



AGENDA

ORDINARY COUNCIL MEETING

TIME: 5.30PM

THURSDAY 12 DECEMBER 2013

TOWN OF VICTORIA PARK

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



**MINDARIE REGIONAL COUNCIL
NOTICE OF MEETING**

22 November 2013

Councillors of the Mindarie Regional Local Government are advised that an Ordinary Meeting of the Council will be held in the Council Chambers of the Town of Victoria Park, 99 Shepperton Road, Victoria Park, at 5.30pm on Thursday 12 December 2013.

The agenda pertaining to the meeting is attached.

Your attendance is respectfully requested.

**BRIAN CALLANDER
CHIEF EXECUTIVE OFFICER**

MINDARIE REGIONAL COUNCIL - MEMBERSHIP

Cr R Fishwick JP (Russ) - Chair	City of Joondalup
Cr J Bissett (John) – Deputy Chair	Town of Victoria Park
Cr S Withers (Simon)	Town of Cambridge
Cr K Hollywood (Kerry)	City of Joondalup
Cr J Davidson OAM JP (Janet)	City of Perth
Cr D Boothman (David)	City of Stirling
Cr S Proud (Stephanie)	City of Stirling
Cr E Re JP (Elizabeth)	City of Stirling
Cr B Stewart (Bill)	City of Stirling
Cr J Carey (John)	City of Vincent
Cr R Driver (Russell)	City of Wanneroo
Cr D Newton JP (Dot)	City of Wanneroo

NB: Although some Councils have nominated alternate members, it is a requirement that a Council carries a specific resolution for each occasion that the alternate member is to act.

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1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

2 ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE

3 DECLARATION OF INTERESTS

Declaration of Financial/Conflict of Interest to be recorded prior to dealing with each item.

Disclosure of Financial and Proximity Interests

- (a) *Members must disclose the nature of their interest in matters to be discussed at the meeting. (Section 5.65 of the Local Government Act 1995).*
- (b) *Employees must disclose the nature of their interest in reports or advice when giving the report or advice to the meeting. (Sections 5.70 and 5.71 of the Local Government Act 1995).*

Disclosure of Interest Affecting Impartiality

- (a) *Members and staff must disclose their interest in matters to be discussed at the meeting in respect of which the member or employee has given or will give advice.*

4 PUBLIC QUESTION TIME

5 ANNOUNCEMENTS BY THE PRESIDING PERSON

6 APPLICATIONS FOR LEAVE OF ABSENCE

7 PETITIONS / DEPUTATIONS / PRESENTATIONS

8 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

8.1 ORDINARY COUNCIL MEETING – 10 October 2013

The Minutes of the Ordinary Council Meeting held on 10 October 2013 have been printed and circulated to members of the Council.

RESPONSIBLE OFFICER RECOMMENDATION

That the Minutes of the Ordinary Council Meeting of Council held on 10 October 2013 be confirmed as a true record of the proceedings.

8.2 SPECIAL COUNCIL MEETING – 7 November 2013

The Minutes of the Special Council Meeting held on 7 November 2013 have been printed and circulated to members of the Council.

RESPONSIBLE OFFICER RECOMMENDATION

That the Minutes of the Special Council Meeting of Council held on 7 November 2013 be confirmed as a true record of the proceedings.

9 CHIEF EXECUTIVE OFFICER REPORTS
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9.1	FINANCIAL STATEMENTS FOR THE PERIODS ENDED 30 SEPTEMBER 2013 AND 31 OCTOBER 2013
File No:	FIN/5-03
Appendix(s):	Appendix No. 1 Appendix No. 2 Appendix No. 3
Date:	21 November 2013
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 attached are for the months ended 30 September 2013 and 31 October 2013 and are attached at **Appendix No. 1 and 2** to this Item. The Tonnage Report for the 4 months to 31 October June 2013 is attached at **Appendix No. 3**.

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

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

The results for the year ended 30 June 2013 are still subject to external audit which may result in changes to the numbers included in this report, including certain balance sheet reclassifications and reserve transfers. It is not expected however, that there will be material changes to the underlying profit numbers reported.

