



MINUTES

ORDINARY COUNCIL MEETING

TIME: 8.30 PM

27 MAY 2021

CITY OF STIRLING

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



CITY OF VINCENT

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1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Chair declared the meeting open at 8.31 pm.

2 ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE

Councillor Attendance

Cr D Boothman, JP (Chair)	City of Stirling
Cr K Vernon (Deputy Chair)	Town of Victoria Park
Cr A Jacob, JP	City of Joondalup
Cr R Gordon	City of Perth
Cr J Ferrante	City of Stirling
Cr S Proud, JP	City of Stirling
Cr K Sargent	City of Stirling
Cr F Cvitan, JP	City of Wanneroo
Cr D Newton, JP	City of Wanneroo
Cr K Shannon	Town of Cambridge

Apologies

Cr R Fishwick, JP	City of Joondalup
Cr E Cole	City of Vincent

Leave of Absence

Nil

Absent

Nil

MRC Officers

Mr G Hoppe (Chief Executive Officer)
Ms A Slater (Director Corporate Services)
Ms S Cherico (Manager Human Resources)
Ms D Toward (Executive Support)

Member Council Observers

Cr A Castle (City of Vincent)
Mr N Claassen (City of Joondalup)
Mr A Murphy (City of Vincent)
Mr M Littleton (City of Stirling)
Mr H Singh (City of Wanneroo)
Mr J Wong (Town of Victoria Park)

MRC Observers

Mr B Twine

Visitors

Ms Sylvana Caranna, Lo-go Appointments

3 DECLARATION OF INTERESTS

Interest Type	Impartiality Interest
Name and Position of Person	Cr David Boothman - MRC Chair
Report No and Topic	14.4 CEO Recruitment
Name of Interest	One candidate known to Cr Boothman

Interest Type	Impartiality Interest
Name and Position of Person	Cr Dot Newton – MRC Councillor
Report No and Topic	14.4 CEO Recruitment
Name of Interest	One candidate known to Cr Newton

Interest Type	Impartiality Interest
Name and Position of Person	Cr Frank Cvitan – MRC Councillor
Report No and Topic	14.4 CEO Recruitment
Name of Interest	One candidate known to Cr Cvitan

Interest Type	Impartiality Interest
Name and Position of Person	Cr Albert Jacob – MRC Councillor
Report No and Topic	14.4 CEO Recruitment
Name of Interest	Two candidates known to Cr Jacob

Interest Type	Impartiality Interest
Name and Position of Person	Cr Joe Ferrante – MRC Councillor
Report No and Topic	14.4 CEO Recruitment
Name of Interest	One candidate known to Cr Ferrante

Interest Type	Impartiality Interest
Name and Position of Person	Cr Stephanie Proud – MRC Councillor
Report No and Topic	14.4 CEO Recruitment
Name of Interest	Three candidates known to Cr Proud

Interest Type	Impartiality Interest
Name and Position of Person	Cr Keith Sargent – MRC Councillor
Report No and Topic	14.4 CEO Recruitment
Name of Interest	One candidate known to Cr Sargent

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
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8.1 ORDINARY COUNCIL MEETING – 25 March 2021

The Minutes of the Ordinary Council Meeting held on 25 March 2021 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 25 March 2021 be confirmed as a true record of the proceedings.

8.2 SPECIAL COUNCIL MEETING – 29 April 2021

The Minutes of the Special Council Meeting held on 29 April 2021 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 29 April 2021 be confirmed as a true record of the proceedings.

Moved Cr Vernon, seconded Cr Gordon

RESOLVED

**That the recommendations for items 8.1 and 8.2 be adopted
(CARRIED UNANIMOUSLY 10/0)**

9.1 CHIEF EXECUTIVE OFFICER REPORTS

9.1	FINANCIAL STATEMENTS FOR THE MONTHS ENDED 28 FEBRUARY 2021 AND 31 MARCH 2021
File No:	FIN/5-09
Appendix(s):	Appendix No. 1 Appendix No. 2
Date:	13 May 2021
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 for the months ended 28 February 2021 and 31 March 2021 are attached at **Appendix No. 1 and 2** to this Item. The Tonnage Report for the 9 months to 31 March 2021 is attached at **Appendix No. 3**.

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

The estimates for Provisions for Amortisation of Cell Development, Capping and Post Closure expenditure are based on the estimated rates per tonne calculated with reference to estimated excavation cost of various stages of the landfill and the life of the landfill. An adjustment is made (if necessary) at the end of the year based on actual tonnages on a survey carried out to assess the “air space” remaining and other relevant information.

Summary of results for the year to date period ended 31 March 2021

	Actual	Budget	Variance
	t	t	t
Tonnes – Members	182,103	184,505	(2,402)
Tonnes – Others	16,983	10,453	6,530
TOTAL TONNES	199,086	194,958	4,128
	\$	\$	\$
Revenue – Members	37,398,178	37,823,642	(425,464)
Revenue – Other	3,784,135	3,001,263	782,872
TOTAL REVENUE	41,182,313	40,824,905	357,408
Expenses	43,800,805	43,511,576	(289,229)
Profit on sale of assets	56,441	9,232	47,209
Loss on sale of assets	-	-	-
Impairment of assets	-	-	-
NET DEFICIT	(2,562,051)	(2,677,439)	115,388

Commentary

Overall tonnages for the financial period ended 31 March 2021 were 4,128 tonnes more than budgeted, member councils bringing in less non processable waste than anticipated.

The net result variance against budget of \$115,388 is mainly attributable to RRF expenditures abated by unbudgeted tonnages received in the commercial waste tenders.

RRF

The Resource Recovery Facility residue tonnes have delivered 42,996 tonnes in total to Tamala Park year to date.

Trade & Casuals

The Casual and Trade tonnages are 6,529 tonnes higher than forecast for the financial year to date, 5,504 tonnes attributable to the discounted rate waste tender.

VOTING REQUIREMENT

Simple Majority

RESPONSIBLE OFFICER RECOMMENDATION

That Council:

Receive the Financial Statements set out in Appendix No. 1 and Appendix No. 2 for the months ended 28 February 2021 and 31 March 2021.

