

MINUTES OF THE YELLAGONGA REGIONAL PARK COMMUNITY ADVISORY COMMITTEE MEETING

Thursday 2 May 2013
5:00pm
City of Joondalup

1. WELCOME AND APOLOGIES

Present: Peter McKenzie – Chair (PM), Kevin McLeod (KM), Keith Armstrong – City of Joondalup (KA), Barry Fitzsimmons (BF), Cr John Chester – Joondalup City Council (JC), Will Carstairs (WC), Jacqueline Styants – Perth Region NRM (JS), Michelle Charles – DEC (MC) and Brad Johnson – DEC (BJ).

Apologies: Sasha Poli - City of Wanneroo (SP), Heather Chester (HC) and Hugo Bekle (HB).

Guest: Enzo Sirna – National Trust Deputy CEO (ES) and Michael Hamling – City of Joondalup Manager Operations Services.

Absent: Wanneroo City Council representative.

2. MINUTES FROM PREVIOUS MEETING

The minutes of the previous meeting were accepted as a true and accurate record.

3. BUSINESS ARISING FROM PREVIOUS MINUTES

- 3.1 Refer to previous Item 6.3 – Luisini Winery development
ES attended the meeting. His presentation is discussed under Item 6.1.

A letter was drafted to the City of Joondalup regarding their support for Luisini Winery Project but not sent. This is discussed further under Item 6.1.

- 3.2 Refer to previous Item 5.2 – City of Wanneroo
SP provided the following response via email which BJ read aloud:

- The City is currently waiting for the draft 2012 Wangara Sump Report to be reviewed before printing, and has also commissioned a study into the Infiltration cells. The report will be distributed at the next meeting with further information.

- 3.3 Refer to previous Item 5.3 – City of Joondalup
It was noted that KA had forwarded the City's proposed bird feeding signage template to BJ and had been liaising with DEC regarding the finished product.

- 3.4 Refer to previous Item 6.1 - Friends of Yellagonga (FoY) proposal
KM commented that FoY wanted a dedicated person available to assist them on a week-by-week arrangement, however they are now liaising with DEC Operations Officer Wayne Childs more closely. BJ endorsed the improved liaison and suggested that DEC can provide assistance with works schedule planning and engaging volunteer organisations for the work, such as Conservation Volunteers Australia.

JS advised that Perth Region NRM's recent grant application for Yellagonga Regional Park includes the engagement of Aboriginal trainees who can assist FoY.

- 3.5 Refer to previous Item 6.2 - Algal bloom removal from Lake Goollelal
BJ conveyed support for the proposal, subject to a Job Safety Analysis (JSA) being prepared for the works and provided to DEC for comment. BJ added that DEC could provide a similar JSA to work from which covered the use of kayaks on Lake Goollelal.

JC and KM commented that at this stage not too many members had expressed interest in the project and if it interfered with the floating biosphere trial, then it would not be pursued.

BJ advised that floating biospheres would not be trialed on Lake Goollelal and that a suitable trial location had been identified at the southern end of Lake Joondalup. The site is suitably small and sheltered from wind and was identified following comments from the City of Cockburn which encountering instability, the structure splitting apart in strong winds and birds getting trapped in the netting whilst trialing the system in open water. BJ added that DEC would undertake necessary maintenance and remove the structure temporarily should water levels dropped.

- 3.6 Refer to previous Item 6.4 – Fallen paperbarks (Melaleucas and drum container)
BJ reported that the metal drum chained to the ground at Beenyup Swamp was part of Mark Lund's nutrient research and that DEC is attempting to contact Mark to request that the drum is removed given the research project has concluded.

BJ also reported that the fallen Melaleucas shown in JC's photos at the previous meeting were a common occurrence in all wetlands resulting from their shallow root system combined with strong winds or a storm event. BJ stated that trees could survive lying on their side as long as the root system was not damaged.

- 3.7 Refer to previous Item 5.1 - Department of Environment and Conservation (DEC)
JC referred to the issue of alternative funding for the dual use path behind Chianti Estate and suggested that the attendance of a City of Wanneroo Councillor at committee meetings may be beneficial to such discussions. MC agreed to contact the City of Wanneroo to request the regular attendance of an appointed Councillor at committee meetings.

Action: MC to contact the City of Wanneroo regarding councillor attendance.

4. CORRESPONDENCE

Outward:

15 March 2013 Email from DEC inviting Enzo Sirna to attend a meeting.

Inward:

12 March 2013 Letter from Enzo Sirna, National Trust, regarding the Luisini Winery Redevelopment Project.

5. AGENCY AND COMMUNITY REPORTS

5.1 City of Wanneroo

SP provided the following update via email which BJ read aloud:

Water Sampling Program

- Wangara Sump was sampled on 23 April 2013.
- The 2012 water sampling report has been sent to the Department of Water for review.

Luisini Park Infiltration Cells

- A study has been commissioned into the efficiency of the cells in regards to flows and rates of infiltration. This includes the installation of flow metres. The City is currently awaiting results.

General Maintenance

- Basal barking has been carried out on the *Schinus terebinthifolia* (Brazilian Peppers).
- *Tribulus terrestris* (Caltrop) has been hand weeded and the seed collected.
- The revegetation site at Church Street Drain has been hand weeded and sprayed.
- *Typha orientalis* has been cut and removed at the Wanneroo recreation revegetation site.
- The Ottawa Way revegetation site has been treated with herbicide.
- Dead trees have been removed from the Ariti Avenue entrance.

- A community planting day will be held at the Church Street Drain on 7 July between 9am and 12 noon.

5.2 Department of Environment and Conservation (DEC)

BJ reported the following works:

Operational works

- Saplings along dual use path edges have been basal barked, south of Drovers Place.
- Overhead pruning was carried out from Drovers Place, south to the path below Lot 1.
- The 'Keep Left' path stencils have been reapplied.
- Bollards have been replaced at the gate to the Edgewater firebreak.
- Tall weeds and nut grass have been removed by hand at the Beenyup boardwalk.
- Graffiti has been oversprayed at the Woodvale Dairy.
- Paddy melons were removed at Duffy Terrace and Whitfords Paddock.
- Calthrop was sprayed in Whitfords Paddock.
- Castor oil trees were removed from the old stables on Wanneroo Road.
- Weeds have been treated at the Luisini Winery rehabilitation site.
- Overhead pruning was completed along dual use paths around Lake Goollelal.
- Vegetation at the Lake Goollelal lookout has been pruned and weeding completed.
- Dual use path edges north of Hepburn Avenue have been brush cut.

Contracted works

- The March fox control program yielded four foxes. Traps were set north of Joondalup Drive in Neerabup National Park without success, possibly due to increased visitation.
- An additional two days trapping at Lake Goollelal was conducted to address active turtle nest predation.
- Slashing of selected areas was completed in April.

Visitor Risk Management

- The limestone path at the Lot 1 southern car park entrance has been closed due to severe water erosion.
- All tree pruning works are complete.

Fire pre-suppression works

- Overhead pruning was conducted along the Edgewater firebreak.

General interest

- A wedding took place by the lone tree below Lot 1 on 20 April 2013.

5.3 Perth Region NRM

JS reported that Perth Region NRM had submitted a second funding bid for \$1 million focusing solely on works within Yellagonga Regional Park.

5.4 City of Joondalup

KA reported the following works:

- 11 Carnaby's black cockatoo nest boxes have been installed nine in Neil Hawkins Park, one in Central Park and one in Lakeside Park. City staff will monitor the boxes for nesting success and pests.
- The City will be applying for further funding for fox control based on the success of the past three years' collaboration with DEC and the City of Wanneroo in which 34 foxes have been destroyed.
- The City recently met with FoY to discuss management of the bush land adjacent to Neil Hawkins Park. Weed control has been carried out at this site which the City intends to continue.
- The Natural Areas Team have been hand weeding Neil Hawkins Park and Picnic Cove.
- New bird feeding signage has been installed at Neil Hawkins Park. The new signs contain stronger messages and images. The new signage will also be installed at Picnic Cove and wherever bird feeding is an issue.

5.5 Friends of Yellagonga (FoY)
KM reported the following:

- FoY provided a letter of support for Perth Region NRM's grant application.
- A motion sensor camera has been installed to monitor fauna.
- The 2012 planting season has commenced and plant survival rates from 2011 were reasonable.
- FoY applied for a Caring for Country Grant to create artificial turtle nesting beds west of Lakeway Drive.
- A grant is being sought for portable toilets to allow community groups such as the Scouts to work onsite.
- FoY remain in favour of a floating biosphere trial on Lake Goollelal.

6. GENERAL BUSINESS

6.1 Luisini Winery Redevelopment Project – Enzo Sirna

ES addressed the committee and provided information regarding the Luisini Winery Redevelopment Project including a detailed history and timeline of developments, the current situation and progress of the project.

ES advised that when the National Trust endorsed the redevelopment project, a community survey had been conducted which determined support for the project subject to the addition of an external eatery. Further studies were conducted which considered parking, the impact on adjacent residents and environmental impacts to the wetland. A final plan was submitted and a sum of \$1.5 million was provided for conservation works to the winery. Additional funding of \$1.5 million provided in 2008 was allocated to infrastructure works in consideration of major additions to the initial project including a café/restaurant, community education/environment centre, landscaping and boardwalk.

Following development application approval and issue of a building license, infrastructure works were considerably delayed awaiting the completion of sewerage works in the area by the Water Corporation which had agreed to connect Luisini Winery as part of these works, resulting in a saving of approximately \$300,000. Infrastructure and car park works commenced in 2012 and currently \$750,000 remains which is insufficient to commence the next phase of development. Since 2009 the National Trust has attempted to secure additional Commonwealth funding to proceed with the full works package several times but has so far been unsuccessful.

ES stated that the format to apply for Commonwealth funding had changed recently and an expression of interest now has to be submitted which requires support from local government. ES explained that all previous funding submissions by the National Trust were based on the Yellagonga Regional Park Management Plan which outlined stakeholder support (including the Cities of Joondalup and Wanneroo and DEC) for a local community environment centre. ES added that support for a community environment centre declined in subsequent meetings with the City of Joondalup which caused some confusion and frustration. ES considered that there was confusion in regard to the definition of a 'community environment centre'. ES requested clarification as to whether the Yellagonga Regional Park Management Plan was still the definitive document for the area.

PM noted the differing interpretation of 'environment centre' and that the National Trust, believing the Yellagonga Regional Park Management Plan to be the definitive and authoritative document for the area, had referred to a proposed community environmental education display board as an 'environment centre' in accordance with page 53 of the Management Plan in all funding submissions. He added that the National Trust was unaware that the City of Joondalup had commissioned a feasibility study for a separate Yellagonga Regional Park Environment Centre for locations such as Lot 1, Joondalup Drive and that Council had deemed such a centre unviable. These studies had been conducted since the Management Plan was published. The National Trust had been given the impression that support for Luisini's 'environment centre' had been withdrawn and many years work on funding applications had been in vain.

ES reaffirmed that all components of the Luisini Winery Development Project remain the same and although some aspects may be delayed as the project may now be funded and implemented in stages. The National Trust continues to progress the project and has recently submitted a funding application for \$2.84 million with the Office of the Premier.

Committee members acknowledged the misunderstandings and frustrations and thanked ES for his time and presentation to the committee. BJ confirmed that the Yellagonga Regional Park Management Plan remains a valid document to guide management of the park and remains current until a new document is published to supersede it. ES requested this endorsement of the plan in writing so as to clarify any potential misunderstanding or misrepresentation. BJ advised he would email ES with a formal statement.

JC confirmed that the project still has full support from the City of Joondalup's CEO and Mayor.

Committee members agreed that the previously proposed letter to the City of Joondalup seeking clarification regarding their involvement and support for the Luisini Winery Project should be withheld and the committee agreed instead to write a letter of support for the National Trust's most recent funding application. It was suggested that the letter is co-signed by the Cities of Joondalup and Wanneroo.

JS queried if there were conditions on the Luisini Winery development at the time of the land transfer process. BJ advised that he would review the conditions and report back to the committee.

Action: DEC to provide a written endorsement of the management plan to ES.

Action: PM and BJ to draft letter a letter of support for the National Trust's funding application and request the Cities of Wanneroo and Joondalup co-sign it.

Action: DEC to advise on conditions of the land transfer process for the Luisini Winery Development Project.

6.2 Postage charge on minutes

Committee members advised that hard copies of the previous minutes were deemed by Australia Post to have insufficient postage and members had to pay \$2.10 and collect their minutes in person at the post office.

MC apologised for the inconvenience and suggested that it was an error by Australia Post. MC agreed to investigate the issue to avoid it happening again in future.

6.3 Landscape renewal notices

MC advised that Landscape subscription renewal notices were posted to some committee community representatives by mistake by DEC's Publications Branch and that members will continue to receive a free subscription for each year they are a member of the committee.

6.4 Data on nitrogen removal from water

JC provided a PowerPoint presentation highlighting water sampling data and nitrogen levels within the regional park which demonstrated the absorption of nitrates when algae is present. JC suggested that removal of the algae by hand could be an effective method of reducing nitrates and a useful waste product to fertilise rehabilitation sites.

JS expressed concern regarding the removal of algae by hand from the water as it can act like a net and trap fish, turtles and other fauna.

6.5 Prescribed burn

BJ advised that a prescribed burn is scheduled on the north side of Lakeside Drive and is likely to occur in the coming weeks. He explained that a recent fuel load assessment in Yellagonga Regional Park identified this area as a concern and prescribed fire to be the most suitable mitigation method at the site. BJ added that the community had been notified of the burn in advance.

WC commented that dieback (*Phytophthora cinnamomi*) had been reported at this site previously and queried if it was present. BJ agreed to investigate. He added that prescribed burns are conducted in phytophthora affected areas and that restrictions and strict wash down procedures are applied.

KM queried if DEC had plans to spray weeds soon after the fire. BJ advised that a weed control budget had been allocated post-fire; however additional funds would be useful and suggested that local community groups consider the project in future grant applications.

7. NEXT MEETING

25 July 2013

Meeting closed.



MINUTES

SPECIAL COUNCIL MEETING

TIME: 5.30pm

20 JUNE 2013

TOWN OF VICTORIA PARK

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



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Prior to the meeting Cr Cvitan made the required Declaration to the Mindarie Regional Council. Cr Cvitan was attending in the place of Councillor Gray during her leave of absence by virtue of a resolution of the Council of the City of Wanneroo.

1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Chairman declared the meeting open at 5.30pm and welcomed Cr Cvitan (City of Wanneroo).

2 ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE

PRESENT:	Chairman	Cr R Fishwick JP Cr J Bissett Cr L Cvitan Cr K Hollywood Cr A MacTiernan (<i>arrived at 5.34pm</i>) Cr D Newton JP Cr B Stewart Cr S Withers
APOLOGIES:		Cr J Boothman Cr R Butler Cr S Cooke Cr L Gray JP Cr J Robbins
IN ATTENDANCE:		
Mindarie Regional Council Officers	B Callander G Hoppe G Atkinson L Nyssen	Chief Executive Officer Director Corp. Services Education Manager PA Executive Support
Member Council Officers	A Murphy M Penson D Simms	
VISITORS:		Nil
MEDIA:		Nil
PUBLIC:		Nil

3 DECLARATION OF INTERESTS

Nil

4 PUBLIC QUESTION TIME

Nil

5 ANNOUNCEMENTS BY THE PRESIDING PERSON

The Chair acknowledge the MRC staff for the work undertaken associated with the development of the Community and Corporate Plans and the Budget and thanked the elected members and member council officers for their attendance at the various workshops.

6 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

7 REPORTS

7.1	ENGAGEMENT OF CONSULTANT TO ASSIST CEO PERFORMANCE REVIEW COMMITTEE REVIEW CEOs PERFORMANCE
File No:	PER/79
Appendix(s):	Nil
Date:	17 May 2013
Responsible Officer:	Sonia Cherico

SUMMARY

Report seeks to approve a Consultant to assist the CEO Performance Review Committee in reviewing the Chief Executive Officer’s (CEO) performance and remuneration as per current contract.

BACKGROUND

The current Chief Executive Officer, Brian Callander was appointed on 16 January 2012 for a (3) three year period. The contract of employment requires Council to review the CEO’s performance (clause 3.3) and remuneration (clause 5.5), the first review 6 months after commencement and then annually.

At the Ordinary Council Meeting 5 July 2012 John Phillips from WALGA was appointed to assist the CEO Performance Review Committee conduct the first 6 month review, which resulted in the following resolution of Council at its meeting 20 September 2012:

“That Council:

1. *ADOPTS the August 2012 Interim Performance Review Report*
 - a. *ENDORSES the overall rating of “Meets performance criteria and associated Performance Indicators at a highly satisfactory level”.*
 - b. *ENDORSES the draft Key Result Areas and Objectives for 2012/2013.*
 - c. *SCHEDULES the next appraisal process to commence in April 2013.*

2. *That Mr Brian Callander’s remuneration package as the Mindarie Regional Council’s Chief Executive Officer’s be increased to *\$XXXXXX (overall 5.0%), effective from the first pay period in July 2012.”*

**CEO’s remuneration value removed as it is negotiated under contract.*

DETAIL

On 23 April 2013 request for quotation letters were sent out to five Specialist Human Resource Consultants seeking quotation for services to assist Council’s CEO Performance Review Committee conduct the annual review of the CEO’s performance and remuneration. At the time of closing the request for quotation on 10 May 2013 three quotes were received. The following table details the consultants that responded to the request and the price that was quoted:

No.	Consultant Name	Price (\$)
1	WALGA - John Phillips	3,000
2	Gerard Daniels – Alison Gaines	23,000
3	QL Management Consultants	6,500

The CEO Performance Review Committee met on the 16 May 2013 where the quotations were tabled for discussion and comment. The committee resolved to recommend to Council the appointment of John Phillips from WALGA to perform the CEO Performance Review.

CONSULTATION

NIL

STATUTORY ENVIRONMENT

NIL

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

The costs of engaging the consultant recommended by the Committee of \$3,000 is included in the 2012/13 Budget - Consultants - GL 5110.

STRATEGIC IMPLICATIONS

NIL

COMMENT

Submissions from consultants detailed the scope and process of work required to complete the CEO review, submission one (1) and three (3) were similar in the depth and methodology although cost differed by \$3,000. Submission two (2) provides work of greater depth outside the scope of work requested, reflected the cost being \$17k higher than other submissions. Submission one (1) John Phillips for WALGA meets the required scope of work at a reasonable cost to council.

VOTING REQUIREMENT

Simple Majority

RESPONSIBLE OFFICER RECOMMENDATION

That Council appoint John Phillips from WALGA to assist the CEO Performance Review Committee in reviewing the performance and remuneration of the Chief Executive Officer.

