



## **AGENDA**

**ORDINARY COUNCIL MEETING**

**TIME: 5.30PM**

**THURSDAY 10 OCTOBER 2013**

**CITY OF PERTH**

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



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**MINDARIE REGIONAL COUNCIL  
NOTICE OF MEETING**

24 September 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 City of Perth, Council House, 27 St George's Terrace, Perth, at 5.30pm on Thursday 10 October 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) - <b>Chair</b>    | City of Joondalup     |
| Cr J Bissett (John) – <b>Deputy Chair</b> | Town of Victoria Park |
| Cr S Withers (Simon)                      | Town of Cambridge     |
| Cr K Hollywood (Kerry)                    | City of Joondalup     |
| Cr R Butler (Rob)                         | City of Perth         |
| Cr D Boothman (David)                     | City of Stirling      |
| Cr S Cooke (Sharon)                       | City of Stirling      |
| Cr J Robbins (Jason)                      | City of Stirling      |
| Cr B Stewart (Bill)                       | City of Stirling      |
| Cr D Maier (Dudley)                       | City of Vincent       |
| Cr L Gray JP (Laura)                      | 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 – 5 September 2013**

The Minutes of the Ordinary Council Meeting held on 5 September 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 5 September 2013 be confirmed as a true record of the proceedings.**

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| <b>9 CHIEF EXECUTIVE OFFICER REPORTS</b> |
|------------------------------------------|

|                             |                                                                                       |
|-----------------------------|---------------------------------------------------------------------------------------|
| <b>9.1</b>                  | <b>FINANCIAL STATEMENTS FOR THE PERIODS ENDED<br/>31 JULY 2013 AND 31 AUGUST 2013</b> |
| <b>File No:</b>             | <b>FIN/5-03</b>                                                                       |
| <b>Appendix(s):</b>         | <b>Appendix No. 1<br/>Appendix No. 2<br/>Appendix No. 3</b>                           |
| <b>Date:</b>                | <b>23 September 2013</b>                                                              |
| <b>Responsible Officer:</b> | <b>Director Corporate Services</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:

- 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 31 July 2013 and 31 August 2013 and are attached at **Appendix No. 1 and 2** to this Item. The Tonnage Report for the 12 months to 30 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.

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Summary of results for the year to 31 August 2013

|                                 | <b>Actual</b>    | <b>Budget</b>    | <b>Variance</b>  |
|---------------------------------|------------------|------------------|------------------|
|                                 | <b>t</b>         | <b>t</b>         | <b>t</b>         |
| Tonnes – Members                | 48,811           | 53,421           | (4,610)          |
| Tonnes – Others                 | 5,300            | 6,774            | (1,474)          |
| <b>TOTAL TONNES</b>             | <b>54,111</b>    | <b>60,195</b>    | <b>(6,084)</b>   |
|                                 |                  |                  |                  |
|                                 | <b>\$</b>        | <b>\$</b>        | <b>\$</b>        |
| Revenue – Members               | 7,051,322        | 7,714,527        | (663,205)        |
| Revenue – Other                 | 1,330,454        | 1,587,202        | (256,748)        |
| <b>TOTAL REVENUE</b>            | <b>8,381,776</b> | <b>9,301,729</b> | <b>(919,953)</b> |
| Expenses                        | 7,079,969        | 7,724,973        | 645,004          |
| Loss/(profit) on sale of assets | -                | -                | -                |
| <b>NET SURPLUS</b>              | <b>1,301,807</b> | <b>1,576,756</b> | <b>(274,949)</b> |

**VOTING REQUIREMENT**

Simple Majority

**RESPONSIBLE OFFICER RECOMMENDATION**

**That the Financial Statements set out in Appendix No. 1 and 2 for the months ended 31 July 2013 and 31 August 2013, respectively, be received.**

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|                             |                                                                                       |
|-----------------------------|---------------------------------------------------------------------------------------|
| <b>9.2</b>                  | <b>LIST OF PAYMENTS MADE FOR THE MONTHS ENDED<br/>31 JULY 2013 AND 31 AUGUST 2013</b> |
| <b>File No:</b>             | <b>FIN/5-03</b>                                                                       |
| <b>Appendix(s):</b>         | <b>Appendix No. 4<br/>Appendix No. 5</b>                                              |
| <b>Date:</b>                | <b>23 September 2013</b>                                                              |
| <b>Responsible Officer:</b> | <b>Director Corporate Services</b>                                                    |

**SUMMARY**

The purpose of this report is to provide details of payments made during the periods identified. This is in line with the requirement under the delegated authority to the Chief Executive Officer (CEO), that a list of payments made from the Municipal Fund since the last Ordinary Council meeting be presented to Council.

