



# MINUTES

ORDINARY COUNCIL MEETING

TIME: 5.30PM

THURSDAY 6 JULY 2017

CITY OF STIRLING

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*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 (MRC) in accordance with the Transitional Provisions of the Local Government Act 1995 (Schedule 9.3) using s.702 of the Local Government Act 1960 (repealed).*

## **1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS**

The CEO declared the meeting open at 5.33pm

## **2 ELECTION OF CHAIR**

*Cr MacRae arrived at 5.34pm*

The meeting was suspended to allow time for Cr MacRae to complete the required Declaration of Elected Member Form for the position of Councillor of the MRC.

The CEO advised Council that he had received a nomination form from Cr Proud nominating Cr Fishwick for the Chairman's role. Cr Fishwick confirmed acceptance of the nomination. The CEO asked if there were any further nominations. No further nominations were received.

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

## **3 ELECTION OF DEPUTY CHAIR**

*Cr Jenkinson arrived at 5.40pm*

The meeting was suspended to allow time for Cr Jenkinson to complete the required Declaration of Elected Member form for the position of Councillor of the MRC.

The Chairman advised that two nominations for the Deputy Chairman position were received from Cr Maxwell and Cr Boothman (nominated by Cr Proud). Cr Boothman confirmed acceptance of the nomination. The Chairman asked if there were any further nominations. No further nominations were received.

In accordance with the Transitional Provisions of the *Local Government Act 1995 (schedule 3)* an election was conducted using the relevant clauses of the *Local government Act 1960 (repealed)*. Once the votes were counted the Chairman advised the Council that Cr Boothman received the required amount of votes and declared Cr Boothman elected as the Deputy Chairman.

## **4 ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE**

### **Councillor Attendance**

|  |                   |
|--|-------------------|
| Cr R Fishwick JP (Chairman)              | City of Joondalup |
| Cr D Boothman JP (Deputy Chairman)       | City of Stirling  |
| Cr J Adamos ( <i>arrived at 5.52pm</i> ) | City of Perth     |
| Cr E Cole                                | City of Vincent   |
| Cr R Driver                              | City of Wanneroo  |
| Cr A Guilfoyle                           | City of Stirling  |
| Cr S Jenkinson ( <i>arrived 5.40pm</i> ) | City of Stirling  |
| Cr C MacRae ( <i>arrived at 5.34pm</i> ) | Town of Cambridge |

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|                |                       |
|----------------|-----------------------|
| Cr V Maxwell   | Town of Victoria Park |
| Cr D Newton JP | City of Wanneroo      |
| Cr M Norman    | City of Joondalup     |
| Cr S Proud JP  | City of Stirling      |

**Apologies**

Nil

**Leave of Absence**

Nil

**Absent**

Nil

**MRC Officers**

Mr B Callander (Chief Executive Officer)  
Mr G Hoppe (Director Corporate Services)  
Ms A Slater (Finance Manager)  
Ms L Nyssen (Executive Support)

**MRC Observers**

Nil

**Member Council Observers**

Mr N Claassen (City of Joondalup)  
Mr C Colyer (Town of Cambridge)  
Ms C Jacques (City of Wanneroo)  
Mr P Kellick (City of Stirling)  
Ms R March (City of Joondalup)  
Mr M Mileham (City of Perth)  
Mr K Rickman (City of Stirling)  
Mr H Singh (City of Wanneroo)  
Mr J Wong (Town of Victoria Park)

**Visitors**

Mr L James (Kott Gunning)  
Ms D Toward

**Members of the Public**

Nil

**Press**

Nil

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**5 DECLARATION OF INTERESTS**

|                                    |                                       |
|------------------------------------|---------------------------------------|
| <b>Interest Type</b>               | Interest that may affect impartiality |
| <b>Name and Position of Person</b> | Councillor Fishwick, Chairman         |
| <b>Report Item No. and Topic</b>   | 11.5 – Request for Research Funding   |
| <b>Nature of Interest</b>          | Graduate of ECU and an Alumni Member  |

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|                                    |   |
|------------------------------------|---|
| <b>Interest Type</b>               | Interest that may affect impartiality                                 |
| <b>Name and Position of Person</b> | Councillor Fishwick, Chairman   |
| <b>Report Item No. and Topic</b>   | 16.2 Stage 2 Phase 3 Liner  |
| <b>Nature of Interest</b>          | The Law Firm Kott Gunning has been engaged by me for a private matter |

|                                    |                                       |
|------------------------------------|---------------------------------------|
| <b>Interest Type</b>               | Interest that may affect impartiality |
| <b>Name and Position of Person</b> | Councillor Guilfoyle                  |
| <b>Report Item No. and Topic</b>   | 11.5 – Request for Research Funding   |
| <b>Nature of Interest</b>          | Former employee of ECU                |

*Cr Adamos arrived at 5.52pm*

The meeting was suspended to allow time for Cr Adamos to complete the required Declaration of Elected Member Form for the position of Councillor of the MRC.

#### **6 PUBLIC QUESTION TIME**

Nil

#### **7 ANNOUNCEMENTS BY THE PRESIDING PERSON**

*The chairman thanked the elected members, the MRC staff and member council staff for their support over the past year and congratulated Cr Boothman on his return as Deputy and for the support he provided in the previous year.*

*The Chairman and CEO acknowledged Ms Lynda Nyssen (MRC Executive Support) retirement and thanked her for services provided over the past ten years to the Mindarie Regional Council and Councillors and wished her well.*

#### **8 APPLICATIONS FOR LEAVE OF ABSENCE**

Nil

#### **9 PETITIONS / DEPUTATIONS / PRESENTATIONS**

Nil

#### **10 CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

##### **10.1 ORDINARY COUNCIL MEETING – 6 APRIL 2017**

The Minutes of the Ordinary Council Meeting held on 6 April 2017 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 6 April 2017 be confirmed as a true record of the proceedings.**

