

That Council approve Policy 34B Use of Social Media, which will form part of the MRC Business Manual, Part B, Business.

(Carried: 11/0)

For: Crs Fishwick, Bissett, Boothman, Butler, Farrell, Getty, Hollywood, Newton, Robbins, Treby and Withers

8.2 STRATEGIC PROJECTS COMMITTEE MINUTES

Council received a briefing from Karen Caple Chairperson for the Strategic Projects Committee on Items 8.2.1 and 8.2.2.

8.2.1

File No: GOV/28/05

SUBJECT: STRATEGIC PROJECTS COMMITTEE MINUTES – 11 MARCH 2011

MOTION: (Moved: Cr Bissett Seconded: Cr Newton)

Nil discussion

COUNCIL RECOMMENDATION

That Council:

- (i) notes the Minutes of the Strategic Projects Committee meeting held on 11 March 2011
 - (ii) notes the following recommendations from the Strategic Projects Committee meeting held on 11 March 2011
-

Recommendation 1

- a) note that the agreement drafted as a result of the meeting of member Council representatives on 30 November 2010 be now referred to as the 'draft MRC Establishment Agreement'
- b) note that the MRC SPC has requested the CEO MRC to task Mr John Woodhouse, legal advisor, with tasks as follows in relation to this draft MRC Establishment Agreement:
- identification of any concerns in relation to the requirements of the Local Government Act 1995;
 - explanation of what appears to be proposed by the new provisions and queries whether those matters are as intended by the Participants; and
 - identification of any matters of concern from a legal or drafting perspective.
- c) note that SPC has requested CEO MRC to provide the completed report from Mr Woodhouse to its next meeting on 8 April 2011.

Recommendation 2

That the Strategic Projects Committee request MRC Administration to present the CONFIDENTIAL REPORT on Waste Diversion to the Ordinary Council Meeting in April 2011 with additional information relating to a proposed timetable for consideration of a revised waste diversion target.

(Carried: 11/0)

For: Crs Fishwick, Bissett, Boothman, Butler, Farrell, Getty, Hollywood, Newton, Robbins, Treby and Withers

8.2.2

File No: GOV/28/05

SUBJECT: STRATEGIC PROJECTS COMMITTEE MINUTES – 8 APRIL 2011

MOTION: (Moved: Cr Bissett Seconded: Cr Newton)

Nil discussion

COUNCIL RECOMMENDATION

That Council:

- (i) notes the Minutes of the Strategic Projects Committee meeting held on 8 April 2011
- (iii) notes the following recommendation from the Strategic Projects Committee meeting held on 8 April 2011

Recommendation 1

- a) **NOTES the completion of the final report for the project conducted by the Hyder Group to develop an Integrated Regional Plan for the Processing of Municipal Solid Waste**
-

-
- b) **SUPPORTS** an approach to utilise those Priority Areas cited in the report, and selected associated Actions as identified by the MRC Strategic Projects Committee, in discussions relating to the forthcoming review of the MRC's Strategic Plan.

(Carried: 11/0)

For: Crs Fishwick, Bissett, Boothman, Butler, Farrell, Getty, Hollywood, Newton, Robbins, Treby and Withers

8.3 AUDIT COMMITTEE MINUTES

8.3.1

File No: GOV/28/03

SUBJECT: AUDIT COMMITTEE MINUTES – 4 APRIL 2011

MOTION: (Moved: Cr Butler Seconded: Cr Boothman)

The CEO in response to a question regarding non compliance stated that the MRC has now produced a Tender Template document, which should improve the Organisation's compliance.

COUNCIL RECOMMENDATION

That Council approve the following recommendations from the Audit Committee Meeting (4 April 2011):

- (i) the approval of the Annual Compliance Audit Return and authorise the Chairperson and the Chief Executive Officer to sign the Return**
- (ii) note that Audit Committee approved the CEO's credit card usage and expenditure as appropriate**
- (iii) note that the Audit Committee Members met with the Auditor, Michael Hillgrove, and were briefed on the Audit Plan for the 2010/11 Audit**

(Carried: 11/0)

For: Crs Fishwick, Bissett, Boothman, Butler, Farrell, Getty, Hollywood, Newton, Robbins, Treby and Withers

8.4 CONFIDENTIAL ITEMS

Closure of meeting to the Public.

MOTION: (Moved: Cr Treby Seconded: Cr Robbins)

That Council, in accordance with the Mindarie Regional Council Standing Orders 3.14, resolves to close the meeting to members of the public to consider Items 8.4.1, 8.4.2 and 8.4.3.

(Carried: 11/0)

For: Crs Fishwick, Bissett, Boothman, Butler, Farrell, Getty, Hollywood, Newton, Robbins, Treby and Withers

8.4.1

File No: PES/31

TENDER 13/116

SUBJECT: TENDER RECOMMENDATION – THE ESTABLISHMENT OF A PANEL OF PROVIDERS FOR THE WET AND DRY HIRE OF PLANT AND MACHINERY

MOTION: (Moved: Cr Robbins Seconded: Cr Butler)

Nil discussion

COUNCIL RECOMMENDATION

That Council accept the tender from Western Plant Hire as the preferred supplier of wet and dry hire of plant and machinery for a period of three years.

(Carried: 11/0)

For: Crs Fishwick, Bissett, Boothman, Butler, Farrell, Getty, Hollywood, Newton, Robbins, Treby and Withers

8.4.2

File No: EST/179

SUBJECT: RESOURCE RECOVERY FACILITY AGREEMENT WASTE DIVERSION TARGET

Council received a briefing from Ian Watkins Consultant Project Manager for Mindarie Regional Council.

MOTION: (Moved: Cr Withers Seconded: Cr Butler)

Cr Withers stated that there was an urgent need to develop a plan for member Councils to improve feedstock to RRF.

COUNCIL RECOMMENDATION

That Council receive this report providing additional information pertaining to the matter of the Waste Diversion Target and note the following:

- (i) significant effort is being put in by both parties to resolve this complicated issue
 - (ii) there is a substantial difference between the character of Sorel Tracy waste stream and the Perth waste stream
 - (iii) SITA has completed 3 of the 4 quarterly waste characterisation studies
 - (iv) The final waste characterisation study is due to be completed in April 2011
 - (v) a timeline for resolving this issue by the Ordinary Council Meeting on 7 July 2011 has been developed in accordance with contractual requirements
 - (vi) the MRC is working closely with BioVision/SITA to develop an acceptable methodology for determining the final WDT once all relevant data has been collected
-

(Carried: 11/0)

For: Crs Fishwick, Bissett, Boothman, Butler, Farrell, Getty, Hollywood, Newton, Robbins, Treby and Withers

8.4.3

File No: COR/16

SUBJECT: USE OF CONSULTANTS

MOTION: (Moved: Cr Hollywood Seconded: Cr Newton)

MRC OFFICER RECOMMENDATION

That Council approve a plan for use of consultants in at least Financial Year 2011/12 with key tasks as follows:

- (i) to utilise external support for management of the Communications program to a level consistent with the complexity of the approved program
- (ii) to utilise IW Projects for project management tasks, particularly associated with landfill and RRF, in accordance with the approved Budget approach
- (iii) to maintain the current mix of internal versus external providers for the following tasks:
 - Complex HR tasks
 - Review of Strategic Plan
 - Legal
 - IT Services
 - Specific environmental tasks
 - Building – related tasks
- (iv) to transition some responsibility for MRC's financial model from the external provider (Deloitte) to MRC staff
- (v) to allocate responsibility for procurement management i.e. tenders, to MRC staff, in accordance with the Council's guidelines on this matter

The Mover and Seconder agreed to an amendment to the motion.

(iv) delete : some
Insert : all

AMENDED MOTION

That Council approve a plan for use of consultants in at least Financial Year 2011/12 with key tasks as follows:

- (i) to utilise external support for management of the Communications program to a level consistent with the complexity of the approved program**
 - (ii) to utilise IW Projects for project management tasks, particularly associated with landfill and RRF, in accordance with the approved Budget approach**
-

-
- (iii) to maintain the current mix of internal versus external providers for the following tasks:
- Complex HR tasks
 - Review of Strategic Plan
 - Legal
 - IT Services
 - Specific environmental tasks
 - Building – related tasks
- (iv) to transition all responsibility for MRC’s financial model from the external provider (Deloitte) to MRC staff
- (v) to allocate responsibility for procurement management i.e. tenders, to MRC staff, in accordance with the Council’s guidelines on this matter

(Carried: 11/0)

For: Crs Fishwick, Bissett, Boothman, Butler, Farrell, Getty, Hollywood, Newton, Robbins, Treby and Withers

Meeting Open to the Public.

MOTION: (Moved: Cr Getty Seconded: Cr Robbins)

That the meeting now be open to the Public.

(Carried: 11/0)

For: Crs Fishwick, Bissett, Boothman, Butler, Farrell, Getty, Hollywood, Newton, Robbins, Treby and Withers

MOTION: (Moved: Cr Hollywood Seconded: Cr Farrell)

In accordance with clause 12.7(3) of the Standing Orders Local Law the person presiding is to cause the motions passed by the Council whilst it was proceeding behind closed doors to be read out including the vote of members to be recorded in the minutes.

(Carried: 11/0)

For: Crs Fishwick, Bissett, Boothman, Butler, Farrell, Getty, Hollywood, Newton, Robbins, Treby and Withers

The Chairman read the motion to the meeting.

9 MEMBERS’ MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Cr Robbins (City of Stirling) withdrew Notice of Motion received by Mindarie Regional Council on 18 March 2011.

10 GENERAL BUSINESS - SEE NOTE (1)

Nil

11	NEXT MEETING
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11.1 Ordinary Council Meeting

- **7 July 2011**
- **5.30pm**
- **City of Stirling**

12	CLOSURE - MEETING DECLARED CLOSED AT 6.40PM
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**ITEM 8.1.1 FINANCIAL STATEMENTS FOR THE PERIODS ENDED
31 JANUARY 2011 AND 28 FEBRUARY 2011**

File No: FIN/5-02 (D/11/2135)

Attachment(s): 1. Financial Statement for the period ended 31 January 2011
2. Financial Statement for the period ended 28 February 2011

Author: Kalwant Dhillon

SUMMARY

The purpose of this report is to provide financial reporting to meet statutory requirements and to provide useful information to stakeholders of the Council.

BACKGROUND

Financial Statements as at 31 January 2011 and 28 February 2011 are attached and show separate columns for Actual and Adopted/Revised Budget figures.

Reporting requirements are defined by regulations 34 and 35 of the Local Government (Financial Management) Regulations 1996. There is scope in these regulations to provide other reporting that the Local Government considers appropriate.

The financial statements presented for each month consist of:

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

DETAIL

The reports attached are for the months ended 31 January 2011 and 28 February 2011 and are at Attachments One and Two to this Item.

- **Statement of Income and Expenditure.** Pages 1 to 4 of the Attachment. These statements have been adjusted to include a number of year-to-date estimates that are not finalised until the end of the financial year. These are as follows:
 - Provision for Amortisation
 - Site Rehabilitation Provision / Amortisation provision for Decommissioning
 - Site Monitoring Provision

These are based on the estimated rates per tonne calculated with reference to estimated excavation cost of various stages of the landfill and the life of the landfill. An adjustment is made (if necessary) at the end of the year based on a survey carried out to assess the “air space” remaining.

- **Operating Statements by Function and Type.** At page 4 of the Attachment. This shows a summary of operating income and expenditures. The Operating Statement by Function may be useful to the reader as a snapshot of the business operations

A complete suite of Financial Statements including Operating Statement and Statement of Financial Position are reported on a monthly basis and include accruals that may be based on estimates to provide meaningful reporting to stakeholders. These reports are at Attachment One and Two to this Item.

MRC OFFICER RECOMMENDATION

That the Financial Statements as attached at Attachment One and Two for the months ended 31 January 2011 and 28 February 2011 be noted.

ATTACHMENT ONE
TO ITEM 8.1.1
ORDINARY COUNCIL MEETING
28 APRIL 2011
FINANCIAL STATEMENT FOR THE PERIOD ENDED
31 JANUARY 2011



MANAGEMENT FINANCIAL STATEMENTS

**FOR THE MONTH ENDED
31 JANUARY 2011**

Mindarie Regional Council
INCOME STATEMENT BY NATURE AND TYPE
For the month ended 31 January 2011

Description	Adopted Budget	Revised Budget	YTD Budget	YTD Actual	\$ Variance	% Variance	Note
Revenue form Ordinary Activities							
User Charges							
User Charges - City of Perth	1,519,600	1,519,600	888,394	875,065			
User Charges - City of Wanneroo	9,238,400	9,238,400	5,389,069	5,187,668			
User Charges - City of Joondalup	6,667,500	6,667,500	3,889,375	3,957,783			
User Charges - City of Stirling	12,059,300	12,059,300	7,034,594	4,937,599			
User Charges - Town of Cambridge	1,186,500	1,186,500	692,125	625,715			
User Charges - Town of Vincent	1,510,900	1,510,900	881,356	809,031			
User Charges - Town of Victoria Park	1,609,000	1,609,000	938,581	765,535			
User Charges - RRF Residues	3,150,000	3,150,000	1,837,500	2,683,659			
Total Member User Charges	36,941,200	36,941,200	21,550,994	19,842,056	(1,708,938)	-7.93%	1
User Charges - City of South Perth	0	0	0	1,916	1,916		
User Charges - Casual Tipping Fees	5,018,000	5,231,000	2,927,169	4,332,261	1,405,092	48.00%	2
Total User Charges	41,959,200	42,172,200	24,478,163	24,176,233	(301,930)	-1.23%	
Service Charges							
Sale of Recyclable Materials	340,000	340,000	198,331	198,272	(59)	-0.03%	
Sale of Limestone	0	0	0	0			
Gas Power Generation Sales	550,000	550,000	106,000	105,260	(740)	-0.70%	
Grants & Subsidies	400,000	400,000	0	0	0		3
Contributions, Reimbursements & Donations	202,000	202,000	110,969	157,686	46,717	42.10%	
Interest Earnings	700,000	700,000	407,848	413,731	5,883	1.44%	
Other Revenue	10,200	10,200	10,200	204,224	194,024	1902.20%	
	44,161,400	44,374,400	25,311,511	25,255,405	(56,106)	-0.22%	
Expenses from Ordinary Activities							
Employee Costs	4,825,900	4,923,000	2,915,012	2,759,910	155,102	5.32%	
Materials and Contracts							
Consultants and Contract Labour	477,900	644,300	301,100	280,001	21,099	7.01%	
Communications and Public Consultation	442,000	377,000	188,141	110,709	77,432	41.16%	4
Landfill Expenses	1,492,800	1,262,800	669,579	586,944	82,635	12.34%	5
Office Expenses	281,200	236,200	166,990	126,547	40,443	24.22%	6
Information Systems	515,700	472,700	249,866	211,055	38,811	15.53%	7
Building Maintenance	115,100	115,100	63,094	34,357	28,737	45.55%	8
Plant and Equipment Operating and Hire	958,100	951,100	502,296	451,486	50,810	10.12%	
RRF Operations Total Costs (Excl. Amortisation)	18,987,600	19,420,200	11,209,548	11,693,103	(483,555)	-4.31%	9
Waste Minimisation	280,000	280,000	11,669	1,910	9,759	83.63%	3
Utilities	109,500	130,500	112,544	112,260	284	0.25%	
Depreciation	1,133,700	1,185,700	666,491	661,394	5,097	0.76%	
Borrowing Cost Expenses	681,000	653,000	408,745	408,661	84	0.02%	
Insurance	160,700	167,700	167,700	166,429	1,271	0.76%	
DEP Landfill Levy	7,517,300	6,979,700	4,295,494	4,205,348	90,146	2.10%	
Land Lease/Rental	615,000	615,000	355,000	338,906	16,094	4.53%	
Other Expenditure							
Member Costs	169,900	139,900	75,569	72,060	3,509	4.64%	
Administration	155,700	300,700	211,655	197,046	14,609	6.90%	
Amortisation/Site Monitoring Provision (LandFill)	4,206,050	3,927,250	2,407,065	2,407,062	3	0.00%	
Amortisation (RRF)	652,259	652,259	380,485	380,485	0	0.00%	
	43,777,409	43,434,109	25,358,043	25,205,672	152,371	0.60%	
Profit on Sale of Assets	0	0	0	0	0		
Loss on Sale of Assets	8,700	55,700	55,700	55,541	159	0.29%	
	(8,700)	(55,700)	(55,700)	(55,541)	(159)	0.29%	
Changes in Net Assets Resulting from Operations	375,291	884,591	(102,232)	(5,808)	96,424	-94.32%	
Transfer from Reserve (2009/2010 C/F Expenditures)	1,000,000	670,000	648,000	647,195	(805)	-0.12%	a
Transfer to Reserve (Interest Income from Investments)	0	0	0	(56,292)	(56,292)		
Changes in Net Assets including Reserve Transfer	1,375,291	1,554,591	545,768	585,095	39,327	7.21%	

Note (a)

Funds carried forward to cover RRF expenditures	950,000	Also refer Page 2
Funds c/f to cover Tamala Park/Admin expenditures	50,000	
	1,000,000	

This was approved on the Special Council Meeting 24 June 2010

Mindarie Regional Council
RRF - INCOME STATEMENT BY NATURE AND TYPE
For the month ended 31 January 2011

Description	Adopted Budget	Revised Budget	YTD Budget	YTD Actual	\$ Variance	% Variance	Note
Revenue form Ordinary Activities							
Other Revenue	0	0	0	2,102			
	0	0	0	2,102	0		
Expenses from Ordinary Activities							
Employee Costs	41,500	57,300	24,986	26,825	(1,839)	-7.36%	
Materials and Contracts							
Consultants and Contract Labour	265,000	285,000	178,745	175,598	3,147	1.76%	
Office Expenses	5,200	5,200	3,031	4,235	(1,204)	-39.72%	
Information Systems	12,000	16,000	12,666	13,952	(1,286)	-10.16%	
Building Maintenance	30,900	11,300	15,092	9,037	6,055	40.12%	
RRF Operations Total Costs (Excl. Amortisation)							
Fencing and Gate Maintenance	5,200	6,200	4,031	7,674	(3,643)	-90.37%	
Road Maintenance	5,200	0	2,498	0	2,498	100.00%	
Bores and Pipework	5,200	17,200	4,364	3,217	1,147	26.28%	
Environmental Monitoring	50,000	50,000	27,000	26,360	640	2.37%	
Community Monitoring Program	20,600	0	0	0	0		
Landscaping and Gardens	20,600	14,600	11,019	5,468	5,551	50.38%	
MRC Admin Charge	100,000	100,000	58,331	58,331	0	0.00%	
Compost Disposal	525,000	367,000	279,917	215,034	64,883	23.18%	
Contractor's Fee	17,293,000	17,946,000	10,242,414	10,826,684	(584,270)	-5.70%	3
Utilities	24,200	17,200	15,413	14,965	448	2.90%	
Borrowing Cost	584,000	527,200	330,041	307,824	22,217	6.73%	
Amortisation (RRF)	652,259	652,259	380,485	380,485	0	0.00%	
	19,639,859	20,072,459	11,590,033	12,075,689	(485,656)	-4.19%	
Changes in Net Assets Resulting from Operations	19,639,859	20,072,459	11,590,033	12,073,588	483,555	-4.17%	a
Transfer from Reserve (2009/2010 C/F Expenditures)	950,000	620,000	598,000	597,195	805	-0.13%	b
Changes in Net Assets including Reserve Transfer	18,689,859	19,452,459	10,992,033	11,476,393	484,360	-4.41%	

Footnotes:

	Adopted Budget	Revised Budget	YTD Actual
(a) Breakdown of RRF Costs from page 1			
RRF Operations Total Costs (Excl. Amortisation)	18,987,600	19,420,200	11,693,103
Amortisation (RRF)	652,259	652,259	380,485
	19,639,859	20,072,459	12,073,588
(b) Reserves			
Fund carried forward relating to Contractor's Fee	900,000		570,835
Fund carried forward relating to Environmental Monitoring	50,000		26,360
	950,000		597,195

This was approved on the Special Council Meeting 24 June 2010

NOTES FOR VARIATIONS - INCOME STATEMENT BY NATURE AND TYPE

Note #	Description of Item	Nature of Variance where actual is 10% and \$10,000 from YTD Budget
1	Member User Charges	The tonnages for Members were noted at the Mid-year Review to drop by 35,960 tonnes. This is mainly due to lower tonnages received from City of Stirling.
2	Casual User Charges	The tonnages for Casuals/Commercial were noted at the Mid-year Review to be approximately 11,600 tonnes higher for this Financial Year.
3	Grants and Subsidies	As the grants for the Waste Minimisation Program has not been received, the program is on 'hold'.
4	Communication and Public Consultation	The majority of the expenditure is being spent in the months of April to June 2011.
5	Landfill Expenses	There is a further reduction in the budget of \$106k and the majority of the expenditure is being spent in the months of March to June 2011.
6	Office Expenses	The majority of the expenditure is being spent in the months of March to June 2011.
7	Information System	Expenditure to be incurred in March to June 2011 is relation to existing and new projects.
8	Building Maintenance	The majority of the expenditure is being spent in the months of March to June 2011..
9	RRF Operations Total Costs (Excl. Amortisation)	The increase is due to the change in Waste Diversion Rate, a Force Majeure Claim relating to power shortages and additional tonnages as a result of availability greater than 100% (we pay only the variable cost on these tonnages). This cost is being offset by the funds from the Reserve (Carried Forward Expenditure).

Mindarie Regional Council

INCOME STATEMENT BY DEPARTMENT For the month ended 31 January 2011

Description	Adopted Budget	Revised Budget	YTD Budget	YTD Actual	\$ Variance	% Variance
Revenues from Ordinary Activities						
Operating Revenues						
Community Ammenties	44,161,400	44,374,400	25,311,511	25,199,113	(112,398)	-0.44%
Resource Recovery Facility	0	0	0	2,102	2,102	
Reserve	0	0	0	56,292	56,292	
Total Operating Revenues	44,161,400	44,374,400	25,311,511	25,257,507	-54,004	-0.21%
Profit on Disposal of Assets						
Community Ammenties	0	0	0	0	0	
Total Profit (Loss) on Disposal of Assets	0	0	0	0	0	
Expenses from Ordinary Activities						
Operating Expenses						
Governance	169,900	139,900	75,569	72,060	3,509	4.64%
Community Ammenties	21,481,150	20,751,250	12,263,084	11,690,765	572,319	4.67%
Other Property and Sevices	1,755,500	1,767,500	970,612	910,598	60,014	6.18%
Resource Recovery Facility	18,105,859	18,595,259	10,661,992	11,170,670	(508,678)	-4.77%
Reserve	1,000,000	1,000,000	648,000	647,195	805	0.12%
Total Operating Expenses	42,512,409	42,253,909	24,619,257	24,491,289	127,968	0.52%
Loss on Disposal of Assets						
Community Ammenties	8,700	55,700	55,700	55,541	159	0.29%
Total Profit (Loss) on Disposal of Assets	8,700	55,700	55,700	55,541	159	0.29%
Borrowing Costs Expense						
Community Ammenties	681,000	653,000	408,745	408,661	84	0.02%
Resource Recovery Facility	584,000	527,200	330,041	307,824	22,217	6.73%
Total Borrowing Costs Expense	1,265,000	1,180,200	738,786	716,485	22,301	3.02%
Changes in Net Assets Resulting from Operations	375,291	884,591	(102,232)	(5,808)	96,424	-94.32%
Transfer from Reserve	1,000,000	670,000	648,000	647,195	805	0.12%
Transfer to Reserve (Interest Income from Investments)	0		0	56,292	56,292	
Changes in Net Assets including Reserve Transfer	1,375,291	1,554,591	545,768	585,095	39,327	7.21%

Mindarie Regional Council
STATEMENT OF RESERVES
 For the month ended 31 January 2011

Description	YTD Actual	Note
Opening Balance - 1 July 2010		
Site Rehabilitation	137,999	
Carried Forward Expenditures	1,000,000	
	1,137,999	
Interest on Investments		
Site Rehabilitation	1,256	
Carried Forward Expenditures	3,230	
RRF Operational Requirements	51,807	
	56,292	
Transfer from Retained Surplus		
RRF Operational Requirements	5,000,000	1
	5,000,000	
Transfer to Operating Surplus		
Site Rehabilitation	0	
Carried Forward Expenditures	647,195	
	647,195	
Closing Balance		
Site Rehabilitation	139,255	
Carried Forward Expenditures	356,035	
RRF Operational Requirements	5,051,807	2
	5,547,097	

Note1 : Approved at Special Council Meeting on 24th June 2010 in conjunction with the Budget Approval for 2010/2011.

Note2 : This Reserve will be used for any unexpected urgent expenses that may occur under the provisions of RRF agreement.

Mindarie Regional Council
Balance Sheet
For the month ended 31 January 2011

Description	ACTUAL 2010/2011	Movement	ACTUAL 2009/2010
CURRENT ASSETS			
Cash	(268,885)	(619,060)	350,175
Investments	10,996,510	(2,095,799)	13,092,309
Debtors	4,031,428	1,116,102	2,915,325
Stock	30,620	12,934	17,685
Prepayments	128,172	(117,465)	245,637
Other Current Assets	516,258	(207,759)	724,017
TOTAL CURRENT ASSETS	15,434,102	(1,911,046)	17,345,148
NON-CURRENT ASSETS			
Land	2,658,127	0	2,658,127
Buildings & Improvements	1,608,683	(19,398)	1,628,081
Furniture & Equipment	83,121	(205,450)	288,571
Computing Equipment	159,492	159,492	0
Plant & Equipment	4,014,858	838,446	3,176,413
Infrastructure - Other	460,725	(28,164)	488,889
Infrastructure - Landfill Phase 1 & 2	6,455,831	(2,224,432)	8,680,263
Infrastructure - RRF	8,008,659	(211,016)	8,219,674
Decommissioning Asset	3,825,366	0	3,825,366
Amortisation Provision for Decommissioning	(2,245,318)	0	(2,245,318)
Work In Progress - Landfill Phase 3	13,946,202	28,125	13,918,078
Work In Progress - Landfill Phase 2 Capping	83,210	83,210	0
Work In Progress - Other	-	(236,000)	236,000
Other Non Current Assets	1,858,742	(129,654)	1,988,396
TOTAL NON-CURRENT ASSETS	40,917,698	(1,944,842)	42,862,540
TOTAL ASSETS	56,351,801	(3,855,888)	60,207,689
CURRENT LIABILITIES			
Creditors	2,821,395	(1,954,378)	4,775,773
Provisions	653,563	7,512	646,051
Loans Current	1,174,768	(1,279,114)	2,453,882
Accruals	1,257,452	(947,216)	2,204,668
Other Current Liabilities	182,630	182,630	0
TOTAL CURRENT LIABILITIES	6,089,808	(3,990,565)	10,080,373
NON CURRENT LIABILITIES			
Loans Non Current	17,047,270	0	17,047,270
Provisions	185,827	42,080	143,747
Other Non Current Liabilities	5,194,439	0	5,194,439
TOTAL NON CURRENT LIABILITIES	22,427,536	42,080	22,385,456
TOTAL LIABILITIES	28,517,344	(3,948,485)	32,465,829
NET ASSETS	27,834,457	92,598	27,741,859
EQUITY			
Retained Surplus	19,856,683	(4,414,905)	24,271,588
Reserves	5,547,097	4,409,098	1,137,999
Council Contribution	2,430,677	98,405	2,332,272
TOTAL EQUITY	27,834,457	92,598	27,741,859

MINDARIE REGIONAL COUNCIL
STATEMENT OF INVESTING ACTIVITIES
 For the month ended 31 January 2011

Description	Adopted Budget	Revised Budget	YTD Actual	% to Revised Budget
PLANT, VEHICLES AND MACHINERIES				
Plant and Vehicles				
Landfill Compactor	1,030,000	1,023,000	1,023,080	100.01%
Ride-on Mower	15,500	15,500	13,723	88.53%
	1,045,500	1,038,500	1,036,803	
Machinery and Equipment				
Hook Lift Bin	14,000	23,000	14,790	64.30%
8x Bunded Pallets	5,800	5,800	4,876	84.07%
6x Grey Nally Bins	2,500	2,500	1,596	63.84%
Stacking Turntables	4,200	3,200	3,168	99.01%
Anionic Resin Exchanger	2,000	2,000	2,014	100.68%
Refridgerant Recovery Unit	2,500	1,500	950	63.33%
New Tarpomatic System	240,000	231,000	230,470	99.77%
Storage Container	0	6,000	5,914	98.57%
	271,000	275,000	263,778	95.92%
TOTAL PLANT, VEHICLES AND MACHINERIES	1,316,500	1,313,500	1,300,580	99.02%
FURNITURE AND EQUIPMENT				
Furniture and Fittings				
Replacement of Furnitures	10,000	10,000	2,826	28.26%
	10,000	10,000	2,826	28.26%
TOTAL FURNITURE AND EQUIPMENT	10,000	10,000	2,826	
COMPUTING EQUIPMENT				
Computing Equipment				
Replacement of Laptop - CEO	4,000	4,000	2,592	64.79%
Replacement of Laptop - Financial Accountant	3,200	3,200	2,782	86.93%
Replacement of Desktop - Receptionist	1,500	1,500	0	
Replacement of Desktop - Plant Supervisor	1,500	1,500	0	
Replacement of Desktop - Project Manager	1,500	1,500	0	
Replacement of Desktop - TRIM Computer	1,500	1,500	0	
Replacement of Desktop - Recycling POS	1,500	1,500	0	
New Laptop - Marketing and Education Mgr/Governance	2,500	2,500	1,770	70.81%
Replacement of MRCTPS003 Server	25,000	25,000	0	
Upgrade Core Switches for the Existing Servers	20,000	20,000	0	
Various Replacement of Computing Equipments	15,000	15,000	4,428	29.52%
	77,200	77,200	11,572	14.99%
TOTAL FURNITURE AND EQUIPMENT	77,200	77,200	11,572	14.99%
LAND AND BUILDINGS				
Building				
Recycling Centre Lunch Room Extension	17,500	17,500	17,350	99.14%
Administration Accommodation Improvements	92,000	92,000	0	
Workshop Extension	350,000	350,000	42,651	12.19%
Ground Shed Maintenance	10,000	10,000	9,925	99.25%
Height Restrictor	0	6,000	5,610	93.50%
Install Lining to Bio Diesel Shed	0	6,000	0	
	469,500	481,500	75,536	15.69%
Land				
New Land Purchase	12,000,000	12,000,000	0	
	12,000,000	12,000,000	0	0.00%
TOTAL LAND AND BUILDINGS	12,469,500	12,481,500	75,536	0.61%

MINDARIE REGIONAL COUNCIL
STATEMENT OF INVESTING ACTIVITIES
 For the month ended 31 January 2011

Description	Adopted Budget	Revised Budget	YTD Actual	% to Revised Budget
INFRASTRUCTURE				
Operations				
Boom Gates	19,500	12,500	11,961	95.69%
	19,500	12,500	11,961	95.69%
Landfill Phase 3 Development (Work In Progress)				
Pumps and Compressor Station	85,000	85,000	8,952	
Design, Superintendence	50,000	33,000	17,683	
Clay Lining	2,000,000	2,000,000	0	
Project Management	15,000	7,000	1,490	
	2,150,000	2,125,000	28,125	1.32%
Landfill Stage 2 Capping (Work In Progress)				
Design, Superintendence	150,000	150,000	72,222	
Cap Construction	3,000,000	1,402,000	1,740	
Revegetation	200,000	20,000	0	
Project Management	20,000	20,000	9,248	
	3,370,000	1,592,000	83,210	5.23%
Resource Recovery Facility				
Site Infrastructure	135,000	135,000	39,815	
Vehicle Washbay (Work In Progress)	0	50,000	0	
	135,000	185,000	39,815	21.52%
TOTAL INFRASTRUCTURE	5,674,500	3,914,500	163,110	4.17%

INFORMATION ON BORROWINGS

(a) Loan Schedule and Interest Expense

Actual	Value of Loan Approved	Matures	Interest Rates	Principal 01/07/2010	Principal Drawn Down to 31/01/2011	Principal Repayments	Principal Outstanding	Interest Repayments	Note
						Actual to 31/01/2011	Actual to 31/01/2011	Actual to 31/01/2011	
Community Amenities									
Tamala Park Landfill									
Loan 8 - Building Upgrade	650,000	May-14	6.45%	310,558	0	34,590	275,968	11,139	2
Loan 12 - Construction Stage 2 Phase 2	15,000,000	Dec-15	5.98%	9,583,290	0	833,340	8,749,950	320,023	3
Loan 13 - Redraw for Phase 3 Landfill	6,600,000			0	0	0	0	0	4
Loan 14 - Purchase of Land for the New Landfill	12,000,000			0	0	0	0	0	4
Regional Resource Recovery Facility									
Loan 11 - RRF Land Purchase	3,500,000	May-25	5.97%	1,753,455	0	98,405	1,655,050	59,583	2
Loan 10a - RRF Infrastructure	2,000,000	Mar-25	6.16%	1,698,293	0	53,520	1,644,773	60,736	2
Loan 10b - RRF Infrastructure (Interest Only)	2,600,000	Apr-25	Variable	2,600,000	0	0	2,600,000	78,030	1
Loan 10c - RRF Infrastructure	4,000,000	Apr-25	7.97%	3,555,556	0	259,259	3,296,297	160,587	
TOTAL	46,350,000			19,501,152	0	1,279,114	18,222,038	690,096	
						Facility Fee		26,389	
						Total Borrowing Costs		716,485	

Note 1: Loan 10b - \$2,600,000 has a variable rate of 5.20% for the month of January 2011

Note 2: Total Loan Interest accrued for January 2011 = \$27,199.25

Note 3: Principal payments are made quarterly.

Note 4: These two loans are approved by Council but borrowing from the bank will only be arranged as the need arises.

ATTACHMENT TWO
TO ITEM 8.1.1
ORDINARY COUNCIL MEETING
28 APRIL 2011
FINANCIAL STATEMENT FOR THE PERIOD ENDED
28 FEBRUARY 2011



MANAGEMENT FINANCIAL STATEMENTS

**FOR THE MONTH ENDED
28 FEBRUARY 2011**

Mindarie Regional Council
INCOME STATEMENT BY NATURE AND TYPE
For the month ended 28 February 2011

Description	Adopted Budget	Revised Budget	YTD Budget	YTD Actual	\$ Variance	% Variance	Note
Revenue form Ordinary Activities							
User Charges							
User Charges - City of Perth	1,519,600	1,519,600	1,014,636	992,853			
User Charges - City of Wanneroo	9,238,400	9,238,400	6,158,936	5,838,249			
User Charges - City of Joondalup	6,667,500	6,667,500	4,445,000	4,526,718			
User Charges - City of Stirling	12,059,300	12,059,300	8,039,536	5,542,488			
User Charges - Town of Cambridge	1,186,500	1,186,500	791,000	699,636			
User Charges - Town of Vincent	1,510,900	1,510,900	1,007,264	913,687			
User Charges - Town of Victoria Park	1,609,000	1,609,000	1,072,664	861,181			
User Charges - RRF Residues	3,150,000	3,150,000	2,100,000	3,089,716			
Total Member User Charges	36,941,200	36,941,200	24,629,036	22,464,528	(2,164,508)	-8.79%	1
User Charges - City of South Perth	0	0	0	2,084	2,084		
User Charges - Casual Tipping Fees	5,018,000	5,231,000	3,345,336	4,946,579	1,601,243	47.86%	2
Total User Charges	41,959,200	42,172,200	27,974,372	27,413,190	(561,182)	-2.01%	
Service Charges							
Sale of Recyclable Materials	340,000	340,000	226,664	252,227	25,563	11.28%	
Sale of Limestone	0	0	0	0			
Gas Power Generation Sales	550,000	550,000	263,000	262,784	(216)	-0.08%	
Grants & Subsidies	400,000	400,000	0	0	0		3
Contributions, Reimbursements & Donations	202,000	202,000	144,373	167,981	23,608	16.35%	
Interest Earnings	700,000	700,000	466,112	467,075	963	0.21%	
Other Revenue	10,200	10,200	10,200	227,687	217,487	2132.22%	
	44,161,400	44,374,400	29,084,721	28,790,943	(293,778)	-1.01%	
Expenses from Ordinary Activities							
Employee Costs	4,825,900	4,923,000	3,306,843	3,139,417	167,426	5.06%	
Materials and Contracts							
Consultants and Contract Labour	477,900	644,300	370,377	371,859	(1,482)	-0.40%	
Communications and Public Consultation	442,000	377,000	243,384	132,992	110,392	45.36%	4
Landfill Expenses	1,492,800	1,262,800	813,104	648,336	164,768	20.26%	5
Office Expenses	281,200	236,200	181,158	141,645	39,513	21.81%	6
Information Systems	515,700	472,700	277,876	226,789	51,087	18.38%	7
Building Maintenance	115,100	115,100	70,010	39,924	30,087	42.97%	8
Plant and Equipment Operating and Hire	958,100	951,100	609,215	479,824	129,391	21.24%	
RRF Operations Total Costs (Excl. Amortisation)	18,987,600	19,420,200	12,779,876	13,154,927	(375,051)	-2.93%	9
Waste Minimisation	280,000	280,000	13,336	1,910	11,426	85.68%	3
Utilities	109,500	130,500	116,111	116,081	30	0.03%	
Depreciation	1,133,700	1,185,700	766,132	760,385	5,747	0.75%	
Borrowing Cost Expenses	681,000	653,000	457,604	457,520	84	0.02%	
Insurance	160,700	167,700	167,700	166,729	971	0.58%	
DEP Landfill Levy	7,517,300	6,979,700	4,832,336	4,763,394	68,942	1.43%	
Land Lease/Rental	615,000	615,000	407,000	389,839	17,161	4.22%	
Other Expenditure							
Member Costs	169,900	139,900	76,686	72,060	4,626	6.03%	
Administration	155,700	300,700	224,630	206,600	18,030	8.03%	
Amortisation/Site Monitoring Provision (LandFill)	4,206,050	3,927,250	2,711,104	2,711,100	4	0.00%	
Amortisation (RRF)	652,259	652,259	434,840	434,840	0	0.00%	
	43,777,409	43,434,109	28,859,322	28,416,172	443,150	1.54%	
Profit on Sale of Assets	0	0	0	0	0		
Loss on Sale of Assets	8,700	55,700	55,700	55,541	159	0.29%	
	(8,700)	(55,700)	(55,700)	(55,541)	(159)	0.29%	
Changes in Net Assets Resulting from Operations	375,291	884,591	169,699	319,230	149,531	88.12%	
Transfer from Reserve (2009/2010 C/F Expenditures)	1,000,000	670,000	648,000	647,195	(805)	-0.12%	a
Transfer to Reserve (Interest Income from Investments)	0	0	0	(82,758)	(82,758)		
Changes in Net Assets including Reserve Transfer	1,375,291	1,554,591	817,699	883,668	65,969	8.07%	

Note (a)

Funds carried forward to cover RRF expenditures	950,000	Also refer Page 2
Funds c/f to cover Tamala Park/Admin expenditures	50,000	
	1,000,000	

This was approved on the Special Council Meeting 24 June 2010

Mindarie Regional Council
RRF - INCOME STATEMENT BY NATURE AND TYPE
For the month ended 28 February 2011

Description	Adopted Budget	Revised Budget	YTD Budget	YTD Actual	\$ Variance	% Variance	Note
Revenue form Ordinary Activities							
Other Revenue	0	0	0	24,687			
	0	0	0	24,687	0		
Expenses from Ordinary Activities							
Employee Costs	41,500	57,300	31,448	35,347	(3,899)	-12.40%	
Materials and Contracts							
Consultants and Contract Labour	265,000	285,000	199,994	196,446	3,548	1.77%	
Office Expenses	5,200	5,200	3,464	5,785	(2,321)	-67.01%	
Information Systems	12,000	16,000	13,332	14,421	(1,089)	-8.17%	
Building Maintenance	30,900	11,300	14,734	9,037	5,697	38.67%	
RRF Operations Total Costs (Excl. Amortisation)							
Fencing and Gate Maintenance	5,200	6,200	4,464	7,674	(3,210)	-71.90%	
Road Maintenance	5,200	0	2,398	0	2,398	100.00%	
Bores and Pipework	5,200	17,200	6,130	5,207	923	15.06%	
Environmental Monitoring	50,000	50,000	27,000	26,360	640	2.37%	
Community Monitoring Program	20,600	0	0	0	0		
Landscaping and Gardens	20,600	14,600	11,736	6,152	5,584	47.58%	
MRC Admin Charge	100,000	100,000	66,664	66,664	0	0.00%	
Compost Disposal	525,000	367,000	297,334	241,116	56,218	18.91%	
Contractor's Fee	17,293,000	17,946,000	11,717,330	12,204,464	(487,134)	-4.16%	9
Utilities	24,200	17,200	15,772	14,965	807	5.11%	
Borrowing Cost	584,000	527,200	368,076	345,976	22,100	6.00%	
Amortisation (RRF)	652,259	652,259	434,840	434,840	0	0.00%	
	19,639,859	20,072,459	13,214,716	13,614,454	(399,738)	-3.02%	
Changes in Net Assets Resulting from Operations	19,639,859	20,072,459	13,214,716	13,589,767	375,051	-2.84%	a
Transfer from Reserve (2009/2010 C/F Expenditures)	950,000	620,000	598,000	597,195	805	-0.13%	b
Changes in Net Assets including Reserve Transfer	18,689,859	19,452,459	12,616,716	12,992,572	375,856	-2.98%	

Footnotes:

	Adopted Budget	Revised Budget	YTD Actual
(b) Breakdown of RRF Costs from page 1			
RRF Operations Total Costs (Excl. Amortisation)	18,987,600	19,420,200	13,154,927
Amortisation (RRF)	652,259	652,259	434,840
	19,639,859	20,072,459	13,589,767
(b) Reserves			
Fund carried forward relating to Contractor's Fee	900,000		570,835
Fund carried forward relating to Environmental Monitoring	50,000		26,360
	950,000		597,195

This was approved on the Special Council Meeting 24 June 2010

NOTES FOR VARIATIONS - INCOME STATEMENT BY NATURE AND TYPE

Note #	Description of Item	Nature of Variance where actual is 10% and \$10,000 from YTD Budget
1	Member User Charges	The tonnages for Members were noted at the Mid-year Review to drop by 35,960 tonnes. This is mainly due to lower tonnages received from City of Stirling.
2	Casual User Charges	The tonnages for Casuals/Commercial were noted at the Mid-year Review to be approximately 11,600 tonnes higher for this Financial Year.
3	Grants and Subsidies	As the grants for the Waste Minimisation Program has not been received, the program is on 'hold'.
4	Communication and Public Consultation	The majority of the expenditure is being spent in the months of April to June 2011.
5	Landfill Expenses	There is a further reduction in the budget of \$106k and the majority of the expenditure is being spent in the months of March to June 2011.
6	Office Expenses	The majority of the expenditure is being spent in the months of March to June 2011.
7	Information System	Expenditure to be incurred in March to June 2011 is relation to existing and new projects.
8	Building Maintenance	The majority of the expenditure is being spent in the months of March to June 2011..
9	RRF Operations Total Costs (Excl. Amortisation)	The increase is due to the change in Waste Diversion Rate, a Force Majeure Claim relating to power shortages and additional tonnages as a result of availability greater than 100% (we pay only the variable cost on these tonnages). This cost is being offset by the funds from the Reserve (Carried Forward Expenditure).

