



# Special Meeting of Council

Thursday 15 December 2022

# MINUTES

**Online Zoom Meeting**

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

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## MEMBERSHIP

OWNER COUNCIL	MEMBER	ALTERNATE MEMBER
Town of Cambridge	Cr Jane Cutler	
City of Joondalup	Cr John Chester Cr Nige Jones	Cr Russ Fishwick Cr John Raftis
City of Perth	Cr Brent Fleeton	Cr Clyde Bevan
City of Stirling	Cr Tony Krsticevic Cr Suzanne Migdale (DEPUTY CHAIR) Cr Bianca Sandri (CHAIR) Cr Karlo Perkov	Cr David Lagan
Town of Victoria Park	Cr Bronwyn Ife	Cr Claire Anderson
City of Vincent	Cr Ashley Wallace	Cr Jonathan Hallett
City of Wanneroo	Cr Brett Treby Cr Glynis Parker	Cr Linda Aitken Cr Vinh Nguyen

## PRESENT

<b>Deputy Chair</b>	Cr Suzanne Migdale
<b>Councillors</b>	Cr John Chester Cr Bronwyn Ife Cr Nige Jones Cr Tony Krsticevic Cr Brett Treby
<b>Alternate Members</b>	Nil
<b>Staff</b>	Mr Simon O'Sullivan (Acting Chief Executive Officer) Ms Vickie Wesolowski (Executive Assistant/Office Manager) Ms Sonia Starr (Project Support Officer) Mr Daniel Govus (Senior Governance Advisor – City of Stirling)
<b>Apologies Councillors</b>	Cr Bianca Sandri (Chair) Cr Brent Fleeton Cr Alaine Haddon-Casey (unable to join meeting due to technical difficulties) Cr Glynis Parker Cr Karlo Perkov Cr Ashley Wallace
<b>Leave of Absence</b>	Nil
<b>Absent</b>	Nil
<b>Consultants</b>	Nil
<b>Apologies Participant Councils' Advisers</b>	Mr David MacLennan (City of Vincent) Mr James Pearson (City of Joondalup) Mr Kelton Hincks (Town of Cambridge) Ms Michelle Reynolds (City of Perth) Mr Daniel Simms (City of Wanneroo) Mr Anthony Vuleta (Town of Victoria Park) Mr Stuart Jardine (City of Stirling)
<b>In Attendance Participant Councils' Advisers</b>	Mr Stevan Rodic (City of Stirling)
<b>Members of the Public</b>	Nil
<b>Press</b>	Nil

## 1. OFFICIAL OPENING

The Deputy Chair declared the meeting open at 12:07pm.

## 2. APOLOGIES AND LEAVE OF ABSENCE

**Apologies:** Cr Bianca Sandri (Chair)  
Cr Brent Fleeton  
Cr Alaine Haddon-Casey  
Cr Glynis Parker  
Cr Karlo Perkov  
Cr Ashley Wallace

## 3. DISCLOSURE OF INTERESTS

Nil

## 4. PUBLIC STATEMENT/QUESTION TIME

Nil

## 5. ANNOUNCEMENTS BY CHAIR (WITHOUT DISCUSSION)

Nil

## 6. PETITIONS

Nil.

## 7. ADMINISTRATION REPORT AS PRESENTED (ITEM 7.1)

### 7.1 STATEMENT OF FINANCIAL ACTIVITY FOR NOVEMBER 2022

Moved Cr Treby, Seconded Cr Chester.

[The recommendation in the agenda]

**That the Council RECEIVES and NOTES the Statement of Financial Activity for the month ending 30 November 2022.**

The Motion was put and declared CARRIED (6/0).

## 8. ELECTED MEMBERS MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

Nil

**9. QUESTIONS BY ELECTED MEMBERS OF WHICH DUE NOTICE HAVE BEEN GIVEN**

Nil

**10. URGENT BUSINESS APPROVED BY THE CHAIR**

Nil

**11. GENERAL BUSINESS**

Nil

**12. FORMAL CLOSURE OF MEETING**

The Chair declared the meeting closed at 12:10pm.



# Meeting of Council

Thursday 16 February 2023

# MINUTES

**City of Stirling**  
**25 Cedric Street, Stirling**

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

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**MEMBERSHIP**

<b>OWNER COUNCIL</b>	<b>MEMBER</b>	<b>ALTERNATE MEMBER</b>
Town of Cambridge	Cr Alaine Haddon-Casey	
City of Joondalup	Cr John Chester Cr Nige Jones	Cr Russ Fishwick Cr John Raftis
City of Perth	Cr Brent Fleeton	Cr Clyde Bevan
City of Stirling	Cr Tony Krsticevic Cr Suzanne Migdale (DEPUTY CHAIR) Cr Bianca Sandri (CHAIR) Cr Karlo Perkov	Cr David Lagan
Town of Victoria Park	Cr Bronwyn Ife	Cr Claire Anderson
City of Vincent	Cr Ashley Wallace	Cr Jonathan Hallett
City of Wanneroo	Cr Brett Treby Cr Glynis Parker	Cr Linda Aitken Cr Vinh Nguyen