RESOLVED

**Cr Stewart moved, Cr Newton seconded
That the recommendation be adopted.**

CARRIED UNANIMOUSLY

7.2	ENDORSEMENT OF STRATEGIC COMMUNITY PLAN AND CORPORATE BUSINESS PLAN AND OTHER PLANS ASSOCIATED WITH THE INTEGRATED PLANNING FRAMEWORK
File No:	COR/2-02
Appendix(s):	<ol style="list-style-type: none"> 1. Strategic Community Plan (2013/14 to 2033/34) 2. Corporate Business Plan (2013/14 to 2016/17) 3. Financial Plan (2013/14 to 2033/34) 4. Asset Management Plan (2013/14 to 2016/17) 5. Workforce Plan (2013/14 to 2016/17)
Date:	7 June 2013
Responsible Officer:	CEO

SUMMARY

The Strategic Community Plan, the Corporate Business Plan, the long term Financial Plan, the Asset Management Plan and the Workforce Plan have been developed to enable the Mindarie Regional Council (MRC) to plan for its future in accordance with the *Local Government Act 1995* and *Local Government (Administration) Regulations 1996*. The report seeks endorsement of the Plans and to provide notice to the public of the Councils decision.

BACKGROUND

On 26 August 2010 the Minister for Local Government introduced regulations which established new requirements for the plan for the future. The new requirement places an obligation on local government to have two key documents in place by the 30 June 2013 being a Strategic Community Plan and a Corporate Business Plan. Local government also has to ensure that these two plans were informed by resourcing and delivery strategies, which required the development of supporting plans if the local government did not already have them in place.

DETAIL

The MRC considered that this was an opportunity to review its current plans and its future objectives using this framework. In consultation with MRC's councillors and other stakeholders a new suite of plans have been developed.

The Strategic Community Plan defines the vision and sets objectives for the MRC over the next twenty years. The Executive Summary of this plan reads as follows:

“The Mindarie Regional Council is one of Western Australia’s largest waste management authorities assisting its member councils, mainly situated in Perth’s northern corridor, deal with their waste. The MRC recognises that waste does have a value as a resource and is committed to managing waste in line with the waste hierarchy and in a way sensitive to the environment and future generations.

The MRC’s Strategic Community Plan 2013/14 – 2033/34 ‘Winning Back Waste’, constitutes not only the consolidation of the MRC as a leader in the industry, but also hails a new direction. The Plan articulates a shared vision for waste management in the Region and shows how the MRC can deliver environmentally sustainable waste management for its communities.

Waste management is changing. Although landfilling is still seen as an important part of the industry, the focus is moving toward resource recovery and other higher order activities that minimise waste. The goal is to treat waste and offer solutions as high up on the waste hierarchy as practicable.

The Corporate Business Plan has been developed to focus on the first four years of the planning framework ensuring that the objectives of the Strategic Community Plan are implemented. The foreword contained in the Corporate Business Plan provides an overview of how this is going to be achieved, which reads as follows:

The Corporate Business Plan

- *Identifies and prioritises the principal strategies and activities the Mindarie Regional Council will undertake in response to the aspirations and objectives stated within the Strategic Community Plan; and*
- *States the services, operations and projects the MRC will deliver over the four year period of the Plan, including the method for delivering these and the associated cost.*

The Corporate Business Plan draws on the information contained within the Informing Plans, these being the Workforce Plan (WFP), the Asset Management Plan (AMP) and the Financial Plan (FP).

The Workforce Plan describes how the workforce is managed and flags the need for any changes in workforce numbers and skill requirements of the workforce.

The Asset Management Plan looks at the assets required to support the operations of the MRC and any changes to these assets (including replacements and maintenance of existing assets).

The Financial Plan is a long term plan for 20 years, ensuring that the aspirations of the organisation can be met financially, particularly highlighting foreseen major costs (infrastructure or other).

Due to uncertainties as outlined in the Strategic Community Plan, particularly with regard to the Local Government Review and the future role of Regional Councils, the Plan outlines a model where the MRC is to move forward and make step changes toward the goal of winning back waste. This Corporate Business Plan, looking at the next four years, therefore largely reflects a refocussing of the business with a gradual implementation of step changes within the business.

Many of the actions outlined in the Corporate Business Plan will be performed using existing workforce arrangements and assets. These initiatives will also be implemented within the existing budgeting parameters.

The MRC operates with 3 business units:

- *_ The Office of the CEO*
- *_ Operations*
- *_ Corporate Services*

Together the business plans of each of these business units combine to address the strategies within the Strategic Community Plan and as such also form the Corporate Business Plan which guides the business for the next four years. These are the operational plans used to manage the business day-to-day and are reviewed annually. It is these plans and the actions they contain that are used to inform the Annual Budget.

Reporting

The success in delivering the strategic actions as outlined in this plan will be measured by KPI's within the operational plans of the business units. These will then

be reported in the MRC's Annual Report and their effectiveness in assisting in the achievement of the Strategic Community Plan's Performance Targets."

CONSULTATION

The Regulations require that the Strategic Community Plan be developed with input from the local governments' electors and ratepayers. A Regional Council does not have ratepayers therefore the MRC's Strategic Community Plan has been developed in close consultation with each of the member councils' representatives on the MRC being a councillor/s nominated by each of the member councils. In addition to this the member councils' CEO's and Executive Staff along with a number of other stakeholder/groups have also been closely involved in the development of the Plans. The following table provides details of the stakeholders who attended, and the dates of, these workshops.

INFORM	INPUT	FORMALISE	SOCIALISE	FINALISE
MRC present high level information	MRC present some more detailed options and request feedback	Strategy and supporting plans presented for discussion	Draft final Strategic plan distributed for comment	Strategic plan finalised and adopted
September/October 2012	October/November 2012	March/April 2013	May 2013	June/July 2013
MRC Staff (18/09/12)	MRC Staff (05/11/12)	Councillors, Member Council CEOs and SWG - Workshop to discuss development of Community Plan (07/03/13)	Final draft of the Community Plan distributed for final comments	SCM - To consider formal endorsement of the Community Plan and the Corporate Plan and to adopt the 2013/2014 budget
Workshop Councillors, Member Council CEOs and SWG (27/09/12)	Councillors workshop (10/11/12)	MRC Staff - workshop on Community Plan and Vision (08/03/13)	Director Corporate Services to socialise plan with member council officers	MRC Staff - Launch of Community Plan followed by function (21/06/13)
	CEAG - Workshop (24/10/12)	CEAG - Workshop update on Community Plan (20/03/13)	Published on MRC website for public discussion	Launch of Community Plan followed by social dinner - Councillors, Member Council CEOs and SWG (04/07/13)
	WESSG - Workshop (30/10/12)	WESSG - Workshop update on Community Plan (26/03/13)		
		Councillor and Member Council CEOs and SWG Officers - Workshop on finalisation of Community and 2013/2014 budget deliberations (17/04/13)		

TWG - Technical Working Group
SWG - Strategic Working Group
CEAG - Community Engagement Advisory Group
WESSG - Waste Education Strategic Steering Group

STATUTORY ENVIRONMENT

The *Local Government Act 1995* requires local governments to plan for its future. The *Local Government (Administration) Regulations 1996* prescribes the manner in which local government is to demonstrate in the form of plans how it has met the requirements of the Act. The relevant legislative requirements follow:

Local Government Act 1995

“5.56. Planning for the future

- (1) A local government is to plan for the future of the district.*
- (2) A local government is to ensure that plans made under subsection (1) are in accordance with any regulations made about planning for the future of the district.*

Local Government (Administration) Regulations 1996

“19C. Strategic community plans, requirements for (Act s. 5.56)

- (1) A local government is to ensure that a strategic community plan is made for its district in accordance with this regulation in respect of each financial year after the financial year ending 30 June 2013.*
 - (2) A strategic community plan for a district is to cover the period specified in the plan, which is to be at least 10 financial years.*
 - (3) A strategic community plan for a district is to set out the vision, aspirations and objectives of the community in the district.*
 - (4) A local government is to review the current strategic community plan for its district at least once every 4 years.*
 - (5) In making or reviewing a strategic community plan, a local government is to have regard to —*
 - (a) the capacity of its current resources and the anticipated capacity of its future resources; and*
 - (b) strategic performance indicators and the ways of measuring its strategic performance by the application of those indicators; and*
 - (c) demographic trends.*
 - (6) Subject to subregulation (9), a local government may modify its strategic community plan, including extending the period the plan is made in respect of.*
 - (7) A council is to consider a strategic community plan, or modifications of such a plan, submitted to it and is to determine* whether or not to adopt the plan or the modifications.*
- *Absolute majority required.*
- (8) If a strategic community plan is, or modifications of a strategic community plan are, adopted by the council, the plan or modified plan applies to the district for the period specified in the plan.*
 - (9) A local government is to ensure that the electors and ratepayers of its district are consulted during the development of a strategic community plan and when preparing modifications of a strategic community plan.*
 - (10) A strategic community plan for a district is to contain a description of the involvement of the electors and ratepayers of the district in the development of the plan or the preparation of modifications of the plan.*

[Regulation 19C inserted in Gazette 26 Aug 2011 p. 3483-4.]

19DA. *Corporate business plans, requirements for (Act s. 5.56)*

- (1) *A local government is to ensure that a corporate business plan is made for its district in accordance with this regulation in respect of each financial year after the financial year ending 30 June 2013.*
 - (2) *A corporate business plan for a district is to cover the period specified in the plan, which is to be at least 4 financial years.*
 - (3) *A corporate business plan for a district is to —*
 - (a) *set out, consistently with any relevant priorities set out in the strategic community plan for the district, a local government’s priorities for dealing with the objectives and aspirations of the community in the district; and*
 - (b) *govern a local government’s internal business planning by expressing a local government’s priorities by reference to operations that are within the capacity of the local government’s resources; and*
 - (c) *develop and integrate matters relating to resources, including asset management, workforce planning and long-term financial planning.*
 - (4) *A local government is to review the current corporate business plan for its district every year.*
 - (5) *A local government may modify a corporate business plan, including extending the period the plan is made in respect of and modifying the plan if required because of modification of the local government’s strategic community plan.*
 - (6) *A council is to consider a corporate business plan, or modifications of such a plan, submitted to it and is to determine* whether or not to adopt the plan or the modifications.*
- *Absolute majority required.*
- (7) *If a corporate business plan is, or modifications of a corporate business plan are, adopted by the council, the plan or modified plan applies to the district for the period specified in the plan.*

[Regulation 19DA inserted in Gazette 26 Aug 2011 p. 3484-5.]

19DB. *Transitional provisions for plans for the future until 30 June 2013*

- (1) *In this regulation —*

former regulation 19C *means regulation 19C as in force immediately before 26 August 2011 and continued under subregulation (2);*

former regulation 19D *means regulation 19D as in force immediately before 26 August 2011;*

plan for the future *means a plan for the future of its district made by a local government in accordance with former regulation 19C.*
 - (2) *Except as stated in this regulation, former regulation 19C continues to have effect on and after 26 August 2011 until this regulation expires under subregulation (7).*
 - (3) *A local government is to ensure that a plan for the future applies in respect of each financial year before the financial year ending 30 June 2014.*
-

-
- (4) *A local government is not required to review a plan for the future under former regulation 19C(4) on or after 26 August 2011.*
 - (5) *If, for the purposes of complying with subregulation (3), a local government makes a new plan for the future, local public notice of the adoption of the plan is to be given in accordance with former regulation 19D.*
 - (6) *If a local government modifies a plan for the future under former regulation 19C(4), whether for the purposes of complying with subregulation (3) or otherwise —*
 - (a) *the local government is not required to comply with former regulation 19C(7) or (8) in relation to the modifications of the plan; and*
 - (b) *local public notice of the adoption of the modifications of the plan is to be given in accordance with former regulation 19D.*
 - (7) *This regulation expires at the end of 30 June 2013.*
[Regulation 19DB inserted in Gazette 26 Aug 2011 p. 3485-6.]

19D. Adoption of plan, public notice of to be given

- (1) *After the adoption of a strategic community plan, or modifications of a strategic community plan, under regulation 19C, the local government is to give local public notice in accordance with subregulation (2).*
- (2) *The local public notice is to contain —*
 - (a) *notification that —*
 - (i) *a strategic community plan for the district has been adopted by the council and is to apply to the district for the period specified in the plan; and*
 - (ii) *details of where and when the plan may be inspected;*
 - or*
 - (b) *where a strategic community plan for the district has been modified —*
 - (i) *notification that the modifications to the plan have been adopted by the council and the plan as modified is to apply to the district for the period specified in the plan; and*
 - (ii) *details of where and when the modified plan may be inspected.”*

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

The Integrated Planning Framework ensures that the future of local government/regional council is set using long term strategies backed by shorter termed implementation plans. An important element of the Framework is the need for the Plans to be reviewed regularly accepting that the services required to meet the needs of the member councils change over time and ensuring that the Plans keep up with these changes and remain relevant over their life span.

The Plans will be referenced in reports to council and in discussion with the Strategic Working Group to ensure that the MRC remains focussed on its future as directed by the plans.

COMMENT

The Plans developed will provide MRC with the opportunities to develop its services thus ensuring its relevance to, and meets the future needs of, its member councils. The commitment to Step change, that is, providing infrastructure solutions ensures that the MRC will go a long way to meeting the targets set by the Waste Authority.

VOTING REQUIREMENT

Simple Majority / Absolute Majority

RESPONSIBLE OFFICER RECOMMENDATION

A. That:

- 1. The Strategic Community Plan (2013/14 to 2033/34) and The Corporate Business Plan (2013/14 to 2016/17) as contained in Appendices 1 and 2 be adopted.**
- 2. In accordance with s.19D of the Local Government (Administration) Regulations 1996 Local Public Notice be given advising that the Strategic Community Plan detailed in A.1. above has been adopted by the Council and that the Plans are available on the website and at the Administration Office of the Mindarie Regional Council.**

(Absolute Majority Required)

B. That:

**The Financial Plan (2013/14 to 2033/34);
The Asset Management Plan (2013/14 to 2016/17); and
The Workforce Plan (2013/14 to 2016/17)
as contained in Appendices 3, 4 and 5 be adopted.**

RESOLVED

**Cr Stewart moved, Cr Bissett seconded
That the recommendation be adopted.**

CARRIED UNANIMOUSLY BY ABSOLUTE MAJORITY

Cr MacTiernan arrived at 5.34pm

7.3	BUDGET APPROVAL FINANCIAL YEAR 2013/14
File No:	FIN/134
Appendix(s):	Statutory Budget and Supplementary Information
Date:	13 June 2013
Responsible Officer:	Gunther Hoppe

SUMMARY

The purpose of this Item is to present the Budget for 2013/14 to the Council for approval and adoption.

BACKGROUND

The 2013/14 budget process commenced in March 2013 and included two workshops held with Councillors and Officers on 17 April and 16 May 2013 respectively.

The underlying operating budget has been developed from a 'zero base' in discussion with the managers across the business and has been reviewed in detail to ensure that the Mindarie Regional Council (MRC) continues to deliver its current service offering in an efficient, cost effective manner.

The budget has been premised on a 'business-as-usual' basis, taking into account two significant infrastructure projects which have been identified from the development of the MRC's Strategic Community Plan. These projects, which are the purchase of a new landfill site (\$6 million) and the construction of a new waste sorting shed (\$4 million), are both planned for June 2014.

Feedback from Councillors and Officers provided from the budget workshops has been incorporated in this final draft of the budget.

Some of the significant changes between the 2012/13 and 2013/14 budgets include:

- The decrease in expected Non-member tonnes from 53,000 to 40,000 based on current year trends;
- The inclusion of 73,000 tonnes of waste from the City of Stirling (Stirling) as a result of the Council's decision to not renew the tipping exemption granted to Stirling;
- The fact that the Members' gate fee has not been adjusted to take into account the additional 73,000 tonnes from Stirling, given the contentious nature of the tonnes.

Overall, this results in an increase in the Members' gate fee from \$137 per tonne (2012/13) to \$149 per tonne (2013/14), both excluding GST.

This represents an increase of \$12 (8.8%) year-on-year. The \$12 increase relates to normal operating cost increases across various areas of the business, including: employee costs; new insurance cover for potential environmental events; dramatically increased property rates; required site remediation works; and an increase in the dollar value of site development costs attributed to each tonne of waste landfilled.

The Non-members' gate fee has remained largely unaltered at \$150.91 per tonne (2013/14) compared to \$151.40 per tonne (2012/13), both excluding GST.

The decision not to increase the Non-members' gate fee was made taking into account the significant drop in Non-member tipping that was experienced in 2012/13. Non-member tonnes had been budgeted at 53,000 tonnes for the year, but in reality, the actual result for the 2012/13 financial year is likely to be closer to 40,000 tonnes. Discussions with customers have revealed that this drop is purely in response to price increases which have been made in the last two years.

Keeping the Non-members' fee static is part of a strategy to ensure that we do not drop below the 40,000 Non-member tonnes forecast for 2013/14.

DETAIL

Budget 2013/14

The Budget for 2013/14 takes into account 73,000 tonnes of waste from Stirling, based on a Council decision not to extend a tipping exemption granted to Stirling. The revenue and costs associated with these additional tonnes are taken into account in the budget, however, given the contentious nature of these tonnes, they have not been taken into account in setting the Members' gate fee.

The consequence of this is that the MRC is budgeting a surplus for the 2013/14 financial year of \$7.8 million.

Where Stirling commences tipping as planned and this is evident during the first quarter of the financial year, a review of the Members' gate fee will be made to take this into account, with the reduced Members' gate fee rate being passed on to all member councils.

No changes in assumptions have been made with regard to the calculation of the carbon price.

Significant increases in costs year-on-year are outlined in more detail below.

Employee costs

Employee costs have increased by \$260,996 (6%) which is largely driven by the current Enterprise Agreement which contemplates annual increases of 5%. The balance of the increase relates to an additional 0.8 of a Full Time equivalent employee which has been added to meet business requirements.

Landfill expenses

Landfill expenses have increased by \$259,900 (32%) primarily as a result of three site remediation/management projects which are required to be undertaken in the current year encompassing landfill gas migration management, groundwater management and flora reestablishment work.

Plant and equipment operating and hire costs

Operating and hire costs are up by \$97,000 (10%) as a result of increased fuel and tyre repair costs, based on the actual expenses incurred on 2012/13.

RRF Costs

The RRF costs have increased by \$1,555,114 (7%) largely as a result of the following:

- Redirection of the coarse heavy residue fraction from a Class 1 landfill to Tamala Park (\$470k)
-

- Contractual increases in processing costs, largely driven by CPI inflators (\$501k)
- Pass through cost of the increase in the MRC gate fee (\$584k)

Utilities

Utility costs have increased by \$192,700 (105%) primarily as a result of a \$160,000 increase in land rates charged to the MRC by the City of Wanneroo. The balance relates to increased electricity costs to power a leachate compressor which was converted from diesel to electricity.

Insurance

Insurance costs have increased by \$128,400 (64%) mainly due to the additional insurance cover budgeted to address an environmental event caused by either gas or water migration.

Amortisation of cell development expenditure

The allocation of cell development expenditure costs have increased by \$1,041,400 (64%) for the year. This is driven by an increase in tonnes and a change in the allocation rate. The additional tonnes, primarily from Stirling, account for \$661,000 of the increase. The remainder of the increase of \$380,400 relates to a change in the rate at which the costs are absorbed based on a revision in accounting estimates.

