



Ordinary Meeting of Council

Minutes

Thursday 18 October 2018, 6:00pm
City of Vincent
244 Vincent Street, Leederville

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

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TAMALA PARK REGIONAL COUNCIL

MEMBERSHIP

OWNER COUNCIL	MEMBER	ALTERNATE MEMBER
Town of Cambridge	Cr Andres Timmermanis	Cr Jo McAllister
City of Joondalup	Cr John Chester Cr Nige Jones	Cr Sophie Dwyer Cr Christine Hamilton-Prime
City of Perth	Commissioner Andrew Hammond	Commissioner Gaye McMath
City of Stirling	Cr Karen Caddy Cr Joe Ferrante Cr Giovanni Italiano (CHAIRMAN) Cr Bianca Sandri	Cr Suzanne Migdale
Town of Victoria Park	Cr Claire Anderson	Cr Ronhhda Potter
City of Vincent	Mayor Emma Cole	Cr Jimmy Murphy
City of Wanneroo	Cr Samantha Fenn Cr Brett Treby (DEPUTY CHAIRMAN)	Cr Russell Driver Cr Domenic Zappa

PRESENT

Chairman	Cr Giovanni Italiano
Councillors	Cr Claire Anderson Cr John Chester Cr Emma Cole Cr Samantha Fenn (arrived 6:11pm) Cmr Andrew Hammond Cr Nige Jones Cr Bianca Sandri Cr Brett Treby
Alternate Members	Cr Suzanne Migdale
Staff	Mr Tony Arias (Chief Executive Officer) Mr Luke Aitken (Project Coordinator) Ms Vickie Wesolowski (Executive Assistant)
Apologies Councillors	Cr Karen Caddy Cr Joe Ferrante Cr Andres Timmermanis
Leave of Absence	Nil
Absent	Nil
Consultants	Mr Carl Buckley (Satterley Property Group) Mr Brenton Downing (Satterley Property Group) Ms Lauren Vidler (Satterley Property Group)
Apologies Participant Councils' Advisers	Mr John Giorgi (Town of Cambridge) Mr Martin Mileham (City of Perth) Mr Stuart Jardine (City of Stirling) Mr Anthony Vuleta (Town of Victoria Park) Mr Daniel Simms (City of Wanneroo)
In Attendance Participant Councils' Advisers	Mr Garry Hunt (City of Joondalup) Mr Greg Bowering (City of Stirling) Mr Emille van Heyningen (City of Wanneroo) Mr David MacLennan (City of Vincent)
Members of the Public	Nil
Press	Nil

1. OFFICIAL OPENING

The Chairman declared the meeting open at 6:05pm and welcomed Councillors to the Tamala Park Regional Council meeting. The Chairman welcomed Mr David MacLennan, CEO City of Vincent to the TPRC meeting.

DISCLOSURE OF INTERESTS

The Chief Executive Officer confirmed a Disclosure of Interest - Impartial Interest in relation to Item 9.13.

2. PUBLIC STATEMENT/QUESTION TIME

Nil

3. APOLOGIES AND LEAVE OF ABSENCE

Cr Caddy, Cr Ferrante and Cr Timmermanis.

4. PETITIONS

Nil

5. CONFIRMATION OF MINUTES

Ordinary Meeting of Council – 16 August 2018

Moved Cr Sandri, Seconded Cr Cole.

That the minutes of the Ordinary Meeting of Council of 16 August 2018 be confirmed, and signed by the Chairman, as a true and correct record of proceedings.

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

5A. BUSINESS ARISING FROM MINUTES

Nil

6. ANNOUNCEMENTS BY CHAIRMAN (WITHOUT DISCUSSION)

Nil

7. MATTERS FOR WHICH MEETING MAY BE CLOSED

- 9.11 *Catalina Housing and Built Form Strategy FYE 2019 - Confidential*
- 9.12 *Development Manager's Key Performance Indicators – FYE 2018 - Confidential*
- 9.13 *CEO Performance Review 2017/2018 - Confidential*

8. REPORTS OF COMMITTEES

CEO Performance Review Committee Meeting – 5 September 2018

Cr Jones – Chairman, CEO Performance Review Committee Meeting advised that the Committee considered a report on the CEO Performance Review for 2017/2018 which had been endorsed by the Committee and was recommended for Council's endorsement.

Management Committee Meeting – 20 September 2018

Cr Treby – Chairman, Management Committee advised that the Committee considered a number of Items listed in this agenda and that there had been significant discussion on Item 9.11. He advised that he would provide further comments when the items were formally considered.

Audit Committee Meeting – 18 October 2018

In absence of the Chairman (Cr Ferrante) Cr Sandri acted as Chair for Audit Committee Meeting of 18 October 2018. Cr Sandri advised that the Committee considered a number of Items listed in this agenda and that Council's appointed Auditor (Mr Marius van der Merwe) attended the meeting and provided an overview of the Auditor's Report for FYE 2018.

Cr Fenn arrived during discussion on this Item (6:11pm).

9. ADMINISTRATION REPORTS AS PRESENTED (ITEMS 9.1 – 9.13)

9.1 BUSINESS REPORT – PERIOD ENDING 10 OCTOBER 2018

Moved Cr Treby, Seconded Cr Jones.

[The recommendation in the agenda]

That the Council RECEIVES the Business Report to 10 October 2018.

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

9.2 STATEMENTS OF FINANCIAL ACTIVITY FOR THE MONTHS OF JULY & AUGUST 2018

Moved Cr Migdale, Seconded Cr Sandri.

[The recommendation in the agenda]

That the Council RECEIVES and NOTES the Statements of Financial Activity for the months ending:

- **31 July 2018; and**
- **31 August 2018.**

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

9.3 LIST OF MONTHLY ACCOUNTS SUBMITTED FOR THE MONTHS OF JULY & AUGUST 2018

Moved Cmr Hammond, Seconded Cr Treby.

[The recommendation in the agenda]

That the Council RECEIVES and NOTES the list of accounts paid under Delegated Authority to the CEO for the months of July and August 2018:

- **Month ending 31 July 2018 (Total \$189,791)**
- **Month ending 31 August 2018 (Total \$624,668)**
- **Total Paid - \$814,459**

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

9.4 PROJECT FINANCIAL REPORT – AUGUST 2018

Moved Cr Chester, Seconded Cr Cole.

[The recommendation in the agenda]

That the Council RECEIVES the Project Financial Report (August 2018) submitted by the Satterley Property Group.

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

9.5 SALES AND SETTLEMENT REPORT – PERIOD ENDING 10 OCTOBER 2018

Moved Cr Migdale, Seconded Cr Anderson.

[The recommendation in the agenda]

That the Council RECEIVES the Sales and Settlement Report to 10 October 2018.

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

9.6 TPRC ANNUAL FINANCIAL REPORT FOR THE YEAR 1 JULY 2017 TO 30 JUNE 2018

Moved Cr Sandri, Seconded Cr Migdale.

[The recommendation in the agenda]

That the Council RECEIVES the Annual Financial Report for the year ended 30 June 2018 and that it be INCLUDED in the Annual Report.

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

9.7 REVIEW OF THE AUDITOR'S REPORT FOR THE FINANCIAL YEAR ENDED 30 JUNE 2018

Moved Cr Sandri, Seconded Cr Migdale.