Mindarie Regional Council

INCOME STATEMENT BY DEPARTMENT

For the month ended 28 February 2011

Description	Adopted Budget	Revised Budget	YTD Budget	YTD Actual	\$ Variance	% Variance
Revenues from Ordinary Activities						
Operating Revenues						
Community Ammenties	44,161,400	44,374,400	29,084,721	28,715,186	(369,535)	-1.27%
Resource Recovery Facility	0	0	0	17,687	17,687	
Reserve	0	0	0	82,758	82,758	
Total Operating Revenues	44,161,400	44,374,400	29,084,721	28,815,630	-269,091	-0.93%
Profit on Disposal of Assets						
Community Ammenties	0	0	0	0	0	
Total Profit (Loss) on Disposal of Assets	0	0	0	0	0	
Expenses from Ordinary Activities						
Operating Expenses						
Governance	169,900	139,900	76,686	72,060	4,626	6.03%
Community Ammenties	21,481,150	20,751,250	13,913,169	13,235,234	677,935	4.87%
Other Property and Sevices	1,755,500	1,767,500	1,147,147	1,009,753	137,394	11.98%
Resource Recovery Facility	18,105,859	18,595,259	12,248,640	12,673,121	(424,481)	-3.47%
Reserve	1,000,000	1,000,000	648,000	647,195	805	0.12%
Total Operating Expenses	42,512,409	42,253,909	28,033,642	27,637,363	396,279	1.41%
Loss on Disposal of Assets						
Community Ammenties	8,700	55,700	55,700	55,541	159	0.29%
Total Profit (Loss) on Disposal of Assets	8,700	55,700	55,700	55,541	159	0.29%
Borrowing Costs Expense						
Community Ammenties	681,000	653,000	457,604	457,520	84	0.02%
Resource Recovery Facility	584,000	527,200	368,076	345,976	22,100	6.00%
Total Borrowing Costs Expense	1,265,000	1,180,200	825,680	803,496	22,184	2.69%
Changes in Net Assets Resulting from Operations	375,291	884,591	169,699	319,230	149,531	88.12%
Transfer from Reserve	1,000,000	670,000	648,000	647,195	805	0.12%
Transfer to Reserve (Interest Income from Investments)	0		0	82,758	82,758	
Changes in Net Assets including Reserve Transfer	1,375,291	1,554,591	817,699	883,668	65,969	8.07%

Mindarie Regional Council
STATEMENT OF RESERVES
 For the month ended 28 February 2011

Description	YTD Actual	Note
Opening Balance - 1 July 2010		
Site Rehabilitation	137,999	
Carried Forward Expenditures	1,000,000	
	1,137,999	
Interest on Investments		
Site Rehabilitation	1,789	
Carried Forward Expenditures	4,575	
RRF Operational Requirements	76,393	
	82,758	
Transfer from Retained Surplus		
RRF Operational Requirements	5,000,000	1
	5,000,000	
Transfer to Operating Surplus		
Site Rehabilitation	0	
Carried Forward Expenditures	647,195	
	647,195	
Closing Balance		
Site Rehabilitation	139,789	
Carried Forward Expenditures	357,380	
RRF Operational Requirements	5,076,393	2
	5,573,562	

Note1 : Approved at Special Council Meeting on 24th June 2010 in conjunction with the Budget Approval for 2010/2011.

Note2 : This Reserve will be used for any unexpected urgent expenses that may occur under the provisions of RRF agreement.

Mindarie Regional Council
Balance Sheet
 For the month ended 28 February 2011

Description	ACTUAL 2010/2011	Movement	ACTUAL 2009/2010
CURRENT ASSETS			
Cash	2,167,873	1,817,698	350,175
Investments	10,720,632	(2,371,677)	13,092,309
Debtors	3,392,422	477,097	2,915,325
Stock	62,213	44,528	17,685
Prepayments	90,664	(154,973)	245,637
Other Current Assets	590,683	(133,334)	724,017
TOTAL CURRENT ASSETS	17,024,486	(320,662)	17,345,148
NON-CURRENT ASSETS			
Land	2,658,127	0	2,658,127
Buildings & Improvements	1,703,000	74,919	1,628,081
Furniture & Equipment	80,764	(207,807)	288,571
Computing Equipment	156,070	156,070	0
Plant & Equipment	3,943,544	767,132	3,176,413
Infrastructure - Other	457,710	(31,179)	488,889
Infrastructure - Landfill Phase 1 & 2	6,177,883	(2,502,380)	8,680,263
Infrastructure - RRF	7,972,826	(246,849)	8,219,674
Decommissioning Asset	3,825,366	0	3,825,366
Amortisation Provision for Decommissioning	(2,245,318)	0	(2,245,318)
Work In Progress - Landfill Phase 3	13,946,248	28,170	13,918,078
Work In Progress - Landfill Phase 2 Capping	83,790	83,790	0
Work In Progress - Other	-	(236,000)	236,000
Other Non Current Assets	1,840,220	(148,176)	1,988,396
TOTAL NON-CURRENT ASSETS	40,600,229	(2,262,311)	42,862,540
TOTAL ASSETS	57,624,715	(2,582,973)	60,207,689
CURRENT LIABILITIES			
Creditors	3,256,808	(1,518,964)	4,775,773
Provisions	660,991	14,940	646,051
Loans Current	1,069,908	(1,383,974)	2,453,882
Accruals	1,836,056	(368,612)	2,204,668
Other Current Liabilities	208,720	208,720	0
TOTAL CURRENT LIABILITIES	7,032,483	(3,047,890)	10,080,373
NON CURRENT LIABILITIES			
Loans Non Current	17,047,270	0	17,047,270
Provisions	191,028	47,281	143,747
Other Non Current Liabilities	5,194,439	0	5,194,439
TOTAL NON CURRENT LIABILITIES	22,432,737	47,281	22,385,456
TOTAL LIABILITIES	29,465,220	(3,000,609)	32,465,829
NET ASSETS	28,159,495	417,636	27,741,859
EQUITY			
Retained Surplus	20,155,256	(4,116,332)	24,271,588
Reserves	5,573,562	4,435,563	1,137,999
Council Contribution	2,430,677	98,405	2,332,272
TOTAL EQUITY	28,159,495	417,636	27,741,859

MINDARIE REGIONAL COUNCIL
STATEMENT OF INVESTING ACTIVITIES
 For the month ended 28 February 2011

Description	Adopted Budget	Revised Budget	YTD Actual	% to Revised Budget
PLANT, VEHICLES AND MACHINERIES				
Plant and Vehicles				
Landfill Compactor	1,030,000	1,023,000	1,023,080	100.01%
Ride-on Mower	15,500	15,500	13,723	88.53%
	1,045,500	1,038,500	1,036,803	
Machinery and Equipment				
Hook Lift Bin	14,000	23,000	14,790	64.30%
8x Bunded Pallets	5,800	5,800	4,876	84.07%
6x Grey Nally Bins	2,500	2,500	1,596	63.84%
Stacking Turntables	4,200	3,200	3,168	99.01%
Anionic Resin Exchanger	2,000	2,000	2,014	100.68%
Refridgerant Recovery Unit	2,500	1,500	950	63.33%
New Tarpomatic System	240,000	231,000	230,470	99.77%
Storage Container	0	6,000	5,914	98.57%
	271,000	275,000	263,778	95.92%
TOTAL PLANT, VEHICLES AND MACHINERIES	1,316,500	1,313,500	1,300,580	99.02%
FURNITURE AND EQUIPMENT				
Furniture and Fittings				
Replacement of Furnitures	10,000	10,000	2,826	28.26%
	10,000	10,000	2,826	28.26%
TOTAL FURNITURE AND EQUIPMENT	10,000	10,000	2,826	
COMPUTING EQUIPMENT				
Computing Equipment				
Replacement of Laptop - CEO	4,000	4,000	2,592	64.79%
Replacement of Laptop - Financial Accountant	3,200	3,200	2,782	86.93%
Replacement of Desktop - Receptionist	1,500	1,500	1,158	
Replacement of Desktop - Plant Supervisor	1,500	1,500	1,158	
Replacement of Desktop - Project Manager	1,500	1,500	1,158	
Replacement of Desktop - TRIM Computer	1,500	1,500	0	
Replacement of Desktop - Recycling POS	1,500	1,500	0	
New Laptop - Marketing and Education Mgr/Governance	2,500	2,500	1,770	70.81%
Replacement of MRCTPS003 Server	25,000	25,000	0	
Upgrade Core Switches for the Existing Servers	20,000	20,000	0	
Various Replacement of Computing Equipments	15,000	15,000	4,428	29.52%
	77,200	77,200	15,047	19.49%
TOTAL FURNITURE AND EQUIPMENT	77,200	77,200	15,047	19.49%
LAND AND BUILDINGS				
Building				
Recycling Centre Lunch Room Extension	17,500	17,500	17,350	99.14%
Administration Accommodation Improvements	92,000	92,000	0	
Workshop Extension	350,000	350,000	150,761	43.07%
Ground Maintenance Shed	10,000	10,000	9,925	99.25%
Height Restrictor	0	6,000	5,610	93.50%
Install Lining to Bio Diesel Shed	0	6,000	0	
	469,500	481,500	183,646	38.14%
Land				
New Land Purchase	12,000,000	12,000,000	0	
	12,000,000	12,000,000	0	0.00%
TOTAL LAND AND BUILDINGS	12,469,500	12,481,500	183,646	1.47%

MINDARIE REGIONAL COUNCIL
STATEMENT OF INVESTING ACTIVITIES
 For the month ended 28 February 2011

Description	Adopted Budget	Revised Budget	YTD Actual	% to Revised Budget
INFRASTRUCTURE				
Operations				
Boom Gates	19,500	12,500	13,576	108.61%
	19,500	12,500	13,576	108.61%
Landfill Phase 3 Development (Work In Progress)				
Pumps and Compressor Station	85,000	85,000	8,952	
Design, Superintendence	50,000	33,000	17,683	
Clay Lining	2,000,000	2,000,000	0	
Project Management	15,000	7,000	1,535	
	2,150,000	2,125,000	28,170	1.33%
Landfill Stage 2 Capping (Work In Progress)				
Design, Superintendence	150,000	150,000	72,222	
Cap Construction	3,000,000	1,402,000	1,740	
Revegetation	200,000	20,000	0	
Project Management	20,000	20,000	9,828	
	3,370,000	1,592,000	83,790	5.26%
Resource Recovery Facility				
Site Infrastructure	135,000	135,000	39,815	
Vehicle Washbay (Work In Progress)	0	50,000	0	
	135,000	185,000	39,815	21.52%
TOTAL INFRASTRUCTURE	5,674,500	3,914,500	165,351	4.22%

INFORMATION ON BORROWINGS

(a) Loan Schedule and Interest Expense

Actual	Value of Loan Approved	Matures	Interest Rates	Principal 01/07/2010	Principal Drawn Down to 28/02/2011	Principal Repayments	Principal Outstanding	Interest Repayments	Note
						Actual to 28/02/2011	Actual to 28/02/2011	Actual to 28/02/2011	
Community Amenities									
Tamala Park Landfill									
Loan 8 - Building Upgrade	650,000	May-14	6.45%	310,558	0	52,380	258,178	12,501	2
Loan 12 - Construction Stage 2 Phase 2	15,000,000	Dec-15	5.98%	9,583,290	0	833,340	8,749,950	359,579	3
Loan 13 - Redraw for Phase 3 Landfill	6,600,000			0	0	0	0	0	4
Loan 14 - Purchase of Land for the New Landfill	12,000,000			0	0	0	0	0	4
Regional Resource Recovery Facility									
Loan 11 - RRF Land Purchase	3,500,000	May-25	5.97%	1,753,455	0	148,439	1,605,016	67,524	2
Loan 10a - RRF Infrastructure	2,000,000	Mar-25	6.16%	1,698,293	0	53,520	1,644,773	68,508	2
Loan 10b - RRF Infrastructure (Interest Only)	2,600,000	Apr-25	Variable	2,600,000	0	0	2,600,000	88,378	1
Loan 10c - RRF Infrastructure	4,000,000	Apr-25	7.97%	3,555,556	0	296,296	3,259,260	180,618	
TOTAL	46,350,000			19,501,152	0	1,383,974	18,117,178	777,107	
						Facility Fee		26,389	
						Total Borrowing Costs		803,496	

Note 1: Loan 10b - \$2,600,000 has a variable rate of 5.1883% for the month of February 2011

Note 2: Total Loan Interest accrued for January 2011 = \$14,981.30

Note 3: Principal payments are made quarterly.

Note 4: These two loans are approved by Council but borrowing from the bank will only be arranged as the need arises.

**ITEM 8.1.2 LIST OF PAYMENTS MADE FOR THE MONTHS ENDED
 31 JANUARY 2011 AND 28 FEBRUARY 2011**

File No: FIN/5-02 (D/11/2136)

Attachment(s): 1. List of payments made for the month ended 31 January 2011
 2. List of payments made for the month ended 28 February 2011

Author: Kalwant Dhillon

SUMMARY

The purpose of this report is to provide details of payments made during the periods identified. It is also a requirement as part of the delegation given to the Chief Executive Officer, to make payments from the Municipal Fund, that a list of payments made since the last Ordinary Council meeting be presented to Council.

COMMENT

The lists of payments for the months ended 31 January 2011 and 28 February 2011 are at Attachment One and Two to this Item and are presented for endorsement. Payments have been made in accordance with delegations that allow payments between meetings and are subsequently required to be presented to the next Council meeting following such payments. Further, at the Ordinary Council Meeting held on 15 October 2009, the Council delegated to the Chief Executive Officer the exercise of its power to make payments from the Municipal Fund. This delegation has been renewed upon annual reviews. In order to satisfy the requirements of Clause 13(2) of the Local Government (Financial Management) Regulations, a list of payments made must be submitted to the next Council meeting following such payments.

It should be noted that generally all payments are GST inclusive and Mindarie Regional Council is able to claim this tax as an input credit when remittance of GST collected is made each month.

Months Ended	Account	Vouchers	Amount
31 January 2011	General Municipal	7280 – 7511 DP 511 – DP 520 EFT 291 – EFT 297	\$5,024,276.87
28 February 2011	General Municipal	7512 – 7553 DP 521 – DP 532 EFT 298 – EFT 303	\$2,304,314.31

MRC OFFICER RECOMMENDATION

That Council endorse the list of payments made, as per the delegation made to the Chief Executive Officer, for the months ended 31 January 2011 and 28 February 2011.

ATTACHMENT ONE
TO ITEM 8.1.2
ORDINARY COUNCIL MEETING
28 APRIL 2011
LIST OF PAYMENTS MADE FOR THE MONTH ENDED
31 JANUARY 2011

**Schedule of Payment for January 2011
Council Meeting - 28 April 2011**

Cheque Posting Date	Document No.	Vendor Name	Description	Cheque Amount
5/01/2011	7280	Cancelled	Cancelled	\$0.00
5/01/2011	7281	Information Outlook Pty Ltd	Upgrade of Navision System	\$25,253.67
5/01/2011	7282	Air Well Pumps Pty Ltd	Monthly maintenance of Airwell pump equipment	\$756.87
5/01/2011	7283	AUSTRALIA POST - PERTH	Postage & Freight	\$572.32
5/01/2011	7284	Australian Radiation Services Pty Ltd	Radiation Monitoring System Annual Calibration	\$4,022.23
5/01/2011	7285	BOULEVARD FLORIST	Flowers sent for staff	\$88.00
5/01/2011	7286	Bunnings Building Supplies	Expendable tools	\$99.76
5/01/2011	7287	City of Wanneroo	Collection of waste bins	\$418.00
5/01/2011	7288	Connolly Delivery Round	Newspaper Delivery	\$188.15
5/01/2011	7289	Coventrys	Shrink wrap for recycle centre and workshop consumable supplies	\$2,022.90
5/01/2011	7290	Crossland & Hardy Pty Ltd	Survey work done for stage 2 phase of landfill	\$4,009.50
5/01/2011	7291	Devco Holdings Pty Ltd	Capital Expenditure - Recycle centre extention	\$48,067.68
5/01/2011	7292	Domain Catering	Council Meeting Expenses & Earth Carers meeting	\$732.50
5/01/2011	7293	EMRC	Mattress collection at Recycling Centre	\$528.00
5/01/2011	7294	Fuji Xerox Australia Pty Ltd	Photocopying Expenses	\$365.75
5/01/2011	7295	GHD PTY LTD	Reimburse consultant fee - Recycle centre extention	\$528.00
5/01/2011	7296	Jasneat	Cleaning services	\$428.34
5/01/2011	7297	John King Consultants	Preparation of MRC Tender Manual	\$2,200.00
5/01/2011	7298	Joondalup Office National	Stationery and Printing	\$234.00
5/01/2011	7299	KINROSS SUPA IGA	Staff Amenities	\$151.17
5/01/2011	7300	Kitec Electrical Services	Building Maintenance	\$137.50
5/01/2011	7301	Kresta Blinds Ltd	Supply and install Blinds at weighbridge	\$2,484.00
5/01/2011	7302	LANDFILL GAS & POWER PTY LTD	Electricity usage	\$4,434.34
5/01/2011	7303	Landgate	Valuation of landfill gas management licence & ground lease	\$3,800.06
5/01/2011	7304	Menaglio Security & Communication	Installation of replacement camera at weighbridge	\$2,262.70
5/01/2011	7305	MERCURY	Courier Expenses	\$937.31
5/01/2011	7306	NATIONAL TYRES	Repair punctured tyres for Articulated dump truck (PLANT17)	\$495.00
5/01/2011	7307	Northern Districts Pest Management	Building Maintenance - Pest Control	\$264.00
5/01/2011	7308	Reclaim Industries	Collection of tyres from recycle centre	\$643.68
5/01/2011	7309	SBS Sims Group	E-Waste collection at Recycling Centre	\$21,835.00
5/01/2011	7310	Staff Link	Contract Labour - Recycling centre	\$971.10
5/01/2011	7311	TELSTRA	Telephone Expenses	\$683.16
5/01/2011	7312	The Factory	Design, signage and educational displays for RRF visitors centre	\$22,000.00
5/01/2011	7313	Vibra Industrial Filtration	Air & Oil filters for various plant onsite	\$640.75
5/01/2011	7314	WA Local Government Association	MRC Contribution to Wanneroo HHW collection day	\$23,839.75
5/01/2011	7315	WesTrac Pty Ltd	Repair of Caterpillar Loader (PLANT56) - Insurance claims made	\$47,112.11
5/01/2011	7316	Woodhouse Legal	Legal Expenses	\$11,913.00
5/01/2011	7317	Blackwoods & Atkins	Staff Uniforms/Protective Clothing	\$65.73
5/01/2011	7318	BOC Limited	Cylinder hire costs for workshop - Tamala Park	\$205.71
5/01/2011	7319	Cardno Eppell Olsen Pty Ltd	Consultancy - Tamala Park Access project	\$4,143.43
5/01/2011	7320	CATALYSE	Fees for facilitating staff workshop & providing an action plan	\$2,200.00
7/01/2011	7321	ALINTA GAS	Electricity usage	\$73.40
7/01/2011	7322	Cabcharge Australia Ltd	Staff Training, conferences and workshop	\$510.27

7/01/2011	7323	Coventrys	Replacement toolkit and other supplies for workshop	\$2,960.67
7/01/2011	7324	Department of Environment & Conservation	Staff Training	\$600.00
7/01/2011	7325	Freehills	Legal Fees - RRF composter cracks	\$20,900.00
7/01/2011	7326	HOPKINS J & K	Purchase of office furniture	\$538.00
7/01/2011	7327	J-CAN TRANSPORT SERVICE	Pick up of 966H Loader from Westrac and deliver to MRC	\$549.75
7/01/2011	7328	JUST SPECTACLES CLARKSON	Wellness Program	\$559.00
7/01/2011	7329	NATIONAL TYRES	Tyre replacement for Caterpillar 966H Loader (PLANT56)	\$1,754.50
7/01/2011	7330	Peter Goldsworthy Window Tint	Tinting windows for Tana Compactor (PLANT78)	\$1,350.00
7/01/2011	7331	Professional Public Relations	Development of draft social media policy	\$1,100.00
7/01/2011	7332	Reliance Petroleum	Distillate	\$41,869.68
7/01/2011	7333	REPCO AUTO PARTS-Clarkson	Expendable Tools for workshop	\$154.24
7/01/2011	7334	Robert Half Perth	Contract Labour - Relief Finance staff	\$6,585.13
7/01/2011	7335	Staff Link	Contract Labour - Recycling centre	\$993.10
7/01/2011	7336	SYNNOTT MULHOLLAND MANAGEMENT	Contract Labour- Marketing & waste education	\$13,816.00
7/01/2011	7337	TELSTRA	Telephone Expenses	\$490.37
7/01/2011	7338	Ventouras Advertising & Design	Artwork and printing of HHW banner for Wanneroo collection day and Education tour brochures for Tamala Park	\$5,084.20
7/01/2011	7339	KINROSS SUPA IGA	Staff Amenities	\$272.97
10/01/2011	7340	Australian Radiation Services Pty Ltd	Deposit for Loan of Radiation monitor (Refundable)	\$1,000.00
11/01/2011	7341	Asteron Portfolio Services	Superannuation premium	\$481.51
11/01/2011	7342	Australian Services Union	Union membership fee deducted from staff salary	\$177.30
11/01/2011	7343	Australian Super Administration	Superannuation premium	\$64.89
11/01/2011	7344	CBUS	Superannuation premium	\$479.85
11/01/2011	7345	HESTA SUPER FUND	Superannuation premium	\$2,113.29
11/01/2011	7346	Portfoliofocus - Premium Retirement Services	Superannuation premium	\$3,421.47
11/01/2011	7347	REST Superannuation	Superannuation premium	\$681.29
11/01/2011	7348	UniSuper Limited	Superannuation premium	\$117.08
11/01/2011	7349	WALGS PLAN PTY LTD	Superannuation premium	\$56,361.59
11/01/2011	7350	WESTSCHEME	Superannuation premium	\$1,292.50
10/01/2011	7351	BT Equipment Pty Ltd	Replace coolant hose for Bomag Compactor (PLANT65)	\$787.44
19/01/2011	7352	Cathy Gibson	Wellness Program	\$497.96
19/01/2011	7353	Mindarie Regional Council Staff Lotto Account	Staff lotto - Deducted from staff salary	\$370.00
19/01/2011	7354	Petty Cash	Reimbursement of Petty cash expenses	\$993.05
19/01/2011	7355	Brenda Thompson Photography	Photos for annual report	\$340.00
21/01/2011	7356	City of Perth	Lease Fee Lot 118 Marmion Avenue for Feb 2011	\$4,438.06
21/01/2011	7357	City of Joondalup	Lease Fee Lot 118 Marmion Avenue for Feb 2011	\$8,876.11
21/01/2011	7358	City of Stirling	Lease Fee Lot 118 Marmion Avenue for Feb 2011	\$17,752.23
21/01/2011	7359	City of Wanneroo	Lease Fee Lot 118 Marmion Avenue for Feb 2011	\$8,876.11
21/01/2011	7360	Town of Cambridge	Lease Fee Lot 118 Marmion Avenue for Feb 2011	\$4,438.06
21/01/2011	7361	Town of Victoria Park	Lease Fee Lot 118 Marmion Avenue for Feb 2011	\$4,438.06
21/01/2011	7362	Town of Vincent	Lease Fee Lot 118 Marmion Avenue for Feb 2011	\$4,438.06
19/01/2011	7363	Bunnings Building Supplies	Expendable tools and other supplies for recycle centre	\$114.26
19/01/2011	7364	City of Wanneroo	Collection of waste bins	\$460.80
19/01/2011	7365	Contra Flow Pty Ltd	Traffic Management for main gate trial	\$565.40
19/01/2011	7366	DRAGE SIGNS	Signs & Barricades	\$1,353.00
19/01/2011	7367	Freehills	Legal Fees - RRF composter cracks	\$9,252.68
19/01/2011	7368	GOLDFINCH ROB CONSULTING	Report on truck wash effluent treatment and recycling options for RRF	\$3,146.00
19/01/2011	7369	IW Projects	Contract Labour - RRF Project	\$16,094.33

19/01/2011	7370	LAKE ANNE CONSULTANCY	HR consultancy	\$660.00
19/01/2011	7371	Midalia Steel	Purchase of steel for workshop	\$996.03
19/01/2011	7372	MULTIPROGRAMMING PTY LTD	Extended Warranty for Cisco router	\$434.50
19/01/2011	7373	Olivers Lawn & Landscaping Pty Ltd	RRF landscaping & maintenance	\$605.00
19/01/2011	7374	Power Industrial Supplies	Protective Sunglasses and Dust Masks	\$687.72
19/01/2011	7375	SBS Sims Group	E-Waste collection at Recycling Centre	\$19,779.32
19/01/2011	7376	STEVE'S MOBILE TYRE SERVICE	Puncture repairs for Hino bin truck and dump truck (PLANT61, PLANT14)	\$1,280.00
19/01/2011	7377	WesTrac Pty Ltd	Repair and Maintenance for Multi Terrain loader (PLANT54)	\$736.71
19/01/2011	7378	Woodhouse Legal	Legal Expenses	\$13,376.00
24/01/2011	7379	Cancelled	Cancelled	\$0.00
24/01/2011	7380	Cancelled	Cancelled	\$0.00
24/01/2011	7381	SLR Consulting Australia Pty Ltd	Consultancy - Assessment of Whole Body Vibration testing while driving and other work related to Leachate and ground water management	\$10,245.13
24/01/2011	7382	Jasneat	Cleaning services	\$2,255.66
24/01/2011	7383	Cancelled	Cancelled	\$0.00
24/01/2011	7384	AUSTRALIA POST - PERTH	Postage & Freight	\$922.78
24/01/2011	7385	CALTEX AUSTRALIA PETROLEUM PTY	Plant - Fuel and Oil	\$477.34
24/01/2011	7386	OPTUS COMMUNICATIONS	Telephone Expenses	\$638.11
25/01/2011	7387	LANDFILL GAS & POWER PTY LTD	Electricity usage	\$4,117.59
25/01/2011	7388	TOM'S CRANES (WA)	Hire of crane for Tana Compactor (PLANT78)	\$1,410.48
25/01/2011	7389	Dept of Planning & Infrastructure Fremantle Office	Vehicle search	\$6.00
27/01/2011	7390	Brancrest Pty Ltd	Supply and Delivery of Tarpomatic tarping System	\$253,517.00
28/01/2011	7391	Roofmart WA	Millipede Barriers	\$11,449.32
28/01/2011	7392	Coventrys	Expendable tools and workshop supplies	\$1,025.81
28/01/2011	7393	REPCO AUTO PARTS-Clarkson	Air filters and other consumable supplies	\$87.39
28/01/2011	7394	Australian Services Union	Union charges deducted from staff salary	\$98.50
28/01/2011	7395	CHILD SUPPORT	Child Support Allowance payment - Deduction made from staff salary	\$663.56
28/01/2011	7396	Health Insurance Fund of WA	Superannuation premium	\$400.00
28/01/2011	7397	Mindarie Regional Council Staff Lotto Account	Staff lotto - Deducted from staff salary	\$360.00
28/01/2011	7398	BRYANT MEDIA	Media release on RRF and National recycling week artwork	\$693.00
28/01/2011	7399	Reliance Petroleum	Distillate	\$10,271.36
28/01/2011	7400	SILVER LOCK	Promotional items for Waste Education tours	\$2,347.84
31/01/2011	7401	Asteron Portfolio Services	Superannuation premium	\$319.90
31/01/2011	7402	CBUS	Superannuation premium	\$321.56
31/01/2011	7403	HESTA SUPER FUND	Superannuation premium	\$1,410.12
31/01/2011	7404	Portfoliofocus - Premium Retirement Services	Superannuation premium	\$2,280.98
31/01/2011	7405	REST Superannuation	Superannuation premium	\$437.02
31/01/2011	7406	Spectrum Super	Superannuation premium	\$70.53
31/01/2011	7407	UniSuper Limited	Superannuation premium	\$53.60
31/01/2011	7408	WALGS PLAN PTY LTD	Superannuation premium	\$37,376.34
31/01/2011	7409	WESTSCHEME	Superannuation premium	\$538.97
28/01/2011	7410	Cancelled	Cancelled	\$0.00
28/01/2011	7411	Ace Gambling Supplies	Christmas Party 2010	\$2,310.00
28/01/2011	7412	ACTION LOCK SERVICE	Replacement lock for RRF visitors centre	\$304.50
28/01/2011	7413	Air Liquide WA Pty Ltd	Cylinder hire costs for workshop - Tamala Park	\$184.77
28/01/2011	7414	Australian Landfill Owners Association	Annual Membersip fee	\$3,993.00
28/01/2011	7415	Australian Pump Industries	Repair & maintenance of fuel pump	\$1,469.30
28/01/2011	7416	Cancelled	Cancelled	\$0.00

28/01/2011	7417	Cabcharge Australia Ltd	Staff Training	\$141.24
28/01/2011	7418	Cannon Hygiene Australia Pty Ltd	Cleaning Supplies	\$771.40
28/01/2011	7419	Captam Pty Ltd	Staff Christmas Function 2010	\$5,027.60
28/01/2011	7420	CHEMWATCH	Annual Chemwatch Maintenance Program	\$1,650.00
28/01/2011	7421	CLEAN IT Pty Ltd.	Access Road Maintenance	\$1,391.28
28/01/2011	7422	Command A Com	Maintenance of office telephone system	\$165.00
28/01/2011	7423	COMMUNITY NEWSPAPER GROUP	Waste Education battery program advertisement	\$1,333.64
28/01/2011	7424	Cube Consulting Pty Ltd	Maintenance INX systems Incontrol & In Tution	\$786.50
28/01/2011	7425	DRIVE IN ELECTRICS	Repair & maintainance for Kubota (PLANT51)	\$737.30
28/01/2011	7426	DUSTEX	Supply and Deliver Dustex Liquid Concentrate	\$13,785.20
28/01/2011	7427	EMRC	Mattress collection at Recycling Centre	\$3,581.00
28/01/2011	7428	Fuji Xerox Australia Pty Ltd	Photocopier Lease and Photocopying Expenses	\$1,584.79
28/01/2011	7429	Information Outlook Pty Ltd	Upgrade of Navision System	\$7,796.25
28/01/2011	7430	Joondalup Office National	Stationery and Printing	\$329.75
28/01/2011	7431	Kenwick Drum Launderers	Storage drums for battery recycling program	\$858.00
28/01/2011	7432	LGIS INSURANCE BROKERS	Insurance premium for Tarpomatic system	\$1,706.97
28/01/2011	7433	MERCURY	Courier Expenses	\$465.29
28/01/2011	7434	MINDARIE BUS CHARTER	Waste Education bus tours	\$398.00
28/01/2011	7435	MULTIPROGRAMMING PTY LTD	Computer Systems Maintenance	\$14,406.21
28/01/2011	7436	NATIONAL TYRES	Pressure check and repair tyres for Cat 966H Loader (PLANT56)	\$319.00
28/01/2011	7437	Neverfail Springwater Ltd	Staff Amenities	\$216.90
28/01/2011	7438	Online Printing Services	Stationery and Printing	\$165.00
28/01/2011	7439	ORS GROUP	Wellness Programs	\$390.35
28/01/2011	7440	QUINNS ROCK EARTHMOVING	Mechanic relief	\$4,895.00
28/01/2011	7441	RAICH AND ASSOCIATES	Annual maintenance of weather staion	\$1,904.56
28/01/2011	7442	Robert Half Perth	Contract Labour - Relief Finance staff	\$337.43
28/01/2011	7443	Security Specialists Australia Pty Ltd	Cash collection fee	\$531.30
28/01/2011	7444	SITA Australia Pty Ltd	Collection fee - Confidential paper bin	\$55.00
28/01/2011	7445	STEVE'S MOBILE TYRE SERVICE	Puncture repair for Hino Bin truck (PLANT014)	\$180.00
28/01/2011	7446	Talbot Olivier	Consultancy - Amcor Recycling compactor agreement	\$748.92
28/01/2011	7447	TELSTRA	Telephone Expenses	\$452.88
28/01/2011	7448	WORK CLOBBER	Staff Uniforms/Protective Clothing	\$535.95
28/01/2011	7449	BOYA EQUIPMENT	Bushland Management - Backpack spray units	\$415.03
28/01/2011	7450	Connolly Delivery Round	Periodicals/ Publications	\$95.72
28/01/2011	7451	DRAGE SIGNS	Signs & Barricades - HHW banner	\$187.00
28/01/2011	7452	Rapier	Ground works and pavement works	\$3,441.70
28/01/2011	7453	SBS Sims Group	E-Waste collection at Recycling Centre	\$13,321.55
28/01/2011	7454	WesTrac Pty Ltd	Scheduled hours service on Tana Compactor (PLANT78)	\$1,615.68
28/01/2011	7455	BRYANT MEDIA	Annual report design and project management	\$11,616.00
28/01/2011	7456	TITAN FORD	Scheduled Maintenance service for Ford Territory (PLANT72)	\$711.60
28/01/2011	7457	Wangara Kia	Repair & Maintenance for Kia Carnival (PLANT70)	\$671.35
28/01/2011	7458	BOC Limited	Cylinder hire costs for workshop - Tamala Park	\$29.52
28/01/2011	7459	Information Outlook Pty Ltd	Upgrade of Navision System	\$3,818.50
28/01/2011	7460	Mindarie Regional Council Staff Lotto Account	Staff lotto - Deducted from staff salary	\$360.00
28/01/2011	7461	JOONDALUP RESORT	CEAG Meeting expenses	\$393.00
28/01/2011	7462	Red 11 Pty Ltd	Purchase of replacement desktops, laptop and computing consumables	\$7,486.09
28/01/2011	7463	WA Local Government Association	Tenders and other statutory advertising expenses	\$1,859.63
28/01/2011	7464	Car Care (WA) - Mindarie	Motor Vehicle maintenance	\$225.00

28/01/2011	7465	CALTEX AUSTRALIA PETROLEUM PTY	Plant - Fuel and Oil	\$621.63
28/01/2011	7466	Western Plant Hire (WA) Pty Ltd	Hire of D7 dozer and Caterpillar 966H Loader	\$11,379.50
28/01/2011	7467	SYNNOTT MULHOLLAND MANAGEMENT	Contract Labour - Marketing & waste education	\$11,088.00
28/01/2011	7468	Kitec Electrical Services	Electrical Maintenance & Replace fluoro lightings	\$1,648.00
28/01/2011	7469	Petty Cash	Reimbursement of Petty cash expenses	\$847.65
28/01/2011	7470	Advanced Traffic Management (WA) Pty Ltd	Traffic control for weighbridge	\$670.87
28/01/2011	7471	Auto Gates Electrical	Repair & maintenance of front gate motors at RRF	\$4,664.00
28/01/2011	7472	BT Equipment Pty Ltd	Scheduled maintenance of Bomag Landfill Compactor (PLANT65)	\$2,485.72
28/01/2011	7473	Bunnings Building Supplies	Expendable tools	\$375.48
28/01/2011	7474	City of Perth	Reimbursement of Expenses (per Lease Agreement)	\$7,257.69
28/01/2011	7475	COATES WEST	Knuckle boom for litter fence repair	\$2,057.97
28/01/2011	7476	Crossland & Hardy Pty Ltd	Volumetric survey plan and cross section plan for Stage 2 landfill	\$1,584.00
28/01/2011	7477	Direct National	Servicing of paper shredder	\$165.00
28/01/2011	7478	Editorial and Publishing Consultants Pty Ltd	Annual subscription	\$297.00
28/01/2011	7479	H & L GLASS	New wind screen for Caterpillar Grader 12G (PLANT001)	\$330.00
28/01/2011	7480	Joondalup Office National	Stationery and Printing	\$207.50
28/01/2011	7481	KD Aire Mechanical and Electrical Services	Building Maintenance - air conditioning	\$517.00
28/01/2011	7482	Lazza's Hiab & Tilt Tray Services Pty Ltd	Moving Tarpomatic equipment to tip-face	\$580.80
28/01/2011	7483	LGIS PROPERTY	Property Insurance premium	\$162.91
28/01/2011	7484	MULTIPROGRAMMING PTY LTD	Computer Systems Maintenance & Master CISCO Renewal fee	\$8,919.85
28/01/2011	7485	Neverfail Springwater Ltd	Staff Amenities	\$141.65
28/01/2011	7486	NORTHSIDE NISSAN	Scheduled maintenance service for the Nissan Pathfinder (PLANT75)	\$1,245.70
28/01/2011	7487	Ocean Keys Family Practice	Wellness Programs	\$114.95
28/01/2011	7488	Olivers Lawn & Landscaping Pty Ltd	RRF landscaping & maintenance	\$557.00
28/01/2011	7489	PETROL PUMP REPAIRS	Repair & maintainance of fuel pump	\$433.95
28/01/2011	7490	Port Container Services Pty Ltd	Supply and Delivery of storage container	\$10,917.50
28/01/2011	7491	Reliance Petroleum	Distillate	\$18,665.19
28/01/2011	7492	REmida Perth Inc	Annual Membership fee	\$225.00
28/01/2011	7493	Richards Mining Service	Staff Training	\$396.00
28/01/2011	7494	Robert Half Perth	Contract Labour - Relief Finance staff	\$4,462.65
28/01/2011	7495	SBS Sims Group	E-Waste collection at Recycling Centre	\$10,891.10
28/01/2011	7496	SJM Fencing	Repair transfer litter fence and install new fence	\$5,080.00
28/01/2011	7497	Staff Link	Contract Labour - Recycling centre & Busland Management	\$6,976.81
28/01/2011	7498	Stiles Electrical Services	Electrical works conducted at the RRF visitor centre	\$1,826.00
28/01/2011	7499	TELSTRA	Telephone expenses	\$1,058.06
28/01/2011	7500	The Hangman	Fitting and fixture of art	\$275.00
28/01/2011	7501	Cancelled	Cancelled	\$0.00
28/01/2011	7502	Cancelled	Cancelled	\$0.00
28/01/2011	7503	Cancelled	Cancelled	\$0.00
28/01/2011	7504	Department of Planning & Infrastructure	Vehicle search	\$24.00
28/01/2011	7505	WANNEROO PLUMBING SERVICE	Septic Tank Service	\$3,278.00
28/01/2011	7506	Yakka Pty Ltd	Staff Uniforms	\$3,951.71
28/01/2011	7507	Coventrys	Purchase of engine oil and gear oil for various plant	\$1,112.82
28/01/2011	7508	Western Plant Hire (WA) Pty Ltd	Hire of Caterpillar 966H loader	\$2,332.21
28/01/2011	7509	Gavin Burgess	Batteries collection at recycle centre	\$592.83
28/01/2011	7510	Indoor Gardens Pty Ltd	Monthly plant rental	\$396.84
28/01/2011	7511	McIntosh & Son	Scheduled maintenance service for the New Holland Tractor & Water Cart (PLANT76)	\$1,959.61

Total Cheque Payments				\$1,132,601.80
4/01/2011	DP-00511	inet Limited	Internet VOIP charge	\$11.44
4/01/2011	DP-00512	National Australia Bank	National Online Fee	\$87.37
4/01/2011	DP-00513	National Australia Bank	Credit Card payment	\$3,139.53
20/01/2011	DP-00514	Cancelled	Cancelled	\$0.00
21/01/2011	DP-00515	Australian Taxation Office	BAS December 2010	\$257,219.00
27/01/2011	DP-00516	Commonwealth Bank	Loan 10A Repayment	\$43,832.53
31/01/2011	DP-00517	National Australia Bank	Loan 10C Repayment	\$57,068.00
31/01/2011	DP-00518	National Australia Bank	Account Fees	\$146.60
31/01/2011	DP-00519	National Australia Bank	Bill Drawdown Fee	\$150.00
31/01/2011	DP-00520	Commonwealth Bank	Loan 10B Repayment	\$11,482.74
Total Direct Debits				\$373,137.21
11/01/2011	EFT-00291	Trevor Hammond	Relief welder - Tamala Park workshop	\$5,180.00
14/01/2011	EFT-00292	Wilfred Higo	Reimbursement - Purchase of computer equipment	\$726.00
14/01/2011	EFT-00293	MRC	Payroll Employee Wages	\$106,877.28
14/01/2011	EFT-00294	Biovision 2020 Pty Ltd	RRF Contractor Fees - December 2010	\$1,487,398.45
28/01/2011	EFT-00295	MRC	Payroll Employee Wages	\$105,640.68
28/01/2011	EFT-00296	Trevor Hammond	Relief welder - Tamala Park workshop	\$2,450.00
28/01/2011	EFT-00297	DEC Atrium Finance	DEP Landfill levy October - December 2010	\$1,810,265.45
Total EFT Payments				\$3,518,537.86

Summary Schedule of Payments

Cheque Payments

Cheque No. 7280 to 7511	\$1,132,601.80
Electronic Payments	
DP- 00511 to DP- 00520	\$373,137.21
EFT- 00291 to EFT- 00297	\$3,518,537.86
Grand Total	\$5,024,276.87

CERTIFICATE OF CHIEF EXECUTIVE OFFICER

This schedule of accounts which was passed for payment, covering vouchers as above which was submitted to each member of Council on 9 December 2010 has been checked and is fully supported by vouchers and invoices which are submitted herewith and which have been duly certified as to the receipt of goods and the rendition of services and as to prices, computations, and costing and the amounts due for payment.