Moved Cr Cvitan, seconded Cr Gordon

RESOLVED

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

9.2	LIST OF PAYMENTS MADE FOR THE MONTHS ENDED FEBRUARY AND MARCH 2021
File No:	FIN/5-09
Appendix(s):	Appendix No. 4 and 5
Date:	13 May 2021
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 28 February 2021 and 31 March 2021 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 24 September 2020, 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
28 February 2021	General Municipal	Cheques	\$2,642.93
		EFT	\$3,345,916.69
		DP	\$202,207.76
		Inter account transfers	\$0.00
		Total	\$3,550,767.38
31 March 2021	General Municipal	Cheques	\$440.00
		EFT	\$3,551,265.11
		DP	\$164,452.61
		Inter account transfers	\$2,000,000.00
		Total	\$5,716,157.72

VOTING REQUIREMENT

Simple Majority

RESPONSIBLE OFFICER RECOMMENDATION

That Council:

Note the list of payments made under delegated authority to the Chief Executive Officer, for the months ended 28 February 2021 and 31 March 2021.

Moved Cr Vernon, seconded Cr Newton

RESOLVED

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

10 MEMBERS INFORMATION BULLETIN – ISSUE NO. 60

RESPONSIBLE OFFICER RECOMMENDATION

That the Members Information Bulletin Issue No. 60 be received.

Moved Cr Sargent, seconded Cr Gordon
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

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

The Chair requested that in accordance with clause 10.1(h) of the Mindarie Regional Council Meeting Procedures Local Law 2020 and s5.23 of the Local Government Act 1995, Council proceed to meet “behind closed doors” to allow the Council to consider items 14.1, 14.2, 14.3 and 14.4 as the items are of a confidential nature.

The Chair invited MRC Officers and Member Council Councillors and Officers seated in the public gallery to remain in the gallery.

The Chair asked Ms Sylvana Caranna, of Lo-go Appointments, to vacate the Council Chambers for items 14.1, 14.2 and 14.3.
Ms Caranna left at 8.37pm.

Moved Cr Ferrante, seconded Cr Cvitan
RESOLVED
To close the meeting to the public
(CARRIED UNANIMOUSLY 10/0)

Doors closed at 8.38 pm

This report is Confidential and dealt with in a confidential session, under Section 5.23 (2) (c) of the *Local Government Act 1995* as the report deals with a matter where a contract may be entered into.

14.1 TENDER FOR RECYCLING OF SCRAP METAL	
File No:	GF-21-0000134
Attachment(s):	
Date:	12 May 2021
Responsible Officer:	Chief Executive Officer

RESPONSIBLE OFFICER RECOMMENDATION

That Council:

- 1. Authorise the CEO to award the tender to recycle scrap metal recovered at Tamala Park (Tender Number: 13/148) to AAA Metal Recycling Australia Pty Ltd at the prices detailed within the report.**
- 2. Authorise the CEO to advise the tenderers of the outcome of the tender process.**

Moved Cr Jacob, seconded Cr Vernon

RESOLVED

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

This report is Confidential and dealt with in a confidential session, under Section 5.23 (2) (c) of the <i>Local Government Act 1995</i> as the report deals with a matter where a contract may be entered into.	
14.2 TENDER FOR PROVISION OF MATTRESS RECYCLING	
File No:	GF-21-0000133
Attachment(s):	
Date:	12 May 2021
Responsible Officer:	Chief Executive Officer

RESPONSIBLE OFFICER RECOMMENDATION

That Council:

- 1. Authorise the CEO to award the tender for the provision of mattress recycling (Tender Number: 13/147) to Soft Landing at the prices detailed within the report.**
- 2. Authorise the CEO to advise the successful tenderer of the outcome of the tender process.**

Moved Cr Sargent, seconded Cr Proud

RESOLVED

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

This report is Confidential and dealt with in a confidential session, under Section 5.23 (2) (c) of the <i>Local Government Act 1995</i> as the report deals with a matter where a contract may be entered into.	
14.3	TENDER TO AUCTION LANDFILL CAPACITY FINANCIAL YEAR 2021-22
File No:	GF-21-0000129
Attachment(s):	
Date:	12 May 2021
Responsible Officer:	Chief Executive Officer

RESPONSIBLE OFFICER RECOMMENDATION

That Council:

- 1. Does not award the tender for the auction of landfill capacity financial year 2021/22 (Tender Number: 13/149), and**
- 2. Authorises the CEO to inform the unsuccessful tenderers of the decision not to award the tender.**

**Moved Cr Newton, seconded Cr Cvitan
RESOLVED
That the recommendation be adopted
(CARRIED UNANIMOUSLY 10/0)**

Prior to item 14.4 the Chair directed the public gallery to be vacated.

At 8.40 pm Councillors and Officers seated in the public gallery left.
MRC Director Corporate Services, Andrea Slater, also left the Council Chambers.

At 8.41 pm Ms Sylvana Caranna, of Lo-go Appointments, re-entered the Council Chambers.

Moved Cr Boothman, seconded Cr Proud

RESOLVED

To suspend the operation of clause 7.9(1) of the Mindarie Regional Council Standing Orders Local Law 2020 to allow members to speak twice.

(CARRIED UNANIMOUSLY 10/0)

Prior to the debate on the item, the declarations of interests from Crs Ferrante, Jacob, Proud and Sargent were read out.

This report is Confidential and dealt with in a confidential session, under Section 5.23 (2) (c) of the <i>Local Government Act 1995</i> as the report deals with a matter where a contract may be entered into.	
14.4	CEO RECRUITMENT
File No:	GF-21-0001615
Attachment(s):	
Date:	14 May 2021
Responsible Officer:	Chief Executive Officer

COMMITTEE RECOMMENDATION

That Council:

- 1. Subject to completion of reference checks and contract negotiations, Scott Cairns be appointed as the Chief Executive Officer (CEO) of the Mindarie Regional Council, and**
- 2. * Approves the form of the draft CEO employment contract at appendix 3 in accordance with section 5.36(2)(b) of the *Local Government Act 1995* and authorises the Chairman and the Deputy Chairman to finalise a rewards package in accordance with the Salaries and Allowances Tribunal Band 3 for Regional Council CEOs, between \$157,920 - \$259,278 and execute the contract, and**
- 3. * Certifies that the appointed candidate was employed in accordance with the local government's adopted standards under section 5.39B (7) of the Act in relation to the recruitment of CEOs.**

** Resolutions 2. and 3. did not form part of the original recommendations by the Committee, but have been included by the administration to ensure legislative compliance requirements are met.*

Cr Jacob moved, seconded Cr Vernon
RESOLVED
That the recommendation be adopted.
(CARRIED UNANIMOUSLY 10/0)

Cr Boothman moved, seconded Cr Proud
RESOLVED
To re-open the meeting
(CARRIED UNANIMOUSLY 10/0)

Doors were reopened at 8.58 pm, the Chair declared the meeting reopened.
Cr Castle and Mr Singh entered the public gallery. No members of the public were present.
The Chair noted the resolutions passed behind closed doors.

