



# AGENDA

ORDINARY COUNCIL MEETING

TIME: 6.30 PM

01 JUNE 2023

TOWN OF CAMBRIDGE

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*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**

23 May 2023

Councillors of the Mindarie Regional Council are advised that an Ordinary Meeting of the Council will be held at the Town of Cambridge at 6.30 pm on 01 June 2023.

The agenda pertaining to the meeting follows.

Your attendance is respectfully requested.



**SCOTT CAIRNS  
CHIEF EXECUTIVE OFFICER**

**MINDARIE REGIONAL COUNCIL - MEMBERSHIP**

Cr K Vernon (Karen) - Chair	Town of Victoria Park
Cr A Jacob, JP (Albert) – Deputy Chair	City of Joondalup
Cr C May (Christopher)	City of Joondalup
Cr L Gobbert, JP (Liam)	City of Perth
Cr C Hatton (Chris)	City of Stirling
Cr E Re (Elizabeth)	City of Stirling
Cr L Thornton (Lisa)	City of Stirling
Cr J Ferrante (Joe)	City of Stirling
Cr A Castle (Alex)	City of Vincent
Cr F Cvitan, JP (Frank)	City of Wanneroo
Cr P Miles (Paul)	City of Wanneroo
Cr K Shannon (Keri)	Town of Cambridge

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 ANNOUNCEMENT BY THE PRESIDING PERSON**

**6 APPLICATION FOR LEAVE OF ABSENCE**

**7 PETITIONS/DEPUTATIONS/PRESENTATIONS**

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<b>8 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS</b>
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**8.1 ORDINARY COUNCIL MEETING – 27 APRIL 2023**

The Minutes of the Ordinary Council Meeting held on 27 April 2023 have been printed and circulated to members of the Council.

**RESPONSIBLE OFFICER RECOMMENDATION**

**That the Minutes of the Ordinary Meeting of Council held on 27 April 2023 be confirmed as a true record of the proceedings.**

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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 30 APRIL 2023</b>
<b>File Number:</b>	<b>GF-23-000000019</b>
<b>Appendix(s):</b>	<b>Appendix No. 1 and 2.</b>
<b>Date:</b>	<b>12 MAY 2023</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 30 April 2023 is attached at **Appendix No. 1** to this Item. The Tonnage Report for the month up to 30 April 2023 is attached at **Appendix No. 2**.

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 30 April 2023

	YTD Budget	YTD Actual	Variance
	t	t	t
Tonnes – Members	145,950	143,648	(2,302)
Tonnes – Others	40,913	41,890	977
<b>TOTAL TONNES</b>	<b>186,863</b>	<b>185,538</b>	<b>(1,325)</b>
	\$	\$	\$
Revenue – User Charges	27,718,613	27,455,138	(263,475)
Revenue – Other	5,483,102	5,579,297	96,196
<b>TOTAL REVENUE</b>	<b>33,201,715</b>	<b>33,034,435</b>	<b>(167,279)</b>
Expenses	(29,039,069)	(29,073,481)	(34,411)
<b>NET SURPLUS/(DEFICIT)</b>	<b>4,162,646</b>	<b>3,960,954</b>	<b>(201,691)</b>

Mindarie Regional Council financial position for the period ending 30 April 2023 reflects its performance from 1 July 2022 to 30 April 2023. Council's operations have been conducted in line with the adopted budget. As a result of the MRC's mid-year budget review and budget adjustments approved at the OCM 23 February, also in line with materiality adopted by the Council, variances below \$50k do not attract comments.

**User charges**

Total user charges are \$263k below year to date budget mainly due to less tonnages received from some of the Member Councils.

Member Councils have delivered 2,302t below budgeted for the year abated by 977 higher tonnes from casual and trade customers. The trade customer tonnes year to date include 27,358 tonnes delivered through the waste discounted rate tender.

**Other Revenue**

A positive variance of \$96k exists in other revenue/charges due to the continuation of strong interest rates in cash savings, cash management accounts and term deposits.

**Expenses**

Depreciation is \$190k above budget mainly due to revaluation of RRF infrastructure assets end of last financial year that impacted opening balances and the depreciation in this financial year.

DEP landfill levy is \$90k below budget which is tonnage driven.

The net result variance is \$201,691 or 5% against year to date budget.