Summary of results for the year to 31 October 2013

	Actual	Budget	Variance
	t	t	t
Tonnes – Members	113,639	106,565	7,074
Tonnes – Others	10,745	13,333	(2,588)
TOTAL TONNES	124,384	119,898	4,486
	\$	\$	\$
Revenue – Members	15,299,850	15,471,787	(171,937)
Revenue – Other	3,113,725	3,580,443	(466,718)
TOTAL REVENUE	18,343,575	19,052,230	(638,655)
Expenses	15,027,928	15,986,092	958,164
Loss/(profit) on sale of assets	-	-	-
NET SURPLUS	3,385,647	3,066,138	319,509

VOTING REQUIREMENT

Simple Majority

RESPONSIBLE OFFICER RECOMMENDATION

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

9.2	LIST OF PAYMENTS MADE FOR THE MONTHS ENDED 30 SEPTEMBER 2013 AND 31 OCTOBER 2013
File No:	FIN/5-03
Appendix(s):	Appendix No. 4 Appendix No. 5
Date:	21 November 2013
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 30 September 2013 and 31 October 2013 are at **Appendix 4 and 5** to this Item and are presented to Council for noting. Payments have been made in accordance with the delegated authority to the CEO which allows payments to be made between meetings. At the Ordinary Council Meeting held on 5 September 2013, 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 September 2013	General Municipal	Cheques	\$120,979.88
		EFT	\$2,276,802.66
		DP	\$208,513.84
		Total	\$2,606,296.38
31 October 2013	General Municipal	Cheques	\$124,785.15
		EFT	\$4,294,677.10
		DP	\$300,597.62
		Total	\$4,720,059.87

VOTING REQUIREMENT

Simple Majority

RESPONSIBLE OFFICER RECOMMENDATION

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

9.3	APPOINTMENT OF DEPUTY ON MUNICIPAL WASTE ADVISORY COUNCIL
File No:	GOV/1-02
Attachment(s):	1. Municipal Waste Advisory Council Details
Date:	14 November 2013
Responsible Officer:	Chief Executive Officer

SUMMARY

The purpose of this report is to appoint a Mindarie Regional Council (MRC) Councillor on to the Municipal Waste Advisory Council as a Deputy to the previously nominated Councillor Bissett.

BACKGROUND

The Council at a Special Meeting held on 7 November 2013 resolved to appoint Councillors on to committees and working groups of the MRC. One of the Working Groups is the Municipal Waste Advisory Council (MWAC), which is a standing committee of the Western Australian Local Government Association (WALGA).

DETAILS

The Council resolved to appoint Cr Bissett as its member of MWAC but the report presented to Council did not require the appointment of a Deputy. However after discussion with WALGA it became clear that other Councils appoint deputies on MWAC.

MWAC was established in December 1994 to represent WALGA in respect of matters relating to municipal waste issues. MWAC is established under a partnership agreement with WALGA, Eastern Metropolitan Regional Council, City of Geraldton/Greenough, Mindarie Regional Council, Rivers Regional Council, Southern Metropolitan Regional Council and Western Metropolitan Regional Council.

The objective of MWAC is to encourage and promote economically sound, environmentally safe waste management practices and to ensure that the shared interests of all Western Australian Local Governments, as they relate to waste management, are effectively managed. An Officer Advisory Group has been created as an advisory committee to the MWAC. Membership of the MWAC and the Officers' Advisory Group currently consists of the major regional councils. *Attachment 1* of this agenda item provides details of the tenure, membership, duties and responsibilities associated with the Municipal Waste Advisory Council (MWAC).

LEGAL COMPLIANCE

Refer *attachment 1* to determine the varying compliance requirements of MWAC.

FINANCIAL IMPLICATIONS

There is no remuneration attached to the positions on any of the MRC's Committees and/or Working Groups.

COMMENT

Given that other Councils have nominated deputies on to MWAC it is considered appropriate that the MRC does the same as such it is recommended that Council appoint a deputy on to MWAC.

VOTING REQUIREMENT

Simple Majority

RESPONSIBLE OFFICER RECOMMENDATION

That Council appoint Cr _____ as Deputy on to the Municipal Waste Advisory Council.