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**RESOLVED**

**Cr Proud moved, Cr Norman seconded  
That the recommendation be adopted.**

*(CARRIED UNANIMOUSLY (12/0))*

**10.2 SPECIAL COUNCIL MEETING – 18 MAY 2017**

The Minutes of the Special Council Meeting held on 18 May 2017 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 18 May 2017 be confirmed as a true record of the proceedings.**

**RESOLVED**

**Cr Proud moved, Cr Norman seconded  
That the recommendation be adopted.**

*(CARRIED UNANIMOUSLY (12/0))*

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|---|
| <b>11 CHIEF EXECUTIVE OFFICER REPORTS</b> |
|---|

|                             |  |
|-----------------------------|--|
| <b>11.1</b>                 | <b>FINANCIAL STATEMENTS FOR THE MONTHS ENDED<br/>31 MARCH 2017 and 30 APRIL 2017</b> |
| <b>File No:</b>             | <b>FIN/5-07</b>  |
| <b>Appendix(s):</b>         | <b>Appendix No. 1<br/>Appendix No. 2<br/>Appendix No. 3</b>                          |
| <b>Date:</b>                | <b>19 June 2017</b>  |
| <b>Responsible Officer:</b> | <b>A/Director Corporate Services</b>   |

**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 2017 and 30 April 2017 and are attached at **Appendix No. 1 and 2** to this Item. The Tonnage Report for the 10 months to 30 April 2017 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.

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Summary of results for the ten month period ended 30 April 2017

|                          | <b>Actual</b>     | <b>Budget</b>     | <b>Variance</b>    |
|--------------------------|-------------------|-------------------|--------------------|
|                          | <b>t</b>          | <b>t</b>          | <b>t</b>           |
| Tonnes – Members         | 239,978           | 252,474           | (12,496)           |
| Tonnes – Others          | 12,963            | 14,193            | (1,230)            |
| <b>TOTAL TONNES</b>      | <b>252,941</b>    | <b>266,667</b>    | <b>(13,726)</b>    |
|                          | <b>\$</b>         | <b>\$</b>         | <b>\$</b>          |
| Revenue – Members        | 41,711,959        | 44,004,983        | (2,293,024)        |
| Revenue – Other          | 2,654,391         | 1,967,634         | 686,757            |
| <b>TOTAL REVENUE</b>     | <b>44,366,350</b> | <b>45,972,617</b> | <b>(1,606,267)</b> |
| Expenses                 | 42,867,094        | 45,300,683        | 2,433,589          |
| Profit on sale of assets | 62,277            | 49,207            | 13,070             |
| Loss on sale of assets   | 1,167             | -                 | (1,167)            |
| <b>NET SURPLUS</b>       | <b>1,560,366</b>  | <b>721,140</b>    | <b>839,225</b>     |

Commentary

Member tonnes for the year to April 2017 are tracking 9% behind budget, which is directly attributable to the change in systems for bulk/verge collection implemented by various councils. Trade and casuals are 1,230 tonnes behind budget.

The net surplus of \$839,225 relates mainly to less than budgeted tonnage related expenditure (DER Levy) due to the member tonnes being lower than budgeted.

This reduction in waste to landfill is consistent with the MRC's vision of 'Winning Back Waste' but will over time see the cost per tonne to landfill for the remaining waste increasing proportionally.

Overall, the MRC has still generated a strong surplus of \$1.56 million for the year to date.

**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 2017 and 30 April 2017, respectively, be received.**

**RESOLVED**

**Cr Norman moved, Cr Adamos seconded**

**That the recommendation be adopted.**

*(CARRIED UNANIMOUSLY (12/0))*

|                             |   |
|-----------------------------|---|
| <b>11.2</b>                 | <b>LIST OF PAYMENTS MADE FOR THE MONTHS ENDED<br/>31 MARCH 2017 AND 30 APRIL 2017</b> |
| <b>File No:</b>             | <b>FIN/5-06</b>   |
| <b>Appendix(s):</b>         | <b>Appendix No. 4<br/>Appendix No. 5</b>  |
| <b>Date:</b>                | <b>19 June 2017</b>   |
| <b>Responsible Officer:</b> | <b>A/Director Corporate Services</b>  |

**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 2017 and 30 April 2017 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 1 September 2016, 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 (MRC) is able to claim this tax as an input credit when GST remittances are made each month to the Australian Tax Office.

| <b>Months Ended</b> | <b>Account</b>    | <b>Vouchers</b>         | <b>Amount</b>         |
|---------------------|-------------------|-------------------------|-----------------------|
| 31 March 2017       | General Municipal | Cheques                 | \$9,617.03            |
|                     |                   | EFT                     | \$3,242,331.20        |
|                     |                   | DP                      | \$215,361.57          |
|                     |                   | Inter account transfers | <u>\$3,700,000.00</u> |
|                     |                   | <b>Total</b>            | <b>\$7,167,309.80</b> |
| 30 April 2017       | General Municipal | Cheques                 | \$5,494.95            |
|                     |                   | EFT                     | \$5,728,348.78        |
|                     |                   | DP                      | \$361,817.92          |
|                     |                   | Inter account transfers | <u>\$0.00</u>         |
|                     |                   | <b>Total</b>            | <b>\$6,095,661.65</b> |

During the interim audit by the MRC's external auditors, Macri Partners, which was conducted in April 2017, it was highlighted that a previous council report had three EFT payments missing from it. The payments related to EFTs dated 1 and 2 September 2016 and totalled \$358,683.81. *Refer Appendix 5 for details of the actual payments.*

**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 2017 and 30 April 2017, be noted.**

**RESOLVED**

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

*(CARRIED UNANIMOUSLY (12/0))*

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|-----------------------------|--|
| <b>11.3</b>                 | <b>WESTERN METROPOLITAN REGIONAL COUNCIL –<br/>REQUEST FOR AN EXTENSION TO THE AGREEMENT<br/>FOR THE SUPPLY OF MUNICIPAL SOLID WASTE</b> |
| <b>File No:</b>             | <b>WST/101-03</b>  |
| <b>Appendix(s):</b>         | <b>Appendix No. 6 - Deed regarding the delivery of Waste –<br/>updated 04/10/2016</b>  |
| <b>Date:</b>                | <b>15 June 2017</b>  |
| <b>Responsible Officer:</b> | <b>A/Chief Executive Officer</b>   |

### **SUMMARY**

The report seeks consideration of a request from the Western Metropolitan Regional Council (WMRC) to extend an agreement previously provided by the Mindarie Regional Council (MRC) for the supply of 18,500 tonnes of Municipal Solid Waste (MSW) to assist the WMRC in meeting its contract obligations to supply MSW to the DiCOM Plant (now trading as Brockwaste).