15 NEXT MEETING

The next Ordinary Council meeting to be held on Thursday 24 June 2021 at the City of Stirling commencing at 6.30 pm.

16 CLOSURE

The Chair closed the meeting at 8.58 pm and thanked the City of Stirling for their hospitality and use of their meeting facilities.

SignedChair

Dated..... day of2021



Ordinary Meeting of Council

Thursday 17 June 2021

MINUTES

City of Perth
27 St Georges Terrace, Perth

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MEMBERSHIP

OWNER COUNCIL	MEMBER	ALTERNATE MEMBER
Town of Cambridge	Cr Andres Timmermanis (DEPUTY CHAIR)	Cr Gary Mack
City of Joondalup	Cr John Chester Cr Phillipa Taylor	Cr Christopher May Cr Suzanne Thompson
City of Perth	Cr Brent Fleeton	Cr Clyde Bevan
City of Stirling	Cr Karen Caddy (CHAIR) Cr David Lagan Cr Suzanne Migdale Cr Bianca Sandri	Cr Karlo Perkov
Town of Victoria Park	Cr Claire Anderson	
City of Vincent	Cr Joanne Fotakis	Cr Alex Castle
City of Wanneroo	Cr Brett Treby Cr Domenic Zappa	Cr Natalie Sangalli Cr Vinh Nguyen

PRESENT

Chair	Cr Karen Caddy
Councillors	Cr Claire Anderson Cr John Chester Cr Brent Fleeton Cr Joanne Fotakis (arrived 6:09pm) Cr David Lagan Cr Bianca Sandri Cr Philippa Taylor Cr Andres Timmermanis Cr Brett Treby Cr Domenic Zappa
Alternate Members	Nil
Staff	Mr Tony Arias (Chief Executive Officer) Ms Vickie Wesolowski (Executive Assistant)
Apologies Councillors	Cr Suzanne Migdale
Leave of Absence	Nil
Absent	Nil
Consultants	Mr Alan Abel (Satterley Property Group) Mr Carl Buckley (Satterley Property Group) Mr Nigel Satterley (Satterley Property Group)
Apologies Participant Councils' Advisers	Mr John Giorgi (Town of Cambridge) Mr Stuart Jardine (City of Stirling) Mr David MacLennan (City of Vincent) Mr James Pearson (City of Joondalup) Ms Michelle Reynolds (City of Perth) Mr Daniel Simms (City of Wanneroo) Mr Anthony Vuleta (Town of Victoria Park)
In Attendance Participant Councils' Advisers	Nil
Members of the Public	Nil
Press	Nil

1. OFFICIAL OPENING

The Chair declared the meeting open at 6:03pm.

DISCLOSURE OF INTERESTS

Councillors Fleeton, Lagan and Sandri each disclosed an Impartiality Interest for Item 13.5 - Sale of TPRC Landholding as they have been approached by property developers.

2. PUBLIC STATEMENT/QUESTION TIME

Nil

3. APOLOGIES AND LEAVE OF ABSENCE

Apologies: Cr Suzanne Migdale

Request for Leave of Absence: Cr Karen Caddy

Cr Caddy has requested Leave of Absence from Council duties covering the period 27 July 2021 to 6 August 2021 inclusive.

Moved Cr Sandri, Seconded Cr Timmermanis.

That Council approve Cr Caddy's Leave of Absence from 27 July 2021 to 6 August 2021 (inclusive).

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

4. PETITIONS

Nil

5. CONFIRMATION OF MINUTES

Special Meeting of Council – 26 May 2021

Moved Cr Zappa, Seconded Cr Timmermanis.

That the minutes of the Ordinary Meeting of Council of 26 May 2021 be confirmed, and signed by the Chair, as a true and correct record of proceedings.

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

5A BUSINESS ARISING FROM MINUTES

The Chair provided a status report on the progress towards the appointment of a Temporary TPRC CEO.

Cr Joanne Fotakis joined the meeting 6:09pm.

6. ANNOUNCEMENTS BY CHAIR (WITHOUT DISCUSSION)

Nil

7. ADMINISTRATION REPORTS AS PRESENTED (ITEMS 7.1 – 7.6)

7.5 SALES AND SETTLEMENT REPORT – PERIOD ENDING 10 JUNE 2021

Moved Cr Zappa, Seconded Cr Treby.

[The recommendation in the agenda]

That the Council RECEIVES the Sales and Settlement Report to 10 June 2021.

The Motion was put and declared CARRIED (11/0).

The recommendations for Items 7.1 - 7.4 and 7.6 were moved and seconded en bloc.

Moved Cr Timmermanis, Seconded Cr Treby.

7.1 BUSINESS REPORT – PERIOD ENDING 10 JUNE 2021

[The recommendation in the agenda]

That the Council RECEIVES the Business Report to 10 June 2021.

7.2 STATEMENTS OF FINANCIAL ACTIVITY FOR THE MONTHS OF APRIL AND MAY 2021

[The recommendation in the agenda]

That the Council RECEIVES and NOTES the Statements of Financial Activity for the months ending 30 April 2021 and 31 May 2021.

7.3 LIST OF MONTHLY ACCOUNTS SUBMITTED FOR THE MONTHS OF MARCH - MAY 2021

[The recommendation in the agenda]

That the Council:

- 1. RECEIVES and NOTES the list of accounts paid under Delegated Authority to the CEO for the months of March, April and May 2021:**

Month ending 31 March 2021 (Total \$811,191.73)
Month ending 30 April 2021 (Total \$1,156,922.89)
Month ending 31 May 2021 (Total \$305,180.67)
Total (\$2,273,295.29)

2. **APPROVES** the CEO Credit Card Statement for the period March - May 2021.

7.4 PROJECT FINANCIAL REPORT – APRIL 2021

[The recommendation in the agenda]

That the Council **RECEIVES** the Project Financial Report (April 2021) submitted by the Satterley Property Group.