Tonnages

Approximately 270,994 tonnes (Budget 2012/13: 200,281 tonnes) of waste are expected to be delivered to the MRC by Member Councils during the course of the year.

Of this, 100,000 tonnes (Budget 2012/13: 100,000 tonnes) is expected to be diverted to the RRF, which will in turn generate 48,700 tonnes (Budget 2012/13: 44,070 tonnes) of residue which will be sent back to Tamala Park. The RRF waste diversion target is set at 51.3%.

Non-members are expected to deliver 40,000 tonnes (Budget 2012/13: 53,000 tonnes) to Tamala Park.

Capital Expenditure

The following capital expenditures have been included in the Budget for 2013/14:

New capital expenditures

		\$
• Land Purchase (new Landfill Site)		2,000,000
• Cell lining		1,500,000
• Sorting shed		4,000,000
• Building upgrades		140,000
• Office furniture and equipment		27,000
• Computer equipment		87,700
- Server upgrades	38,000	
- New hardware	18,700	
- New UPS units	31,000	
• Plant and equipment		90,000
- Tarpomatic tarps	25,000	
- Hook lift bins	40,000	
- Tarpomatic spindle	25,000	
• Infrastructure		220,000
- Gas well installations	75,000	
- PV cells for buildings	30,000	
- Litter fencing	60,000	
- Bore pump	15,000	
- Tipface lighting tower	40,000	
• Vehicles		1,306,000
- Dump truck	405,000	
- Electric buggy	16,000	
- Kubota	20,000	
- Front end Loader	405,000	
- Front end Loader	405,000	
- Forklift	25,000	
- Workshop supervisor vehicle	30,000	
		9,370,700

Carried forward capital expenditures

• Land Purchase (new Landfill Site)	4,000,000
• New skid steer	80,000
	4,080,000

Total Capital expenditure **13,450,700**

Reserves

The revised Cash Backed Reserves with the projected balances at 30 June 2014 would be as follows:

Site rehabilitation Reserve

Estimated balance at 30 June 2014: \$5,805,949

Purpose: *To be used to fund post closure site rehabilitation costs associated with the Tamala Park landfill site.*

A transfer of \$378,300 to this reserve is anticipated during the course of the year with no anticipated drawdowns on the reserve.

Reserve for Capital Expenditure

Estimated balance at 30 June 2014: \$150,000

Purpose: *To be used to fund the ongoing capital expenditure requirements.*

A transfer of \$1,052,343 to this reserve is anticipated during the course of the year with drawdowns to fund capital expenditures of \$1,950,700 withdrawn from the reserve.

Participants' Surplus Reserve Account

Estimated balance at 30 June 2014: \$2,029,282

Purpose: *To be used to fund any deficit or part of a deficit as shown in the annual financial report of the MRC.*

No transfers to the reserve are anticipated during the course of the year, although as much as is needed to fund the audited 30 June 2013 deficit will be withdrawn from the reserve in line with Council's resolution at the 7 March 2013 Ordinary Council Meeting which was to:

“Approve by Absolute Majority that the MRC continue to run a deficit budget until 30 June 2013, at which stage the deficit at year end (forecast to be \$1,341,541) as detailed in the Annual Financial Report will be funded using the Participants' Surplus Reserve.”

Carbon Price Reserve

Estimated balance at 30 June 2014: \$3,322,000

Purpose: *To be used to fund the MRC's liability arising from the Carbon Price Mechanism.*

A transfer to the reserve of \$1,922,000 is anticipated during the course of the year and sufficient funds to acquit the MRC's carbon price liability at 30 June 2013 will be withdrawn from the reserve.

Surplus

The Budget shows a forecast surplus of \$7,814,006.

Funding Plan

- Operational expenditures will be funded from the Members' and Non-members' gate fees.
-

-
- Capital Expenditure (excluding landfill cell development, the construction of the sorting shed and the purchase of land) will be funded from the Capital Expenditure Reserve.
 - Other Capital expenditure relating to cell development and the purchase of land will be funded from dedicated new loans. It is anticipated that a new loans of \$6 million, \$1.5 million and \$4 million will be required to fund the land acquisition, the cell lining and the construction of the sorting shed respectively.

SUMMARY OF ATTACHMENTS

Attachment to this Item is as follows:

- Attachment 1 – Statutory Budget and Supplementary Information

CONSULTATION

Two workshops for Councillors and Officers were conducted in April and May 2013 respectively to discuss the 2013/14 Budget. Feedback from these workshops has been taken into account in compiling this final draft of the budget.

STATUTORY ENVIRONMENT

Budget approval is required by end of August 2013 in accordance with section 6.2 of the Local Government Act 1995 (as amended).

Modifications of existing reserves and creation of new reserves is done in compliance with section 6.11 of the Local Government Act 1995 (as amended).

POLICY IMPLICATIONS

The 2013/14 budget process is consistent with existing MRC policy.

FINANCIAL IMPLICATIONS

As detailed in the Attachment.

STRATEGIC IMPLICATIONS

The Budget for 2013/14 has been derived from the MRC's new Strategic Community Plan, the Corporate Business Plan, the Asset Management Plan, the Workforce Plan and the 20 year Financial Plan and is consistent with these documents in all respects, in compliance with section 6.2(2) of the Local Government Act 1995 (as amended).

VOTING REQUIREMENT

Absolute Majority

ADDITIONAL COMMENTS

Subsequent to the second budget workshop held on 16 May 2013, the following minor adjustments have been made to the budget:

- Additional legal costs of \$50,000 have been included in the budget in light of developments surrounding the City of Stirling withdrawal
- An additional amount of \$7,900 has been included for building maintenance
- An additional \$40,000 has been included in capital expenditures to allow for the purchase of an industrial lighting unit for the tipface.

No adjustment to the Members' gate fee has been made in respect of these items.

RESPONSIBLE OFFICER RECOMMENDATION

That Council:

- (i) adopt the Budget for the Mindarie Regional Council for Financial Year 2013/14
- (ii) endorse the on-going strategy of deferred payment of operational surplus, as approved by Council at its August 2005 meeting, for the Financial Year 2005/2006 and future years to meet its on-going capital requirement
- (iii) approve the use of an on-going overdraft facility of \$1 million to manage cashflow 'short falls' during Financial Year 2013/14 and future years
- (iv) Approve the Capital Budget Program of \$13,450,700 for 2013/14 as follows:

New capital expenditures

	\$
• Land Purchase (new Landfill Site)	2,000,000
• Cell lining	1,500,000
• Sorting shed	4,000,000
• Building upgrades	140,000
• Office furniture and equipment	27,000
• Computer equipment	87,700
• Plant and equipment	90,000
• Infrastructure	220,000
• Vehicles	<u>1,306,000</u>
	9,370,700

Carried forward capital expenditures

• Land Purchase (new Landfill Site)	4,000,000
• New skid steer	<u>80,000</u>
	4,080,000

Total Capital expenditure 13,450,700

- (v) approve that \$378,300 will be transferred from the Operating Surplus to the Site Rehabilitation Reserve.
- (vi) approve that \$1,052,343 will be transferred from the Operating Surplus to the Reserve for Capital Expenditure.
- (vii) approve that \$1,950,700 be transferred from the Reserve for Capital Expenditure to Operating Surplus to fund capital expenditures.
- (viii) approve that \$1,922,000 will be transferred from the Operating Surplus to the Carbon Price Reserve.
- (ix) approve that the funds required to acquit the MRC's carbon price liability at 30 June 2013 will be transferred from the Carbon Price Reserve to the Operating Surplus.
- (x) approve that all interest earned on cash funds associated with cash-backed reserves will not be credited to the reserve.

(Absolute Majority Required)

RESOLVED

**Cr Newton moved, Cr Bissett seconded
That the recommendation be adopted.**

CARRIED BY ABSOLUTE MAJORITY (7/1)

*For: Cr Bissett, Cr Cvitan, Cr Fishwick, Cr Hollywood, Cr MacTiernan, Cr Newton,
Cr Withers*

Against: Cr Stewart

8 NEXT MEETING

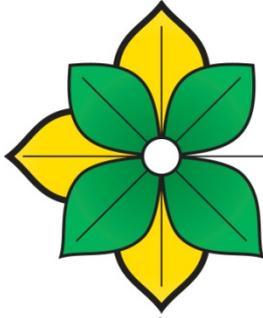
*Next meeting to be held on Thursday 4 July 2013 in the Council Chambers at Town of
Cambridge commencing at 5.30pm.*

9 CLOSURE

*These Minutes were confirmed by the Council as a true and accurate record of the
Special Meeting of the Council held on 20 June 2013.*

Signed Chairman

Dated this day of 2013



TAMALA PARK
Regional Council

Ordinary Meeting of Council

MINUTES

Thursday 20 June 2013
City of Joondalup, 6.00pm

TAMALA PARK
REGIONAL COUNCIL
(TPRC)
COMPRISES THE
FOLLOWING
COUNCILS:

Town of Cambridge
City of Joondalup
City of Perth
City of Stirling
Town of Victoria Park
City of Vincent
City of Wanneroo

MEMBERSHIP

OWNER COUNCIL	MEMBER	ALTERNATE MEMBER
Town of Cambridge	Cr Corinne MacRae	
City of Joondalup	Cr Geoff Amphlett Cr Tom McLean	
City of Perth	Cr Jim Adamos	
City of Stirling	Cr Giovanni Italiano (CHAIRMAN) Cr David Michael Cr Terry Tyzack Cr Rod Willox	Cr Stephanie Proud
Town of Victoria Park	Mayor Trevor Vaughan (DEPUTY CHAIRMAN)	Cr David Ashton
City of Vincent	Mayor Alannah MacTiernan	
City of Wanneroo	Cr Frank Cvitan Cr Dianne Guise	Cr Bob Smithson Cr Stuart Mackenzie

NB: Although some Councils have nominated alternate members, it is a precursor to any alternate member acting that a Council carries a specific resolution for each occasion that the alternate member is to act, referencing Section 51 of the Interpretation Act. The current Local Government Act does not provide for the appointment of deputy or alternate members of Regional Councils. The DLGRD is preparing an amendment to rectify this situation.

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PRESENT

Chairman	Cr Giovanni Italiano
Councillors	Cr Jim Adamos (from 6.20pm) Cr Geoff Amphlett Cr Dianne Guise Cr Corinne MacRae Cr Tom McLean Cr David Michael (from 6.15pm) Cr Terry Tyzack Cr Trevor Vaughan
Alternate Members	Cr Stephanie Proud
Staff	Mr Tony Arias (Chief Executive Officer) Mr Wayne Burns (Senior Projects Officer) Mrs Kylie Jeffs (Executive Assistant)
Apologies Councillors	Cr Frank Cvitan Cr Alannah MacTiernan Cr Rod Willox
Leave of Absence	Nil
Absent	Nil
Consultants	Mr Brenton Downing (Satterley Property Group) Mr Nigel Satterley (Satterley Property Group)
Apologies Participant Councils' Advisers	Mr John Giorgi (City of Vincent)
In Attendance Participant Councils' Advisers	Mr Garry Hunt (City of Joondalup) Mr Jason Lyon (Town of Cambridge) Mr John Paton (City of Wanneroo) Mr Ross Povey (City of Stirling)
Members of the Public	Nil
Press	Nil

1. OFFICIAL OPENING

At 6.05pm the Chairman declared the meeting of the Tamala Park Regional Council open.

The Chairman welcomed Cr Stephanie Proud as alternate member for Cr Rod Willox.

DISCLOSURE OF INTERESTS

Disclosure of Interest forms were received as follows:

Mr Tony Arias	Items 9.11 & 9.12	Impartial Interest
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Emerge Associates	Item 9.11	Impartial Interest
Satterley Property Group	Item 9.6, 9.11 & , 9.12	Impartial Interest

2. PUBLIC STATEMENT/QUESTION TIME

Nil

3. APOLOGIES AND LEAVE OF ABSENCE

Apologies were received from Cr Frank Cvitan, Cr Alannah MacTiernan and Cr Rod Willox. Apologies were also received from Cr Bob Smithson, who was nominated alternative member for Cr Frank Cvitan.

At the City of Stirling Ordinary Meeting of Council on 4 June 2013 Cr Stephanie Proud was nominated alternative member for Cr Rod Willox.

4. PETITIONS

Nil

5. CONFIRMATION OF MINUTES

Ordinary Meeting of Council – 18 April 2013

Moved Cr G Amphlett, Seconded Cr T McLean

That the minutes of the Ordinary Meeting of Council of 18 April 2013 be confirmed, and signed by the Chairman, as a true and correct record of proceedings.

The Motion was put and declared CARRIED (8/0).

5A. BUSINESS ARISING FROM THE MINUTES

Nil

6. ANNOUNCEMENTS BY CHAIRMAN (WITHOUT DISCUSSION)

Nil

7. MATTERS FOR WHICH MEETING MAY BE CLOSED

- Item 9.12 – Lot 1 Neerabup Road Built Form Partnering Tender
- Item 9.13 – Development management Agreement – Key People

8. REPORTS OF COMMITTEES

Management Committee Meeting – 6 June 2013

Moved Cr G Amphlett, Seconded Cr T McLean

That the Council RECEIVE the minutes of the Management Committee meeting dated 6 June 2013.

The Motion was put and declared CARRIED (8/0).

9. ADMINISTRATION REPORTS

9.1 BUSINESS REPORT – PERIOD ENDING 13 JUNE 2013

Moved Cr T Tyzack, Seconded Cr S Proud

[The recommendation in the agenda]

That the Council RECEIVE the Business Report to 13 June 2013

The Motion was put and declared CARRIED (8/0).

9.2 STATEMENTS OF FINANCIAL ACTIVITY FOR THE MONTHS OF MARCH & APRIL 2013

Moved Cr T Tyzack, Seconded Cr D Guise

[The recommendation in the agenda]

That Council RECEIVE and NOTE the Statement of Financial Activity for the months ending:

- **31 March 2013; and**
- **30 April 2013.**

The Motion was put and declared CARRIED (8/0).

9.3 LIST OF MONTHLY ACCOUNTS SUBMITTED FOR THE MONTHS OF APRIL & MAY 2013

Moved Cr T Tyzack, Seconded Cr T Vaughan

[The recommendation in the agenda]

That the Council RECEIVE and NOTE the list of accounts paid under Delegated Authority to the CEO for the months of April and May 2013:

- **Month ending 30 April 2013 (Total \$545,631.76)**
- **Month ending 31 May (Total \$3,172,426.55)**
- **Total Paid - \$3,718,058.31**

The Motion was put and declared CARRIED (8/0).

9.4 PROJECT FINANCIAL REPORT – APRIL 2013

Moved Cr G Amphlett, Seconded Cr S Proud

[The recommendation in the agenda]

That the Council RECEIVE the Project Financial Report (April 2013) submitted by the Satterley Property Group.

The Motion was put and declared CARRIED (8/0).

9.5 SALES AND SETTLEMENT REPORT – PERIOD ENDING 13 JUNE 2013

Cr Michael arrived during discussion on this item at 6.15pm.

Mr Nigel Satterley (Satterley Property Group) provided an update on lot sales, market population growth and consumer confidence.

Moved Cr D Guise, Seconded Cr G Amphlett

[The recommendation in the agenda]

That the Council RECEIVE the Sales and Settlements Report to 13 June 2013.

The Motion was put and declared CARRIED (9/0).

9.6 PROJECT BUDGET 2013/2014

Cr Adamos arrived during discussion on this item.

Satterley Property Group declared an interest in this item.

Mr Brenton Downing provided a presentation on the FYE2014 budget which included the following information:

- *Construction plan*
- *Sales, selling prices & settlements*
- *Development Program & triggers*
- *Infrastructure & landscape works*
- *Cashflow summary & whole of life*
- *Income & escalation rates*
- *Profit distributions*

Moved Cr T Tyzack, Seconded Cr S Proud

[The recommendation in the agenda]

- 1. APPROVE the Project Budget 2013/2014 (March 2013), submitted by the Satterley Property Group, as the basis of financial planning for the 2013/2014 TPRC budget.**
- 2. RECEIVE the Project Budget 2014/2015 (March 2013) and Whole of Project Cashflow (2013-2026), submitted by the Satterley Property Group.**
- 3. APPROVE the Stage Sales Triggers, as recommended by the Satterley Property Group for 2013/14.**
- 4. ACCEPT that the Satterley Property Group has achieved Key Performance Indicator KPI 5.3.2 requiring the preparation of Project Budgets by March each year.**

The Motion was put and declared CARRIED (10/0).

9.7 CEO PERFORMANCE REVIEW 2013

Moved Cr T McLean, Seconded Cr D Michael

That the Council APPROVE the proposal, dated 26 May 2013 for \$2,200 (inc GST) from WALGA Workplace Solutions to assist the Council with the CEO Performance Review.

The Motion was put and declared CARRIED (10/0).

9.8 DRAFT STRATEGIC COMMUNITY PLAN 2013-2023 AND CORPORATE BUSINESS PLAN 2013-2017

Moved Cr T Tyzack, Seconded Cr S Proud

- 1. NOTE the changes to the draft Strategic Community Plan 2013-2023 and draft Corporate Business Plan 2013-2017.**
- 2. APPROVE the Strategic Community Plan 2013-2023 (June 2013) and the Corporate Business Plan 2013-2017 (June 2013) and forward to the Executive Director of the Department of Local Government for endorsement.**

The Motion was put and declared CARRIED (10/0).

9.9 CATALINA RISK MANAGEMENT PLAN

Moved Cr T Vaughan, Seconded Cr D Michael

- 1. APPROVE the Risk Management Plan (May 2013) and recommended mitigation actions submitted by the Satterley Property Group.**
- 2. ACCEPT that the Satterley Property Group has achieved Key Performance Indicator item 8.4.1 – Relationships; Risk: To prepare a Risk Management Plan to identify and respond to project risk issues.**
- 3. REQUIRE the Satterley Property Group to continually review and update the Risk Management Plan and report to Council annually.**

The Motion was put and declared CARRIED (10/0).

9.10 SPONSORSHIP PROPOSAL – 2013 INTERNATIONAL BIODIVERCITIES CONFERENCE

Moved Cr G Amphlett, Seconded Cr T McLean

- 1. APPROVE the sponsorship of the 2013 International BiodiverCities Conference, as a Supporting Sponsor for a fee of \$5,000 (excl GST).**
- 2. APPROVE the provision of funds in the 2013/2014 TPRC budget to accommodate the Supporting Sponsor fee of \$5,000 and additional costs of \$5,000 for the design and production of promotional material for the Conference.**

The Motion was put and declared CARRIED (10/0).

9.11 LANDSCAPE CONSTRUCTION AND MAINTENANCE - FIXED RATES TENDER

Satterley Property Group, Emerge Associates & Mr Tony Arias declared an interest in this item.

