



MINUTES

ORDINARY COUNCIL MEETING

TIME: 6.30 PM

19 September 2019

CITY OF VINCENT

*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 6.31 pm.

The Chair welcomed Commissioner Len Kosova

2 ATTENDANCE/APOLOGIES/ LEAVE OF ABSENCE

Councillor Attendance

Cr D Boothman JP (Chair)	City of Stirling
Cr R Fishwick JP (Deputy Chair)	City of Joondalup
Cr M Norman	City of Joondalup
Cr L Kosova	City of Perth
Cr S Migdale	City of Stirling
Cr S Proud JP	City of Stirling
Cr K Sargent	City of Stirling
Cr E Cole	City of Vincent
Cr F Cvitan JP	City of Wanneroo
Cr R Driver	City of Wanneroo
Cr K Shannon	Town of Cambridge
Cr K Vernon	Town of Victoria Park

Apologies

Nil

Leave of Absence

Nil

Absent

Nil

MRC Officers

Mr G Hoppe (Chief Executive Officer)
Mr A Slater (Director Corporate Services)
Ms D Toward (Executive Support)

Member Council Observers

Mr N Claassen (City of Joondalup)
Mr C Kopec (City of Perth)
Mr N Ahern (City of Perth)
Mr A Murphy (City of Vincent)
Ms Y Plimbley (City of Vincent)
Mr J Wong (Town of Victoria Park)
Ms C Wright (Town of Cambridge)
Mr S Cairns (City of Wanneroo)
Mr H Singh (City of Wanneroo)
Mr R Bryant (City of Stirling)
Mr M Littleton (City of Stirling)

MRC Observers

Mr B Twine
Ms S Cherico
Mr G Atkinson
Mr A Griffiths
Ms J Chinnery
Mr J Shepherd
Ms K Goldsmith

Visitors

Nil

Members of the Public

Nil

Press

Nil

3 DECLARATION OF INTERESTS

Nil

4 PUBLIC QUESTION TIME

Nil

5 ANNOUNCEMENTS BY THE PRESIDING PERSON

The Chair announced that the MRC had issued the Spring 2019 Newsletter to residents in Catalina and Kinross. A copy of the newsletter was issued Councillors and members of the gallery.

6 APPLICATIONS FOR LEAVE OF ABSENCE

Councillor Russ Fishwick requested a leave of absence for the 12 December 2019 council meeting.

Moved Cr Cvitan, seconded Cr Proud

RESOLVED

That the leave of absence application be granted.
(CARRIED UNANIMOUSLY 12/0)

7 PETITIONS / DEPUTATIONS / PRESENTATIONS

Nil

8 CONFIRMATION OF MINUTES OF PREVIOUS MEETING
--

8.1 ORDINARY COUNCIL MEETING – 4 July 2019

The Minutes of the Ordinary Council Meeting held on 4 July 2019 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 4 July 2019 be confirmed as a true record of the proceedings.

Cr Fishwick moved, Cr Driver seconded

RESOLVED

That the recommendation be adopted.

(CARRIED UNANIMOUSLY 12/0)

9	CHIEF EXECUTIVE OFFICER REPORTS
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9.1	FINANCIAL STATEMENTS FOR THE MONTHS ENDED 31 MAY 2019 AND 30 JUNE 2019
File No:	FIN/5-07
Appendix(s):	Appendix No. 1 Appendix No. 2
Date:	20 August 2019
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 are for the months ended 31 May 2019 and 30 June 2019 and are attached at **Appendix No. 1 and 2** to this Item. The Tonnage Report for the 12 months to 30 June 2019 is attached at **Appendix No. 3**. The reports are pre audit approval.

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.