CHIEF EXECUTIVE OFFICER

ATTACHMENT TWO
TO ITEM 8.1.2
ORDINARY COUNCIL MEETING
28 APRIL 2011
LIST OF PAYMENTS MADE FOR THE MONTH ENDED
28 FEBRUARY 2011

**Schedule of Payment for February 2011
Council Meeting - 28 April 2011**

Cheque Posting Date	Document No.	Vendor Name	Description	Cheque Amount
18/02/2011	7512	Excel Total Cleaning Services Pty Ltd	Cleaning Services - RRF	\$1,320.00
18/02/2011	7513	IW Projects	Contract Labour - RRF Project	\$8,097.10
18/02/2011	7514	Jasneat	Cleaning Services	\$2,181.52
18/02/2011	7515	NATIONWIDE OIL	Collection of waste oil from recycle centre	\$1,257.85
18/02/2011	7516	OPTUS COMMUNICATIONS	Telephone Expenses	\$401.25
22/02/2011	7517	Cancelled	Cancelled	\$0.00
22/02/2011	7518	Cancelled	Cancelled	\$0.00
22/02/2011	7519	Town of Vincent	Lease Fee Lot 118 Marmion Avenue for March 2011	\$4,784.23
22/02/2011	7520	City of Joondalup	Lease Fee Lot 118 Marmion Avenue for March 2011	\$9,568.45
22/02/2011	7521	City of Perth	Lease Fee Lot 118 Marmion Avenue for March 2011	\$4,784.23
22/02/2011	7522	City of Stirling	Lease Fee Lot 118 Marmion Avenue for March 2011	\$19,136.91
22/02/2011	7523	City of Wanneroo	Lease Fee Lot 118 Marmion Avenue for March 2011	\$9,568.45
22/02/2011	7524	Town of Cambridge	Lease Fee Lot 118 Marmion Avenue for March 2011	\$4,784.23
22/02/2011	7525	Town of Victoria Park	Lease Fee Lot 118 Marmion Avenue for March 2011	\$4,784.23
24/02/2011	7526	BOBJANE TMART	Replace & fit new tyre for Nissan Navara (PLANT68)	\$1,726.00
24/02/2011	7527	JOONDALUP RESORT	CEAG Meeting expenses	\$718.00
24/02/2011	7528	LANDFILL GAS & POWER PTY LTD	Electricity usage	\$3,626.16
24/02/2011	7529	NEWCASTLE WEIGHING SERVICES PT	Annual Software Maintenance agreement - Wasteman	\$11,467.50
24/02/2011	7530	Olivers Lawn & Landscaping Pty Ltd	RRF landscaping & maintenance	\$291.00
24/02/2011	7531	Reliance Petroleum	Distillate	\$23,793.66
24/02/2011	7532	SYNERGY	Electricity usage	\$59.50
24/02/2011	7533	WATER CORPORATION	Water usage July - Jan 2011	\$3,766.90
24/02/2011	7534	Hyder Consulting Pty Ltd	Consultancy - Waste Minimisation Project (Integrated Regional Plan) amended report	\$8,497.50
24/02/2011	7535	AUSTRALIA POST - PERTH	Postage & Freight	\$418.21
24/02/2011	7536	OPTUS COMMUNICATIONS	Telephone Expenses	\$325.95
28/02/2011	7537	Australian Services Union	Union membership fee deducted from staff salary	\$78.80
28/02/2011	7538	CHILD SUPPORT	Child Support Allowance payment - Deduction made from staff salary	\$663.56
28/02/2011	7539	Health Insurance Fund of WA	Superannuation premium	\$400.00
28/02/2011	7540	Mindarie Regional Council Staff Lotto Account	Staff lotto - Deducted from staff salary	\$360.00
28/02/2011	7541	Petty Cash	Reimbursement of Petty cash expenses	\$814.15
24/02/2011	7542	CAR CARE WA	Motor Vehicle maintenance	\$260.00
24/02/2011	7543	Cube Consulting Pty Ltd	Subscriptions - INX systems Incontrol & In Tuition	\$1,408.00
24/02/2011	7544	Instant Products Group	Maintenance of Waste Education toilet & hire charges	\$1,117.16
24/02/2011	7545	OPTUS COMMUNICATIONS	Telephone Expenses	\$727.50

28/02/2011	7546	Asteron Portfolio Services	Superannuation premium	\$324.05
28/02/2011	7547	CBUS	Superannuation premium	\$323.22
28/02/2011	7548	HESTA SUPER FUND	Superannuation premium	\$1,417.04
28/02/2011	7549	Portfoliofocus - Premium Retirement Services	Superannuation premium	\$2,280.98
28/02/2011	7550	REST Superannuation	Superannuation premium	\$437.02
28/02/2011	7551	UniSuper Limited	Superannuation premium	\$62.06
28/02/2011	7552	WALGS PLAN PTY LTD	Superannuation premium	\$37,810.49
28/02/2011	7553	WESTSCHEME	Superannuation premium	\$1,139.39
Total Cheque Payments				\$174,982.25
1/02/2011	DP-00521	inet Limited	Internet VOIP charge	\$11.44
1/02/2011	DP-00522	National Australia Bank	Merchant Fees	\$1,193.18
1/02/2011	DP-00523	National Australia Bank	National Online Fee	\$24.74
8/02/2011	DP-00524	Commonwealth Bank	Loan 11 Repayment	\$74,937.85
21/02/2011	DP-00525	National Australia Bank	Credit Card payment	\$1,992.14
21/02/2011	DP-00526	Australian Taxation Office	BAS January 2011	\$223,683.00
28/02/2011	DP-00527	National Australia Bank	Account Keeping Fee	\$141.80
28/02/2011	DP-00528	National Australia Bank	Bill Drawdown Fee	\$150.00
28/02/2011	DP-00529	National Australia Bank	Loan 10c Repayment	\$58,248.44
28/02/2011	DP-00530	Cancelled	Cancelled	\$0.00
28/02/2011	DP-00531	Commonwealth Bank	Loan 10b Repayment	\$10,348.17
28/02/2011	DP-00532	Commonwealth Bank	Loan 8 Repayment	\$22,178.67
Total Direct Debits				\$392,909.43
11/02/2011	EFT-00298	Vicki Joyce	Purchase leave payment	\$1,036.00
11/02/2011	EFT-00299	MRC	Payroll Employee Wages	\$111,017.84
11/02/2011	EFT-00300	Trevor Hammond	Relief welder - Tamala Park workshop	\$2,940.00
18/02/2011	EFT-00301	Biovision 2020 Pty Ltd	RRF Contractor Fees - January 2011	\$1,505,608.57
25/02/2011	EFT-00302	MRC	Payroll Employee Wages	\$111,900.22
25/02/2011	EFT-00303	Trevor Hammond	Relief welder - Tamala Park workshop	\$3,920.00
Total EFT Payments				\$1,736,422.63

Summary Schedule of Payments

Cheque Payments

Cheque No. 7512 to 7553	\$174,982.25
Electronic Payments	
DP- 00521 to DP- 00532	\$392,909.43
EFT- 00298 to EFT- 00303	\$1,736,422.63
Grand Total	\$2,304,314.31

CERTIFICATE OF CHIEF EXECUTIVE OFFICER

This schedule of accounts which was passed for payment, covering vouchers as above which was submitted to each member of Council on 9 December 2010 has been checked and is fully supported by vouchers and invoices which are submitted herewith and which have been duly certified as to the receipt of goods and the rendition of services and as to prices, computations, and costing and the amounts due for payment.

CHIEF EXECUTIVE OFFICER

ITEM 8.1.3 BUSINESS REPORT
(for the period 29 January 2011 – 25 March 2011)

File No: COR/8/02 (D/11/2165)

Attachment(s):

- 1. Information related to landfill and recycling activity at Tamala Park to end February 2011**
- 2. Tonnage Progress Report**
- 3. MRC Marketing and Education Plan – Progress Report**
- 4. PWC Proposal**
- 5. Petty Cash Report**
- 6. Cab Charge Report**

Author: Kevin Poynton

SUMMARY

The purpose of this report is to provide Council with current information on all business activities.

BACKGROUND

The Council at its meeting held in October 2008, resolved, inter alia, to approve a revised Strategic Plan. Council, at Special Council Meeting 24 June 2010, approved Annual Business Plan 2010/2011 within context of Budget 2010/2011. This business report is now presented in a format consistent with both the Strategic Plan and approved Annual Business Plan. New information since the last report is provided in '***bold italics***'.

DETAIL

OBJECTIVE ONE – WASTE MANAGEMENT

Objective One is 'to manage waste in a way that

- Maximises resource recovery.
- Minimises waste to landfill.

in order to minimise environmental impact.

Existing Waste Processing Projects – Tamala Park

The table at Attachment One describes business activity for the period *1 July 2010 – 28 February 2011* for member Councils, and others, in terms of tonnage (received for processing) and revenue associated with this tonnage.

Information related to landfill and recycling activity at Tamala Park to **28 February 2011** is presented in the table at Attachment One.

Current information in relation to Tamala Park landfill and recycling activities is as follows:

- On the matter of an outstanding contractual dispute over landfill construction work, the contractor (WATPAC) has advised that they do not propose to pursue this claim at this stage. The matter will remain pending until either expiry of 'claim period' or reinstatement of action by WATPAC. The 'claim period' as advised by legal, is five years. ***The expiry date for this period is being confirmed.***

Landfill Gas & Power Agreement Extension

In order for MRC to sub-lease part of the Tamala Park lease area, the Head Lease (between MRC and its member councils) requires that the sub-lessee (LGP) take on all of the obligation that the MRC has under the Head Lease. If this cannot be achieved the MRC is required to obtain sign off from its member councils on the reduced suite of obligations that are being passed on to the sub-lessee.

Landfill Gas & Power (LGP) has been provided a copy of the draft deed of amendment. This issue of passing on the Head Lease obligations has caused LGP some concerns and it is unable to accept all of the head lease obligations, primarily those obligations that are unrelated to the landfill gas operation. Consequently, the MRC is in the process of obtaining the member council signoff providing relief to LGP on certain obligation of the Head Lease. Due to these delays, it has not been possible to present the final deed to Council at its April meeting. It is anticipated that the final deed, as agreed with LGP will be presented to Council at its next meeting.

Existing Waste Processing Projects – Neerabup

Progress against a project to establish and operate a Resource Recovery Facility (RRF) at Neerabup in is contained in a separate report within this agenda.

OBJECTIVE TWO – WASTE PROCESSING OPPORTUNITIES

Objective Two is to identify, evaluate and implement opportunities for expansion of the waste management business.

An Integrated Regional Plan

Tasks associated with the development of an integrated regional plan have been progressed as follows:

- Receipt of final Hyder Report.
- Issue of this report to Strategic Projects Committee (SPC) members.
- Agreement by SPC to 'consider contents at a later date', following consideration of the impact of the City of Stirling withdrawal.
- A revised report, reflecting City of Stirling withdrawal, has been prepared by Hyder, at an additional cost of \$7000.
- ***This report will be considered by the SPC, in April 2011, with a view to the finalised document being a key input into the review of the MRC Strategic Plan.***

Additional Processing Facilities

- 'Son of Tamala' Landfill
 - ***The MRC Administration has investigated a number of possible sites in the Shire of Gingin and is continuing the search for a suitable site***

OBJECTIVE THREE – INDUSTRY LEADERSHIP AND ADVOCACY

Objective Three is to identify and promote industry-wide initiatives for improvements to waste/resource management, particularly in relation to waste minimisation and resource recovery.

SWMP Projects

The MRC Administration has written to all Member Councils summing up the relevance of the recently completed suite of SWMP projects and requesting that member councils advise the MRC where the MRC can be of assistance in furthering waste minimisation activities associated with the SWMP projects.

The Department of Environment and Conservation (DEC) has yet to finalise the Waste Minimisation funding for this financial year. Further delays are anticipated as a result of the recent change of Minister for the Environment. The MRC continues to liaise with the DEC on this matter.

Partnership Activities

Key partnership activities during the reporting period have been as follows:

- Municipal Waste Advisory Council (MWAC)
 - **Meeting held February 2011**
Key points from this MWAC meeting were as follows:
 - **Development of an improved Communication Strategy between FORC and MWAC**
 - **Information on a proposed 'waste to energy' forum mid 2011**
 - **Information on a DEC event on 14 March 2011 re waste management infrastructure planning**
 - **Development of a MWAC Data Working Group (MRC's Cr Bissett has nominated for this)**
- Forum of Regional Councils (FORC)
 - FORC is progressing the establishment of a Steering Committee, under the leadership of Department of Premier and Cabinet, to investigate issues related to improved delivery of RRF projects
- Waste Management Association of WA (WMAA(WA))
 - Implementation of project plans for utilisation of \$100k from Waste Authority
- Industry Training Council (EUPA)
 - Review and revision of waste industry training needs, using levy funds. This work has been completed, and a workshop to formulate an Action Plan was held February 2011

Council should note the following key appointments in recent times:

- **Minister for Environment; Water – Hon W.R. Marmion, MLA**
- **Chair, Waste Authority – Mr Jim Malcolm**

OBJECTIVE FOUR – COMMUNITY ENGAGEMENT

Is to engage with the community in the Mindarie region in order to promote behaviour consistent with the region's operational plans for waste/resource management.

A report on progress against Council's Marketing and Education Plan is at Attachment Three to this Item.

Marketing Activities

Key corporate communication activities progressed during the reporting period were as follows:

- ***MRC e-News transition strategy implemented. Last hard copy of MRC News produced for distribution late March, plus placement of MRC e-News on website. Incentives offered for people to subscribe for e-News. Proposed bi-monthly distribution in electronic format.***
- ***A social media policy and procedures have been drafted to guide development and use of social media tools for the Mindarie Regional Council business and is coming to the April Ordinary Council Meeting for endorsement.***
- ***Earth Carers forum and blog project close to launch.***
- ***Search Engine Optimisation review of website undertaken. Recommendations to be implemented.***

Education Activities

Key education activities progressed during the reporting period were as follows:

- ***Continued support of member councils with the metropolitan-wide battery collection program. Battery bins are now in place in each Council area. Regional contractor is now collecting fluoros and batteries, and a spreadsheet detailing collection results is being generated fortnightly and provided to the Councils for local management. Roll-out of collection bins into schools has commenced.***
- ***Ads to focus people on what to do with problem products – gas bottles, batteries and fluoros – prepared and placed at regular intervals.***
- ***Extremely successful temporary HHW and E-Waste Disposal Days at Tamala Park on 22 January and at Vincent on 26 February.***
- ***Tours program is now up and running after the holidays. In discussions to expand tours program to include the Wangara MRF.***
- ***Consultation with WESSG about proposed waste statistics report card and graphic representation of a regional waste diversion rate on website.***
- ***Extremely successful recycling compounds run at City of Perth's SkyShow on Australia Day. A flyer outlining the resources available to Councils to help them stage Public Event recycling at community events was created and distributed to Councils.***
- ***A pilot Earth Carers Kids project has commenced as part of the program trial.***
- ***A new Earth Carers training course commenced on March 15 with approximately 25 registrations.***

-
- **Research program continuing to contact all Earth Carers to determine impact of the course on their waste behaviour.**
 - Small fluoros collection box now available for Councils to distribute to residents. **Fluoros Recycling Stations now in place at Floreat Forum and Vincent Library. Other Councils finding locations.**
 - **Mobile display involved in a number of events during February and March.**
 - **ESL (English as a Second Language) project is progressing. Fact sheets have been translated into Chinese, have been placed on to website and have been distributed to Councils for residents.**
 - **Interactive computer-based recycling game for use at the RRF Visitors Centre almost completed, developed at a cost of \$6,750 (excluding GST), and designed to assist visitors to understand ways to deal with waste appropriately.**

Community Engagement Advisory Group (CEAG) Activities

Key CEAG activities progressed during the reporting period were as follows:

- Vacancy still exists for a new member from the Carramar Special Rural area, following a resignation from the group.
- **Regular CEAG meeting held on 9 February 2011.**
- **Special CEAG meeting, excluding MRC and SITA representatives, held on 2 March 2011 for the group to review the CEAG process over the past few years.**

OBJECTIVE FIVE – ORGANISATIONAL MANAGEMENT

Objective Five is to maintain excellent management of the Mindarie Regional Council organisation.

Business Systems

Key projects associated with this port folio are as follows:

- Implementation of improved budget preparation process, in conjunction with member councils.
- Investigation of replacement of external appointments with recruited staff, for selected positions. This has resulted in the appointment of an environmental officer. The issue of Marketing/Education Manager is 'on hold' pending the confirmation of focus in this area, as part of the review of Council's Strategic Plan. The selection process against the Project Manager position did not result in an appointment, and this will be reviewed in early 2011 (Council decision August 2010 refers). **A separate Confidential item will be provided to Council on this matter in April 2011.**
- Progress of improved TWG governance model, in the form of revised officer forums, including the ongoing meetings of Strategic Projects Committee (Chair: Karen Caple, Deputy: Martyn Glover).
- Progress of a project to develop a revised pricing model. This has resulted in Council resolving to adopt a 'single fee' model – a decision which is ended in dispute before the Supreme Court.

-
- Proceedings have now been postponed by City of Stirling pending successful withdrawal by City of Stirling from MRC. Monthly meetings of CEOs or their representatives have progressed tasks as follows:
 - **Consideration by all eight Councils (seven members plus MRC) of a proposed methodology, prepared by Price Waterhouse Coopers (PWC).**
 - Development of a final draft Establishment Agreement by the MRC Strategic Projects Committee for consideration by the six remaining members, early in 2011.

City of Stirling Withdrawal

PWC have provided MRC with a final report describing a proposed methodology for valuation of the business. This work is a pre-requisite to any negotiations regarding distributions.

The PWC report is at Attachment Four to this Item. The MRC administration considers that this approach is satisfactory, and the Recommendation is that Council approve this approach.

Member Council Partnerships

Key activities progressed during FY2010/2011 as follows:

- Liaison Tamala Park Regional Council (TPRC) re buffer and associated issues.
- Agreement by TPRC on revised buffer plan.
- Commencement of preparation of a lease amendment to affect this revised buffer plan. ***This work is due for completion end April 2011.***

Establishment Agreement

The Council's Strategic Projects Committee is developing a draft Establishment Agreement for Council consideration, proposed for early 2011.

Review – MRC Strategic Plans

CEO MRC has investigated issues associated with proposed review of MRC Strategic Plan and MRC Strategic Financial Plan. Findings to date are as follows:

- Department of Local Government (DLG) have established Corporate and Strategic Planning Working Group. There is a high probability that the work of this group will result in legislative changes which will influence the Strategic Planning framework for local government.
- Given this potential, Council resolved, at its August 2010 Ordinary Council Meeting that any review of the MRC Plans be confined to confirmation of the basis for planning for Budget Financial Year 2011/12, with the deliverable being Annual Business Plan Financial Year 2011/12. This confirmation is planned to occur via workshop and Council consideration, as part of Budget – 2011/2012 process.
- This matter was discussed at a meeting with member Council CEOs on 7 October 2010, and it is now proposed to review the Strategic Plan in the first half of 2011.
- ***CEO MRC has progressed planning with Mr Ron Cacioppe on this review.***

Governance Issues (Post OCM February 2011)

Further information requested by Council at its Ordinary Council Meeting February 2011 is as follows:

- **Petty Cash detail (see Attachment Five).**
- **Cab Charge detail (see Attachment Six).**
- **Expendable Tools (G/L Account 5485) is that account used to purchase the following items**
 - **Hand tools**
 - **Power tools**
 - **Air tools**
 - **Protective gloves**
 - **Safety glasses**
 - **Solid steel colourbond sheeting**
 - **Hardware i.e. nuts, bolts, screws, drill bits, cutting and grinding wheels**
 - **Automotive globes**
 - **Flouros and sodium globes**
 - **Automotive paint**
 - **Survey pegs**
 - **Line marking paint**
 - **Lifting slings**
 - **Lifting chains**
 - **Recover ropes and chains**
 - **Shackles**
 - **Hoses (washdown bay)**
 - **Dry cell batteries**
 - **Welding consumables**

Action is in hand to effect a more appropriate title for this account e.g. Operations Consumables.

- **The composition of that account titled 'Amenities' is as follows:**
 - **Coffee and Tea Supplies**
 - **Milk and Sugar**
 - **Biscuits**
 - **Cleaning Supplies**
 - **Bottled Water**

The amenities are provided for all staff at Tamala Park. The amenities are also available to Councillors and visitors to Tamala Park during work related appointments.

Activity 50705 Bottled Water is the Neverfail & Spring Water company that supplies water throughout the Tamala Park site especially for Operations staff. There are 3 units around the Tamala Park site. Bottled water is also supplied to Operations staff on roster during underground fire management.

- **Work is proceeding on an information request on the matter of legal fees.**
- **The Gift Register will be available for inspection at Ordinary Council Meeting 28 April 2011.**

CONSULTATION

Not applicable

STATUTORY ENVIRONMENT

Not applicable

POLICY IMPLICATIONS

Not applicable

STRATEGIC IMPLICATIONS

This progress report reflects progress against approved activities associated with the Council's annual Business Plan.

FINANCIAL IMPLICATIONS

These activities are conducted within the context of the approved Council budget for any particular financial year.

COMMENT

Council business is currently being conducted within the framework of the Annual Business Plan.

AGENDA REVIEW COMMITTEE MEETING – 8 APRIL 2011

The Committee agreed modifications to the report as follows:

- Clarification on City of Wanneroo commercial waste in the Attachment (commercial included in non-processable, tonnage)
- Investigate date of commencement of WATPAC period
- Details of RRF Education Centre interactive game
- Amendment to the Recommendation with report to the PWC report
- Amendment to Tonnage Report this:
 - Delete : compensated
 - Insert : offset
 -

MRC OFFICER RECOMMENDATION

That Council:

- (i) receive this progress report for the period 29 January 2011 – 25 March 2011 against Annual Business Plan 2010/2011**
- (ii) support the Price Waterhouse Coopers approach to the valuation of the business described at Attachment Four to this Item**
- (iii) notes that the proposed approach is being considered, concurrently, by the seven participant Councils**

ATTACHMENT ONE
TO ITEM 8.1.3
ORDINARY COUNCIL MEETING
28 APRIL 2011
INFORMATION RELATED TO LANDFILL AND RECYCLING ACTIVITY
AT TAMALA PARK TO END FEBRUARY 2011

Information relating to landfill, resource recovery & recycling tonnages year to date 2010/11

Month: Feb-11

TONNAGE							
RRF Actual	Landfill Actual	Total Tonnage	Estimated Budget 2010/11	Target % Year to Date	Note	Actual % Year to Date	Year to date Tonnage previous year

REVENUE				
Actual G/L \$	Estimated Budget 2010/11	Target % Year to Date	Note	Actual % Year to Date

MEMBERS

Processable							
Cambridge	3,098.81	2,197.19	5,296.00	8,800.00	66.67%	60.18%	5,066.00
Joondalup	27,290.48	6,449.33	33,739.81	52,000.00	66.67%	64.88%	30,704.00
Perth	74.32	9,330.30	9,404.62	14,428.00	66.67%	65.18%	8,438.00
Stirling	-	12,579.25	12,579.25	18,100.00	66.67%	69.50%	10,820.00
Victoria Park	3,121.99	4,432.28	7,554.27	14,124.00	66.67%	53.49%	6,779.00
Vincent	5,155.03	3,233.12	8,388.15	13,901.00	66.67%	60.34%	7,227.00
Wanneroo	26,855.86	4,193.93	31,049.79	50,800.00	66.67%	61.12%	26,595.00
Sub Total Processable	65,596.49	42,415.40	108,011.89	172,153.00	66.67%	62.74%	95,629.00
Non-Processable							
Cambridge		1,364.79	1,364.79	2,500.00	66.67%	54.59%	1,160.00
Joondalup		9,369.82	9,369.82	11,500.00	66.67%	81.48%	6,883.00
Perth		51.08	51.08	45.00	66.67%	113.51%	45.00
Stirling		37,358.28	37,358.28	72,250.00	66.67%	51.71%	41,988.51
Victoria Park		647.43	647.43	1,200.00	66.67%	53.95%	611.00
Vincent		313.61	313.61	489.00	66.67%	64.13%	224.00
Wanneroo		14,400.34	14,400.34	25,300.00	66.67%	56.92%	14,332.80
Sub Total Non-Processable	-	63,505.35	63,505.35	113,284.00	66.67%	56.06%	65,244.31
Other							
Sita Biovision Residues		29,425.87	29,425.87	30,000.00	66.67%	98.09%	7,294.00
Stirling Bales		2,858.39	2,858.39	24,500.00	66.67%	11.67%	13,343.00
Wanneroo WRC		10,111.25	10,111.25	11,885.00	66.67%	85.08%	7,491.00
Sub Total Other	-	42,395.51	42,395.51	66,385.00	66.67%	63.86%	28,128.00
SUB TOTAL MEMBERS	65,596.49	148,316.26	213,912.75	351,822.00	66.67%	60.80%	189,001.31

\$ 556,332.36	\$ 924,000	66.67%		60.21%
\$ 3,542,546.63	\$ 5,460,000	66.67%		64.88%
\$ 987,489.36	\$ 1,514,900	66.67%		65.19%
\$ 1,320,821.25	\$ 1,900,500	66.67%	1	69.50%
\$ 793,200.61	\$ 1,483,000	66.67%		53.49%
\$ 880,758.14	\$ 1,459,600	66.67%		60.34%
\$ 3,260,830.23	\$ 5,334,000	66.67%		61.13%
\$ 11,341,978.58	\$ 18,076,000	66.67%		62.75%
\$ 143,303.53	\$ 262,500	66.67%		54.59%
\$ 984,171.02	\$ 1,207,500	66.67%		81.50%
\$ 5,363.43	\$ 4,700	66.67%		114.12%
\$ 3,921,535.42	\$ 7,586,300	66.67%	1	51.69%
\$ 67,980.38	\$ 126,000	66.67%		53.95%
\$ 32,929.22	\$ 51,300	66.67%		64.19%
\$ 1,515,316.19	\$ 2,656,500	66.67%		57.04%
\$ 6,670,599.19	\$ 11,894,800	66.67%		56.08%
\$ 3,089,716.35	\$ 3,150,000	66.67%		98.09%
\$ 300,131.06	\$ 2,572,500	66.67%		11.67%
\$ 1,062,102.53	\$ 1,247,900	66.67%	1	85.11%
\$ 4,451,949.94	\$ 6,970,400.00	66.67%		63.87%
\$ 22,464,527.71	\$ 36,941,200.00	66.67%		60.81%

CASUALS

South Perth		16.61	16.61	-			131.00
Trade & Cash		38,548.24	38,548.24	40,000.00	70.00%	96.37%	22,964.00
Sub Total Casuals	-	38,564.85	38,564.85	40,000.00	70.00%	96.41%	23,095.00
TOTAL	65,596.49	186,881.11	252,477.60	391,822.00			212,096.31

\$ 2,083.80	\$ -			
\$ 4,946,578.59	\$ 5,018,000	70.00%	2	98.58%
\$ 4,948,662.39	\$ 5,018,000	70.00%		98.62%
\$ 27,413,190.10	\$ 41,959,200.00			

RECYCLING

Recycling centre sales							
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\$ 252,226.68	\$ 340,000	66.67%		74.18%
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Note 1. The year to date targets for Members are based on a time allocation basis as insufficient data is available for the trend for Members.

Note 2. The year to date target for Casuals is based on previous year's trends (which indicated that 55% of sales occur during the first half of the year and 45% during the second half), this data was used for the budget.

ATTACHMENT TWO
TO ITEM 8.1.3
ORDINARY COUNCIL MEETING
28 APRIL 2011
TONNAGE PROGRESS REPORT

TONNAGE PROGRESS REPORT FOR PERIOD 1 JULY TO 28 FEBRUARY 2011

Aim

This report aims to provide information on Actual waste tonnages received by MRC in comparison to Budget estimates for financial year ending 30 June 2011.

Detail

Processable

The Member Councils' Processable waste for the 8 months to 28th February 2011 is slightly lower than the pro-rata year to date budget. However the actual for the 8 months to 28th February is slightly higher when compared to the actual for the same period in the previous year.

Lower processable tonnages have been delivered by all the Members except the City of Stirling who delivered higher than anticipated tonnages. The City of Wanneroo & Town of Victoria Park also indicate that they now anticipate lower than budgeted tonnages for the year.

Non-Processable

The Member Councils' total Non-processable waste for the 8 months to 28th February 2011 is lower than the pro-rata year to date budget (approximately 10%).

Some of the Member Councils' tonnages are higher than the pro-rata year to date budget and the City of Joondalup have advised that they anticipate a slight increase in their non-processable waste for the year than the original budgeted tonnage. The City of Stirling estimate a decrease for the year from original budget but all other Members have confirmed that original budgeted tonnages are likely to be achieved.

Other

The total Bales and Residues tonnages for this period are marginally below target. The lower tonnages from City of Stirling are being offset by higher tonnages of Residues from the RRF and Wanneroo WRC. The City of Stirling is not currently disposing Bales at Tamala Park.

The Casuals/Commercial tonnages for the 8 months to 28th February 2011 are continuing to run well above target.

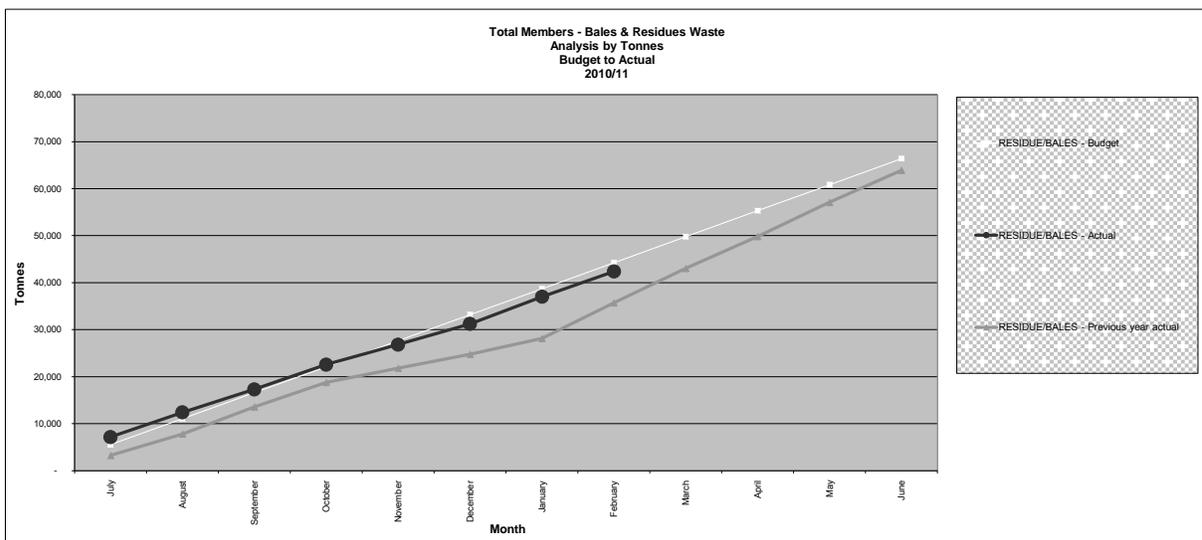
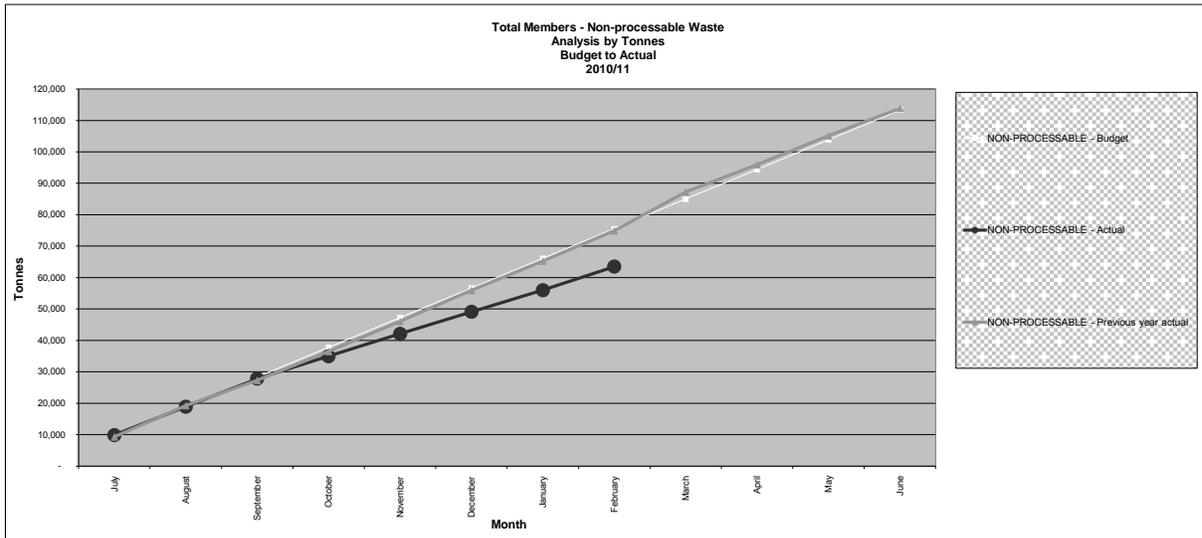
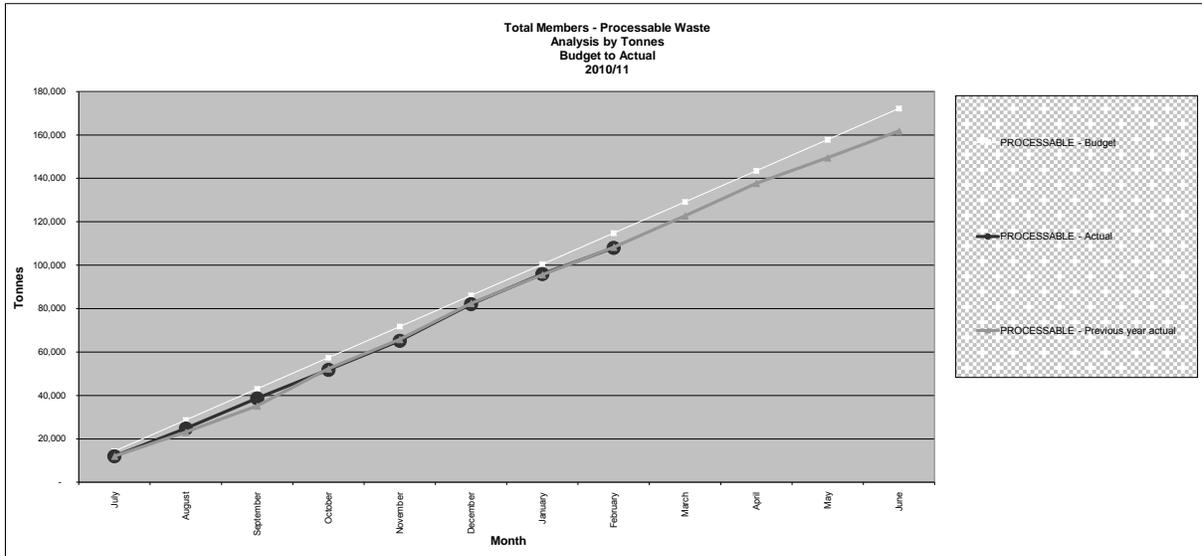
Reference Documentation

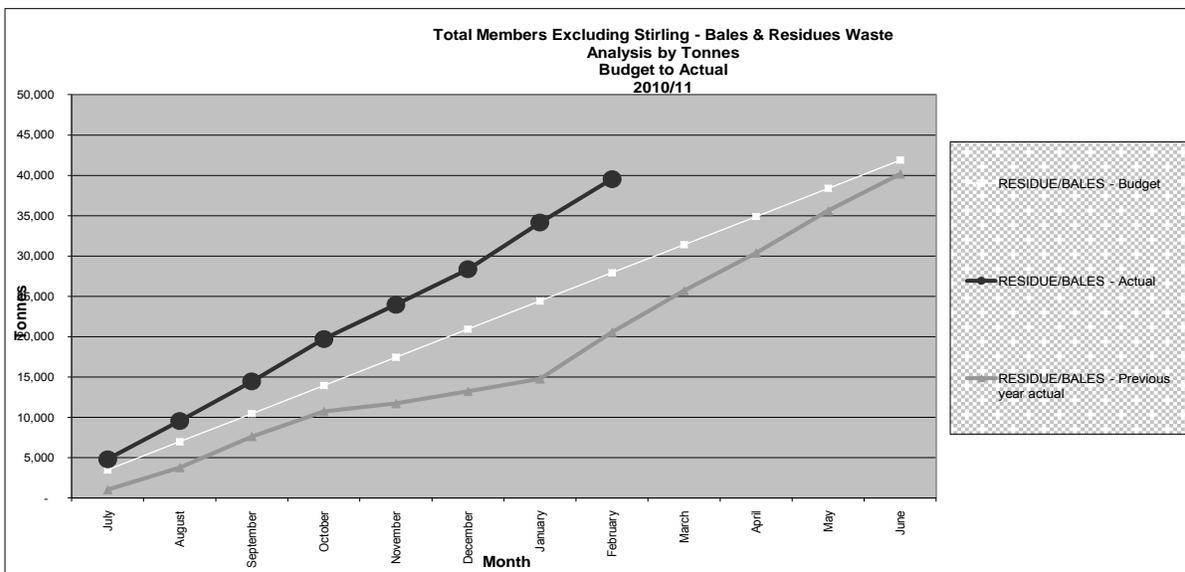
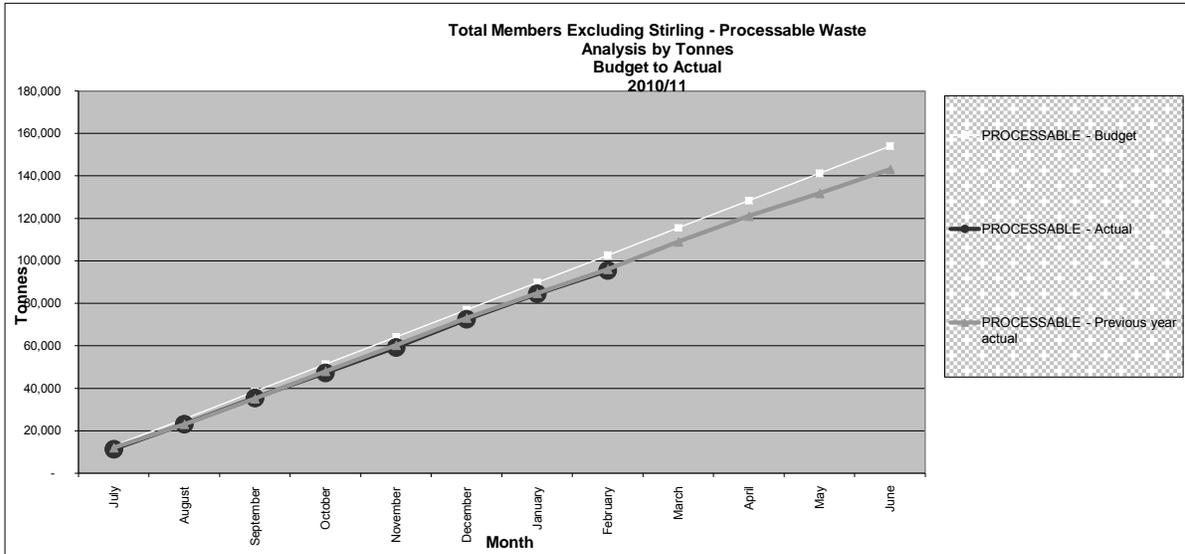
Tables