## PRESENT

<b>Chair</b>	Cr Bianca Sandri
<b>Deputy Chair</b>	Cr Suzanne Migdale
<b>Councillors</b>	Cr John Chester Cr Brent Fleeton Cr Bronwyn Ife Cr Nige Jones Cr Tony Krsticevic Cr Glynis Parker ( <i>from 6:15pm</i> ) Cr Karlo Perkov Cr Ashley Wallace
<b>Alternate Members</b>	Nil
<b>Staff</b>	Mr Chris Adams (Chief Executive Officer) Mr Simon O'Sullivan (Manager Project Coordination) Mr Daniel Govus (Senior Governance Officer – City of Stirling) Ms Regan Clyde (Senior Governance Officer – City of Stirling)
<b>Apologies Councillors</b>	Cr Brett Treby
<b>Leave of Absence</b>	Nil
<b>Absent</b>	Cr Alaine Haddon-Casey
<b>Consultants</b>	Mr Noel Ryan (Satterley Property Group) Mr Drew Tomkins (Satterley Property Group) Mr Alan Abel (Satterley Property Group)
<b>Apologies Participant Councils' Advisers</b>	Mr Kelton Hincks (Town of Cambridge) Mr Mat Humfrey (City of Joondalup) Mr David MacLennan (City of Vincent) Mr Daniel Simms (City of Wanneroo) Ms Michelle Reynolds (City of Perth) Mr Anthony Vuleta (Town of Victoria Park) Mr Stuart Jardine (City of Stirling)
<b>In Attendance Participant Councils' Advisers</b>	Mr Stevan Rodic (City of Stirling)
<b>Members of the Public</b>	Nil
<b>Press</b>	Nil

## 1. OFFICIAL OPENING

The Chair declared the meeting open at 6:01pm.

## 2. APOLOGIES AND LEAVE OF ABSENCE

**Apologies:** Cr Brett Treby

**Absent:** Cr Alaine Haddon-Casey

### Leave of Absence

The Chair noted the following leave had been approved at the Audit and Risk Committee Meeting held 13 February 2023:

1. Cr Tony Krsticevic for the period 30 August 2023 to 18 October 2023 inclusive.
2. Cr Karlo Perkovic for the period 9 July 2023 to 11 August 2023 inclusive.

## 3. DISCLOSURE OF INTERESTS

Nil

## 4. PUBLIC STATEMENT/QUESTION TIME

Nil

## 5. ANNOUNCEMENTS BY CHAIR (WITHOUT DISCUSSION)

The Chair wished all Councillors a happy new year, noting this was the first in-person meeting in some time. The Chair reminded Councillors that a Strategic Workshop would take place after this Meeting.

## 6. PETITIONS

Nil

## 7. CONFIRMATION OF MINUTES

Moved Cr Migdale, Seconded Cr Jones.

**That the minutes of the Ordinary Meeting of Council of 8 December 2022 and the minutes of the Special Meeting of Council of 15 December 2022 be CONFIRMED as a true and accurate record of proceedings.**

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

## **7A BUSINESS ARISING FROM MINUTES**

Nil

## **8. ADMINISTRATION REPORTS AS PRESENTED**

### **8.1 BUSINESS REPORT – FOR MONTH ENDING 31 JANUARY 2023**

Moved Cr Chester, Seconded Cr Migdale.

[The recommendation in the agenda]

**That the Council RECEIVES the Business Report for the month ending 31 January 2023.**

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

### **8.2 PROJECT FINANCIAL REPORT – DECEMBER 2022**

Moved Cr Migdale, Seconded Cr Jones.

[The recommendation in the agenda]

**That the Council RECEIVES the Project Financial Report (December 2022) submitted by the Satterley Property Group.**

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

### **8.3 STATEMENT OF FINANCIAL ACTIVITY FOR DECEMBER 2022**

Moved Cr Migdale, Seconded Cr Jones.

[The recommendation in the agenda]

**That the Council RECEIVES and NOTES the Statement of Financial Activity for the month ending 31 December 2022.**

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

### **8.4 LIST OF MONTHLY ACCOUNTS SUBMITTED FOR DECEMBER 2022**

Moved Cr Wallace, Seconded Cr Krsticevic.

[The recommendation in the agenda]

**That the Council:**

- 1. RECEIVES and NOTES the list of accounts paid under Delegated Authority to the CEO for December 2022:**

**December 2022 - \$12,202,705.55**

**2. APPROVES the CEO Credit Card Statement for December 2022.**

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

**8.5 SALES AND SETTLEMENT REPORT – MONTH ENDING 31 JANUARY 2023**

Moved Cr Chester, Seconded Cr Jones.

[The recommendation in the agenda]

**That the Council RECEIVES the Sales and Settlement Report for the month ending 31 January 2023.**

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

**8.6 CATALINA GREEN DEVELOPMENT STRATEGY**

Moved Cr Wallace, Seconded Cr Ife.

[The recommendation in the agenda]

**That the Council:**

- 1. RECEIVES the Satterley Property Group advice dated 13 January 2023 regarding its review of the Catalina Green Development Strategy.**
- 2. SUPPORTS the gravity-sewer option for Catalina Green, therefore amending the previous sewer strategy.**
- 3. SUPPORTS the updated Concept Plan and revised staging approach for the balance future development in Catalina Green – Option 1, as appended to Satterley’s advice letter of 13 January 2023.**

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

**8.7 CATALINA BEACH CONCEPT PLAN**

Moved Cr Migdale, Seconded Cr Jones.

[The recommendation in the agenda]

**That the Council APPROVES the use of the Catalina Beach Concept Plan (Niche Planning Studio Option 5b) to guide the planning and delivery of development of the Plan area.**

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

**8.8 REVIEW OF TAMALA PARK REGIONAL COUNCIL ESTABLISHMENT AGREEMENT**

Moved Cr Migdale, Seconded Cr Krsticevic.