7.6 TEMPORARY TPRC CEO - SELECTION CRITERIA AND POSITION DESCRIPTION - LATE ITEM

[The recommendation in the agenda]

That the Council **APPROVE**:

1. **The Selection Criteria and Position Description for the Temporary TPRC CEO (June 2021).**
2. **That in the event the TPRC Temporary CEO is not appointed or not able to commence by 11 August 2021, the Council agrees to the continuation of John Anthony Arias as Chief Executive Officer – TPRC, for a period of up to 4 weeks from the 11 August 2021, on the terms and conditions of the current employment contract.**

The Motions were put and declared CARRIED (11/0).

8. COMMITTEE REPORTS 8.1 - 8.13

MANAGEMENT COMMITTEE (20 MAY 2021)

8.1 PROJECT BUDGET FYE 2022

Moved Cr Lagan, Seconded Cr Chester.

[The recommendation in the agenda]

That the Council:

1. **APPROVES** the Project Budget FYE 2022 (June 2021), submitted by the Satterley Property Group, as the basis of financial planning for the TPRC Budget FYE 2022, subject to the predicted distribution to member local governments being decreased from \$16.0M to \$10.00M.
2. **APPROVES** the TPRC Budget FYE 2021 being amended to increase the distribution to member local governments from \$3.0M to \$9.00M, and that this matter be presented to the Special Meeting of Council to be held on 26 May 2021.

3. REQUESTS the CEO to develop a Payment of Distributions Policy.

The Motion as amended was as follows:

That the Council APPROVES the Project Budget FYE 2022 (June 2021), submitted by the Satterley Property Group, as the basis of financial planning for the TPRC Budget FYE 2022, subject to the predicted distribution to member local governments being decreased from \$16.0M to \$10.00M.

The Motion was put and declared CARRIED (11/0).

AUDIT COMMITTEE (13 MAY 2021)

8.6 ATTENDANCE AT EVENTS POLICY

Moved Cr Zappa, Seconded Cr Anderson.

[The recommendation in the agenda]

That the Council APPROVES the Attendance at Events Policy (April 2021).

The Motion was put and declared CARRIED by ABSOLUTE MAJORITY (11/0).

The recommendations for Items 8.4, 8.5 and 8.7 – 8.12 were moved and seconded en bloc.

Moved Cr Zappa, Seconded Cr Timmermanis.

8.4 REGULATION 17 REVIEW - RISK, INTERNAL CONTROLS SYSTEMS AND LEGISLATIVE COMPLIANCE

[The recommendation in the agenda]

That the Council:

- 1. RECEIVES the Moore Australia Review (March 2021) of the TPRC Risk, Internal Controls Systems and Legislative Compliance in accordance with Regulation 17 Review *Local Government (Financial Management) Regulations*.**
- 2. NOTES the recommended changes to the TPRC Risk, Internal Controls Systems and Legislative Compliance in accordance with Schedule 1 (May 2021).**

8.5 GOVERNANCE AND INTERNAL CONTROL FRAMEWORK

[The recommendation in the agenda]

That the Council ADOPTS the Governance and Internal Control Framework (April 2021).

8.7 INVESTMENT POLICY REVIEW

[The recommendation in the agenda]

That the Council APPROVES the Investment Policy (April 2021).

8.8 COMPLAINTS POLICY REVIEW

[The recommendation in the agenda]

That the Council ADOPTS the Complaints Policy and Procedure (April 2021).

8.9 GIFTS, BENEFITS AND HOSPITALITY POLICY 2021

[The recommendation in the agenda]

That the Council ADOPTS the Gifts, Benefits and Hospitality Policy (April 2021).

8.10 LEGISLATIVE COMPLIANCE POLICY

[The recommendation in the agenda]

That the Council APPROVES the Legislative Compliance Policy (April 2021).

8.11 CREDIT CARD POLICY REVIEW

[The recommendation in the agenda]

That the Council APPROVES the Credit Card Policy (April 2021).

8.12 INFORMATION AND TECHNOLOGY ACCEPTABLE USE POLICY

[The recommendation in the agenda]

That the Council APPROVES the Information and Technology Acceptable Use Policy (April 2021).

The Motions were put and declared CARRIED (11/0).

9. ELECTED MEMBERS MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

Nil

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

Nil

11. URGENT BUSINESS APPROVED BY THE CHAIR

Nil

12. GENERAL BUSINESS

Nil

13. DECISION TO MOVE TO CONFIDENTIAL SESSION

Moved Cr Treby, Seconded Cr Sandri.

That the Council:

Move into Closed Session and exclude members of the press and public from the meeting of the Closed Session and access to the correspondence and reports relating to the items considered during the course of the Closed Session be withheld. This action is taken in accordance with Section 5.23 of the *Local Government Act 1995*, as Items 13.1 - Annual Plan, 13.2 - Natural Environmental Strategy, 13.3 - Landscape & Irrigation Works Tender, 13.4 - TPRC Organisational Review and 13.5 - Sale of TPRC Landholding come within the following provisions:

- c) *A contract entered into, or which may be entered into, by the TPRC and which relates to a matter to be discussed at a meeting (section 5.23(2)(c)); and***
- d) *Legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting; or***
- e) *A matter that if disclosed, would reveal –***
 - i) *Information that has a commercial value to a person; or***
 - ii) *Information about the business, professional, commercial or financial affairs of a person where the information is held by, or is about, a person other than the TPRC (section 5.23(2)(e)).***

The Motion was put and declared CARRIED (11/0).

13.1 CONFIDENTIAL: ANNUAL PLAN FYE 2022

Moved Cr Timmermanis, Seconded Cr Sandri.

[The recommendation in the agenda]

That the Council:

- 1. APPROVES the Annual Plan FYE 2022 (June 2021), prepared by the Satterley Property Group, as the basis of financial planning for the TPRC Budget FYE 2022.**

2. **ACCEPTS that the Satterley Property Group has achieved Key Performance Indicator – Governance, requiring the preparation of a Project Annual Plan.**

The Motion was put and declared CARRIED (11/0).

13.2 CONFIDENTIAL: CATALINA NATURAL ENVIRONMENT STRATEGY (2021)

Moved Cr Timmermanis, Seconded Cr Treby.

[The recommendation in the agenda]

That the Council:

1. **APPROVES the Catalina Natural Environment Strategy (2021).**
2. **ACCEPTS that the Satterley Property Group has achieved the deliverables required by the Development Manager’s Key Performance Indicators (February 2020) - Governance, requiring the delivery of the Catalina Natural Environment Strategy.**

The Motion was put and declared CARRIED (11/0).