[The recommendation in the agenda]

That the Council:

- 1. RECEIVES the Auditor's Report for the financial year ended 30 June 2018.**
- 2. NOTES that the Audit Report does not note or make recommendations on any matter requiring attention from the Annual Audit for the year ended 30 June 2018.**
- 3. NOTES that the Council's Auditor (Butler Settineri) met with the Audit Committee at its meeting of 18 October 2018 to discharge the statutory obligation to meet with the Local Government at least once per annum.**

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

9.8 FINANCIAL MANAGEMENT – SIGNIFICANT ACCOUNTING POLICIES REVIEW 2018

Moved Cr Sandri, Seconded Cr Migdale.

[The recommendation in the agenda]

That the Council APPROVES the Financial Management – Significant Accounting Policies (September 2018).

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

9.9 CATALINA DISPLAY VILLAGE STRATEGY – CATALINA BEACH SALES OFFICE

Moved Cr Migdale, Seconded Cr Cole.

[The recommendation in the agenda]

That the Council:

- 1. RECEIVES the update on the Sales Strategy of the Catalina Beach Sales Office prepared by the Satterley Property Group (dated September 2018).**
- 2. APPROVES Lot 2094 and Lot 9025 being retained in Council ownership until the completion of the Catalina Beach Sales Office function when both sites will be sold.**
- 3. REQUESTS that the Satterley Property Group undertake a review and report on the sale and lease back options by October 2020 for Council's consideration.**

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

9.10 COUNCIL MEETING SCHEDULE 2019

Moved Cr Treby, Seconded Cr Jones.

[The recommendation in the agenda]

1. That the schedule of Council meetings dates be APPROVED for 2019 as follows:
 - 14 February 2019 (Town of Cambridge)
 - 18 April 2019 (City of Joondalup)
 - 20 June 2019 (City of Stirling)
 - 15 August 2019 (Town of Victoria Park)
 - 17 October 2019 (City of Vincent)
 - 5 December 2019 (City of Perth)
2. That the commencement time for Council meetings be 6:00pm.
3. That Council meetings be held on a rotational basis at participant Council premises.
4. That the schedule of Management Committee meetings dates be APPROVED for 2019 as follows:
 - 14 March 2019
 - 23 May 2019
 - 18 July 2019
 - 19 September 2019
 - 7 November 2019
5. That the Management Committee meetings be held at the City of Stirling and the commencement time be 5:00pm.
6. That the schedule of meeting dates be advertised as required by the Local Government Act.

The Motion as amended was as follows:

1. **That the schedule of Council meetings dates be APPROVED for 2019 as follows:**
 - **18 April 2019 (City of Joondalup)**
 - **20 June 2019 (City of Stirling)**
 - **15 August 2019 (Town of Victoria Park)**
 - **17 October 2019 (City of Vincent)**
 - **5 December 2019 (City of Perth)**
2. **That the commencement time for Council meetings be 6:00pm.**
3. **That Council meetings be held on a rotational basis at participant Council premises.**
4. **That the schedule of Management Committee meetings dates be APPROVED for 2019 as follows:**
 - **14 March 2019**
 - **23 May 2019**
 - **18 July 2019**
 - **19 September 2019**
 - **7 November 2019**

5. That the Management Committee meetings be held at the City of Stirling and the commencement time be 5:00pm.
6. That the schedule of meeting dates be advertised as required by the Local Government Act.

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

Moved Cr Sandri, Seconded Cr Treby.

That Items 9.11 to 9.13 be CONSIDERED Behind Closed Doors in accordance with Section 5.23(2) of the *Local Government Act 1995*.

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

9.11 CATALINA HOUSING AND BUILT FORM STRATEGY FYE 2019 - CONFIDENTIAL

Moved Cr Treby, Seconded Cr Chester.

[The recommendation in the agenda]

That the Council:

1. **RECEIVES** the Catalina Housing and Built Form Strategy (July 2018) submitted by the Satterley Property Group, for strategic guidance for the delivery of housing and built form outcomes within the Catalina Project.
2. **ADVISES** the Satterley Property Group that based on the implementation actions and measurement requirements in the Catalina Housing and Built Form Strategy that the Development Manager's Key Performance Indicator 2.9 requiring an annual review of the Housing and Built Form Strategy has been satisfied.
3. **REQUESTS** the Satterley Property Group to monitor and implement the Catalina Housing and Built Form Strategy nominated actions/strategies to ensure that a strategic position is achieved to provide the opportunity for the delivery of significant built form outcomes in FYE 2020.

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

Council's Consultants vacated the meeting.

9.12 DEVELOPMENT MANAGER'S KEY PERFORMANCE INDICATORS – FYE 2018 - CONFIDENTIAL

[The recommendation in the agenda]

That the Council:

1. **RECEIVES** the Satterley Property Group – Key Performance Indicators 2017/2018 Report.

2. **ACCEPTS** that the Development Manager has satisfactorily performed and observed its obligations under the Development Management Agreement (2010) for FYE 2018 by the achievement of in excess of the 80% minimum achievement requirement set out in the Development Managers Key Performance Indicators (2014), having regard to the residential market conditions and economic forces outside of the control of the Development Manager.
3. **ADVISES** the Development Manager that the Council's acceptance of the impact of market conditions on KPI measures for FYE 2018 should not be construed as precedent and there is an expectation that the Development Manager will satisfactorily perform its obligations under the Development Management Agreement (2010) by the achievement of the Development Managers Key Performance Indicators (2014) in the future.

The Motion lapsed due to a lack of Mover and Seconder.

Moved Cr Cole, Seconded Cr Treby.

[An alternative recommendation]

That the Council:

1. **RECEIVES** the Satterley Property Group – Key Performance Indicators 2017/2018 Report.
2. **ACCEPTS** that the Development Manager has satisfactorily performed and observed its obligations under the Development Management Agreement (2010) for FYE 2018 in relation to the Development Manager's Key Performance Indicators (2014). Noting that three of the six Key Performance Indicators not achieved (3.3, 4.1 and 4.3) due to residential market conditions outside of the control of the Development Manager.
3. **ADVISES** the Development Manager that the Council's acceptance of the impact of market conditions on KPI measures for FYE 2018 should not be construed as precedent and there is an expectation that the Development Manager will satisfactorily perform its obligations under the Development Management Agreement (2010) by the achievement of the Development Manager's Key Performance Indicators (2014) in the future.
4. **Note** the Development Manager's KPIs are to be reviewed by Council in early 2019 with the objective of making them more clearly defined and meaningful; quantified and measured and relevant in achieving TPRC objectives for the Catalina Project.

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

The CEO and Councils' Officers vacated the meeting.

9.13 CEO PERFORMANCE REVIEW 2017/2018 - CONFIDENTIAL

Moved Cr Sandri, Seconded Cr Treby.

That TPRC Standing Order 10.2 be SUSPENDED to allow discussion of the Item.

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

Moved Cmr Hammond, Seconded Cr Treby.

That the Item be DEFERRED to the December meeting pending receipt of the CEO Performance Review Committee Minutes by Council.

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

Moved Cr Sandri, Seconded Cr Treby.

That Standing Order 10.2 be reinstated.

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

Moved Cr Sandri, Seconded Cr Migdale.

That the Meeting be REOPENED to the public.

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

Councils' Officers and Consultants joined the meeting.