[The recommendation in the agenda]

**That Council:**

1. **SUPPORT** modifying the Tamala Park Regional Council Establishment Agreement (EA) as detailed in Attachment 2 of this report.
2. **REQUEST** that all Member Councils consider the proposed amendments to the EA.
3. **Subject to all Member Councils supporting the changes to the EA, REQUEST** that the Minister for Local Government approve the proposed amendments to the agreement.

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

### **8.9 STATEMENT OF FINANCIAL ACTIVITY FOR JANUARY 2023**

Moved Cr Migdale, Seconded Cr Jones.

[The recommendation in the agenda]

**That the Council RECEIVES and NOTES the Statement of Financial Activity for the month ending 31 January 2023.**

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

### **8.10 LIST OF MONTHLY ACCOUNTS SUBMITTED FOR JANUARY 2023**

Moved Cr Migdale, Seconded Cr Jones.

[The recommendation in the agenda]

**That the Council:**

1. **RECEIVES and NOTES** the list of accounts paid under Delegated Authority to the CEO for January 2023:  
**January 2023 - \$1,562,955.38**
2. **APPROVES** the CEO Credit Card Statement for January 2023.

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

### **8.11 POLICY: PAYMENTS/GIFTS TO EMPLOYEES AND COUNCILLORS WHEN LEAVING THE TPRC**

Moved Cr Migdale, Seconded Cr Jones.

[The recommendation in the agenda]

**That Council APPROVES the Payments to Employees in Addition to Contract or Award Policy (February 2023).**

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

## **8.12 CHANGE OF COUNCIL MEETING DATE – OCTOBER 2023**

Moved Cr Migdale, Seconded Cr Jones.

[The recommendation in the agenda]

**That the Council APPROVE that the October 2023 Ordinary Council meeting be held on 12 October 2023 at the City of Stirling at 6:00pm and that the meeting date be advertised as required by the *Local Government Act 1995*.**

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

## **8.13 ADDITION OF MEMBERS TO THE MANAGEMENT COMMITTEE**

Moved Cr Migdale, Seconded Cr Krsticevic.

[The recommendation in the agenda]

**That the Council APPOINTS Councillor Ashley Wallace to the Management Committee by absolute majority.**

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

## **9. COMMITTEE REPORTS**

### **AUDIT and RISK COMMITTEE (13 FEBRUARY 2023)**

#### **9.1 TPRC FYE 2023 BUDGET REVIEW**

Moved Cr Wallace, Seconded Cr Krsticevic.

[The recommendation in the agenda]

**That the Council ADOPTS the Budget Review with the variations for the period 1 July 2022 to 30 June 2023, as detailed in the Budget Analysis Worksheet attached to Appendix 9.1.**

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

At 6:15pm Councillor Glynis Parker entered the meeting during consideration of Item 9.2.

## 9.2 COMPLIANCE AUDIT RETURN FOR YEAR ENDED 31 DECEMBER 2022

Moved Cr Migdale, Seconded Cr Perkov.

[The recommendation in the agenda]

**That the Council recommends the Compliance Audit Return for the Tamala Park Regional Council for the year ended 31 December 2022 be ADOPTED, RECORDED in the minutes, CERTIFIED and SENT to the Director General of the Department of Local Government, Sport and Cultural Industries, in accordance with the *Local Government Act 1995* and Regulations.**

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

## 10. ELECTED MEMBERS MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

Nil

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

Nil

## 12. URGENT BUSINESS APPROVED BY THE CHAIR

Nil

## 13. GENERAL BUSINESS

Nil

## 14. DECISION TO MOVE TO CONFIDENTIAL SESSION

Moved Cr Migdale, Seconded Cr Ife.

**That**

**1. Item 14.1 – TPRC LANDSCAPE MAINTENANCE TENDER 06/2022 be CONSIDERED Behind Closed Doors in accordance with Sections 5.23(2)(d) and (e) of the *Local Government Act 1995*, which permits the meeting to be closed to the public for business relating to the following:**

***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***

***e) A matter that if disclosed would reveal –***

***ii) information that has commercial value to a person; or***

***iii) 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)).***

2. Item 14.2 – **UPDATED CATALINA ANNUAL MARKETING PLAN FYE 2023** be **CONSIDERED Behind Closed Doors** in accordance with Sections 5.23(2)(c) and (e) of the *Local Government Act 1995*, which permits the meeting to be closed to the public for business relating to the following:
  - (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*
  - (e) *a matter that if disclosed would reveal –*
    - i) *a trade secret; or*
    - ii) *information that has a commercial value to a person; or*
    - iii) *information about the business, professional, commercial or financial affairs of a person.*
  
3. Item 14.3 – **DEVELOPMENT MANAGEMENT AGREEMENT – KEY PEOPLE** be **CONSIDERED Behind Closed Doors** in accordance with Sections 5.23(2)(c) and (e) of the *Local Government Act 1995*, which permits the meeting to be closed to the public for business relating to the following:
  - (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*
  - (e) *A matter that if disclosed would reveal –*
    - ii) *information that has commercial value to a person; or*
    - iii) *information about the business, professional, commercial or financial affairs of a person.*
  
4. Item 14.4 – **CYBER SECURITY REVIEW** be **CONSIDERED Behind Closed Doors** in accordance with Sections 5.23(2)(c) and (e) of the *Local Government Act 1995*, which permits the meeting to be closed to the public for business relating to the following:
  - (f) *a matter that if disclosed, could be reasonably expected to (section 5.23(2)(f)):*
    - (ii) *endanger the security of the local government's property.*

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

At 6:17pm the meeting was closed to the public, and all attendees who were not required left the meeting prior to consideration of Item 14.1.