13.3 CONFIDENTIAL: LANDSCAPE AND IRRIGATION WORKS TENDER 03/2021

Moved Cr Treby, Seconded Cr Fotakis.

[The recommendation in the agenda]

That the Council ACCEPTS the LD Total Landscaping and Irrigation Works tender submission (dated May 2021), for the provision of landscaping and irrigation services in accordance with Tender 3/2021 (Catalina Landscaping and Irrigation Works, dated May 2021).

The Motion was put and declared CARRIED (11/0).

Satterley Property Group representatives left the meeting at 6:41pm.

13.4 CONFIDENTIAL: DRAFT TPRC ORGANISATIONAL REVIEW REPORT

[The recommendation in the agenda]

That the Council:

1. **RECEIVES the Draft TPRC Organisational Review Report (dated May 2021), prepared by Learning Horizons.**
2. **SUPPORTS implementation of Option F - TPRC “as is”, applying additional resource but with some changed roles to increase efficiency, as outlined in the Draft TPRC Organisational Review Report (dated May 2021).**

3. AGREES that the CEO commence discussions with the Development Manager on the possible change of roles to increase efficiency and delegation on operational activities as outlined in Option A in the Draft TPRC Organisational Review Report (dated May 2021).
4. REQUESTS the CEO to prepare a report on the outcomes of (3) above, including legislative and financial implications for Council consideration.

Moved Cr Lagan, Seconded Cr Timmermanis.

An amended Motion as follows:

That the Council RECEIVES the Draft TPRC Organisational Review Report (dated May 2021), prepared by Learning Horizons.

The Motion was put and declared CARRIED (11/0).

13.5 CONFIDENTIAL: SALE OF TPRC LANDHOLDING - LATE ITEM

Councillors Fleeton, Lagan and Sandri each disclosed an Impartiality Interest for Item 13.5 - Sale of TPRC Landholding as they have been approached by property developers.

Moved Cr Sandri, Seconded Cr Timmermanis.

In accordance with clause 12.7 of *Standing Orders Local Laws 2006*, the Council resolves to SUSPEND Standing Orders to allow discussion of Item 13.5 - Sale of TPRC Landholding.

The Motion was put and declared CARRIED (11/0).

Moved Cr Sandri, Seconded Cr Lagan.

That Standing Orders be REINSTATED.

The Motion was put and declared CARRIED (11/0).

[The recommendation in the agenda]

That the Council:

1. RECEIVES the report, dated 15 June 2021.
2. REQUESTS the CEO to provide a report on the process and resources necessary to guide its consideration of the potential sale of all/portion of the TPRC landholding and comply with the legislative requirements. Including obtaining an independent valuation of the Catalina landholding to ascertain current market value.
3. SEEKS formal advice from the participant local governments as to whether they would like to divest interest in the TPRC landholdings.

Moved Cr Timmermanis, Seconded Cr Treby.

An amended Motion as follows:

That the Council:

- 1. RECEIVES the report, dated 15 June 2021.**
- 2. REQUESTS the CEO to provide a report on the process and resources necessary to guide its consideration of the potential sale of all/portion of the TPRC landholding and comply with the legislative requirements. Including obtaining an independent valuation of the Catalina landholding to ascertain current market value.**

Moved Cr Taylor, Seconded Cr Chester.

An amendment to the Motion to include (3) as follows:

- 3. SEEKS formal advice from the participant local governments as to whether they would like to divest interest in the TPRC landholdings.**

The amendment to the Motion was put and LOST (3/8).

For: Cr Chester, Fleeton and Taylor.

Against: Cr Anderson, Cr Caddy, Cr Fotakis, Cr Lagan, Cr Sandri, Cr Timmermanis, Cr Treby and Cr Zappa.

The amended Motion was put and declared CARRIED (11/0).

Moved Cr Timmermanis, Seconded Cr Lagan

That the Meeting be REOPENED to the public.

The Motion was put and declared CARRIED (11/0).

14. FORMAL CLOSURE OF MEETING

The Chair declared the meeting closed at 7:45pm.



MINUTES

ORDINARY COUNCIL MEETING

TIME: 6.30 PM

24 JUNE 2021

CITY OF STIRLING

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



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1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Chair was an apology for the meeting.

The Deputy Chair declared the meeting open at 6.33 pm.

The Deputy Chair announced that this would have been Cr David Boothman's last meeting. On behalf of the Councillors and staff of the MRC, the Deputy Chair thanked Cr Boothman for his leadership and service since July 2018.

The Deputy Chair announced that this would also be the last meeting for Cr Emma Cole who has been on the MRC Council since 2017, the Deputy Chair, on behalf of all the Councillors and staff of the MRC, thanked Cr Cole for her service over the years and wished her well in her future endeavours.

2 ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE

Councillor Attendance

Cr K Vernon (Deputy Chair)	Town of Victoria Park
Cr C May	City of Joondalup
Cr R Fishwick, JP	City of Joondalup
Cr R Gordon	City of Perth
Cr J Ferrante	City of Stirling
Cr S Proud, JP <i>arrived 6.34 pm</i>	City of Stirling
Cr K Sargent	City of Stirling
Cr E Cole	City of Vincent
Cr F Cvitan, JP	City of Wanneroo
Cr D Newton, JP	City of Wanneroo
Cr K Shannon <i>arrived 6.39 pm</i>	Town of Cambridge

Apologies

Cr D Boothman, JP (Chair)	City of Stirling
Cr A Jacob, JP	City of Joondalup

Leave of Absence

Nil

Absent

Nil

MRC Officers

Mr G Hoppe (Chief Executive Officer)
Ms S Cherico (Manager Human Resources)
Ms D Toward (Executive Support)

Member Council Observers

Cr A Castle (City of Vincent)
Mr N Claassen (City of Joondalup)
Mr M MacPherson (City of Joondalup)
Mr A Mason (City of Perth)

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

MRC Observers

Mr B Twine
Mr A Griffiths

Visitors

Nil

Cr Proud entered the Council Chambers at 6.34 pm

3 DECLARATION OF INTERESTS

Nil

4 PUBLIC QUESTION TIME

Nil

5 ANNOUNCEMENTS BY THE PRESIDING PERSON

See item 1.

6 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

7 PETITIONS / DEPUTATIONS / PRESENTATIONS

Nil

8 CONFIRMATION OF MINUTES OF PREVIOUS MEETING
--

8.1 ORDINARY COUNCIL MEETING – 27 May 2021

The Minutes of the Ordinary Council Meeting held on 27 May 2021 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 27 May 2021 be confirmed as a true record of the proceedings.

