



# MINUTES

**SPECIAL COUNCIL MEETING**

**TIME: 7.30PM**

**THURSDAY 18 MAY 2017**

**TOWN OF VICTORIA PARK**

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*Winning Back Waste*

*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**

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The Chair declared the meeting open at 7.30pm

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

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**Councillor Attendance**

Cr R Fishwick JP (Chairman)	City of Joondalup
Cr D Boothman JP (Deputy Chairman)	City of Stirling
Cr E Cole	City of Vincent
Cr R Driver	City of Wanneroo
Cr A Guilfoyle	City of Stirling
Cr C MacRae	Town of Cambridge
Cr V Maxwell	Town of Victoria Park
Cr D Newton JP	City of Wanneroo
Cr M Norman	City of Joondalup
Cr S Proud JP	City of Stirling

**Apologies**

Cr J Adamos	City of Perth
Cr S Jenkinson	City of Stirling

**Leave of Absence**

Nil

**Absent**

Nil

**MRC Officers**

Mr G Hoppe (A/Chief Executive Officer)  
Ms A Slater (A/Director Corporate Services)  
Ms L Nyssen (Executive Support)

**MRC Observers**

Mr A Griffiths (Manager Projects and Procurement)

**Member Council Observers**

Mr N Ahern (City of Perth)  
Mr J Buckley (Town of Cambridge)  
Mr S Cairn (City of Wanneroo)  
Mr G Chettleburgh (City of Wanneroo)  
Mr N Claassen (City of Joondalup)  
Mr C Colyer (Town of Cambridge)  
Mr S Jardine (City of Stirling)  
Mr L Kosova (City of Vincent)  
Mr A Murphy (City of Stirling)  
Mr D Simms (City of Wanneroo)  
Mr J Wong (Town of Victoria Park)

**Visitors**

John King – Talis Consultants (Technical Consultant)  
Kevin Donnelly – Stantons International (Probity Advisor)

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**Members of the Public**

Nil

**Press**

Nil

**3 DECLARATION OF INTERESTS**

<b>Interest Type</b>	May affect impartiality
<b>Name and Position of Person</b>	Cr David Boothman JP
<b>Report Item No. and Topic</b>	7.1 – Energy from Waste Tender Consideration
<b>Nature of Interest</b>	SUEZ Recycling contract with the City of Stirling for waste services

<b>Interest Type</b>	May affect impartiality
<b>Name and Position of Person</b>	Cr Andrew Guilfoyle
<b>Report Item No. and Topic</b>	7.1 – Energy from Waste Tender Consideration
<b>Nature of Interest</b>	SUEZ Recycling contract with the City of Stirling for waste services

<b>Interest Type</b>	May affect impartiality
<b>Name and Position of Person</b>	Cr Stephanie Proud JP
<b>Report Item No. and Topic</b>	7.1 – Energy from Waste Tender Consideration
<b>Nature of Interest</b>	SUEZ Recycling contract with the City of Stirling for waste services

**4 PUBLIC QUESTION TIME**

Nil

**5 ANNOUNCEMENTS BY THE PRESIDING PERSON**

Nil

**6 APPLICATIONS FOR LEAVE OF ABSENCE**

Nil

The Chairperson requested that in accordance with clause 7.9 of the *Mindarie Regional Council Standing Orders Local Law 2010* and s5.23(2) of the *Local Government Act 1995*, Council proceed to meet “behind closed doors” to allow the Council to consider Item 7.1 as it was of a confidential nature.