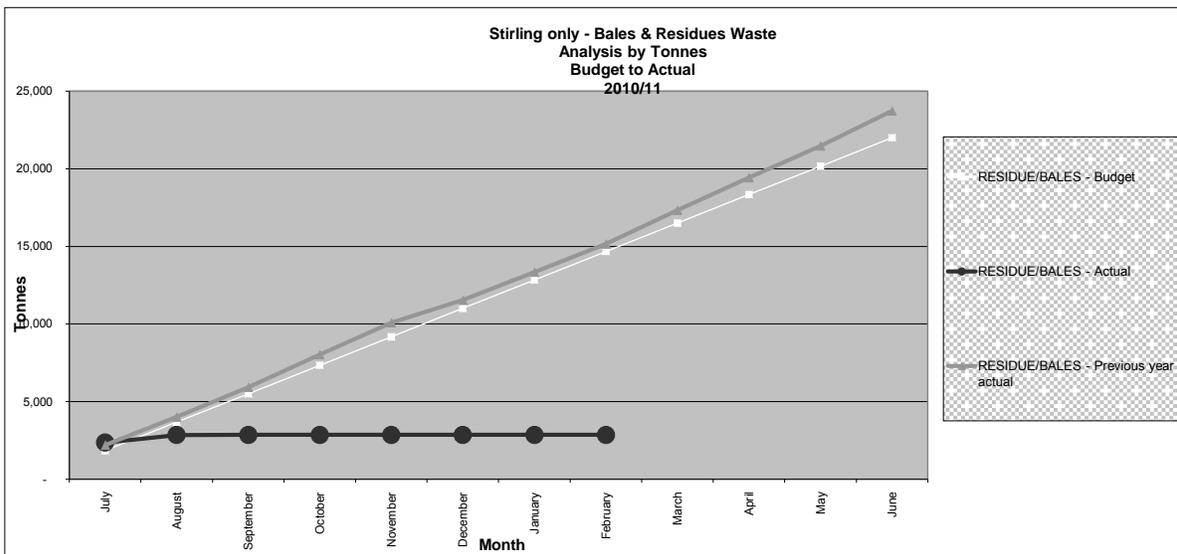
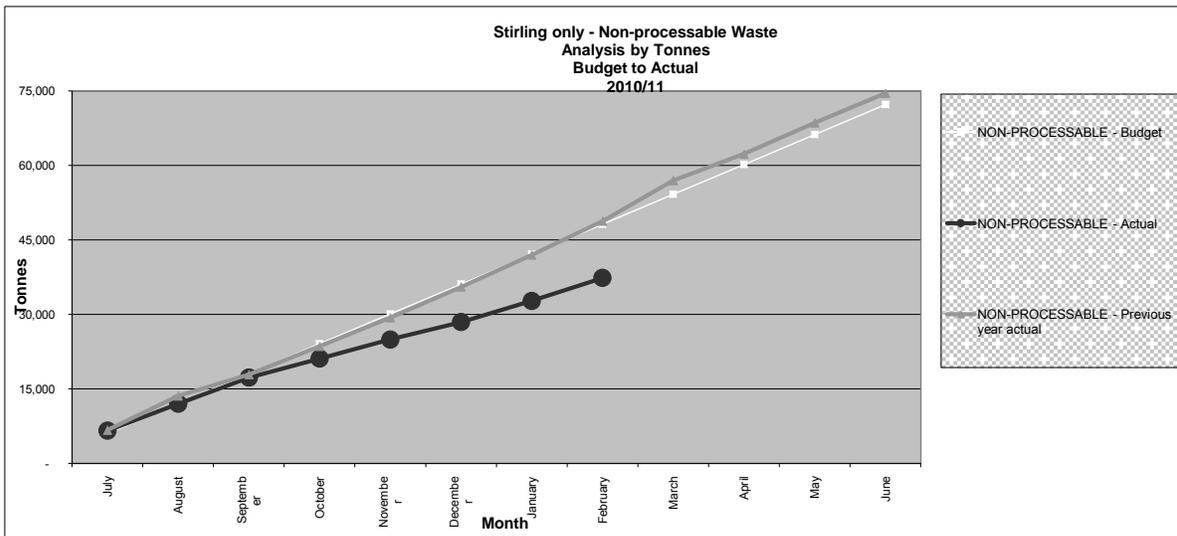
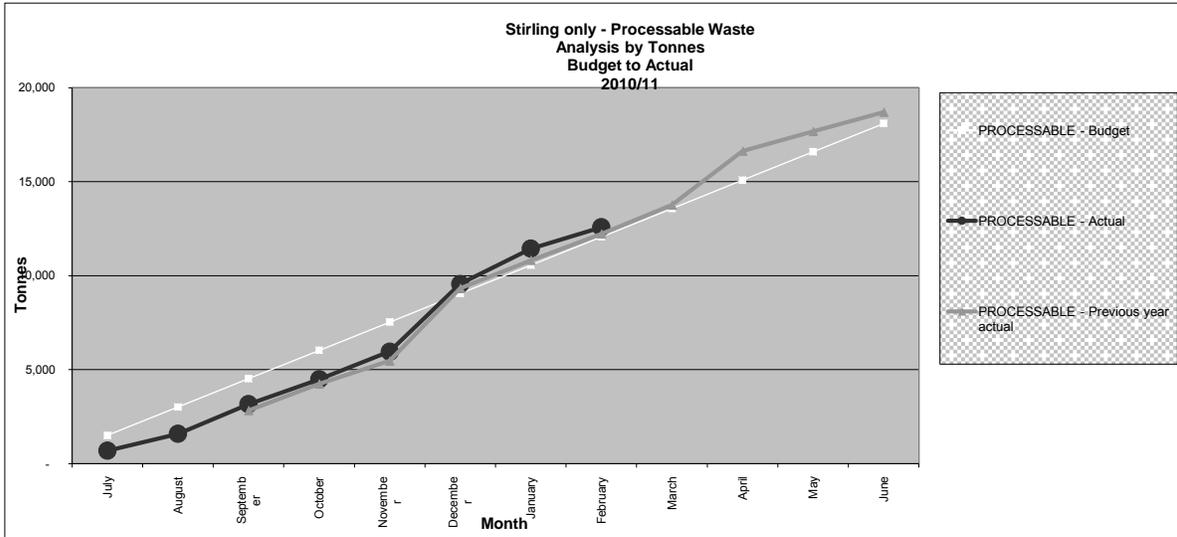
- Tonnage Progress Report at 28th February 2011

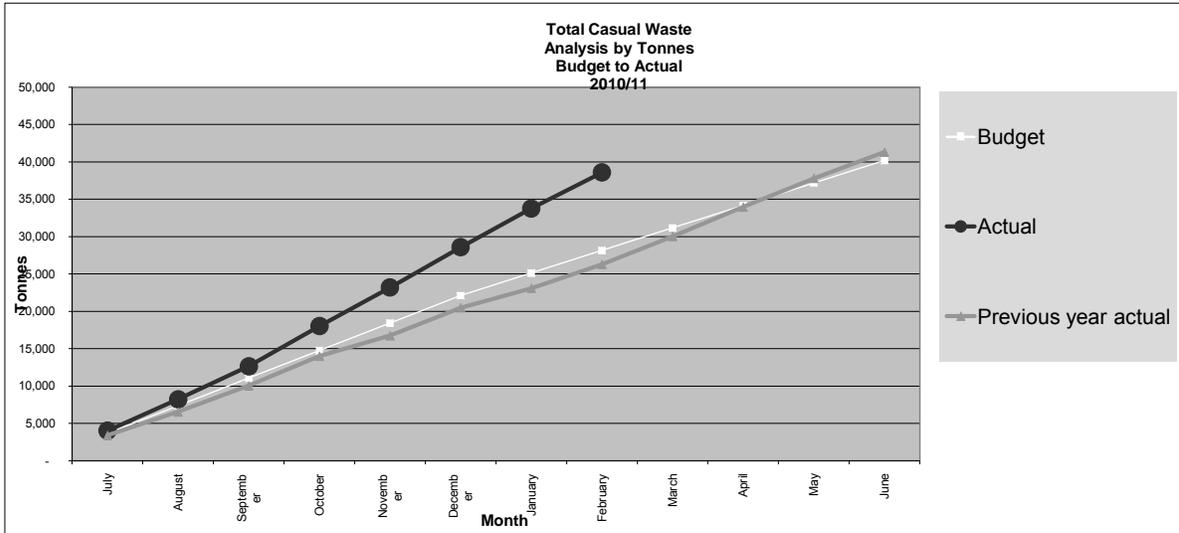
Charts

- Member Councils' Processable, Non-processable and Bales/Residues
- Member Councils' (excluding City of Stirling) Processable, Non-processable and Bales/Residues
- City of Stirling Processable, Non-processable and Bales/Residues
- Casuals / Commercial









ATTACHMENT THREE
TO ITEM 8.1.3
ORDINARY COUNCIL MEETING
28 APRIL 2011
MRC MARKETING AND EDUCATION PLAN – PROGRESS REPORT

**MRC MARKETING AND EDUCATION PLAN – PROGRESS REPORT
 (as at end of March)**

ACTIVITY	BUDGET	YTD ACTUALS	CURRENT STATUS	FURTHER INFORMATION
Corporate Communications				
Annual Report	\$10,000	\$10,900	Annual Report completed – interactive and printable versions.	See report on website
Waste Conference	\$5,800	\$5,783	Conference involvement – pre-conference tour and booth – successfully completed in Sept 2010.	
Website update	\$20,000	\$1,970	Maintenance ongoing: EC blog & forum completed, social media policy developed; interactive waste sorting game almost completed; RSS feeds added; SEO study completed. Some expenditure still to be billed.	Website analytics analysed monthly with resultant strategies implemented to drive more traffic to website.
MRC News	\$33,000	\$5,750	Transition to e-news format under way. Final hard copy newsletter distributed late March with invitations to subscribe. Expenditure of \$40,000 yet to be billed.	
John Bryant	\$6,200	\$300	Minor activity to date.	
Sub-total	\$75,000	\$24,703		
Waste education				
WESSG support			Monthly meetings continuing.	
HHW support	\$22,000	\$10,525	HHW Days in January at Tamala Park and in February at Vincent. Vincent TDD promoted through flyers to all households, advertising and banner.	432 cars attended Vincent TDD. HHW results not yet available. Volume of e-waste collected = 5660kg which equates to 2 x 9m ³ and 1 x 12m ³ skip bin.
Tours program	\$20,000	\$10,868	Expenditure of \$9,000 yet to be billed.	There have been 128 tours involving 2,796 people.
Bus subsidy	\$7,500	\$7,137	Subsidy is being well utilised to assist people to come on tours.	

Mobile display	\$5,000	\$1,045	Full program of events. Updates to display panels underway.	See calendar of events on MRC website (links from home page). 38 events have been attended.
Contaminants education	\$10,000	\$5,190	Fluoro recycling stations in place in two shopping centres. Small collection boxes for CFLs are being circulated by Councils to residents.	Since mid-January, 82.5kg of CFLs collected through these recycling stations
Waste wise events	\$6,000	\$1,530	Support provided for City of Perth's SkyShow. Leaflet produced for Councils on support available for public event recycling.	
Education Centre updates	\$5,000	\$1,185	Work underway on recycled artwork. Recent donation of recycled plastic artwork from Sculptures by the Sea.	
Earth Carers	\$45,000	\$19,127	Training program (7th) completed. Trial of EC Kids project underway. Ongoing EC events. Survey underway to connect with every EC to determine effectiveness of training. Some expenses incurred have not yet been posted.	187 Earth Carers have now completed the training. Their contribution of 240 volunteer hours between July 1 and March 7 equates to 0.2FTE.
Advertising	\$37,000	\$9,043	Program of advertising to promote battery, fluoro and gas bottle recycling commenced in December. Some expenses incurred to date have not yet been posted.	
Tales with a Twist / interactive resources for events	\$10,000	\$9,240	Tales with a Twist school performances – "Kasper and all that rubbish" -- Commissioned for October 2010 and May 2011.	During 2010, more than 3700 school students and 150 teachers at 25 performances over 17 schools at rate of 149 students per show.
Schools program	\$20,000	\$8,388	Planning work with Councils to roll out schools battery collection program.	Battery bins have been delivered to 22 schools.

Battery program	\$20,000	\$1,992	Expansion of community collection program underway. Expenses incurred to date have not yet been posted.	Since mid-January, 1240.5kg of batteries collected through community battery program (excludes Stirling's figures)
Shopping centre program / toxic tax investigation	\$5,000		Contact with shopping centres in early stages.	Relationships established with Floreat Forum and Lakeside.
Sub-total	\$212,500	\$76,031		
Projects & SWMP support				
Visitors Centre	\$20,000	\$8,931	Stage 1 fit-out almost complete. Visitors Centre is now being utilised. Garden bed signage in production. Expenses incurred to date have not yet been posted.	There have been 48 tours to the RRF.
DVD & brochures for RRF	\$2,000		DVD finished	
CEAG support	\$10,000	\$8,124	Five meetings held YTD.	High satisfaction ratings demonstrated in bi-annual survey
Sub-total	\$32,000	\$17,055		

Pages 74 - 101

Are confidential and have been removed

ATTACHMENT FIVE
TO ITEM 8.1.3
ORDINARY COUNCIL MEETING
28 APRIL 2011
PETTY CASH REPORT

PETTY CASH EXPENSED 1 NOVEMBER TO 30 DECEMBER 2010

Cheque	Cheque #	Cheque Amount	Description	Amount Inclusive	Parking	Site	Plant	Meals and	Staff Christmas	Office	Computer	Navision	Staff Reimbursement	Staff Reimbursement	Staff Reimbursement	Customer	
Date				GST		Expenses	Expenses	Entertainment	Party	Expenses	Expenses	Upgrade	Uniform	Conference	Training	Refund	
5/11/2011	6829	993.70	Pond equipment - Environmental	\$ 29.00		\$ 29.00											
			Seals refrigerant equipment	\$ 10.00		\$ 10.00											
			Lunch meeting operations staff	\$ 113.45				\$ 113.45									
			Roadmarking equipment	\$ 94.90		\$ 94.90											
			Parking - Training Freehills Workshop	\$ 22.00	\$ 22.00												
			Refreshments meeting	\$ 20.05				\$ 20.05									
			Postage	\$ 53.70						\$ 53.70							
			Waste Conf Parking	\$ 10.00	\$ 10.00												
			Parking	\$ 4.00	\$ 4.00												
			Car Wash	\$ 11.00			\$ 11.00										
			Refreshments meeting	\$ 21.70				\$ 21.70									
			Fuel workshop	\$ 51.65			\$ 51.65										
			Customer Service Lunch working group with MT	\$ 83.95											\$ 83.95		
			Expenses reimbursement Nav upgrade Sydney	\$ 141.00								\$ 141.00					
			KD Wireless Broadband Overseas	\$ 150.00							\$ 150.00						
			Staff Uniform reimbursement	\$ 177.30									\$ 177.30				
2/12/2010	6927	962.20	Parking	\$ 8.00	\$ 8.00												
			Cable for conference room	\$ 35.00							\$ 35.00						
			Parking	\$ 6.70	\$ 6.70												
			Parking Geofabric Seminar	\$ 12.00	\$ 12.00												
			Fuel minor plant	\$ 90.50			\$ 90.50										
			Electrical cord conf room	\$ 16.00							\$ 16.00						
			Refreshments	\$ 13.00				\$ 13.00									
			Car wash	\$ 13.00			\$ 13.00										
			Parking Airport	\$ 108.00	\$ 108.00												
			Waste Conf reimbursements	\$ 64.35										\$ 64.35			
			Refreshments Lunch Sydney conference	\$ 12.50										\$ 12.50			
			Internet connection in sydney waste conference	\$ 34.95										\$ 34.95			
			Millipede Barriers	\$ 20.90		\$ 20.90											
			Staff xmas party items	\$ 3.40					\$ 3.40								
			Staff xmas party items	\$ 300.00					\$ 300.00								
			Staff xmas party items	\$ 120.00					\$ 120.00								
			Laptop case	\$ 85.00							\$ 85.00						
			Wasteman clearing account	\$ 18.90												\$ 18.90	
9/12/2010	7038	778.20	Slack Adjustor - Bintruck	\$ 136.15			\$ 136.15										
			Car wash	\$ 11.00			\$ 11.00										
			Cake - new smoko room Recycling	\$ 26.95				\$ 26.95									
			Staff Xmas party items	\$ 85.70					\$ 85.70								
			Refreshments Nav upgrade	\$ 72.60								\$ 72.60					
			Refreshments Nav upgrade	\$ 63.70								\$ 63.70					
			Refreshments Nav upgrade	\$ 30.00								\$ 30.00					
			Luminous Sticks for Nightshift	\$ 44.40		\$ 44.40											
			Meals Sydney Conference	\$ 73.70										\$ 73.70			
			Staff uniform reimbursement	\$ 84.75									\$ 84.75				
			parking	\$ 4.00	\$ 4.00												
			parking	\$ 12.25	\$ 12.25												
			Lunch meeting external auditors	\$ 77.80				\$ 77.80									
			parking	\$ 7.20	\$ 7.20												
			Refreshments Nav upgrade	\$ 48.00								\$ 48.00					
23/12/2010	7269	973.65	parking	\$ 2.00	\$ 2.00												
			Transperth to Incontrol workshop	\$ 10.80											\$ 10.80		
			Transperth to Incontrol workshop	\$ 10.80											\$ 10.80		
			Transperth to Incontrol workshop	\$ 10.00											\$ 10.00		
			Staff Xmas party	\$ 22.00					\$ 22.00								
			Refreshments Nav upgrade	\$ 198.00								\$ 198.00					
			Refreshments Nav upgrade	\$ 14.80								\$ 14.80					
			parking	\$ 3.50	\$ 3.50												
			Plant 07 repairs	\$ 11.20			\$ 11.20										
			Parking	\$ 16.00	\$ 16.00												
			Car wash	\$ 15.00			\$ 15.00										
			Refreshments Nav upgrade	\$ 100.30								\$ 100.30					
			Staff Xmas party	\$ 115.00					\$ 115.00								
			Staff Xmas party	\$ 132.60					\$ 132.60								
			Business Meeting	\$ 155.00				\$ 155.00									
			Business Meeting	\$ 64.75				\$ 64.75									
			Business Meeting	\$ 27.00				\$ 27.00									
			Kubota repairs	\$ 64.90			\$ 64.90										
19/01/2011	7354	993.05	Line marking equipment	\$ 226.80		\$ 226.80											
			Plant 07 hoses	\$ 24.35			\$ 24.35										
			parking	\$ 2.00	\$ 2.00												
			parking	\$ 4.60	\$ 4.60												
			Gutter corner - enviro grass area	\$ 13.60		\$ 13.60											
			Laminating meeting schedules	\$ 103.80						\$ 103.80							
			USB	\$ 30.00						\$ 30.00							
			Site Plans	\$ 34.00						\$ 34.00							
			Petrol workshop	\$ 78.50			\$ 78.50										
			Staff Xmas party	\$ 10.50					\$ 10.50								
			Staff Xmas party	\$ 149.00					\$ 149.00								
			Lunch with multipro consultant	\$ 63.50				\$ 63.50									
			Expenses Records Training Melbourne SA	\$ 252.40											\$ 252.40		
			TOTAL BALANCE	\$ 4,700.80		222.25	439.60	507.25	583.20	938.20	221.50	286.00	668.40	262.05	185.50	367.95	18.90

ATTACHMENT SIX
TO ITEM 8.1.3
ORDINARY COUNCIL MEETING
28 APRIL 2011
CAB CHARGE REPORT

Cab Charge Vouchers Expensed 1 November to 30 December 2010

Cheque Date	Cheque #	Cheque Amount	Description	Amount Inclusive GST	Navision Upgrade Expenses	Staff Conference	Staff Training
4/11/2010	6776	1281.90	Records Conference RMAA	339.7		339.7	
			Navision Upgrade Sydney	787.2	787.2		
			Waste Conference Fremantle	155		155	
9/12/2010	6988	762.82	Waste Conference Sydney	338.25		338.25	
			Navision Upgrade Sydney	424.57	424.57		
7/01/2011	7322	510.27					
			Navision Upgrade Sydney	84.15	84.15		
			Staff Training Records Melbourne	248.49			248.49
			Staff Training Perth	177.63			177.63
TOTAL BALANCE		\$ 2,554.99		\$ 2,554.99	1295.92	832.95	426.12

ITEM 8.1.4 **RESOURCE RECOVERY FACILITY UPDATE REPORT (for the period
10 January 2011 – 31 March 2011)**

File No: **WST/13-02 (D/11/2142)**

Attachment(s): **Nil**

Author: **Ian Watkins**

SUMMARY

The purpose of this report is to provide Council with information relating to relevant historical information and operation of the Stage 1 Resource Recovery Facility (RRF) at Neerabup. New information since the last report is provided in '***bold italics***'.

BACKGROUND

Stage 1 Resource Recovery Facility (RFF) contract was signed with BioVision 2020 on 23 November 2007. Construction commenced on 27 February 2008 with the 20 year operating period commencing on 16 July 2009.

DETAIL

Operations

As at 16 July 2009 facility operations commenced.

Typical operational conditions include:

- Mindarie Regional Council (MRC) to deliver 400 tonnes per day - Monday to Friday
- BioVision to process 285 tonnes per day - seven days per week
- 40,000 kilolitres of water consumed per year
- 3 MW hours of power consumed
- Approximately 40,000 tonnes of compost produced annually
- Approximately 30,000 tonnes of residue sent to Tamala Park annually
- 1,200 tonnes of ferrous metal recycled annually

Composter Structural Issues, Second Standstill deed and Insurance Claims

BioVision has advised that the final design for the long term repairs has been completed and is being independently verified. BioVision had programmed to undertake the long term repairs during February/March 2011 however this has now pushed out to commence in May 2011.

Composter No. 1 will be repaired from May to July and composter No. 2 from August to October. During the repair period, one composter will be fully operational and SITA is looking at options to operate the facility for longer hours in order to maintain an Availability of 70%.

During the composter repairs the Standstill Deed (or a modified version) will be in place whereby BioVision guarantees a minimum Availability of 92%. Hence, although the MRC is required to pay a minimum 92% of the capital cost portion of the gate fee during the repairs, BioVision will guarantee to catch up the tonnage or reimburse the MRC the additional capital cost paid in excess of waste processed.

MRC and BioVision have had discussions with regards the possible changes to the Standstill Deed. The outcome of the discussion is that BioVision is proposing to extend the Resource Recovery Facility Agreement (RRFA) term to include the tonnage shortfall incurred during the long term repairs. BioVision has written to the MRC setting out the detail of the proposed extension. The MRC Administration is of the opinion that a contract extension is an acceptable solution, so long as the extension includes the Availability Shortfall between September 2009 and December 2009 for which the MRC has paid the Capital Cost and not received any benefit (21,345 tonnes were excluded from the original Standstill Deed). Based on the above opinion, the MRC Administration has written to BioVision providing an amended proposal with regards the possibility of a contract extension. This amended proposal has been accepted by BioVision and the parties are in the process of drafting a new Standstill Deed.

With the prospect of a Second Standstill Deed being a reality, there are now a number of options available to Council. These being:

- 1. Sign off on a version of the Second Standstill Deed which includes a contract extension for BioVision to work off the tonnage deficiency liability accumulated during the long term repairs and the processing of the MRC 21,345 tonnes. As part of this option MRC would need to withdraw from the composter crack insurance process as the MRC would no longer have suffered a loss.***
- 2. Sign off on a version of the Second Standstill Deed which includes a contract extension for BioVision to work off the tonnage deficiency liability accumulated during the long term repairs but NOT the processing of the MRC 21,345 tonnes. As part of this option MRC would still be entitled to continue with the composter crack insurance claim as the MRC would still have suffered a loss.***
- 3. Not accept the Second Standstill Deed in its current form and renegotiate an alternative outcome with BioVision.***

The MRC Administration is of the opinion that Option 1 above will provide the best outcome for the MRC. This is based on the following:

- Extending the Contract to process the tonnage shortfall is a clean mechanism of dealing with these tonnes, as opposed to putting the RRF under pressure to “over perform” over an extended duration in an attempt to catch up the tonnage. In this forced “over performance” scenario, the MRC lost tonnage would not be included and the MRC would have to rely on the insurance claim process to attempt to cover its previous losses.***
- With the MRC’s 12,345 tonnes being included in the Second Standstill Deed, the MRC receives 100% benefit for its previously lost tonnage (21,345 tonne).***
- It is highly unlikely that the MRC would receive close to 100% of its insurance claim out of a mediated settlement; hence the MRC would be significantly better off.***

-
- ***MRC will no longer continue to incur legal fees in pursuing the insurance claim including no longer needing to participate in the mediation hearing in Sydney in June.***
 - ***The BioVision insurance claim process should be somewhat simplified with only one claimant (MRC no longer involved).***

The one potential risk associated with the 21,345 tonnes being processed at the end of the existing contract term is that if the contract is terminated by default or insolvency before the tonnes are processed, the tonnes will be lost. This is no worse than the current situation (where the tonnes are already lost), but would be worse if the MRC would have received a payout from the insurance claim. The MRC Administration is of the opinion that it is preferable to accept 100% benefit for the lost tonnage with a minor possibility of the contract terminating early, in place of receiving a significantly reduced benefit through the insurance mediation process.

BioVision has also advised that it has taken the insurers to court in an attempt to obtain a resolution to its insurance claim pertaining to the composter cracks. The MRC has also submitted a claim against the insurers as a consequence of the composter cracks (\$3.3million) and is working with Freehills to ensure that the process is handled correctly.

As part of the BioVision claim and associated court action, the court has recently ruled that the parties (BioVision and insurers) are to attend a mediation hearing, in an attempt to reach a settlement on the claim. As part of the mediation process, all related parties have been invited to attend. This includes MRC. It is possible that a negotiated solution could be reached at the mediation and hence the importance that the MRC attend to be able to partake in any settlement that may be on offer.

Mediation is planned to occur sometime between mid-April and the end of June 2011. It is anticipated that the hearing will take up to 5 days as there are a number of related parties and a significant suite of documents to discuss.

The MRC will be represented by the CEO, Project Manager and David Goodman (Freehills). In order to partake in any settlement that may result from the mediation, it is essential that the MRC CEO have delegated authority to accept a settlement.

This issue of the Second Standstill Deed and the potential impact on the MRC insurance claim is currently a work in progress. Once the final details of the Second Standstill Deed are known, this matter will be discussed with Member Council officers and then tabled at a future Council meeting.

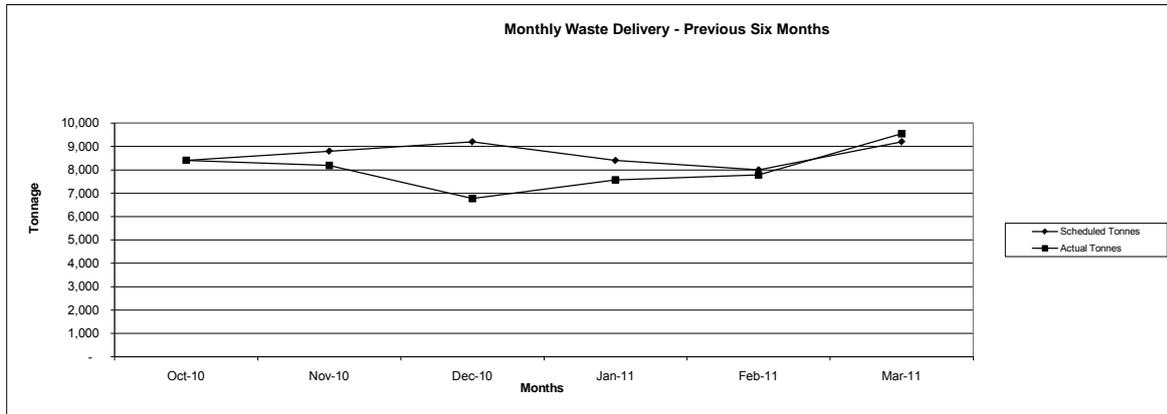
Waste Delivery

During the reporting period (January to March 2011), the RRF received 24,909 tonnes of waste which was 690 tonnes (1.7 days deliveries) below scheduled (25,600 tonnes). This was primarily due to an 828 tonne shortfall in January associated with the replacement of the bearings on composter 2.

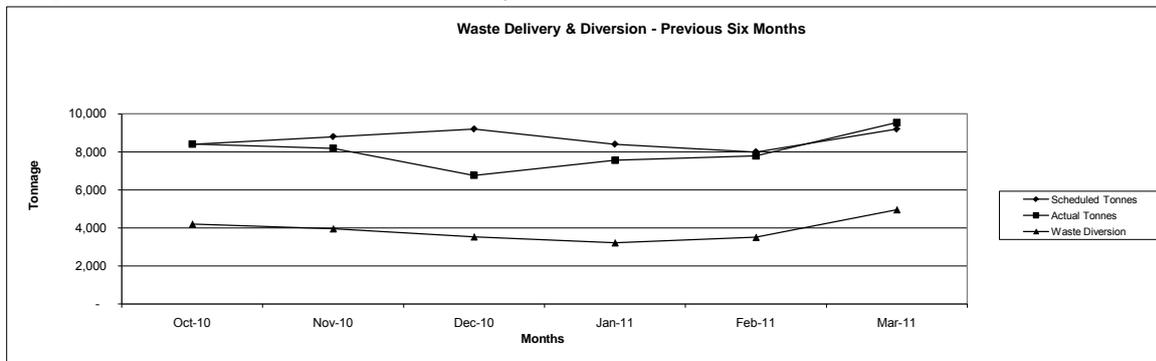
SITA continue to try and resolve the issues relating to the acceptance of rear lift vehicles at the RRF. They are currently looking at vehicle modifications as opposed to facility modifications as there is a concern that lowering the wheel stop wall may have a negative safety impact.

The graphs below provide data up to **31 March 2011**.

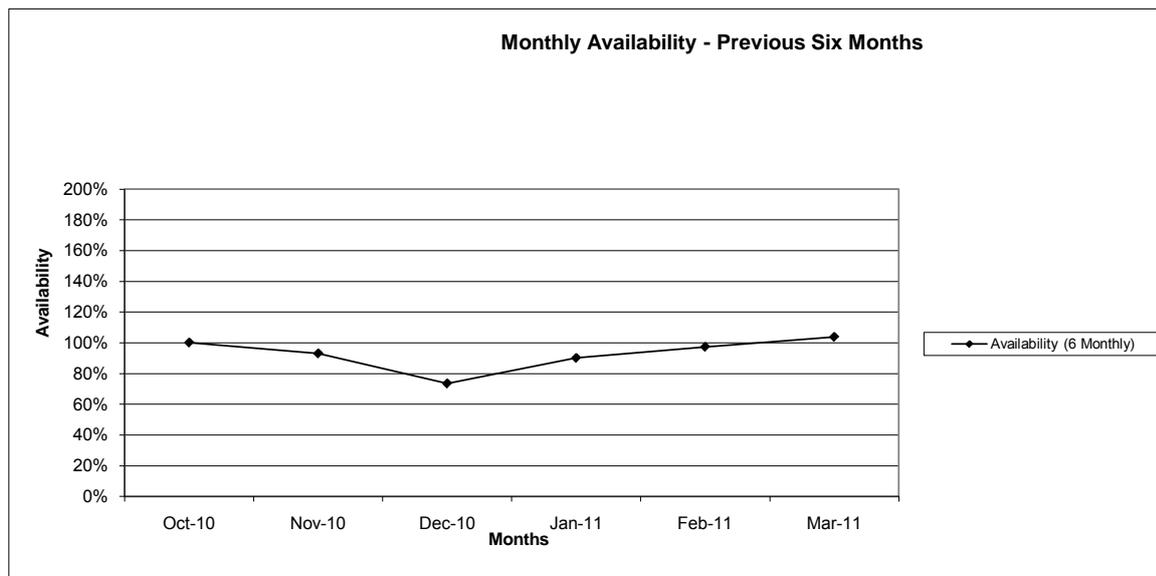
Graph No. 1 – Actual vs. Scheduled Tonnage



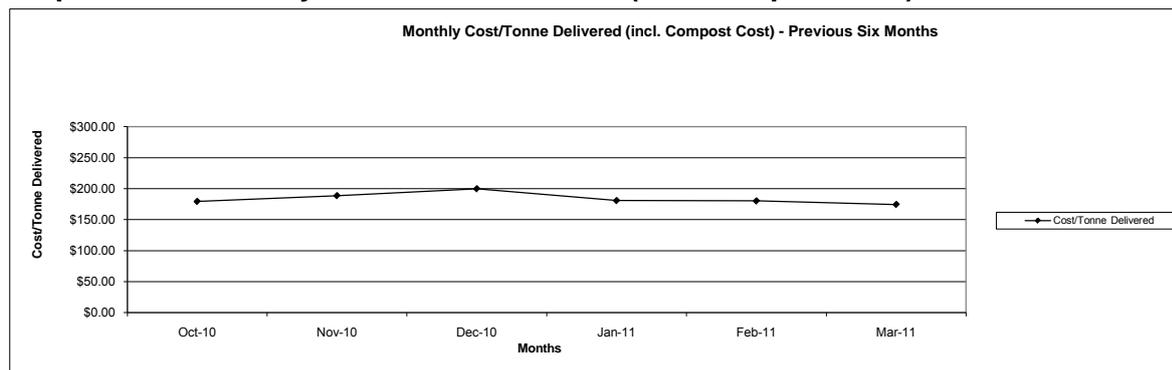
Graph No. 2 – Annual Waste Delivery & Diversion



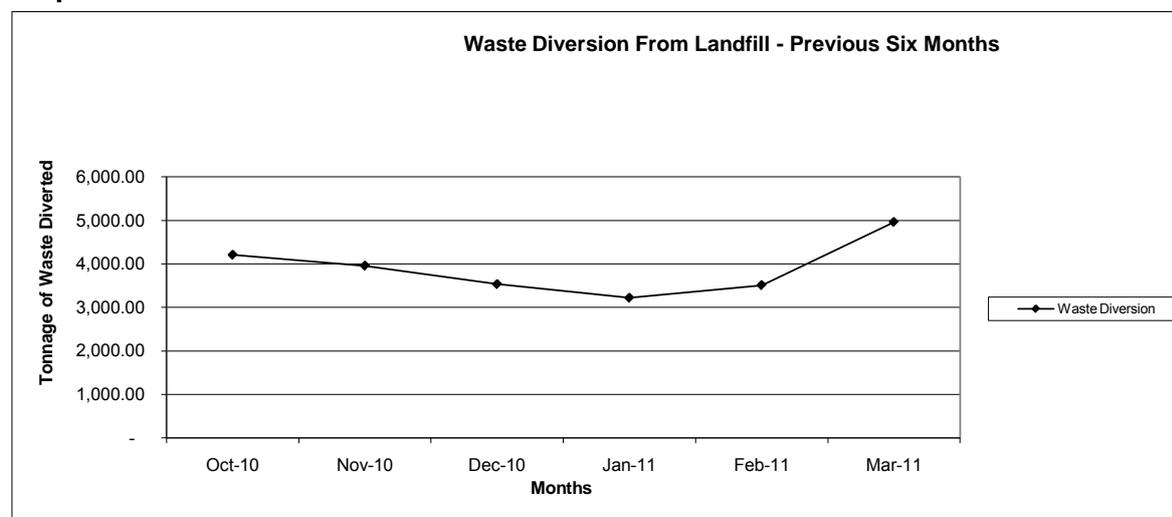
Graph No. 3 – Monthly Availability



Graph No. 4 – Monthly Cost/tonne Delivered (incl. Compost Cost)



Graph No. 5 – Waste Diversion from Landfill



Performance Indicators

KPI's as per the RRFA are as follows:

Table No. 1 – KPI Summary (to 31 March 2011)

KPI	Target	Previous 6 Months	Jan	Feb	Mar
Availability	95%*	93%	0%	97%	104%
Environmental Standard - Number of Breaches	0	0	0	0	0
Waste Diversion	60%	48.3%	42.5%	45.1%	52.0%
Quality of Compost - Number of Breaches	0	0	0	0	0
Quantity of Recyclable Packaging	0.8%	0.32%	0%	0%	0%
Health and Safety - Number of LTI's	0	0	0	0	0
Community Acceptance - Number of Complaints **	0	6	3	0	0
Project Culture - PAG Chairperson Score	100	100	100	100	100

* The Target Availability during the Initial Operating Period is to achieve an Availability of greater than 95% over a six-month period.

** Numerous complaints relating to a single event are treated as a single complaint.

In accordance with the RRFA, the KPI's relating to waste type (Waste Diversion, Quality of Compost, and Quantity of Recyclable Packaging) are able to be adjusted so far as the

variability in the quality impacts a particular KPI. Consequently; there will be no fee abatement for failure to achieve the related KPI's until waste variability has been finalised. This is currently being assessed by both parties.

Waste Diversion

The average waste diversion for the past six months (**October to March**) has been **48.3%**.

At the Ordinary Council Meeting (OCM), 25 August 2010 Council approved a revised interim WDT from 71.4% to 60%. This revised value will apply until the final WDT can be determined (July 2011).

Waste Diversion Target is covered in a separate Item.

Compost Quality

The contractual arrangements surrounding the management of compost are as follows:

- MRC, via the RRFA has contracted with BioVision to manage all compost
- BioVision, via the Asset Management Agreement (to which the MRC is not a party) has contracted with SITA to manage all compost
- SITA has then contracted with Custom Compost as a specialist compost management company to manage all compost
- MRC has no contractual link to SITA or Custom Compost with regard to compost management
- MRC pay BioVision:
 - \$24.4kilo per year for marketing compost
 - \$8.80 per tonne as a Logistic Management Fee for each tonne the compost produced
 - \$7.80 per tonne as a Transport Fee for 50% of the tonnage of compost produced
- All costs (including additional transport) are covered by BioVision (passed through to Custom Compost)
- Compost revenue distribution:
 - Custom Compost receives 5% of all compost sales revenue
 - Remaining revenue offsets cost in the following order of priority
 1. Custom Compost additional transport costs incurred
 2. MRC Logistics Management Fee and Transport Fee paid
 - Remaining revenue after offset of costs is shared:
 1. 50% MRC
 2. 25% BioVision
 3. 12.5% SITA
 4. 12.5% Custom Compost

The quality of the compost being produced continues to meet the required standards, with all compost being removed from site immediately. To date there has been no problem with Custom Compost finding markets for the product.

To date compost has been used for the following purposes:

- Turf farms
- Olive farms
- Custom Compost facilities north and south of Neerabup for blending, storage blending and then distribution to customers
- Spillage absorbent (replacement for saw dust)

Quantity of Recyclables

At the Ordinary Council Meeting on 24 February 2011 Council requested a detailed report on the treatment of the ferrous metal coming out of the RRF.

The RRFA has a ferrous metal recycling target of 0.8% or 800 tonne per year. For the first 17 months of the contract, SITA extracted approximately 1% ferrous metal or 1,000 tonne per year. This was slightly more than anticipated at the contract outset. SITA received approximately \$150 per tonne for the ferrous metal which equated to \$150,000 per year revenue.

In October and November 2010, Sims Metal, raised the issue of gas bottles in the extracted metal and consequently, at the end of November withdrew its metal bins and stopped taking the metal. SITA had no choice but to switch off the magnets and stop extracting metal from the residue. This resulted in all metal staying in the residue and ending up in the landfill. The financial impact to SITA was that it went from receiving \$150,000 per year (\$12,500 per month) to paying \$120,000 per year (\$10,000 per month) to dispose of the metal at Tamala Park. That is a swing of \$270,000 per year (\$22,500 per month).

Following the withdrawal of Sims Metal, SITA immediately commenced negotiations with other metal merchants including OneSteel (OneSteel and Sims Metal are the only two local exports of scrapmetal in Perth). OneSteel expressed a concern with the quality of the scrapmetal, specifically the plastic content. A number of smaller metal merchants were interested in taking the metal, but when they took it to Sims Metal and OneSteel as the downstream exporters of the product, Sims Metal and OneSteel were aware of the product and refused to take it. Hence, the small metal merchants were unable to assist SITA, even if SITA gave them the metal for free (\$150 per tonne loss to SITA).

SITA has attempted to modify the metal extraction chutes to improve the quality of the metal being extracted, however, this was not successful.

SITA is currently dealing with a small metal merchant to attempt to clean up the scrapmetal before it is sent off to either Sims Metal or OneSteel. SITA is also dealing with Sims Metal to try and negotiate a solution to the disposal of the extracted metal.

The impact to the MRC as a result of the metal not being extracted is that approximately 85 tonne per month of metal is ending up in landfill; hence consuming additional airspace (0.3% of monthly airspace consumption). The MRC is however paid \$105 per tonne for the disposal of the metal as residue, which equates to approximately \$9,000 per month. The MRC does not pay BioVision an additional gate fee as a result of the metal ending up in the landfill.

In consideration of the final Waste Diversion Target (WDT) the fact that the metal should be diverted from landfill will be considered and will increase the WDT accordingly (to the MRC benefit).

Residue Disposal

All Residue from the RRF has previously been disposed of at Tamala Park. This residue is made up of a number of material types generated from various points within the process:

- Primary Screening Residue (Main Source)
- Ballistic Separator Residue
- Secondary Screening Residue
- Dust

The ballistic separator residue consists of the heavier inorganic portion of the compost. This residue is considered inert and hence is able to be disposed of at an inert (Class 1) landfill. The residue is currently being sent to Eclipse Resources during weekdays and Tamala Park over the weekends (Eclipse Resources closed on weekends).

The issue of residue generation and disposal is being dealt with as part of the WDT assessment currently being undertaken by the Strategic Projects Committee (SPC) WDT sub-committee.

Air Quality

The MRC has completed air quality monitoring in the Receiving Hall and in the drivers' cabs. The conclusion of the independent assessment was that air quality is satisfactory and within allowable industrial exposure limits.

A copy of the report has been sent to all member Councils for information.

The City of Wanneroo subsequently wrote to the MRC requesting clarity on the potential health impacts associated with odour in the receiving hall.

The air quality report was modified to include a section answering the City of Wanneroo concerns. This modified report was once again sent to all member Councils.

Community Complaints

During the reporting period there were three complaints received from the golf course, all of them in January.

Project Insurance

Project Insurances are renewed annually by BioVision, with the associated insurance costs forming part of the RRF gate fee.