Representatives from Satterley Property Group left the room.

## **14.1 LANDSCAPE MAINTENANCE TENDER 06/2022**

Moved Cr Migdale, Seconded Cr Wallace.

**That the Council:**

1. **PROCEEDS** with the confidential recommendation as outlined in the Confidential Agenda.
2. **RESOLVES** that this report, attachments and resolution remain confidential in accordance with section 5.23(2)(c) and (e) of the *Local Government Act 1995*.

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

#### 14.2 UPDATED CATALINA ANNUAL MARKETING PLAN FYE 2023

Moved Cr Migdale, Seconded Cr Jones.

**That the Council:**

1. **PROCEEDS** with the confidential recommendation as outlined in the Confidential Agenda.
2. **RESOLVES** that this report, attachments and resolution remain confidential in accordance with section 5.23(2)(c) and (e) of the *Local Government Act 1995*.

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

#### 14.3 DEVELOPMENT MANAGEMENT AGREEMENT – KEY PEOPLE

Moved Cr Perkov, Seconded Cr Ife.

**That the Council:**

1. **PROCEEDS** with the confidential recommendation as outlined in the Confidential Agenda.
2. **RESOLVES** that this report, attachments and resolution remain confidential in accordance with section 5.23(2)(c) and (e) of the *Local Government Act 1995*.

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

#### 14.4 CYBER SECURITY REVIEW

Moved Cr Migdale, Seconded Cr Krsticevic.

**That the Council:**

1. **PROCEEDS** with the confidential recommendation as outlined in the Confidential Agenda.
2. **RESOLVES** that this report, attachments and resolution remain confidential in accordance with section 5.23(2)(f) of the *Local Government Act 1995*.

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

Moved Cr Migdale, Seconded Cr Jones.

**That the meeting be REOPENED to the public.**

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

At 6:22pm the meeting was reopened to the public.

**15. FORMAL CLOSURE OF MEETING**

The Chair declared the meeting closed at 6:22pm.



# MINUTES

## ORDINARY COUNCIL MEETING

TIME: 6.30 PM

23 FEBRUARY 2023

CITY OF JOONDALUP

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*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 6.30 pm

**2 ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE**

**Councillor Attendance**

Cr K Vernon (Chair)	Town of Victoria Park
Cr A Jacob (Deputy Chair)	City of Joondalup
Cr L Gobbert, JP	City of Perth
Cr C Hatton	City of Stirling
Cr E Re	City of Stirling
Cr S Proud, JP	City of Stirling
Cr Lisa Thornton	City of Stirling
Cr A Castle	City of Vincent
Cr F Cvitan, JP	City of Wanneroo
Cr P Miles	City of Wanneroo
Cr K Shannon	Town of Cambridge

**MRC Officers**

Mr S Cairns (Chief Executive Officer)  
Ms A Arapovic (Finance Manager)  
Mr A Griffiths (Project and Procurement Manager)  
Mr M Hattingh (Operations Manager)  
Ms S Cherico (Human Resources Officer)  
Ms D Toward (Executive Support)

**Apologies**

Cr J Ferrante City of Stirling

**Approved leave of absence**

Nil

**Member Council Observers**

Mr N Claassen	City of Joondalup
Ms C O'Neill	City of Joondalup
Mr G Taylor	City of Perth
Mr A Murphy	City of Stirling
Mr R Bryant	City of Stirling
Mr P Varris	City of Vincent
Mr H Singh	City of Wanneroo
Mr A Kowero	City of Wanneroo
Mr J Wong	Town of Victoria Park

**Visitors**

Nil

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**3 DECLARATION OF INTERESTS**

Nil

**4 PUBLIC QUESTION TIME**

Public question time opened at 6.32 pm  
There were no members of the public present.  
Public question time closed at 6.32 pm

**5 ANNOUNCEMENT BY THE PRESIDING PERSON**

The Chair announced the appointment of Mr Morné Hattingh, Operations Manager.

**6 APPLICATION FOR LEAVE OF ABSENCE**

Nil

**7 PETITIONS/DEPUTATIONS/PRESENTATIONS**

Nil

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<b>8 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS</b>
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**8.1 ORDINARY COUNCIL MEETING – 15 DECEMBER 2022**

The Minutes of the Ordinary Council Meeting held on 15 December 2022 have been printed and circulated to members of the Council.

**RESPONSIBLE OFFICER RECOMMENDATION**

**That the Minutes of the Ordinary Meeting of Council held on 15 December 2022 be confirmed as a true record of the proceedings.**

**Moved Cr Hatton, seconded Cr Cvitan**

**RESOLVED**

**That the recommendation be adopted**

**(CARRIED UNANIMOUSLY 12/0)**

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<b>9</b>	<b>CHIEF EXECUTIVE OFFICER REPORTS</b>
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<b>9.1</b>	<b>FINANCIAL STATEMENTS FOR THE MONTH ENDED 31 DECEMBER 2022 AND 31 JANUARY 2023</b>
<b>Reference:</b>	<b>GF-21-0000196</b>
<b>Appendix(s):</b>	<b>Appendix No. 1, 2 and 3</b>
<b>Date:</b>	<b>10 February 2022</b>
<b>Responsible Officer:</b>	<b>FINANCE MANAGER</b>

### **SUMMARY**

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

### **BACKGROUND**

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

The financial statements presented for each month consist of:

- Statement by Comprehensive Income by Nature and Type
- Operating Income Statement by Program
- Statement of Financial Activity
- Statement of Reserves
- Statement of Investing Activities
- Tonnage Report

### **DETAIL**

The Financial Statements for the month ended 31 December 2022 and 31 January 2023 are attached at **Appendix No. 1 and 2** to this Item. The Tonnage Report for the two months to 31 January 2023 is attached at **Appendix No. 3**.