ATTACHMENT 1

MUNICIPAL WASTE ADVISORY COUNCIL

MEMBERSHIP

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

MEETING FREQUENCY

Bi-Monthly

DUTIES AND RESPONSIBILITIES

General Functions of the MWAC

- (a) The principal role of the MWAC in exercise of the delegated authority is to govern the Municipal Waste Program and to represent the interests of the Parties and Local Government generally, in all matters relating to local government waste management.
- (b) Without limiting the MWAC's principal role, the broad functions and responsibilities of the MWAC include:
 - (i) defining policy and providing the overall strategic direction of the Municipal Waste Program to achieve the interests of the Parties to this Partnership Agreement;
 - (ii) maintaining the MWAC as a credible, active and effective peak body in the area of waste management;
 - (iii) facilitating and encouraging cooperative linkages between Local, State and Federal Government, Regional Councils, FORC, WMAA, Waste Authority, industry and the community;
 - (iv) representing the interests of the Association in all matters relating to local government waste management in accordance with the Association's policy statements and formal positions on an issue, and without prior reference to the Association where a formal Association position on an issue is not current or has not yet been developed PROVIDED THAT any such position is subsequently put to the Association as soon as practicable for confirmation;
 - (v) acting as an interface between the Parties to this Partnership Agreement and other local governments;
 - (vi) promoting economically sound, environmentally safe and socially acceptable waste management and minimisation strategies;
 - (vii) coordinating and initiating research on waste management issues;
 - (viii) through the WALGA Chief Executive Officer and the MWAC Chair, monitoring and evaluating the performance of the Executive Officer against established key performance indicators;
 - (ix) approving major operating plans, including the strategic plan;
 - (x) approving the Annual Budget in accordance with the terms of this Partnership Agreement; and
 - (xi) ensuring the Municipal Waste Program complies with the law and the Association's operational policies and procedures.

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- | |
|--|
| <p>(c) Under the terms of the delegated authority, the MWAC may not make decisions:</p> <ul style="list-style-type: none">(i) concerning the acquisition, holding and disposition of real property or the borrowing of money or setting Association subscription levels;(ii) that are inconsistent with an existing formal policy statement of the Association without prior reference to and the prior approval of the State Council; and(iii) relating to operational matters as such matters remain the responsibility of the Executive Officer, reporting to the WALGA Chief Executive Officer or to their delegate. |
|--|

APPOINTMENT/TENURE

Membership continues until notification is given to the other party advising of a change in the membership
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9.4	MINDARIE REGIONAL COUNCIL CHANGE OF MEETING DATE FOR 2014
File No:	COR/10-02
Appendix(s):	Nil
Date:	14 November 2014
Responsible Officer:	Chief Executive Officer

SUMMARY

The purpose of this report is to propose an alternate meeting date for the Ordinary Council Meeting scheduled for 13 February 2014 at the City of Joondalup.

BACKGROUND

The Mindarie Regional Council (MRC) at its 10 October 2013 council meeting resolved the dates and locations for its Ordinary Council meetings to be held in 2014 as follows:-

That Council:

(1) *adopt the following schedule for Ordinary Council Meetings for the Year 2014:*

- *13 February 2014 (City of Joondalup)*
- *24 April 2014 (City of Wanneroo)*
- *3 July 2014 (City of Stirling)*
- *4 September 2014 (City of Vincent)*
- *23 October 2014 (City of Perth)*
- *11 December 2014 (Town of Victoria Park)*

DETAIL

At the 7 November 2013 Special Council Meeting, members were advised by the Chairperson that the date of the meeting to be held at the City of Joondalup on Thursday 13 February 2014 will need to be changed due to other commitments the City of Joondalup has on that day/evening. On review of other suitable dates Thursday 20 February 2014 was most suitable.

STATUTORY ENVIRONMENT

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

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

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

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

“1.7. Local public notice

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

POLICY IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

COMMENT

The resolution of Council on 10 October 2013 scheduling the dates for next year was not advertised and as such the change to the meeting date requested by the City of Joondalup is considered minor and, as it had not been acted on by the Administration, does not require a revocation motion. Public Notice will be issued once the Council has resolved the Ordinary Council meeting dates for 2014.