BioVision wrote to the MRC on 30 September 2010 advising that one of the insurers (CGU) has declined to renew the Industrial Special Risks Policy, therefore BioVision had to make enquiries to off-shore insurers in an attempt to secure the required insurance and that the new policy was to cost significantly more than the current policy.

Following receipt of written confirmation of the significant increase in insurance costs and policy deductibles, the MRC has sought specialist insurance advice on what can be done and also legal advice as to how the insurance costs and liabilities are to be handled.

The specialist insurance advice concluded that:

- It was not professionally acceptable for the MRC to go out and obtain alternative insurance quotes (contractually, this is a BioVision responsibility).
- From the correspondence received, it appears that BioVision, through JLT, has put in a significant effort to obtain quotes from the worldwide insurance industry (however would need to be quantified).
- If the MRC is liable for the additional deductible liability, then the MRC needs to review what actions can be undertaken to reduce the risk of an insurable event occurring (operational changes, housekeeping)

This remains an ongoing matter that is under investigation.

Project Advisory Group

MRC Representatives:

Cr Laura Gray
Kevin Poynton (CEO)
Chris Colyer (Town of Cambridge)

MRC Alternates:

Cr Dot Newton
Kalwant Dhillon
Anthony Vuleta (Town of Victoria Park)

BioVision Representatives:

Emmanuel Vivant
Craig Barker
Nial Stock

BioVision Alternates:

Alan Turner
Kevin Wilson

The PAG recently met on 2 February 2011 and again on 9 March 2011.

Items dealt with by the group include:

- Composter Structural Issues
- Waste Diversion Target
- ***Ferrous Metal Recycling***
- Annual Audit
- BioVision Monthly Report/Update
- Waste Residue Options
- Receiving Hall air quality monitoring – City of Wanneroo Driver Concerns
- Project Timeline
- Compost Marketing
- ***Bearing Replacement***
- Community Liaison
- Project Insurance

-
- Feedstock Optimisation
 - Continuous Improvement Program

Copies of the meeting minutes are distributed to the Agenda Review Committee and Strategic Projects Committee members and all MRC Councillors.

MRC Infrastructure Development

Visitors Centre

Following the completion of building works, the Visitors Centre internal fit-out is currently being carried out.

Vehicle Washdown Facilities

The MRC has received requests for a vehicle washdown bay at the RRF. It was never intended that a vehicle washdown bay would be provided on site; however, following the member Council requests, the MRC developed a concept design scope the work and budget pricing for construction and included it in the mid-year budget review, ***which was accepted by Council.***

The MRC is currently carrying out the detailed design of the facility during this financial year to determine an accurate construction cost for inclusion in the 2011/12 financial year budget.

Community Engagement

The MRC community engagement program continues to be managed via the Community Engagement and Advisory Group (CEAG).

The group last met on 9 February 2011 at the Joondalup Resort.

Issues covered at the meeting included:

- ***Project update from the MRC and SITA***
- ***SITA Stakeholder Consultation Group***
- ***CEAG review of RRF project***

On 2 March, the group held a meeting involving only the community members and the chairperson to review the past 7 years of the group's activities. A report is due to be provided to the MRC Administration on the outcome of the review. This report will be presented to Council at a future council meeting.

RRF Stage 2 Development

The development of a Stage 2 RRF is a matter being dealt with by the Strategic Projects Committee.

CONSULTATION

Consultation during the period has occurred with the following groups:

- Freehills
- BioVision2020
- SITA

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

The development and operation of resource recovery in the region is consistent with the following Principals described in Strategic Plan 2009 – 2029:

- Community Focus
- Innovation
- Partnership
- Leadership

In particular, Stage 1 RRF conforms with Objective 1 – Waste Management to maximise resource recovery and minimise waste to landfill in order to minimise environmental impact.

FINANCIAL IMPLICATIONS

Composter Crack Insurance Claim

The MRC has formally submitted an insurance claim and has recently been invited to participate in the mediation hearing between SITA and the insurers. Freehills has provided guidance on these matters as well as anticipated costs associated with attending the mediation (in Sydney).

The mediation hearing is anticipated to cost approximately \$130,000. This includes Freehills research and background work as well as attendance at the hearing in Sydney for three people for five days. These costs have been included in the RRF costs in the mid-year review.

Following the finalisation of a possible contract extension to allow BioVision to “work off” the tonnage shortfall that the MRC incurred during the initial period of the composter cracks, the MRC is likely to withdraw the insurance claim and hence save the majority of the above costs.

Insurance Costs

As a consequence of the increase in insurance costs, BioVision has adjusted the Gate Fee Model; which results in an increase of \$2.60 tonne from 1 October 2010. With 74,400 tonne of waste scheduled to be delivered to the RRF from 1 October to the end of the financial year, this would result in an additional cost to the MRC of \$193,440. The impact of this has been considered in the mid-year budget review.

Operational Expenditure

The Project Operational Summary below sets out the 2010/11 facility operating budget against which operational costs are tracked throughout the year.

Project Operational Costs Summary for 2010/11 Financial Year – as at

11 April 2011

Project Operational Costs Summary

Item	Revised Budget	Expenditure (to 11/04/11)	% Spent
Capital Expenses			
Infrastructure	\$ 135,000	\$ 43,033	31.9%
Total Capital Expenditure	\$ 135,000	\$ 43,033	31.9%
Operating Expenses			
Consultancy			
Specialist Project Consultants	\$ 195,000	\$ 132,587	68.0%
Project/Contract Management	\$ 90,000	\$ 61,512	68.3%
Temporary Staff	\$ 52,800	\$ 40,708	77.1%
Sub-total	\$ 337,800	\$ 234,807	69.5%
Facility Operations			
Building Cleaning	\$ 5,200	\$ 5,785	111.3%
Computer System Maintenance	\$ 12,000	\$ 11,618	96.8%
Building Maintenance	\$ 10,300	\$ 7,090	68.8%
Building Security	\$ 3,000	\$ 1,500	50.0%
Fencing and Gate Maintenance	\$ 6,200	\$ 7,674	123.8%
Road Maintenance	\$ 2,000	\$ -	0.0%
Bore and Pipework Maintenance	\$ 13,200	\$ 5,207	39.4%
Environmental Monitoring	\$ 50,000	\$ 26,360	52.7%
Landscape and Gardens	\$ 14,600	\$ 6,619	45.3%
MRC Admin Charge	\$ 100,000	\$ 83,330	83.3%
Utilities	\$ 7,300	\$ 5,220	71.5%
Council Rates	\$ 9,900	\$ 9,745	98.4%
Compost Disposal	\$ 367,000	\$ 271,171	73.9%
RRF Gate Fees	\$17,046,000	\$13,270,165	77.8%
Sub-Total	\$17,646,700	\$13,711,484	77.7%
Total Operating Expenses	\$17,984,500	\$13,989,324	77.8%

AGENDA REVIEW COMMITTEE MEETING – 8 APRIL 2011

The group discussed the following matters:

- the proposed Standstill Deed and the impact on the current insurance claim
- the option for metal that is not acceptable to the scrap merchants to be disposed of at an inert landfill site
- updating of the “Project Operational Cost Summary” to include the March BioVision Payment

MRC OFFICER RECOMMENDATION

That Council :

- (i) note the RRF update report for the period 11 January 2011 to 31 March 2011**
- (ii) note the following operational aspects associated with the RRF that are currently being dealt with:**
 - **composter long-term repairs;**
 - **composter crack insurance claims (MRC and BV);**
 - **SITA ongoing investigation of accepting rear lift vehicles;**
 - **assessment of incoming waste and facility operations in order to finalise the Waste Diversion Target by July 2011;**
 - **SITA problems associated with disposal of ferrous metal;**
 - **RRF Project Insurance renewal process and cost; and**
 - **vehicle wash down facility.**

ITEM 8.1.5 BUDGET FINANCIAL YEAR 2010/11 – EXPENDITURE REDUCTION

File No: **FIN/48 (D/11/2196)**

Attachment(s): **1. 2010/11 Listing of Further Savings Identified**

Author: **Kevin Poynton**

SUMMARY

The purpose of this Item is to provide Council with further information on further expenditure reduction options for Financial Year (FY) 2010/11.

BACKGROUND

Council, at its Special Council Meeting held on 17 March 2011, resolved, inter alia, at part (viii).

“(That Council)

(viii) approves that the deficit in 2010/2011 is to be met by further savings over the balance of the financial year as identified by the administration to be reported to the Council at the next Ordinary Council Meeting. The retained surpluses may need to be used but these are only to be considered as a matter of last resort.”

The administration has conducted further work on the task of identification of further savings, in addition to those considered at Special Council Meeting 17 March 2011. Council consideration is now appropriate.

DETAIL

The administration has identified further expenditure reduction options, and conducted an analysis on the impact of these reductions.

This information is contained in Attachment One to this Item.

CONSULTATION

N/A

STATUTORY ENVIRONMENT

This review is carried out as a follow-on action by Council with regards to the Mid-Year Review and is carried out in accordance with Regulation 33A of the Local Government (Financial Management) Regulations 1996.

POLICY IMPLICATIONS

N/A

FINANCIAL IMPLICATIONS

The savings in expenditure of \$319,200 will reduce the projected deficit for the year from \$932,485 to \$613,285.

The Administration is confident of reducing this remaining deficit of \$613,285 to zero by the following strategies:

<ul style="list-style-type: none"> • Increased Tonnages from Casuals / Commercial 	<p>\$100,000</p> <p>There is a trend of increased tonnages from the Casual / Commercial (non-Members) from January to March 2011 beyond our mid-year projections and if this trend continues a further 3,000 tonnes can be expected</p>
<ul style="list-style-type: none"> • Adjustment in RRF Amortisation 	<p>\$118,000</p> <p>Relates to Pre-operating Expenses (Interest element removed)</p>
<ul style="list-style-type: none"> • Reduction in Amortisation Costs 	<p>\$400,000</p> <p>Reduction of Post Closure Management costs (Provision for Monitoring), Amortisation cost and Provision for Capping following a further review and update of estimates in conjunction with 2011/12 Budget preparation</p>
<p>Total</p>	<p>\$618,000</p>

For information purposes, a deficit for the financial year is the excess of Operating Expenditure over Operating income for the financial year.

STRATEGIC IMPLICATIONS

N/A

COMMENT

The administration has conducted an ongoing exercise in relation to the identification of options for expenditure reduction in FY 2010/11.

Those further potential reductions, described at Attachment One to this Item, are assessed as workable, without comprise to the Council's duty of care to staff or customers.

Notwithstanding this, these reductions are likely to lead to a reduction in capability within the business.

MRC OFFICER RECOMMENDATION

That Council:

<p>(i) approve the decrease in expenditure of \$319,200 in the following areas:</p>	
<ul style="list-style-type: none"> - Employee Costs - Consultants & Contract Labour - Communications & Public Consultation - Landfill Expenses - Office Expenses - Information Systems Expenses - Plant & Vehicle Operating & Hire - Elected Members Costs 	<p>\$45,300</p> <p>\$13,600</p> <p>\$30,500</p> <p>\$159,700</p> <p>\$3,300</p> <p>\$49,000</p> <p>\$12,800</p> <p>\$5,000</p>
<p>Total Savings</p>	<p>\$319,200</p>

-
- (ii) **note the strategies Administration is adopting to reduce the deficit for this financial year to zero**

Voting Requirement: Absolute Majority

ATTACHMENT ONE
TO ITEM 8.1.5
ORDINARY COUNCIL MEETING
28 APRIL 2011
2010/11 LISTING OF FURTHER SAVINGS IDENTIFIED

2010/11 FURTHER SAVINGS IDENTIFIED

	Amount	Comments / Impact
Employee Costs		
Staff Training	19,100	<ul style="list-style-type: none"> • Training is reduced to generate savings by delaying training for Operator Development training, TRIM, Navision and Communication staff. • This would impact on employees' skill in the longer term if this trend continues.
Staff Conferences	10,500	<ul style="list-style-type: none"> • MRC is a small organisation and Conferences provide excellent opportunity for management development, knowledge and sharing of new ideas/technology which in turn will benefit MRC as an organisation as well as MRC staff in their development. • Inability to attend these conferences will impact on the development of staff going forward.
Travelling Expenses	2,600	Savings arising from reduced level of training.
First Aid Expenses	1,500	Purchase of additional first aid kits delayed.
Wellness Programs	11,600	Reduced capability for MRC contribution to staff wellness.
Total Employee Costs	45,300	
Consultants and Contract Labour		
Consultancy	10,000	Reduced capability for utilisation of specialist support.
Contract Labour External	3,600	<ul style="list-style-type: none"> • Relief staff for Receptionist foregone to generate savings and, in the event, Reception staff is sick or takes leave, the Governance and Records Officers will need to cover these duties. • This would impact on the level of customer service in the reception and the governance and records areas.
Total Consultants and Contract Labour	13,600	
Communications and Public Consultation		
Waste Management Education	30,500	Savings arising from: <ul style="list-style-type: none"> • Lower level of activities in WESSG, Waste Free Event support and HHW Temporary Disposal days • Savings on Battery Program due to delay of funding for replacement casual staff arising from the delay of approval of the Mid-Year Review – this has impacted on ability to fully implement the program this financial year.
Total Communications and Public Consultation	30,500	

Landfill Expenses		
Access Road Maintenance	21,700	Planned maintenance will be delayed.
Research and Planning	96,000	Funds not yet required for "Son of Tamala" landfill study.
Site Operating	42,000	Reduced level of fire activity in 2010/2011 resulted in reduction of fire fighting products.
Total Landfill Expenses	\$159,700	
Office Expenses	\$3,300	Reduced level of activities.
Information Systems Expenses		
Computer Systems Maintenance	49,000	Savings projected on revised agreement on the delivery of I.T. Services and deferral of projects.
Total Information Systems Expenses	49,000	
Plant and Vehicle Operating and Hire		
Leachate System Management	12,800	Funds held for emergency pump repairs no longer required.
Total Plant and Vehicle Operating and Hire	12,800	
Elected Members Costs		
Member Conference Expenses	5,000	Reduced opportunity for learning via conferences e.g. LGMA
Total Elected Members Costs	5,000	
Total Savings	319,200	

**ITEM 8.1.6 TENDER RECOMMENDATION – ADMINISTRATION BUILDING
COURTYARD CONVERSION AT TAMALA PARK WASTE
DISPOSAL FACILITY**

Tender No: 13/115

File No: COP/2-05

Attachment(s): 1. **Tender Assessment – Hodge Collard Preston Architects**

Author: Mike Tolson

SUMMARY

The purpose of this item is to provide the Mindarie Regional Council (MRC) elected members with the outcome of tenders received in response to the Request for Tender 13/115 Administration Building Courtyard Conversion at Tamala Park Waste Disposal Facility. The aim of this project is to provide additional administration accommodation without significant building construction.

When the MRC administration building was initially constructed it housed 7 staff but now accomodates 20 part-time and permanent staff which is causing impacts on office space and in the kitchen at staff meal times. It is proposed to gain the additional office space within the building by dividing the existing conference room to form three office spaces and to enclose the courtyard area to form a new conference room. The enclosed courtyard would also relieve crowding in the kitchen during staff meal times by providing additional space to consume their meals.

BACKGROUND

At the Special Council Meeting conducted 24 June 2010, the Council approved in the 2010/2011 budget capital expenditure of \$92,000 for building works at Tamala Park for to the Administration accommodation.

DETAIL

The Tender Process

The tender assessment was conducted on behalf of the Council by consultants Hodge Collard Preston Architects. The report on this assessment is included as Attachment One to this report.

Tenders were invited via a public advertismment in the West Australian newspaper on Wednesday 02 March 2011. The deadline for the receipt of tenders was on Monday 21 March 2011, by which time tenders had been received from the following seven companies:

- Adrina Construction
 1 Seaham Way
 Mindarie WA 6030
- Devco Holdings Pty Ltd
 Nautical Court
 Yanchep WA 6035

-
- Connolly Building Company
66 Lakeside Drive
Joondalup WA 6027
 - Dalcon Construction Pty Ltd
3/33 Archer Street
Carlisle WA 6101
 - CPD Group
113 Kew Street
Welshpool WA 6106
 - KMC Group
9 Vinnicombe Drive
Canning Vale WA 6155
 - Stillcon Pty Ltd
1/249 Balcatta Road
Balcatta WA 6021

Compliance

The tender required that tenders submit at least the following information:

- (a) Compliance with the Specification contained in the Request;
- (b) Compliance with the Conditions of Tendering;
- (c) The Quality Assurance requirements for this Request is that the tender's QA be nationally recognised;
- (d) Compliance with the Delivery Date;
- (e) Compliance with and completion of Part 3, Attachments A and B; and
- (f) Compliance with Referees. Tenderers are to list the names of the State or Public Authorities and / or private companies which have utilised the tenderer to service contracts together with references (name and telephone number).

One of the seven tenders received did not meet the compliance requirements. Stillcon Pty Ltd did not supply Attachments 8, 12 and 13 also Tenderers Offer pages 24 and 26 were not submitted and list of subcontractors was not included. This bid was deemed to be a non-conforming tender.

Tender Assessment Methodology

The tenders that met the Compliance Criteria were then assessed against the following criteria to determine Value for Money to the MRC. The criteria and their weightings were specified in the RFT:

- | | | |
|----|--|----------------|
| a. | Price | 70% weighting; |
| b. | Non-price Criteria | 30%, weighting |
| | comprising: | |
| | I. Demonstrated Experience | (15%) |
| | II. Skills and Experience of Key Personnel | (15%) |

A weighting of 70% for Price was allocated, which is the lower end of the normal range (60% - 90%) reflecting the uncomplicated nature of the construction required.

TENDER ASSESSMENT

Compliance Criteria

- **Demonstrated and Relevant Experience**

Devco Builders, Dalcon Construction, CPD Group, Connolly Building Company, and KMC Group are well known who all have extensive local and state government project experience. Adrina Construction, although no local government project experience, has satisfactory residential, multi-residential and mixed-use construction experience in Western Australia in projects up to \$7.75 million in value. Registered Builder in Western Australia since 2006, the company has been working in the construction industry since 2003.

- **Skills and Experience of Key Personnel**

All tenderers provided details which indicated that all of their key personnel have a satisfactory level skill and experience to successfully undertake this contract.

Price Schedule

Table 1 provides a summary of the prices and project duration information submitted by the Tenderers.

Table 1

	COMPANY	TENDER PRICE (Excluding GST)	CONSTRUCTION TIME
1.	Adrina Construction	\$117,571.80	12 weeks
2.	Devco Holdings Pty Ltd	\$139,720.00	12 weeks
3.	Connolly Building Company	\$145,204.00	10 weeks
4.	Dalcon Construction Pty Ltd	\$154,602.00	15 weeks
5.	CPD Group	\$158,760.00	8 weeks
6.	KMC Group	\$196,000.00	10 weeks

Weighted Price

The costs in Table 1 were used to calculate the weighted Price for each Tenderer, which are shown in Table 2.

Table 2

Tenderer	Price (Ex GST)	Normalised Price	Weighted Price
Adrina Construction	\$117,571.80	10	7
Devco Holdings Pty Ltd	\$139,720.00	8.41	5.89
Connolly Building Company	\$145,204.00	8.09	5.66
Dalcon Construction Pty Ltd	\$154,602.00	7.60	5.32
CPD Group	\$158,760.00	7.4	5.18
KMC Group	\$196,000.00	5.99	4.19

Non-Price Criteria

The tenders were evaluated against the predetermined Non-price Criteria and the results are shown in Table 3.

Table 3

Tenderer		Adrina Construction	Devco Holdings	Connolly Building Company	Dalcon Construction	CPD Group	KMC Group
Weighted Non Price	30%	2.25	3	2.4	3	3	3
Weighted Price	70%	7	5.89	5.66	5.32	5.18	4.19
Total Score	100%	9.25	8.89	8.06	8.32	8.18	7.19

Other Non-Price Criteria

Quality Assurance

The RFT requirement for a “third party”, i.e. nationally recognised quality assurance system was not satisfied by any of the Tenderers. However, all the Tenderers provided documentation to shown that they have an internal quality assurance system to satisfy the requirements for this criteria.

Financial Capacity

All tenderers provided financial reports and financial referees in accordance with the RFT. The Consultants assessment of that information is that each of the tenderers has the financial capacity to undertake the the contract. Due diligence check by the Council Administration of the lowest bid is ongoing and the results of the check will forwarded when completed.

STATUTORY ENVIRONMENT

Local Government Act 1995 – Sect 3.57 Tenders for Providing Goods and Services.

POLICY IMPLICATIONS

Not applicable

FINANCIAL IMPLICATIONS

Provision of \$92,000 exists within the context of Council's annual Budget for this project. The recommended tenderer has submitted a price of \$117,571.80 indicating a deficit of \$26,000 in the overall project cost. The deficit comprises a shortfall of \$16,000 and a builder's contingency of \$10,000 which may not be incurred. The additional funds required to complete this project would be sourced by the re-allocation of funds from the Landfill Phase III Development budget allocation, which project has been delayed until early 2011/12.

STRATEGIC IMPLICATIONS

Not applicable

COMMENT

The evaluations of the Tender Submissions have been undertaken in accordance with the Mindarie Regional Council tender guide. The evaluation concluded that Adrina Constructions' submission represents the best value for money for the Council.

It is recommended that Adrina Construction is awarded the Contract for the construction / renovations of the Administration Building Courtyard Conversion at the Mindarie Regional Council (MRC) Waste Management Facility at Tamala Park in accordance with the specification and the Terms and Conditions as specified in RFT13/115 subject to the results of the financial due diligence audit.

AGENDA REVIEW COMMITTEE MEETING – 8 APRIL 2011

The Committee agreed modifications to the report as follows:

- Clarification on purpose of administration building courtyard conversion
- All figures in document to be exclusive of GST

MRC OFFICER RECOMMENDATION

That Council:

- (i) accept the tender offered by the Adrina Construction of \$117,571.80 (exclusive of GST) Administration Building Courtyard Conversion at Tamala Park Waste Disposal Facility**
- (ii) approve the re-allocation up to a maximum of \$26,000 from the Landfill Phase III Development budget to fund the additional project cost**

ATTACHMENT ONE
TO ITEM 8.1.6
ORDINARY COUNCIL MEETING
28 APRIL 2011
TENDER ASSESSMENT –
HODGE COLLARD PRESTON ARCHITECTS

EVALUATION REPORT – REVISION 1

RFT 13/115

**ADMINISTRATION BUILDING
COURTYARD CONVERSION AT TAMALA PARK WASTE DISPOSAL
FACILITY
- 1700 MARMION AVE, MINDARIE**

MINDARIE REGIONAL COUNCIL

30TH March 2011

EXECUTIVE SUMMARY

Adrina Construction be awarded the Contract for the construction / renovations of the Administration Building Courtyard Conversion at the Mindarie Regional Council (MRC) Waste Management Facility at Tamala Park in accordance with the specification and the Terms and Conditions as specified in RFT13/115.

The evaluations of the Tender Submissions have been undertaken in accordance with the Mindarie Regional Council tender guide. The evaluation concluded that Adrina Construction's submission represents the best value for money for the Shire, based on the information received and their tender score in accordance with Appendix 8 of the Mindarie Regional Council tender guide.

The evaluation process included contact with referees to verify the claims made by the recommended Respondent. The comments received were positive and confirmed a high level of satisfaction.

Auditing of financial information of Adrina Construction has not been carried out. Mindarie Regional Council shall remain responsible for review of Adrina Construction's financial capabilities to complete the project.

The Contract price of \$117,571.80 excluding GST is fixed and firm from the date of acceptance. The construction time is confirmed as twelve (12) weeks.

1.0 TENDER PROCESS

1.1 PROJECT BACKGROUND

The Mindarie Regional Council issued RFT13/115 - Administration Building Courtyard Conversion at Tamala Park Waste Disposal Facility - 1700 Marmion Ave, Mindarie.

The scope of the tender included the enclosure of the existing courtyard, new walls, roof windows and doors, two a/c wall split units and internal fit-out to create an indoor / outdoor multipurpose space.

1.2 SCOPE OF TENDER

The Request was advertised in The West Australian newspaper on Wednesday 2nd March 2011. The closing time and date for lodgement of a response was 12 Noon on 21st March 2011 to Mindarie Regional Council Tender Box.

1.3 REQUEST FOR TENDER

This Request specified the requirements of the Council and invited suitably qualified and experienced Respondents to submit bids to enter into a Contract for RFT13/115 for the construction/renovations of the Administration Building Courtyard Conversion at the Mindarie Regional Council (MRC) Waste Management Facility at Tamala Park in accordance with the specification.

A full statement of the requirements under the proposed contract was detailed in the Specification and Special Conditions of Contract-Part 2.

1.4 NON-CONFORMING TENDERS

A Tender shall be rejected without consideration of its merits in the event that it is not submitted before the Deadline and at the place specified in the Request and may be rejected if it fails to comply with any other requirements of the Request.

Tenders are checked for completeness and compliance. Tenders that do not contain all information requested (e.g. completed Offer form and Attachments) may be excluded from evaluation.

1.5 SITE INSPECTION AND INTERVIEWS

Tenderers shall be deemed to have visited the site and inspected the prospective works.

There are no interview requirements set out in the RFT13/115.

1.6 TENDER EVALUATION PROCESS

Tenderers were evaluated using information provided in their Tender submission.

The following evaluation methodology was used in respect of this Request:

- (a) Tenders are checked for completeness and compliance against the Compliance Criteria. Tenders that do not contain all information requested (e.g. completed Offer form and Attachments) may be excluded from evaluation.
- (b) Tenders are assessed against the Qualitative Criteria which includes Price Criteria and Non-Price Criteria.
- (c) The most suitable Tenderers may be short listed and may also be required to clarify the Tender and provide additional information. Referees may also be contacted prior to the selection of the successful Tenderer.

The compliance criteria specified for this Request were:

- (a) Compliance with the Specification contained in the Request;
- (b) Compliance with the Conditions of Tendering;
- (c) The Quality Assurance requirements for this Request is that the tender's QA be nationally recognised;
- (d) Compliance with the Delivery Date;
- (e) Compliance with and completion of Part 3, Attachments A and B; and
- (f) Compliance with Referees. Tenderers are to list the names of the State Public or Authorities and / or primate companies which are utilise the tenderer to service together with references (name and telephone number).

These criteria were not point scored. Each Submission was assessed on a Yes / No basis as to whether a criterion was satisfactorily met. An assessment of "No" against any criterion may eliminate the Tender from consideration.

The Principal has adopted a best value for money approach to this Tender. The Contract will be awarded to a sole Tenderer who best demonstrates the ability to provide quality products at a competitive price. The Tender containing the lowest price or any Tender will not necessarily be accepted, nor will the Tender ranked the highest on the qualitative criteria.

2.0 DETAILS OF PROPOSALS RECEIVED

Mindarie Regional Council received a total of seven (7) Submissions as follows:

	COMPANY	TENDER PRICE (Excluding GST)	CONSTRUCTION TIME
1.	J.J. Van Den Berg T/A Adrina Construction	\$117,571.80	12 weeks
2.	Devco Holdings Pty Ltd	\$139,720.00	12 weeks
3.	Connolly Building Company	\$145,204.00	10 weeks
4.	Dalcon Construction Pty Ltd	\$154,602.00	15 weeks
5.	CPD Group	\$158,760.00	8 weeks
6.	WA Commercial Constructions T/A KMC Group	\$196,000.00	10 weeks

3.0 TENDER EVALUATION

Tenders are assessed against the Qualitative Criteria which includes Price and Non-Price Crireria,

The Non-Price Criteria and weightings for this Request were:

(a) DEMONSTRATED AND RELEVANT EXPERIENCE IN AND EVIDENCE OF THE COINSTRUCTION OF SIMILAR OR RELEVANT PROJECTS

.....Weighting 15%

Respondents shall provide a description of similar work carried out under Contracts for other government or private organisations. The minimum information required is:

- Scope of work;
- Similarities between those Contracts and this requirement;
- Period and dates of Contracts;
- Referee contacts – minimum 3.

(b) SKILLS AND EXPERINCE OF KEY PERSONNEL.....Weighting 15%

Respondents shall provide details of the resources that will be allocated to meet the requirements of this Contract, including:

- A brief history of the company addressing the period of time in business, the number of full time employees and the principal location of the business;

- The structure of the business and details of the support team proposed for the Contract including the following details of key personnel:
 - Qualifications;
 - Professional or business associations;
 - Length of service; and
 - Industry experience – emphasis on similar requirements seeking details of the scope, person’s role, involvement and the outcome.
- Local infrastructure including after hours contacts for emergency requirements and the ability to provide additional personnel and resources if required;

(c) PRICE OFFERED.....Weighting 70%

Respondents shall provide Trade Breakdown which confirms the Tender Sum is made up of the listed trade prices and a completed Schedule of Rates.

Evaluation Rating Scale

A rating scale of zero to five (0 – 5) was used for evaluating each Submission and scored each Submission in accordance with the qualitative criteria.

For reference purposes, the rating scale and descriptions for the range of scores are shown in the table below.

Score	Description
0	Did not address the issue
1	Does not meet the minimum requirements
2	Meets the minimum requirements
3	Satisfactorily meets most preferred project requirements
4	Satisfactorily meets all preferred project requirements
5	Exceeds project requirements

HCP have evaluated the tenders based on the information provided in the tender submissions. The summaries are not intended to be comprehensive but to provide an overview only.

These details are confidential and not for public release.

ADRINA CONSTRUCTION

Overall Weighted Criteria Total Score	9.25/10
Total Contract Price	\$117,571.80 GST exclusive

No local government projects experience, but satisfactory residential, multi-residential and mixed-use construction experience in WA in projects up to \$7.75 million in value.

Mr. J. J. Van der Berg will be the project manager and quality control manager for the project. Mr. Van der Berg has twenty years of experience in building construction industry. He has been registered in WA since 2006 and in the building industry in WA since 2003. Mr JGS Viljoen will be the site supervisor and site manager. Mr. Viljoen has satisfactory experience in the building construction industry to complete this project.

DEVCO BUILDERS

Overall Weighted Criteria Total Score	8.89/10
Total Contract Price	\$139,720.00 GST exclusive

Extensive local and state government project experience (City of Joondalup, Town of Vincent, City of Bayswater, etc.) in projects up to \$2.5 million in value. Forty –five years of experience in the building construction industry in WA.

Mr. J. Devereux is the operations manager and has fourteen years of experience in the construction industry. Mr. Hegarty and Mr. Dougan are operations supervisors and have thirteen and twenty-seven years of experience in the building construction industry respectively to complete this project.

DALCON CONSTRUCTION

Overall Weighted Criteria Total Score	8.32/10
Total Contract Price	\$154,642.00 GST exclusive

Extensive local government project experience (Town of Kwinana, City of Canning, Shire of Gingin, etc.) in projects up to \$2.1 million in value.

Mr. J. Figliomeni is the director of the company and has forty years of experience in the building construction industry in WA. Site supervisors Mr. McDonald and Mr. McCain have twenty and ten years of experience in the construction industry.

- Attachment 5 Trust Deed was not submitted but the name of the trust was provided.

CPD Group

Overall Weighted Criteria Total Score	8.18/10
Total Contract Price	\$158,760.00 GST exclusive

Extensive local and state government and commercial project experience up to \$6.0 million in value.

Mr. Hunt, who is the company director, has thirty years of experience in the building construction industry with sixteen years of experience in WA. Site supervisor Mr. Horton has 25 years of experience in the building construction industry.

CONNOLY BUILDING COMPANY

Overall Weighted Criteria Total Score	8.06/10
Total Contract Price	\$145,204.00 GST exclusive

Satisfactory level of experience in local government and commercial projects up to \$1.2 million in value.

Mr. Baxter will be the site manager and supervisor and contract administrator for the project. He has thirty years of experience in the building construction industry in WA with emphasis on alterations and conversions.

KMC GROUP

Overall Weighted Criteria Total Score	7.19/10
Total Contract Price	\$196,000.00 GST exclusive

Extensive experience in local government projects (City of Joondalup, City of Rockingham, and Department of Treasury & Finance) up to \$2.3 million in value.

The project team has three registered builders with extensive experience to satisfactorily complete the project.

Clarification email sent to all tenderers on 17th March 2011 was not acknowledged in the tender submission, but an evaluation was made that this did not provide a basis to exclude the tenderer from the assessment process.

4.0 DISCUSSION AND CONCLUSIONS

As a result of the evaluation against the Qualitative Criteria which includes Price and Non-Price Criteria the following are the rankings for the compliant Submissions.

Respondent	Weighted Non-Price Criteria Score	Tender Price (excluding GST)	Weighted Price Criteria Score	Weighted Overall Criteria Score	Overall Rank
J.J. Van Den Berg T/A Adrina Construction	2.27	\$117,571.80	7	9.25	1
Devco Holdings Pty Ltd	3	\$139,720.00	5.89	8.89	2
Dalcon Construction Pty Ltd	3	\$154,602.00	5.32	8.32	3
CPD Group	3	\$158,760.00	5.18	8.18	4
Connolly Building Company	2.4	\$145,204.00	5.66	8.06	5
WA Commercial Constructions T/A KMC Group	3	\$196,000.00	4.19	7.19	6

Other Non-Price Criteria

Quality Assurance

The RFT requirement for a “third party”, i.e. nationally recognised quality assurance system was not satisfied by any of the Tenderers. However, all the Tenderers provided documentation to show that they have an internal quality assurance system to satisfy the requirements for this criteria.

Financial Capacity

All tenderers provided financial reports and financial referees in accordance with the RFT. The Consultants assessment of that information is that each of the tenderers has the financial capacity to undertake the the contract. Due diligences check by the Council Administration of the lowest bid is ongoing and the results of the check will be forwarded when completed.

5.0 RECOMMENDATION

Adrina Construction be awarded the Contract for the construction / renovations of the Administration Building Courtyard Conversion at the Mindarie Regional Council (MRC) Waste Management Facility at Tamala Park in accordance with the specification and the Terms and Conditions as specified in RFT13/115.

The evaluations of the Tender Submissions have been undertaken in accordance with the Mindarie Regional Council tender guide. The evaluation concluded that Adrina Construction's submission represents the best value for money for the Shire, based on the information received and their tender score in accordance with Appendix 8 of the Mindarie Regional Council tender guide.

The evaluation process included contact with referees to verify the claims made by the recommended Respondent. The comments received were positive and confirmed a high level of satisfaction.

Auditing of financial information of Adrina Construction has not been carried out. Mindarie Regional Council shall remain responsible for review of Adrina Construction's financial capabilities to complete the project.

The Contract price of \$117,571.80 excluding GST is fixed and firm from the date of acceptance. The construction time is confirmed as twelve (12) weeks.

ITEM 8.1.7 RE-ALLOCATION OF MINDARIE REGIONAL COUNCIL WESTERN AUSTRALIAN TRANSITIONAL E-WASTE PROGRAM FUNDING

File No: WST/27 (D/11/2162)

Attachment(s): Nil

Author: Mike Tolson

SUMMARY

The purpose of this item is to inform the council of a recommendation to approve the re-allocation of Western Australian Transitional E-waste Program (WATEP) funding from Mindarie Regional Council (MRC) to Western Metropolitan Regional Council (WMRC).

BACKGROUND

On 22 December 2010, the Minister for the Environment approved the Western Australian Transitional E-waste Program as the approved interim approach to providing support to the E-waste collections in Western Australia prior to the roll out of a National Television and Computer Product Stewardship Scheme (National Scheme). WATEP commenced on 1 January 2011 and is intended to run until the National Scheme is operational in the Metropolitan area or for three years, whichever is sooner. Both MRC and WMRC are participants in WATEP. The WATEP program is a shared responsibility between the Waste Authority and is administered by the Waste Management Branch Department of Environment and Conservation (DEC).

The notional amount of WATEP funding allocated to the MRC for the three year program is \$328,178 split equally between the MRC collection centres at Tamala Park and Balcatta, the amount apportioned to each is \$164,089. These figures are derived from the WATEP calculation methodology resulting in a cap allocated on the basis of per head population.

DETAIL

In a letter received by MRC on 9th March 2011; Mr Adam Johnson CEO WMRC, contends that WMRC has been concerned that its allocation of WATEP funding is insufficient to cover demand, primarily because the McGeough Resource Recovery Facility (the facility) which is the WMRC E-waste collection point serves a broader population than the members Council residents, in particular the residents of the Town of Cambridge. That residents of the Town of Cambridge use the facility is supported by the HHW collection day run 12 February 2011, in which 30% of all customers were from the Town of Cambridge.

The WMRC has requested shifting the Town of Cambridge allocation from MRC to WMRC which would involve \$4,153 in the first year. This would represent a 40% increase in the WMRC allocation, and a 5% decrease in the MRC/City of Stirling allocation.

Town of Cambridge Support

Town of Cambridge Director Infrastructure, Mr Chris Colyer, has indicated that the Town of Cambridge Administration fully supports the WMRC request to re-allocate the Town of Cambridge WATEP first year funding to WMRC and is offering to match the \$4,153 if the WATEP funding re-allocation is supported by MRC.

STATUTORY ENVIRONMENT

Not applicable

POLICY IMPLICATIONS

Not applicable

STRATEGIC IMPLICATIONS

Not applicable

FINANCIAL IMPLICATIONS

This proposal would mean a reduction MRC/City of Stirling WATEP funding allocation by \$4,153.

COMMENT

The re-allocation of Town of Cambridge WATEP funding to WMRC is seen as a positive step supporting the adjacent regional council for the benefit of Town of Cambridge and MRC, because it would reduce the need for temporary HHW dropoff days at the Town of Cambridge, saving the MRC a cost of \$21,672 to conduct the collection day and is sending a positive message to all Cambridge residents that this HHW and E-waste material is not to be included within the general waste bin which is processed at the RRF.

Participating in this proposal offers all MRC members in particular, the southern members, an alternative closer facility to Balcatta and Tamala Park.

AGENDA REVIEW COMMITTEE MEETING – 8 APRIL 2011

The Committee agreed minor changes to the report.

MRC OFFICER RECOMMENDATION

That Council:

- (i) approve the re-allocation of the Town of Cambridge Western Australian Transitional E-Waste Program (WATEP) Year One funding of \$4,153 to the Western Metropolitan Regional Council**
- (ii) authorise the CEO Mindarie Regional Council to re-allocate Town of Cambridge WATEP funding for years Two and Three when these amounts are advised, to the Western Metropolitan Regional Council**

**ITEM 8.1.8 MINDARIE REGIONAL COUNCIL – POLICY DOCUMENTATION –
NEW POLICY**

File No: **COR/23 (D/11/2137)**

Attachment(s): **1. 34B Use of Social Media**

Author: **Kathleen van Son**

SUMMARY

The purpose of this item is to continue the process for Council to approve new and revised Mindarie Regional Council (MRC) Policies.

BACKGROUND

Council had previously agreed that an exercise should be conducted to review MRC policies and obtain Council approval for new and revised policy documents. This process has commenced and Council consideration of the ongoing work is now appropriate.

DETAIL

Structure of Business Documentation

The Council utilises a business manual which comprises both policies and procedures. These documents are reviewed on a regular basis.

Review Progress

The exercise for the creation and reviewing of policies has progressed to the point of a review of Part A – Governance and Part B – Business. A new Policy is now presented for Council approval and is described at Attachment One to this Item.

CONSULTATION

Consultation took place with the MRC's Communications Manager Ms Gae Synnott.

RATIONALE FOR NEW POLICY

The MRC's overall communication aim is behavioural change, specifically to promote behaviour that is consistent with the region's operational plans for waste minimisation and resource management.

To achieve this MRC need to bring waste into the mainstream consciousness of the community. This will only be possible if MRC is able to communicate with the regional community using the communication mediums they access regularly. As this is increasingly electronic and web-based, the strategy is to utilise the website as the hub of our communications. This provides the platform for the use of social media, and the Earth Carers blog and forum is the first step into this social media field.

A Procedure for the use of social media has also been produced. The Procedure will be reviewed by the MRC Management Team following approval of this Policy 34B - Use of Social Media.

The Procedure includes the following guiding principles:

- Confidentiality
- Privacy
- Integrity
- Copyright
- Respect for co-workers
- Moderators – trained staff to monitor comments ie controversial issues
- Disclaimers

STATUTORY ENVIRONMENT

Not applicable.

POLICY IMPLICATIONS

Mindarie Regional Council's approved policies will form part of the Council's business manual.

STRATEGIC IMPLICATIONS

This review will have no direct strategic implications.

COMMENT

The administration has commenced the process of the review of business documentation. This new policy is now submitted for Council consideration and approval.

AGENDA REVIEW COMMITTEE MEETING - 8 APRIL 2011

The Committee agreed that such a Policy was appropriate, regardless of the potential limited scope of ongoing MRC education programs, or the premise that the website activities encompass 'social media' via the 'blog' function.

MRC OFFICER RECOMMENDATION

That Council approve Policy 34B Use of Social Media, which will form part of the MRC Business Manual, Part B, Business.

ATTACHMENT ONE
TO ITEM 8.1.8
ORDINARY COUNCIL MEETING
28 APRIL 2011
POLICY 34B
USE OF SOCIAL MEDIA



Mindarie Regional Council
Business Manual – Policies

POLICY NO: 34B
POLICY: USE OF SOCIAL MEDIA
ISSUED: MARCH 2011
REVIEWED:

OBJECTIVE:

This policy governs the publication of and commentary on social media by employees of the MRC. The effective use of social media contributes to creation and consolidation of the MRC's brand and reputation.

POLICY:

For the purposes of this policy, social media means any facility for online publication and commentary which allows users to interact in some way by sharing information, opinions, knowledge and interests. It includes, without limitation, blogs, forums, wikis, social networking sites such as Facebook, LinkedIn, Twitter, Flickr, and YouTube.

This policy is in addition to and complements any existing or future policies regarding the use of technology, computers, e-mail and the internet.