### **BACKGROUND**

On 14 January 2015 correspondence was received from the Chief Executive Officer of the WMRC requesting that the MRC make 18,500 tonnes of MSW available to help the WMRC meet its supply obligations to the Brockwaste Plant.

The WMRC advised that it was committed to supplying 33,000 tonnes of MSW to the Brockwaste Plant, but that it could only source/supply 14,500 tonnes from its own councils. The correspondence went on to seek assistance from the MRC for the supply of up to an additional 18,500 tonnes to enable the WMRC to meet its supply obligations to the Brockwaste Plant.

The details of the request are as follows:

- 1. The MRC commit 18,500 tonnes of MSW to the WMRC, but with contractual flexibility to ensure MRC continues to meet its own RRF contractual obligations.*
- 2. The MRC and its member Councils experience no financial loss, that is the agreement is at least revenue neutral to the MRC. To achieve this the WMRC will:*
  - Charge a gate fee for MSW received equal to the MRC member gate fee for landfill.*
  - Deliver at least an equal tonnage of waste each month for disposal at the MRC landfill and pay the MRC member gate fee for landfill. The waste would consist of residual waste from the Brockwaste Plant and be topped up where required with waste that is not processed*
- 3. Price to be directly linked to the member gate fee or to annual CPI if this is greater.*

The MRC at its meeting on 19 February 2015 considered the request and resolved to enter in a deed with the WMRC, which would facilitate the proposed swap of tonnes. A deed was duly drafted by the MRC's solicitors, Castledine Gregory and signed by both parties on 26 June 2015.

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On 29 March 2016, the then A/CEO of the WMRC, Mr Gunther Hoppe, requested a 12 month extension to the agreement between the WMRC and the MRC for the supply of 18,500 tonnes of MSW per annum.

There had been a number of issues that prevented the Brockwaste Plant from being commissioned, thus preventing the plant from going into full production. As a result, the waste supply anticipated in the agreement was not called upon by the WMRC.

In response to this request, at its ordinary council meeting of 14 April 2016, the MRC granted an extension to the term of the agreement with the WMRC for a further twelve (12) months until 26 June 2017, on the same terms and conditions as before, except for the addition of a requirement for the WMRC to use its best endeavours to facilitate a 20 minute turnaround time for trucks delivering waste from the MRC.

The amended deed was executed by both parties on 4 October 2016.

#### **DETAIL**

The Brockwaste plant is still not in production and as a result, the waste contemplated in the second contract extension has not been called on. In April 2017, the WMRC has requested a further 12 month extension to the agreement between the WMRC and the MRC for the supply of 18,500 tonnes of MSW.

The requested extension to the term of the agreement with the WMRC would be for a further twelve (12) months until 26 June 2018.

The request for this second extension is supportable as it is cost neutral for the MRC and provides a benefit to the WMRC by enabling it to meet its requirements for the supply of the committed waste to the Brockwaste Plant. The commitment of this waste does not negatively impact on any of the MRC's other supply obligations. This continues to provide a positive example of how regional councils can work together to achieve good waste outcomes in the Perth Metropolitan area.

The WMRC will require a flexible arrangement for the supply of the waste initially to allow them to provide the committed tonnes to the Brockwaste Plant through the plant's commissioning phase. The City of Stirling is able to provide this flexibility and has previously acknowledged that it is capable of supplying the waste as required by the WMRC.

#### **CONSULTATION**

The MRC has previously consulted with the City of Stirling on the supply arrangements required to accommodate this request.

#### **LEGAL COMPLIANCE**

The request for a 12 month extension for the supply of 18,500 tonnes of waste from the WMRC, if approved by the MRC, will require minor amendment of the "Deed regarding the delivery of waste" (the Deed) entered into in by the MRC and WMRC, as with the last extension.

The amendments will require the deletion of the number (2) after "on the" and inserting number 3 in its place as highlighted below:

Clause 2.2

"(a) on the **2** 3 year anniversary of its commencement of this Deed, as determined by clause 2.1(a)"

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The WMRC should be notified of the change by formal letter confirming the extension of time, which is to accompany a revised copy of the Deed for signing by both parties in the same manner as the original Deed was signed to meet the requirements of clause 8.2 of the Deed, which reads as follows:

**“8.2 Review and variation**

*Where this Deed is to be modified, amended or varied, then this Deed may only be amended by a document in writing signed by the Parties to the agreed amendment.”*

**POLICY IMPLICATIONS**

Nil

**FINANCIAL IMPLICATIONS**

The provision of waste to the WMRC as proposed is cost neutral for the MRC, as the same amount of waste will be returned to Tamala Park by the WMRC at a gate fee that will be the same value as the supply cost.