The recommendations for Confidential Items 9.11 to 9.13 were read out as follows:

9.11 CATALINA HOUSING AND BUILT FORM STRATEGY FYE 2019 - CONFIDENTIAL

That the Council:

1. *RECEIVES the Catalina Housing and Built Form Strategy (July 2018) submitted by the Satterley Property Group, for strategic guidance for the delivery of housing and built form outcomes within the Catalina Project.*
2. *ADVISES the Satterley Property Group that based on the implementation actions and measurement requirements in the Catalina Housing and Built Form Strategy that the Development Manager's Key Performance Indicator 2.9 requiring an annual review of the Housing and Built Form Strategy has been satisfied.*
3. *REQUESTS the Satterley Property Group to monitor and implement the Catalina Housing and Built Form Strategy nominated actions/strategies to ensure that a strategic position is achieved to provide the opportunity for the delivery of significant built form outcomes in FYE 2020.*

9.12 DEVELOPMENT MANAGER'S KEY PERFORMANCE INDICATORS – FYE 2018 - CONFIDENTIAL

That the Council:

1. *RECEIVES the Satterley Property Group – Key Performance Indicators 2017/2018 Report.*

2. *ACCEPTS that the Development Manager has satisfactorily performed and observed its obligations under the Development Management Agreement (2010) for FYE 2018 in relation to the Development Manager's Key Performance Indicators (2014). Noting that three of the six Key Performance Indicators not achieved (3.3, 4.1 and 4.3) due to residential market conditions outside of the control of the Development Manager.*
3. *ADVISES the Development Manager that the Council's acceptance of the impact of market conditions on KPI measures for FYE 2018 should not be construed as precedent and there is an expectation that the Development Manager will satisfactorily perform its obligations under the Development Management Agreement (2010) by the achievement of the Development Manager's Key Performance Indicators (2014) in the future.*
4. *Note the Development Manager's KPIs are to be reviewed by Council in early 2019 with the objective of making them more clearly defined and meaningful; quantified and measured and relevant in achieving TPRC objectives for the Catalina Project.*

9.13 CEO PERFORMANCE REVIEW 2017/2018 – **CONFIDENTIAL**

That the matter be DEFERRED to the December meeting pending receipt of the CEO Performance Review Committee Minutes by Council.

10. ELECTED MEMBERS MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

10.1 NOTICE OF MOTION – COUNCILLOR SUZANNE MIGDALE – ELECTED MEMBER ALLOWANCES

Moved Cr Migdale, Seconded Cr Sandri.

That TPRC Standing Order 3.9 be SUSPENDED to allow Motion 10.1 to be discussed without four days' notice.

The Motion was put and declared CARRIED (6/4).

For: Cr Anderson, Cr Cole, Cr Chester, Cr Italiano, Cr Migdale and Cr Sandri.

Against: Cr Fenn, Cr Hammond, Cr Jones and Cr Treby.

Moved Cr Migdale, Seconded Cr Sandri.

That a report comes back to Council addressing the inequity between elected member allowances for Councillors and the sitting fees of an alternate Council member.

The Mover of the Motion agreed to withdraw.

Moved Cr Hammond, Seconded Cr Treby.

(An alternative Motion)

That the CEO prepares a report to come back to Council on elected member allowances for Councillors and the sitting fees of an alternate Council member.

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

Moved Cr Treby, Seconded Cr Sandri.

That Standing Orders be reinstated.

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

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

- 9.11 *Catalina Housing and Built Form Strategy FYE 2019 - Confidential*
- 9.12 *Development Manager's Key Performance Indicators – FYE 2018 - Confidential*
- 9.13 *CEO Performance Review 2017/2018 - Confidential*

14. GENERAL BUSINESS

Nil

15. FORMAL CLOSURE OF MEETING

The Chairman declared the meeting closed at 7:41pm.

These minutes were confirmed at a meeting on

SIGNED this day of 2018

as a true record of proceedings.

CHAIRMAN



MINUTES

ORDINARY COUNCIL MEETING

TIME: 6.00 PM

25 OCTOBER 2018

TOWN OF VICTORIA PARK

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



Town of
Cambridge



City of
Joondalup



CITY of PERTH



City of Stirling
City of Choice



TOWN OF
VICTORIA PARK



CITY OF VINCENT



City of
Wanneroo

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1	DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS
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The Chair declared the meeting open at 6pm

2	ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE
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Councillor Attendance

Cr D Boothman JP (Chair)	City of Stirling
Cr M Norman (Deputy Chair)	City of Joondalup
Cr R Fishwick JP	City of Joondalup
Cr E Lumsden	City of Perth
Cr A Guilfoyle	City of Stirling
Cr S Proud JP	City of Stirling
Cr E Cole (<i>entered at 6.03pm</i>)	City of Vincent
Cr F Cvitan JP	City of Wanneroo
Cr J Nelson	Town of Cambridge
Cr K Vernon (<i>entered at 6.05pm</i>)	Town of Victoria Park

Apologies

Cr K Sargent	City of Stirling
Cr R Driver	City of Wanneroo
Cr K Shannon	Town of Cambridge

Leave of Absence

Nil

Absent

Nil

MRC Officers

Mr G Hoppe (Chief Executive Officer)
Ms D Toward (Executive Support)

MRC Observers

Nil

Member Council Observers

Mr N Claassen (City of Joondalup)
Ms K Howarth (City of Perth)
Mr R Bryant (City of Stirling)
Mr M Littleton (City of Stirling)
Mr A Murphy (City of Vincent)
Ms Y Plimbley (City of Vincent)
Mr S Cairns (City of Wanneroo)
Mr H Singh (City of Wanneroo)
Mr J Wong (Town of Victoria Park)

Visitors

Nil

Members of the Public

Nil

Press

Nil

3 DECLARATION OF INTERESTS

Nil

4 PUBLIC QUESTION TIME

Nil

5 ANNOUNCEMENTS BY THE PRESIDING PERSON

Nil

6 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

7 PETITIONS / DEPUTATIONS / PRESENTATIONS

Nil

8 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

8.1 ORDINARY COUNCIL MEETING – 6 SEPTEMBER 2018

The Minutes of the Ordinary Council Meeting held on 6 September 2018 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 September 2018 be confirmed as a true record of the proceedings.

Moved Cr Proud, Cr Cvitan

Cr Emma Cole entered the Council Chambers at 6.03 pm

RESOLVED

That the recommendation be adopted

(CARRIED 8/1)

For: Boothman, Norman, Fishwick, Lumsden, Guilfoyle, Proud, Cole, Cvitan

Against: Nelson

9	CHIEF EXECUTIVE OFFICER REPORTS
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9.1	FINANCIAL STATEMENTS FOR THE MONTHS ENDED 31 JULY 2018 AND 31 AUGUST 2018
File No:	FIN/5-07
Appendix(s):	Appendix No. 1 Appendix No. 2 Appendix No. 3
Date:	03 October 2018
Responsible Officer:	Director Corporate Services

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 are for the months ended 31 July 2018 and 31 August 2018 and are attached at **Appendix No. 1 and 2** to this Item. The Tonnage Report for the 2 months to 31 August 2018 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 two-month period ended 31 August 2018

	Actual	Budget	Variance
	t	t	t
Tonnes – Members	48,073	36,529	11,544
Tonnes – Others	2,468	1,929	539
TOTAL TONNES	50,541	38,458	12,083
	\$	\$	\$
Revenue – Members	9,596,843	7,488,481	2,108,362
Revenue – Other	761,646	685,868	75,778
TOTAL REVENUE	10,358,489	8,174,349	2,184,140
Expenses	9,842,724	8,841,008	(1,001,716)
Profit on sale of assets	1,598	1,278	320
Loss on sale of assets	-	-	-
NET SURPLUS	517,363	(665,381)	1,182,744

Commentary

The Member Councils' processable waste for the financial year to date is 9,951 tonnes above forecast, with all Member Councils delivering more than forecast.