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

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

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Summary of results for the year to date period ended 31 January 2023

	YTD Budget	YTD Actual	Variance
	t	t	t
Tonnes – Members	104,558	104,468	(90)
Tonnes – Others	19,518	31,499	11,981
<b>TOTAL TONNES</b>	<b>124,076</b>	<b>135,967</b>	<b>11,891</b>
	\$	\$	\$
Revenue – Members	18,518,210	20,059,357	1,541,147
Revenue – Other	2,913,074	3,357,091	444,016
<b>TOTAL REVENUE</b>	<b>21,431,284</b>	<b>23,416,448</b>	<b>1,985,163</b>
Expenses	(20,802,832)	(21,320,511)	(517,680)
<b>NET SURPLUS/(DEFICIT)</b>	<b>628,452</b>	<b>2,095,937</b>	<b>1,467,483</b>

Members

Members tonnages for the financial period ended 31 January 2023 were 90 tonnes below budget.

Trade & Casuals

The Casual and Trade tonnages are 11,981 tonnes higher than forecast for the financial year to date. 12,120 tonnes delivered through the discounted rate waste tender.

Overall tonnages for the financial period ended 31 January 2023 were 11,891 tonnes more than budgeted.

The net result variance against budget of \$1,467,483 is attributable to increased tonnages above budgeted forecast abated by increased landfill levy costs and amortisation for cell development.

**VOTING REQUIREMENT**

Simple Majority

## **RESPONSIBLE OFFICER RECOMMENDATION**

**That Council:**

**Receive the Financial Statements set out in Appendix No. 1 and 2 for the months ended 31 December 2022 and 31 January 2023.**

**Moved Cr May, seconded Cr Hatton**

**RESOLVED**

**That the recommendation be adopted  
(CARRIED UNANIMOUSLY 12/0)**

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<b>9.2</b>	<b>LIST OF PAYMENTS MADE FOR THE MONTHS ENDED 31 DECEMBER 2022 AND 31 JANUARY 2023</b>
<b>File No:</b>	<b>GF-21-0000196</b>
<b>Appendix(s):</b>	<b>Appendix No. 4 and 5</b>
<b>Date:</b>	<b>10 February 2023</b>
<b>Responsible Officer:</b>	<b>Finance Manager</b>

### SUMMARY

The purpose of this report is to provide details of payments made during the periods identified above. 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 December 2022 and 31 January 2023 is at **Appendix 4 and 5** to this Item and 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 16 September 2021, 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.

<b>Months Ended</b>	<b>Account</b>	<b>Vouchers</b>	<b>Amount</b>
31 December 2022	General Municipal	Cheques	\$1,038.00
		EFT	\$1,162,527.57
		DP	\$3,529,755.97
		Inter account transfers	\$0.00
		<b>Total</b>	<b>\$4,693,321.54</b>
31 January 2023	General Municipal	Cheques	\$520.00
		EFT	\$4,805,749.57
		DP	\$350,435.35
		Inter account transfers	\$0.00
		<b>Total</b>	<b>\$5,156,704.92</b>

### 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 31 December 2022 and 31 January 2023.**

**Moved Cr Miles, seconded Cr Cvitan**

**RESOLVED**

**That the recommendation be adopted  
(CARRIED UNANIMOUSLY 12/0)**

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<b>9.3</b>	<b>2022/23 MID YEAR BUDGET REVIEW</b>
<b>File No:</b>	<b>GF-21-0000172</b>
<b>Appendix(s):</b>	<b>Appendix No. 6 and 6a</b>
<b>Date:</b>	<b>23 February 2023</b>
<b>Responsible Officer:</b>	<b>Finance Manager</b>

### **PURPOSE**

To consider the Mindarie Regional Council's financial position as at 31 December 2022 and performance for the period 1 July 2022 to 31 December 2022 in relation to the adopted budget and projections estimated for the remainder of the financial year.

### **BACKGROUND**

The budget review has been prepared to include information required by the Local Government Act 1995, Local Government (Financial Management) Regulations 1996 and Australian Accounting Standards.

Financial Management Regulations (FMR) r.33A (1) requires that between 1 January and 31 March in each financial year, a Local Government is to carry out a review of its annual budget for the year.

FMR r.33 (2A) requires the review of an annual budget for a financial year to:  
Consider the local government's financial performance in the period beginning on 1 July and ending no earlier than 31 December in that financial year; and  
Consider the local government's position as at the date of the review; and  
Review the outcomes for the end of the financial year to be part of the review

FMR r.33A (2) and (3) require the results of the budget review to be presented to Council within 30 days of the review being completed. Council is then to consider the review submitted to it and resolve (by absolute majority) to adopt the review or not and any recommendations associated with the review.

FRM r.33A (4) requires that after the Council has dealt with the review a copy of the determination (Council minutes) must be provided to the Department within 30 days.