**STRATEGIC/COMMUNITY AND CORPORATE/BUSINESS PLAN IMPLICATIONS**

| <b>Strategic Community Plan 2013/14 - 2033/34</b> |   |
|---|---|
| <b>Strategy 1.2</b>                               | <p><b>Review and improve collaboration between participating councils as primary stakeholders on matters associated with waste management</b></p> <p>The collaboration between the MRC and the City of Stirling has produced an outcome of regional benefit.</p>  |
| <b>Strategy 3.3</b>                               | <p><b>Identify opportunities for the MRC to participate in the operation of additional waste management ventures based on existing technologies</b></p> <p>The provision of waste to the WMRC demonstrates that the MRC is willing to participate and assist other regional councils.</p>   |
| <b>Corporate Business Plan 2013/14 – 2016/17</b>  |   |
| <b>Strategic Action 3.3.1</b>                     | <p><b>Collaborate with peer organisations with like facilities to benefit from each other’s intellectual property or identify opportunities for shared projects</b></p> <p>This agreement demonstrates the MRC’s ability to collaborate with the WMRC and assist them in finding a solution for the challenges they are facing with their new resource recovery facility.</p> |

**COMMENT**

Given that the provision of MSW to the WMRC in the manner proposed is cost neutral to the MRC and is supported by the main supplier of the waste, being the City of Stirling, the extension of the Deed to supply waste is acceptable and is therefore recommended for approval.

**VOTING REQUIREMENT**

Simple Majority

**RESPONSIBLE OFFICER RECOMMENDATION**

**That the Council:**

- 1. advise the WMRC that it is prepared to extend the agreement entitled “Deed regarding the delivery of waste” (the Deed) to supply 18,500 tonnes of waste for a further twelve (12) months until 26 June 2018;**
- 2. will formalise the time extension referred to in (1) above by varying clause 2.2(a) of the Deed by deleting the number “2” after “on the” and inserting the number “3” so that it reads:  
“2.2(a) on the 3 year anniversary of its commencement of this Deed, as determined by clause 2.1(a)”; and**
- 3. will prepare a formal letter confirming the extension of time, which is to accompany a revised copy of the Deed for signing by both parties.**

**RESOLVED**

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

*(CARRIED UNANIMOUSLY (12/0))*

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|-----------------------------|---|
| <b>11.4</b>                 | <b>BUDGET APPROVAL - FINANCIAL YEAR 2017/18</b> |
| <b>File No:</b>             | <b>FIN/146</b>                                  |
| <b>Appendix(s):</b>         | <b>Appendix No. 7</b>                           |
| <b>Date:</b>                | <b>20 June 2017</b>                             |
| <b>Responsible Officer:</b> | <b>A/Director of Corporate Services</b>         |

### **SUMMARY**

The purpose of this Item is to present the Budget for 2017/18 to the Council for approval and adoption.

### **BACKGROUND**

The 2017/18 budget process commenced in February 2017 and included one workshop held with Councillors and Officers on 6 April 2017.

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 largely on a 'business-as-usual' basis. In addition to the MRC's normal operations however, the extension of the recycling shop area at Tamala Park has been included in this year's budget at \$150k, in addition to a prior year carry forward of \$275K for the same project.

The budget also contemplates the MRC continuing in its waste supply deed with the Western Metropolitan Regional Council (WMRC), whereby the MRC will supply up to 18,500 tonnes of Municipal Solid Waste (MSW) to the WMRC and in return, the WMRC will supply the MRC with an equivalent amount of processed residues. This will assist the WMRC in meeting its contractual obligations in respect of the DiCom facility. The arrangement has been structured in such a way that it has no impact on the MRC's gate fee. No tonnes have been supplied during the 2016/17 financial year.

Some of the significant changes between the 2016/17 and 2017/18 budgets include:

- A decrease in expected Member tonnes from 273,000 to 252,100 tonnes (6%) based on information provided by the member councils;
  - The inclusion of \$100k of project costs to commence work updating the MRC's IT systems
  - The inclusion of \$120k of project costs for environmental monitoring programs
  - The inclusion of the transfer station project consultant costs of \$50k.
  - The inclusion of \$150k of capital expenditure to fund the next stage of the recycling area redevelopment at Tamala Park; in addition to a prior year carry forward of \$275k
  - The increase of the landfill levy from \$60 to \$65 per tonne landfilled, effective from 1 July 2017.
-

The table below outlines the changes in the Members' and Non-members' gate fees (excluding GST) for the 2017/18 financial year.

|                       | 2017/18         | 2016/17  |
|-----------------------|-----------------|----------|
| Members' Gate Fee     | <b>\$174.00</b> | \$165.00 |
| Non-members' Gate Fee | <b>\$190.91</b> | \$181.82 |

This represents an increase of \$9 per tonne (5.5%) year-on-year in the Members' gate fee. This increase in the Members' gate fee is driven primarily by the \$5 per tonne increase in the landfill levy and a small inflationary increase.

The Non-members' gate fee has been increased by a similar inflationary increment, coupled with the increase in landfill levy (\$9 per tonne or 5%).

## **DETAIL**

### **Budget 2017/18**

The Budget for 2017/18 has been set to achieve a \$1 million surplus. The proposed surplus has been set intentionally to assist with the funding of long-term site post closure liabilities.

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

### **Employee costs**

Employee costs have decreased by \$75k which is primarily driven by savings in the Resource Recovery area, mainly a decrease in casual hours.

### **Consultants and contract labour**

Consultants and contract labour has increased by \$110k (9%)

- Environmental monitoring risk assessment - stages 1 & 2                      \$120,000
- IT Systems refresh project    \$100,000
- Transfer Station redevelopment project    \$50,000

This is offset by savings in various technical consultants that were included in the 2016/17 budget.

### **RRF costs**

The RRF costs have increased by \$881,700 directly attributed to the increase in the MRC members' gate fee which affects the RRF residuals to Tamala Park, and the contractual indexed increase in the contractor's fees.

### **WMRC processing costs**

The 2017/18 budget includes a \$3,219,000 expense in respect of the 18,500 tonnes which the MRC is contracting to deliver to the WMRC for processing, which is the subject of a separate report to Council. These tonnes will be processed by the WMRC and they will charge the MRC a fee equivalent to the MRC Members' gate fee of \$174 per tonne.

This expense is offset by an equal revenue amount whereby the MRC will receive 18,500 tonnes of residue from the WMRC for landfilling at Tamala Park, for which the WMRC will

be charged the MRC Members' gate fee of \$174 per tonne. The net financial effect of the transaction will be nil.

The year-on-year increase in the overall cost/revenue simply reflects the increase in the MRC's members' gate fee.