**VOTING REQUIREMENT**

Simple Majority

**RESPONSIBLE OFFICER RECOMMENDATION**

**That Council:**

**Receive the Financial Statements set out in Appendix No. 1 for the month ended 30 April 2023.**

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<b>9.2</b>	<b>LIST OF PAYMENTS MADE FOR THE MONTH ENDED 30 April 2023</b>
<b>File No:</b>	<b>GF-23-000019</b>
<b>Appendix(s):</b>	<b>Appendix No. 3</b>
<b>Date:</b>	<b>12 May 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 30 April, 2023 is at **Appendix 3** 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 29 September 2022, 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>
30 April 2023	General Municipal	Cheques	\$660.00
		EFT	\$3,903,408.58
		DP	\$396,265.14
		Inter account transfers	\$0.00
		<b>Total</b>	<b>\$4,300,333.72</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 month ended 30 April 2023.**

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<b>9.3</b>	<b>REVIEW OF THE MRC'S CORPORATE BUSINESS PLAN</b>
<b>File No:</b>	<b>GF-23-0000202</b>
<b>Appendix(s):</b>	<b>Appendix 4 – Draft Corporate Business Plan Appendix 5 – Draft Long Term Financial Plan Appendix 6 – Draft Asset Management Plan Appendix 7 – Draft Workforce Plan</b>
<b>Date:</b>	<b>19 May 2023</b>
<b>Responsible Officer:</b>	<b>Chief Executive Officer</b>

### SUMMARY

This report presents the Mindarie Regional Council's (MRC) Corporate Business Plan and associated informing plans to Council for consideration as required under the *Local Government Act 1995* and the *Local Government (Administration) Regulations 1996*.

### BACKGROUND

The MRC's current Corporate Business Plan was adopted by Council at its meeting on 06 April 2017.

The Corporate Business Plan is required to be reviewed every four years under the requirements of the *Local Government (Administration) Regulations 1996*. A review was due in 2021; a point acknowledged by the MRC in 2021 when the MRC informed the Department of Local Government, Sport and Cultural Industries that the MRC was not able to meet its obligation under the Regulations to carry out a 4 yearly review of the Strategic Community Plan due to a number of matters.

On 27 April 2023 Council adopted the Strategic Community Plan 2023-2032 (SCP) providing the MRC with its long term strategy which has driven the development of the new Corporate Business Plan together with new informing plans: Long Term Financial Plan, Asset Management Plan and Workforce Plan.

### DETAIL

The Integrated Planning and Reporting Framework is the overarching framework which encompasses the Strategic Community Plan, Corporate Business Plan, Long Term Financial Plan and the Workforce Plan. These are a set of strategic and operational documents that all Local Governments in Western Australia are required to follow.

The Corporate Business Plan is a planning tool that translates the priorities of the Strategic Community Plan into projects and services and is informed by the Long Term Financial Plan, Asset Management Plan and Workforce Plan. The Draft Corporate Business plan and the draft informing plans are presented to Council for consideration and endorsement and outline the way forward for the MRC and the mechanism by which it will deliver on the MRCs **Vision**, '*Collaborating for a regional Circular Economy*', and **Mission**, '*To deliver sustainable waste management options for members*'.

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## **INFORMING PLANS:**

### **The Long Term Financial Plan (LTFP)**

The LTFP is based on the MRC's SCP 2023-32. The LTFP estimates are an integral part of Council's strategic planning process, informing the Corporate Business Plan which activates SCP objectives. It indicates the MRC's long-term financial sustainability, allows early identification of financial issues and their longer-term impacts.

It has been prepared based on a number of objectives and assumptions that are outlined in this document. Strategies, priorities, issues, and risks are all dynamic influences in relation to any planning. These estimates are set against economic uncertainty and will be reviewed every twelve months to reflect the prevailing economic conditions and changing demands placed on the MRC.

### **Asset Management Plan (AMP)**

The AMP is based on the MRC's SCP 2023-32. Aligning the AMP needs around the MRC's service delivery, future endorsed projects and initiatives and the asset life cycle ensures that asset needs are met as service and project requirements change.

### **The Workforce Plan (WP)**

The WP is based on the MRC's SCP 2023-2032. The WP aligns the organisation's workforce needs with the MRC's current service delivery and operational requirements, as defined in the CBP.

## **STRATEGIC IMPLICATIONS**

The Integrated Planning Framework ensures that the future of local governments is set using long term strategies backed by shorter termed implementation plans.

An important element of the Framework is the need for the Plans to be reviewed regularly, accepting that the services required to meet the needs of the member councils change over time, and ensuring that the Plans keep up with these changes and remain relevant over their life span.

It is a regulatory requirement that all Local Governments review their Corporate Business Plans annually. The annual review will ensure that the MRC remains focussed on its future. The plan will be referenced in reports to council and used in discussions with the Strategic Working Group.