Summary of results for the year to date period ended 30 June 2019

	Actual	Budget	Variance
	t	t	t
Tonnes – Members	255,866	267,925	(12,059)
Tonnes – Others	13,448	15,800	(2,352)
TOTAL TONNES	269,314	283,725	(14,411)
	\$	\$	\$
Revenue – Members	52,201,789	54,720,285	(2,518,496)
Revenue – Other	5,749,522	11,184,150	(5,434,628)
TOTAL REVENUE	57,951,311	65,904,435	(7,953,124)
Expenses	55,756,350	62,213,917	6,457,567
Profit on sale of assets	7,394	52,455	(45,061)
Loss on sale of assets	13,860	290,608	276,748
Impairment of assets	49,501	-	(49,501)
NET SURPLUS	2,138,994	3,452,365	(1,313,371)

Commentary

Member tonnes for the year to date are 14,411 tonnes behind phased budget, which is mainly City of Joondalup and City of Stirling delivering less than forecasted.

The net result variance against budget of \$1,313,371 is mainly explained by budgeted tonnage related expenditure and RRF operating expenditures. The net surplus as at 30 June 2019 is \$2,138,994.

RRF

The Resource Recovery Facility residue tonnes are above budget by 2,719 tonnes delivering 51,419 tonnes in total to Tamala Park year to date.

Trade & Casual

The Casual and Trade tonnages are 2,352 tonnes lower than forecast for the financial year as trade customers find alternative options for waste disposal

VOTING REQUIREMENT

Simple Majority

RESPONSIBLE OFFICER RECOMMENDATION

That the Financial Statements set out in Appendix No. 1 and 2 for the months ended 31 May 2019 and 30 June 2019 are received.

Cr Sargent moved, Cr Vernon seconded

RESOLVED

That the recommendation be adopted.

(CARRIED UNANIMOUSLY 12/0)

9.2	LIST OF PAYMENTS MADE FOR THE MONTHS ENDED 31 MAY 2019 AND 30 JUNE 2019
File No:	FIN/5-06
Appendix(s):	Appendix No. 4 Appendix No. 5
Date:	21 August 2019
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 31 May 2019 and 30 June 2019 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 6 September 2018, 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
31 May 2019	General Municipal	Cheques	\$7,757.24
		EFT	\$3,636,901.29
		DP	\$113,855.38
		Inter account transfers	\$2,800,000.00
		Total	\$6,558,513.91
30 June 2019	General Municipal	Cheques	\$33,798.91
		EFT	\$5,986,464.19
		DP	\$123,664.57
		Inter account transfers	\$850,000.00
		Total	\$6,993,927.67

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 May 2019 and 30 June 2019, be noted.

Cr Cvitan moved, Cr Sargent seconded
RESOLVED
That the recommendation be adopted.
(CARRIED UNANIMOUSLY 12/0)

9.3 REVIEW OF COUNCIL POLICIES AND DELEGATIONS TO COUNCIL COMMITTEES AND THE CHIEF EXECUTIVE OFFICER	
File No:	GOV/27-09
Appendix(s):	Appendix 6 - Council Policies – with tracked changes Appendix 7- Council Policies – clean copy
Attachment(s):	Attachment 1 - Register of Delegations
Date:	14 August 2018
Responsible Officer:	Chief Executive Officer

SUMMARY

The report seeks endorsement of the review undertaken by the Chief Executive Officer (CEO) on the current Council Policies, Delegations to Committees of the Council and the CEO.

BACKGROUND

Sections 5.18 and 5.46 of the *Local Government Act 1995* (the Act) require that at least once every financial year, delegations are to be reviewed by the Council.

The MRC's Corporate Business plan requires that the Council Policies are relevant and reviewed by Council.

Council are requested to endorse the review of the Delegations Register and the Council Policies to ensure they are operating effectively, providing for efficient and timely administrative decisions and services in relation to discretionary decisions the Council has the ability to make by virtue of the Act and other statutes.

There are no changes to the Register of Delegations (Attachment 1).

A new Council Policy and minor text amendments to the remaining Council Policies are submitted in Appendices 6 and 7.

DETAIL

The 2019 annual review of the Register of Delegations of Authority and Council Policies and was undertaken to determine the appropriateness of existing delegations and Council Policies.

The Chief Executive Officer's review of the Register of Delegation did not identify any changes required.

The review of the Council Policies identified the need for a new Council Policy entitled Legal Representation for Mindarie Regional Council Elected Members, Committee Members and Employees, with the remaining Council Policies identifying minor text changes.

The Council Policies can be found at Appendices 6 and 7.