### **Borrowing costs**

Borrowing costs have decreased by a net \$319k primarily as a result of a reduction in the amount of external debt which will be held by the MRC at 30 June 2018. The MRC paid down approximately \$4 million in high cost external bank debt during the course of the 2016/17 year.

Capital expenditures and associated borrowings for the creation of new waste treatment infrastructure (\$6 million) have been budgeted to occur in the middle of the financial year.

### **DER Landfill Levy**

The Department of Environment Regulation (DER) landfill levy expense has decreased by \$150,200 which primarily reflects the increase in the levy from \$60 to \$65 per tonne offset by a reduction in the number of tonnes being landfilled for the year.

The levy is set to increase next year as follows:

- 1 July 2018 - \$70 per tonne

### **Tonnages**

Approximately 251,880 tonnes (Budget 2016/17: 272,910 tonnes) of waste is expected to be delivered to the MRC by Member Councils during the course of the year.

Of this, 100,000 tonnes (Budget 2016/17: 100,000 tonnes) is expected to be diverted to the RRF, which will in turn generate 48,700 tonnes (Budget 2016/17: 48,700 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 16,400 tonnes (Budget 2016/17: 16,400 tonnes) to Tamala Park which has stayed consistent over the past couple of years.

### **Carbon price**

The Carbon Price Mechanism (CPM) was repealed effective from 1 July 2014. In February 2015, the MRC made its final acquittal under the CPM scheme.

The Federal Government and the Australian Landfill Owners Association agreed on a voluntary protocol to govern how these funds should be acquitted. Landfill operators were free to adopt the protocol or not.

The Council of the MRC approved for the MRC to act in line with the requirements of the protocol without formally adopting the protocol.

As a consequence, funds received from member councils in respect of future carbon price liabilities were repaid to the respective councils in 2015/16 in line with the protocol. Residual funds received from members of the public or commercial operators (\$491,076) have been retained in a reserve to fund future carbon abatement projects, in line with the spirit of the protocol.

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**Capital Expenditure**

The following capital expenditures have been included in the Budget for 2017/18:

New capital expenditures

|                                     |           | \$        |
|-------------------------------------|-----------|-----------|
| • Buildings                         |           | 210,000   |
| - Upgrades to Tip face and WB       | 40,000    |           |
| - Upgrades to RRF WB                | 20,000    |           |
| - Recycling Redevelopment – II      | 150,000   |           |
| • Office furniture and equipment    |           | 23,500    |
| - Furniture and equipment           | 8,500     |           |
| - New telephone system              | 15,000    |           |
| • Computer equipment                |           | 156,000   |
| - Server upgrades                   | 50,000    |           |
| - Networking upgrades/replace.      | 56,000    |           |
| - Telemetry software                | 50,000    |           |
| • Plant and equipment               |           | 310,000   |
| - Cardboard compactors              | 50,000    |           |
| - Odour monitoring units            | 45,000    |           |
| - EPS baler                         | 50,000    |           |
| - Landfill gas monitoring units     | 39,500    |           |
| - Hook lift bins                    | 25,000    |           |
| - Tarpomatic tarps                  | 35,000    |           |
| - Pumps (leachate, airwell)         | 40,000    |           |
| - Minor equipment (various)         | 25,500    |           |
| • Infrastructure                    |           | 3,907,548 |
| - Gas well installations            | 28,000    |           |
| - Leachate compressor station       | 497,500   |           |
| - Litter fencing                    | 42,000    |           |
| - Environmental drilling            | 172,500   |           |
| - Evaporation mat                   | 30,000    |           |
| - Evaporation mat – pumps           | 10,000    |           |
| - Degassing shed slab               | 3,000     |           |
| - Landfill: Phase 2 and 3 capping   | 1,721,823 |           |
| - Landfill: Cell development lining | 1,402,725 |           |
| • Vehicles                          |           | 1,368,000 |
| - 30t Dump truck                    | 360,000   |           |
| - Komatsu WA470 (2 of)              | 580,000   |           |
| - Excavator                         | 200,000   |           |
| - Skidsteer                         | 90,000    |           |
| - Forklift                          | 28,000    |           |
| - Education vehicle                 | 45,000    |           |
| - Foton dual cab                    | 24,000    |           |
| - Foton single cab                  | 24,000    |           |
| - Education events trailer          | 10,000    |           |
| - Portable generator                | 2,000     |           |
| - Kubota lawnmower                  | 5,000     |           |

**5,975,048**

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Carried forward capital expenditures

|  |                  |
|--|------------------|
| • Waste facility precinct              | 6,000,000        |
| • Hino Truck replacement               | 286,000          |
| • Recycling centre realignment Phase 2 | <u>275,000</u>   |
|  | <b>6,561,000</b> |

**Total Capital expenditure** **12,536,048**

**Reserves**

The revised Cash Backed Reserves with the projected balances at 30 June 2018 are expected to be as follows:

Site rehabilitation Reserve

Estimated balance at 30 June 2018: \$10,188,694

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

A transfer of \$616,538 to this reserve is anticipated during the course of the 2017/18 financial year with no anticipated drawdowns on the reserve.

This will result in a funded reserve of approximately \$10 million to cover an estimated post closure liability of approximately \$15.4 million. As a result, the post closure liabilities will be 65% funded. This means that funding for these liabilities is lagging behind where it should be when compared with the amount of the landfill capacity that has been consumed (approximately 78%). The unfunded portion of the post closure liabilities will need to be funded over the remaining life of the landfill.

Reserve for Capital Expenditure

Estimated balance at 30 June 2018: \$517,863

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

A transfer of \$6,000,000 to this reserve is anticipated during the course of the year with drawdowns to fund capital expenditures of \$6,536,048 withdrawn from the reserve.

Participants' Surplus Reserve Account

Estimated balance at 30 June 2018: \$2,000,000

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

No allocations are proposed to this reserve in the 2017/18 financial year.