Moved Cr Gordon, seconded Cr Sargent

RESOLVED

That the recommendation be adopted

(CARRIED UNANIMOUSLY 10/0)

9.1 CHIEF EXECUTIVE OFFICER REPORTS

9.1	FINANCIAL STATEMENTS FOR THE MONTH ENDED 30 APRIL 1021
File No:	FIN/5-09
Appendix(s):	Appendices No. 1 and 2
Date:	25 May 2021
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 for the month ended 30 April 2021 are attached at **Appendix No. 1** to this Item. The Tonnage Report for the 10 months to 30 April 2021 is attached at **Appendix No. 2**.

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

The estimates for Provisions for Amortisation of Cell Development, Capping and Post Closure expenditure are based on the estimated rates per tonne calculated with reference to estimated excavation cost of various stages of the landfill and the life of the landfill. An adjustment is made (if necessary) at the end of the year based on actual tonnages on a survey carried out to assess the “air space” remaining and other relevant information.

Summary of results for the year to date period ended 30 April 2021

	Actual	Budget	Variance
	t	t	t
Tonnes – Members	202,335	204,882	(2,547)
Tonnes – Others	20,579	11,866	8,713
TOTAL TONNES	222,914	216,748	6,166
	\$	\$	\$
Revenue – Members	41,552,556	42,000,978	(448,422)
Revenue – Other	4,384,870	3,386,010	998,860
TOTAL REVENUE	45,937,428	45,386,988	550,438
Expenses	48,429,642	47,767,578	(662,064)
Profit on sale of assets	56,441	9,232	47,209
Loss on sale of assets	-	-	-
Impairment of assets	-	-	-
NET DEFICIT	(2,435,775)	(2,371,358)	(64,417)

Commentary

Overall tonnages for the financial period ended 30 April 2021 were 6,166 tonnes more than budgeted, member councils bringing in less non processable waste than anticipated.

The net result variance against budget of (\$64,417) is mainly attributable to RRF expenditures abated by unbudgeted tonnages received in the commercial waste tenders.

RRF

The Resource Recovery Facility residue tonnes have delivered 47,965 tonnes in total to Tamala Park year to date.

Trade & Casuals

The Casual and Trade tonnages are 8,713 tonnes higher than forecast for the financial year to date, 7,755 tonnes attributable to the discounted rate waste tender.

VOTING REQUIREMENT

Simple Majority

RESPONSIBLE OFFICER RECOMMENDATION

That Council:

Receive the Financial Statements set out in Appendix No. 1 for the month ended 30 April 2021.

Moved Cr Gordon, seconded Cr Ferrante

RESOLVED

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

9.2	LIST OF PAYMENTS MADE FOR THE MONTH ENDED APRIL 2021
File No:	FIN/5-09
Appendix(s):	Appendix No. 3
Date:	25 May 2021
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 month ended 30 April 2021 are at **Appendix 3** 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 24 September 2020, 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
30 April 2021	General Municipal	Cheques	\$2,477.91
		EFT	\$6,563,774.94
		DP	\$184,635.99
		Inter account transfers	\$0.00
		Total	\$6,750,888.84

VOTING REQUIREMENT

Simple Majority

RESPONSIBLE OFFICER RECOMMENDATION

That Council:

Note the list of payments made under delegated authority to the Chief Executive Officer, for the month ended 30 April 2021.

Moved Cr Cvitan, seconded Cr Cole

RESOLVED

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

9.3	BUDGET APPROVAL - FINANCIAL YEAR 2021/22
File No:	FIN/146
Appendix(s):	Appendix No. 4
Date:	28 May 2021
Responsible Officer:	Director Corporate Services

SUMMARY

The purpose of this item is to present the Budget for 2021/22 to the Council for approval and adoption.

BACKGROUND

The 2021/22 budget process commenced in April 2021 and included one workshop held with Councillors and Officers on 27 May 2021 before the Ordinary Council meeting held at the City of Stirling on the same day.

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 and in line with the Waste Strategy 2030 and the MRC's Waste Plan.

At the Special Council Meeting of 20 August 2020, the following recommendation was passed by Council;

"That Council endorses the proposed change in gate fee setting process in relation to the MRC's governance costs, such that each member council will pay their equity share of these costs for the 2021/22 financial year".

Historically these costs have been apportioned using tonnages and included in the gate fee formula.

Some of the key points with regard to the 2021/22 budget include:

- Governance and Administration costs to be apportioned using equity share, and invoiced outside of the gate fee formula.
 - Member councils' gate fee to be set at \$213 per tonne excl. GST.
 - Non-members' gate fee to be set at \$214.70 per tonne excl. GST.
 - A decrease in expected Member tonnes from 189,178 to 165,845 tonnes (12.3%) based on information provided by the member councils.
 - No increase to the waste levy remaining at \$70 per tonne landfilled.
 - Operating expenditure decrease of \$3.3m to \$55.9m.
-

DETAIL

Budget 2021/22

The Budget for 2021/22 has been set to achieve a marginal surplus of \$109k.

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

Employee costs

Employee costs have decreased by \$1.2m due to changes in MRC's operating activities made in 2020/21 which saw the education service cease and the operation of the recycling and reuse shop being contracted out.

Consultants and contract labour

Consultants and contract labour has decreased by \$44k mainly due to reductions in contract labour as the MRC contracts out the operation of the reuse shop and recycling area.

Communications and public consultation

Communications and public consultation has decreased by \$125k due to the education service ceasing.

Plant and equipment operating/hire

Plant and equipment operating hire expenses have decreased by \$95k due to the increased focus on asset replacements in the recent years. The majority of major "yellow kit" or heavy plant now being under warranty.

RRF costs

The RRF costs have decreased by \$838k, consisting of the contractual indexed increase in the contractor's fees (\$162k) abated by the non-recurrence of one-off funding items from the 2020/21 budget (\$1m) for insurance and fixed operating costs catch up.

Depreciation

Depreciation has increased by \$15k due to the Tamala Park lease now being categorised as a Right of Use Asset in line with Accounting Standards.

DWER Waste Levy

The Department of Water and Environmental Regulation (DWER) waste levy expense has decreased by \$1.5m which primarily reflects the decrease in tonnes being landfilled for the year.