The non processable waste for the period to date is 1,630 tonnes above the financial forecast, primarily as a result of the City of Stirling (1,241t) and City of Wanneroo (1,759t) bringing more waste than budgeted abated by City of Joondalup bringing in less than what was budgeted (1,110t).

These variances leave the MRC 25% ahead in its budgeted waste receipts from member councils. Overall the Member Council waste is 11,543 tonnes above the phased budget as at the end of August 2018.

RRF

The Resource Recovery Facility residue tonnes are on budget at 37 tonnes below forecast. However, we will see an increase over the next months in preparation for the scheduled maintenance shutdown which is scheduled for November 2018.

Trade & Casual

The Casual and Trade tonnages are 539 tonnes higher than forecast for the financial year.

Overall for the period ended 31 August 2018, the tonnes received are 12,083 tonnes above what was budgeted.

VOTING REQUIREMENT

Simple Majority

RESPONSIBLE OFFICER RECOMMENDATION

That the Financial Statements set out in Appendix No. 1 and 2 for the months ended 31 July 2018 and 31 August 2018 are received.

Moved Cr Norman, seconded Cr Boothman

RESOLVED

That the recommendation be adopted

(CARRIED UNANIMOUSLY 9/0)

9.2 LIST OF PAYMENTS MADE FOR THE MONTHS ENDED 31 JULY 2018 AND 31 AUGUST 2018	
File No:	FIN/5-06
Appendix(s):	Appendix No. 4 Appendix No. 5
Date:	03 October 2018
Responsible Officer:	Director Corporate Services

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 July 2018 and 31 August 2018 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 6 September 2018, 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 July 2018	General Municipal	Cheques	\$6,113.99
		EFT	\$6,111,638.02
		DP	\$198,795.45
		Inter account transfers	\$2,600,000.00
		Total	\$8,916,547.46
31 August 2018	General Municipal	Cheques	\$5,175.40
		EFT	\$4,339,314.94
		DP	\$299,429.56
		Inter account transfers	\$3,300,000.00
		Total	\$7,943,919.90

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 July 2018 and 31 August 2018, be noted.

Moved Cr Lumsden, seconded Cr Guilfoyle

RESOLVED

That the recommendation be adopted
(CARRIED UNANIMOUSLY 9/0)

Cr Karen Vernon entered the Council Chamber at 6.05 pm

9.3	APPOINTMENT OF COUNCILLORS ON TO THE MUNICIPAL WASTE ADVISORY COUNCIL (MWAC)
File No:	GOV/1-04
Attachment(s):	1. Municipal Waste Advisory Council Details
Date:	12 October 2018
Responsible Officer:	Chief Executive Officer

SUMMARY

The purpose of this report is to seek the appointment of a Councillor of the Mindarie Regional Council (MRC) to the Municipal Waste Advisory Council (MWAC).

BACKGROUND

The MRC is currently a member of an advisory group of WALGA known as MWAC. A MRC Councillor is required to be a member of this group.

MWAC was established as part of the MRC's commitment to the Western Australia Local Government Association membership.

Attachment 1 to this agenda item provides details of the tenure, membership, duties and responsibilities associated with being a member of MWAC.

DETAILS

At the MRC Ordinary Council meeting held on 9 November 2017 Councillor Russ Fishwick was appointed as a Member and Cr Andrew Guilfoyle as a Deputy Member on to MWAC.

On 19 September 2018 Councillor Fishwick resigned from MWAC. The resignation has resulted in the need for the MRC to swear in a new member.

It should also be noted that Councillor Fishwick has resigned from his positions as Chair of the CEO Recruitment and Performance Review Committee and Chair of the Audit Committee. Cr Fishwick remains a member of both committees, with a new Chair to be appointed at the next respective committee meetings.

The following provides a brief explanation of the purpose of MWAC:

Municipal Waste Advisory Council

The Municipal Waste Advisory Council (MWAC) was established in December 1994 as a Standing Committee of the Western Australian Local Government Association (WALGA) with delegated authority to represent the Association in respect of matters relating to municipal waste issues. MWAC is established under a partnership agreement with WALGA, Eastern Metropolitan Regional Council, City of Geraldton/Greenough, Mindarie Regional Council, Rivers Regional Council, Southern Metropolitan Regional Council and Western Metropolitan Regional Council.

The objective of MWAC is to encourage and promote economically sound, environmentally safe waste management practices and to ensure that the shared interests of all Western Australian Local Governments, as they relate to waste management, are

effectively managed. As MWAC is a standing committee of WALGA it requires councillor representation. An Officer Advisory Group (OAG) has been established as an advisory committee to the MWAC.

LEGAL COMPLIANCE

Refer attachment 1 to determine the compliance requirements of MWAC.

FINANCIAL IMPLICATIONS

There is no remuneration attached to this position.

COMMENT

There are 6 meetings per calendar year.

VOTING REQUIREMENT

Simple Majority

RESPONSIBLE OFFICER RECOMMENDATION

That the Council:

1. Appoint Cr _____ on to the Municipal Waste Advisory Council.

Cr Guilfoyle nominated Cr Boothman

There were no further nominations

Moved Cr Guilfoyle, seconded Cr Cvitan

RESOLVED

That the Council:

1. Appoint Cr Boothman on to the Municipal Waste Advisory Council.

(CARRIED UNANIMOUSLY 10/0)

ATTACHMENT 1

MUNICIPAL WASTE ADVISORY COUNCIL

MEMBERSHIP

One Councillor and a Deputy Supported by one staff member who is on a sub-group of MWAC entitled the Officers' Advisory Group.

MEETING FREQUENCY

Bi-Monthly

DUTIES AND RESPONSIBILITIES

General Functions of the MWAC

- | |
|---|
| <ul style="list-style-type: none">(a) The principal role of the MWAC in exercising its delegated authority is to govern the Municipal Waste Program and to represent the interests of the Parties and Local Government generally, in all matters relating to local government waste management.(b) Without limiting the MWAC's principal role, the broad functions and responsibilities of the MWAC include:<ul style="list-style-type: none">(i) defining policy and providing the overall strategic direction of the Municipal Waste Program to achieve the interests of the Parties to this Partnership Agreement;(ii) maintaining the MWAC as a credible, active and effective peak body in the area of waste management;(iii) facilitating and encouraging cooperative linkages between Local, State and Federal Government, Regional Councils, FORC, WMAA, Waste Authority, industry and the community;(iv) representing the interests of the Association in all matters relating to local government waste management in accordance with the Association's policy statements and formal positions on an issue, and without prior reference to the Association where a formal Association position on an issue is not current or has not yet been developed PROVIDED THAT any such position is subsequently put to the Association as soon as practicable for confirmation;(v) acting as an interface between the Parties to this Partnership Agreement and other local governments;(vi) promoting economically sound, environmentally safe and socially acceptable waste management and minimisation strategies;(vii) coordinating and initiating research on waste management issues;(viii) through the WALGA Chief Executive Officer and the MWAC Chair, monitoring and evaluating the performance of the Executive Officer against established key performance indicators;(ix) approving major operating plans, including the strategic plan;(x) approving the Annual Budget in accordance with the terms of this Partnership Agreement; and(xi) ensuring the Municipal Waste Program complies with the law and the Association's operational policies and procedures. |
|---|
-

-
- (c) Under the terms of the delegated authority, the MWAC may not make decisions:
- (i) concerning the acquisition, holding and disposition of real property or the borrowing of money or setting Association subscription levels;
 - (ii) that are inconsistent with an existing formal policy statement of the Association without prior reference to and the prior approval of the State Council; and
 - (iii) relating to operational matters as such matters remain the responsibility of the Executive Officer, reporting to the WALGA Chief Executive Officer or to their delegate.