At this point the only social networking activity authorised by the MRC is blogs and forums. Activity on all other social networking sites is currently not authorised by the MRC during work hours although employees are free to utilise these sites as individuals outside of work hours subject to the procedures.

This policy will be reviewed and amended accordingly, as and when further social media activity is adopted by the MRC.

Authorisation

The MRC is moving incrementally into the use of social media, on a project by project basis. The staff involved with those projects will be authorised to use social media. This list of authorised staff will be reviewed over time.

Staff positions authorised to engage with MRC Social Media

- Chief Executive Officer (CEO)
- Marketing & Education Manager
- Project Officer Resource Recovery Facility (RRF)
- Waste Education Staff
- Records Officer

This group of employees is free to publish or comment via social media on the MRC **website, blog and community forum**, in accordance with this policy and as directed by the Marketing and Education Manager. Such employees are subject to this policy to the extent they identify themselves as an MRC employee (other than as an incidental mention of place of employment in a personal social media on topics unrelated to the MRC).

Non-authorised MRC employees are not allowed to publish or comment via social media in any way during work hours or using work facilities, or in any way that suggests they are doing so in connection with the MRC. Employees are also not allowed to publish or comment on social media outside of work hours in any way that suggests they are doing so in connection with the MRC. Policy violations will be subject to disciplinary action as set out in MRC Policy, Code of Conduct for Employees, issued to all MRC Employees commencing December 2007.

Records Management

All official social networking activity will be captured in accordance with MRC Records Management Policies and Procedures. This area is controlled by the Administration Manager.

Training

All authorised MRC spokespeople are required to attend training before commencing social networking activity on behalf of the organisation.

RESPONSIBILITY:

The Chief Executive Officer is responsible for the implementation and monitoring of this policy. The Marketing and Education Manager is responsible for leadership and the management of all aspects of this policy, including demonstration with documentation, of evidence associated with any breaches of this policy.

Supervisors and employees are responsible for ensuring that all policies and procedures are adhered to.



MINUTES

STRATEGIC PROJECTS COMMITTEE

11 MARCH 2011

TIME: 8.30AM

VENUE – TOWN OF VINCENT

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



**MINDARIE REGIONAL COUNCIL
STRATEGIC PROJECTS COMMITTEE
MINUTES
11 MARCH 2011**

A meeting of the Strategic Projects Committee was held at the Town of Vincent, 244 Vincent Street, Leederville, Western Australia, on 11 March 2011. The meeting commenced at 8.30am.

COMMITTEE MEMBERSHIP

Delegates

Karen Caple (Chairman)	Director City Businesses	City of Wanneroo
Martyn Glover (Deputy Chairman)	Director Infrastructure Services	City of Joondalup
Chris Colyer	Director Infrastructure	Town of Cambridge
Geoff Eves	Director of Infrastructure	City of Stirling
Doug Forster	Director of Business Units	City of Perth
Rick Lotznicker	Director Technical Services	Town of Vincent
Kevin Poynton	Chief Executive Officer	MRC
Anthony Vuleta	Director Technical Services	Town of Victoria Park

Deputy Delegate

Kalwant Dhillon	Chief Financial Officer	MRC
Jane Pritchard	Mgr Infrastructure Mgt Services	City of Joondalup
Shane Spinks	Manager City Business	City of Wanneroo

The Minutes have been confirmed by resolution of the Strategic Projects Committee on 8 April 2011.

.....CHAIRMAN

TABLE OF CONTENTS

ITEM	SUBJECT	PAGE NO
1	DECLARATION OF OPENING, ANNOUNCEMENT OF VISITORS, ATTENDANCE AND APOLOGIES	5
2	CONFIRMATION OF MINUTES OF PREVIOUS MEETING – 4 FEBRUARY 2011	5
3	BUSINESS ARISING FROM THE PREVIOUS MEETING (see Action Sheet page 4 – Previous Meeting)	5
4	STRATEGIC PROJECTS / INITIATIVES	6
4.1	Strategic Integrated Regional Plan	6
4.2	Future Landfill Site	7
4.3	RRF Stage One (including Waste Diversion)	7
4.4	RRF Stage Two	7
4.5	RRF PAG Issues	7
4.6	Waste Collection	7
4.7	Tamala Park Closure Plan	7
4.8	Tamala Park Regional Council Interface	7
4.9	Budget 2010/2011	8
4.10	City of Stirling Withdrawal	8
4.11	MRC Establishment Agreement	6
4.12	Proposed MRC Governance Model	8
4.13	Budget 2011/2012	8
4.14	Review of Strategic Plan	8
5	NEW BUSINESS	8
6	NEXT MEETING	8
7	MEETING CLOSURE	8

ACTION SHEET

As at: End SPC Meeting 11 March 2011

ITEM	PROJECT (ACTION)	BY WHOM	BY WHEN	Comments
1	Future Landfill Investigation Progress Investigation	I Watkins	On-going	
2	Strategic Integrated Regional Plan Analyse Hyder report prior to next meeting.	All	8 April 2011	Ron Cacioppe to attend
3	Establishment Agreement (EA) Check draft EA	K Poynton with John Woodhouse	8 April 2011	
4	RRF Stage One Progress Working Group liaison. Investigate input feedstock improvements.	I Watkins I Watkins	Ongoing	
5	Proposed Governance Framework Develop framework Revise Strategic Plan.	K Poynton /K Dhillon	End May 2011	
6	Strategic Plan (SP) Construct plan for review of SP.	K Poynton	8 April 2011	
7	Waste Diversion Target Provide report to Ordinary Council Meeting April 2011.	K Poynton		
8	TPRC Interface Check alignment of meetings.	K Poynton		

1 DECLARATION OF OPENING, ANNOUNCEMENT OF VISITORS, ATTENDANCE AND APOLOGIES

The Chair declared the meeting open at 8.30 am.

Attendance

Karen Caple (Chair)	Director City Businesses	City of Wanneroo
Martyn Glover (Deputy Chair)	Director Infrastructure Services	City of Joondalup
Chris Colyer	Director Infrastructure	Town of Cambridge
Doug Forster	Director of Business Units	City of Perth
Kevin Poynton	Chief Executive Officer	MRC

Observers

Ian Watkins	Project Manager	MRC
Lynda Nyssen	Governance Officer	MRC

Visitors

John Woodhouse	Woodhouse Legal
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Apologies

Nil

There were nil declarations.

2 CONFIRMATION OF MINUTES OF PREVIOUS MEETING – 4 FEBRUARY 2010

MOTION: Moved: Doug Forster Seconded: Chris Colyer

The Committee noted that these Draft Minutes had been to MRC Ordinary Council Meeting February 2011 prior to their consideration and endorsement by this Committee. The committee agreed that any action-oriented recommendations would be considered by Council at its earliest opportunity via a report as per the process noted in the Committee's Terms of Reference.

RECOMMENDATION

That the Minutes of the Strategic Projects Committee Meeting held on 4 February 2011 be taken as read, confirmed and the Chairman invited to sign same as a true record of the proceedings.

(Carried: 5/0)

3 BUSINESS ARISING FROM THE PREVIOUS MEETING

(Refer Action Sheet Page 4)

The Committee noted that all Items on the Action Sheet were listed for discussion within the Agenda. The Committee agreed that a revised Action Sheet, as at end Strategic Projects Committee (SPC) meeting 11 March 2011 would be constructed and included in the Minutes of this meeting.

4 STRATEGIC PROJECTS / INITIATIVES

MOTION: Moved: Doug Forster Seconded: Martyn Glover

The Agenda be altered, to accommodate Item 4.11 earlier in the meeting.

(Carried: 5/0)

4.11 MRC Establishment Agreement

The Committee agreed Recommendation on this matter is as listed, and noted that the CEO MRC would co-ordinate this matter with Mr John Woodhouse, as MRC's legal advisor. This work is to be considered at the next MRC SPC meeting on 8 April 2011.

MOTION: Moved: Doug Forster Seconded: Martyn Glover

SPC RECOMMENDATION

That Council:

- (i) note that the agreement drafted as a result of the meeting of member Council representatives on 30 November 2010 be now referred to as the 'draft MRC Establishment Agreement'**
- (ii) note that the MRC SPC has requested the CEO MRC to task Mr John Woodhouse, legal advisor, with tasks as follows in relation to this draft MRC Establishment Agreement:**
 - identification of any concerns in relation to the requirements of the Local Government Act 1995;**
 - explanation of what appears to be proposed by the new provisions and queries whether those matters are as intended by the Participants; and**
 - identification of any matters of concern from a legal or drafting perspective.**
- (iii) note that SPC has requested CEO MRC to provide the completed report from Mr Woodhouse to its next meeting on 8 April 2011.**

(Carried: 5/0)

Doug Forster left at 9.10am

4.1 Strategic Integrated Regional Plan

The Committee agreed that, at its next meeting, duration of 45 minutes would be allocated to a discussion on this Report with the aim as follows:

"To conduct a discussion to finalise the Hyder report for its future use within the context of the review of the MRC Strategic Plan."

The Committee requested the CEO MRC to arrange the attendance of Dr Ron Cacioppe for this discussion, as it may assist in understanding the business and future direction of the MRC.

4.2 Future Landfill Site

Nil discussion, however MRC Administration representatives outlined that this was an ongoing priority for identification.

4.3 RRF Stage One Project Update (including Waste Diversion)

The Committee agreed a Recommendation to Council.

MOTION: Moved: Martyn Glover Seconded: Chris Colyer

SPC RECOMMENDATION

That the Strategic Projects Committee request MRC Administration to present the CONFIDENTIAL REPORT on Waste Diversion to the Ordinary Council Meeting in April 2011 with additional information relating to a proposed timetable for consideration of a revised waste diversion target.

(Carried: 4/0)

4.4 RRF Stage Two

The Committee noted the need to consider MRC's approach to future resource recovery with the context of the review of the Strategic Plan.

4.5 RRF PAG Issues

Nil discussion.

4.6 Waste Collection

Nil discussion.

4.7 Tamala Park Closure Plan

Nil discussion.

4.8 Tamala Park Regional Council Interface

The Committee requested the CEO MRC to review the alignment of MRC and Tamala Park Regional Council meetings, so as meeting clashes do not occur.

4.9 Budget 2010/2011

Nil discussion, however Special Council Meeting for Thursday 17 March 2011 noted re the consideration of the 2010/11 Mid Year Review and Financial Management Report.

4.10 City of Stirling Withdrawal

The CEO MRC advised that Price Waterhouse Cooper (PWC) project work was in progress associated with the withdrawal of the City of Stirling, and that a meeting of MRC Member CEO's was held on Tuesday 8 March 2011.

4.12 Proposed MRC Governance Model

Nil discussion.

4.13 Budget 2011/2012

The CEO MRC briefed the Committee on a proposed workshop to be held on Thursday 17 March 2011 to confirm activities, service levels, members' fees etc under the facilitation of Dr Ron Cacioppe. It was agreed that this was a task for MRC Administration to undertake to prepare for the workshop, and not for this Committee to be involved in operational matters.

4.14 Review of Strategic Plan

The Committee supported the following approach to be undertaken:

- That CEO MRC develop the approach to review the Strategic Plan, with Dr Ron Cacioppe.
- That Dr Ron Cacioppe be invited to attend the next MRC SPC Meeting to be held on 8 April 2011 to discuss this approach, and to observe discussion on the Hyder report.

5 NEW BUSINESS

5.1 Member Councils – Document Distribution

The CEO MRC sought feedback on the distribution of MRC documentation. It was agreed that the distribution through the SPC members as primary points of contact was preferred, and they can then forward onto officers. Large documents unable to be sent via email will be sent as hardcopy, plus a disc copy of all meeting papers to be provided.

6 NEXT MEETING

8.30am Friday 8 April 2011

7 MEETING CLOSURE – 10.10am



MINUTES

STRATEGIC PROJECTS COMMITTEE

8 APRIL 2011

TIME: 8.30AM

TOWN OF VINCENT

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



**MINDARIE REGIONAL COUNCIL
STRATEGIC PROJECTS COMMITTEE
MINUTES
8 APRIL 2011**

A meeting of the Strategic Projects Committee was held at the Town of Vincent, 244 Vincent Street, Leederville, Western Australia, on 8 April 2011. The meeting commenced at 8.30am.

COMMITTEE MEMBERSHIP

Delegates

Karen Caple (Chairman)	Director City Businesses	City of Wanneroo
Martyn Glover (Deputy Chairman)	Director Infrastructure Services	City of Joondalup
Chris Colyer	Director Infrastructure	Town of Cambridge
Geoff Eves	Director of Infrastructure	City of Stirling
Doug Forster	Director of Business Units	City of Perth
Rick Lotznicker	Director Technical Services	Town of Vincent
Kevin Poynton	Chief Executive Officer	MRC
Anthony Vuleta	Director Technical Services	Town of Victoria Park

Deputy Delegate

Kalwant Dhillon	Chief Financial Officer	MRC
Jane Pritchard	Mgr Infrastructure Mgt Services	City of Joondalup
Shane Spinks	Manager City Business	City of Wanneroo

The Minutes have been confirmed by resolution of the Strategic Projects Committee on 20 May 2011.

.....**CHAIRMAN**

TABLE OF CONTENTS

ITEM	SUBJECT	PAGE NO
1	DECLARATION OF OPENING, ANNOUNCEMENT OF VISITORS, ATTENDANCE AND APOLOGIES	5
2	CONFIRMATION OF MINUTES OF PREVIOUS MEETING – 11 MARCH 2011	5
3	BUSINESS ARISING FROM THE PREVIOUS MEETING (see Action Sheet page 4 – Previous Meeting)	5
4	STRATEGIC PROJECTS / INITIATIVES	6
4.1	Strategic Integrated Regional Plan	6
4.2	Future Landfill Site	7
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4.12	Proposed MRC Governance Model	7
4.13	Budget 2011/2012	7
4.14	Review of Strategic Plan	8
5	NEW BUSINESS	8
6	NEXT MEETING	8
7	MEETING CLOSURE	8
8	ATTACHMENTS	8
8.1	Garry Hunt (CEO Joondalup) notes from CEO Forum, 7 April 2011	9-12
8.2	John Woodhouse email dated 7 April 2011	13-14

ACTION SHEET

As at: End SPC Meeting 8 April 2011

ITEM	PROJECT (ACTION)	BY WHOM	BY WHEN	Comments
1	Future Landfill Investigation Progress Investigation	I Watkins	On-going	
2	Strategic Integrated Regional Plan Develop Issues Paper for utilisation in review of MRC Strategic Plan, using selected Actions from Hyder report.	K Poynton	20 May 2011	Ron Cacioppe to assist in preparation of summary documentation, so as to inform Strategic Planning Review Process
3	Establishment Agreement (EA) Develop Explanatory Document on 4 elements as requested by MRC CEO Group on Thursday 7 April 2011	K Poynton and Woodhouse Legal	21 April 2011	
4	RRF Stage One Progress Working Group liaison. Investigate input feedstock improvements.	I Watkins I Watkins	Ongoing	
5	Proposed Governance Framework Develop framework.	K Poynton /K Dhillon	End May 2011	
6	Strategic Plan (SP) Construct plan for review of SP.	K Poynton	20 May 2011	

1 DECLARATION OF OPENING, ANNOUNCEMENT OF VISITORS, ATTENDANCE AND APOLOGIES

The Chair declared the meeting open at 8.30 am.

Attendance

Karen Caple (Chair)	Director City Businesses	City of Wanneroo
Martyn Glover (Deputy Chair)	Director Infrastructure Services	City of Joondalup
Chris Colyer	Director Infrastructure	Town of Cambridge
Doug Forster	Director of Business Units	City of Perth
Kevin Poynton	Chief Executive Officer	MRC
Anthony Vuleta	Director Technical Services	Town of Victoria Park

Observers

Kalwant Dhillon	Chief Financial Officer	MRC
Lynda Nyssen	Governance Officer	MRC
Ian Watkins	Project Manager	MRC

Visitors

Ron Cacioppe	Integral Development
Erin Jenkins	City of Wanneroo
Paul Winton	City of Wanneroo
John Woodhouse	Woodhouse Legal

Apologies

Rick Lotznicker	Director Technical Services	Town of Vincent
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There were nil declarations.

2 CONFIRMATION OF MINUTES OF PREVIOUS MEETING – 11 MARCH 2011

MOTION: (Moved: Doug Forster Seconded: Martyn Glover)

RECOMMENDATION

That the Minutes of the Strategic Projects Committee Meeting held on 11 March 2011 be taken as read, confirmed and the Chairman invited to sign same as a true record of the proceedings.

(Carried: 5/0)

3 BUSINESS ARISING FROM THE PREVIOUS MEETING

(Refer Action Sheet Page 4, Agenda)

The Committee noted that all Items on the Action Sheet were listed for discussion within the Agenda. The Committee agreed that a revised Action Sheet, as at end Strategic Projects Committee (SPC) meeting 8 April 2011, would be constructed and included in the Minutes of this meeting.

4 STRATEGIC PROJECTS / INITIATIVES

MOTION: (Moved: Doug Forster Seconded: Martyn Glover)

The Agenda be altered to accommodate Item 4.11 earlier in the meeting.

(Carried: 5/0)

4.11 MRC Establishment Agreement

Chris Colyer arrived at 8.40am

The Draft Establishment Agreement as endorsed at the previous MRC SPC Meeting was tabled with the MRC CEO Group on Thursday 7 April 2011 for discussion. This Group requested that the MRC CEO engage Woodhouse Legal with preparing Explanatory Documentation addressing the following key elements, but not limited to, wind up, withdrawal, exemption, definition of waste, by 21 April 2011.

Committee agreed following documents for inclusion in Minutes surrounding the meeting held with the MRC CEO Group:

- Garry Hunt (CEO Joondalup) notes from 7 April 2011 MRC CEO Group Meeting; and
- John Woodhouse (Woodhouse Legal) email dated 7 April 2011 to MRC CEO.

The Committee agreed that a Special Meeting of Strategic Projects Committee should be held at 8.30am on Friday 29 April 2011 at Town of Vincent to discuss this Explanatory Documentation when drafted.

4.1 Strategic Integrated Regional Plan

The CEO MRC facilitated a discussion on the Hyder report with following approach and outcomes being identified:

- Confirmation of Priority Areas (Hyder, page 16 refers).
- Analysis of ACTIONS with respect to RETAIN / MODIFY / DELETE.
- Insertion of additional ACTIONS, CONSIDERATIONS.

The Committee agreed that the CEO MRC should produce a Summary Paper, linking the discussion points with the Hyder Report Actions, by 20 May 2011.

The Committee further agreed a Recommendation to go forward to the Council.

MOTION: (Moved: Martyn Glover Seconded: Doug Forster)

SPC RECOMMENDATION 1.

That Council:

- (i) **NOTES the completion of the final report for the project conducted by the Hyder Group to develop an Integrated Regional Plan for the Processing of Municipal Solid Waste**

-
- (ii) **SUPPORTS an approach to utilise those Priority Areas cited in the report, and selected associated Actions as identified by the MRC Strategic Projects Committee, in discussions relating to the forthcoming review of the MRC's Strategic Plan.**

(Carried: 6/0)

4.2 Future Landfill Site

Nil discussion, however MRC Administration representatives outlined that this was an ongoing priority for identification.

4.3 RRF Stage One Project Update (including Waste Diversion)

Nil discussion

4.4 RRF Stage Two

Nil discussion

4.5 RRF PAG Issues

The CEO MRC to confirm distribution of PAG documents to SPC members.

4.6 Waste Collection

Nil discussion

4.7 Tamala Park Closure Plan

The CEO MRC advised that an investigation into post closure options was in progress and was being undertaken by a Consultant, Mr Charles Johnson.

4.8 Tamala Park Regional Council Interface

A request was again made for the CEOs of both the MRC and Tamala Park to ensure no clashes in dates/timing of meetings and workshops were to occur, given the need to have Member CEO representation at both Councils.

4.9 Budget 2010/2011

Nil discussion.

4.10 City of Stirling Withdrawal

The CEO MRC advised that all Councils were scheduled to complete consideration of the PWC methodology by 29 April 2011.

4.12 Proposed MRC Governance Model

Nil discussion

4.13 Budget 2011/2012

The CEO MRC advised that papers had been issued for a Budget Workshop on 14 April 2011.

4.14 Review of Strategic Plan

The CEO MRC advised that a plan for the review of MRC's Strategic Plan would be prepared by 20 May 2011.

5 NEW BUSINESS

Nil

6 NEXT MEETING

Special Meeting 8.30am Friday 29 April 2011
Regular Meeting 8.30am Friday 20 May 2011

7 MEETING CLOSED – 9.30am

8. ATTACHMENTS

8.1 Garry Hunt (CEO Joondalup) notes from CEO Meeting, 7 April 2011

8.2 Woodhouse Legal (John Woodhouse) email to MRC CEO dated 7 April 2011



Stamped Pages 162 - 165
have been removed from this
Agenda

ATTACHMENT 8.2
STRATEGIC PROJECTS COMMITTEE
8 APRIL 2011
JOHN WOODHOUSE EMAIL DATED 7 APRIL 2011

Janelle Bailey

From: Janelle Bailey on behalf of John Woodhouse
Sent: Thursday, 7 April 2011 2:44 PM
To: kpoynton@mrc.wa.gov.au
Subject: MRC – Proposed Withdrawal by City of Stirling – Establishment Agreement

Dear Kevin

I refer to our meeting with the 6 CEOs (Doug Forster sitting in for Frank Edwards) on 7 April 2011.

I thought it might be useful if I set out below, based on my meeting notes, the instructions given by the CEOs on matters related to the draft Establishment Agreement:

1. In relation to the **regional purposes** of the MRC, there was consensus that there was benefit in the MRC having the power to “investigate” the provision of other services – but not to actually do any other services unless there was an amendment to the Establishment Agreement. It was recognised that this might be an issue for the Vincent Council.
2. In relation to the definition of “**Participant’s waste**”, the consensus was that the existing definition was probably satisfactory given that if, in the future, the participants considered that there was some aspect of the waste stream which would be better off not being delivered to the MRC then the participants could raise this with the MRC for an exemption.
3. In relation to **withdrawal**, there was consensus that it would be desirable if a “procedure” could be spelt out which might lead to agreement on the terms and timing for withdrawal. It was agreed that the first step would be a requirement that the CEOs of the withdrawing participants and the continuing participants would meet. There would also be a requirement, in the event that the CEOs’ meeting did not succeed, for the parties to participate in mediation.
4. (1) In relation to **exemptions**, it was agreed that a specified maximum term for an exemption should not be specified in the establishment agreement but that an exemption would need, itself, to specify the term of its application.

(2) It was also thought desirable for there to be some form of procedure. It was thought desirable that an applicant for an exemption should be required to make its request in writing together with its reasons. The other participants should be given an opportunity to respond to the request so that this material was available to the MRC when it considered the request for an exemption.
5. In relation to **winding up**, there was consensus that some amplification of a procedure to be followed in the event for winding up would be desirable. It was acknowledged that reference to the Corporation law would not be suitable but that I should be asked to identify possible alternatives and their pros and cons.

Regards

ITEM 8.3.1 AUDIT COMMITTEE MEETING

File No: **COR/22 (D/11/2170)**

Attachment(s): **1. Minutes of Audit Committee meeting held 4 April 2011**
 2. Annual Compliance Return & Report Item

Author: **Kalwant Dhillon**

BACKGROUND

The Internal Audit Committee was established during the 2005/2006 financial year and it held its Inaugural meeting in June 2006.

The annual meeting for 2010/11 financial year was held on 4 April 2011.

DETAIL

Establishment of Audit Committee

The Audit Committee was established by Ordinary Council Meeting resolution on 7 July 2005. The Terms of Reference for this Committee were approved by Council at its Ordinary Council Meeting on 27 October 2005.

Powers of the Audit Committee, as stated in the Terms of Reference, can be summarised by the following extract:

“The Committee is to report to Council and provide appropriate advice and recommendations”

In short, the Audit Committee does not have delegated authority from Council for decision making.

Three matters were considered by the Committee and these are summarised below:

- **ANNUAL COMPLIANCE AUDIT RETURN (REPORT)**

The Audit Committee reviewed the Annual Compliance Audit Return and recommends the Return for Council Approval.

- **CEO CREDIT CARD**

The Audit Committee has reviewed CEO's credit card usage and approved the expenditure as appropriate. Audit Committee recommends for Council's noting.

- **PRESENTATION OF THE AUDIT PLAN FOR 2010/11 AUDIT**

The External Auditor, Michael Hillgrove, from Grant Thornton met with the Audit Committee members and presented the Audit Plan for 2010/11 which was well received.

STATUTORY ENVIRONMENT

An Internal Audit Committee is required under the Local Government Act 1995 and Regulations. The Committee is required to meet at least once a year and report any matters discussed and outcomes to the Council.

POLICY IMPLICATIONS

Not applicable.

STRATEGIC IMPLICATIONS

Not applicable.

MRC ADMINISTRATION RECOMMENDATIONS

That Council approve the following recommendations from the Audit Committee Meeting (4 April 2011):

- (i) the approval of the Annual Compliance Audit Return and authorise the Chairperson and the Chief Executive Officer to sign the Return**
- (ii) note that Audit Committee approved the CEO's credit card usage and expenditure as appropriate**
- (iii) note that the Audit Committee Members met with the Auditor, Michael Hillgrove, and were briefed on the Audit Plan for the 2010/11 Audit**

ATTACHMENT ONE
TO ITEM 8.3.1
ORDINARY COUNCIL MEETING
28 APRIL 2011
MINUTES OF AUDIT COMMITTEE MEETING HELD 4 APRIL 2011



MINUTES

AUDIT COMMITTEE MEETING

MONDAY 4 APRIL 2011

TIME: 8.00 AM

TOWN OF VICTORIA PARK
Meeting Room 3

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



**MINDARIE REGIONAL COUNCIL
AUDIT COMMITTEE
MINUTES
4 APRIL 2011**

A meeting of the Audit Committee was held at the Town of Victoria Park, 99 Shepperton Road, Victoria Park, Western Australia on 4 April 2011. The meeting commenced at 8.05am.

MEMBERS:

Cr Russ Fishwick	Councillor	City of Joondalup
Cr David Boothman	Councillor	City of Stirling
Cr Rob Butler	Councillor	City of Perth
Mr Alex Dermedoglou	External Member	Independent Member
Mr Kevin Poynton	MRC Officer	MRC Chief Executive Officer
Mr Kalwant Dhillon	MRC Officer	MRC Chief Financial Officer

The Minutes have been confirmed by resolution of the Audit Committee on

.....

.....**CHAIRMAN**

TABLE OF CONTENTS

ITEM	SUBJECT	PAGE NO
1	DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS	4
2	ATTENDANCE AND APOLOGIES	4
3	CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS	4
3.1	MINUTES OF AUDIT COMMITTEE MEETING HELD ON 24 NOVEMBER 2010	4
4	DISCLOSURE OF INTEREST	4
5	MRC OFFICER REPORTS	5
5.1	COMPLIANCE AUDIT REPORT - 2010	5
5.2	CEO CORPORATE CREDIT CARD USAGE	5
6	MEETING WITH THE AUDITOR	5
7	FUTURE MEETINGS	6
8	OTHER BUSINESS	6
9	CLOSURE OF MEETING	6

1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

Cr Fishwick declared the meeting open at 8.05am.

2. ATTENDANCE AND APOLOGIES

Councillors

Cr Russell Fishwick - City of Joondalup

Cr David Boothman - City of Stirling (arrived 8.10am)

Cr Rob Butler - City of Perth

External Member

Alex Dermedgoglou

Officers

Kevin Poynton - Chief Executive Officer

Kalwant Dhillon - Chief Financial Officer

Graham McAtominey - Accountant (Contract)

Visitors

Michael Hillgrove – Grant Thornton & Partners

Apologies

Nil

3. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

**3.1 MINUTES OF AUDIT COMMITTEE MEETING HELD ON
24 NOVEMBER 2010**

MOTION: (Moved: Cr Butler Seconded Cr Fishwick)

RECOMMENDATION

The Minutes of the MRC Audit Committee Meeting held on 24 November 2010 were confirmed as a true record of the proceedings.

(Carried: 2/0)

4. DISCLOSURE OF INTEREST

There were nil declarations.

5. MRC OFFICER REPORTS

5.1 COMPLIANCE AUDIT REPORT - 2010

MOTION: (Moved: Cr Butler Seconded: Cr Fishwick)

Committee discussed the Annual Compliance Audit Return and recommend that the Council approve the full Annual Compliance Audit Return.

RECOMMENDATION

That Council approve the recommendation from the Audit Committee to adopt the full Annual Compliance Audit Return and authorise the Chairperson and Chief Executive Officer to sign the Return.

(Carried: 2/0)

Cr Boothman arrived 8.10am

5.2 CEO CORPORATE CREDIT CARD USAGE

MOTION: (Moved: Cr Fishwick Seconded: Cr Butler)

RECOMMENDATION

That Council note that the Audit Committee has reviewed and approved the usage of the CEO Corporate Credit Card as appropriate.

(Carried: 3/0)

6 MEETING THE AUDITOR

Michael Hillgrove from Grant Thornton met with the Committee and presented the Audit Plan.

MOTION: (Moved: Cr Fishwick Seconded: Cr Boothman)

RECOMMENDATION

That Council note that the Audit Committee members met with the Auditor and were briefed on the Audit Plan for 2010/11.

(Carried: 3/0)

7 FUTURE MEETINGS

The MRC Administration will advise on the future meetings.

8 OTHER BUSINESS

Nil

9 MEETING CLOSED 8.30AM

ATTACHMENT TWO
TO ITEM 8.3.1
ORDINARY COUNCIL MEETING
22 APRIL 2011
ANNUAL COMPLIANCE RETURN AND REPORT ITEM

**ITEM 8.3.1 LOCAL GOVERNMENT COMPLIANCE AUDIT RETURN
(1 JANUARY 2010 – 31 DECEMBER 2010)**

File No: COR/12

Attachment(s): 1. **Compliance Audit Return 2010**
2. **Final Audit Report 2010**
3. **Compliance Audit Return Comparison 2007 to 2009**

Author: Kevin Poynton

SUMMARY

The purpose of this report is to provide Council with information on the completed Statutory Compliance Return (1 January – 31 December 2010).

BACKGROUND

Each Local Government is required to carry out a Compliance Audit for the period 1 January to 31 December in accordance with Section 7.13(i) (of the *Local Government Act 1995*) and *Audit Regulation 13*. On completion of the Compliance Audit, the Local Government is to complete a Compliance Audit Return. The Compliance Audit Return is to be processed as follows:

- Consideration by Council
- Adoption by the Council
- Confirmation by Minutes of the meeting concerning these actions

Following this, a certified copy of the Return along with the relevant section of the Minutes, and any additional information explaining or qualifying the Compliance Audit, is to be submitted to the Executive Director, Department of Local Government.

The administration has completed the Compliance Audit Return, and this work is now presented to the Council for consideration.

DETAIL

The Compliance Audit Return

A copy of the completed Compliance Audit Return is attached to and forms part of this Item (see Attachment One). It should be noted that a number of sections of the Compliance Audit Return are not relevant to the Mindarie Regional Councils business, and this has been noted, where appropriate.

The audit return has been completed after an independent audit was conducted internally by Mr Graham McAtominey, a contract accountant with over 21 years experience in finance and accounting. The final Audit Report 2010 from Mr McAtominey is at Attachment Two.

Key points to note from this independent audit are as follows:

- That the audit was conducted as a continuous improvement exercise
- That the auditor's conclusion was that "high level of compliance" was evidenced

-
- That, whilst some areas of non-compliance were identified, remedial action had either been planned, or has been commenced and/or completed

Council approved at the Ordinary Council Meeting on 23 April 2009 the adoption of a three year comparison of compliance for the Annual Compliance Audit Return. The three year comparison is now submitted by the Administration at Attachment Three.

Areas of non-compliance

The proposed remedial action, to be undertaken by the administration under the leadership of the Chief Executive Officer, is as follows:

- Observation 1 – Local Government Employees
 - These compliance matters will be taken into account as part of the continuing improvement process for the Performance Evaluation System.
- Observation 2 – Meeting Processes
 - Documentation of this requirement in the appropriate Governance procedure.
- Observation 3 – Tenders for the provision of Goods & Services
 - These compliance issues will be taken into account as part of the continuing improvement process for the Procurement of Goods & Services.

CONSULTATION

Not Applicable.

STATUTORY ENVIRONMENT

The completion of the Compliance Audit Return is a statutory requirement directed by the Department of Local Government.

POLICY IMPLICATIONS

The Compliance Audit Return is directly related to the Council's Business Manual, including Policies and Procedures.

FINANCIAL IMPLICATIONS

Not applicable.

STRATEGIC IMPLICATIONS

Not applicable.

COMMENT

Mindarie Regional Council has completed the Compliance Audit Return for the period 1 January to 31 December 2010. The MRC Audit Committee, at its meeting held on 4 April 2011, recommended the Audit Return for Council consideration.

RECOMMENDATION

That the Council adopt the Compliance Audit Return, as presented, for the period 1 January 2010 to 31 December 2010.

ATTACHMENT ONE
TO ITEM 8.3.1
ORDINARY COUNCIL MEETING
28 APRIL 2011
COMPLIANCE AUDIT RETURN 2010



Mindarie Regional Council - Compliance Audit Return Regional Local Government 2010

Certified Copy of Return

Please submit a signed copy to the Director General of the Department of Local Government together with a copy of section of relevant minutes.

Commercial Enterprises by Local Governments					
No	Reference	Question	Response	Comments	Respondent
1	s3.59(2)(a)(b)(c) Functions & General Regulation 7,9	Has the local government prepared a business plan for each major trading undertaking in 2010.	Yes		Kathleen Van Son
2	s3.59(2)(a)(b)(c) Functions & General Regulation 7,10	Has the local government prepared a business plan for each major land transaction that was not exempt in 2010.	N/A		Kathleen Van Son
3	s3.59(2)(a)(b)(c) Functions & General Regulation 7,11	Has the local government prepared a business plan before entering into each land transaction that was preparatory to entry into a major land transaction in 2010.	Yes		Kathleen Van Son
4	s3.59(4)	Has the local government given Statewide public notice of each proposal to commence a major trading undertaking or enter into a major land transaction for 2010.	Yes		Kathleen Van Son
5	s3.59(5)	Did the Council, during 2010, resolve to proceed with each major land transaction or trading undertaking by absolute majority.	N/A		Kathleen Van Son



Delegation of Power / Duty						
No	Reference	Question	Response	Comments	Respondent	
1	s5.16, 5.17, 5.18	Were all delegations to committees resolved by absolute majority.	N/A		Kathleen Van Son	
2	s5.16, 5.17, 5.18	Were all delegations to committees in writing.	N/A		Kathleen Van Son	
3	s5.16, 5.17, 5.18	Were all delegations to committees within the limits specified in section 5.17.	N/A		Kathleen Van Son	
4	s5.16, 5.17, 5.18	Were all delegations to committees recorded in a register of delegations.	N/A		Kathleen Van Son	
5	s5.18	Has Council reviewed delegations to its committees in the 2009/2010 financial year.	N/A		Kathleen Van Son	
6	s5.42(1),5.43 Administration Regulation 18G	Did the powers and duties of the Council delegated to the CEO exclude those as listed in section 5.43 of the Act.	Yes		Kathleen Van Son	
7	s5.42(1)(2) Admin Reg 18	Were all delegations to the CEO resolved by an absolute majority.	Yes		Kathleen Van Son	
8	s5.42(1)(2) Admin Reg 18	Were all delegations to the CEO in writing.	Yes		Kathleen Van Son	
9	s5.44(2)	Were all delegations by the CEO to any employee in writing.	Yes		Kathleen Van Son	
10	s5.45(1)(b)	Were all decisions by the Council to amend or revoke a delegation made by absolute majority.	Yes		Kathleen Van Son	
11	s5.46(1)	Has the CEO kept a register of all delegations made under the Act to him and to other employees.	Yes		Kathleen Van Son	
12	s5.46(2)	Were all delegations made under Division 4 of Part 5 of the Act reviewed by the delegator at least once during the 2009/2010 financial year.	Yes		Kathleen Van Son	
13	s5.46(3) Admin Reg 19	Did all persons exercising a delegated power or duty under the Act keep, on all occasions, a written record as required.	Yes		Kathleen Van Son	

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



No	Reference	Question	Response	Comments	Respondent
3	s5.73	Were disclosures under section 5.65 or 5.70 recorded in the minutes of the meeting at which the disclosure was made.	Yes		Kathleen Van Son
4	s5.75(1) Admin Reg 22 Form 2	Was a primary return lodged by all newly elected members within three months of their start day.	Yes		Kathleen Van Son
5	s5.75(1) Admin Reg 22 Form 2	Was a primary return lodged by all newly designated employees within three months of their start day.	N/A		Kathleen Van Son
6	s5.76(1) Admin Reg 23 Form 3	Was an annual return lodged by all continuing elected members by 31 August 2010.	Yes		Kathleen Van Son
7	s5.76(1) Admin Reg 23 Form 3	Was an annual return lodged by all designated employees by 31 August 2010.	Yes		Kathleen Van Son
8	s5.77	On receipt of a primary or annual return, did the CEO, (or the Mayor/ President in the case of the CEO's return) on all occasions, give written acknowledgment of having received the return.	Yes		Kathleen Van Son
9	s5.88(1)(2) Admin Reg 28	Did the CEO keep a register of financial interests which contained the returns lodged under section 5.75 and 5.76	Yes		Kathleen Van Son
10	s5.88(1)(2) Admin Reg 2	Did the CEO keep a register of financial interests which contained a record of disclosures made under sections 5.65, 5.70 and 5.71, in the form prescribed in Administration Regulation 28.	Yes		Kathleen Van Son
11	s5.88 (3)	Has the CEO removed all returns from the register when a person ceased to be a person required to lodge a return under section 5.75 or 5.76.	Yes		Kathleen Van Son
12	s5.88(4)	Have all returns lodged under section 5.75 or 5.76 and removed from the register, been kept for a period of at least five years, after the person who lodged the return ceased to be a council member or designated employee.	Yes		Kathleen Van Son
13	s5.103 Admin Reg 34C & Rules of Conduct Reg 11	Where an elected member or an employee disclosed an interest in a matter discussed at a Council or committee meeting where there was a reasonable belief that the impartiality of the person having the interest would be adversely affected, was it recorded in the minutes.	N/A		Kathleen Van Son



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

Finance						
No	Reference	Question	Response	Comments	Respondent	
1	s5.53, Admin Reg19B	Has the local government prepared an annual report for the financial year ended 30 June 2010 that contained the prescribed information under the Act and Regulations.	Yes		Kathleen Van Son	
2	s5.54(1), (2)	Was the annual report accepted by absolute majority by the local government by 31 December 2010.	Yes		Kathleen Van Son	
3	s5.54(1), (2)	If the Auditor's report was not available in time for acceptance by 31 December, will it be accepted no more than two months after the Auditor's report is made available.	N/A		Kathleen Van Son	
4	s5.55	Did the CEO give local public notice of the availability of the annual report as soon as practicable after the local government accepted the report.	Yes		Kathleen Van Son	
5	S5.56 Admin Reg 19C(2)	Has the local government made a plan for the future of its district in respect of the period specified in the plan (being at least 2 financial years).	Yes		Kathleen Van Son	
6	Admin Reg 19D	After a plan for the future, or modifications to a plan were adopted under regulation 19C, did the local government give public notice in accordance with subsection (2).	N/A		Kathleen Van Son	
7	s5.98 Admin Reg 30	Was the fee made available to elected members for attending meetings within the prescribed range.	Yes		Kathleen Van Son	
8	s5.98 Admin Reg 31	Was the reimbursement of expenses to elected members within the prescribed ranges or as prescribed.	Yes		Kathleen Van Son	
9	s5.98A Admin Reg 33A	Where a local government decided to pay the deputy mayor or the deputy president an allowance, was it resolved by absolute majority.	Yes		Kathleen Van Son	



No	Reference	Question	Response	Comments	Respondent
10	s5.98A Admin Reg 33A	Where a local government decided to pay the deputy mayor or the deputy president an allowance, was it up to (or below) the prescribed percentage of the annual local government allowance to which the mayor or president is entitled under section 5.98 (5).	Yes		Kathleen Van Son
11	s5.99 Admin Reg 34	Where a local government decided to pay Council members an annual fee in lieu of fees for attending meetings, was it resolved by absolute majority.	Yes		Kathleen Van Son
12	s5.99 Admin Reg 34	Where a local government decided to pay Council members an annual fee in lieu of fees for attending meetings, was it within the prescribed range.	Yes		Kathleen Van Son
13	s5.99A Admin Reg 34A, AA, AB	Where a local government decided to pay Council members an allowance instead of reimbursing telephone, facsimile machine rental charges and other telecommunication, information technology, travelling and accommodation expenses, was it resolved by absolute majority.	Yes		Kathleen Van Son
14	s5.99A Admin Reg 34A, AA, AB	Where a local government decided to pay Council members an allowance instead of reimbursing telephone, facsimile machine rental charges and other telecommunication, information technology, travelling and accommodation expenses, was it within the prescribed range.	Yes		Kathleen Van Son
15	s5.100 (1)	Did the local government pay a fee for attending committee meetings only to a committee member who was a council member.	Yes		Kathleen Van Son
16	s5.100 (2)	Where the local government decided to reimburse a committee member, who was not a council member or employee, for an expense incurred by the person in relation to a matter affecting the local government, was it within the prescribe range.	N/A		Kathleen Van Son
17	s6.8	Was expenditure that the local government incurred from its municipal fund, but not included in its annual budget, authorised in advance on all occasions by absolute majority resolution.	Yes		Kathleen Van Son
18	s6.8(1)(c)	Did the Chairman authorise expenditure from the municipal fund in an emergency. (Please indicate circumstances in the "Comments" column)	N/A		Kathleen Van Son
19	s6.8	In relation to expenditure that the local government incurred from its municipal fund that was authorised in advance by the Chairman in an emergency, was it reported on all occasions to the next ordinary meeting of council.	N/A		Kathleen Van Son