A summary of the changes for the Council Policies is as follows:

CP01 – Annual Fees, Allowances and Expenses for Councillors
No change

CP02 – Affixing of the Common Seal
No change

CP03 – Councillor Arrangements when attending an Overseas/Interstate/Intrastate Conference
No Change

CP04 – Employee Arrangements when attending an Overseas/Interstate/Intrastate Conference
No change

CP05 - Environmental Management of Tamala Park
This policy was removed – approved at OCM on 06/08/2018

CP06 - Purchase of Goods and Services
Minor changes to incorporate tenders received both hard copy or electronically.

CP07 - Gratuity Payments
This policy was removed – approved at OCM on 20/8/2015

CP08 - Provision and Use of Council Vehicles
No change

CP09 - Investments
No change

CP10 – Donations – Financial Assistance/Support
No change

CP11 – Use of Corporate Credit Cards
No change

CP12 – Gate Fee Setting
No change

CP13 – Budget Variance Reporting Threshold
No change

CP14 – Acting Chief Executive Officer Appointment
No change

CP15 – Employee Matching Community Contributions
No change

CP16 – Legal Representation for Mindarie Regional Council Elected Members, Committee Members and Employees.
New draft policy for Council recommendation.

EP01 – Environmental Policy
No change

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Local Government Act 1995

The following extracts from the Act relate to Council's obligations in the areas of policy development and delegations to the CEO.

"2.7. Role of Council

- (1) *The Council —*
 - (a) *governs the local government's affairs; and*
 - (b) *is responsible for the performance of the local government's functions.*
- (2) *Without limiting subsection (1), the Council is to —*
 - (a) *oversee the allocation of the local government's finances and resources;*
and
 - (b) *determine the local government's policies.*

5.42. Delegation of some powers and duties to CEO

- (1) *A local government may delegate* to the CEO the exercise of any of its powers or the discharge of any of its duties under —*
 - (a) *this Act other than those referred to in section 5.43; or*
 - (b) *the Planning and Development Act 2005 section 214(2), (3) or (5).*

** Absolute majority required.*
- (2) *A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.*

5.43. Limits on delegations to CEO

A local government cannot delegate to a CEO any of the following powers or duties —

- (a) *any power or duty that requires a decision of an absolute majority or 75% majority of the local government;*
- (b) *accepting a tender which exceeds an amount determined by the local government for the purpose of this paragraph;*
- (c) *appointing an auditor;*
- (d) *acquiring or disposing of any property valued at an amount exceeding an amount determined by the local government for the purpose of this paragraph;*
- (e) *any of the local government's powers under section 5.98, 5.98A, 5.99, 5.99A or 5.100;*
- (f) *borrowing money on behalf of the local government;*
- (g) *hearing or determining an objection of a kind referred to in section 9.5;*
- (ha) *the power under section 9.49A (4) to authorise a person to sign documents on behalf of the local government;*
- (h) *any power or duty that requires the approval of the Minister or the Governor;*
- (i) *such other powers or duties as may be prescribed."*

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC/COMMUNITY AND CORPORATE/BUSINESS PLAN IMPLICATIONS

Strategic Community Plan 2018 -2037		
OBJECTIVE 1	Long Term Viability	
Sub Objective	Good Corporate Governance	
This report is required by legislation to ensure that the Council has the opportunity to review its current policies and the delegations it has provided to the Chief Executive Officer thus maintaining the relevance of the documents.		
Corporate Business Plan 2018 – 2037		
Strategies	Actions	Responsible Officer
1.1.2	Ensure Council Policies are relevant and reviewed by Council	CEO
1.1.3	Review the relevance of the delegations from the Council and report findings to Council	CEO
These actions ensure that an officer within the organisation, in this case the CEO, has a direct responsibility to review the current Council Policies and Instrument of Delegation and report the review findings to Council.		

COMMENT

The MRC is to keep a register of the delegations made and review the delegations at least once every financial year.