Moved Cr G Amphlett, Seconded Cr T McLean

- 1. ACCEPT Tender 09/2013 (Landscape and Irrigation Construction and Maintenance Works) submitted by LD Total for the following;**
 - a. Landscape and Irrigation Construction and Two year Maintenance Works for the Stage 4 Public Open Space; Stage 3 and 4 Public Accessways; Stage 3, 4 & 5 Neerabup Road Verge; and Stage 6A Verge Works, for a lump sum value of \$1,864,468 (excluding GST), subject to obtaining all necessary statutory approvals.**
 - b. The award of further stages of landscape and irrigation construction and maintenance works based on the tendered Fixed rates, for a two year period (until June, 2015), with an option to extend a further 12 months (to June 2016), at the absolute discretion of the TPRC.**
- 2. AWARD further stages of works in accordance with item 1b above, at the absolute discretion of the TPRC and subject to;**
 - a. Approval of lump sum amounts, in accordance with the tendered rates,**
 - b. Market conditions and Sales Rates,**
 - c. Ongoing satisfactory performance of the contractor, during the execution of each separable portion of the contract.**
- 3. AUTHORISE the Chairman and the CEO to sign and affix the TPRC common seal to the Contracts.**

The Motion was put and declared CARRIED (10/0).

9.12 LOT 1 NEERABUP ROAD BUILT FORM PARTNERING TENDER - **CONFIDENTIAL**

Satterley Property Group & MR Tony Arias declared an interest in this item.

Representatives from ABN Group provided 2 presentations, members were as follows:

- *Mr Andrew Auret*
- *Mr Peter Gianoli*
- *Mr Max Pirone*
- *Mr Mitch Whalan*
- *Mr Dale Alcock submitted his apology*

The first presentation covered items such as:

- *Project overview*
- *Homes layout*
- *Benefits for TPRC*
- *Alternate materials and techniques*
- *Target demographic*

The second presentation covered items such as:

- *Risk aversion and maximising return*

- *Key objectives*
 - *Control built form*
 - *Early financial return*
 - *Low risk profit*
 - *Demonstration project*

Moved Cr D Michael, Seconded Cr T McLean

That the meeting move behind closed doors at 7.20pm to allow confidential items 9.12 & 9.13 to be discussed. Representatives from ABN Group departed the meeting, representatives from Satterley property Group remained.

The Motion was put and declared CARRIED (10/0).

Moved Cr T Tyzack, Seconded Cr S Proud

1. **APPROVE the Alcock Brown Neaves Group as the preferred tender for Tender 15/2012 for the Lot 1 Built Form Partnering Project.**
2. **AUTHORISE the CEO to progress a Project Agreement with the Alcock Brown Neaves Group in accordance with the design concepts, commercial terms and administrative arrangements set out in its correspondence dated 31st May 2013.**
3. **ADVISE the Satterley Property Group that fees payable must be in accordance with the Development Management Agreement (13 September 2010) for Development Management Fee and Selling Fee.**

The Motion was put and declared CARRIED (10/0).

9.13 DEVELOPMENT MANAGEMENT AGREEMENT – KEY PEOPLE - CONFIDENTIAL

Representatives from Satterley Property Group departed the meeting at 7.45pm.

Moved Cr S Proud, Seconded Cr D Guise

That the Council APPROVE the following replacement of key personnel pursuant to Clause 4.5 of the Development Management Agreement:-

Name of Person	Job
Danuta Wnek	Sales Representative

Name of Replacement Person	Job
Paul Szijarto	Sales Representative

The Motion was put and declared CARRIED (10/0).

Moved Cr S Proud, Seconded Cr D Guise

That standing orders be reopened and the meeting doors be opened at 7.46pm.

The Motion was put and declared CARRIED (10/0).

The Chairman read aloud the recommendations for item 9.12 & 9.13 as follows:

Item 9.12

1. APPROVE the Alcock Brown Neaves Group as the preferred tender for Tender 15/2012 for the Lot 1 Built Form Partnering Project.
2. AUTHORISE the CEO to progress a Project Agreement with the Alcock Brown Neaves Group in accordance with the design concepts, commercial terms and administrative arrangements set out in its correspondence dated 31st May 2013.
3. ADVISE the Satterley Property Group that fees payable must be in accordance with the Development Management Agreement (13 September 2010) for Development Management Fee and Selling Fee.

Item 9.13

That the Council APPROVE the following replacement of key personnel pursuant to Clause 4.5 of the Development Management Agreement:-

Name of Person	Job
Danuta Wnek	Sales Representative

Name of Replacement Person	Job
Paul Szijarto	Sales Representative

10. ELECTED MEMBERS MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

Nil

11. QUESTIONS BY ELECTED MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

Nil

12. URGENT BUSINESS APPROVED BY THE CHAIRMAN

Nil

13. MATTERS BEHIND CLOSED DOORS

- Item 9.12 - Lot 1 Neerabup Road Built Form Partnering Tender
- Item 9.13 - Development Management Agreement – Key People

14. GENERAL BUSINESS

Cr Proud raised the format of the table in the Sales & Settlement position (item 9.5) and the potential for an additional column for lots 'under offer'. The SPG indicated that the format of the table was being reviewed.

It was noted that more information on the Local Government reforms (and how they will affect Regional Councils) will be known at the next meeting of Council in August 2013.

15. FORMAL CLOSURE OF MEETING

The Chairman declared the meeting closed at 7.50pm.

These minutes were confirmed at a meeting on

SIGNED this day of 2013

as a true record of proceedings.

CHAIRMAN



WALGA

**North Metropolitan Zone
Minutes**

27 June 2013



North Metropolitan Zone WALGA

Hosted by the City of Stirling
25 Cedric Street STIRLING 9205 8555
Thursday 27 June 2013 - Commenced at 6:00 pm

Minutes

MEMBERS

4 Voting Delegates from each Member Council

City of Joondalup

Cr Russ Fishwick JP
Cr Mike Norman
Cr Christine Hamilton-Prime
Mr Garry Hunt, Chief Executive Officer – non-voting delegate
Mr Jamie Parry, Director Governance and Strategy – non-voting delegate

City of Stirling

Mayor David Boothman
Cr Stephanie Proud
Cr David Michael
Mr Stuart Jardine, Chief Executive Officer – non-voting delegate
Ms Viv Barton, Manager Library Services

City of Wanneroo

Mayor Tracey Roberts JP- **Chair**
Cr Stuart Mackenzie – **Deputy Chair**
Cr Rudi Steffens
Cr Norm Hewer (*Deputy for Cr Diane Guise*)
Mr Daniel Simms, Chief Executive Officer – non-voting delegate

WALGA Representatives

Mr James McGovern, Manager Governance
Ms Natalie Pizzata, Policy Officer - Community

Department of LG & C

Ms Sybille Rodgers

Guest Speakers

Mr Graham McAlpine, Project Manager, – Fruit Quality Fruit West

APOLOGIES

City of Joondalup

City of Stirling

Cr Geoff Amphlett JP
Cr Giovanni Italiano JP
Cr Bill Stewart
Mr Aaron Bowman
Cr Diane Guise

City of Wanneroo

ANNOUNCEMENTS

Confirmation of Attendance an attendance sheet was circulated prior to the commencement of the meeting. Please register your attendance by printing your name against your Council on the attendance sheet.

ATTACHMENTS WITHIN THE AGENDA

1. Minutes of previous meeting
2. Zone Status Report
3. President's Report
4. Standing Orders

1. DEPUTATIONS

1.1 Fruit Fly Control Presentation

Mr Graham McAlpine, Project Manager, – Fruit Quality Fruit West, presented to the North Metropolitan Zone and spoke on an Area Wide Management program initiative for the control of fruit fly in backyard gardens and what Local Government can do to assist and support.

The program is a whole of Government initiative with support Federally and State.

Noted

2. CONFIRMATION OF MINUTES

RESOLUTION

That the Minutes of the meeting of the North Metropolitan Zone held on 28 February 2013 be confirmed as a true and accurate record of the proceedings. No meeting was held during April 2013.

Moved Cr Rudi Steffens / Seconded Cr Mike Norman

CARRIED

3. DECLARATION OF INTEREST

Pursuant to our Code of Conduct, Councillors must declare to the Chairman any potential conflict of interest they have in a matter before the Zone as soon as they become aware of it. Councillors and deputies may be directly or indirectly associated with some recommendations of the Zone and State Council. If you are affected by these recommendations, please excuse yourself from the meeting and do not participate in deliberations.

Nil

4. BUSINESS ARISING

A Status Report outlining the actions taken on the Zone's resolutions was enclosed as an attachment to the Agenda.

Noted

5. REPORTS FROM MEMBER COUNCILS

City of Stirling

5.1 Public Library Finding and Lobbying Requirement

In Brief

The Framework Agreement expires 30 June 2014, and negotiations for a new Framework Agreement will commence in July 2013. The Framework Agreement does not include quarantined funding for public library resources beyond 2013/14.

It is essential that WALGA and Local Government seek ongoing and committed funding for public libraries for 2014/15 and beyond.

A business case for funding required needs to be prepared in advance of the 2014/15 State Budget, and a public library funding campaign commenced as a matter of high priority.

Background

The Framework Agreement was signed between State and Local Government for the provision of public library services in Western Australia. The document establishes a shared vision for Western Australia's public library service and documents principles and clearly defined roles and responsibilities to guide State and Local Government parties. The development and implementation of the Framework Agreement is managed by the Strategic Library Partnership and Steering Committee (SLPASC).

The Framework Agreement will expire on 30 June 2014, and a formal six month evaluation process is expected to commence in July 2013. The City of Stirling supports the overarching principles of the Framework Agreement and looks forward to consultation and participation in the review of the Framework Agreement.

The City of Stirling however, is extremely concerned that the Framework Agreement no longer specifies committed funding for public library stock within the document. Whilst the State Government has quarantined public library funding in previous years, no funding has been set aside for 2014/15 and beyond. The future of public libraries will be uncertain without State Government funding for public library materials.

It is essential that a business case that reflects the quantum of funding required for future public library resources and library innovation be prepared by SLPASC, in advance of the 2014/15 State Budget as a matter of high priority.

The City of Stirling would like to suggest that the business case also include analysis on the feasibility of alternative methods for distributing funding and improving efficiencies in library materials procurement. This should include consideration on distributing funding for library materials direct to the Local Government Authority. This issue is discussed in further detail in the additional report submitted by the City of Stirling, Public Library Efficiencies.

It is also critical that WALGA, Local Government and Public Libraries Western Australia work together to develop and implement a Public Library Funding Lobbying Campaign as a matter of high priority.

Comment

Public libraries have always made a vital contribution to the social, educational and recreational development of local communities. Public libraries continue to be one of the most well-used educational, cultural and social facilities within our community.

The role of the public library continues to change and evolve. Historically the library was a repository of knowledge and place for books. Changes in technology, collection formats and growing emphasis on engaging with communities, increasing programs and community expectations, have fundamentally shifted the way people are using libraries. The library is a hub of community engagement and support; a place that fosters social inclusion, participation in the local community, lifelong learning and literacy, as well as providing traditional library services and programs.

Web and mobile technologies are offering libraries a new world of opportunities to engage patrons. Social media websites and applications, cloud-based services and the evolution and adoption of mobile devices are enabling librarians to share and build communities, store and analyse large collections of data, create digital collections, and access information and services in new ways. In order to capitalise on these opportunities and enable library innovations to be implemented, it is suggested that the funding business case consider the establishment of a Library Innovations Fund in addition to the Public Library Resources Fund.

Successful lobbying campaigns have ensured that WA public libraries received significant State Government funding in recent years as listed below:

- 2010/11 \$9,307,000
- 2011/12 \$9,512,000
- 2012/13 \$9,721,000
- 2013/14 \$9,935,000

A Public Library Funding Lobbying Campaign will assist in securing State Government funds for the future of Western Australian public libraries.

A Working Group needs to be established as soon as possible to determine the funding requirements and prepare a business case for future public library resources and library innovations.

It is essential that WALGA and Local Government seek ongoing and committed funding for public libraries for 2014/15 and beyond.

RESOLUTION

- 1. That WALGA request that SLPASC develop a business case that reflects the quantum of funding required for the next five years to ensure appropriate levels of resourcing and innovation of public library services, in advance of the 2014/15 State Budget as a matter of high priority.**
- 2. That WALGA, work with Local Government and Public Libraries Western Australia develop and implement a Public Library Funding Lobbying Campaign as a matter of high priority.**

Moved Mayor David Boothman / Seconded Cr David Michael

CARRIED

Secretariat Comment

The current *State /Local Government Framework Agreement for the Provision of Public Library Services Agreement* has delivered better governance and business practices through improved communication, business planning, accountability and service provision.

This was a result of several changes to reflect a more contemporary approach including; the removal of specific funding levels, details of services to be provided by parties and removal of standards related to the number of items of stock per capita to a replacement stock provision rate. These changes were endorsed by State Council 2 December 2009 (RESOLUTION 594.6/2009).

The *Funding Arrangement between the Minister for Culture and the Arts and WALGA regarding Funding for Public Libraries* (Funding Arrangement) applies for the term of the State Government. It quantified the level of known State Government funding for public library acquisitions from 2010/2011 to 2013/14. The agreement was endorsed by WALGA State Council in October 2011 (Resolution 114.5/2011)

The Strategic Library Partnership Agreement Steering Committee will commence the review of the current *State/Local Government Framework Agreement for the provision of Public Library Services* in July 2013. This will include funding requirements for public library services for the 2014/15 financial year and beyond. WALGA will lead the consultation with Local Government and provide the feedback to SPLASC.

WALGA supports the Zone recommendation that SPLASC establish a Funding Subcommittee as part of the Framework review process.

There have been significant changes proposed for the Local Government sector over the past 5 years which need to be considered as part of the negotiations with the State Government. Many of the public library reform priorities (technology needs, asset management practices) need the input from other Local Government staff from Finance, Governance, ICT and Community Development areas.

WALGA recognises the importance of ensuring funding for Public Library services and the need to foster innovation. This was most recently demonstrated in WALGA's bid in advance of the State Budget 2013/2014 endorsed by WALGA State Council in December 2012 (Resolution 147.6/2012)

WALGA is seeking an additional \$10m over 4 years to reform current Public Libraries services to reflect contemporary services and foster innovation. The Premier advised that he would not commence the 2013/2014 State Budget process until after the State Election.

WALGA President will meet with the Premier in due course to present the WALGA bid in advance of the State Budget 2013/2014.

5.2 Public Library Efficiencies

City of Stirling

In Brief

City of Stirling Libraries continue to review library operations and aim to implement business efficiencies and contemporary work practises where possible, in order to provide improved customer service, extended library services and programs, and contemporary library spaces.

There are some operational areas that could be managed more efficiently, however the City of Stirling is restricted in moving forward by current State Government policies and

procedures. The Structural Reform of Public Library Services suggested a number of recommendations to improve work efficiencies, however some recommendations have not progressed as quickly as planned and are hampering the City's ability to provide contemporary public library services.

It is recommended that WALGA request a progress update from the Strategic Library Partnership and Steering Committee on current priorities and progress on recommendations from the Structural Reform of Public Library Services.

Background

The City of Stirling supports introducing new methods and contemporary processes that will improve work efficiencies and provide improved services and programs for library customers. In 2007, the Structural Reform of Public Library Services suggested a number of recommendations that would improve work efficiencies and customer service, thus enabling libraries to more actively engage with their communities.

The lack of progress on some recommendations from the Structural Reform (2007) and the Library Exchange Review (2012) has severely restricted the City of Stirling in being able to implement efficiencies and transform its libraries into more contemporary public library spaces that meet community needs. These recommendations included:

- Improved policy for discarding library materials, and ability to return library materials surplus to library requirements
- Transfer of ownership of existing stock from State Government to Local Government
- Introduce more contemporary and efficient procurement methods

It is recommended that SLPASC provide a progress update on the above issues, current SLPASC priorities, and progress on recommendations from the Structural Reform of Public Library Services and the Library Exchange Review.

Comment

A significant number of libraries, especially larger metropolitan libraries are very keen to rationalise holdings of SLWA stock by being able to return stock surplus to library requirements outside the current return exchange parameters. The Library Exchange Review (October 2012) recognised that a better policy and more flexibility for discarding stock be developed. In December 2012, the Strategic Library Partnership and Steering Committee committed to discussing this issue with the Department of Treasury.

It is recommended that SLPASC provide an update on discussions with the Department of Treasury in relation to the discard of library materials and that this be progressed as a critical issue.

The Structural Reform of Public Library Services report also recommended that the ownership of existing stock be transferred from State Government to Local Government. Extensive consultation has been undertaken (most recently in the form of the Library Exchange Review) and it is widely acknowledged that resolution of the ownership of stock issue is integrally linked with WA public library exchange system. It is essential that these issues be progressed as critical and resolved as soon as possible.

It is therefore recommended that SLPASC progress the issues regarding transfer of ownership of stock and library exchange review as a matter of high priority.

City of Stirling Librarians currently spend several hours per week manually ordering library materials provided by State Government funding via Webselect on the State Library of WA's website. It is difficult to justify continuing to operate with such a time consuming and antiquated procurement model when specialist library suppliers can professionally provide

these services to public libraries far more efficiently and with significant cost savings. Resources spent on stock selection could be redirected into extending public library services and programs.

Many WA Local Government Authorities (including Stirling) and interstate public library organisations outsourced procurement of library materials from local stock funds with great success several years ago. South Australian public libraries operate via a similar system using State Government funding.

It is recommended that SLPASC investigate the feasibility of implementing more contemporary and efficient procurement methods including outsourcing stock selection as a high priority.

The City of Stirling would also like to take this opportunity to recommend that SLPASC consider the feasibility of distributing funding direct to the Local Government Authority in order to improve efficiencies. Those Local Governments wishing to utilise the benefits of outsourcing stock selection could then proceed, not being restricted by the current cumbersome and inefficient stock selection model.

RESOLUTION

That WALGA requests that SLPASC:

- 1. provide a progress update on current SLPASC priorities and projects, and the status of recommendations from the Structural Reform of Public Library Services and the Library Exchange Review.**
- 2. provide an update on discussions with the Department of Treasury in relation to the discard of library materials and transfer of ownership of stock and that this be progressed as a critical issue.**
- 3. investigate the feasibility of implementing more contemporary and efficient procurement methods including outsourcing stock selection as a high priority.**
- 4. investigate the feasibility of distributing library materials funding direct to the Local Government Authority.**

Moved Mayor David Boothman / Seconded Cr David Michael

CARRIED

Secretariat Comment

WALGA continues to advocate for the reform Public Library services to engender innovation, and maximise efficiencies through improvements to service delivery and infrastructure.

WALGA acknowledges the concerns outlined in the Zone report and supports the recommendations; but recognises that reform agenda continues to be a challenge for the Strategic Public Library Agreement Steering Committee (SPLASC) to implement. Many of the recommendations from the Structural Reform of Public Library Services Report (2007) require significant funding, investment in new technologies, and new ways of working.

WALGA is seeking an additional \$10m over 4 years to reform current Public Libraries services to reflect contemporary services and foster innovation. The Premier advised that he would not commence the 2013/2014 State Budget process until after the State Election.

The WALGA President will meet with the Premier in due course to present the WALGA bid in advance of the State Budget 2013/2014.