**Cr Fishwick moved, Cr Boothman seconded**

*CARRIED UNANIMOUSLY (10 /0)*

*There were no members of the public in attendance. Member Council Officers, MRC staff that have signed the RRF Project Confidentiality Agreement, Mr John King and Mr Kevin Donnelly were invited to stay. Doors were closed at 7.34pm.*

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**7 CONFIDENTIAL REPORT**

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

**7.1 ENERGY FROM WASTE TENDER CONSIDERATION**

<b>File No:</b>	<b>WST/209-02</b>
<b>Attachments(s):</b>	<ol style="list-style-type: none"><li><b>1. Tender Evaluation Criteria</b></li><li><b>2. An investigation into the performance (Environmental and Health) of Waste to Energy technologies internationally (for the WA DEC) - 2013</b></li><li><b>3. The impact on health of emissions to air from municipal waste incinerators - 2009</b></li><li><b>4. Environmental and Health performance of Waste to Energy technologies (EPA/Waste authority report to the Minister) - 2013</b></li><li><b>5. Member council approval conditions</b></li><li><b>6. Probity Advisors Report</b></li></ol>
<b>Date:</b>	<b>11 May 2017</b>
<b>Responsible Officer:</b>	<b>Acting Chief Executive Officer</b>

**VOTING REQUIREMENT**

Simple Majority

**RESPONSIBLE OFFICER RECOMMENDATION**

That Council:

1. Notes the Tender Evaluation Panel's report
2. Endorses the Energy from Waste technology being proposed in the officer's report
3. Nominates Tenderer A as the first preferred bidder for the Energy from Waste Tender
4. Nominates Tenderer B as the second preferred bidder for the Energy from Waste Tender
5. Subject to consents to proceed being received from all of the MRC's member councils, gives approval for the Chief Executive Officer to progress commercial discussions with the preferred bidders identified in 3. and 4. above with a view to being able to recommend who, if anyone, should be awarded the Energy from Waste Tender
6. Requests the Chief Executive Officer to present a further report to Council recommending who, if anyone, should be awarded the Energy from Waste Tender

**Cr Boothman moved, Cr Maxwell seconded that the responsible officer recommendation be adopted.**

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Cr Cole moved and Cr Guilfoyle seconded an amendment to the recommendation to add a new part 7:-

“Prior to the CEO recommending who if anyone should be awarded the energy from waste tender, request the CEO to present a further report to council with an assessment of Tenderers A and B against the 21 recommendations of the EPA and Waste Authority as presented in attachment 4”.

*LOST (4/6)*

### **SUBSTANTIVE MOTION**

**That Council:**

- 1. Notes the Tender Evaluation Panel’s report**
- 2. Endorses the Energy from Waste technology being proposed in the officer’s report**
- 3. Nominates Tenderer A as the first preferred bidder for the Energy from Waste Tender**
- 4. Nominates Tenderer B as the second preferred bidder for the Energy from Waste Tender**
- 5. Subject to consents to proceed being received from all of the MRC’s member councils, gives approval for the Chief Executive Officer to progress commercial discussions with the preferred bidders identified in 3. and 4. above with a view to being able to recommend who, if anyone, should be awarded the Energy from Waste Tender**
- 6. Requests the Chief Executive Officer to present a further report to Council recommending who, if anyone, should be awarded the Energy from Waste Tender**

*CARRIED (9/1)*

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

### **RESOLVED**

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

*CARRIED UNANIMOUSLY (10/0)*

*The meeting was reopened at 9.31pm.*

As no public entered the chamber on the reopening of the meeting, the resolution and the votes made behind closed doors of the Council Item 7.1 as detailed above were taken as having been read.

NOTE: The A/Chief Executive Officer has NOT released Report 7.1 for Public information as council’s decision may result in a contract being entered into.

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**8 NEXT MEETING**

*Next meeting to be held on Thursday 6 July 2017 in the Council Chambers at City of Stirling commencing at 5.30pm.*

**9 CLOSURE**

*The Chairman closed the meeting at 9.32pm and thanked Town of Victoria Park for their hospitality and use of their meeting facilities.*

*These Minutes were confirmed by the Council as a true and accurate record of the Special Meeting of the Council held on 18 May 2017.*

*Signed ..... Chairman*

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

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