VOTING REQUIREMENT

Simple/Absolute Majority

RESPONSIBLE OFFICER RECOMMENDATION

That the Council

1. Approve the addition of policy CP16 Legal Representation for Mindarie Regional Council Elected Members, Committee Members and Employees.
2. Retain the remaining Council Policies with changes as contained in Appendix 6.
3. Retains the delegations to the Chief Executive Officer as detailed in Attachment 1 of this report.

Cr Migdale moved, Cr Vernon seconded

AMENDMENT 1

Cr Norman moved, Cr Cole seconded

Proposed Amendment:

That the Council

1. Approve the addition of Policy CP16 Legal Representation for Mindarie Regional Council Elected Members, Committee Members and Employees.
2. Retain the remaining Council Policies with changes as contained in Appendix 6 and with the addition of the following amendments:
 - a. CP06 Purchase of good and services – that the words *“Criteria weightings will be determined with reference to the complexity and nature of the specific goods or services being tendered for.”* be added at the end of the first paragraph of Section 5.b
 - b. CP09 Investments – that a bullet point 9 be added stating that *“Preference is to be given to financial institutions that do not invest in or finance the fossil fuel industry, where the investment is compliant with all other aspects of the Investment Policy and the investment offers returns that are at least equal to those offered by other financial institutions. Financial institutions that do not invest in or finance the fossil fuel industry will be identified based on publicly available information.”*
3. Retains the delegations to the Chief Executive Officer as detailed in Attachment 1 of this report

RESOLVED

(CARRIED UNANIMOUSLY 12/0)

That the Council

1. Approve the addition of Policy CP16 Legal Representation for Mindarie Regional Council Elected Members, Committee Members and Employees.
 2. Retain the remaining Council Policies with changes as contained in Appendix 6 and with the addition of the following amendments:
 - a. CP06 Purchase of good and services – that the words *“Criteria weightings will be determined with reference to the complexity and nature of the specific goods or services being tendered for.”* be added at the end of the first paragraph of Section 5.b
 - b. CP09 Investments – that a bullet point 9 be added stating that *“Preference is to be given to financial institutions that do not invest in or finance the fossil fuel industry, where the investment is compliant with all other aspects of the Investment Policy and the investment offers returns that are at least equal to those offered by other financial institutions. Financial institutions that do not invest in or finance the fossil fuel industry will be identified based on publicly available information.”*
 3. Retains the delegations to the Chief Executive Officer as detailed in Attachment 1 of this report
-

AMENDMENT 2

Cr Vernon moved, seconded Cr Sargent

Proposed Amendment:

That the following point be added to the amended substantive motion "4. That the CEO reports report back to council by 30 June 2020 outlining the investments that the MRC have made in compliance with CP09"

RESOLVED

(CARRIED UNANIMOUSLY 12/0)

4. That the CEO reports report back to council by 30 June 2020 outlining the investments that the MRC have made in compliance with CP09.

AMENDED SUBSTANTIVE MOTION

RESOLVED

(CARRIED UNANIMOUSLY 12/0)

1. Approve the addition of Policy CP16 Legal Representation for Mindarie Regional Council Elected Members, Committee Members and Employees.
 2. Retain the remaining Council Policies with changes as contained in Appendix 6 and with the addition of the following amendments:
 - a. CP06 Purchase of good and services – that the words "*Criteria weightings will be determined with reference to the complexity and nature of the specific goods or services being tendered for.*" be added at the end of the first paragraph of Section 5.b
 - b. CP09 Investments – that a bullet point 9 be added stating that "*Preference is to be given to financial institutions that do not invest in or finance the fossil fuel industry, where the investment is compliant with all other aspects of the Investment Policy and the investment offers returns that are at least equal to those offered by other financial institutions. Financial institutions that do not invest in or finance the fossil fuel industry will be identified based on publicly available information.*"
 3. Retains the delegations to the Chief Executive Officer as detailed in Attachment 1 of this report.
 4. That the CEO reports report back to council by 30 June 2020 outlining the investments that the MRC have made in compliance with CP09.
-