## **FINANCIAL IMPLICATIONS**

The Corporate Business Plan 2023-2027 details the services, projects and capital programs to be delivered, and is informed by the Long Term Financial Plan and annual budgets covering the period of the plan.

## **COMMENT**

The Corporate Business Plan 2023-2027 outlines how the MRC will use its resources over the next 4 years and is guided by the Long Term Financial Plan, Asset Management Plan and Workforce Plan. Together, these will be used to drive improvements and efficiencies to benefit its Members in line with the MRC's newly endorsed SCP, **Vision** '*Collaborating for a regional Circular Economy*' and **Mission**, '*To deliver sustainable waste management options for members*'.

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Through the strategies and performance targets set within the Plan, the MRC will seek to continue to deliver the best-practice waste management services currently delivered at the Tamala Park Waste Management Facility and provide access to the best possible options available which align with the requirements of the Western Australian Waste Avoidance and Resource Recovery Strategy 2030 (WARR Strategy) and all member councils' DWER-approved Waste Plans.

The Tamala Park Landfill's operational life is due to end during the period of the MRC's newly endorsed SCP, and this draft CBP contains actions which will ensure that this is managed efficiently alongside identifying what the future holds for the site, and how that will be delivered. Actions are also included within the Plan which will set a baseline for the organisation's environmental impact, and provide impetus to identify future actions to reduce this.

The plan will be updated annually, to reflect progress towards the targets stated within it, the ever-changing environment in which the MRC operates, all in alignment with the direction set by council through the SCP.

#### **LEGAL COMPLIANCE**

Under *Section 5.56 of the Local Government Act 1995*, local governments are required to 'plan for the future of the district'. The *Local Government (Administration) Regulations (1996) 19DA* require local governments to have a CBP to cover a period of 4 years, reviewed annually.

Extract of *LG (Admin) Regulations 1996* extracts from legislation as it relates to this report.

*19DA. Corporate business plans, requirements for (Act s. 5.56)*

- (1) *A local government is to ensure that a corporate business plan is made for its district in accordance with this regulation in respect of each financial year after the financial year ending 30 June 2013.*
- (2) *A corporate business plan for a district is to cover the period specified in the plan, which is to be at least 4 financial years.*
- (3) *A corporate business plan for a district is to —*
  - (a) *set out, consistently with any relevant priorities set out in the strategic community plan for the district, a local government's priorities for dealing with the objectives and aspirations of the community in the district; and*
  - (b) *govern a local government's internal business planning by expressing a local government's priorities by reference to operations that are within the capacity of the local government's resources; and*
  - (c) *develop and integrate matters relating to resources, including asset management, workforce planning and long-term financial planning.*
- (4) *A local government is to review the current corporate business plan for its district every year.*
- (5) *A local government may modify a corporate business plan, including extending the period the plan is made in respect of and modifying the plan if required because of modification of the local government's strategic community plan.*
- (6) *A council is to consider a corporate business plan, or modifications of such a plan, submitted to it and is to determine\* whether or not to adopt the plan or the modifications.*

*\*Absolute majority required.*

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- (7) *If a corporate business plan is, or modifications of a corporate business plan are, adopted by the council, the plan or modified plan applies to the district for the period specified in the plan.*

**VOTING REQUIREMENT**

Simple Majority / Absolute Majority

**RESPONSIBLE OFFICER RECOMMENDATION**

**That the Council:**

- 1. Adopt the Corporate Business Plan 2023 – 2027, as contained in Appendix 4**

**(By Absolute Majority)**

- 2. Endorse the following supporting plans:  
Long Term Financial Plan 2023-2032;  
Asset Management Plan 2023-2032; and  
Workforce Plan 2023-2027  
as contained in Appendices 5, 6 and 7.**
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<b>9.4</b>	<b>MRC WASTE PLAN</b>
<b>File No:</b>	<b>GF-22-0000400</b>
<b>Appendix(s):</b>	<b>Appendix 8: MRC Waste Plan 2023</b>
<b>Date:</b>	<b>19 May 2023</b>
<b>Responsible Officer:</b>	<b>Manager Projects and Procurement</b>

### **SUMMARY**

The report seeks Council's endorsement and adoption of the Mindarie Regional Council's (MRC) Waste Plan 2023.

### **BACKGROUND**

At the 28 January 2021 Ordinary Council Meeting, Council endorsed the MRC's Final Waste Plan. The MRC submitted the Final Waste Plan to the Director General of the Department of Water and Environmental Regulation (DWER) prior to the 31 March 2021 deadline and included references to the objectives derived from the Strategic Community Plan (SCP) 2018 – 2037 and advised that the SCP and associated plans were undergoing a strategic operational review.