No	Reference	Question	Response	Comments	Respondent
20	s6.12, 6.13, 6.16 (1),(3)	Did Council at the time of adopting its budget, determine the granting of a discount or other incentive for early payment by absolute majority.	N/A		Kathleen Van Son
21	s6.12, 6.13, 6.16 (1),(3)	Did Council determine the setting of an interest rate on money owing to Council by absolute majority.	N/A		Kathleen Van Son
22	s6.12, 6.13, 6.16 (1),(3)	Did Council determine to impose or amend a fee or charge for any goods or services provided by the local government by absolute majority. (Note: this applies to money other than rates and service charges).	Yes		Kathleen Van Son
23	s6.17(3)	Were the fees or charges imposed for a copy of information available under section 5.96, limited to the cost of providing the service or goods.	N/A	Information given free of charge	Kathleen Van Son
24	s6.17(3)	Were the fees or charges imposed for receiving an application for approval, granting an approval, making an inspection and issuing a licence, permit, authorisation or certificate, limited to the cost of providing the service or goods.	N/A		Kathleen Van Son
25	s6.17(3)	Were the fees or charges imposed for any other service prescribed in section 6.16 (2)(f), limited to the cost of providing the service or goods.	N/A		Kathleen Van Son
26	s6.19	After the budget was adopted, did the local government give local public notice for all fees and charges stating its intention to introduce the proposed fees or charges and the date from which it proposed to introduce the fees or charges.	Yes		Kathleen Van Son
27	s6.20(2) FM Reg 20	On each occasion where the local government exercised the power to borrow, was the Council decision to exercise that power by absolute majority (Only required where the details of the proposal were not included in the annual budget for that financial year).	N/A		Kathleen Van Son
28	s6.76(6)	Was the outcome of an objection under section 6.76(1) promptly conveyed to the person who made the objection including a statement of the local government's decision on the objection and its reasons for that decision.	N/A		Kathleen Van Son
29	FM Reg 19	Do the internal control procedures over investments, established and documented by the local government, enable the identification of the transactions related to each investment.	N/A		Kathleen Van Son
30	s7.1A	Has the local government established an audit committee and appointed members by absolute majority in accordance with section 7.1A of the Act.	Yes		Kathleen Van Son



No	Reference	Question	Response	Comments	Respondent
31	s7.1B	Where a local government determined to delegate to its audit committee any powers or duties under Part 7 of the Act, did it do so by absolute majority.	N/A		Kathleen Van Son
32	s7.3	Was the person(s) appointed by the local government to be its auditor, a registered company auditor.	Yes		Kathleen Van Son
33	s7.3	Was the person(s) appointed by the local government to be its auditor, an approved auditor.	N/A		Kathleen Van Son
34	s7.3	Was the person or persons appointed by the local government to be its auditor, appointed by an absolute majority decision of Council.	Yes		Kathleen Van Son
35	s7.12A(3), (4)	Where the local government determined that matters raised in the auditor's report prepared under s7.9 (1) of the Act required action to be taken by the local government, was that action undertaken.	N/A		Kathleen Van Son
36	s7.12A(3), (4)	Where the local government determined that matters raised in the auditor's report (prepared under s7.9 (1) of the Act) required action to be taken by the local government, was a report prepared on any actions undertaken.	N/A		Kathleen Van Son
37	s7.12A(3), (4)	Where the local government determined that matters raised in the auditor's report (prepared under s7.9 (1) of the Act) required action to be taken by the local government, was a copy of the report forwarded to the Minister by the end of the financial year or 6 months after the last report prepared under s7.9 was received by the local government whichever was the latest in time.	N/A		Kathleen Van Son
38	A Reg 7	Did the agreement between the local government and its auditor include the objectives of the audit.	Yes		Kathleen Van Son
39	A Reg 7	Did the agreement between the local government and its auditor include the scope of the audit.	Yes		Kathleen Van Son
40	A Reg 7	Did the agreement between the local government and its auditor include a plan for the audit.	Yes		Kathleen Van Son
41	A Reg 7	Did the agreement between the local government and its auditor include details of the remuneration and expenses to be paid to the auditor.	Yes		Kathleen Van Son
42	A Reg 7	Did the agreement between the local government and its auditor include the method to be used by the local government to communicate with, and supply information to, the auditor.	Yes		Kathleen Van Son



No	Reference	Question	Response	Comments	Respondent
43	FM Reg 33A	Did the local government, between 1 January and 31 March 2009, carry out a review of its annual budget for the year ended 30 June 2009.	Yes		Kathleen Van Son

Local Government Employees

No	Reference	Question	Response	Comments	Respondent
1	s9.59, Admin Reg 18C	Did the local government approve the process to be used for the selection and appointment of the CEO before the position was advertised.	N/A		Kathleen Van Son
2	s5.36(4), 5.37(3), Admin Reg 18A	Were all vacancies for the position of CEO and for designated senior employees advertised.	N/A		Kathleen Van Son
3	s5.36(4), 5.37(3), Admin Reg 18A	Did the local government advertise for the position of CEO and for designated senior employees in a newspaper circulated generally throughout the State.	N/A		Kathleen Van Son
4	s5.36(4), 5.37(3), Admin Reg 18A	Did all advertisements for the position of CEO and for designated senior employees contain details of the remuneration and benefits offered.	Yes		Kathleen Van Son
5	s5.36(4), 5.37(3), Admin Reg 18A	Did all advertisements for the position of CEO and for designated senior employees contain details of the place where applications for the position were to be submitted.	Yes		Kathleen Van Son
6	s5.36(4), 5.37(3), Admin Reg 18A	Did all advertisements for the position of CEO and for designated senior employees detail the date and time for closing of applications.	Yes		Kathleen Van Son
7	s5.36(4), 5.37(3), Admin Reg 18A	Did all advertisements for the position of CEO and for designated senior employees indicate the duration of the proposed contract.	N/A		Kathleen Van Son
8	s5.36(4), 5.37(3), Admin Reg 18A	Did all advertisements for the position of CEO and for designated senior employees provide contact details of a person to contact for further information.	Yes		Kathleen Van Son
9	s5.37(2)	Did the CEO inform council of each proposal to employ or dismiss a designated senior employee.	Yes		Kathleen Van Son
10	s5.38	Was the performance of each employee, employed for a term of more than one year, (including the CEO and each senior employee), reviewed within the most recently completed 12 months of their term of employment.	No		Kathleen Van Son
11	Admin Reg 18D	When the Council considered the CEO's performance review did it decide to accept the review (with or without modification).	Yes		Kathleen Van Son



No	Reference	Question	Response	Comments	Respondent
12	Admin Reg 18D	When the Council considered the CEO's performance review did it decide to reject the review.	No		Kathleen Van Son
13	s5.39	During the period covered by this Return, were written performance based contracts in place for the CEO and all designated senior employees who were employed since 1 July 1996.	Yes		Kathleen Van Son
14	s5.39 Admin Reg 18B	Does the contract for the CEO and all designated senior employees detail the maximum amount of money payable if the contract is terminated before the expiry date. This amount is the lesser of the value of one year's remuneration under the contract.	Yes		Kathleen Van Son
15	s5.39 Admin Reg 18B	Does the contract for the CEO and all designated senior employees detail the maximum amount of money payable if the contract is terminated before the expiry date and this amount is the lesser of the value of the remuneration they would be entitled to had the contract not been terminated.	Yes		Kathleen Van Son
16	s5.50(1)	Did Council adopt a policy relating to employees whose employment terminates, setting out the circumstances in which council would pay an additional amount to that which the employee is entitled under a contract or award.	N/A		Kathleen Van Son
17	s5.50(1)	Did Council adopt a policy relating to employees whose employment terminates, setting out the manner of assessment of an additional amount.	N/A		Kathleen Van Son
18	s5.50(2)	Did the local government give public notice on all occasions where council made a payment that was more than the additional amount set out in its policy.	N/A		Kathleen Van Son
19	s5.53(2)(g) Admin Reg 19B	For the purposes of section 5.53(2)(g) did the annual report of a local government for a financial year contain the number of employees of the local government entitled to an annual salary of \$100,000 or more.	Yes		Kathleen Van Son
20	s5.53(2)(g) Admin Reg 19B	For the purposes of section 5.53(2)(g) did the annual report of a local government for a financial year contain the number of those employees with an annual salary entitlement that falls within each band of \$10,000 and over \$100,000.	Yes		Kathleen Van Son
21	Admin Reg 18F	Was the remuneration and other benefits paid to a CEO on appointment the same remuneration and benefits advertised for the position of CEO under section 5.36(4).	N/A		Kathleen Van Son



No	Reference	Question	Response	Comments	Respondent
22	Admin Regs 18E	Did the local government ensure checks were carried out to confirm that the information in an application for employment was true (applicable to CEO only).	N/A		Kathleen Van Son

Local Laws

No	Reference	Question	Response	Comments	Respondent
1	s3.12(2) F&G Reg 3	On each occasion that Council resolved to make a local law, did the person presiding at the Council meeting give notice of the purpose and effect of each proposed local law in the manner prescribed in Functions and General Regulation 3.	Yes		Kathleen Van Son
2	s3.12(4)	Have all Council's resolutions to make local laws been by absolute majority.	N/A		Kathleen Van Son
3	s3.12(4)	Have all Council's resolutions to make local laws been recorded as such in the minutes of the meeting.	N/A		Kathleen Van Son
4	s3.12(6)	After the local law was published in the Gazette, did the local government give local public notice summarising the purpose and effect of the local law and the day on which it came into operation.	N/A		Kathleen Van Son
5	s3.12(6)	After the local law was published in the Gazette, did the local government give local public notice advising that copies of the local law may be inspected or obtained from its office.	N/A		Kathleen Van Son
6	s3.16(1)	Have all reviews of local laws under section 3.16(1) of the Act been carried out within a period of 8 years.	Yes		Kathleen Van Son
7	s3.16(1)(2)	If the local government carried out a review of a local law under section 3.16 of the Act, to determine whether or not the local law should be repealed or amended, did it give Statewide public notice stating that it intended to review the local law.	Yes		Kathleen Van Son
8	s3.16(1)(2)	If the local government carried out a review of a local law under section 3.16 of the Act, to determine whether or not the local law should be repealed or amended, did it give Statewide public notice advising that a copy of the local law could be inspected or obtained at the place specified in the notice.	Yes		Kathleen Van Son
9	s3.16(1)(2)	If the local government carried out a review of a local law under section 3.16 of the Act, to determine whether or not the local law should be repealed or amended, did it give Statewide public notice detailing the closing date for submissions about the local law.	Yes		Kathleen Van Son



No	Reference	Question	Response	Comments	Respondent
10	s3.16(3)	Did the local government (after the last day for submissions) prepare a report of the review and have it submitted to Council.	Yes		Kathleen Van Son
11	s3.16(4)	Was the decision to repeal or amend a local law determined by absolute majority on all occasions.	Yes		Kathleen Van Son

Meeting Process

No	Reference	Question	Response	Comments	Respondent
1	s2.25(1)(3)	Where Council granted leave to a member from attending 6 or less consecutive ordinary meetings of Council was it by Council resolution.	N/A		Kathleen Van Son
2	s2.25(1)(3)	Where Council granted leave to a member from attending 6 or less consecutive ordinary meetings of Council, was it recorded in the minutes of the meeting at which the leave was granted.	N/A		Kathleen Van Son
3	s2.25(3)	Where Council refused to grant leave to a member from attending 6 or less consecutive ordinary meetings of Council, was the reason for refusal recorded in the minutes of the meeting.	N/A		Kathleen Van Son
4	s2.25(2)	Was Ministerial approval sought (on all occasions) before leave of absence was granted to an elected member in respect of more than 6 consecutive ordinary meetings of council.	N/A		Kathleen Van Son
5	s5.4	On all occasions when the mayor or president called an ordinary or special meeting of Council, was it done by notice to the CEO setting out the date and purpose of the proposed meeting;	N/A		Kathleen Van Son
6	s5.5	On all occasions when councillors called an ordinary or special meeting of Council was it called by at least 1/3 (one third) of the councillors, by notice to the CEO setting out the date and purpose of the proposed meeting.	Yes		Kathleen Van Son
7	s5.5(1)	Did the CEO give each council member at least 72 hours notice of the date, time, place and an agenda for each ordinary meeting of Council.	Yes		Kathleen Van Son
8	s5.5(2)	Did the CEO give each council member notice before the meeting, of the date, time, place and purpose of each special meeting of Council.	Yes		Kathleen Van Son
9	s5.7	Did the local government seek approval (on each occasion as required) from the Minister or his delegate, for a reduction in the number of offices of member needed for a quorum at a Council meeting	N/A		Kathleen Van Son



No	Reference	Question	Response	Comments	Respondent
10	s5.7	Did the local government seek approval (on each occasion as required) from the Minister or his delegate, for a reduction in the number of offices of member required for absolute majorities.	N/A		Kathleen Van Son
11	s5.8	Did the local government ensure all Council committees (during the review period) were established by an absolute majority.	N/A		Kathleen Van Son
12	s5.10(1)(a)	Did the local government ensure all members of Council committees, during the review period, were appointed by an absolute majority (other than those persons appointed in accordance with section 5.10 (1)(b)).	Yes		Kathleen Van Son
13	s5.10(2)	Was each Council member given their entitlement during the review period, to be appointed as a committee member of at least one committee, as referred to in section 5.9(2)(a) & (b) of the Act.	Yes		Kathleen Van Son
14	s5.12(1)	Were Presiding members of committees elected by the members of the committees (from amongst themselves) in accordance with Schedule 2.3, Division 1 of the Act.	Yes		Kathleen Van Son
15	s5.12(2)	Were Deputy presiding members of committees elected by the members of the committee (from amongst themselves) in accordance with Schedule 2.3 Division 2 of the Act.	Yes		Kathleen Van Son
16	s5.15	Where the local government reduced a quorum of a committee meeting, was the decision made by absolute majority on each occasion.	N/A		Kathleen Van Son
17	s5.21 (4)	When requested by a member of Council or committee, did the person presiding at a meeting ensure an individual vote or the vote of all members present, were recorded in the minutes.	Yes		Kathleen Van Son
18	s5.22(1)	Did the person presiding at a meeting of a Council or a committee ensure minutes were kept of the meeting's proceedings.	Yes		Kathleen Van Son
19	s5.22(2)(3)	Were the minutes of all Council and committee meetings submitted to the next ordinary meeting of Council or committee, as the case requires, for confirmation.	Yes		Kathleen Van Son
20	s5.22(2)(3)	Were the minutes of all Council and committee meetings signed to certify their confirmation by the person presiding at the meeting at which the minutes of Council or committee were confirmed.	Yes		Kathleen Van Son
21	s5.23 (1)	Were all council meetings open to members of the public (subject to section 5.23(2) of the Act).	Yes		Kathleen Van Son



No	Reference	Question	Response	Comments	Respondent
22	s5.23 (1)	Were all meetings of committees to which a power or duty had been delegated open to members of the public (subject to section 5.23(2) of the Act).	N/A		Kathleen Van Son
23	s5.23(2)(3)	On all occasions, was the reason, or reasons, for closing any Council or committee meeting to members of the public, in accordance with the Act.	Yes		Kathleen Van Son
24	s5.23(2)(3)	On all occasions, was the reason, or reasons, for closing any Council or committee meeting to members of the public recorded in the minutes of that meeting.	Yes		Kathleen Van Son
25	s5.24 (1) AR 5&6	Was a minimum time of 15 minutes allocated for questions to be raised by members of the public and responded to at every ordinary meeting of Council.	N/A		Kathleen Van Son
26	s5.24 (1) AR 5&6	Was a minimum time of 15 minutes allocated for questions to be raised by members of the public and responded to at every special meeting of Council.	N/A		Kathleen Van Son
27	s5.24 (1) AR 5&6	Was a minimum time of 15 minutes allocated for questions to be raised by members of the public and responded to at every meeting of a committee to which the local government has delegated a power or duty.	N/A		Kathleen Van Son
28	Admin Reg 8	Was a period of 30 minutes allowed from the advertised commencement time before any Council or committee was adjourned due to the lack of a quorum.	N/A		Kathleen Van Son
29	Admin Reg 9	Was voting at Council or committee meetings conducted so that no vote was secret.	Yes		Kathleen Van Son
30	Admin Reg 10(1)	Were all motions to revoke or change decisions at Council or committee meetings supported in the case where an attempt to revoke or change the decision had been made within the previous 3 months but failed, by an absolute majority.	N/A		Kathleen Van Son
31	Admin Reg 10(1)	Were all motions to revoke or change decisions at Council or committee meetings supported in any other case, by at least one third of the number of officers of member (whether vacant or not) of the Council or committee.	Yes		Kathleen Van Son
32	Admin Reg 10(2)	Were all decisions to revoke or change decisions made at Council or committee meetings made (in the case where the decision to be revoked or changed was required to be made by an absolute majority or by a special majority), by that kind of majority.	N/A		Kathleen Van Son



No	Reference	Question	Response	Comments	Respondent
33	Admin Reg 10(2)	Were all decisions to revoke or change decisions made at Council or committee meetings made in any other case, by an absolute majority.	Yes		Kathleen Van Son
34	Admin Reg 11	Did the contents of minutes of all Council or committee meetings include the names of members present at the meeting.	Yes		Kathleen Van Son
35	Admin Reg 11	Did the contents of minutes of all Council or committee meetings include where a member entered or left the meeting, the time of entry or departure, as the case requires, in the chronological sequence of the business of the meeting.	Yes		Kathleen Van Son
36	Admin Reg 11	Did the contents of minutes of all Council or committee meetings include details of each motion moved at the meeting, including details of the mover and outcome of the motion.	No		Kathleen Van Son
37	Admin Reg 11	Did the contents of minutes of all Council or committee meetings include details of each decision made at the meeting.	Yes		Kathleen Van Son
38	Admin Reg 11	Did the contents of the minutes of all Council or committee meetings include, where the decision was significantly different from written recommendation of a committee or officer, written reasons for varying that decision.	Yes		Kathleen Van Son
39	Admin Reg 11	Did the contents of minutes of all Council or committee meetings include a summary of each question raised by members of the public and a summary of the response given.	N/A		Kathleen Van Son
40	Admin Reg 11	Did the contents of minutes of all Council or committee meetings include in relation to each disclosure made under sections 5.65 or 5.70, where the extent of the interest has been disclosed, the extent of the interest.	Yes		Kathleen Van Son
41	Admin Reg 12(1)	Did the local government, at least once during the period covered by this return, give local public notice for the next twelve months of the date, time and place of ordinary Council meetings.	Yes		Kathleen Van Son
42	Admin Reg 12(1)	Did the local government, at least once during the period covered by this return, give local public notice for the next twelve months of the date, time and place of those committee meetings that were required under the Act to be open to the public or that were proposed to be open to the public.	N/A		Kathleen Van Son
43	Admin Reg 12(2)	Did the local government give local public notice of any changes to the dates, time or places referred to in the question above.	N/A		Kathleen Van Son



No	Reference	Question	Response	Comments	Respondent
44	Admin Reg 12(3) (4)	In the CEO's opinion, where it was practicable, were all special meetings of Council (that were open to members of the public) advertised via local public notice.	Yes		Kathleen Van Son
45	Admin Reg 12(3) (4)	Did the notice referred to in the question above include details of the date, time, place and purpose of the special meeting.	Yes		Kathleen Van Son
46	Admin Reg 13	Did the local government make available for public inspection unconfirmed minutes of all Council meetings within 10 business days after the Council meetings.	No		Kathleen Van Son
47	Admin Reg 13	Did the local government make available for public inspection unconfirmed minutes of all committee meetings within 5 business days after the committee meetings.	No		Kathleen Van Son
48	Admin Reg 14(1) (2)	Were notice papers, agenda and other documents relating to any Council or committee meeting, (other than those referred to in Admin Reg 14(2)) made available for public inspection.	Yes		Kathleen Van Son
49	Admin Reg 14A	On all occasions where a person participated at a Council or committee meeting by means of instantaneous communication, (by means of audio, telephone or other instantaneous contact) as provided for in Administration Regulation 14A, did the Council approve of the arrangement by absolute majority.	N/A		Kathleen Van Son
50	Admin Reg 14A	On all occasions where a person participated at a Council or committee meeting by means of instantaneous communication, (as provided for in Administration Regulation 14A) was the person in a suitable place as defined in Administration Regulation 14A(4)	N/A		Kathleen Van Son
51	s5.27(2)	Was the annual general meeting of electors held within 56 days of the local government's acceptance of the annual report for the previous financial year.	N/A		Kathleen Van Son
52	s5.29	Did the CEO convene all electors' meetings by giving at least 14 days local public notice and each Council member at least 14 days notice of the date, time, place and purpose of the meeting.	N/A		Kathleen Van Son
53	s5.32	Did the CEO ensure the minutes of all electors' meetings were kept and made available for public inspection before the Council meeting at which decisions made at the electors' meeting were first considered.	N/A		Kathleen Van Son



No	Reference	Question	Response	Comments	Respondent
54	s5.33(1)	Were all decisions made at all electors' meetings considered at the next ordinary Council meeting, or, if not practicable, at the first ordinary Council meeting after that, or at a special meeting called for that purpose.	N/A		Kathleen Van Son
55	s5.33(2)	Were the reasons for Council decisions in response to decisions made at all electors' meetings recorded in the minutes of the appropriate Council meeting.	N/A		Kathleen Van Son
56	s5.103(3) Admin Reg 34B	Has the CEO kept a register of all token gifts received by Council members and employees.	Yes		Kathleen Van Son

Miscellaneous Provisions

No	Reference	Question	Response	Comments	Respondent
1	s9.4	Has each person who received an unfavourable decision from Council, or from an employee of the local government exercising delegated authority, (that is appealable under Part 9 of the Act) been informed of his or her right to object and appeal against the decision.	N/A		Kathleen Van Son
2	s9.29(2)(b)	On all occasions, were those employees who represented the local government in court proceedings, appointed in writing by the CEO.	N/A		Kathleen Van Son



Official Conduct						
No	Reference	Question	Response	Comments	Respondent	
1	s5.120	Where the CEO is not the complaints officer, has the local government designated a senior employee, as defined under s5.37, to be its complaints officer.	N/A	CEO is the complaints officer but there was no complaints made against Council members during 2010	Kathleen Van Son	
2	s5.121(1)	Has the complaints officer for the local government maintained a register of complaints which records all complaints that result in action under s5.110(6)(b) or (c).	Yes		Kathleen Van Son	
3	s5.121(2)(a)	Does the complaints register maintained by the complaints officer include provision for recording of the name of the council member about whom the complaint is made.	Yes		Kathleen Van Son	
4	s5.121(2)(b)	Does the complaints register maintained by the complaints officer include provision for recording the name of the person who makes the complaint.	Yes		Kathleen Van Son	
5	s5.121(2)(c)	Does the complaints register maintained by the complaints officer include provision for recording a description of the minor breach that the standards panel finds has occurred.	Yes		Kathleen Van Son	
6	s5.121(2)(d)	Does the complaints register maintained by the complaints officer include the provision to record details of the action taken under s5.110(6)(b) (c).	Yes		Kathleen Van Son	

Tenders for Providing Goods and Services						
No	Reference	Question	Response	Comments	Respondent	
1	s3.57 F&G Reg 11	Did the local government invite tenders on all occasions (before entering into contracts for the supply of goods or services) where the consideration under the contract was, or was expected to be, worth more than the consideration stated in Regulation 11(1) of the Local Government (Functions & General) Regulations (Subject to Functions and General Regulation 11(2)).	No		Kathleen Van Son	
2	F&G Reg 12	Has the local government, as far as it is aware, only entered into a single contract rather than multiple contracts so as to avoid the requirements to call tenders in accordance with F&G Reg 11 (1).	Yes		Kathleen Van Son	
3	F&G Reg 14(1)	Did the local government invite tenders via Statewide public notice.	Yes		Kathleen Van Son	



No	Reference	Question	Response	Comments	Respondent
4	F&G Reg 14(3)	Did all the local government's invitations to tender include a brief description of the goods and services required and contact details for a person from whom more detailed information could be obtained about the tender.	Yes		Kathleen Van Son
5	F&G Reg 14(3)	Did all the local government's invitations to tender include information as to where and how tenders could be submitted.	Yes		Kathleen Van Son
6	F&G Reg 14(3)	Did all the local government's invitations to tender include the date and time after which tenders would not be accepted.	Yes		Kathleen Van Son
7	F&G Reg 14(3)(4)	Did the local government ensure information was made available to all prospective tenderers concerning detailed specifications of the goods or services required.	Yes		Kathleen Van Son
8	F&G Reg 14(3)(4)	Did the local government ensure information was made available to all prospective tenderers of the criteria for deciding which tender would be accepted.	Yes		Kathleen Van Son
9	F&G Reg 14(3)(4)	Did the local government ensure information was made available to all prospective tenderers about whether or not the local government had decided to submit a tender.	Yes		Kathleen Van Son
10	F&G Reg 14(3)(4)	Did the local government ensure information was made available to all prospective tenderers on whether or not tenders were allowed to be submitted by facsimile or other electronic means and if so, how tenders were to be submitted.	Yes		Kathleen Van Son
11	F&G Reg 14(3)(4)	Did the local government ensure all prospective tenderers had any other information that should be disclosed to those interested in submitting a tender.	Yes		Kathleen Van Son
12	F&G Reg 14(5)	If the local government sought to vary the information supplied to tenderers, was every reasonable step taken to give each person who sought copies of the tender documents or each acceptable tenderer, notice of the variation.	Yes		Kathleen Van Son
13	F&G Reg 15	Following the publication of the notice inviting tenders, did the local government allow a minimum of 14 days for tenders to be submitted.	Yes		Kathleen Van Son
14	F&G Reg 16(1)	Did the local government ensure that tenders submitted, (including tenders submitted by facsimile or other electronic means) were held in safe custody.	Yes		Kathleen Van Son



No	Reference	Question	Response	Comments	Respondent
15	F&G Reg 16(1)	Did the local government ensure that tenders submitted, (including tenders submitted by facsimile or other electronic means) remained confidential.	Yes		Kathleen Van Son
16	F&G Reg 16 (2)& (3)(a)	Did the local government ensure all tenders received were not opened, examined or assessed until after the time nominated for closure of tenders.	Yes		Kathleen Van Son
17	F&G Reg 16 (2)& (3)(a)	Did the local government ensure all tenders received were opened by one or more employees of the local government or a person authorised by the CEO.	Yes		Kathleen Van Son
18	F&G Reg 16 (3)(b)	Did the local government ensure members of the public were not excluded when tenders were opened.	Yes		Kathleen Van Son
19	F&G Reg 16 (3)(c)	Did the local government record all details of the tender (except the consideration sought) in the tender register immediately after opening.	No		Kathleen Van Son
20	F&G Reg 18(1)	Did the local government reject the tenders that were not submitted at the place, and within the time specified in the invitation to tender.	Yes		Kathleen Van Son
21	F&G Reg 18 (4)	In relation to the tenders that were not rejected, did the local government assess which tender to accept and which tender was most advantageous to the local government to accept, by means of written evaluation criteria.	Yes		Kathleen Van Son
22	F&G Reg 17 (2) & (3)	Does the local government's Tender Register include (for each invitation to tender) a brief description of the goods or services required.	Yes		Kathleen Van Son
23	F&G Reg 17 (2) & (3)	Does the local government's Tender Register include (for each invitation to tender) particulars of the decision made to invite tenders and if applicable the decision to seek expressions of interest under Regulation 21(1).	No		Kathleen Van Son
24	F&G Reg 17 (2) & (3)	Does the local government's Tender Register include (for each invitation to tender) particulars of any notice by which expressions of interest from prospective tenderers were sought and any person who submitted an expression of interest.	Yes		Kathleen Van Son
25	F&G Reg 17 (2) & (3)	Does the local government's Tender Register include (for each invitation to tender) any list of acceptable tenderers that was prepared under regulation 23(4)	Yes		Kathleen Van Son
26	F&G Reg 17 (2) & (3)	Does the local government's Tender Register include (for each invitation to tender) a copy of the notice of invitation to tender.	Yes		Kathleen Van Son



No	Reference	Question	Response	Comments	Respondent
27	F&G Reg 17 (2) & (3)	Does the local government's Tender Register include (for each invitation to tender) the name of each tenderer whose tender was opened.	Yes		Kathleen Van Son
28	F&G Reg 17 (2) & (3)	Does the local government's Tender Register include (for each invitation to tender) the name of the successful tenderer.	No		Kathleen Van Son
29	F&G Reg 17 (2) & (3)	Does the local government's Tender Register include (for each invitation to tender) the amount of consideration or the summary of the amount of the consideration sought in the accepted tender.	No		Kathleen Van Son
30	F&G Reg 19	Was each tenderer sent written notice advising particulars of the successful tender or advising that no tender was accepted.	Yes		Kathleen Van Son
31	F&G Reg 21(3)	On each occasion that the local government decided to invite prospective tenderers to submit an expression of interest for the supply of goods or services, did the local government issue a Statewide public notice.	N/A		Kathleen Van Son
32	F&G Reg 21(4)	Did all public notices inviting an expression of interest, include a brief description of the goods and services required.	N/A		Kathleen Van Son
33	F&G Reg 21(4)	Did all public notices inviting an expression of interest, include particulars of a person from whom more detailed information could be obtained.	N/A		Kathleen Van Son
34	F&G Reg 21(4)	Did all public notices inviting an expression of interest, include information as to where and how expressions of interest could be submitted.	N/A		Kathleen Van Son
35	F&G Reg 21(4)	Did all public notices inviting an expression of interest, include the date and time after which expressions of interest would not be accepted.	N/A		Kathleen Van Son
36	F&G Reg 22	Following the publication of the notice inviting expressions of interest, did the local government allow a minimum of 14 days for the submission of expressions of interest.	N/A		Kathleen Van Son
37	F&G Reg 23(1)	Did the local government reject the expressions of interest that were not submitted at the place and within the time specified in the notice.	N/A		Kathleen Van Son
38	F&G Reg 23(4)	After the local government considered expressions of interest, did the CEO list each person considered capable of satisfactorily supplying goods or services.	N/A		Kathleen Van Son



No	Reference	Question	Response	Comments	Respondent
39	F&G Reg 24	Was each person who submitted an expression of interest, given a notice in writing in accordance with Functions & General Regulation 24.	N/A		Kathleen Van Son
40	F&G Reg 24E	Where the local government gave a regional price preference in relation to a tender process, did the local government prepare a proposed regional price preference policy (only if a policy had not been previously adopted by Council).	N/A		Kathleen Van Son
41	F&G Reg 24E	Where the local government gave a regional price preference in relation to a tender process, did the local government give Statewide public notice of its intention to have a regional price preference policy and include in that notice the region to which the policy is to relate (only if a policy had not been previously adopted by Council).	N/A		Kathleen Van Son
42	F&G Reg 24E	Where the local government gave a regional price preference in relation to a tender process, did the local government include in the notice details of where a complete copy of the proposed policy may be obtained (only if a policy had not been previously adopted by Council).	N/A		Kathleen Van Son
43	F&G Reg 24E	Where the local government gave a regional price preference in relation to a tender process, did the local government include in the notice a statement inviting submissions commenting on the proposed policy, together with a closing date of not less than 4 weeks for those submissions (only if a policy had not been previously adopted by Council).	N/A		Kathleen Van Son
44	F&G Reg 24E	Where the local government gave a regional price preference in relation to a tender process, did the local government make a copy of the proposed regional price preference policy available for public inspection in accordance with the notice (only if a policy had not been previously adopted by Council).	N/A		Kathleen Van Son
45	F&G Reg 11A(1)	Has the local government prepared and adopted a purchasing policy in relation to contracts for other persons to supply goods or services where the consideration under the contract is, or is expected to be, \$100,000 or less or worth \$100,000 or less.	Yes		Kathleen Van Son
46	F&G Reg 11A(3)(a)	Did the purchasing policy that was prepared and adopted make provision in respect of the form of quotations acceptable.	Yes		Kathleen Van Son



Government of Western Australia
Department of Local Government

No	Reference	Question	Response	Comments	Respondent
47	F&G Reg 11(3)(b)	Did the purchasing policy that was prepared and adopted make provision in respect to the recording and retention of written information, or documents for all quotations received and all purchases made.	Yes		Kathleen Van Son

I certify this Compliance Audit return has been adopted by Council at its meeting on _____

Signed Mayor / President, Mindarie Regional Council

Signed CEO, Mindarie Regional Council

ATTACHMENT TWO
TO ITEM 8.3.1
ORDINARY COUNCIL MEETING
28 APRIL 2011
FINAL AUDIT REPORT 2010

AUDIT-IN-CONFIDENCE

MINDARIE REGIONAL COUNCIL



2010 COMPLIANCE AUDIT RETURN

FINAL AUDIT REPORT

INTRODUCTION

1. The Department of Local Government Act 1995 requires a local government authority to carry out a compliance audit for the period 1 January to 31 December. Mindarie Regional Council (MRC) has completed the return for the 2010 calendar year using internal resources. The Compliance Return is to be –

- Presented to Council at a meeting of Council.
- Adopted by the Council.
- Recorded in the minutes of the meeting at which it is adopted.

2. The number of questions the Department of Local Government required to be completed in its Annual Compliance Return has increased from 257 in 2007 to 258 in 2008 and 2009 and decreased to 220 in 2010.

The reduction of 38 questions from 2009 to 2010 under the Finance and Local Law headings have been made to reduce the areas of compliance covered by the return. Those areas are already monitored by the Department of Local Government or checking compliance is the responsibility of the local government's external auditor. Amendments to regulation 13 of the *Local Government (Audit) Regulations 1996* are allowing these changes to occur.

The 2010 Compliance Return covered 11 areas with the MRC achieving a high level of compliance. The results of the independent 2010 compliance audit are as follows -

Section	Section Name	Yes answers	No answers	Not Applicable answers	Total
a)	Commercial Enterprises by Local Governments	3	0	2	5
b)	Delegation of Power/Duty	8	0	5	13
c)	Disclosure of Interest	9	0	4	13
d)	Disposal of Property	0	0	2	2
e)	Finance	25	0	18	43
f)	Local Government Employees	11	2#	9	22
g)	Local Laws	7	0	4	11
h)	Meeting Processes	27	3	26	56
i)	Miscellaneous Provisions	0	0	2	2
j)	Official Conduct	5	0	1	6
k)	Tenders for providing Goods and Services	28	5	14	47
Total		123	10	87	220

3. It is noted that of the 10 "No" answers, 9 represented an unfavourable outcome and 1, Q12 denoted above with a #, represented a "favourable" outcome". The "No" answers with an unfavourable outcome has changed from 10 in 2007, 20 in 2008, 15 in 2009 and 9 in 2010. This is a very satisfactory result as it represents 92% compliance rate in 2010 compared with 88% in 2009, 83% in 2008 and 92% in 2007.

AUDIT OBJECTIVE

4. The Audit covered the period 1 January to 31 December 2010.
5. This audit involved the completion of the current Compliance Return of the Department of Local Government relating to Regional Councils and involved:
 - Interviews with relevant staff members.
 - Review of agendas and minutes.
 - Review of supporting documentation and records.
 - Testing on a sample basis, where applicable, of the degree of compliance with the requirements of the Compliance Return.

POSITIVE DEVELOPMENTS

6. Most Local Government Authorities complete their annual Compliance Return using internal resources.
7. At the request of council the MRC completed the 2010, 2009 and 2008 Compliance Returns internally after the 2007 Compliance Return was completed by an external consultant. The independent review was conducted by Graham McAtominey, a contract accountant with initial experience of 2 years external audit and over 21 years experience in finance and accounting, with the report outcomes providing the opportunity to maximise the continuous improvement benefits.

INSTANCES OF NON COMPLIANCE

8. The review identified 9 instances of procedural non-compliance with the 220 individual requirements of the Compliance Return.

Observation 1	Local Government Employees	Page 5
Observation 2	Meeting Processes	Page 6
Observation 3	Tenders for the provision of Goods & Services	Page 8

9. Details of non-compliance matters are reported from page 5.

CONCLUSION

10. Overall, the MRC has a high (92%) level of compliance with the requirements of the annual return of the Department of Local Government. The audit however identified a number of areas of non-compliance that will present opportunities for continuous improvement in 2011.

11. Graham McAtominey would like to thank the MRC staff members for their professional, courteous and prompt assistance during the audit, particularly Kalwant Dhillon, Mike Tolson, Kathleen van Son and their staff.

.....
Graham McAtominey
15 February 2011

Observation 1 - Local Government Employees

1.1 Compliance Return Requirement

Question 10 on page 8 of the Annual Compliance Return asks -

“Was the performance of each employee, employed for a term of more than one year, (including the CEO and each senior employee), reviewed within the most recently completed 12 months of their term of employment?” (with reference to the Local Government Act s5.38).

Details of non - compliance

The total number of employees employed for more than 1 year is 47. Of these 4 were casuals and advice from the Department of Local Government on 25/1/2011 indicated the reviews don't apply to casual employees. Of the remaining 43 it was identified that 5 employees had no performance review completed within the most recently completed 12 months of their term of employment (Anniversary date).

It is noted that whilst 2 employees had a review completed after their anniversary date in 2010 the review was not completed within the most recently completed 12 months of their term of employment, 1 employee had his first review 14 months after his commencement date, 1 employee that commenced in October 2009 and left in January 2011 and 1 employee that commenced in March 2009 on a contract basis and became a fulltime employee in April 2010 had no review completed.

It is noted that the 2010 Compliance Audit identified that employees, with non-compliant reviews in the 2009 return, all had reviews performed within the most recently completed 12 months of their term of employment (Anniversary date).

Recommendation

The performance of each employee employed for a term of more than one year is reviewed in 2011 within the most recently completed 12 months of their anniversary date of their term of employment.

Management Comment

The comments are noted and accepted. Every effort is made for reviews to be conducted in a timely manner; however, some exceptions do occur due to leave plans and other circumstances.

Observation 2 – Meeting Processes

2.1 Compliance Return Requirement

Question 36 on page 14 of the Annual Compliance Return asks -

“Did the contents of minutes of all Council or committee meetings include details of each motion moved at the meeting, including details of the mover and outcome of the motion” (with reference to the Local Government (Administration) Regulations s11)

Details of non - compliance

The Minutes of all Ordinary and Special Council meetings included details of each motion moved at the meeting, including details of the mover and outcome of the motion.

However whilst the audit committee and Strategic Projects minutes included details of each motion moved no details of the mover were included in the Audit committee minutes on 8/6/10 and 24/11/10 or Strategic Projects Committee minutes on 13/8 and no outcomes of the motion included in the Audit committee minutes on 22/4/10, 8/6/10 and 24/11/10 or Strategic Project Group on 10/09/10, 22/10/10 and 19/11/10.

Recommendation

The contents of minutes of all committee meetings include details of the mover and outcome of the motion that were moved at the meeting.

Management Comment

Noted

Observation 2 – Meeting Processes (continued)

2.2 Compliance Return Requirement

Question 46 on page 15 of the Annual Compliance Return asks -
“Did the local government make available for public inspection unconfirmed minutes of all Council meetings within 10 business days after the Council meetings.” (with reference to the Local Government (Administration) Regulations s13)

Question 47 on page 15 of the Annual Compliance Return asks -
“Did the local government make available for public inspection unconfirmed minutes of all committee meetings within 5 business days after the committee meetings?” (with reference to Administration Regulation 13).

Details of non - compliance

The unconfirmed minutes of all Ordinary and Special Council meetings in 2010 were loaded onto the Mindarie Regional Council website and made available for public inspection within 10 business days after the Council meetings with the exception of the Ordinary Council Meeting on 1/7/10 which was 12 business days.

Whilst the unconfirmed minutes of the Strategic Projects Committee were always included in the following Ordinary Council Meeting minutes for public inspection they weren't made available within 5 business days after the date of the Strategic Projects Committee meetings.

Also the unconfirmed minutes of the Audit Committee meeting on 8/6/10 were made available to the public on 29/6/10. However, the minutes weren't made available within 5 business days after the date of the audit committee meeting.

Recommendation

The unconfirmed minutes for the Council meetings and Committee meetings are made available for public inspection within 10 business days after the Council meetings and within 5 business days after the Strategic Projects and Audit Committee meetings.

Management Comment

Noted. The Audit Committee has been appointed by the Council and the minutes of the Audit Committee meetings need to be reported to Council prior to being made public.

Observation 3 – Tenders for the provision of Goods & Services

3.1 Compliance Return Requirement

Question 1 on page 17 of the Annual Compliance Return asks -

“Did the local government invite tenders on all occasions (before entering into contracts for the supply of goods or services) where the consideration under the contract was, or was expected to be, worth more than the consideration stated in Regulation 11(1) of the Local Government (Functions & General) Regulations (Subject to Functions and General Regulation 11(2))?” (with reference to the Local Government Act s3.57 and Functions and General Regulation 11).

Details of non - compliance

A review was performed of all vendors that have provided goods and services to Mindarie during the 2010 calendar year with a value > \$100,000. Whilst the majority of these vendors had provided goods and services as a result of a public tender process the review identified two vendors that provided goods and services with a value > \$100,000 where no public tender process was conducted.

The Compliance Audit Reports from previous years also identified vendors that provided goods and services to Mindarie with a value > \$100,000 where no public tender process was conducted. As a matter of best practice and as an opportunity for continuous improvement Mindarie considers monitoring on a regular basis the total value of goods and services provided by vendors to identify situations when a public tender process needs to be initiated.