6. STATE COUNCIL AGENDA - MATTERS FOR DECISION

The North Metropolitan Zone supported all items within the July 2013 State Council Agenda.

7. EXECUTIVE REPORTS

7.1 President's Report to the Zone

Mr James McGovern presented the President's Report.

Noted

7.2 State Councillor's report to the Zone

Cr David Michael presented on the previous State Council meeting.

Noted

7.3 Department of Local Government Representative Update Report.

The Director General's Update Report was presented by Ms Sybille Rodgers.

Noted

8. BUSINESS

8.1 Presentation from the State Heritage Office

RESOLUTION

That Mr Callum Crofton, Manager Local Government Services State Heritage Office be invited to present at the next meeting of the North Metropolitan Zone to be held 29 August 2013 at the City of Joondalup.

Moved Cr David Michael Seconded Cr Stuart Mackenzie

CARRIED

9. OTHER BUSINESS

James McGovern from WALGA updated the Zone about Delivering Community Services in Partnership Policy – Implications for Local Government and advised of the Partnership – Past, Present and Future Forum which the Premier will open on Friday 28 June 2013 and WALGA would be represented at.

Additionally, James updated the Zone about the Cat Act 2011.

10. DATE, TIME AND PLACE OF NEXT MEETING

That the next ordinary meeting of the North Metropolitan Zone will be held on Thursday 29 August 2013 at the City of Joondalup, commencing at 6pm.

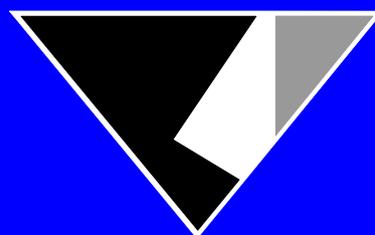
11. CLOSURE

There being no further business the Chair declared the meeting closed at 6.45pm.

THE VOICE OF LOCAL GOVERNMENT

JULY 2013

**STATE COUNCIL SUMMARY
MINUTES**



WALGA



NOTICE OF MEETING

Meeting No. 3 of 2013 of the Western Australian Local Government Association State Council to be held at WALGA, 15 Altona St, West Perth on **Wednesday 3 July 2013** beginning at 4:00pm.

1. ATTENDANCE, APOLOGIES & ANNOUNCEMENTS

1.1 Attendance

Chairman	President of WALGA Deputy President of WALGA Pilbara Country Zone	Mayor Troy Pickard President Cr Lynne Craigie
Members	Avon-Midland Country Zone Central Country Zone Central Metropolitan Zone East Metropolitan Zone Goldfields Esperance Country Zone Great Eastern Country Zone Great Southern Country Zone Kimberley Country Zone Murchison Country Zone North Metropolitan Zone Northern Country Zone Peel Country Zone South East Metropolitan Zone South Metropolitan Zone South West Country Zone	Cr Lawrie Short Mayor Don Ennis Cr Janet Davidson JP Mayor Heather Henderson Cr Mick Wainwright Mayor Ron Yuryevich AM RFD President Cr Eileen O'Connell President Cr Ken Clements Cr Chris Mitchell President Cr Simon Broad Mayor Tracey Roberts JP Cr Geoff Amphlett JP Cr David Michael President Cr Karen Chappel President Cr Wally Barrett Mayor Cr Henry Zelones JP Cr Julie Brown Mayor Cr Carol Adams Cr Doug Thompson President Cr Wayne Sanford
Ex-Officio	Local Government Managers Australia	Dr Shayne Silcox
Secretariat	Chief Executive Officer Deputy Chief Executive Officer Acting EM Governance & Strategy EM Marketing & Communications EM Workplace Solutions EM Infrastructure EM Corporate Business Solutions Acting EM Planning & Community Human Resources Manager EO Governance and Strategy Finance Manager	Ms Ricky Burges Mr Wayne Scheggia Mr James McGovern Mr Zac Donovan Mr John Phillips Mr Ian Duncan Mr Nick Wood Ms Vanessa Jackson Rowena Amistad Ms Chantelle O'Brien Tina Mossdrop

1.2 Apologies

	Gascoyne Country Zone East Metropolitan Zone Great Southern Country Zone South Metropolitan Zone EM Governance & Strategy EM Planning & Community	Cr Ross Winzer Mayor Cr Terence Kenyon President Cr Barry Webster Cr Tony Romano Mr Tony Brown Allison Hailes
Associate	The Rt Hon Lord Mayor of the City of Perth	Ms Lisa Scaffidi

Observers

Cr Bruce Haynes
Cr Alastair Tullock

MEETING ASSESSMENT

I invite Mayor Adams to undertake a meeting assessment at the conclusion of the meeting.

ANNOUNCEMENTS

- Nil

PRESENTATIONS

- Minister for Local Government, Hon. Anthony (Tony) Simpson

2. MINUTES OF THE PREVIOUS MEETINGS

2.1 Minutes of 3 May 2013 State Council Meeting

RECOMMENDATION

**Moved: Cr M Wainwright
Seconded: Mayor H Zelones**

That the Minutes of the Western Australian Local Government Association (WALGA) State Council Meeting held on 3 May 2013 be confirmed as a true and correct record of proceedings.

RESOLUTION 216.3/2013

CARRIED

2.1.1 Business Arising from the Minutes of 3 May 2013

3. DECLARATION OF INTEREST

The following Councillors declared an interest in the related items

Cr J Brown, Item 5.5 Honours Panel Committee Minutes
Cr S Broad, Item 5.5 Honours Panel Committee Minutes
Cr D Michael, Item 5.5 Honours Panel Committee Minutes
Cr L Short, Item 5.4 Selection Committee Minutes
Mayor H Zelones, Item 5.4 Selection Committee Minutes
Mayor R Yuryevich, Item 5.4 honours Panel Committee Minutes
Cr W Barrett, Item 5.4 Selection Committee Minutes
Mayor H Henderson, Item 5.5 Honours Panel Committee Minutes
Mayor T Pickard, Item 5.4 Selection Committee Minutes
Cr D Thompson, Item 5.5 Honours Panel Committee Minutes

PAPERS

State Councillors have been distributed the following papers under separate cover:

- President's Report (previously emailed to your Zone meeting)
- 4.1 Emerging Issue – Visions for Waste Management in the Metropolitan Area
- Selection Committee Minutes;
- Honours Committee Minutes;
- Use of Common Seal;
- Finance & Services Minutes;
- CEO' s report to State Council

4. EMERGING ISSUES

4.1 Visions for Waste Management in the Metropolitan Area (01-006-03-0008 RNB)

By Rebecca Brown, Manager, Waste and Recycling

Recommendation

That State Council endorse the Paper on Visions for Waste Management in the Metropolitan Area.

In Brief

- WALGA established a Working Group to look at the future direction for the governance of waste management in the metropolitan area, in light of the State Government's current discussions on reforming the Local Government sector.
- A Paper has been developed based on input from the Working Group and was endorsed by the Municipal Waste Advisory Council (MWAC) on Wednesday 26 June 2013.
- The Paper recommends:
 - A greater role for State Government in the form of an independent Waste Authority;
 - Changes to the number, and governance of Regional Councils; and
 - An integrated approach to waste management.

Relevance to Strategic / Business Plan

This Paper works toward the Key Strategy in the WALGA Strategic Plan - 'Reform for Sustainable Local Government'.

Policy Implications

This Paper is in line with WALGA Policy regarding the development of an independent Waste Authority and the funding of waste management initiatives through the Waste Avoidance and Resource Recovery Levy. The Paper builds upon MWAC Submissions to the Metropolitan Local Government Review.

Budgetary Implications

This Paper does not have any budgetary implications.

Background

WALGA established a Working Group to examine options in relation to the future direction for the governance of waste management in the metropolitan area, in light of the State Governments current discussions on reforming the Local Government sector. Membership of the Working Group includes representatives from Local Government, Regional Councils, the Forum of Regional Councils (FoRC) and the Waste Authority.

The Working Group has had several meetings and the members have had opportunity to comment on the Paper.

Comment

1. The Paper acknowledges the need for change in the governance of waste in the metropolitan area. The Paper identifies the need for State Government to take a greater role, through an independent and strengthened Waste Authority. This new Waste Authority's role would include:

- Coordinating research on evolving technology;
- Coordinating public waste education campaigns;
- Development of a metropolitan wide statutory plan for waste management (with Regional Delivery Plans to be developed by Regional Councils); and
- Approve Regional Delivery Plans.

2.

3. In relation to Regional Councils, a consolidation is recommended with the number of Regional Councils initially reducing from the current number of five, down to three. The governance of these Regional Councils would also see changes including:

- Compulsory Local Government membership;
- The ability to operate on a commercial basis;
- Geographically-based boundaries;
- The ability to appoint skills-based members to the Regional Council;
- The ability to provide mandatory and discretionary services; and
- The requirement to develop and deliver Regional Delivery Plans compatible with a Waste Authority metropolitan wide plan for waste management.

4.

5. For the waste management targets in the State Waste Strategy to be reached, in addition to structural changes to Local and State Government activities, an integrated approach is also needed.

6.

7. The Paper recommends that:

- An integrated waste management system that includes all elements of the waste hierarchy, from waste avoidance to landfill;
- An assessment of the validity of an aspirational 'zero waste' outcome is undertaken;
- Any integrated waste management system to include a range of approaches to funding the delivery of State Waste Strategy Targets, including direct funding through the Levy and Extended Producer Responsibility approaches; and
- A review of the appropriateness of 'landfill diversion' as the best benchmark of performance is also required.

8.

9. The FoRC has also developed a Paper, which draws on the WALGA Paper and is consistent with the WALGA position. The Waste Authority has also commented on the Paper - while broadly in line there are several areas where there is a divergence from the WALGA position. These areas include:

- A Committee, including MSW, C&I and C&D representatives, to provide input into the metropolitan wide management of waste;
- Greater control over collections systems; and
- A bigger role for the commercial sector as service delivery agents, with Local Governments/Regional Councils being the broker.

10.

The Authority has also provided additional information on the current status of *Towards Zero Waste* and the rationale for Targets in the Strategy.

11.

While taking on board the comments of the Waste Authority, MWAC has clearly established its position with regard to reform of the waste sector in the metropolitan area. Without this reform it is highly unlikely that the targets in the State Waste Strategy will be achieved.



Visions for Waste Management in the Metropolitan Area

Executive Summary

There is broad agreement in the Local Government sector that there is a need for change to how waste in the metropolitan area is governed. The change required includes a greater role for the State Government in providing an integrated waste management system, as well as the need for consolidation, improved governance and greater direction for Regional Councils.

The structures we currently have in place have delivered kerbside and verge collection services which are consistently well rated by the community. However if we are to reach the targets set in the Waste Strategy for municipal solid waste diversion from landfill (50% by 2015 and 65% by 2020) and provide the modern infrastructure needed to cope with projected waste generation, a more coordinated approach is needed.

Local Government Recommended Model for Waste Management in the Metropolitan Area

Governance and Roles

- Greater role for the State Government, to include an independent and strengthened Waste Authority which will:
 - o Coordinate research on technology;
 - o Coordinate public education;
 - o Develop a metropolitan wide statutory plan for waste management (with Regional Delivery Plans to be developed by Regional Councils); and
 - o Approve Regional Delivery Plans.
- Regional Council Consolidation:
 - o Reduce the number of Regional Councils from 5 to 3.
- Regional Council Governance:
 - o Compulsory Local Government membership;
 - o Ability to operate on a commercial basis;
 - o Geographically based boundaries;
 - o Ability to appoint skills based members of the Regional Council; and
 - o Provide mandatory and discretionary services.
- Regional Council role:
 - o Develop and deliver Regional Delivery Plan compatible with Waste Authority metropolitan wide plan for waste management.

Integrated Waste Management System:

- An integrated waste management system includes provision for all elements of the waste hierarchy, from waste avoidance to landfill;
- An assessment of the validity of an aspirational 'zero waste' outcome is required;
- Any integrated waste management system to include a range of approaches to funding the delivery of State Waste Strategy Targets, including direct funding through the Levy and Extended Producer Responsibility approaches; and
- A review of the appropriateness of 'landfill diversion' as the best benchmark of performance is also required.

Introduction

The Robson Review of Local Government in the metropolitan area had several recommendations in relation to waste management. To ensure the best outcomes for the community and the environment, a WALGA Working Group (including Regional Councils, the Forum of Regional Councils, the Waste Authority and Local Government members) has been established to put together an approach to improve waste management in the metropolitan area.

This Paper has been developed based on discussions by the WALGA Working Group. The aim of the Paper is to identify a future governance structure for waste management in the metropolitan area which will facilitate the delivery of the State Waste Strategy targets in a timely and cost effective manner. The Paper also identifies the high degree of agreement between all of the Local and State Government entities who are most concerned with waste management.

Local Government and Regional Councils have invested heavily in providing waste management solutions for the community, and waste management collection services consistently rate well in surveys on services delivered by the sector. Regional Councils, on behalf of their members, have developed – or are developing – alternative waste treatment (AWT) options. These options are substantially more expensive than landfill and these costs are causing tensions within the Regional Councils and their member Local Governments.

The ability of individual Local Governments to withdraw from Regional Councils represents a significant risk to the ongoing financial viability of both AWT's and the Regional Councils, and this uncertainty will undoubtedly inhibit the development of further infrastructure whether it be a public private partnership, take and pay or other contractual approach.

Until relatively recently there has been a fairly limited role by State Government in waste management. The Western Australian Waste Strategy: *'Creating the Right Environment'* was released in March 2012 and sets clear targets and direction for waste management in the municipal, commercial & industrial and construction & demolition waste streams. This is the first strategy to be developed, as a requirement, under the *Waste Avoidance and Resource Recovery (WARR) Act 2007*. The targets for municipal waste are 50% diversion from landfill by 2015 and 65% by 2020. As of 2012, the diversion rate, in the metropolitan area was 37%; with recovery rates for Local Governments varying from 15% to 55%.

This Strategy was developed by the Waste Authority – the statutory advisory body for waste management, also established under the *WARR Act 2007*. The Strategy has taken some time to develop, and preceding its development there was very little guidance from the State Government regarding expectations for waste management.

Regional Councils have developed various AWT facilities which are either managed by the Regional Councils or through an arrangement with a commercial operator. As these facilities were developed at different times, with limited oversight and coordination from State Government, coupled with varying local government constraints, the selected technologies, contractual approaches and risk profiles are markedly different. Local Government is of the opinion that there is now a greater expectation and role for State Government – through the Waste Authority – in waste management.

Until recently, waste was not really considered in the planning system; the Municipal Waste Advisory Council and Forum of Regional Councils have been driving forces in the ongoing activities to ensure that waste is included in future plans for the metropolitan area. Waste management services are sometimes referred to as 'essential services' which Local Governments deliver.

What this means is that the service should be “considered a priority in strategic planning and is ultimately protected from disruption from outside sources such as national and man-made disasters, market failures, economic pressures, community complaint and mismanagement”¹.

What does success look like?

Rather than just change for changes sake, we need to be very clear about the outcomes we are seeking from changes - particularly the metropolitan wide coordination of waste management – an alternative way to look at this would be, what does success look like?

Critical success factors identified by the Working Group included:

- Practical commitment to the Waste Hierarchy from the State Government;
- Improved waste diversion to meet State Waste Strategy Targets;
- Improvement in effective resource recovery;
- Implementation of Extended Producer Responsibility Schemes by the State and/or Federal Government;
- Cost effective service for ratepayers;
- Greater hypothecation of the Landfill Levy to provision of waste infrastructure and management;
- Metropolitan wide coordination of waste management;
- Certainty for the operating environment – next 5 – 20 years – to enable investment in infrastructure;
- Utilisation of extensive Local Government expertise in this area;
- Optimisation of existing infrastructure and resources;
- Standardisation of collection systems to maximise efficiency of service delivery and education;
- Avoidance of infrastructure and resources duplication; and
- Ensuring Local Governments who have already invested in infrastructure to meet State Government targets are not disadvantaged by the changes.

To achieve these outcomes, Local Government must clearly determine where the sector is best placed to add value to waste management activities – and where the State Government should take the primary role and responsibility.

Governance

State Government Role – What is the proper level of State Government control?

Local Government acknowledges and welcomes an increased level of State Government involvement in waste management and considers this would be best provided through an independent and strengthened Waste Authority.

Currently the Waste Authority, while being statutory in nature, is only an advisory body. This means the Authority has limited power to act and expend funds without reference to the Minister. In addition the Authority is housed within the Department of Environment and Conservation. This service arrangement is a cause of potential confusion and a perceived conflict of interest.

Local Government supports an independent and strengthened Waste Authority as a separate entity with sufficient statutory power to implement a metropolitan wide approach to waste management. To ensure the Waste Authority has sufficient access to Local Government and Regional Council expertise it is suggested that an independent Waste Authority establish Committees to provide a vehicle for engagement with the Regional Councils, Local Government and other relevant organisations. The Committee focusing on municipal waste would be a key mechanism for Regional Council and Local Government input into the direction and approaches used by the Waste Authority. To facilitate a partnership approach Local

¹ MWAC, 2010, Position Paper: Is Waste Management an Essential Service?

Government/Regional Councils and the Waste Authority should have equal representation on the Committee.

State Government Role – What is the role of State Government in waste management?

The role of the independent Waste Authority would be, in part, to coordinate a metropolitan wide approach to waste. This would be achieved through the development of a metropolitan wide, statutory plan for waste management. This Plan would provide clear direction for the Regional Councils, who would be required to develop Regional Delivery Plans, identifying the actions necessary to meet the requirements of the metropolitan wide statutory plans. These plans would be approved by the Waste Authority to ensure the actions of the Regional Delivery Plan accords with the metropolitan statutory waste management plan.

The Authority would also be responsible for coordinating research on waste technology and public education, and policy development in consultation with stakeholders. Local Government does not see the role of the State Government to be the operation of waste management facilities or the MSW supply chain.

Currently the expertise in these areas rests in Local Government and the private sector. The suggestion of the establishment of Committees, identified in the previous section, is to ensure this expertise is utilised.

Regional Council Consolidation – How many Regional Councils do we need?

Regional Councils, and their member Local Governments, have multimillion dollar investments in waste processing. Changes to governance need to ensure that these investments are used wisely and to the benefit of the entire metropolitan area, but those communities that have invested still retain equitable ownership, involvement and benefit.

The current membership of Regional Councils has evolved over time and has resulted in a situation where member Councils are not necessarily in the same geographic area. Local Government contends that there is a need for a strong geographic basis for Regional Councils, and that the optimal configuration will take into account strategic and logistic considerations.

Local Government considers that a fewer number of Regional Councils, would be beneficial; the suggested approach is reduce the current 5 Regional Councils to 3. These Regional Councils would be northern, southern and eastern areas. Three Regional Councils are suggested to:

- Ensure involvement of communities which have provided the significant investment in the development of AWT;
- Provide for synergies between collection and treatment;
- Retain the considerable skills sets and experience in the area; and
- Ensure a smoother transition to a new structure, as the current structures and legal arrangements are complex.

This approach is suggested as it was considered that a straight transition from 5 Regional Councils to one could be a very complex operation and that 3 Regional Councils would ultimately ensure a better outcome.