VOTING REQUIREMENT

Simple Majority

RESPONSIBLE OFFICER RECOMMENDATION

That Council:

1. **Change the date of the Ordinary Council Meeting from 13 February 2014, as resolved at its meeting on 10 October 2013, to 20 February 2014.**
 2. **In accordance with Part 12 (2) of the *Local Government (Administration) Regulations 1996* and the *Local Government Act 1995* issue a Public Notice of the meetings dates resolved by Council at its meeting on 10 October 2013 and amended in (1) above as follows:**
 - **20 February 2014 (City of Joondalup)**
 - **24 April 2014 (City of Wanneroo)**
 - **3 July 2014 (City of Stirling)**
 - **4 September 2014 (City of Vincent)**
 - **23 October 2014 (City of Perth)**
 - **11 December 2014 (Town of Victoria Park)**
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9.5	CLAY LINING PROJECT
File No:	WST/195
Attachment(s):	1. Tamala Park Landfill Stage 2 Phase 4-Side Slope Lining Estimate
Date:	22 November 2013
Responsible Officer:	Landfill Manager

SUMMARY

The purpose of this report is to seek approval for the continuation of the clay lining work of stage 2 phase 3 of the landfill at Tamala Park in accordance with the tender awarded to Ertech Pty Ltd and source the funds required to cover the cost of the works through borrowings.

BACKGROUND

The Council at its meeting on 4 July 2013 resolved to award a tender for the clay lining to stage 2 phase 3 of the landfill at Tamala Park to Ertech Pty Ltd as follows:

“That:

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

The awarded tender ensured that Ertech would complete the clay lining of the landfill over a five year period plus two single year options and was staged to coincide with the placement of waste on the landfill. Progressively placing the clay as the waste is placed in the landfill ensures that the clay does not dry out thus preventing the clay from cracking ensuring that it is an effective barrier. The overall cost of the work for the total project is estimated at \$5M. The first stage was designed to allow the first lifts of the clay lining, which was valued at \$1.5M including on-costs and contingencies.

Ertech commenced work on the first stage of the project in August 2013. Significant rain fall in September resulting in significant delays in the placement of the clay. As the landfill is continuing to receive waste, including additional waste received from the City of Stirling, the operators have had to step the waste back from the edge of the landfill allowing Ertech a clear working area to place the clay.

DETAIL

Given the delay, and the additional tonnes of waste being received from the City of Stirling, it is now necessary to continue on with the second stage of the lining works and have Ertech continue to place the next two lifts of clay. Using the pricing approved in the original tender the estimated value of this work is \$1.23M (*refer Attachment 1*) plus an additional \$100,000 for contingencies and Superintendent costs. As this is a Capital Work project the \$1.33M will be funded by borrowings. The repayment of the borrowings has

no immediate impact on the gate fee, other than the interest payable on the borrowings and will be accommodated in the half yearly budget review. It is not considered necessary at this stage to alter the gate fee to accommodate this additional interest.

STATUTORY ENVIRONMENT

The works approval for the clay lining under the Environmental Act 1986 has been granted. As the Council has not indicated that it intends to borrow the additional funds for stage 2 of this project in its 2013/14 Budget Section 6.20 of the *Local Government Act 1995* applies requiring the Council to issue one month’s public notice as follows:

“6.20. Power to borrow

- (1) Subject to this Act, a local government may —*
 - (a) borrow or re-borrow money; or*
 - (b) obtain credit; or*
 - (c) arrange for financial accommodation to be extended to the local government in ways additional to or other than borrowing money or obtaining credit, to enable the local government to perform the functions and exercise the powers conferred on it under this Act or any other written law.*
- (2) Where, in any financial year, a local government proposes to exercise a power under subsection (1) (power to borrow) and details of that proposal have not been included in the annual budget for that financial year —*
 - (a) unless the proposal is of a prescribed kind, the local government must give one month’s local public notice of the proposal; and*
 - (b) the resolution to exercise that power is to be by absolute majority.”*

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

It was not anticipated that the next lifts of the clay lining would be required in this financial year, but due to additional waste being delivered to the landfill the next lifts are necessary. The cost of the next lifts using the price structure of the tender awarded to Ertech has been calculated at \$1.33M including contingencies and Superintendent costs.

This project will be funded from borrowings and it is not anticipated to impact on the 2013/14 gate fee. The additional borrowing interest costs will be accommodated in the half yearly budget review.