The update Strategic Community Plan 2023 – 2032 has recently been endorsed by Council at the 23 February 2023 Ordinary Council Meeting and an updated Waste Plan 2023 has been developed to align with these objectives and the Western Australia Waste Avoidance and Resource Recovery Strategy 2030 (Waste Strategy).

### **DETAIL**

In November 2019, the MRC received notice from the Director General of the Department of Water and Environmental Regulation (DWER) that the MRC is required to prepare a waste plan under section 40(4) of the Waste Avoidance and Resource Recovery Act 2007 (WARR Act).

#### Waste Strategy and waste plans

In line with this, the Waste Strategy includes a headline strategy to "*Implement local government waste plans, which align local government waste planning processes with the Waste Strategy*".

Waste plans are to provide a link between the targets and objectives of the Waste Strategy and local government's waste management activities.

The purpose of the waste plans is to:

- Align local government waste management activities with the Waste Strategy;
- Map current performance and establish a benchmark to achieve Waste Strategy targets
- Monitor progress on local government achievements of the Waste Strategy targets; and
- Design programs and activities which will support the implementation of waste plans.

All local governments and regional local governments (commonly referred to as regional councils) located in the Perth metropolitan region and Peel region, and major regional centres that provide waste services, were required to develop waste plans for the 2020/21 financial year, and perform their functions in respect of waste management in accordance with their plans.

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The MRC submitted the Council endorsed Final Waste Plan to DWER on 11 February 2021. To ensure the DWER reporting deadline requirements of 31 March 2021 were met, the MRC developed the Final Waste Plan to reflect the MRC's current operational status, with commentary noting that the Waste Plan was subject to change, pending the outcomes of the MRC's review of its SCP and related plans.

In April 2021, DWER acknowledged receipt of the waste plan and the ongoing strategic operational review. DWER also provided feedback on the level of detail provided in the waste plan and requested an update as to the progress of the operational review.

The MRC has since met, and exchanged correspondence, with DWER representatives on numerous occasions to provide updates and anticipated timelines.

In September 2022, MRC received notice from the Director General of DWER requesting a further update as to how the waste plan feedback would be addressed to align with the Waste Strategy and to submit a revised Council endorsed waste plan by 30 June 2023.

In February 2023, DWER representatives attended the second MRC Strategic Workshop and have been kept informed of the MRC progress in this space.

The MRC Waste Plan 2023, attached to this report, has been developed in alignment with the objectives of the MRC SCP, Waste Strategy and addressing feedback from DWER.

It should be noted that the first annual reports on the implementation for the waste plans for the 2022/23 financial year are due on 1 October 2023.

### **CONSULTATION**

The plan was developed in consultation with MRC and DWER officers through various workshops and a draft submission / feedback process.

### **STATUTORY ENVIRONMENT**

The MRC is required to prepare a waste plan under section 40(4) of the WARR Act.

### **POLICY IMPLICATIONS**

Nil

### **FINANCIAL IMPLICATIONS**

Section 6.2(2) of the Local Government Act 1995 requires local governments to have regard to their plans for the future (which include waste plans made under section 40 of the WARR Act) in preparation of their annual budget.

### **VOTING REQUIREMENT**

Simple majority

### **RESPONSIBLE OFFICER RECOMMENDATION**

**That the Council:**

- 1. Endorses and adopts the MRC's Waste Plan and authorises the CEO to submit the Waste Plan to the DWER for assessment.**
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**10 MEMBERS INFORMATION BULLETIN – ISSUE NO. 76**

**RESPONSIBLE OFFICER RECOMMENDATION**

That the Members Information Bulletin Issue No. 76 be received.

**11 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

Nil

**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**

**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 WASTE TO ENERGY TENDER**

**File No: GF-22-0000289**

**Attachment(s): Attachment A – Member Council Resolutions  
Attachment B - Tender Evaluation Report**

**Date: 19 May 2023**

**Responsible Officer: Chief Executive Officer**

THIS REPORT IS CONFIDENTIAL AND NOT FOR PUBLIC VIEWING

TO BE SENT UNDER SEPARATE COVER TO MRC COUNCILLORS, MRC CEOs AND MEMBERS OF THE STRATEGIC WORKING GROUP (SWG)

**15 NEXT MEETING**

The next Ordinary Council meeting is to be held on Thursday 13 July 2023 at the City of Stirling commencing at 6.30 pm.

**16 CLOSURE**

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