Regional Council Governance – What changes to the Governance of Regional Councils are needed?

The governing board of a Regional Council is currently made up of Councillors from its member Local Governments. The number of representatives from each member Local Government varies, dependent on the Regional Council establishment agreement. Elected members appointed to the Regional Councils possess varying degrees of knowledge regarding waste management which may not include an in depth technical and business understanding is necessary to oversee these multimillion dollar businesses.

An alternative approach is to include on Regional Councils an independent person(s) with relevant skills and expertise. However, given the significant investment of Local Governments in the facilities developed by Regional Councils, it is imperative that Local Government retain majority membership of the Regional Council.

Several options have been proposed, for example Council Controlled Organisations or Regional Subsidiaries. These options would require amendments to the Local Government Act, but would allow these entities to act in a commercial role, with elected member involvement, but based on the concept of a skills based Board. This would ensure that the relevant business skills were present on the Regional Council while maintaining the vital link to the community representation role. The appointment of members to the Board could be undertaken in a range of ways.

Regional Council Scope – What services should the Regional Council provide?

Currently Regional Councils provide a range of services, with some focusing solely on waste management activities and others including a range of other service offerings, such as regional development. All services are intended to provide value to member Local Governments.

In examining the approach to Regional Councils the question has to be asked what services should these Regional Councils provide? Should the services, outside those directly related to waste management be curtailed? The approach recommended is that there are a range of mandatory waste management services

that a Regional Council has to provide, and discretionary services that the Regional Council may provide at the request of their member Local Governments.

If the Regional Council has the capacity to provide other services, this is in line with a commercial ‘fee for service’ approach. It also adds value for their member Councils. Regional Councils do not have to provide those services themselves – opportunities should exist to contract to private industry at the discretion of the Regional Council.

Integrated Waste Management Systems

The current waste management systems have evolved without significant State Government oversight, Regional Councils and Local Government have taken the lead. The sector fully appreciates that it is desirable to have an enhanced level of coordination that is possible only if the State Government is more actively involved in this area. Local Government strongly supports integrated waste management systems to deliver environmentally sound, socially acceptable and economically prudent waste management outcomes. What this means in practice is the Government needs to show strong leadership by mandating the expectations for waste treatment options and investing in waste reduction and avoidance. The current State Waste Strategy targets are based on landfill avoidance, which gives no prioritisation of the diverse activities that lead to this diversion.

While giving consideration to metropolitan wide governance, aside from infrastructure, waste avoidance and reduction needs to be a cornerstone of the long term approach to waste management. Ultimately, the less waste generated, the less that needs to be managed. This approach clearly fits into making better decisions for waste.

There are a range of waste treatment options including composting (aerobic & anaerobic) and a suite of Waste to Energy technologies. It is however important to acknowledge that landfill will have a place in waste treatment for a considerable time. Given these settings, it is therefore recommended that an assessment of the validity of an aspirational ‘zero waste’ outcome is undertaken. For an integrated waste management system to operate effectively a range of funding mechanisms are needed. There are a range of potential approaches to funding, two options are direct funding through the WARR Levy (or other State Government funding) and using Extended Producer Responsibility Schemes to shift the burden of responsibility to producers.

Conclusion

Change in the current governance of waste management in the metropolitan area is clearly needed. Local Government has been taking a leadership role in diverting waste from landfill and ensuring that if material goes to landfill the environmental and human health impacts are minimised. However, with a growing population, an increasingly complex waste stream and more expensive treatment options becoming the norm, there is a need for a higher level of informed State Government coordination, leadership on policy, best practice and support via long term funding commitments.

Local Government is seeking commitment from the State Government to establish new governance structures for waste management in the metropolitan area (based on the model outlined) and put in place the policy, statutory and regulatory environment to ensure an integrated approach to waste management can be achieved for Western Australia.

Moved: Mayor D Ennis
Seconded: Cr D Thompson

That State Council endorse the Paper on Visions for Waste Management in the Metropolitan Area.

RESOLUTION 217.3/2013

CARRIED UNANIMOUSLY

5. MATTERS FOR DECISION

5.1 'Farm' Buildings, Building Code of Australia fire requirements and alternative solutions (05-015-02-0005 VJ)

WALGA RECOMMENDATION

That the Association:

- Advocates to the State Government and the Building Codes Board of Australia for changes to the 2015 version of the Building Code of Australia (BCA) to address the onerous fire requirements for 'farm' buildings in areas where deficient water infrastructure prevents economically viable satisfaction of BCA fire management requirements for new buildings;
- Recommends that the Minister for Commerce introduces a 'Ministerial Order' for 'farm' buildings, based on the South Australian specification, as an interim measure until the changes to the BCA are adopted;
- Seek the support of the Department of Fire and Emergency Services for the interim solution in WA; and
- Seek clarity from the Building Commission and the Department of Fire and Emergency Services on the terminology "available to attend" in regard to fire management requirements under the Building Code of Australia.

Avon Midland Country Zone	WALGA Recommendation supported
Central Country Zone	WALGA Recommendation supported
Central Metropolitan Zone	WALGA Recommendation supported
East Metropolitan Zone	WALGA Recommendation supported
Gascoyne Zone	WALGA Recommendation supported
Goldfields Esperance Country Zone	WALGA Recommendation supported
Great Eastern Country Zone	WALGA Recommendation supported
Great Southern Country Zone	WALGA Recommendation supported
Kimberley Zone	Meeting held prior to receiving Agenda
Murchison Country Zone	WALGA Recommendation supported
North Metropolitan Zone	WALGA Recommendation supported
Northern Country Zone	WALGA Recommendation supported
Peel Zone	WALGA Recommendation supported
Pilbara Zone	WALGA Recommendation supported
South East Metropolitan Zone	WALGA Recommendation supported
South Metropolitan Zone	WALGA Recommendation supported
South West Country Zone	WALGA Recommendation supported

**Moved: Mayor H Zelones
Seconded: Cr E O'Connell**

That the Association:

- **Advocates to the State Government and the Building Codes Board of Australia for changes to the 2015 version of the Building Code of Australia (BCA) to address the onerous fire requirements for 'farm' buildings in areas where deficient water infrastructure prevents economically viable satisfaction of BCA fire management requirements for new buildings;**
- **Recommends that the Minister for Commerce introduces a 'Ministerial Order' for 'farm' buildings, based on the South Australian specification, as an interim measure until the changes to the BCA are adopted;**
- **Seek the support of the Department of Fire and Emergency Services for the interim solution in WA; and**
- **Seek clarity from the Building Commission and the Department of Fire and Emergency Services on the terminology "available to attend" in regard to fire management requirements under the Building Code of Australia.**

RESOLUTION 218.3/2013

CARRIED UNANIMOUSLY

5.2 WALGA Submission – Review of the Emergency Services Acts (05-024-02-0059 EF)

WALGA RECOMMENDATION

That the Association’s submission on the Department of Fire and Emergency Services’ Review of the Emergency Services Acts be endorsed.

Avon Midland Country Zone	WALGA Recommendation supported
Central Country Zone	WALGA Recommendation supported
Central Metropolitan Zone	WALGA Recommendation supported
East Metropolitan Zone	WALGA Recommendation supported
Gascoyne Zone	WALGA Recommendation supported
Goldfields Esperance Country Zone	WALGA Recommendation supported
Great Eastern Country Zone	WALGA Recommendation supported
Great Southern Country Zone	WALGA Recommendation supported
Kimberley Zone	Meeting held prior to receiving Agenda
Murchison Country Zone	WALGA Recommendation supported
North Metropolitan Zone	WALGA Recommendation supported
Northern Country Zone	WALGA Recommendation supported
Peel Zone	WALGA Recommendation supported
Pilbara Zone	WALGA Recommendation supported
South East Metropolitan Zone	WALGA Recommendation supported
South Metropolitan Zone	WALGA Recommendation supported
South West Country Zone	WALGA Recommendation supported

**Moved: Cr D Thompson
Seconded: Mayor T Roberts**

That the Association’s submission on the Department of Fire and Emergency Services’ Review of the Emergency Services Acts be endorsed.

RESOLUTION 219.3/2013

CARRIED

5.3 Variations to Western Power’s Access Arrangement (05-042-02-0001 PS)

WALGA RECOMMENDATION

That WALGA’s submission to the Economic Regulation Authority on ‘Proposed Revisions to Western Power’s Access Arrangement’ be endorsed.

Avon Midland Country Zone	WALGA Recommendation supported
Central Country Zone	WALGA Recommendation supported
Central Metropolitan Zone	WALGA Recommendation supported
East Metropolitan Zone	WALGA Recommendation supported
Gascoyne Zone	WALGA Recommendation supported
Goldfields Esperance Country Zone	WALGA Recommendation supported
Great Eastern Country Zone	WALGA Recommendation supported
Great Southern Country Zone	WALGA Recommendation supported
Kimberley Zone	Meeting held prior to receiving Agenda
Murchison Country Zone	WALGA Recommendation supported
North Metropolitan Zone	WALGA Recommendation supported
Northern Country Zone	WALGA Recommendation supported
Peel Zone	WALGA Recommendation supported
Pilbara Zone	WALGA Recommendation supported
South East Metropolitan Zone	WALGA Recommendation supported
South Metropolitan Zone	WALGA Recommendation supported
South West Country Zone	WALGA Recommendation supported

Moved: Cr M Wainwright
Seconded: Cr D Michael

That WALGA’s submission to the Economic Regulation Authority on ‘Proposed Revisions to Western Power’s Access Arrangement’ be endorsed.

RESOLUTION 220.3/2013

CARRIED UNANIMOUSLY

**MATTERS FOR CONSIDERATION BY STATE COUNCILLORS
(UNDER SEPARATE COVER)**

5.4 Selection Committee Minutes (01-006-03-0011 MD)

By Margaret Degebrod, Governance Support Officer

Mayor R Yuryevich, Mayor H Zelones, Cr W Barrett and Mayor T Pickard, declared an interest in the following item and left the meeting at 4.55pm

**Moved: Cr D Thompson
Seconded: Cr E O'Connell**

That the recommendations from the Selection Committee Meeting Minutes dated 21 June 2013 be endorsed by State Council.

RESOLUTION 221.3/2013

CARRIED

Mayor R Yuryevich, Mayor Zelones, Cr W Barrett and Mayor T Pickard, returned to the meeting at 4.56pm

5.5 Honours Panel Committee Minutes (01-006-03-0006 CO)

By Chantelle O'Brien, Executive Officer Governance and Strategy

Cr J Brown, Cr S Broad, Cr D Michael, Mayor H Henderson and Cr D Thompson, declared an interest in the following item and left the meeting at 4.56pm.

**Moved: Mayor R Yuryevich
Seconded: Mayor C Adams**

That

- 1. the Minutes of the Honours Panel Meeting held on 10 June 2013 be received; and**
- 2. the Honours Panel's recommendations on recipients for awards as part of the Association Honours Program for 2013 be noted.**

RESOLUTION 222.3/2013

CARRIED UNANIMOUSLY

Cr J Brown, Cr S Broad, Cr D Michael, Mayor H Henderson and Cr D Thompson returned to the meeting at 5.00pm

Cr M Wainwright left the meeting at 5.00pm and did not return.

5.6 Use of the Association's Common Seal (01-004-07-0001 RB)

By Ricky Burges, Chief Executive Officer

**Moved: Cr S Broad
Seconded: Cr G Amphlett**

That the use of the Association's Common Seal for the following purposes be noted:

Document	Document Description	Signatory	State Council prior approval
Extension of Lease – Whole of Levels 1 & 2, 17 Altona Street and Part Level 1 & Unit 1, Level 3, 15 Altona Street, West Perth	Extension of Lease	<ul style="list-style-type: none"> WALGA Mayor Troy Pickard Ricky Burges And Jardine Lloyd Thompson P/L 	No
Extension of Licence, 15 & 17 Altona Street, West Perth	Extension of Licence	<ul style="list-style-type: none"> WALGA Mayor Troy Pickard Ricky Burges And Jardine Lloyd Thompson P/L 	No

RESOLUTION 223.3/2013

CARRIED UNANIMOUSLY

5.7 Finance & Services Committee Minutes (01-006-03-0006 NW)

By Nick Wood, Executive Manager, Corporate Business Solutions

**Moved: Cr J Brown
Seconded: Cr W Barrett**

- 1. The Minutes of the Finance and Services Committee Meeting of 26 June 2013 be received;**
- 2. The 2013/14 Governance Budget for the Association as recommended by the Finance and Services Committee be adopted.**

RESOLUTION 224.3/2013

CARRIED UNANIMOUSLY

The President, on behalf of State Council thanked the WALGA Finance Staff on their hard work preparing the 2013/2014 Governance Budget.

Cr D Thompson left the meeting at 5.10pm and did not return.

6. MATTERS FOR NOTING / INFORMATION

6.1 Constitutional Recognition Update (WFS)

WALGA RECOMMENDATION

That the Constitutional Recognition update report be noted.

Avon Midland Country Zone	WALGA Recommendation noted
Central Country Zone	WALGA Recommendation noted
Central Metropolitan Zone	WALGA Recommendation noted
East Metropolitan Zone	WALGA Recommendation noted
Gascoyne Zone	WALGA Recommendation noted
Goldfields Esperance Country Zone	WALGA Recommendation noted
Great Eastern Country Zone	WALGA Recommendation noted
Great Southern Country Zone	WALGA Recommendation noted
Kimberley Zone	Meeting held prior to receiving Agenda
Murchison Country Zone	WALGA Recommendation noted
North Metropolitan Zone	WALGA Recommendation noted
Northern Country Zone	WALGA Recommendation noted
Peel Zone	WALGA Recommendation noted
Pilbara Zone	WALGA Recommendation noted
South East Metropolitan Zone	WALGA Recommendation noted
South Metropolitan Zone	WALGA Recommendation noted
South West Country Zone	WALGA Recommendation noted

**Moved: Cr L Short
Seconded: Mayor D Ennis**

That the Constitutional Recognition update report be noted.

RESOLUTION 225.3/2013

CARRIED UNANIMOUSLY

6.2 Emergency Risk Management Tool for Local Government (06-046-0001 JL)

WALGA RECOMMENDATION

That State Council notes the progress of the *Community Emergency Risk Assessment Tool (CERAT)* trial for Local Government in Western Australian.

Avon Midland Country Zone	WALGA Recommendation noted
Central Country Zone	WALGA Recommendation noted
Central Metropolitan Zone	WALGA Recommendation noted
East Metropolitan Zone	WALGA Recommendation noted
Gascoyne Zone	WALGA Recommendation noted
Goldfields Esperance Country Zone	WALGA Recommendation noted
Great Eastern Country Zone	WALGA Recommendation noted
Great Southern Country Zone	WALGA Recommendation noted
Kimberley Zone	Meeting held prior to receiving Agenda
Murchison Country Zone	WALGA Recommendation noted
North Metropolitan Zone	WALGA Recommendation noted
Northern Country Zone	WALGA Recommendation noted
Peel Zone	WALGA Recommendation noted
Pilbara Zone	WALGA Recommendation noted
South East Metropolitan Zone	WALGA Recommendation noted
South Metropolitan Zone	WALGA Recommendation noted
South West Country Zone	WALGA Recommendation noted

Moved: Cr J Brown
Seconded: Mayor D Ennis

That State Council notes the progress of the *Community Emergency Risk Assessment Tool (CERAT)* trial for Local Government in Western Australian.

RESOLUTION 226.3/2013

CARRIED

6.3 Bushfire Volunteer Legislation Development (05-024-03-0028 EF)

WALGA RECOMMENDATION

That the developments in relation to insurance and assistance arrangements for Bushfire Firefighters and Volunteers, be noted by State Council.

Avon Midland Country Zone	WALGA Recommendation noted
Central Country Zone	WALGA Recommendation noted
Central Metropolitan Zone	WALGA Recommendation noted
East Metropolitan Zone	WALGA Recommendation noted
Gascoyne Zone	WALGA Recommendation noted
Goldfields Esperance Country Zone	WALGA Recommendation noted
Great Eastern Country Zone	WALGA Recommendation noted
Great Southern Country Zone	WALGA Recommendation noted
Kimberley Zone	Meeting held prior to receiving Agenda
Murchison Country Zone	WALGA Recommendation noted
North Metropolitan Zone	WALGA Recommendation noted
Northern Country Zone	WALGA Recommendation noted
Peel Zone	WALGA Recommendation noted
Pilbara Zone	WALGA Recommendation noted
South East Metropolitan Zone	WALGA Recommendation noted
South Metropolitan Zone	WALGA Recommendation noted
South West Country Zone	WALGA Recommendation noted

Moved: Cr L Short

Seconded: Mayor H Zelones

That the developments in relation to insurance and assistance arrangements for Bushfire Firefighters and Volunteers, be noted by State Council.

RESOLUTION 227.3/2013

CARRIED

6.4 Report Municipal Waste Advisory Council (MWAC) (01-006-03-0008 RNB)

WALGA RECOMMENDATION

That the resolutions of the Municipal Waste Advisory Council at its 24 April 2013 meeting be noted.

Avon Midland Country Zone	WALGA Recommendation noted
Central Country Zone	WALGA Recommendation noted
Central Metropolitan Zone	WALGA Recommendation noted
East Metropolitan Zone	WALGA Recommendation noted
Gascoyne Zone	WALGA Recommendation noted
Goldfields Esperance Country Zone	WALGA Recommendation noted
Great Eastern Country Zone	WALGA Recommendation noted
Great Southern Country Zone	WALGA Recommendation noted
Kimberley Zone	Meeting held prior to receiving Agenda
Murchison Country Zone	WALGA Recommendation noted
North Metropolitan Zone	WALGA Recommendation noted
Northern Country Zone	WALGA Recommendation noted
Peel Zone	WALGA Recommendation noted
Pilbara Zone	WALGA Recommendation noted
South East Metropolitan Zone	WALGA Recommendation noted
South Metropolitan Zone	WALGA Recommendation noted
South West Country Zone	WALGA Recommendation noted

**Moved: Mayor D Ennis
Seconded: Cr W Barrett**

That the resolutions of the Municipal Waste Advisory Council at its 24 April 2013 meeting be noted.

RESOLUTION 228.3/2013

CARRIED UNANIMOUSLY

7. ORGANISATIONAL REPORTS

7.1 Key Activity Reports

7.1.1 Report on Key Activities, Environment and Waste (01-006-03-0017 MJB)

Moved: Cr K Chappel
Seconded: Mayor T Roberts

That the Key Activities Report from the Environment and Waste Unit to the 3 July 2013 State Council meeting be noted.

RESOLUTION 229.3/2013

CARRIED

7.1.2 Report on Key Activities, Governance and Strategy (01-006-03-0007 TB)

Moved: Cr K Chappel
Seconded: Mayor T Roberts

That the Key Activities Report from the Governance and Strategy Unit to the 3 July 2013 State Council meeting be noted.

RESOLUTION 230.3/2013

CARRIED

7.1.3. Report on Key Activities, Infrastructure (05-001-02-0003 ID)

Moved: Cr K Chappel
Seconded: Mayor T Roberts

That the Key Activities Report from the Infrastructure Unit to the 3 July 2013 State Council meeting be noted.