Attachment 1 - MINDARIE REGIONAL COUNCIL – Delegations of Authority Register

COUNCIL TO CHIEF EXECUTIVE OFFICER

1. GOVERNANCE				
No.	Reference	Delegation	Condition(s)	Assignee(s)?
1.1	LGAct 1995 s.9.10	Appoint persons or classes of persons to be authorised for the purposes of performing particular functions	Each authorised person to be issued with a certificate of authorisation	NO
1.2	LGAct 1995 s.5.42	Appoint an employee of the MRC to the position of Acting CEO where the CEO is unable, or expected to be unable by reason of illness, temporary absence from WA, or any other reason, to perform the functions of the position	Not exceeding 3 months in any period of 12 months	NO
2. FINANCE				
2.1	LG (Functions and General) Regulations 1996 Reg. 11A	Approve requisitions and purchase orders for the supply of goods and services	Requisitions and purchase orders to be within the budget allocation as reviewed from time to time	YES
2.2	LG(Financial Management Regulations) 1996 Reg.8	Open and close bank accounts, access accounts electronically and transfer funds electronically		YES
2.3	LG(Financial Management Regulations) 1996 Reg. 11, 12 and 13	Approve and make payment of accounts	1. In accordance with approved procedure set out in Reg.11; 2. Where funds have been provided in the budget and the accounts are acquitted prior to payment; 3. List of accounts paid to be reported to Council as required by Reg.13	YES
2.4	LG(Financial Management Regulations) 1996 Reg.34(1)(a)	Prepare monthly financial reports	In accordance with Reg.34	YES
2.5	LGAct s.6.14	Invest funds surplus to the immediate needs of the Council	Subject to the internal control procedures set out in Reg.19	YES
2.6	LGAct s.6.12	Waive Fees and Write Off Debts	1. Not exceeding a total of \$10,000 for any one debtor in any financial year; 2. Ensure all reasonable effort has been made to recover the debt; 3. Where fees or debts have been waived, or concessions granted, they are to be reported in the mid-year budget review	NO
2.7	LGAct s.3.57	Seek Expressions of Interest and/or call tenders for goods or services	For items listed on the budget and subsequently approved for proceeding by Council	YES
2.8	LG(Functions & General) Regs.14(2a) and 20	Vary contracts up to \$50,000 or 10% of the contract value, whichever is the lesser	1. For the RRFA only if it incurs no additional risk or liability to the MRC; 2. Variations approved for significant contracts, including all contracts awarded following public tenders, to be reported to the next following Council meeting	NO
2.9	LGAct s.3.58(5) and LG(Functions & General) Regs.30(3)	Dispose, which includes writing off, of property (assets)	1. The value of the property (assets) is less than \$20,000; 2. Ensure all reasonable effort has been made to secure current market prices for the item or material	NO

9.4	HHW TOXIC TAXI SERVICE AND COMMUNITY RECYCLING STATION TRIAL
File No:	GOV/12-08
Attachments	
Date:	06 September 2019
Responsible Officer:	CHIEF EXECUTIVE OFFICER

SUMMARY

The report seeks consideration of the Mindarie Regional Council (MRC) undertaking a limited trial of a “Household Hazardous Waste (HHW) Toxic Taxi Service” and community recycling stations for the on-demand collection of HHW from the residents of the MRC’s member councils.

BACKGROUND

During the Ordinary Council Meeting held on 4 July 2019 a Council resolution was passed in response to Cr Norman’s notice of motion requesting that the MRC CEO prepare a report to Council for their consideration outlining the cost and logistics involved in the MRC undertaking a limited trial of a “HHW Toxic Taxi Service” and community recycling stations for the on-demand collection of HHW from the residents of the MRC’s member councils.

The motion outlined that:

The report should cover:

- 1. The area and population to be covered as part of a limited trial of 12 months;*
- 2. Which HHW items could be included in the trial service, noting that the list will be as comprehensive as possible;*
- 3. The cost of the limited trial and the impact that it would have on the members’ gate fee;*
- 4. How the service would be marketed;*
- 5. How the improvement in intercepting HHW, that would otherwise go to landfill, will be measured; and*
- 6. How the scheme would function.*

HHW includes unwanted household products that contain chemicals or substances that can be harmful to people, pets or the environment and must not be disposed of into kerbside collection bins due to their hazardous nature.