### **DETAILS**

Council operations have been conducted in line with the Adopted Budget for 2022/23. The budget review statements that form part of this report have been based on the financial statements by nature and type/program on the actual expenditure and variations from the adopted budget which have been presented during the financial year to the ordinary council meetings.

This report provides information based on the six-month period from 1 July to 31 December 2022.

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The budget review reflects a view on the full year financial position of the Mindarie Regional Council and highlights:

- those items that reflect significant predicted variances to budgeted allocations, and
- the anticipated revised financial projections to 30 June 2023.

The tonnes have marginally changed from the originally budgeted tonnage, the projections are summarised in the table below. The Members' gate fee will remain at \$145.00 per tonne for the remainder of the financial year, with no change to either the non-members gate fee or Casuals.

	<b>Tonnage Budget 2022/23</b>	<b>Tonnage Projected 2022/23</b>	<b>Tonnage Variance</b>
City of Perth	13,500	11,950	(1,550)
City of Wanneroo	55,000	54,000	(1,000)
City of Joondalup	33,680	32,710	(970)
City of Stirling	47,500	52,700	5,200
City of Cambridge	6,025	6,020	(5)
City of Vincent	7,250	5,400	(1,850)
Town of Victoria Park	12,000	9,768	(2,232)
<b>Total Member Charges</b>	<b>174,955</b>	<b>172,548</b>	<b>(2,407)</b>
<b>Casuals</b>			
Casuals	13,000	13,000	-
Trade	3,400	4,050	650
Trade			
Discount	15,000	30,000	15,000
<b>Total Casuals</b>	<b>31,400</b>	<b>47,050</b>	<b>15,650</b>
<b>TOTAL</b>	<b>206,355</b>	<b>219,598</b>	<b>13,243</b>

The Income Statement reflects the Adopted Budget and Actual Expenditure to 31 December 2022 and Projected expenditure to 30 June 2023, as well as the projected capital expenditure is enclosed as **Appendix 1** of this report.

The materiality threshold for 2022/23 mid-year budget variances has been set at a lower level than the monthly reporting threshold in order to enable greater transparency of information. This report provides comments only on those items which have a projected variance of over 10% and greater than \$50k. In some instances, although the variance is outside of these parameters due to the significance of the item, comments may still be provided. This report will also address the budget adjustments identified in this review.

## **OPERATING REVENUE**

### **FEES AND CHARGES**

The overall revenue is expected to increase by \$2.96m from a budget deficit \$0.84m to a forecast profit \$2.1m. The major contributor is mostly non-member charges, due to negotiated discounted short term waste contracts. The proposed budget adjustments recognise variances expected at year end.

### **INTEREST EARNINGS**

Since May 2022, the Reserve Bank has raised the cash rate on nine consecutive occasions, taking it from a record low 0.1 per cent to 3.35 per cent. Projections to the end of June reflect an expected revenue at \$1.3m.

### **OTHER REVENUE**

Net adjustment between reduced revenue for Compost revenue, Mattress charges and unbudgeted receipt of rebate from the LGIS \$13k.

### **OPERATING EXPENDITURE**

#### **EMPLOYEE COSTS**

Employee costs are expected to be slightly higher than the budget, this projection comes from the establishment of two new positions, a dedicated Project Manager and Project Technical Assistant required to continue work on strategic projects such as WtE and FOGO. Additionally, the contract employee engaged at the RRF facility was extended from six to twelve months.

#### **MATERIAL AND CONTRACTS**

This area overall is estimated to close the financial year at a higher cost than the adopted budget. An outcome expected as a result of strategic projects WtE and FOGO that will see an increase in costs necessary for the additional modelling and expression of interest/tender process. Funding has been considered to complete integrated planning and reporting resourcing documents by 30 June 2023.

Within office expenditure funding for Green deal alliance of \$40k has been recognised as well as projected development cost for the MRC Website. The upgrade of the Chemcapture system is projected at \$60k and is expected to enhance its performance and options for usage. Purchase of Council meeting equipment is also planned at projected \$50k cost, both estimates are included within IT expenditure.

#### **UTILITIES**

During the 2022/23 budget adoption, Council rates for RRF facility have been omitted. The projection reflects variation in costs expected at year end.

#### **DEPRECIATION (NON-CURRENT ASSETS)**

The revaluation of land, building and infrastructure performed as part of the year end audit changed the opening balance of the MRC's assets, directly impacting depreciation expense against the budget adopted for 2022/23. Budget adjustment is proposed to recognise expected variances and position at 30 June 2023.

#### **INSURANCE**

Insurance renewal for the Resource Recovery Facility Agreement (RRFA) was completed in December reducing the premium by \$542k which is reflected in the projection and budget adjustment proposal.

#### **CAPITAL EXPENDITURE**

No variance to report, potential carry forward from \$6.9m for the installation of Piggy Back Liner and Capping and revegetation of western batter is expected at this stage.

#### **TRANSFER TO/FROM RESERVES (RESTRICTED ASSETS)**

Capital Reserve balance at year end is expected as per adopted budget, no material variance to report. The overall capital budget is however lower than anticipated due to a delay in two Landfill infrastructure projects.

The rehabilitation estimates are periodically reviewed by an external consultant. The Site Rehabilitation reserve, as budgeted is expected to have an estimated balance of \$9.8m at the

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year-end however, the provision as a result of the annual audit require at least \$17.8m in the reserve. Consideration to manage funds into the reserve will be proposed as part of budgeting process deliberations.