Carbon Abatement Reserve

Estimated balance at 30 June 2018: \$491,076

Purpose: *To be used to fund carbon abatement projects.*

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No drawdowns have been budgeted for 2017/18, however the protocol would expect the MRC to have identified suitable projects during the course of the financial year.

### **Surplus**

The budget shows a forecast surplus of \$1 million. It is proposed that the surplus will be allocated in full to the Site Rehabilitation Reserve.

### **Funding Plan**

- Operational expenditures will be funded from the proceeds of the Members' and Non-members' gate fees.
- Capital Expenditure (excluding the new waste facility precinct) will be funded from the Capital Expenditure Reserve.
- Other Capital expenditure relating to the new waste facility precinct and infrastructure will be funded from dedicated new loans.

### **SUMMARY OF APPENDICES**

Attachment to this Item is as follows:

- Appendix No. 7 – Statutory Budget and Supplementary Information

### **CONSULTATION**

One workshop for Councillors and Officers was conducted in April 2017 to discuss the 2017/18 Budget. The detailed budget pack was distributed afterward to the participants who indicated that they did not feel a second budget workshop was required. Feedback from the workshop has been taken into account in compiling this final draft of the budget.

### **STATUTORY ENVIRONMENT**

Budget approval is required by end of August 2017 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 2017/18 budget process is consistent with existing MRC policy.

### **FINANCIAL IMPLICATIONS**

The Members' gate fee will be set at \$174 per tonne (excluding GST) for the 2017/18 financial year.

The Non-members' gate fee will be set at \$190.91 per tonne (excluding GST) for the 2017/18 financial year.

An estimated surplus of \$1.034 million is budgeted for the 2017/18 financial year.

Capital expenditure of \$12,536,048 is budgeted for the 2017/18 financial year, of which \$6,561,000 is carry forward expenditure.

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### **STRATEGIC IMPLICATIONS**

The Budget for 2017/18 has been derived from the MRC's 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 compliance with section 6.2(2) of the Local Government Act 1995 (as amended).

Notably this makes provision for redevelopment work to occur at the Tamala Park facility, as well as the commencement of work in respect of the MRC's Waste Precinct.

In developing the 2017/18 budget, the funding required for the activities outlined in the Corporate Business Plan have been taken into account.

### **VOTING REQUIREMENT**

Absolute Majority

### **ADDITIONAL COMMENTS**

Subsequent to the budget workshop held on 6 April 2016, the following material adjustments have been made to the budget:

- Insurance costs have increased by \$90k due to suitable pollution liability cover having been found.
- Electricity expenses have increased by \$68k after closer analysis of current year actuals
- Employee costs have decreased by \$78k due to a lesser expected superannuation uptake

The Members' gate fee has not been adjusted for the impacts of any of these changes.

### **RESPONSIBLE OFFICER RECOMMENDATION**

That Council:

- adopt the Budget for the Mindarie Regional Council for 2017/18 financial year**
- endorse the on-going strategy of deferred payment of operational surpluses, as approved by Council at its August 2005 meeting, for the 2005/06 financial year and future years to meet its on-going capital requirements**
- approve the use of an on-going overdraft facility of \$1 million to manage cashflow 'short falls' during the 2017/18 financial year and future years**
- Approve the Capital Budget Program of \$12,536,048 for 2017/178 as follows:**

**New capital expenditures**

|                                  | \$               |
|----------------------------------|------------------|
| • Buildings                      | 210,000          |
| • Office furniture and equipment | 23,500           |
| • Computer equipment             | 156,000          |
| • Plant and equipment            | 310,000          |
| • Infrastructure                 | 3,907,548        |
| • Vehicles                       | 1,368,000        |
|                                  | <u>5,975,048</u> |

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**Carried forward capital expenditures**

|  |                   |
|--|-------------------|
| • Waste facility precinct              | 6,000,000         |
| • Hino Bin truck replacement           | 286,000           |
| • Recycling centre realignment phase 2 | <u>275,000</u>    |
|  | 6,561,000         |
| <b>Total Capital expenditure</b>       | <b>12,536,048</b> |

- (v) approve that \$616,538 will be transferred from the Operating Surplus to the Site Rehabilitation Reserve.
- (vi) approve that \$6,000,000 will be transferred from the Operating Surplus to the Reserve for Capital Expenditure.
- (vii) approve that \$6,536,048 be transferred from the Reserve for Capital Expenditure to Operating Surplus to fund capital expenditures.
- (viii) approve that any funds required for carbon abatement projects be transferred from the Carbon Abatement Reserve to the Operating Surplus.
- (ix) approve that all interest earned on cash funds associated with cash-backed reserves will not be credited to the respective reserves.

*(Absolute Majority Required)*

**RESOLVED**

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

*(CARRIED UNANIMOUSLY (12/0))*

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|                             |  |
|-----------------------------|--|
| <b>11.5</b>                 | <b>REQUEST FOR RESEARCH FUNDING</b>  |
| <b>File No:</b>             | <b>COP/6-05</b>  |
| <b>Appendix(s):</b>         | <b>Appendix 8 – Draft ECU scholarship application<br/>Appendix 9 – Draft detailed proposal</b> |
| <b>Date:</b>                | <b>16 June 2017</b>  |
| <b>Responsible Officer:</b> | <b>A/Chief Executive Officer</b>   |

### **SUMMARY**

This report is seeking the Mindarie Regional Council's (MRC) approval for a \$7,000 contribution to a research project evaluating the use of Vetiver Grass for the treatment of landfill leachate.

### **BACKGROUND**

The MRC has been using Vetiver Grass for many years as part of the waste water treatment system attached to its truck wash down bay facility at Tamala Park.

The waste water effluent generated by the washing down of waste collection vehicles at Tamala Park is channelled through beds of Vetiver Grass. These grasses are considered to be highly effective at extracting the contaminants from the effluent water, thus creating a very effective low cost, passive waste water treatment system.

This system was first introduced when Mr Simeon Kendall was the environmental officer at the MRC and as such, he has a long-standing involvement with this initiative.