RESOLUTION 231.3/2013

CARRIED

7.1.4 Report on Key Activities, Planning and Community Development (01-006-03-0014 AH)

Moved: Cr K Chappel
Seconded: Mayor T Roberts

That the Key Activities Report from the Planning and Community Development Unit to 3 July 2013 State Council meeting be noted.

RESOLUTION 232.3/2013

CARRIED

7.2 Policy Forum Report (01-006-03-0007 TB)

**Moved: Mayor D Ennis
Seconded: Cr L Short**

That the report on the key activities of the Association's Policy Forums to the 3 July 2013 State Council meeting be noted.

RESOLUTION 234.3/2013

CARRIED

7.3 President's Report

**Moved: Mayor D Ennis
Seconded: Cr W Sanford**

That the President's Report for July 2013 be received.

RESOLUTION 235.3/2013

CARRIED

Mayor T Roberts left the meeting at 5.23pm and did not return.

Cr J Davidson left the meeting at 5.37pm and did not return.

All staff and observers were requested to leave the meeting at 5.38pm for consideration of an item behind closed doors.

7.3.1 CEO Performance Assessment and Review – CONFIDENTIAL ITEM

**Moved: Cr J Brown
Seconded: Cr C Mitchell**

- 1. It be noted that the Chief Executive Officer has undertaken regular performance appraisals with State Council and continues to be highly rated as the Association's CEO.**
- 2. The Chief Executive Officer's annual remuneration package be increased to the midpoint of the Hay scale, effective from 1st January 2013.**
- 3. The vehicle allowance be adjusted from \$13,600 to \$12,483 (published rates have been reduced).**

RESOLUTION 236.3/2013

CARRIED UNANIMOUSLY

**Moved: Mayor R Yuryevich
Seconded: Mayor D Ennis**

- 4. A new contract of employment under the existing terms and conditions (noting the adjustments as above) be offered to Ricky Burges, WALGA CEO effective immediately. This matter being deferred to the next State Council Meeting; a copy of the contract to be provided under separate cover prior to discussion.**

RESOLUTION 237.3/2013

CARRIED

All staff returned to the meeting at 6.35pm.

7.4 CEO's Report

**Moved: Cr S Broad
Seconded: Mayor D Ennis**

That the CEO's Report for July 2013 be received. CD

RESOLUTION 238.3/2013

CARRIED

8. ADDITIONAL ZONE RESOLUTIONS

Moved: Cr E O'Connell
Seconded: Mayor D Ennis

That the additional Zone Resolutions from the July 2013 round of Zones meetings as follows be referred to the appropriate policy area for consideration.

RESOLUTION 239.3/2013

CARRIED UNANIMOUSLY

GREAT EASTERN COUNTRY ZONE

Zone Agenda Item 9.4 Review of WALGA State Council Agenda – Policy Forum Reports (Governance and Strategy)

1. That WALGA be requested, as a matter of urgency, to write to the Minister for Local Government requesting he release the State Government response to the Metropolitan Local Government Review Panel's report to all local governments and not exclusively to metropolitan local governments.

WALGA Focus Groups – Consultation in the Wheatbelt (Governance and Strategy)

2. Request that WALGA in conducting any future consultation or arranging similar type of sector wide meetings conduct at least one meeting within the Great Eastern Country Zone area; and
3. Request that WALGA advise relevant government agencies of the expectation that whenever consultations meetings are being arranged with local government that strong consideration is given to ensure an even spread of meetings across the State, with particular reference to meetings within the Wheatbelt area.

Public Swimming Pool Operating Subsidy (Community)

2. Request WALGA to pursue an increase in the swimming pool operating subsidy in keeping with changes in the Consumer Price Index for Perth; and

RTG Funding Agreements (Governance and Strategy)

2. That WALGA be requested to pursue action with the Minister for Local Government and the Department of Local Government advising that the renegotiation of joint venture

CENTRAL COUNTRY ZONE

WALGA Focus Groups – Consultation in the Wheatbelt (Governance and Strategy)

2. Request that WALGA in conducting any future consultation or arranging similar type of sector wide meetings conduct at least one meeting within the Central Country Zone area; and

3. Request that WALGA advise relevant government agencies that whenever consultations meetings are being arranged with local government the Central Country Zone expects in future that a consultation meeting will be held within the Central Country Zone area.

EAST METROPOLITAN ZONE

Street lighting (Infrastructure)

That the East Metropolitan Zone requests WALGA to report to the Zone on the Context and progress of advocacy to Western Power on the issue of Street Lighting.

NORTH METROPOLITAN ZONE

Public Library Funding and Lobbying Requirement (Community)

1. That WALGA request that SLPASC develop a business case that reflects the quantum of funding required for the next five years to ensure appropriate levels of resourcing and innovation of public library services, in advance of the 2014/15 State Budget as a matter of high priority.
2. That WALGA, work with Local Government and Public Libraries Western Australia develop and implement a Public Library Funding Lobbying Campaign as a matter of high priority.

Public Library Efficiencies (Community)

That WALGA:

1. provide a progress update on current SLPASC priorities and projects, and the status of recommendations from the Structural Reform of Public Library Services and the Library Exchange Review.
2. provide an update on discussions with the Department of Treasury in relation to the discard of library materials and transfer of ownership of stock and that this be progressed as a critical issue.
3. investigate the feasibility of implementing more contemporary and efficient procurement methods including outsourcing stock selection as a high priority.
4. investigate the feasibility of distributing library materials funding direct to the Local Government Authority.

PEEL COUNTRY ZONE

Guest Speakers/Deputations (Emergency Management)

1. WALGA undertakes a review of the Emergency Services Levy as a matter of urgency.
2. A letter be sent to WALGA outlining the inequities in the Emergency Services Levy.

MURCHISON COUNTRY ZONE

Swimming Pool Subsidy for Water Spray Parks (Shire of Yalgoo) – 10th May 2013 (Community)

That the Murchison Country Zone requests WALGA to lobby for a subsidy, similar to the existing Public Swimming Pool Operating Subsidy, for local governments that operate public water spray park facilities.

Retention of Country Local Government Fund Grants – 10th May 2013 (Governance and Strategy)

That the Murchison Country Zone of WALGA request WALGA to support the rural and remote components of the Country Local Government Fund and that WALGA and the Zone canvas the Premier and Ministers to keep the CLGF as it currently exists.

SOUTH WEST COUNTRY ZONE

Cotton Bush (Environment and Waste)

That the Zone:

1. Raises with WALGA, the Minister for Agriculture and all local Members of Parliament its urgent concerns in relation to the infestation of Cotton Bush in the southwest and the lack of attention to this and other weed and pest control by DAFWA;
2. Seeks a commitment from the State Government to adequately resource DAFWA to enable it to address weed and pest control in the state;
3. Advises the state government of the ongoing concerns with the lack of management of pest and weed control of other government agencies on their controlled lands;
4. Request WALGA that this issue be placed on the WALGA AGM agenda for further consideration; and
5. Advises WALGA and the Hon Minister for Food and Agriculture that it considers that the current Biosecurity and Agriculture Management Act and Regulations are flawed and seek the immediate establishment of a working group to consult on proposals for amendments to the legislation.

9. MEETING ASSESSMENT

Mayor C Adams provided feedback as to the effectiveness of the meeting.

10. DATE OF NEXT MEETING

That the next meeting of the Western Australia Local Government Association State Council be held in the Boardroom at WALGA, 15 Altona Street West Perth, on Wednesday 4 September 2013 commencing 4pm.

11. CLOSURE

There being no further business, the President declared the meeting closed at 6.37pm.



MINUTES

ORDINARY COUNCIL MEETING

TIME: 5.30PM

4 JULY 2013

TOWN OF CAMBRIDGE

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



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Prior to taking their seats for the meeting each member elected by the Member Councils, made the required Declaration of Elected Member for the position of Councillor of the Mindarie Regional Council in accordance with s.702 of the Local Government Act 1960.

1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The CEO declared the meeting open at 5.32pm.

2 ELECTION OF CHAIR

The CEO advised Council that he had received a nomination from Cr Hollywood nominating Cr Fishwick for the Chairperson role, which contained Cr Fishwick's signature. The CEO asked if there were any further nominations. No further nominations were received.

Cr Fishwick was declared elected as Chairperson unopposed and resumed the role of Chair of the meeting.

Cr Withers arrived at 5.34pm

3 ELECTION OF DEPUTY CHAIR

The Chairperson advised Council that he had received one nomination from Cr Bissett for the position of Deputy Chairperson and asked if there were any further nominations. Cr Bissett was declared elected as the Deputy Chairperson.

Cr John Bissett was declared elected as Deputy Chairman.

4 ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE

PRESENT: Chairman

- Cr R Fishwick JP
- Cr J Bissett
- Cr D Boothman
- Cr R Butler
- Cr S Cooke
- Cr L Gray JP
- Cr K Hollywood
- Cr A MacTiernan (*arrived at 5.36pm*)
- Cr D Newton JP
- Cr J Robbins
- Cr S Withers (*arrived at 5.34pm*)

APOLOGIES: Cr B Stewart

ABSENT : Nil

IN ATTENDANCE:

Mindarie Regional Council Officers:	B Callander	Chief Executive Officer
	G Hoppe	Director Corporate Services
	L Nyssen	Governance Officer
	G Atkinson	Education Manager

Member Council Officers:	J Buckley	Town of Cambridge
	N Claassen	City of Joondalup
	D Forster	City of Perth
	J Giorgi	City of Vincent
	S Jardine	City of Stirling
	A Murphy	City of Joondalup
	M Penson	City of Wanneroo
	D Simms	City of Wanneroo

VISITORS: Peg Davies MRC – Education Officer

MEDIA: Nil

PUBLIC: 1

5 DECLARATION OF INTERESTS

Interest Type	Impartiality
Name and Position of Person	Cr Kerry Hollywood, Councillor
Report Item No. and Topic	Item 11.4 – Tender for Clay Lining
Nature of Interest	Husband is a friend of the owner of Ertech, Jim Guimelli.

6 PUBLIC QUESTION TIME

Nil

7 ANNOUNCEMENTS BY THE PRESIDING PERSON

The Chairperson brought to the attention of the meeting:

- 1. The plans developed by the Council to meet the new legislative requirements of the Integrated Planning Framework that were endorsed at the Special Council meeting held on 20 June 2013. The 20 Year Strategic Community Plan sets the vision, strategies and objectives required to ensure the long term viability of the Council. The Corporate Business Plan ensures that the strategies and objectives are implemented. These plans are ably supported with the development of the Asset Management Plan, 20 Year Financial Plan and the Workforce Plan and will provide the setting of the Budget annually;*
- 2. A Late item for the Appointment of an External Auditor; and*
- 3. That he had approved “Urgent Business” relating to presenting an offer for negotiation to the City of Stirling aimed at retaining them as a contributing member.*

8 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

9 PETITIONS / DEPUTATIONS / PRESENTATIONS

Nil

Cr MacTiernan arrived at 5.36pm

10 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

10.1 ORDINARY COUNCIL MEETING – 2 MAY 2013

The Minutes of the Ordinary Council Meeting held on 2 May 2013 have been printed and circulated to members of the Council.

RESPONSIBLE OFFICER RECOMMENDATION

That the Minutes of the Ordinary Council Meeting of Council held on 2 May 2013 be confirmed as a true record of the proceedings.

RESOLVED

**Cr Cooke moved, Cr Boothman seconded
That the recommendation be adopted.**

CARRIED UNANIMOUSLY (11/0)

10.2 SPECIAL COUNCIL MEETING – 20 JUNE 2013

The Minutes of the Special Council Meeting held on 20 June 2013 have been printed and circulated to members of the Council.

RESPONSIBLE OFFICER RECOMMENDATION

That the Minutes of the Special Council Meeting of Council held on 20 June 2013 be confirmed as a true record of the proceedings.

RESOLVED

**Cr Newton moved, Cr Fishwick seconded
That the recommendation be adopted.**

CARRIED UNANIMOUSLY (11/0)

11 CHIEF EXECUTIVE OFFICER REPORTS

11.1	FINANCIAL STATEMENTS FOR THE PERIODS ENDED 31 MARCH 2013 AND 30 APRIL 2013
File No:	FIN/5-03
Appendix(s):	Appendix No. 1 Appendix No. 2 Appendix No. 3
Date:	10 June 2013
Responsible Officer:	Gunther Hoppe

SUMMARY

The purpose of this report is to provide financial reporting in line with statutory requirements which provides useful information to stakeholders of the Council.

BACKGROUND

Reporting requirements are defined by Financial Management Regulations 34 of the Local Government (Financial Management) Regulations 1996.

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 Activity
- Statement of Reserves
- Statement of Financial Position
- Statement of Investing Activities
- Information on Borrowings
- Tonnage Report

DETAIL

The Financial Statements attached are for the months ended 31 March 2013 and 30 April 2013 and are attached at **Appendix No. 1 and 2** to this Item. The Tonnage Report for the 10 months to 30 April 2013 is attached at **Appendix No. 3**.

The complete suite of Financial Statements which includes the Operating Statements, Statement of Financial Position, Statement of Financial Activity and other related information are reported on a monthly basis.

The estimates for Provisions for Amortisation of Cell Development, Capping and Post Closure expenditure 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 actual tonnages on a survey carried out to assess the “air space” remaining and other relevant information.

Summary of results for the year to 30 April 2013

	Actual	Budget (a)	Variance
	t	t	t
Tonnes – Members	205,347	206,572	(1,225)
Tonnes – Others	32,404	35,999	(3,595)
TOTAL TONNES	237,751	242,571	(4,820)
	\$	\$	\$
Revenue – Members	27,216,389	27,436,264	(219,875)
Revenue – Other	7,157,260	7,411,480	(254,220)
TOTAL REVENUE	34,373,649	34,847,744	(474,095)
Expenses	34,818,079	35,578,178	760,099
Loss/(profit) on sale of assets	5,909	6,845	936
NET DEFICIT	(450,338)	(737,279)	286,940

(a) this is based on the revised budget adopted in March 2013.

VOTING REQUIREMENT

Simple Majority

RESPONSIBLE OFFICER RECOMMENDATION

That the Financial Statements set out in Appendix No. 1 and 2 for the months ended 31 March 2013 and 30 April 2013, respectively, be received.

RESOLVED

**Cr Gray moved, Cr Robbins seconded
That the recommendation be adopted.**

CARRIED UNANIMOUSLY (11/0)

11.2	LIST OF PAYMENTS MADE FOR THE MONTHS ENDED 31 MARCH 2013 AND 30 APRIL 2013
File No:	FIN/5-03
Appendix(s):	Appendix No. 4 Appendix No. 5
Date:	12 June 2013
Responsible Officer:	Gunther Hoppe

SUMMARY

The purpose of this report is to provide details of payments made during the periods identified. This is in line with the requirement under the delegated authority to the Chief Executive Officer (CEO), that a list of payments made from the Municipal Fund since the last Ordinary Council meeting be presented to Council.

COMMENT

The lists of payments for the months ended 31 March 2013 and 30 April 2013 are at **Appendix 4 and 5** to this Item and are presented to Council for noting. Payments have been made in accordance with the delegated authority to the CEO which allows payments to be made between meetings. At the Ordinary Council Meeting held on 5 July 2012, the Council delegated to the CEO the exercise of its power to make payments from the Municipal Fund. 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 the Mindarie Regional Council is able to claim this tax as an input credit when GST remittances are made each month to the Australian Tax Office.

Months Ended	Account	Vouchers	Amount
31 March 2013	General Municipal	Cheques	\$86,929.80
		EFT	\$388,000.67
		DP	\$2,460,945.66
		Total	\$2,935,876.13
30 April 2013	General Municipal	Cheques	\$101,947.69
		EFT	\$308,496.07
		DP	\$3,408,115.45
		Total	\$3,818,559.21

VOTING REQUIREMENT

Simple Majority

RESPONSIBLE OFFICER RECOMMENDATION

That the list of payments made under delegated authority to the Chief Executive Officer, for the months ended 31 March 2013 and 30 April 2013 be noted.

RESOLVED

**Cr Bissett moved, Cr Cooke seconded
 That the recommendation be adopted.**

CARRIED UNANIMOUSLY (11/0)

11.3	MINDARIE REGIONAL COUNCIL STANDING ORDERS AMENDMENT LOCAL LAW 2013
File No:	LAW/6
Appendix(s):	Appendix No. 6
Date:	11 June 2013
Responsible Officer:	Brian Callander

SUMMARY

Seeking Council's approval to make the Mindarie Regional Council's (MRC) Standing Orders Amendment Local Law 2013.

BACKGROUND

The Joint Standing Committee on Delegated Legislation (the Committee) considered the Amendment Local Law at its meeting on 14 May 2012 and resolved to write to the MRC regarding a potential procedural defect in the making of the Amendment Local Law. The Committee noted that information provided by MRC reveals s.3.12(3) of the *Local Government Act 1995 (the Act)* was not followed in the prescribed sequential process demanded of s.3.12.

The information revealed that the MRC gave State-wide public notice on 14 December 2011 but:

- Did not give a copy of the proposed local law to the Department of Local Government until a month later, whereas the Act stipulates that this must be done "as soon as the notice is given"; and
- Did not give a copy of the State-wide public notice to the Minister pursuant to s.3.12(3)(b) of the Act.

The Committee resolved to place a 'protective' *Notice of Motion* to disallow the Amendment Local Law in the Legislative Council on 14 June 2012. On 19 June 2012 the Committee requested the MRC to provide to them, in writing confirmation of the above. The MRC responded to the Committee on 16 July 2012 confirming that the information was correct.

The Committee advised MRC on the 3 December 2012 that the MRC Standing Orders Amendment Local Law 2012 was disallowed by the Legislative Council on 27 September 2012 and requested information as to what steps the Council is undertaking to re-make the Amendment Local Law. The MRC responded to the Committee on 3 December 2012 advising that the proposed MRC Standing Orders Amendment Local Law 2013 will be presented to the next available Ordinary Council meeting scheduled for 7 March 2013.

The purpose and effect of the amended Local Law reads as follows:

The **purpose** of the amendment is to delete subclause 5.9(3).

The **effect** of the amendment is to remove the power of the presiding person to rule that a member must not speak again on a matter.

DETAIL

On 7 March 2013, the Council resolved to give Statewide public notice of its proposal to amend the MRC Standing Orders 2010.

Subsequently, Statewide public notice was given of the proposed Amendment Local Law in the West Australian on 16 March 2013. No submissions were received.

On the 22 April 2013 the Department of Local Government provided comments on the proposed amendments to this local law as follows:

“In the enactment clause, it is suggested the word “Amendment” after the phrase “the following” be deleted.”

The Department of Local Government has requested a minor change to the local law requiring the first paragraph of the local law to be changed by deleting the word “Amendment” after the words “the following”. *As this change is not significantly different from what was proposed the change is supportable.*

The MRC Standing Orders Amendment Local Law 2013 has been prepared by the MRC Administration taking into account the comments from the Department of Local Government and is at **Appendix No. 6**.