Recommendation

- 1) Mindarie Regional Council considers inviting public tenders in 2011 for the 2 vendors that provided goods and services with a value > \$100,000 where no public tender process was conducted.
- 2) As a matter of best practice and as an opportunity for continuous improvement Mindarie monitors on a regular basis the total value of goods and services provided by vendors to identify situations when a public tender process needs to be initiated.

Management Comment

- 1 One of the supplier provides IT Services and has other distinct projects. This supplier is very familiar with MRC's Waste business including the operation of the two Weighbridges. MRC Administration will be viewing these services in the next financial year and at that point of time assessing the need for a Tender.

The other supplier had distinct projects at different times during the financial year.

- 2 Noted.

Observation 3 – Tenders for the provision of Goods & Services (continued)

3.2 Compliance Return Requirement

Question 19 on page 19 of the Annual Compliance Return asks -
“Did the local government record all details of the tender (except the consideration sought) in the tender register immediately after opening?” (with reference to the Local Government (Functions and General) Regulation 16 (3)(c))

Details of non - compliance

All details of each tender are recorded in the tender register immediately after opening through the use of a tender opening form. However in 4 instances when a tender closed and each tender submission was opened the consideration sought was also recorded on the tender opening form.

Recommendation

The local government doesn't record the consideration sought by each tenderer in the tender register immediately after opening.

Management Comment

Agreed. For management action

Observation 3 – Tenders for the provision of Goods & Services (continued)

3.3 Compliance Return Requirement

Questions 23, 28 and 29 on pages 19 and 20 of the Annual Compliance Return asks, if in accordance with the Functions and General Regulation 17, if

The tender register includes, for each invitation to tender -

Q23 - particulars of the making of -

(i) the decision to invite tenders; and

(ii) if applicable, the decision to seek expressions of interest under regulation 21(1);

Q28 - the name of the successful tenderer.; and

Q29 - the amount of the consideration or a summary of the amount of the consideration sought in the tender accepted by the local government.

Details of non - compliance

Q23 - Many tenders, even though the reason it went to tender was recorded didn't give particulars of the decision made to invite tenders in the tenders register in 2010. In all cases for each tender the tender register recorded that the expressions of interest under Regulation 21 (1) were not applicable.

Q28 - The Tender Register includes (for each invitation to tender) the name of the successful tenderer for the majority of tenders. The exception was 2 tenders 13/107 Provision of services for Recycling and Collection of E-Waste and 13/111 Tractor and Dinosaur Water Cart purchased using WALGA Preferred Supplier List (contract for Agricultural and Turf Equipment - No TPS 0920) where no successful tenderer was recorded.

Q29 – The Tender Register recorded the amount of the consideration of the accepted tender for the majority of tenders. However the exception was 3 tenders 13/107 Provision of services for Recycling and Collection of E-Waste, 13/109 Provision of services for storage collection and purchase of recyclable metals from Tamala Park Waste Management Facility and 13/111 Tractor & Dinosaur Water Cart (purchased using WALGA Preferred Supplier List (contract for Agricultural and Turf Equipment - No TPS 0920) where no consideration was recorded.

Recommendation

As an opportunity for continuous improvement the Tender Register includes the following information;

Q23 –the particulars of the decision made to invite tenders,

Q28 – the name of the successful tenderer; and

Q29 - the amount of the consideration of the accepted tender and each service provider in a panel contract.

Management Comment

Agreed. For management action

Observation 3 – Tenders for the provision of Goods & Services (continued)

3.4 Matter of Best Practice

Question 9 on page 18 of the Annual Compliance Return asks -
“Did the local government ensure information was made available to all prospective tenderers about whether or not the local government had decided to submit a tender?” (with reference to the Local Government (Functions and General) Regulation 14 (3) (4))

Mindarie complies with this requirement as no tenders in 2010 had a local government submit a tender and Mindarie would inform all prospective tenderers if a local government had decided to submit a tender.

It was noted that the Tender Conditions and /or Specifications of the tenders called for in 2010 had no standard clause about whether the local government is tendering.

As a matter of best practice the Standard Tender Conditions and /or Specifications sent with each future tender should contain a standard clause with wording that all prospective tenderers will be informed about whether or not the local government had decided to submit a tender.

Recommendation

The Standard Tender Conditions and /or Specifications sent with each future tender contains a standard clause informing all prospective tenderers about whether or not the local government had decided to submit a tender.

Management Comment

Agreed. The recently developed template for tender documentation includes this content.

Observation 3 – Tenders for the provision of Goods & Services (continued)

3.5 Matter of Best Practice

Under the Local Government Act section 5.43 (b) a local government cannot delegate to a Chief Executive Officer the power to “accept a tender which exceeds an amount determined by the local government”

As the instrument of delegation document approved by Council at the Ordinary Council Meeting on 15 October 2009 and 9 December 2010 didn't delegate an amount under 5.43 (b) above then Council is required to award a contract that exceeds \$100,000.

Council approved in the 2009-10 budget capital expenditure to purchase a Tractor & Water Cart. During 2010 Mindarie purchased a Tractor & Dinosaur Water Cart using a WALGA Preferred Supplier contract for Agricultural and Turf Equipment - No TPS 0920. Mindarie sent a tender specification (No 13/111) to 4 Preferred Suppliers from this contract, evaluated the tender submissions and awarded a contract for provision of the goods valued > \$100,000 to the successful tenderer.

Whilst a proper tender process has been conducted and Council approved the expenditure the power to award tender No 13/111 to the successful tenderer wasn't delegated to the Chief Executive Officer and is required to be approved by Council as it exceeds \$100,000.

It is noted that in 2010 the awarding of all other tenders to the successful tenderer where the value of goods and services exceeded \$100,000 was approved by Council in line with s5.43 above.

It is noted that during 2010 Mindarie completed the production of a tender manual that provides guidance on the processes and procedures to be followed for activities relating to tenders.

As a matter of best practice it is recommended that if goods or services are purchased using a WALGA or State Preferred Supplier contract and their value exceeds \$100,000 that Council approves the awarding of the tender to the successful tenderer.

Recommendation

The awarding of contracts when purchasing goods or services > \$100,000 where preferred suppliers have been selected from a WALGA or State Preferred Supplier contract goes to Council for approval.

Management Comment

The Chief Executive Officer advised that the tender manual will be amended to include the details in the above recommendation.

ATTACHMENT THREE
TO ITEM 8.3.1
ORDINARY COUNCIL MEETING
28 APRIL 2011
COMPLIANCE AUDIT RETURN COMPARISON 2007 TO 2009

MRC CONTINUOUS IMPROVEMENT PLAN – COMPARISON REPORT 2007 COMPLIANCE AUDIT RETURN

Item No	Reference	Compliance Return Requirement	Details of non - compliance	Recommendation	Management Comment	By	When	Progress
1	Admin Reg 13 Compliance 2007	Observation 1 – Meeting Processes Question 47 asks “Did the local government make available for public inspection unconfirmed minutes of all committee meetings within 5 business days after the committee meeting?”	The unconfirmed minutes of the meeting of the MRC Audit Committee held on 25 June 2007 were not made available for public inspection.	Governance procedures have been implemented with respect to public inspection of all unconfirmed minutes of committee meetings	Agreed and confirmed by Admin Mgr	Admin Mgr	June 2007	Observed & monitored
2	F&G Reg 14(3)(4)	Observation 2 – Tenders for the Provision of Goods & Services Question 10 asks “Did the local government ensure information was made available to all prospective tenderers on whether or not tenders were allowed to be submitted by facsimile or other electronic means and if so, how tenders were to be submitted”	The public notices for Tenders 13/79, 13/81, 13/82 did not state if tenders were allowed to be submitted by facsimile or other electronic means.	Governance procedures have been implemented with respect to tenders submitted by facsimile or other electronic means	Agreed and confirmed by Admin Mgr	Admin Mgr	June 2007	Observed & monitored
2.1	F&G Reg 17 (2) & (3)	Question 22 asks “If in accordance with the Functions & General Regulation 17, if (2) The tender register includes, for each invitation to tender – (a) a brief description of the goods or services required; (b) particulars of the making of – (i) the decision to invite tenders; and (ii) if applicable, the decision to seek expressions of interest under regulation 21(1); (c) particulars of –	While the information referred to was included in various files and minutes, it was not included in a Tender Register. It is noted that this Register had previously been maintained by the MRC.	The MRC Tender Register has been updated to include this information.	Agreed and confirmed by Admin Mgr	Admin Mgr	June 2007	Observed & monitored

	<p>(i) any notice by which expressions of interest from prospective tenderers was sought;</p> <p>(ii) any person who submitted an expression of interest; and</p> <p>(iii) any list of acceptable tenderers that was prepared under regulation 23(4);</p> <p>(d) a copy of the notice of the invitation to tender;</p> <p>(e) the name of each tenderer whose tender has been opened; and</p> <p>(f) the name of any successful tenderer</p> <p>(3) The tenders register is to include for each invitation to tender the amount of the consideration or a summary of the amount of the consideration sought in the tender accepted by the local government.</p>						
2.2	<p>Observation 2 – Tenders for the Provision of Goods & Services (Cont'd) – Best Practice Matter</p> <p>The following matter is not a breach of the requirements of the Annual Compliance Return but is reported as an opportunity for the MRC to improve its management of the legal risks associated with tenders.</p> <p>The public notice for tenders numbered 13/79, 13/81 and 13/82, did not state that “the lowest or any tender(s) need not necessarily be accepted.” This wording was included in the public notice for tender numbered 13/83 and should be included on all MRC tenders.</p>	That this information be updated to reflect this suggestion.	The suggested wording “the lowest or any tender(s) need not necessarily be accepted.” Has now been included in MRC public notices for Tenders	Agreed and confirmed by Admin Mgr	Admin Mgr	June 2007	Ongoing monitoring

**MRC CONTINUOUS IMPROVEMENT PLAN – COMPARISON REPORT
 2008 COMPLIANCE AUDIT RETURN**

Item No	Reference	Compliance Return Requirement	Details of non - compliance	Recommendation	Management Comment	By	When	Progress
1.1	S5.46(1) Compliance 2008	Observation 1 – Delegation of Power/Duty Question 11 on page 2 of the Annual Compliance Return asks – Has the CEO kept a register of all delegations made under the Act to him and to other employees?	All delegations made have been included in various files, records and minutes. While the delegations made to the CEO were approved by Council during the year and the CEO has delegated his powers and duties in writing to other employees acting in the position of CEO during 2008, they were not included in a Register of delegations.	A register of all delegations made under the Act to the CEO and from the CEO to other employees be maintained.	Agreed	Admin Mgr	May 2009	Ongoing Monitoring
2.1	s5.75(1) Admin Reg 22 Form 2. s5.76(1) Admin Reg 23 Form 3.	Observation 2 - Disclosure of Interest Question 5 asks “Was a primary return lodged by all newly designated employees within three months of their start day. Question 7 asks “Was an annual return lodged by all designated employees by 31 August 2008?”	During 2008 the CEO delegated in writing the powers or duties of the CEO to an employee who was acting in his position while the CEO was on annual leave. The employees did not complete a primary or annual return.	An employee who acts in the position of CEO completes a primary return (form 2) within 3 months of the powers or duties of the CEO being delegated to them and completes an annual return (form 3) by 31 August each year.	Agreed. As part of continuous improvement, management will be implementing this practice for 2009.	CEO	Commenced May 2009	Ongoing Monitoring

2.2	s5.76(1) Admin Reg 23 Form 3.	Question 6 asks "Was an annual return lodged by all continuing elected members by 31 August 2008?"	The annual return reconciliation for 30 June 2008 indicates that 3 elected members lodged their annual returns in September 2008.	That an annual return is lodged by all continuing elected members by 31 August of each year.	Agreed	CEO & Admin Mgr	Commenced May 2009	Complied in 2009
2.3	s5.77	Observation 2 - Disclosure of Interest (Cont'd) Question 8 asks "On receipt of a primary or annual return, did the CEO, (or the Mayor/President in the case of the CEO's return) on all occasions, give written acknowledgment of having received the return?"	Councillors appointed in Dec 07 completed their primary returns in 2008 but no written acknowledgement of having received the primary return was given.	On receipt of a primary return the CEO to provide written acknowledgement to members of having received the return.	Agreed.	CEO & Admin Mgr	Commenced May 2009	Complied in 2009
2.4	s5.88(1)(2) Admin Reg 2 s5.88(3)	Question 10 asks "Did the CEO keep a register of financial interests which contained a record of disclosures made under sections 5.65, 5.70 and 5.71, in the form prescribed in Administration Regulation 28?" Question 11 asks "Has the CEO removed all returns from the register when a person ceased to be a person required to lodge a return under Section 5.75 or 5.76?"	No register of financial interests was kept in the form required under s5.88 then the return of Councillor Paul Miles wasn't removed when he ceased to be a person required to lodge a return.	(a) A register of financial interests be maintained in line with s5.88 and Admin Reg 28. (b) All returns are removed from the register when a person ceased to be a person required to lodge a return under section 5.75 or 5.76.	Agreed. Although the collective returns can be construed as a 'Register' of Financial Interest then as part of the continuous improvement the electronic summary will be maintained in the future. Agreed for continuous improvement.	CEO & Admin Mgr	Commenced May 2009	Complied in 2009
3.1	s5.55	Observation 3 – Finance Question 4 asks "Did the CEO give local public notice of the availability of the annual report as soon as practicable after the local government accepted the report?"	The 2007 Annual Report timeframe of 4½ months appears to be longer than is practicable. Continuous improvement occurred in 2008 as the 2008 annual report was accepted at the OCM on 11/12/2008 and was advertised after around 2 months on 14/02/2009.	That the local public notice of the availability of the annual report is placed within a reasonable time after the local government accepts the report.	Agreed to adopt the recommendation as part of a continuous improvement process.	Marketing Mgr and Admin Mgr	March 2010	Complied in 2009. Ongoing Monitoring by Admin Mgr

3.2	Admin Reg 19D	Question 6 asks "After a plan for the future or modifications to a plan were adopted under regulation 19C, did the local government give public notice in accordance with Regulation 19D subsection (2)?"	The plan for the future was included in the annual report and the revised Strategic plan was approved by council in 2008 by an absolute majority. However no local public notice was given in accordance with regulation 19D subsection (2).	That the plan for the future is advertised under local public notices as soon as is practicable after being adopted under regulation 19C.	Agreed. Information to be available on the website and management will endeavour to advertise in the papers in the future.	CEO, Admin Mgr & Mktg Mgr	March 2010	Ongoing Monitoring
3.3	s6.4(3)(b)	Question 23 asks "Was the annual financial report, prepared for the financial year ended 30 June 2008, submitted to the Auditor by 30 September 2008 or by the extended time allowed by the Minister or his delegate?"	The auditors received the draft 2008 financial report in early November during the audit with the final annual report given to them on 20 November 2008.	That the annual financial report is submitted to the Auditor by 30 September each year or by the extended time allowed by the Minister or his delegate.	Agreed to adopt the recommendation as part of a continuous improvement process.	CFO	1 August 2009	Complied in 2009
4.1	s5.38	Observation 4 - Local Government Employees Question 10 asks "Was the performance of each employee, employed for a term of more than one year, (including the CEO and each senior employee), reviewed within the most recently completed 12 months of their term of employment?"	In 2008, 8 employees had no review conducted within the most recently completed 12 months of their term of employment. It is noted that a plan is in place for 2009 to complete performance reviews in the operations area of the 8 employees who had no review in 2008.	That the performance of each employee employed for a term of more than one year is reviewed in 2009 within the most recently completed 12 months of their term of employment.	Noted. The performance review system is currently being reviewed and these matters will be taken into account to ensure compliance.	CEO and Mgrs	Upon commencement of anniversary of each employee	New performance Review form and system commenced in 2009. Ongoing monitoring in place.
5.1	Admin Reg 13	Observation 5 - Meeting Processes Question 46 asks "Did the local government make available for public inspection unconfirmed minutes of all Council meetings within 10 business days after the Council meetings	Four council meetings in 2008 were loaded onto the web more than 10 business days after the date of council meetings.	That the unconfirmed minutes of the Council meetings and Audit Committee meetings are made available for public inspection within 10 business days after the Council meetings and within 5 business days after the Audit Committee meetings.	The recommendations of the Audit Committee need to be adopted by the Council prior to being available to the public.	Admin Mgr	Following 2008 Compliance Return	Complied in 2009. Ongoing Monitoring in place

	Admin Reg 13	<p>Observation 5 - Meeting Processes (Cont'd)</p> <p>Question 47 asks "Did the local government make available for public inspection unconfirmed minutes of all committee meetings within 5 business days after the committee meeting?"</p>	The unconfirmed minutes of the Audit Committee meetings held on 24 April 2008 and 18 August 2008 were not made available within 5 business days after the date of the audit committee meetings.	That the unconfirmed minutes of all Committee meetings be made available within 5 business days after the date of the said committee meetings	Agreed	Admin Mgr	Commenced following 2008 Compliance Return	Complied in 2009. Ongoing monitoring in place
5.2	Act s5.103(3) Admin Reg 34B	Question 56 asks "Has the CEO kept a register of all token gifts received by Council members and employees?"	No register is maintained that contains the information required for notifiable gifts per Admin Regulation 34B.	A register of all notifiable gifts received by Council members and employees be kept in accordance with Admin Regulation 34B.	Agreed	Admin Mgr	Following lodgement of 2008 Compliance Return	A register is now kept and Ongoing monitoring is in place
6.1	s.3.57 F&G Reg 11	<p>Observation 6 - Tenders for the provision of Goods & Services</p> <p>Question 1 asks "Did the local government invite tenders on all occasions (before entering into contracts for the supply of goods or services) where the consideration under the contract was, or was expected to be, worth more than the consideration stated in Regulation 11(1) of the Local Government (Functions & General) Regulations (subject to Functions & General Regulation 11(2))?"</p>	The review identified 5 vendors that provided goods and services with a value > \$100,000 where no public tender process was conducted.	MRC considers inviting public tenders in 2009 for the 5 vendors that provided goods and services with a value > \$100,000 where no public tender process was conducted and uses this opportunity for continuous improvement to monitor on a regular basis the total value of goods and services provided by vendors to identify situations when a public tender process needs to be initiated.	Management has already been considering adopting the above approach as part of the continuous improvement process.	Mgrs	Prior to each tender invitation	Ongoing monitoring
6.2	F&G Reg 17 (2) & (3)	<p>Observation 6 - Tenders for the provision of Goods & Services (Cont'd)</p> <p>Question 23 to 25, 28 and 29 asks "If in accordance with the Functions & General Reg 17, if</p> <p>The tender register includes, for each invitation to tender –</p> <p>Q23 – particulars of the making of-</p> <p>(i) the decision to invite tenders; and</p>	<p>Q23 -The Register didn't include this information for Tenders 13/88, 13/89, 13/90 and 13/91</p> <p>Q24 & 25 – No expressions of interest were sought during 2008 and the Tender Register includes no reference to these being not applicable.</p> <p>Q28 & 29 – This information was not included in a Tender Register.</p>	<p>That as an opportunity for continuous improvement the Tender Register includes the following information;</p> <p>Q23 – the particulars of the decision made to invite tenders and the decision to seek expressions of interest under Reg 21(1) OR record if it was not applicable.</p> <p>Q24 & 25 – an indication for each tender that no</p>	Agreed.	Admin Mgr	Following 2008 Compliance Return	Ongoing Monitoring recommended

	<p>(ii) if applicable, the decision to seek expressions of interest under Reg 21(1);</p> <p>Q24 & 25 particulars of –</p> <p>(i) any notice by which expressions of interests from prospective tenderers was sought;</p> <p>(ii) any person who submitted an expression of interest; and</p> <p>(iii) any list of acceptable tenderers that was prepared under Reg 23(4);</p> <p>Q28 – the name of any successful tenderer; and</p> <p>Q29 – the amount of the consideration or a summary of the amount of the consideration sought in the tender accepted by the local government.</p>	<p>It is noted that the 2007 Compliance Audit found that the Tender Register has been kept and improvements have occurred in the processes and forms used to collect the information for the Tenders Register.</p> <p>In all cases the decision to seek expressions of interest under Reg 21(1) was not applicable.</p>	<p>expression of interest were sought, submitted and no acceptable tenderers were chosen, and</p> <p>Q28 & 29 – The name of any successful tenderer and the amount of the consideration of the accepted tender.</p>				
6.3	<p>Best Practice Matter</p> <p>The best practice matter was that the public notice for all tenders should include the wording “the lowest or any tender(s) need not necessarily be accepted.”</p>		<p>That this wording be included in all MRC public notices for tender(s)</p>	<p>Agreed and Admin Mgr</p>	<p>Admin Mgr</p>	<p>Following 2007 Compliance Return</p>	<p>Ongoing Monitoring recommended</p>

MRC CONTINUOUS IMPROVEMENT PLAN – COMPARISON REPORT 2009 COMPLIANCE AUDIT RETURN

Item No	Reference	Compliance Return Requirement	Details of non - compliance	Recommendation	Management Comment	By	When	Progress
1.1	S5.46 (1) Compliance 2009	Observation 1 – Delegation of Power/Duty Question 11 on page 2 of the Annual Compliance Return asks “Has the CEO kept a register of all delegations made under the Act to him and to other employees?”	All delegations made have been included in various files, records and minutes. The delegations made to the CEO were approved by Council during the year and the CEO has delegated his powers and duties in writing to other employees acting in the position of CEO during 2008. A register of delegations is now maintained that record delegations made to the CEO and to employees from the CEO. However, in one instance, the CEO delegated his powers and duties in writing to an employee for ½ day and the delegation to that employee was not recorded on the Register of Delegations	The register of delegations made under the Act records all delegations from the CEO to other employees	Agreed	Admin Mgr	Jul 2010 ongoing	Monitor in July 2010 & following CEO annual leave in July 2010
2.1	S5.75 (1) and Admin Reg 22 Form 2	Observation 2 – Disclosure of Interest Question 5 on page 3 of the Annual Compliance Return asks - “Was a primary return lodged by all newly designated employees within three months of their start day?” Question 7 on page 3 of the Annual Compliance Return asks - “Was an annual return lodged by all designated employees by 31 August 2009?” (with reference to Local Government Act s5.76(1) and Administration Reg 23 Form 3).	Employees acting as the CEO are classed as designated employees and are required to complete a primary return (form 2) and annual return (form 3). During 2009 the CEO delegated in writing under s5.44(2) the powers or duties of the CEO to employees who were acting in his position. Whilst 2 designated employees completed the primary return it was more than 3 months after the date they commenced acting as CEO and 1 employee acted for 1/2 day but no primary or annual return was completed.	An employee who acts in the position of CEO completes a primary return (form 2) within 3 months of the powers or duties of the CEO being delegated to them and completes an annual return (form 3) by 31 August each year.	Agreed	Admin Mgr	Jul 2010 ongoing	Monitor in July 2010 & following CEO annual leave in July 2010

3.1	S5.38	<p>Observation 3 – Local Government Employees Question 10 on page 11 of the Annual Compliance Return asks - “Was the performance of each employee, employed for a term of more than one year, (including the CEO and each senior employee), reviewed within the most recently completed 12 months of their term of employment?”</p>	<p>The total number of employees employed for more than a year is 37. It was identified that 8 employees had no performance review completed within the most recently completed 12 months of their term of employment (Anniversary date). It is noted that of these 8 employees 5 fulltime and 2 part time employees had a review completed in 2009 but it was after their anniversary date. Only 1 part time employee that worked weekends and has since resigned had no review completed.</p> <p>The 2008 Compliance return raised the same issue of non-compliance and it is noted that of the 8 employees who had no review in 2008 only 1 part time employee that worked weekends and has since resigned had no review in 2009.</p> <p>It is noted that since the 2008 Compliance return the performance review system has been improved and each employee now meets with their respective Manager and then the Chief Executive Officer to discuss their review each year.</p>	<p>The performance of each employee employed for a term of more than one year is reviewed in 2010 within the most recently completed 12 months of their anniversary date of their term of employment.</p>	<p>Agreed. Operational staff assessments are conducted as per a list based on calendar years.</p>	<p>CEO, HR Officer & Managers</p>	<p>2010 Onward</p>	<p>Ongoing monitoring by CEO, HR Officer & MGR</p>
4.1	S3.16 (1)(2)	<p>Observation 4 – Local Laws Questions 14 to 16 on page 14 of the Annual Compliance Return asks “If the local government carried out a review of a local law under section 3.16 of the Act, to determine whether or not the local law should be repealed or amended, did it give Statewide public notice”</p> <ul style="list-style-type: none"> (i) stating that it intended to review the local law (Question14) (ii) advising that a copy of the local law could be inspected or obtained at the place specified in the notice (Question15); and (iii) detailing the closing date for submissions about the local law. (Question16) 	<p>Tamala Park Local Law 2002 relating to site operations was reviewed in 2009 but no Statewide public notice was given advertising the details in (i) to (iii) above.</p>	<p>When the local government carries out a review of a local law under section 3.16 of the Act, to determine whether or not the local law should be repealed or amended, it gives Statewide public notice</p> <ul style="list-style-type: none"> (i) stating that it intended to review the local law (ii) advising that a copy of the local law could be inspected or obtained at the place specified in the notice; and (iii) detailing the closing date for submissions about the local law 	<p>Agreed</p>	<p>Admin Mgr</p>	<p>July 2010 for inclusion in agenda for OCM 26/8/10</p>	<p>Monitor each stage of the local law review in 2010.</p> <p>Monitor local law process for review leading up to and including year 2018 s3.16(1)</p>

4.2		<p>Local Law - Matter of Best Practice The Standing Order (Local Law) 2000 was initially reviewed in 2006 and advertised on Saturday 6th May 2006 giving Statewide public notice with the details in (i) to (iii) above and Council approved at the OCM on 6/7/06 that the standing order be repealed and replaced with a new order.</p> <p>However the process in 2006 was never finalised as the new standing order to replace Standing Order 2000 was never progressed. The main reason it was never progressed is due to the employee who was progressing the issue left the employment of Mindarie Regional Council. After a period of 3 years the review of the existing standing order commenced again in 2009.</p>		<p>Local Law - Matter of Best Practice Recommendation</p> <p>(i) A new order is progressed, finalised and approved through Council in a timely manner once Council has approved the repealing of an existing Local Law; or</p> <p>(ii) If the review of an existing standing order commenced again after an extended period of some years from the initial review, that the process to repeal the law commences again and another Statewide public notice is advertised providing the details in (i) to (iii) above.</p>	Agreed	Admin Mgr	July 2010 for inclusion in agenda for OCM 26/8/10	<p>Monitor each stage of the local law review in 2010.</p> <p>Monitor local law process for review leading up to and including year 2018 s3.16(1)</p>
5.1	S5.22 (2)(3)	<p>Observation 5 – Meeting Processes Question 20 on page 16 of the Annual Compliance Return asks - “Were the minutes of all Council and committee meetings signed to certify their confirmation by the person presiding at the meeting at which the minutes of Council or committee were confirmed.?”</p>	<p>The minutes of all ordinary and special Council meetings in 2009 were signed to certify their confirmation by the person presiding at the meeting at which the minutes of Council were confirmed.</p> <p>However the minutes for the audit committee meeting on 9/4/09 were unsigned.</p>	<p>The minutes of all Audit Committee meetings be signed to certify their confirmation by the person presiding at the meeting at which the minutes of the committee were confirmed.</p>	<p>The Audit Committee minutes were tabled at the Ordinary Council Meeting of 23rd April 2009 and adopted by the Council. Council minutes were subsequently confirmed and signed at 23rd July Council meeting. Noted the requirement for the minutes of the Audit committee to be signed in future.</p>	Agreed	All future Council meetings	To be monitored following each Council meeting
6.1	S3.57 Gen Reg 11	<p>Observation 6 – Tenders for the provision of Goods & Services Question 1 on page 21 of the Annual Compliance Return asks - “Did the local government invite tenders on all occasions (before entering into contracts for the supply of goods or services) where the consideration under the contract was, or was expected to be, worth more than the consideration stated in Regulation 11(1) of the Local Government (Functions & General) Regulations (Subject to Functions and General Regulation 11(2))?”</p>	<p>A review was performed of all vendors that have provided goods and services to Mindarie during the 2009 calendar year with a value > \$100,000. Whilst the majority of vendors had provided goods and services as a result of a public tender process the review identified 4 vendors that provided goods and services with a value > \$100,000 where no public tender process was conducted.</p> <p>The 2008 Compliance report identified 5 vendors that provided goods and services to Mindarie</p>	<p>1) Mindarie Regional Council considers inviting public tenders in 2010 for the 4 vendors that provided goods and services with a value > \$100,000 where no public tender process was conducted.</p> <p>2) As a matter of best practice and as an opportunity for continuous improvement Mindarie monitors on a regular basis the total</p>	<p>1) One vendor is a sole supplier used to ensure compatibility with the existing leachate pumping system. Through the lack of equipment availability another vendor was considered the only local supplier to</p>	Agreed	July 2010 for all future tenders.	Ongoing monitoring. Copy of Recommendations be provided to all MGR

			<p>with a value > \$100,000 where no public tender process was conducted. Action taken since that report is a public tender process was conducted that appointed 3 of those vendors to panel contract 13/99.</p> <p>This panel contract awards services to providers on an as required basis based on services required and value for money but the contract is silent on the number of providers to be approached so as a matter for best practice clear guidelines be established for the selecting and recording which service provider is to be awarded services under the contract.</p>	<p>value of goods and services provided by vendors to identify situations when a public tender process needs to be initiated.</p> <p>3) A matter for best practice is that panel contracts establish clear guidelines for the basis of selecting and recording which service provider is to be awarded services under the contract.</p>	<p>supply the hire of a water truck. The other two suppliers had distinct projects at different times in the financial year.</p> <p>2) Noted and will explore this further.</p>			
6.2	S3.57 Gen Reg 12	<p>Observation 6 – Tenders for the provision of Goods & Services (cont...) Question 2 on page 21 of the Annual Compliance Return asks - "Has the local government, as far as it is aware, only entered into a single contract rather than multiple contracts so as to avoid the requirements to call tenders in accordance with F&G Reg 11(1)?"</p>	<p>The local government has conducted 2 quotation processes during 2009 to award services for 2 Waste management contracts. The successful service provider is to provide services for 1 project to 'Characterise Bulky Waste Stream delivered to Tamala Park and City of Stirling Balcatta Recycling Centre' and a 2nd project for 'Bulky Hardwaste and Greenwaste Collected from Verges'. Each of these projects were awarded with a value less than \$100,000 and the value for services if both contracts were under one contract would be over \$100,000.</p> <p>It is noted that at no time did the local government intend to avoid the requirements to call tenders.</p> <p>These projects are for similar work and the quote process conducted for the 2 multiple contracts could have been combined into one contract and a public tender process initiated.</p>	<p>Consider whether multiple contracts awarded under a quotation process could be combined into a single contract where public tenders will be called.</p>	<p>In this instance the projects were 2 Regional Investment Plan funded projects through the Waste Authority. They are separate projects with a requirement to produce separate, project specific reports.</p> <p>The Mindarie Regional Council is also required to account for the funding of the individual projects separately.</p> <p>It is agreed that the scope of work for the two projects was similar; however, due to the above, the projects were managed separately.</p> <p>At no time did Mindarie Regional Council intend to avoid the requirements to call tenders.</p>	Agreed	July 2010 onward	Monitor and provide recommendation to all MGR.

6.3	S3.57 Gen Reg 14(3)	<p>Observation 6 – Tenders for the provision of Goods & Services (cont...) Question 5 on page 21 of the Annual Compliance Return asks - "Did all the local government's invitations to tender include information as to where and how tenders could be submitted?"</p>	<p>All Statewide public notices inviting tenders included information for every tender as to where tenders could be submitted with 5 out of 7 notices including information as to how the tenders could be submitted.</p> <p>Generally all advertising notices had the wording that 'tenders must be presented in a sealed envelope clearly marked with the tender number'. However in 2 notices this wording was missing with the notices indicating that tenders could not be submitted by facsimile or email but there was no other information as to how tenders could be submitted.</p>	All the local government's Statewide public notices for invitations to tender include information as to how tenders could be submitted.	Agreed	All MGR	July 2010 onward	<p>Monitor and provide recommendation to MGR.</p> <p>Governance Officer to provide Tender checklist when Tender Number is requested.</p>
6.4	Gen Reg 17	<p>Observation 6 – Tenders for the provision of Goods & Services (cont...) Questions 23, 26 and 29 on pages 22 and 23 of the Annual Compliance Return asks, if in accordance with the Functions and General Regulation 17, if</p> <p>The tender register includes, for each invitation to tender -</p> <p>Q23 particulars of the making of - (i) the decision to invite tenders; and (ii) if applicable, the decision to seek expressions of interest under regulation 21(1);</p> <p>Q26 a copy of the notice of invitation to tender; and</p> <p>Q29 the amount of the consideration or a summary of the amount of the consideration sought in the tender accepted by the local government.</p>	<p>Q23 The Register didn't include for Tenders 13/96 to 13/100 the particulars of the decision made to invite tenders, even though the decision has been minuted. However improvement occurred during 2009 as the Register recorded the details of the decision for the last 2 tenders in 2009 (13/101 & 13/102). In all cases the decision to seek expressions of interest under Regulation 21(1) was not applicable.</p> <p>Q26 All tenders were advertised in a notice of invitation to tender. However, only one tender 13/100 had no copy of the notice of invitation to tender on the tenders register.</p> <p>Q29 The Tender Register recorded the amount of the consideration of the accepted tender with the exception of tender 13/99 which was awarded as a panel contract. The panel of tenderers was approved by Council and whilst the tender register made reference to the OCM minutes on 15/10/09 there was no consideration</p>	<p>As an opportunity for continuous improvement the Tender Register includes the following information; Q23 –the particulars of the decision made to invite tenders and the decision to seek expressions of interest under Regulation 21(1) or record if it was not applicable.</p> <p>Q26 – a copy of the advertisement notice of invitation to tender; and</p> <p>Q29 - the amount of the consideration of the accepted tender and each service provider in a panel contract.</p>	Agreed	Admin Mgr	July 2010 onward	<p>Ongoing monitoring of Tender Register. Tender checklist to be followed at all times.</p>

			recorded in the register for each panel member under the contract.					
6.5	S3.57 Gen Reg 19	<p>Observation 6 – Tenders for the provision of Goods & Services (cont...)</p> <p>Question 30 on page 23 of the Annual Compliance Return asks - “Was each tenderer sent written notice advising particulars of the successful tender or advising that no tender was accepted?”</p>	<p>In most cases each tenderer was sent written notice advising the name of the successful tender but not advising the amount of the consideration of the successful tender.</p> <p>However two tenders 13/97 and 13/102 had no letters sent. One tender 13/99 had letters sent advising each tenderer they were appointed to a panel of service providers but didn’t advise each tenderer of the other successful service providers awarded under the contract.</p>	Each tenderer be sent written notice advising particulars of the successful tender or advising that no tender was accepted.	Agreed	MGR	July 2010 Onward	<p>All MGR to complete the Tender checklist and adhere to recommendations.</p> <p>Copy of recommendations to be provided to all MGR.</p>

**ITEM 8.4.1 TENDER RECOMMENDATION – THE ESTABLISHMENT OF A
PANEL OF PROVIDERS FOR THE WET AND DRY HIRE OF PLANT
AND MACHINERY**

Tender No: 13/116

File No: PES/31 (D/11/2163)

Attachment(s): Nil

Author: Mike Tolson

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SEPARATE COVER TO ELECTED MEMBERS

**ITEM 8.4.2 RESOURCE RECOVERY FACILITY AGREEMENT WASTE
DIVERSION TARGET**

File No: **WST/179 (d/11/2147)**

Attachment(s): **1. Resource Recovery Facility (RRF) Mass Balance Flow Diagram**
2. Audit Report of the Waste Diversion Capacity of the MRC
Domestic Waste Composting Plant in Neerabup WA – January
2011 Sampling
3. Notes from Technical Officers Meeting 11 February 2011
4. Letter from BioVision Requesting Additional Information
Regarding Solvency

Author: **Ian Watkins**

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SEPARATE COVER TO ELECTED MEMBERS

ITEM 8.4.3 USE OF CONSULTANTS

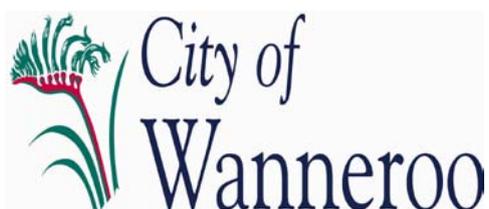
File No: COR/16 (D/11/2159)

Attachment(s): Nil

Author: Kevin Poynton

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SEPARATE COVER TO ELECTED MEMBERS



LOCAL EMERGENCY MANAGEMENT COMMITTEE
Date Thursday 5 May 2011
PERTH INTERNATIONAL TELECOM CENTRE
Gnangara Road GNANGARA

Meeting	Wanneroo/Joondalup Local Emergency Management Committee	
In Attendance	Cr. John Chester Martyn Glover Derek Fletcher David Wilson Karen Caple Ian McDowell Wayne Harris Tim Zappa Derrick Briggs Alex Ryan Mal Jones Chris Ruck Jo-Anne Bennett Mary-Anne Jackson George Moylan Christopher StRoas Steve Pethick Helen Barrett Grant Pipe Grant Berry John Chisholm	City of Joondalup City of Joondalup City of Joondalup City of Joondalup City of Wanneroo City of Wanneroo City of Wanneroo WA Police WA Police WA Police WA Police WA Police Dept for Child Protection Dept for Child Protection Wanneroo/Joondalup State Emergency Svce Dept of Transport Western power Ramsay Health Fire and Emergency Services Authority State State Emergency Service WA Police WA Police
Apologies	Charles Slavich Cr Norman Hewer Resmie Greer Craig Wanstall Brad Stringer Quinta LaRosa Rebecca Wringe Rick Corkill Darren Cole	City of Joondalup City of Wanneroo City of Wanneroo WA Police Fire and Emergency Services Authority Fire and Rescue Service Fire and emergency Services Authority Community Emergency Management Officer Red Cross Coastal Emergency Group City of Wanneroo

Chair	Cr John Chester	City of Joondalup
Meeting opened	10.15am	

Welcome and Opening Address

Cr Chester declared the meeting opened and welcomed those in attendance and introduced the following new members to the committee. Helen Barrett representing Joondalup Health Campus and Christopher StRoas representing Hillary's Boat Harbor. Cr Chester also introduced Mr. Phil van Leen and staff of the facility and advised that following the meeting a tour of the facility for those interested would be conducted by Mr. van Leen.

Confirmation of Minutes

The minutes of the meeting held 3 February at the City of Joondalup were confirmed as a true and accurate record on the motion of Derrick Briggs seconded by Mary-Anne Jackson, and carried.

Matters arising from previous minutes

Risk Register Workshop

- Derek Fletcher advised that a Risk Register Workshop was held at the City of Wanneroo on 22 February to review the Emergency Management risks for the City of Wanneroo and the City of Joondalup. Subsequent to this workshop both Cities have applied for an "All West Australians Reducing Emergencies" (AWARE) grant from the Fire and Emergency Services Authority to facilitate further workshops and complete a Risk Register, and are currently awaiting notification if the grant is approved or declined.

Correspondence

Inwards

- Emergency Management WA First Quarter Information Sheet
- WA Local Government Association Emergency Management News
- WA Local Government Association Proposal Paper for Metropolitan District Emergency Management Committees

Outwards

- Local Emergency Management Committee Members – Emergency management WA First Quarter Information Sheet
- Local Emergency Management Committee Members – WA Local Government Association Emergency Management News
- Local Emergency Management Committee Members – WA Local Government Association Proposal Paper for Metropolitan District Emergency Management Committees

Reports

Ian McDowell reported the City of Wanneroo had held a table top exercise "Two Rocks Recovery" for staff to test the city's Recovery Plan.

The Wanneroo volunteer Bushfire brigades had attended 213 incidents this current fire season.

He also attended a meeting of the Metropolitan North and East Recovery Group at the Town of Bassendean on 20 April. The meeting agreed to continue the Mutual Aid Agreement for a three year period and that in line with the agreement the Chair of the Committee for the next twelve months would rest with the City of Bayswater

Martyn Glover advised the City of Joondalup has had three real life incidents of bushfires in the bush land adjacent to the City Administration Building necessitating evacuation of staff from the building. Some deficiencies had been found with the evacuation process and an internal committee had been formed to address these issues.

Jo-Anne Bennett reported that The Department for Child Protection had 12 activations during 2010 and 27 in the 4 months since the start of this year. Activations were to Carnarvon Floods, Wheat belt Storms, Kelmscott Bushfire and Warnum Floods

Helen Barrett reported the Joondalup Health Campus was undergoing major redevelopment and it was expected that further development would occur in the future. There had been 8 decontamination showers installed on the site

Cr Chester reported he had attended a Climate Change Conference at Cairns Climate Change Facility. The impact of climate change on emergency management could see dryer weather which could result in more frequent and intense bushfires.

General Business

The Wanneroo/Joondalup Local Emergency Management Committee Business Plan 2011/2012 had been circulated to members for comment prior to the meeting, as no comment was received the meeting agreed to forward the Plan with no changes to the State Emergency Management Committee.

Proposal Paper for Metropolitan District Emergency Management Committees (DEMC's) Derek Fletcher advised that at a workshop held in February 2010 to discuss the Metropolitan DEMC's the model put forward in the Proposal Paper was the accepted model. Emergency Management WA is now looking to ratify this model. The meeting agreed with the proposal.

Next meeting

City of Joondalup 4 August 2011.

Closure

Cr Chester declared the meeting closed at 10.32 am and invited the members to attend the tour of the facility.

Signed

Councilor John Chester
Chairman

Derek Fletcher
Emergency Management Officer
City of Joondalup