#### **COMMENT**

As outlined above, there will be no changes made to the members' or non-members' gate fees.

#### **CONSULTATION**

Member Councils in relation to tonnage forecast for the remainder of the 2022/23 financial year.

#### **STATUTORY ENVIRONMENT**

This review is required to comply with regulation 33A of Local Government (Financial Management) Regulations 1996.

Section 6.8(1) (b) of the Local Government Act 1995 sets out a local government is not to incur expenditure for an additional purpose (where no estimate has been included in the annual budget) prior to being authorised in advance by an absolute majority of Council. For compliance with LGA S6.8, a separate resolution to the budget review should be passed for amendments to the budget.

#### **STRATEGIC IMPLICATIONS**

The 2022/23 mid-year budget review has been developed having regard for the objectives and actions outlined in the MRC's integrated planning and reporting documents adopted by Council.

#### **FINANCIAL IMPLICATIONS**

The significant financial implications have been detailed in the report.

#### **VOTING REQUIREMENT**

Absolute Majority

#### **RESPONSIBLE OFFICER RECOMMENDATION**

##### **That Council:**

1. Adopt the 2022/23 mid-year budget review as presented.
2. Approve the adjustments to the 2022/2023 MRC Budget as detailed in this report and attachment, in accordance with section 6.8(1) of the Local Government Act 1995.

**Moved Cr Vernon, seconded Cr Hatton**

#### **RESOLVED**

**That the recommendation be adopted**

(CARRIED UNANIMOUSLY 12/0)

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<b>9.4 ADOPTION OF 2022 COMPLIANCE AUDIT RETURN</b>	
<b>File No:</b>	<b>GF-22-0000196</b>
<b>Appendix(s):</b>	<b>Appendix 7</b>
<b>Date:</b>	<b>13 February 2023</b>
<b>Responsible Officer:</b>	<b>Chief Executive Officer</b>

### **SUMMARY**

The purpose of this report is to provide Council with information on the completed Compliance Audit Return (1 January 2022 – 31 December 2022).

### **BACKGROUND**

The 2022 Local Government Compliance Audit Return (CAR) covers the calendar year from 1 January to 31 December 2022.

The 2022 Compliance Audit Return is mandatory pursuant to the *Local Government (Audit) Regulations 1996* which requires all local governments to complete a Compliance Audit Return annually.

Local governments not only have to explain or qualify cases of non-compliance, but also provide details of any remedial action taken or proposed to be taken in regard to instances of non-compliance. The Administration has completed the Return.

The Return was placed on the agenda for the Audit and Risk Committee meeting on 15 February 2023 for consideration. The Return should be lodged with the Department of Local Government before 31<sup>st</sup> March, 2023.

### **DETAIL**

The Compliance Audit covers a range of matters that require specific actions to be completed by Local Government authorities in performing their functions.

The Compliance Audit Return requires the responsible officer to indicate against each item whether the required action is relevant to Mindarie Regional Council (MRC) and if it has been completed by either answering;

- (a) Yes; or
- (b) No; or
- (c) N/A – Not applicable

Local Governments are required to provide feedback or comments on areas of non-compliance. This assists the Department of Local Government to have a better understanding of any problems or issues relating to a Local Government's inability to achieve full compliance in a particular area.

The Compliance Audit Return for calendar year 2022 is at **Appendix 7**.

The Local Government is to submit the Compliance Audit Return to its Audit and Risk Committee for consideration so that it has the opportunity to examine the Return and report to council the results of that review.

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A joint certification is also required to be completed by the Chairperson and Chief Executive Officer to the effect that the information contained in the Return is true and correct to the best of their knowledge. Several other requirements must be met in the Return process and these include: -

- The particulars of all matters of concern raised by Council should be recorded in the minutes of the meeting and a copy of the relevant page(s) attached to the Compliance Audit Return as an appendix; and
- The completed Compliance Audit Return and appendices should be forwarded to the Director General of the Department of Local Government by 31 March 2023.

The Section dealing with the Joint Certification by the Chairperson and Chief Executive Officer requires inter alia that:

- each Councillor has had the opportunity to review the return and to make comment to the Council;
- particulars of any matters of concern relating to the return have been recorded in the minutes of the meeting; and
- a true and correct copy of the relevant sections of the minutes covering Council's consideration of the return must be attached to it.

The Audit and Risk Committee, at its meeting on 15 February 2023, considered the Return and resolved the following:

That the Audit and Risk Committee recommends that Council endorse the Compliance Audit return for the 2022 calendar year, as presented, subject to the following amendments:

- 1) Question 21, in 'disclosure of interests', now has two parts, the answer to which is "Yes".
- 2) Question 4, in 'finance', now has a mandatory comments field, the comments are: "Audit Report pertaining to FY2021 had 6 findings. 5 out of the 6 findings and recommendations have been resolved (ref Exit meeting doc 1 Dec 2022). One finding is deferred to 2023/24 (the date for review of the LTFFP and the AMP has been deferred to 30 June 2023, to coincide with the new SCP)."