### **DETAIL**

The MRC received a request for funding support from Mr Kendall for a research project he is contemplating undertaking for his PHD studies through Edith Cowan University (ECU).

The project proposal centres around the question of "*Can the Vetiver system provide (part of) an effective system for the treatment of landfill leachates in Perth and the surrounding regions?*"

Landfills, including the Tamala Park landfill, generate leachate (liquid) as the waste which has been deposited in the landfill, breaks down. This leachate requires active management to prevent unwanted environmental impacts. The build of leachate is typically managed through leachate evaporation ponds or costly leachate processing plants.

Mr Kendall's research will evaluate the viability of using the Vetiver Grass as part of such a leachate management system.

Where this research is successful, there is a direct potential positive benefit for the MRC in helping the MRC develop and improve its own leachate management system.

Mr Kendall has been able to garner quite wide support from industry for his project and as a result, is only looking for a relatively small financial commitment from each project participant.

He has approached each of the Cockburn City Council, the City of Rockingham, Cleanaway, the Eastern Metropolitan Regional Council, Instant Waste and the MRC for a

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\$7,000 contribution and the City of Busselton for a \$6,000 contribution, to be paid over the period of the research which would be 3.5 years.

### **CONSULTATION**

The Administration has discussed the proposal with Mr Simeon Kendall and the Waste Management Association of Australia (WMAA).

### **LEGAL COMPLIANCE**

Nil

### **POLICY IMPLICATIONS**

This type of activity does not fall within the scope of any of the MRC's existing policies and it is the MRC's strong preference that future requests of this type be addressed by way of a research scholarship administered by an industry body such as the WMAA.

Any contribution the MRC then chooses to make, would go to the industry body for them to support research into initiatives for the better design, management and remediation of landfills for the benefit of their members, of which the MRC is one.

This has been discussed with the WMAA as a possible way forward.

### **FINANCIAL IMPLICATIONS**

The financial support the MRC would be making to the research project is \$7,000 in total, which would be spread equally over the 3.5 years of the project. The year 1 contribution of \$2,000 can be funded from the 2017/18 budget.

### **STRATEGIC IMPLICATIONS**

This type of industry collaboration is aligned with the MRC's strategic and business plans as outlined below.

As one of the largest landfills in WA, the MRC is a key industry player and it is appropriate for the MRC to be involved in supporting the development of new technologies relating to waste management and landfill.

| <b>Strategic Community Plan 2013/14 - 2033/34</b> |  |
|---|--|
| <b>Strategy 3.4</b>                               | <b>Partner with organisations in order to further develop new and innovative approaches to waste minimisation and resource recovery</b><br><br>Partnering with this project proponent, ECU and the WMAA has the potential to develop a new technique for leachate management for Tamala Park.                          |
| <b>Corporate Business Plan 2013/14 – 2016/17</b>  |  |
| <b>Strategic Action 3.3.2</b>                     | <b>Collaborate with peer organisations with like facilities to benefit from each other's intellectual property or identify opportunities for shared projects</b><br><br>Partnering with this project proponent, ECU and the WMAA has the potential to develop a new technique for leachate management for Tamala Park. |

### **COMMENT**

The MRC stands to gain from the research into the viability and effectiveness of this new process for a small financial investment, given the number of other co-contributing industry participants.

The research relates directly to landfill management challenges that the MRC is facing, and as a result, the MRC is of the view, that the proposed support of this project is worthwhile.

However, this type of activity does not fall within the scope of any of the MRC's existing policies and it is the MRC's strong preference that future requests of this type be addressed by way of a research scholarship administered by an industry body such as the WMAA, rather than the MRC being approached by, and providing funding to, specific individuals as has happened in this instance.

Any contribution the MRC then chooses to make to fund research, would go to the industry body for them to support research into initiatives for the better design, management and remediation of landfills for the benefit of their members, of which the MRC is one.

This has been discussed with the WMAA as a possible way forward.

### **VOTING REQUIREMENT**

Simple Majority / Absolute Majority

### **RESPONSIBLE OFFICER RECOMMENDATION**

**That the Council:**

- 1. Write to the Waste Management Association of Australia advocating for the creation of an industry scholarship for research into initiatives for the better design, management and remediation of landfills.**

**(Simple Majority Required)**

- 2. Approve the requested \$7,000 of funding for the Vetiver Grass Treatment of Landfill Leachate project**

**(Absolute Majority Required)**

### **RESOLVED**

**Cr Jenkinson moved, Cr Proud seconded  
That the recommendation be adopted.**

*(CARRIED UNANIMOUSLY (12/0))*

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**12 MEMBERS INFORMATION BULLETIN – ISSUE NO. 35**

**RESPONSIBLE OFFICER RECOMMENDATION**

**That the Members Information Bulletin Issue No. 35 be received.**

**RESOLVED**

**Cr Norman moved, Cr Newton seconded**

**That the recommendation be adopted.**

*(CARRIED UNANIMOUSLY (12/0))*

**13 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

**NOTICE OF MOTION – CR RUSS FISHWICK – MRC CLASSIFICATION TO BAND 2**

In accordance with clause 3.13(2) of the *Mindarie Regional Council Standing Orders Local Law 2010* I hereby give notice of my intention to move the following motion at the meeting of the Council to be held on 6 July 2017.

**That the Chief Executive Officer be requested to conduct a review of the Mindarie Regional Council's (MRC) band classification as determined by the Salaries and Allowances Tribunal (SAT) to ascertain if there is justification for the MRC in making a submission to the SAT to be reclassified from a band 3 Regional Council to a band 2 Regional Council.**

**Reason for Motion**

This purpose of this Notice of Motion is to request the Chief Executive Officer (CEO) of the Mindarie Regional Council (MRC) to submit a report to the Council on reviewing the Band classification of the MRC as determined by the Salaries and Allowances Tribunal (SAT) to ascertain if there is justification in forwarding a submission to the SAT to reclassify the MRC from Band 3 to Band 2.

The SAT has determined the band classification for all local governments in Western Australia and a total reward package range for the CEO's which includes regional local governments.