CONSULTATION

As required by the Local Government Act 1995 a copy of the proposed local law was provided to the Minister for Local Government.

STATUTORY ENVIRONMENT

The process for amending the text of a Local Law is covered in s3.12 of the *Local Government Act 1995*, which reads as follows:

“3.12. Procedure for making local laws

- (1) In making a local law a local government is to follow the procedure described in this section, in the sequence in which it is described.*
 - (2) At a council meeting the person presiding is to give notice to the meeting of the purpose and effect of the proposed local law in the prescribed manner.*
 - (3) The local government is to —*
 - (a) give Statewide public notice stating that —*
 - (i) the local government proposes to make a local law the purpose and effect of which is summarized in the notice;*
 - (ii) a copy of the proposed local law may be inspected or obtained at any place specified in the notice; and*
 - (iii) submissions about the proposed local law may be made to the local government before a day to be specified in the notice, being a day that is not less than 6 weeks after the notice is given;*
 - (b) as soon as the notice is given, give a copy of the proposed local law and a copy of the notice to the Minister and, if another Minister administers the Act under which the local*
-

-
- law is proposed to be made, to that other Minister; and*
- (c) *provide a copy of the proposed local law, in accordance with the notice, to any person requesting it.*
- (3a) *A notice under subsection (3) is also to be published and exhibited as if it were a local public notice.*
- (4) *After the last day for submissions, the local government is to consider any submissions made and may make the local law* as proposed or make a local law* that is not significantly different from what was proposed.*
** Absolute majority required.*
- (5) *After making the local law, the local government is to publish it in the Gazette and give a copy of it to the Minister and, if another Minister administers the Act under which the local law is proposed to be made, to that other Minister.*
- (6) *After the local law has been published in the Gazette the local government is to give local public notice —*
- (a) *stating the title of the local law;*
- (b) *summarizing the purpose and effect of the local law (specifying the day on which it comes into operation); and*
- (c) *advising that copies of the local law may be inspected or obtained from the local government's office.*
- (7) *The Minister may give directions to local governments requiring them to provide to the Parliament copies of local laws they have made and any explanatory or other material relating to them.*
- (8) *In this section —*
making *in relation to a local law, includes making a local law to amend the text of, or repeal, a local law.*

3.13. *Procedure where significant change in proposal*

If during the procedure for making a proposed local law the local government decides to make a local law that would be significantly different from what it first proposed, the local government is to recommence the procedure.

3.14. *Commencement of local laws*

- (1) *Unless it is made under section 3.17, a local law comes into operation on the 14th day after the day on which it is published in the Gazette or on such later day as may be specified in the local law.*
- (2) *A local law made under section 3.17 comes into operation on the day on which it is published in the Gazette or on such later day as may be specified in the local law.*

3.15. *Local laws to be publicized*

A local government is to take reasonable steps to ensure that the inhabitants of the district are informed of the purpose and effect of all of its local laws.

3.16. Periodic review of local laws

- (1) *Within a period of 8 years from the day when a local law commenced or a report of a review of the local law was accepted under this section, as the case requires, a local government is to carry out a review of the local law to determine whether or not it considers that it should be repealed or amended.*
- (2) *The local government is to give Statewide public notice stating that —*
 - (a) *the local government proposes to review the local law;*
 - (b) *a copy of the local law may be inspected or obtained at any place specified in the notice; and*
 - (c) *submissions about the local law may be made to the local government before a day to be specified in the notice, being a day that is not less than 6 weeks after the notice is given.*
- (2a) *A notice under subsection (2) is also to be published and exhibited as if it were a local public notice.*
- (3) *After the last day for submissions, the local government is to consider any submissions made and cause a report of the review to be prepared and submitted to its council.*
- (4) *When its council has considered the report, the local government may determine* whether or not it considers that the local law should be repealed or amended.*

** Absolute majority required.”*

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

The Standing Orders Local Law ensures that the official meetings held by the MRC are conducted in an orderly and proper manner.

COMMENT

The Committee has advised the MRC of the disallowance of the Amendment Local Law and requested information as to what steps the MRC is undertaking to re-make the Amendment Local Law. To enact an amendment to a Local Law requires the same process as if a new Local Law was being enacted. The Council at a meeting on 7 March 2013 endorsed the Mindarie Regional Council Standing Orders Amendment Local Law and confirmed its purpose and effect and authorised it be advertised Statewide as required by s.3.12 (3) of the *Local Government Act 1995*.

As required by s.3.12 (4) of the *Local Government Act 1995* the Council is now required to

consider and may make the local law proposed or make the local law that is not significantly different from what was proposed.

VOTING REQUIREMENT

Absolute Majority

RESPONSIBLE OFFICER RECOMMENDATION

- A. That Council proceed to make the Mindarie Regional Council Standing Orders Amendment Local Law 2013 as set out in Appendix No. 6.
(Absolute Majority Required)**

RESOLVED

**Cr Bissett moved, Cr Newton seconded
That the recommendation be adopted.**

CARRIED UNANIMOUSLY BY ABSOLUTE MAJORITY (11/0)

B. That Council:

- 1. publishes the local law detailed in (A) above in the Government Gazette;**
- 2. provide, once the local law has been published in (1) above, the following:**
 - a. a copy of the local law to the Minister for Local Government: and**
 - b. local public notice stating the title of the local law, summarising its purpose and effect and where copies are available for inspection.**

RESOLVED

**Cr Bissett moved, Cr Newton seconded
That the recommendation be adopted.**

CARRIED UNANIMOUSLY (11/0)

11.4	TENDER FOR CLAY LINING
File No:	WST/195
Appendix(s):	Nil
Date:	17 June 2013
Responsible Officer:	CEO

SUMMARY

Seeking endorsement of successful tenderer for the clay lining of Stage 2 Phase 3 of the Tamala Park landfill.

BACKGROUND

The Mindarie Regional Council (MRC) at its meeting on the 2 May 2013 authorised by resolution the tendering for the clay lining to Stage 2 Phase 3 of the landfill at Tamala Park. The resolution of Council reads as follows:-

“That:

- 1. The tendering for the clay lining to Stage 2 Phase 3 of the landfill at Tamala Park be authorised;*
- 2. \$1.5Million be set aside in the 2013/14 Budget for the first year of the project detailed in (1) above;*
- 3. The funds required detailed in (2) above to be funded from borrowings and included in the 2013/14 Budget; and*
- 4. The response to, and consideration of, the tenders be the subject of a separate report to Council at its meeting on 4 July 2013.”*

The tender was advertised in the West Australian on Saturday 4 May 2013 indicating the closing date as Friday 31 May 2013 at 2.00pm. The tender box at the administration of the MRC at 1700 Marmion Avenue was opened at the time and date described in the advertisement. Two tenders were received one from Ertech and the other from Coalcliff Plant Hire.

DETAIL

A panel of three being the Chief Executive Officer, Brian Callander, the Director of Corporate Services, Gunther Hoppe and Consultant, Ian Watkins assessed the tenders against the criteria set in the Request for Tender. The criteria reads as follows:-

A. Relevant Experience	Weighting 20%
<ol style="list-style-type: none"> <i>a. Provide details of similar work undertaken.</i> <i>b. Provide scope of the Tenderer’s involvement including details of outcomes.</i> <i>c. Provide details of issues that arose during the project and how these were managed.</i> <i>d. Demonstrate competency and proven track record of achieving outcomes.</i> <i>e. Project Reference Sheet</i> 	

B. Key Personnel Skills and Experience	Weighting 15%
<p>a. <i>The Tenderer's role in the performance of the Contract.</i> b. <i>Curriculum vitae of key staff inclusive of membership to any professional or business association, qualifications etc.</i> c. <i>Level of relevant experience of site based staff and equipment operators</i> Supply any other relevant details in an attachment and label it "Key Personnel Skills and Experience".</p>	
C. Tenderer's Resources	Weighting 15%
<p>a. <i>Plant, equipment and materials.</i> b. <i>Any contingency measures or backup of resources including personnel (where applicable).</i> c. <i>Safety Record.</i> d. <i>Resources Schedule.</i> As a minimum, Tenderers should provide a current commitment schedule and plant/equipment schedule in an attachment and label it "Tenderer's Resources".</p>	
D. Demonstrated Understanding	Weighting 20%
<p>a. <i>The process for sourcing and selecting the nominated clay source(s).</i> b. <i>The process for the delivery of the Goods/Services.</i> c. <i>Training processes (if required).</i> d. <i>Demonstrated understanding of the Scope of Work.</i> Supply details and provide an outline of your proposed methodology in an attachment labelled "Demonstrated Understanding".</p>	
E. Tendered Price	Weighting 30%

The tenders were considered by the panel to be conforming. The contract value of the tenders are detailed in the following table:

TENDERERS	CONTRACT VALUE (\$) GST Excluded
ERTECH	1,395,192
COALCLIFF PLANT HIRE	*1,027,729

*Coalcliff Plant Hire tender price was adjusted for assessment purposes. Two prices in Coalcliff's schedule valued at \$30,123 were not within the scope of this stage of the work. As such the panel assessed Coalcliff's submission using the reduced price of \$997,606. This also ensured that the tenders were assessed on a like for like basis.

The following table provides the weighted overall score of the tender panel as assessed against the criteria for each of the tenders submitted.

Panel Member	Ertech (Weighted Score)	Coalcliff Plant Hire (Weighted Score)
Brian Callander	62.5	50
Gunther Hoppe	81	59.5
Ian Watkins	65.5	54
TOTAL	209	176

CONSULTATION

Nil

STATUTORY ENVIRONMENT

The tender process was conducted in accordance with the Local Government (Functions and General) Regulations 1996

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

The project will continue for a period of five years and has two one year options, which will require varying budget amounts in each of the years of the project. Year 1 being in 2013/14 has a budget allocation of \$1,500,000 to be funded from borrowings. This amount substantially covers the cost of this stage of the project.

In addition to the tender cost there will be two further costs associated with this project. The first being a contingency of 5% (\$67,500) of the project cost per annum. This is to cover any additional work not anticipated in the tender. The second cost is \$40,000 for the provision of a superintendent for this project.

STRATEGIC IMPLICATIONS

Nil

COMMENT

The tender price varies by approximately 40% with Coalcliff's submission being \$397,586 less than Ertech's. The Panel however considered the criteria closely and notwithstanding the vast price differential, which favoured Coalcliff in the score weighting Ertech scored higher in all other criteria. As such the panel had no hesitation in recommending Ertech Pty Ltd be awarded the tender for the clay lining of stage 2 phase 3 of the landfill at Tamala Park.

VOTING REQUIREMENT

Simple Majority

RESPONSIBLE OFFICER RECOMMENDATION

That:

1. Ertech Pty Ltd be awarded the tender, at a value of \$1,395,192 excluding GST, for the clay lining to stage 2 phase 3 of the landfill at Tamala Park.
2. Funds of \$40,000 excluding GST be set aside for a Project Superintendent or the project.
3. A Contingency of 5% of the awarded tender price, being \$67,500 be set aside for the project.
4. The use of the contingency detailed in be delegated to the Chief Executive Officer
5. The tender value, Project Superintendent Costs and Contingency sum totalling \$1,502,692 be funded from borrowings as contained in the 2013/14 budget of the Mindarie Regional Council.

RESOLVED

Cr MacTiernan moved, Cr Butler seconded
That the recommendation be adopted.

CARRIED UNANIMOUSLY (11/0)

11.5	APPOINTMENT OF EXTERNAL AUDITORS
File No:	FIN/135
Appendix(s):	Appendix No. 7
Date:	28 June 2013
Responsible Officer:	Gunther Hoppe

BACKGROUND

The Mindarie Regional Council's (MRC) three year contract with Grant Thornton as its external auditors expired with the completion of the 30 June 2012 audit.

At its meeting of 21 February 2013, the Audit Committee resolved that the CEO should seek submissions from approved WALGA suppliers for the performance of the role as the MRC's external auditor.

DETAIL

A request for quote was sent to all the WALGA approved suppliers for the provision of external audit services to the MRC for the 30 June 2013 and 30 June 2014 financial years.

Of the six suppliers contacted, only three responded: Grant Thornton, Macri Partners and UHY Haines Norton.

The quotations received were considered by the Audit Committee at their meeting of 28 June 2013. The unconfirmed minutes of that meeting are attached as Appendix No. 7 to this report.

STATUTORY ENVIRONMENT

The process for appointment of auditors is covered in s7.3 of the *Local Government Act 1995*, which reads as follows:

"7.3. Appointment of auditors

- (1) *A local government is to, from time to time whenever such an appointment is necessary or expedient, appoint* a person, on the recommendation of the audit committee, to be its auditor.*

** Absolute majority required.*

- (2) *The local government may appoint one or more persons as its auditor.*

- (3) *The local government's auditor is to be a person who is —*

- (a) *a registered company auditor; or*
(b) *an approved auditor."*
-

FINANCIAL IMPLICATIONS

Adequate funds have been set aside in the 2013/14 Budget to cover the costs of the Auditors.

The pricing of the three submissions for the two years is outlined in summary below:

	Hours Per annum	Ave Rate per hour	Total Cost over 2 years
Grant Thornton	130	\$196	\$51,000
Macri Partners	120	\$158	\$38,000
UHY Haines Norton	81	\$251	\$40,700

STRATEGIC/COMMUNITY PLAN IMPLICATIONS

The decision to review the performance and appointment of external auditors is in line with the internal control and governance elements of the MRC's Strategic Community Plan and Corporate Business plan as outlined below:

“OBJECTIVE 1 - LONG TERM VIABILITY

Strategy 1.1 Review and improve existing systems for the governance of the Council

Strategic Action 1.1.7 Develop and maintain a robust system of internal controls.”

COMMENT

The submissions were evaluated and all found to be compliant and technically of a very similar level of capability. All could demonstrate a Local Government client base and knowledge of the sector.

AUDIT COMMITTEE RECOMMENDATION

In accordance with clause 7.3 of the *Local Government Act 1995* the council appoint Macri Partners as the Mindarie Regional Council's external auditors for the financial years ending 30 June 2013 and 30 June 2014.

(Absolute Majority Required)

RESOLVED

**Cr Butler moved, Cr Fishwick seconded
That the recommendation be adopted.**

CARRIED UNANIMOUSLY BY ABSOLUTE MAJORITY (11/0)

12 MEMBERS INFORMATION BULLETIN – ISSUE NO. 11

RESPONSIBLE OFFICER RECOMMENDATION

That the Members Information Bulletin Issue No. 11 be received.

RESOLVED

Cr Butler moved, Cr Gray seconded

That the recommendation be adopted.

CARRIED UNANIMOUSLY (11/0)

13 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

14 URGENT BUSINESS

14.5	CITY OF STIRLING RETENTION - NEGOTIATIONS
File No:	LEG/14
Appendix(s):	Nil
Date:	4 July 2013
Responsible Officer:	CEO

The Chairman approved on the 4 July 2013 a request by the CEO to present a motion to the Council meeting on 4 July 2013 in accordance with Part 3.15 – Urgent Business of the Mindarie Regional Council's Standing Orders. The motion and the reasons for seeking the motion follow:

Cr Fishwick moved the Motion giving reasons for the Motion.

MOTION

1. That the Council authorise the Chairperson and the Chief Executive Officer to enter into negotiations with the City of Stirling aimed at retaining them as a participating members giving consideration to the following incentives:
 - a. the gate fee be reduced from \$149 per tonne to \$122 per tonne, with a further reduction open for negotiation;
 - b. Any negotiated fee below \$122 per tonne will be increased over a number of years until parity with the members' gate fee is achieved.
 2. That the parameters detailed in (1) above are subject to the following assumptions:
 - a. The City of Stirling committing to tip all of its non-recycled waste (minimum 73,000 tonnes) as instructed by Mindarie Regional Council;
 - b. Any legislative increases in costs (i.e. Waste Levy or the Carbon Price), outside the control of the MRC, being passed through as part of the
-

-
- negotiated fee; and
- c. Council endorsement.

REASONS FOR MOTION

The reasons for seeking this consideration are as follows:

- The Council of Mindarie Regional Council (MRC) at its meeting held on 2 May 2013 resolved to have the Chairperson and the Chief Executive Officer commence urgent talks with the City of Stirling aimed at retaining them as a participating member of the MRC. The mover of the motion, Cr MacTiernan indicated that the talks (negotiations) could include financial incentives to entice the City of Stirling to return as a participating member of the MRC.
- Correspondence was sent to the Mayor of the City of Stirling seeking a meeting to discuss MRC's position.
- The City of Stirling responded advising that a report would be presented to its Council 9 July 2013 in relation to MRC's resolution.
- The Chairperson and the Chief Executive Officer require some basis to commence negotiations should the City of Stirling resolve to meet with the MRC at its meeting on 9 July 2013.

Cr Butler seconded the Motion.

An amendment was requested and supported by the mover and the seconder. The amendment reads as follows:

AMENDMENT 1

Amend part 2(b) by deleting "as part of" after the words "passed through" and inserting "in addition to".

Cr Fishwick moved that in accordance with MRC Standing Orders part 5.8(5), Council suspend the operation of limitation on members speaking during debate on this motion.

Cr Bissett seconded.

CARRIED UNANIMOUSLY

Cr Butler moved, Cr Bissett seconded to revert back to the normal MRC Standing Orders.

CARRIED UNANIMOUSLY

SUBSTANTIVE MOTION INCLUDING THE CARRIED AMENDMENT

1. That the Council authorise the Chairperson and the Chief Executive Officer to enter into negotiations with the City of Stirling aimed at retaining them as a participating members giving consideration to the following incentives:
 - a. the gate fee be reduced from \$149 per tonne to \$122 per tonne, with a further reduction open for negotiation;
 - b. Any negotiated fee below \$122 per tonne will be increased over a number of years until parity with the members' gate fee is achieved.
-

2. That the parameters detailed in (1) above are subject to the following assumptions:

- a. **The City of Stirling committing to tip all of its non-recycled waste (minimum 73,000 tonnes) as instructed by Mindarie Regional Council;**
- b. **Any legislative increases in costs (i.e. Waste Levy or the Carbon Price), outside the control of the MRC, being passed through in addition to the negotiated fee; and**
- c. **Council endorsement.**

CARRIED: (8/3)

For: Cr Bissett, Cr Butler, Cr Fishwick, Cr Gray, Cr Hollywood, Cr MacTiernan, Cr Newton, Cr Withers

Against: Cr Boothman, Cr Cooke, Cr Robbins

15 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

Nil

16 MATTERS FOR WHICH THE MEETING MAY BE CLOSED TO THE PUBLIC

Nil

17 NEXT MEETING

Next meeting to be held on Thursday 5 September 2013 in the Council Chambers at City of Vincent commencing at 5.30pm.

18 CLOSURE

The Chairman closed the meeting at 6.02pm and thanked the Town of Cambridge for their hospitality and the use of their meeting facilities.

These Minutes were confirmed by the Council as a true and accurate record of the Ordinary Meeting of the Council held on 4 July 2013.

Signed Chairman

Dated this day of 2013