## CONSULTATION

Nil

## STATUTORY ENVIRONMENT

Regional Councils are required to carry out a Return in accordance with the Local Government (Audit) Regulations 1996. The requirements set for the Return are contained in s.14 and 15 of the Regulations, which read as follows:

***"14. Compliance audits by local governments***

- (1) *A local government is to carry out a compliance audit for the period 1 January to 31 December in each year.*
  - (2) *After carrying out a compliance audit the local government is to prepare a compliance audit return in a form approved by the Minister.*
  - (3A) *The local government's audit committee is to review the compliance audit return and is to report to the council the results of that review.*
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- (3) *After the audit committee has reported to the council under sub regulation (3A), the compliance audit return is to be —*
- (a) *presented to the council at a meeting of the council; and*
  - (b) *adopted by the council; and*
  - (c) *recorded in the minutes of the meeting at which it is adopted.*

**15. *Certified copy of compliance audit return and other documents to be given to Departmental CEO***

- (1) *After the compliance audit return has been presented to the council in accordance with regulation 14(3) a certified copy of the return together with —*
- (a) *a copy of the relevant section of the minutes referred to in regulation 14(3)(c); and*
  - (b) *any additional information explaining or qualifying the compliance audit,*
- is to be submitted to the Departmental CEO by 31 March next following the period to which the return relates.*
- (2) *In this regulation —*
- certified*** *in relation to a compliance audit return means signed by —*
- (a) *the mayor or president; and*
  - (b) *the CEO.*

**POLICY IMPLICATIONS**

Nil

**FINANCIAL IMPLICATIONS**

Nil

**STRATEGIC IMPLICATIONS**

Nil

**COMMENT**

In order to comply with Regulations 14 and 15 of the *Local Government (Audit) Regulations 1996* it is necessary for the MRC to complete the Local Government Compliance Audit Return in the form approved by the Minister.

The results contained in the Compliance Audit Return required by the Department of Local Government for the period 1 January to 31 December 2022 indicates that the Council is continuing to operate within the Local Government Legislative requirements.

The Audit and Risk Committee, at its meeting held on 15 February 2023, recommended that the Council adopts the Compliance Audit Return.

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It is recommended that the Return be adopted by the Council and that the component comprising the form approved by the Minister be certified by the Chairperson and Chief Executive Officer and be forwarded to the Director General, Department of Local Government.

**VOTING REQUIREMENT**

Simple Majority

**RESPONSIBLE OFFICER RECOMMENDATION**

**That Council:**

- 1. adopt the Local Government Compliance Audit Return in the form approved by the Minister for the period 1 January to 31 December 2022 as contained within the Appendices in accordance with the provisions of *Regulation 14(3) of the Local Government (Audit) Regulations 1996* and in line with the recommendation from the Audit and Risk Committee;**
- 2. authorise the Chairperson and the Chief Executive Officer to complete the Joint Certification contained in the adopted Return detailed in (1) above; and**
- 3. authorise the Chief Executive Officer to submit the adopted Return detailed in (1) to the Director General, Department of Local Government.**

**Moved Cr Vernon, seconded Cr Jacob**

**RESOLVED**

**That the recommendation be adopted**

**(CARRIED UNANIMOUSLY 12/0)**

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**10 MEMBERS INFORMATION BULLETIN – ISSUE NO. 74**

**RESPONSIBLE OFFICER RECOMMENDATION**

**That the Members Information Bulletin Issue No. 74 be received.**

**Moved Cr Cvitan, seconded Cr Proud**

**RESOLVED**

**That the recommendation be adopted**

**(CARRIED UNANIMOUSLY 12/0)**

**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

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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 Chair requests the Council to meet “behind closed doors” to allow the Council to consider item 14.1 as the items are of a confidential nature.

No members of the public were present in the gallery.

**Moved Cr Vernon, seconded Cr Jacob**

**Procedural Motion**

- 1. Closes the meeting to the members of the public at 6.45 pm to consider item 14.1 in accordance with Section 5.23 of the *Local Government Act 1995*.**
- 2. Permits the MRC Chief Executive Officer and MRC staff to remain in the chamber during discussion for item 14.1.**

(CARRIED UNANIMOUSLY 12/0)

Doors closed at 6.45 pm

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

**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 matters concerning risk.**

**14.1 AUDIT AND RISK COMMITTEE CONFIDENTIAL DOCUMENTS**

**File No: GF-22-000070**

**Attachment(s): Nil**

**Date: 16 February 2023**

**Responsible Officer: Chief Executive Officer**

**AUDIT AND RISK COMMITTEE RECOMMENDATION:**

**That Council:**

1. Endorses the CEO's Review of Risk Management, Internal Controls and Legislative Compliance version 13 February 2023, as presented, "subject to the following amendment at attachment 4a on page 17, delete the words "at least every 5 years" and insert the words "as required if there are changes in the conditions".
2. Endorses the CEO's Review of the High Risk Register as reviewed on 24 November 2022, as presented.

**Moved Cr Vernon, seconded Cr Miles**

**RESOLVED**

**That the recommendation be adopted  
(CARRIED UNANIMOUSLY 12/0)**

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**Moved Cr Vernon, seconded Cr Cvitan**  
**Procedural Motion:**  
**That Council:**

- **Reopen the meeting to members of the public at 6.46 pm**

**To re-open the meeting to the public**  
(CARRIED UNANIMOUSLY 12/0)

Doors re-opened at 6.47 pm, the Chair declared the meeting re-opened. As there were no members of the public present, the Chair noted the resolutions passed behind closed doors

**15 NEXT MEETING**

The next Ordinary Council meeting is to be held on Thursday 27 April 2023 at the City of Wanneroo commencing at 6.30 pm.

**16 CLOSURE**

The Chair closed the meeting at 6.47pm and thanked the City of Joondalup for their hospitality and use of their meeting facilities.

Signed .....Chair

Dated.....day of .....2023

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