APPOINTMENT/TENURE

Membership continues until notification is given to the other party advising of a change in the membership.

9.4	MINDARIE REGIONAL COUNCIL ORDINARY COUNCIL MEETING AND STRATEGY WORKSHOP DATES FOR 2019
File No:	COR/10-02
Appendix(s):	Nil
Date:	12 October 2018
Responsible Officer:	Chief Executive Officer

SUMMARY

The purpose of this report is to provide notice of the dates, times and locations for the Mindarie Regional Council's (MRC) Ordinary Council Meetings (OCM) and Strategy Workshops (SW) for 2019.

BACKGROUND

The MRC is required to schedule OCMs for the forthcoming calendar year and provide public notice of their dates, times and locations. In addition, the dates are set for two SWs.

DETAIL

In setting the dates for the 2019 OCM's consideration has been given to the following:

- The Tamala Park Regional Council meeting dates for 2019.
- The WALGA Metropolitan Zone meeting dates for 2019.
- Availability of Member Council's Chambers.

In addition to the above, two SWs are included in the meeting schedule. These workshops are important as they provide the Councillors, member council CEOs and representatives on the Strategic Working Group and MRC management an opportunity to review and discuss the MRC's strategic direction.

Programme of Meetings

Given the above, the proposed schedule of OCMs for 2019, commencing at 6.00 pm, is as follows:

- Ordinary Council Meeting – 7 February 2019 (City of Joondalup)
- Ordinary Council Meeting – 11 April 2019 (City of Wanneroo)
- Ordinary Council Meeting – 4 July 2019 (City of Stirling)
- Ordinary Council Meeting – 19 September 2019 (City of Vincent)
- Ordinary Council Meeting – 21 November 2019 (Town of Victoria Park)
- Ordinary Council Meeting – 12 December 2019 (City of Perth)

The SWs for 2019 will be held directly after the following OCMs:

- 2019 – 7 February 2019
 - 2019 - 19 September 2019
-

STATUTORY ENVIRONMENT

Part 12 (1) and (2) of the Local Government (Administration) Regulations 1996 requires local government to issue public notice of its meeting dates at least once per year stating:

“12. Meetings, public notice of (Act s. 5.25(1)(g))

- (1) At least once each year a local government is to give local public notice of the dates on which and the time and place at which —
 - (a) the ordinary council meetings; and*
 - (b) the committee meetings that are required under the Act to be open to members of the public or that are proposed to be open to members of the public,*are to be held in the next 12 months.*
- (2) A local government is to give local public notice of any change to the date, time or place of a meeting referred to in subregulation (1).*

S.1.7 of the Local Government Act 1995 prescribes local public notice as:

“1.7. Local public notice

- (1) Where under this Act local public notice of a matter is required to be given, a notice of the matter is to be —
 - (a) published in a newspaper circulating generally throughout the district; and*
 - (b) exhibited to the public on a notice board at the local government’s offices; and*
 - (c) exhibited to the public on a notice board at every local government library in the district.**
- (2) Unless expressly stated otherwise it is sufficient if the notice is —
 - (a) published under subsection (1)(a) on at least one occasion; and*
 - (b) exhibited under subsection (1)(b) and (c) for a reasonable time, being not less than —
 - (i) the time prescribed for the purposes of this paragraph; or*
 - (ii) if no time is prescribed, 7 days.”***

POLICY IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

COMMENT

The proposed schedule for OCM's for 2019 is now submitted for approval. In addition, it is recommended that the Council endorse the scheduling of the two SWs directly following on from the OCMs scheduled in February and September.

VOTING REQUIREMENT

Simple Majority

RESPONSIBLE OFFICER RECOMMENDATION

That the Council:

1. adopt the following schedule for Council Meetings for 2019, commencing at 6.00 pm:
 - Ordinary Council Meeting – 07 February 2019 (City of Joondalup)
 - Ordinary Council Meeting – 11 April 2019 (City of Wanneroo)
 - Ordinary Council Meeting – 04 July 2019 (City of Stirling)
 - Ordinary Council Meeting – 19 September 2019 (City of Vincent)
 - Ordinary Council Meeting – 21 November 2019 (Town Victoria Park)
 - Ordinary Council Meeting – 12 December 2019 (City of Perth)
2. issue Public Notice on the meetings location, dates and times as detailed in (1) above in accordance with Part 12 (1) of the *Local Government (Administration) Regulations 1996* and the *Local Government Act 1995*.
3. adopt the following dates for the two Strategy Workshops for 2019 as follows:
 - 07 February 2019 – following the OCM at the City of Joondalup
 - 19 September 2019 – following the OCM at the City of Vincent

Moved Cr Cole, seconded Cr Cvitan

RESOLVED

That the Recommendation be adopted.

(CARRIED UNANIMOUSLY 10/0)

9.5	SUBMISSION ON THE DRAFT WASTE STRATEGY 2030
File No:	WST/122-05
Appendix(s):	Appendix 6 and 7
Date:	17 October 2018
Responsible Officer:	Chief Executive Officer

SUMMARY

The purpose of this report is to obtain Council's approval of the Mindarie Regional Council's (MRC) proposed response to the Waste Authority's draft *Waste Strategy 2030* document.

BACKGROUND

In February 2018, the State Government and the Waste Authority commenced a review of the WA Waste strategy. Various consultation workshops were undertaken and a consultation document was published for comment.

Given the exceedingly tight response time frames, it was not possible to put the MRC's response to Council for endorsement and the then Acting Chief Executive Officer (CEO) submitted a response to the Waste Authority on behalf of the MRC, a copy of which is tabled at Appendix 6.

On 10 October 2018, the Waste Authority distributed a modified draft *Waste Strategy 2030* document for review to those parties who had previously made a submission. A copy of the draft document is included at Appendix 7 and has been separately distributed to MRC Councillors, member council CEOs and member of the Strategic Working Group. Interested parties may request variations to the draft within 28 days of issue (by 6 November 2018). The Waste Authority will then provide a draft, with any modifications, to the Minister for Environment.

The administration of the MRC has reviewed the draft *Waste Strategy 2030* and has drafted an outline of its proposed response on the modified draft document for Council approval.

DETAIL

High level overview of the draft *Waste Strategy 2030*

The draft strategy is based on a vision which is that:

Western Australia will become a sustainable, low-waste, circular economy in which human health and the environment are protected from the impacts of waste.