**COMMENT**

The lists of payments for the months ended 31 July 2013 and 31 August 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.

| <b>Months Ended</b> | <b>Account</b>    | <b>Vouchers</b> | <b>Amount</b>         |
|---------------------|-------------------|-----------------|-----------------------|
| 31 July 2013        | General Municipal | Cheques         | \$98,299.78           |
|                     |                   | EFT             | \$3,436,943.03        |
|                     |                   | DP              | \$304,435.23          |
|                     |                   | <b>Total</b>    | <b>\$3,839,678.04</b> |
| 31 August 2013      | General Municipal | Cheques         | \$87,363.89           |
|                     |                   | EFT             | \$3,164,751.88        |
|                     |                   | DP              | \$297,069.30          |
|                     |                   | <b>Total</b>    | <b>\$3,549,185.07</b> |

**VOTING REQUIREMENT**

Simple Majority

**RESPONSIBLE OFFICER RECOMMENDATION**

**That the list of payments made under delegated authority to the Chief Executive Officer, for the months ended 31 July 2013 and 31 August 2013 be noted.**

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|                             |                                                                        |
|-----------------------------|------------------------------------------------------------------------|
| <b>9.3</b>                  | <b>DATES FOR 2014 MINDARIE REGIONAL COUNCIL AND STRATEGIC MEETINGS</b> |
| <b>File No:</b>             | <b>COR/10</b>                                                          |
| <b>Appendix(s):</b>         | <b>Nil</b>                                                             |
| <b>Date:</b>                | <b>23 September 2013</b>                                               |
| <b>Responsible Officer:</b> | <b>Chief Executive Officer</b>                                         |

### **SUMMARY**

The purpose of this report is to provide the proposed meeting dates for Ordinary Council Meetings and Strategic Meetings for 2014.

### **BACKGROUND**

The Mindarie Regional Council (MRC) has previously considered, in December of each year, the Council meeting schedule for the forthcoming calendar year, and decided upon a schedule for these meetings.

### **DETAIL**

The business rules used in the formulation of Council meetings scheduled for Year 2014 are as follows:

- The six Council meetings be held in the calendar year 2014.
- The third meeting be held in early July 2014 to accommodate the swearing in of Councillors, and the appointment of Chairman and Deputy Chairman. This assumes that current rules will still apply.
- The meeting scheduled for December be held relatively early in the month to accommodate other commitments of the festive season.
- The Tamala Park Regional Council meeting dates for 2014 be considered.
- The WALGA Metropolitan Zone meeting dates for 2014 be considered.
- Meetings be scheduled at the Chambers of Member Councils.

In addition to the above it is considered important that the councillors, member council representatives on the Strategic Working Group and MRC management have the ability to meet throughout the year on an informal basis to discuss strategic direction.

### **Programme of Meetings**

The proposed schedule of Ordinary Council meetings for Year 2014 is as follows:

- 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)

The proposed schedule of Strategic workshops for 2014 is as follows:

- 6 March 2014
- 20 November 2014

Venue to be confirmed.

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## **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

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### **COMMENT**

The proposed schedule for Ordinary Council meetings for the Year 2014 is now submitted for approval. In addition it is recommended that the Council endorse the scheduling of two strategic meetings throughout the year.

### **VOTING REQUIREMENT**

Simple Majority

### **RESPONSIBLE OFFICER RECOMMENDATION**

**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); and**
  2. **Public Notice be issued on the meetings detailed in (1) above in accordance with Part 12 (2) of the *Local Government (Administration) Regulations 1996* and Section 1.7 of the *Local Government Act 1995*.**
  3. **adopt the following schedule for two Strategic workshops for 2014 as follows:**
    - **6 March 2014; and**
    - **20 November 2014.**
-

**10 MEMBERS INFORMATION BULLETIN – ISSUE NO. 13**

**RESPONSIBLE OFFICER RECOMMENDATION**

**That the Members Information Bulletin Issue No 13 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**

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

**14.1 RESOURCE RECOVERY FACILITY AGREEMENT – AMENDED AND  
RESTATED SECOND STANDSTILL DEED**

**14.2 LANDFILL GAS AND POWER CONTRACT NEGOTIATIONS**

THESE ITEMS WILL BE LATE ITEMS AND ARE CONFIDENTIAL,  
NOT FOR PUBLIC VIEWING.

SEPARATE COVER TO ELECTED MEMBERS.

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**15 NEXT MEETING**

*Next ordinary council meeting to be held on Thursday 12 December 2013 in the Council Chambers at Town of Victoria Park commencing at 5.30pm.*

**16 CLOSURE**

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