STRATEGIC/COMMUNITY AND CORPORATE/BUSINESS PLAN IMPLICATIONS

Corporate Business Plan 2013/14 – 2016/17		
Strategies	Actions	Responsible Officer
2.1.2	Comply with DEC license conditions for sites owned and managed by the MRC, as well as guidelines for landfill sites.	Landfill Manager
2.1.5	Comply with Tamala Park site lease conditions.	Landfill Manager

COMMENT

The clay lining works is a requirement of Mindarie Regional Council's licence with the Department of Environmental Regulations and is the approved barrier for the prevention of waste leaching out of the landfill.

With the return of the City of Stirling to Tamala Park the volume of waste has greatly increased resulting in the next stages of the clay lining being brought forward. The stage being proposed is in line with the tender awarded to Ertech, however it has been brought forward due to increased waste being delivered to Tamala Park and to ensure that the clay lining keeps up with the increase in waste lifts on the landfill.

VOTING REQUIREMENT

Absolute Majority

RESPONSIBLE OFFICER RECOMMENDATION

That Council:

- 1 Approve the next stage of the clay lining work at a value of \$1.33M being made up of:
 - a. \$1.23M for the cost of the works;**
 - b. \$60,000 for contingencies; and**
 - c. \$40,000 for the role of the Superintendent.****
- 2 The cost of the works detailed in (1) above be funded from borrowings; and**
- 3. In accordance with Section 6.20 of the Local Government Act 1995 the Council provide one month public notice advising of its decision to undertake the additional clay lining work and borrow to fund the works as detailed in (1) and (2) above.**

(Absolute Majority Required)

Attachment 1

Tamala Park Landfill Stage 2 Phase 4-Side Slope Lining Estimate

Item	Description	Value
		\$
A1.5	Insurance, Fees & BCITF Levy	9,260.00
		\$
B3	Surface Water Control	24,306.00
		\$
B8	Supply, condition, construct and QA testing of the compacted clay lift 510m x 3.0m x 6.0m = 9180m ³ @ \$177.77 per m ³	1,081,128.60
		\$
C2	Supply and install stainless steel leachate riser pipes (3 No)	74,110.00
		\$
C3	Supply and Install HDPE clean-out pipes (2 No)	2,054.00
		\$
C4	Supply and Install Leachate Drainage Aggregate	7,702.00
		\$
C5	Supply and Installation of anti-disiccation geotextile including sandbogs of pegs 6700m ² @ \$3.18 per m ²)	21,306.00
		\$
C6	Installation of Leachate Pumps, pipes, airlines, top 2.0m of stainless steel pipe section, support bollards and concrete footing for all three leachate extraction points	3,480.00
		\$
	Total	1,223,346.60

9.6	MINDARIE REGIONAL COUNCIL ANNUAL REPORT 2013 AND MINUTES OF THE AUDIT COMMITTEE MEETING OF 14 NOVEMBER 2013
File No:	COR/9-03
Appendix(s):	Appendix No. 6 Appendix No. 7
Date:	21 November 2013
Responsible Officer:	Gunther Hoppe

BACKGROUND

The Mindarie Regional Council, in accordance with the Local Government Act 1995 Section 5.53, is required to submit an Annual Report. The Local Government Act specifies that the Annual Report is to contain:

- A report from the Chairman.
- A report from the Chief Executive Officer.
- A report of the principal activities commenced or continued during the Financial Year.
- An assessment of the Local Government's performance in relation to each principal activity.
- An overview of the principal activities that are proposed to commence or to continue in the next Financial Year.
- The Financial Report for the Financial Year.
- Such information as may be prescribed in relation to the payments made to employees.
- The Auditor's Report for the Financial Year.
- Such other information as may be prescribed.

The annual audit of the Financial Statements for the financial year ended 30 June 2013 has been completed and the Financial Report has been considered by the Audit Committee.

The Annual Report, which includes the Financial Statements, is presented for consideration by Council.

The Annual Report for a Financial Year is to be accepted by the Local Government no later than 31 December after that Financial Year.

DETAIL

Annual Audit Process

The Auditor, in accordance with the Local Government (Audit) Regulations 1996 Sections 10.2 and 10.3 is required to issue an audit report after the completion of the annual audit that expresses an opinion on the financial position and results of the operations of the local government for each financial year.