That vision is supported by three objectives:

1. AVOID

Western Australians generate less waste.

2. RECOVER

Western Australians recover more value and resources from waste.

3. PROTECT

Western Australians protect the environment by managing waste responsibly.

Each objective has had various targets set to measure performance:

1. AVOID

2025 – 10% reduction in waste generation per capita

2030 – 20% reduction in waste generation per capita

2. RECOVER

2025 – Increase material recovery to 70%

2030 – Increase material recovery to 75%

2020 – Recover energy only from residual waste

3. PROTECT

2025 - No more than 15% of waste generated in Perth and Peel regions is landfilled

2030 – All waste is managed and / or disposed to better practice facilities

These targets are then broken down further into more specific targets for waste generators and waste managers.

A key theme throughout the document is about fostering the move from a linear waste economy to a more circular economy.

Specific focus materials are identified for additional attention under each of the objectives.

In total, 50 different strategies are outlined addressing the following key themes:

- *Knowledge,*
 - *Enabling Infrastructure,*
 - *Incentives,*
 - *Information and data,*
 - *Engagement and education,*
 - *Regulation and policy, and*
 - *Planning.*
-
-

Outline of MRC's initial recommendations

In the MRC's response to the initial consultation document (Appendix 6), a total of 10 recommendations were made. Some, but not all, of these recommendations have been addressed in the draft *Waste Strategy 2030* as follows:

Recommendation 1:

Consideration should be given in the Waste Strategy as to how potential markets and uses for materials generated in the circular economy can be created, fostered, subsidised or otherwise supported by State Government.

■ *Partially addressed (strategies 9, 10, 14).*

Recommendation 2:

Consideration should be given in the Waste Strategy to the implementation of a standardised, mandatory waste collection system across the metropolitan area.

■ *Partially addressed (introduction of targets, strategy 17)*

Recommendation 3:

Consideration should be given to the recommendations made in the SWIP report, with a view to identifying appropriately zoned sites for future waste infrastructure, as part of the Waste Strategy.

■ *Partially addressed (Strategy 50)*

Recommendation 4:

Consideration should be given in the Waste Strategy to only requiring regulators to consider licence approvals for facilities which align with the waste processing technologies and preferred locations outlined in the Waste Strategy.

■ *Partially addressed (Strategy 44)*

Recommendation 5:

Consideration should be given in the Waste Strategy as to what waste education is required to change consumer behaviour to better support end markets, collection systems and waste processing infrastructure, with guidelines as to how that responsibility is to be shared, and funded, by the respective levels of government in the state.

■ *Fully addressed (Strategies 1, 4, 10, 11, 12, 13, 25, 43)*

Recommendation 6:

Consideration should be given in the Waste Strategy to additional waste management targets, such as percentage targets for organics recycling and reductions in per household waste generation.

■ *Fully addressed (additional targets set)*

Recommendation 7:

Consideration should be given in the Waste Strategy to a rolling 10 year projection of the expected Landfill Levy.

■ *Not addressed*

Recommendation 8:

Consideration should be given in the Waste Strategy to providing clarity around other levies, if any, that are being contemplated for AWTs.

■ *Not addressed*

Recommendation 9:

Consideration should be given in the Waste Strategy to a revised funding program to assist the industry in responding effectively to the objectives of the Waste Strategy.

■ *Partially addressed (broad mention of 'support' across a number of strategies)*

Recommendation 10:

An 'all of Government' approach should be considered in the drafting of the Waste Strategy, with at least proposed changes to the Local Government Act being considered and taken into account or revised as necessary, to help create statutory entities to support waste management in the region.

■ *Not addressed*

Outline of MRC's general observations and specific requests for variations

General observations

The MRC views the draft *Waste Strategy 2030* as an improvement on previous waste strategy documents and supports the overall direction being outlined.

The proposed responses to the Waste Authority are consistent with the MRC's vision of *Winning Back Waste*. The MRC's strategic direction is closely aligned with the objectives being outlined in the *Waste Strategy 2030* draft.

COMMUNITY IMPACTS

The cost of transitioning away from low cost landfilling to dealing with waste further up the waste hierarchy is likely to result in increased waste processing costs. This in turn will likely result in local government rates increases which may exceed CPI in any given year. It would be useful for the Waste Authority to undertake the necessary modelling to estimate what the financial impact of implementing the *Waste Strategy 2030* is likely to be on Western Australian households. Once these likely impacts are understood, consistent messaging from the Minister for Local Government and the Minister for Environment to assist in managing community expectations around possible rate increases will be important.

LANDFILL LEVY

Local government landfills and commercially operated landfills collect significant levies for the State Government from rate payers and businesses. A wholly insignificant proportion of these levies are reinvested into the waste sector in any form.

ACTION PLANS

The *Waste Strategy 2030* outlines some significantly aspirational waste targets for the next decade. The present reality is that by-and-large, the markets for the material to be recovered and the mechanisms to recover material from the proposed waste streams do not exist.

In order for Western Australia to be able to meet the proposed targets, robust actions plans will be required to underpin the 50 proposed strategies. The MRC would strongly encourage State Government and the Waste Authority to consult with local government and industry when developing these action plans.

Variation 1:

In order to provide investment certainty for local governments and industry, the *Waste Strategy 2030* should provide clarity around the quantum of the state landfill levy until 2030; how much of that figure will be hypothecated to the WARR account; and what proportion of the hypothecated amount will be reinvested into the waste industry.

In particular, will the funds be used to incentivise local governments and State government to adopt the use of recycled or recovered products.

Further, to what extent will the funds be used by State Government to invest in waste processing infrastructure. There is a strong preference for the investment in local industry that will help reduce the costs and environmental impacts of having to transport waste.

Variation 2:

The *Waste Strategy 2030* should provide clarity on how the Waste Authority intends to apply the landfill levy to remote and regional Western Australian, if at all, and whether a similar levy will be applied to Energy from Waste Facilities or other AWTs.

Variation 3:

The targets contained in the *Waste Strategy 2030* are all expressed as percentage change figures. The *Waste Strategy 2030* should provide the 2014/15 empirical base data that will be used as the starting point for measurement against these targets. Notably:

- Current (2014/15) material recovery rates per stream
- Current waste generation volumes for Perth and Peel, along with current annual landfill volumes

Variation 4:

No rationale for the selection of the various targets is provided. The *Waste Strategy 2030* should outline the comparative performance of other states in Australia and other comparable international economies against the proposed target metrics.

Variation 5:

The *Waste Strategy 2030* should signal the State Government's intent to promote producer packing stewardship programs through legislation if necessary.

Variation 6:

The *Waste Strategy 2030* needs to provide clarity as to what activities would be classed as 'recovery' and how this recovery will be measured, to ensure that perverse outcomes such as waste stockpiling are significantly dis-incentivised.

Variation 7:

The *Waste Strategy 2030* needs to provide clarity on how better practice guidelines will be implemented and importantly, what the transition provisions for new guidelines will be.

Significant infrastructure investments are likely to be required to deliver against the targets in the *Waste Strategy 2030* and there needs to be certainty for investors that the parameters which supported their investment are not going to be adversely changed when a new guideline is introduced without appropriate transition provisions.