The current local government classification for regional councils and the subsequent total reward package range is shown in table 1 and table 2 below respectively:

*Table 1: Regional Local Government band classification*

| <b>Regional Local Government</b>       | <b>Band</b> |
|--|-------------|
| Bunbury-Harvey Regional Council        | 4           |
| Eastern Metropolitan Regional Council  | 2           |
| Mindarie Regional Council              | 3           |
| Murchison Regional Vermin Council      | 4           |
| Pilbara Regional Council               | 4           |
| Rivers Regional Council                | 3           |
| Southern Metropolitan Regional Council | 2           |
| Tamala Park Regional Council           | 2           |
| Western Metropolitan Regional Council  | 4           |

Table 2: Local Government band classification – Total Reward Package range

| <b>Band</b> | <b>Total Reward Package</b> |
|-------------|-----------------------------|
| 1           | \$247,896 - \$375,774       |
| 2           | \$204,455 - \$316,586       |
| 3           | \$156,356 - \$256,711       |
| 4           | \$126,956 - \$198,210       |

In reviewing the data in Table 1 above there is no parity between the MRC and Tamala Park Regional Council (TPRC) as MRC is a Band 3 classification and TPRC is a Band 2 classification. The operations and assets owned and or managed by the MRC are far in excess of those undertaken by the TPRC.

Similarly, when reviewing the Southern Metropolitan Regional Council (SMRC) and MRC, the SMRC which performs similar services to MRC is a Band 2 classification.

The Rivers Regional Council (RRC) which is a band 3 classification only provides a management service with limited staff and assets to manage whereas MRC has a larger number of staff and considerable assets to manage such as the landfill site at Tamala Park and the Resource Recovery Facility at Neerabup.

The State Government has recently advised that it will direct the SAT to freeze all increases to salaries for a period of four (4) years for its senior State Government employees and politicians and also local government elected members and their CEO's. Local governments may increase CEO's salaries where they are not at the maximum of their band range.

Giving consideration to staff retention and succession planning and taking cognisance of proposed changes to alternate waste management infrastructure it is considered that a review of the MRC's band classification should be undertaken.

**The Motion was Put by Cr Fishwick and seconded by Cr Proud**

*CARRIED UNANIMOUSLY (12/0)*

**14 URGENT BUSINESS**

Nil

**15 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN**

Nil

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

The Chairman requested that in accordance with clause 7.9 of the *Mindarie Regional council Standing orders local law 2010* and s.5.23 of the *Local government Act 1995*, Council proceed to meet "behind closed doors" to allow the Council to consider Items 16.1 and 16.2 as they were of a confidential nature.

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**Cr Fishwick moved, Cr Jenkinson seconded**

*CARRIED UNANIMOUSLY (12/0)*

*No public were in attendance. Member Council Officers, MRC staff and Laurie James, Kott Gunning were invited to stay. Ms Toward and Ms Slater left the chambers.*

*Doors were closed at 6.15pm*

This report is **Confidential** in accordance with Section 5.23 (c) of the Local Government Act 1995 as Council's decision may result in a contract being entered into.

|                             |   |
|-----------------------------|---|
| <b>16.1</b>                 | <b>APPOINTMENT OF EXTERNAL AUDITORS</b> |
| <b>File No:</b>             | <b>FIN/135-03</b>                       |
| <b>Attachment(s):</b>       | <b>Nil</b>                              |
| <b>Date:</b>                | <b>16 June 2017</b>                     |
| <b>Responsible Officer:</b> | <b>A/DIRECTOR COPORATE SERVICES</b>     |

**AUDIT COMMITTEE RECOMMENDATION**

**That Macri Partners be appointed as the Mindarie Regional Council's external auditors for a period of 2 years, commencing on 1 July 2017.**

*(Absolute Majority Required)*

**RESOLVED**

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

*(CARRIED UNANIMOUSLY (12/0))*

NOTE: The Chief Executive Officer has NOT released Report 16.1 for Public information as council's decision may result in a contract being entered into.

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This report is **Confidential** in accordance with Section 5.23 (d) of the Local Government Act 1995 where legal advice has been obtained, or may be obtained by the Local Government, which relates to this matter

|                             |                              |
|-----------------------------|------------------------------|
| <b>16.2</b>                 | <b>STAGE 2 PHASE 3 LINER</b> |
| <b>File No:</b>             | <b>WST/206-02</b>            |
| <b>Attachment(s):</b>       | <b>Nil</b>                   |
| <b>Date:</b>                | <b>22 June 2017</b>          |
| <b>Responsible Officer:</b> | <b>A/CEO</b>                 |

#### **RESPONSIBLE OFFICER RECOMMENDATION**

**That the Council:**

- 1. Agree to the proposed ‘without prejudice’ settlement outlined in the body of the report**
- 2. Authorise the Chairman and the Chief Executive Officer to execute such documents as may be necessary to give effect to the settlement.**

#### **RESOLVED**

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

*(CARRIED UNANIMOUSLY (12/0))*

NOTE: The Chief Executive Officer has NOT released Report 16.2 for Public information as it contains legal advice obtained by the local government which relates to this matter.

The Chairman, Cr Fishwick moved to have the meeting reopened.

#### **RESOLVED**

**Cr Fishwick moved, Cr Cole seconded  
That the meeting be reopened**

*CARRIED UNANIMOUSLY (12/0)*

*The meeting was reopened at 6.34pm*

As no public entered the chamber on the reopening of the meeting the resolution and the votes, made behind closed doors, of the Council item 16.1 and 16.2 as detailed above were taken as being read.

**17 NEXT MEETING**

*Next meeting to be held on Thursday 14 September 2017 in the Council Chambers at City of Vincent commencing at 5.30pm.*

**18 CLOSURE**

*The Chairman closed the meeting at 6.35pm and thanked City of Stirling for their hospitality and 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 6 July 2017.*

*Signed ..... Chairman*

*Dated this ..... day of ..... 2017*

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