The Auditor has completed the audit of the Mindarie Regional Council and has issued an unqualified audit opinion in respect of the year ended 30 June 2013.

The Audit Committee met on 14 November 2013 to consider the Financial Statements for the year ended 30 June 2013 and have recommended that these be adopted by the

Council. The unconfirmed minutes of this meeting are attached at **Appendix 6**.

The Annual Report of the Mindarie Regional Council (excluding final typesetting), which includes the Financial Statements considered by the Audit Committee as mentioned above, has been prepared and is attached at **Appendix 7**.

The Mindarie Regional Council, in accordance with the Local Government (Financial Management) Regulations 1996 Section 51.1, is required to include in the annual Financial Statements a signed Statement of Declaration by the Chief Executive Officer after this report has been audited in accordance with the Local Government Act 1995. This declaration is included in the Annual Report (**Appendix 7**).

STATUTORY ENVIRONMENT

The submission of the Annual Report for 2012/13 is in conformity with the requirements of the *Local Government Act 1995* and the *Local Government (Financial Management) Regulations 1996*. The Auditor's Report for 2012/13 conforms with the requirements of the Local Government (Audit) Regulations 1996.

POLICY IMPLICATIONS

Not applicable.

COMMENT

The Annual Report for the Mindarie Regional Council has been prepared in accordance with the requirements of Local Government Act 1995 and applicable Australian Accounting Standards.

AMENDMENTS

The following typographical amendments have been made to the Financial Statements presented to the Audit Committee:

- Page 10 – the words 'of assets' has been added to the line 'Changes on revaluation'
- Page 28 – the total for capital expenditures at the bottom of the page has been changed from '6,996,317' to '6,996,137'
- Page 39 - the brackets around the Debt Service Ratio results have been deleted
- Page 39 - the Asset Consumption Ratio has been changed from '1.08' to '0.66'

VOTING REQUIREMENT

Absolute Majority

A. AUDIT COMMITTEE RECOMMENDATIONS

That the Council:

1. receive the Unconfirmed Minutes of the Audit Committee dated 14 November 2013; and
2. adopt the Financial Report for the year ended 30 June 2013.
(Absolute Majority Required)

B. RESPONSIBLE OFFICER RECOMMENDATION

That the Council adopts the Annual Report for the year ended 30 June 2013, which includes the Financial Report detailed in A. 2. above, as amended.
(Absolute Majority Required)

10 MEMBERS INFORMATION BULLETIN – ISSUE NO. 14

RESPONSIBLE OFFICER RECOMMENDATION

That the Members Information Bulletin Issue No. 14 be received.

11 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

12 URGENT BUSINESS

13 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

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

This report is Confidential in accordance with Section 5.23 (2) (d) of the Local Government Act 1995 as it contains advice from MRC's solicitors.
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14.1	RESOURCE RECOVERY FACILITY – AMENDED AND RESTATED SECOND STANDSTILL DEED
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File No:	WST/119
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Attachment(s):	Amended and Restated Standstill Deed (Marked Up)
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Date:	
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Responsible Officer:	Chief Executive Officer
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LATE ITEM

SEPARATE COVER TO MEMBERS

This report is **Confidential** in accordance with Section 5.23 (2) (c) of the Local Government Act 1995 as Council's decision may result in a contract being entered into.

14.2	ESTABLISH A NEW CONTRACT FOR FUTURE LANDFILL GAS MANAGEMENT AT TAMALA PARK
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File No:	EST/2-03
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Attachment(s):	
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Date:	
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Responsible Officer:	Chief Executive Officer
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LATE ITEM

SEPARATE COVER TO MEMBERS

This report is Confidential in accordance with Section 5.23 (2) (c) of the Local Government Act 1995 as Council's decision may result in a contract being entered into.	
14.3	CHIEF EXECUTIVE OFFICER – EXTENSION OF TERM
File No:	P183
Attachment(s):	Correspondence from the Chief Executive Officer received dated 22 November 2013
Date:	
Responsible Officer:	HUMAN RESOURCES OFFICER

LATE ITEM

SEPARATE COVER TO MEMBERS

15 NEXT MEETING

Ordinary Council Meeting: Proposed Thursday 20 February 2014 at City of Joondalup commencing at 5.30pm.

16 CLOSURE