A live case study in this regard is playing out with the MRC's Resource Recovery Facility contract, where the current push to change collection systems and recover organics from the waste stream is likely to have an adverse impact on the MRC's investment in waste processing infrastructure, which was designed to respond to the waste system parameters in effect at the time of construction.

CONSULTATION

The administration of the MRC has reviewed the draft *Waste Strategy 2030* document internally and have participated in a WALGA led discussion forum which was attended by the other Regional Councils and a number of local governments.

The views contained in the MRC's proposed responses to the draft *Waste Strategy 2030* document and the modifications it is requesting are largely consistent with the views expressed by the other parties who attended the WALGA forum.

STATUTORY ENVIRONMENT

The review of the State's waste strategy document is governed by the Waste Avoidance and Resource Recovery Act 2007 and has been undertaken in compliance with the Act.

POLICY IMPLICATIONS

The proposed response to the Waste Authority is consistent with existing MRC policy and strategic direction.

FINANCIAL IMPLICATIONS

Nil.

STRATEGIC IMPLICATIONS

The proposed responses to the Waste Authority are consistent with the MRC's vision of *Winning Back Waste*. The MRC's strategic direction is closely aligned with the objectives being outlined in the *Waste Strategy 2030* draft.

The changes being proposed will however have a significant impact on the MRC's member councils – in particular their collection systems – and as a consequence, the composition and volume of waste being directed to the MRC.

This will likely in turn have a material impact on the MRC's existing contractual arrangements with the Resource Recovery Facility in Neerabup.

The *Waste Strategy 2030* draft is also silent on how the proposed changes to waste management are likely to impact on processing fees, and ultimately, the rates payable by individual rate payers for their waste services.

VOTING REQUIREMENT

Simple Majority

ADDITIONAL COMMENTS

The MRC views the draft *Waste Strategy 2030* as an improvement on previous waste strategy documents and supports the overall direction being outlined. The success and effectiveness of the strategy will depend significantly on the quality of the action plans that are put in place to deliver on the various strategies outlined in the draft.

Further information on key drivers of behaviour, such as the landfill levy, needs to be clearly outlined in the strategy in order for waste managers and markets to be able to make informed decisions with respect to new ventures and investment in waste infrastructure.

The ability of the sector to achieve the targets outlined in the document in a sustainable manner will hinge on the development of viable, stable markets for the various product streams being recovered. The State Government needs to take a leading role in helping identify and foster these markets until they reach a self-sustaining level of maturity.

RESPONSIBLE OFFICER RECOMMENDATION

That Council:

- i) **Endorses the MRC's proposed responses and variations to the Waste Authority's draft *Waste Strategy 2030* document contained in the detail of this report and;**
 - ii) **authorises the CEO to write to the Waste Authority to communicate the MRC's position as endorsed in point i).**
-

Cr Nelson moved an alternative motion, seconded Cr Cole

That Council:

- i) Endorses the MRC's proposed responses and variations to the Waste Authority's draft Waste *Strategy 2030 document* contained in the detail of this report with the addition of a variation addressing HHW as focus material, and;**
- ii) authorises the CEO to write to the Waste Authority to communicate the MRC's position as endorsed in point i).**

RESOLVED

That the alternative motion be adopted

(CARRIED UNANIMOUSLY 10/0)

9.6 CAPITAL EXPENDITURE REALLOCATIONS	
File No:	FIN/153
Appendix(s):	Nil
Date:	9 October 2018
Responsible Officer:	Director of Corporate Services

SUMMARY

The purpose of this report is to present certain capital expenditure reallocations in the 2018/19 budget to Council for approval. These reallocations do not affect the overall capital expenditure total and do not affect the members' gate fee.

BACKGROUND

When the 2018/19 budget was prepared in early 2018, a combination of current market data, historical market data and modelling forecasts were used to determine the estimated capital costs of various pieces of plant.

A subsequent round of market testing conducted in September 2018 has firmed up pricing for the plant and highlighted where reallocations of expenditure are required.

DETAIL

Ahead of commencing procurement activities for the plant budgeted for in the 2018/19 budget, the Mindarie Regional Council (MRC) has undertaken a review of indicative market prices for the various items of large plant due to be replaced in the year.

The pricing obtained is indicative only at this stage and will be confirmed through a formal procurement process in line with MRC Council Policy CP06 *Purchase of Good and Services* in due course.

The Table A below reflects the originally budgeted amount for each item, the updated indicative pricing and the net change across the assets.

TABLE A

Plant details	2018/19 Budget	2018/19 Updated budget	Net Saving
Bomag Compactor	1,700,000	1,350,000	(350,000)
Sumitomo Excavator	350,000	330,000	(20,000)
Komatsu Loader	385,000	500,000	115,000
Komatsu Loader	385,000	580,000	195,000
Dump Truck	415,000	440,000	25,000
TOTAL	3,235,000	3,098,000	(35,000)

As per the table above, it is expected that the MRC will be able to procure the required plant within the originally anticipated capital expenditure budget, and as a result the proposed reallocation of capital expenditure will not impact the members' gate fee.

CONSULTATION

The MRC has undertaken a market testing exercise with various suppliers to update its estimates of expected capital expenditure.

STATUTORY ENVIRONMENT

Original budget approval is made in accordance with section 6.2 of the Local Government Act 1995 (as amended).

Modifications to the budget is done in compliance with section 33A of the Local Government (Financial Management) Regulations 1996.

POLICY IMPLICATIONS

The proposed budget reallocations are consistent with existing MRC policy.

FINANCIAL IMPLICATIONS

The changes proposed will be accommodated within the originally budgeted total capital expenditure for the 2018/19 financial year, and within the originally budgeted members' gate fee for the 2018/19 financial year.

The proposed reallocations will be included in the mid-year budget review.

STRATEGIC IMPLICATIONS

The Budget for 2018/19 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).

In developing the 2018/19 budget, the funding required for the activities outlined in the Corporate Business Plan have been taken into account.

VOTING REQUIREMENT

Absolute Majority

ADDITIONAL COMMENTS

Nil

RESPONSIBLE OFFICER RECOMMENDATION

That Council:

Approve the proposed reallocation of budgeted capital expenditures between budgeted items of plant as proposed in Table A of this report, which will be reflected in the mid-year budget review.

(Absolute Majority Required)

**Moved Cr Proud, seconded Cr Cvitan
That the Recommendation be adopted
(CARRIED UNANIMOUSLY 10/0)**

10 MEMBERS INFORMATION BULLETIN – ISSUE NO. 44

RESPONSIBLE OFFICER RECOMMENDATION

That the Members Information Bulletin Issue No. 44 be received.

**Moved by Cr Vernon, seconded by Cr Fishwick
That the recommendation be adopted
(CARRIED UNANIMOUSLY 10/0)**

11 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

12 URGENT BUSINESS

Nil

13 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

Nil

The Chairperson requested that in accordance with clause 7.9 of the *Mindarie Regional Council Standing Orders Local Law 2010* and s5.23(2) of the *Local Government Act 1995*, Council proceed to meet “behind closed doors” to allow the Council to consider items 14.1 to 14.6 as the items are of a confidential nature.

Cr Boothman moved, Cr Proud seconded

RESOLVED

To close the meeting to the public

(CARRIED UNANIMOUSLY 10/0)

Chairman announced that there are no limitations on the number of speeches made in accordance with clause 7.9 (4) of the *Mindarie Regional Council Standing Orders Local Law 2010* during the closed door meeting.