Tonnages

Approximately 165,845 tonnes (Mid-Year Budget 2020/21: 189,178 tonnes) of waste are expected to be delivered to the MRC by Member Councils during the course of the year.

Of this, 100,000 tonnes (Budget 2020/21: 100,000 tonnes) is expected to be diverted to the RRF, which will in turn generate 56,700 tonnes (Budget 2020/21: 56,700 tonnes) of residue which will be sent back to Tamala Park. The RRF waste diversion target is set at 43.3%, However, this may change as Councils amend their bin systems throughout the year.

Non-members are expected to deliver 14,500 tonnes (Budget 2020/21: 14,500 tonnes) to Tamala Park.

Capital Expenditure

The following capital expenditures have been included in the Budget for 2021/22:

New capital expenditures

		\$
Computer Equipment		206,000
Network security	20,000	
Laptop replacements	11,000	
RRF Server replacement	25,000	
UPS replacments	150,000	
Furniture and Fittings		10,000
Air conditioner replacements	10,000	
Plant and Equipment		1,131,000
Tractor and dinosaur water cart	265,000	
Hino bin truck	330,000	
Lighting Tower	50,000	
VW Amarok (CEO)	54,000	
Ford Everest (DCS)	49,000	
Skid steer loader	94,000	
Holden Colarado (OPS)	47,000	
Toyota Hilux (Workshop)	35,000	
Holden colorado (Grounds)	35,000	
Ford Ranger (Environmental)	35,000	
Isuzu Fire Truck	100,000	
Hook lift bins	37,000	
Land and Building		350,000
Transfer station improvement works	350,000	
Infrastructure (Incl. Landfill)		3,546,625
Compressor replacements	80,800	
Telemetry/Automation	30,000	
Gas well installations	31,000	
Airwell pump replacements	10,000	
Cell development landfil works	50,000	
Stage 2, Phase 2 capping	3,344,825	
Total New Capital Expenditure		5,243,625
Bought forward Capital expenditure		47,000
MS Dynamics ledger project	47,000	
Total Capital Expenditure for 2021/2022		5,290,625

Reserves

The revised Cash Backed Reserves with the projected balances at 30 June 2022 are expected to be as follows:

Site rehabilitation Reserve

Estimated balance at 30 June 2022: \$15,533,037

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

A transfer of \$394,840 to this reserve is anticipated during the course of the 2021/22 financial year with no anticipated drawdowns on the reserve.

This will result in a funded reserve of approximately \$15.5m to cover an estimated post closure liability of approximately \$22m. Any unfunded portion of the post closure liabilities will need to be funded over the remaining life of the landfill. The shortfall in funding may also be addressed as discretionary capital expenditure for the landfill is reconsidered.

Reserve for Capital Expenditure

Estimated balance at 30 June 2022: \$53,945

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

A transfer of \$2,900,000 to this reserve is anticipated during the course of the year with drawdowns to fund capital expenditures.

Carbon Abatement Reserve

Estimated balance at 30 June 2022: \$491,076

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

MRC plan to investigate future projects within year.

RRF Maintenance Reserve

Estimated balance at 30 June 2022: \$1,397,524

Purpose: *To be used to fund RRF maintenance obligations.*

A transfer of \$250,000 to this reserve is anticipated during the course of the 2021/22 financial year as per the maintenance deed.

Funding Plan

- Operational expenditures will be funded from the proceeds of the Members' and Non-members' gate fees.
- Capital Expenditure will be funded from the Capital Expenditure Reserve.

SUMMARY OF APPENDICES

Attachment to this Item is as follows:

- Appendix No. 4 – Statutory Budget and Supplementary Information

CONSULTATION

One workshop for Councillors and Officers was conducted on 27 May 2021 to discuss the 2021/22 Budget. The participants 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 2022 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 2021/22 budget process is consistent with existing MRC policy.

FINANCIAL IMPLICATIONS

The Members' gate fee will be set at \$213 per tonne (excluding GST) for the 2021/22 financial year.

The Non-members' gate fee will be set at \$214.70 per tonne (excluding GST) for the 2021/22 financial year.

An estimated surplus of \$109k is budgeted for the 2021/22 financial year.

Capital expenditure of \$5,290,625 is budgeted for the 2021/22 financial year.

STRATEGIC IMPLICATIONS

The Budget for 2021/22 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). The budget also takes into account the MRC's Waste Plan.

In developing the 2021/22 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 27 May 2021, the following adjustments have been made to the budget:

- Capital Expenditure: \$258,900 adjustments across infrastructure and plant and equipment, namely replacement of tractor and water cart.
- Reserves: Capital expenditure reflected to adjust for above.
- Post closure accretion expense has been adjusted to take into account uplifts in the provision

The Members' gate fee has been increased by \$3 to \$213 for the impacts of these changes.

RESPONSIBLE OFFICER RECOMMENDATION

That Council:

- (i) adopt the Budget for the Mindarie Regional Council for 2021/22 financial year
- (ii) 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

- (iii) Approve the Capital Budget Program of \$5,290,625 for 2021/22 as follows:

New capital expenditures

	\$
• Buildings	350,000
• Office furniture and equipment	10,000
• Computer equipment	206,000
• Plant and equipment and vehicles	1,131,000
• Infrastructure	<u>3,546,625</u>
	5,243,625
Add: Bought forward capital expenditures	
• Computer equipment	<u>47,000</u>
Total Capital expenditure	5,290,625

- (v) approve that \$349,840 will be transferred from the Operating Surplus to the Site Rehabilitation Reserve.
 - (vi) approve that \$2,900,000 be transferred from the Reserve for Capital Expenditure to Operating Surplus to fund capital expenditures.
 - (vii) Approve that \$250,000 will be transferred Operating surplus to the RRF Maintenance reserve
-

- (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)

Cr K Shannon arrived at 6.39 pm

Moved Cr Newton, seconded Cr Gordon

RESOLVED

That the recommendation be adopted

(CARRIED UNANIMOUSLY 11/0)

10 MEMBERS INFORMATION BULLETIN – ISSUE NO. 61

RESPONSIBLE OFFICER RECOMMENDATION

That the Members Information Bulletin Issue No. 61 be received.

Moved Cr Proud, seconded Cr Cole

RESOLVED

That the recommendation be adopted

(CARRIED UNANIMOUSLY 11/0)

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

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

In accordance with clause 10.1(h) of the Mindarie Regional Council Meeting Procedures Local Law 2020 and s5.23 of the Local Government Act 1995, the Deputy Chair requested the Council to meet “behind closed doors” to allow the Council to consider items 14.1 and 14.2 as the items are of a confidential nature.