The Chairman directed Members of the Gallery to vacate the Council Chambers. Members of the Gallery vacated the Council Chambers and doors closed at 6.17 pm.

Note: The Acting Chief Executive Officer has not released Reports for items 14.1 to 14.6 for Public information as the reports may result in a contract being entered into.

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

This report is Confidential in accordance with Section 5.23 (2) (C) of the <i>Local Government Act 1995</i> as it is a matter that may result in a contract being entered into.	
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14.1	ENERGY FROM WASTE SHORT TERM CONTRACT
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File No:	WST/209-02
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Attachments(s):	
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Date:	09 October 2018
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Responsible Officer:	Chief Executive Officer
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RESPONSIBLE OFFICER RECOMMENDATION

That Council:

Approve the CEO's proposed course of action to not progress formal discussions with the Phoenix Group as originally contemplated by Council's 14 April 2016 resolution.

Moved Cr Proud, seconded Cr Guilfoyle

RESOLVED

That the Recommendation be adopted

(CARRIED 10/0)

This report is Confidential in accordance with Section 5.23 (2) (C) of the *Local Government Act 1995* as it is a matter that may result in a contract being entered into.

14.2 WMRC WASTE PROPOSAL

File No:	WST/101-03
Attachments(s):	Item 14.2 - Attachment 1
Date:	10 October 2018
Responsible Officer:	Chief Executive Officer

RESPONSIBLE OFFICER RECOMMENDATION

That Council:

1. Approves for the CEO to pursue commercial discussions with the Western Metropolitan Regional Council on behalf of the member councils wishing to make use of the proposed service offering.
(Simple Majority Required)
2. Approves for the CEO to enter into negotiations with the Western Metropolitan Regional Council for the supply of waste up to 30 June 2019 at the rates outlined in the details section of the report, the impact of which will be accommodated in the mid-year budget review.
(Absolute Majority Required)

Cr Vernon moved an alternative motion, seconded Cr Cvitan

1. Approves for the CEO to pursue commercial discussions with the Western Metropolitan Regional Council on behalf of the member councils wishing to make use of the proposed service offering.
(Simple Majority Required)
2. Approves for the CEO to enter into negotiations with the Western Metropolitan Regional Council for the supply of waste (up to a maximum of 20,000 tonnes) up to 30 June 2019 at the rates outlined in the details section of the report, the impact of which will be accommodated in the mid-year budget review.
(Absolute Majority Required)

Cr Nelson requested that the motions be considered separately

RESOLVED

Motion 1:

That the recommendation be adopted

(CARRIED UNANIMOUSLY 10/0)

RESOLVED

Motion 2:

That the recommendation be adopted

(CARRIED 9/1)

For: Boothman, Norman, Fishwick, Cole, Proud, Guilfoyle, Lumsden, Cvitan, Vernon

Against: Nelson

This report is Confidential in accordance with Section 5.23 (2) (C) of the *Local Government Act 1995* as it is a matter that may result in a contract being entered into.

14.3	TENDER FOR PROVISION OF LANDFILL LEACHATE TREATMENT TECHNOLOGY AND SERVICE
File No:	ENV/47-01
Attachments(s):	
Date:	11 October 2018
Responsible Officer:	Chief Executive Officer

RESPONSIBLE OFFICER RECOMMENDATION
That Council:

1. Resolve not to award the tender RFT13/139 to any of the tenders; and
2. Authorise the Chief Executive Officer to write to all the tenderers advising them of Council's decision not to award the tender.

Moved Cr Fishwick, Cr Cvitan

RESOLVED

That the recommendation be adopted.

(CARRIED 10/0)

This report is Confidential in accordance with Section 5.23 (2) (C) of the *Local Government Act 1995* as it is a matter that may result in a contract being entered into.

14.4 RRF FOGO TRIAL

File No: COR/48-07

Attachments(s): Item 14.4 - ATTACHMENT 1

Date: 11 October 2018

Responsible Officer: Chief Executive Officer

RESPONSIBLE OFFICER RECOMMENDATION

That Council:

Approves for the MRC to proceed with the proposed FOGO trial at the RRF at an estimated cost of \$300,000, which will be funded in the mid-year budget review.

(Absolute Majority Required)

Cr Norman moved an alternative motion, seconded Cr Proud

RESOLVED

That Council:

Approves for the MRC to proceed with the proposed FOGO trial at the RRF at an estimated cost of \$300,000, which will be funded in the mid-year budget review, and for the CEO to provide a report to Council on the results of the trial.

(CARRIED UNANIMOUSLY 10/0)

This report is Confidential in accordance with Section 5.23 (2) (C) of the *Local Government Act 1995* as it is a matter that may result in a contract being entered into.

14.5 FINANCIAL MODELLING FOR MRC STRATEGIC DIRECTIONS

File No:	FIN/153
Attachments(s):	
Date:	11 October 2018
Responsible Officer:	Chief Executive Officer

RESPONSIBLE OFFICER RECOMMENDATION

That Council:

Approve the engagement of Deloitte to undertake the required strategic financial modelling at an estimated cost of \$100,000, which will be funded through the mid-year budget review.

(Absolute Majority Required)

Moved Cr Lumsden, seconded Cr Cole

RESOLVED

That the recommendation be adopted
(CARRIED UNANIMOUSLY 10/0)

This report is Confidential in accordance with Section 5.23 (2) (C) of the *Local Government Act 1995* as it is a matter that may result in a contract being entered into.

14.6 RRFA DEED OF VARIATION

File No:	WST/147-07
Attachments(s):	
Date:	10 October 2018
Responsible Officer:	Chief Executive Officer

RESPONSIBLE OFFICER RECOMMENDATION

That Council:

Subject to the requisite approvals being obtained from Australia and New Zealand Banking Group Limited;

- i) authorises the CEO to accept the proposed temporary suspension of the Waste Diversion and Compost Quality KPIs under the Resource Recovery Facility Agreement from 1 January 2019 to 28 February 2019, and the consequential adjustments to the gate fee for that period if required, as requested by Biovision 2020 Pty Ltd in their letter dated 11 October 2018; and
- ii) resolves that the Mindarie Regional Council will work co-operatively and in good faith with Biovision 2020 Pty Ltd after 28 February 2019 to agree any required changes under clause 15.2(c) of the Resource Recovery Facility Agreement once the full change, if any, arising from the change in waste composition due to the implementation of a three bin system has been assessed.

Cr Boothman moved, Cr Lumsden seconded
RESOLVED

That the recommendation be adopted
(CARRIED 10/0)

**Moved Cr Boothman, seconded Cr Proud
RESOLVED**

To reopen the doors to the public.
(CARRIED 10/0)

Doors were reopened to the public at 6.54 pm and people from the gallery returned to their seats.

The Chair declared the meeting re-open. The Chair read out the resolutions for items 14.1 to 14.6.

15 NEXT MEETING

Next meeting to be held on Thursday 6 December 2018 in the Council Chambers at Town of Cambridge commencing at 6.00 pm.

16 CLOSURE

The Chairman closed the meeting at 7.00 pm and thanked the Town of Victoria Park for their hospitality and use of their meeting facilities.

These Minutes were confirmed by Council as a true and accurate record of the Ordinary Meeting of the Council held on 25 October 2018.

Signed..... Chairman

Dated this day of2018