The Deputy Chair invited MRC Officers and Member Council Councillors and Officers seated in the public gallery to remain in the gallery. No members of the public were present.

Moved Cr Proud, seconded Cr May

RESOLVED

To close the meeting to the public

(CARRIED UNANIMOUSLY 11/0)

Doors closed at 6.44 pm

This report is Confidential and dealt with in a confidential session, under Section 5.23 (2) (c) of the *Local Government Act 1995* as the report deals with a matter where a contract may be entered into.

14.1 MRC MAJOR LAND TRANSACTION

File No: GF-20-0001335

Attachment(s):

Date: 14 June 2021

Responsible Officer: Chief Executive Officer

RESPONSIBLE OFFICER RECOMMENDATION

That Council:

- 1. Authorises the Chief Executive Officer to give public notice of the proposed Major Land Transaction as outlined in the confidential report; and**
- 2. Authorises the Chief Executive Officer to proceed in line with Recommendation A as contained in the Comment section of the confidential report.**

Moved Cr Cole, seconded Cr Proud

Under clause 9.4(c) of the Mindarie Regional Council Meeting Procedures Local Law 2020 the Deputy Chair broke down the recommendation into two motions:

MOTION 1:

That Council:

Authorises the Chief Executive Officer to give public notice of the proposed Major Land Transaction as outlined in the confidential report.

CARRIED 11/0

(CARRIED UNANIMOUSLY BY ABSOLUTE MAJORITY)

MOTION 2:

That Council:

Authorises the Chief Executive Officer to proceed in line with Recommendation A as contained in the Comment section of the confidential report.

CARRIED 10/1

For: Cr's Cole, Cvitan, May, Fishwick, Ferrante, Gordon, Newton, Proud, Sargent, Vernon

Against: Cr Shannon

(CARRIED BY AN ABSOLUTE MAJORITY)

Prior to item 14.2 the Deputy Chair directed the public gallery to be vacated. The Deputy Chair invited Cr Castle to remain in the public gallery.

At 7.20 pm MRC Officers and Member Council Officers seated in the public gallery left, no members of the public were present.

The MRC CEO, Mr Hoppe, and MRC officers, Ms Cherico and Ms Toward remained in the Council Chambers.

This report is Confidential and dealt with in a confidential session, under Section 5.23 (2) (c) of the *Local Government Act 1995* as the report deals with a matter where a contract may be entered into.

14.2 CEO CONTRACT

File No: GF-21-0001615

Attachment(s):

Date: 11 June 2021

Responsible Officer: Chief Executive Officer

COMMITTEE RECOMMENDATION

That Council:

- 1. Endorses the changes to the Chief Executive Officer Contract of Employment as outlined in the confidential report.**
- 2. Approves in accordance with the Salaries and Allowances Tribunal Band 3 for Regional Council CEO's, that total reward package as reflected in Schedule 2 of the Chief Executive Officer Contract of Employment as per Attachment 1.**
- 3. Approves the Chairman to execute the signing of the Chief Executive Officer Employment Contract.**

Moved Cr May, seconded Cr Vernon

PROPOSED AMENDMENT

Moved Cr Vernon, seconded Cr Fishwick

That point 1. of the substantive motion being amended to read as follows:

- 1. Endorses the changes to the Chief Executive Officer Contract of Employment as outlined in the confidential report subject to the following changes;**
 - **Clause 1(b)(i) delete the word ‘subject’ and replace with the word ‘prior’**
 - **Clause 1(b)(ii) delete the word ‘the’ before the word ‘your’**
 - **Clause 1 Definitions, at Probation Period unbold the words ‘Initial or Extend’**
 - **Clause 3.3 after the words Probation Period in the heading, delete the words ‘Initial or extend’**
 - **Clause 3.3a delete the words ‘In lieu of’ and replace with the word ‘Given’**
 - **Clause 13 delete the words ‘who worked for’ in the second line of the first paragraph and replace with the word ‘of’**
 - **Position Description on page 20, Point 6, Sub-heading “Outcomes: Service Management”, penultimate dot point: remove the word ‘of’ after the word ‘approval’**

CARRIED 11/0

(CARRIED UNANIMOUSLY BY ABSOLUTE MAJORITY)

SUBSTANTIVE RECOMMENDATION AS AMENDED

- 1. Endorses the changes to the Chief Executive Officer Contract of Employment as outlined in the confidential report subject to the following changes;**
 - **Clause 1(b)(i) delete the word ‘subject’ and replace with the word ‘prior’**
 - **Clause 1(b)(ii) delete the word ‘the’ before the word ‘your’**
 - **Clause 1 Definitions, at Probation Period unbold the words ‘Initial or Extend’**
 - **Clause 3.3 after the words Probation Period in the heading, delete the words ‘Initial or extend’**
 - **Clause 3.3a delete the words ‘In lieu of’ and replace with the word ‘Given’**
 - **Clause 13 delete the words ‘who worked for’ in the second line of the first paragraph and replace with the word ‘of’**
 - **Position Description on page 20, Point 6, Sub-heading “Outcomes: Service Management”, penultimate dot point: remove the word ‘of’ after the word ‘approval’**
- 2. Approves in accordance with the Salaries and Allowances Tribunal Band 3 for Regional Council CEO’s, that total reward package as reflected in Schedule 2 of the Chief Executive Officer Contract of Employment as per Attachment 1.**
- 3. Approves the Chairman to execute the signing of the Chief Executive Officer Employment Contract.**

CARRIED 11/0

(CARRIED UNANIMOUSLY BY ABSOLUTE MAJORITY)

**Moved Cr Proud, seconded Cr Cvitan
RESOLVED**

To re-open the meeting
(CARRIED UNANIMOUSLY 11/0)

Doors were reopened at 7.52 pm, the Deputy Chair declared the meeting reopened. No one entered the public gallery. No members of the public were present. The Deputy Chair noted resolutions passed behind closed doors.

15 NEXT MEETING

The next Ordinary Council meeting to be held on Thursday 12 August 2021 at the Town of Cambridge commencing at 6.30 pm.

16 CLOSURE

The Deputy Chair closed the meeting at 7.53 pm and thanked the City of Stirling for their hospitality and use of their meeting facilities.

Signed.....Chair

Dated..... day of2021