The general public can safely dispose of HHW for free at any one of the thirteen permanent HHW facilities located in WA. These facilities are open 7 days a week and the public do not need to be a resident of the Local Government managing the HHW facility in order to deposit their HHW there.

The Household Hazardous Waste Program is administered by the WA Local Government Association (WALGA) on behalf of the Waste Authority. The Program is funded through the Waste Avoidance and Resource Recovery Account (WARR).

The program can only accept domestic quantities of materials no larger than 20kg/20L per material type. The materials accepted and not accepted are listed in the table below.

ACCEPTED MATERIALS	MATERIAL NOT ACCEPTED
Acids and Alkalis	Asbestos
Aerosols	Commercial, business or industrial waste
Batteries (households)	Electronic waste
Engine coolants and glycols	EPIRBs and PLBs
Fire extinguishers – Non halon (red) only	Explosives, ammunition and firearms
Flammables	Fire extinguishers – Halon (yellow)
Flares	Medications and pharmaceuticals
Compact Fluorescent Lamps and Tubes (CFLs)	Mobile phones
Gas Cylinders (small household)	Motor oil and cooking oil
Household Chemicals (e.g. cleaners)	Printer cartridges/toners
Paint	Sharps and needles
Pesticides/Herbicides	Tyres
Poisons/Toxics	
Pool Chemicals	
Smoke detectors	
Unknown chemicals, must be in sealed, chemical resistant containers	

The MRC operates the largest permanent HHW facility in WA from the Tamala Park Waste Management Facility. Last financial year it collected over 92 tonnes of HHW at a program cost of \$236,417. The second largest permanent HHW facility is the Balcatta Recycling Centre operated by the City of Stirling. Both of these permanent facilities are located within the MRC's region.

The MRC also provides a collection service from fixed collection sites located in schools and community centres. The materials include batteries, CFLs, mobile phones and ink cartridges. At a cost of \$99,258 last financial year this service collected 32 tonnes of material, which makes up over a third of the HHW collected at Tamala Park as part of the program. The 2019/20 Budget includes \$90,000 for provision of these services however at current estimates this may need to be revised during mid-year budget review.

In addition, the MRC supports member councils who wish to run their own HHW collection days at their own locations. The MRC does so by providing staff and equipment to resource the temporary drop off location on a fee-for-service basis.

WALGA also provide support to Local Governments who wish to hold HHW drop off days within their local government area on an irregular basis if sufficient HHW Program funds are available

DETAIL

PART A: Toxic Taxi Service

1. The area and population to be covered as part of a limited trial of 12 months

The trial area proposed for this trial is Heathridge, as it is located centrally between Balcatta and Tamala Park. It is bounded by Hodges Drive in the north, the Mitchell Freeway in the east, Ocean Reef in the south and Marmion Avenue in the west. The 2018 estimated resident population for Heathridge was 6,933 with a population density of 17.96 persons per hectare and a land area of 386 hectares (representing roughly 1% of the population of the MRC's region).

2. Which HHW items could be included in the trial service

The trial could include all material that is acceptable in the HHW Program at a limit of 20kg/20L per material type. Larger consignments of these materials would be considered commercial quantities from commercial and business operations (even if received from a residential dwelling) and therefore would need to be disposed outside the HHW program funding and this service offering. This is in line with the HHW program funding guidelines.

With the exception of mobile phones and printer cartridges / toner, material not accepted under HHW Program would not be included in the trial as these materials typically require specialist handling and disposal at significant costs not covered by the HHW program.

Due to the nature of the HHW, the collected material would need to be transported in accordance with the Australian Dangerous Goods Transport Code which would require vehicle safe guards and licensing of the driver. The MRC have received confirmation from the Department of Water and Environmental Regulation (DWER) Controlled Waste Division that these collection services, performed by MRC in-house, would be exempt from controlled waste tracking requirements due to the source being from residential not commercial or industrial operations.

3. The cost of the limited trial and the impact that it would have on the members' gate fee

The estimated cost of the proposed limited trial which could be conducted by the MRC is detailed in the table below:

INHOUSE BUDGET	BUDGET
CAPEX - Second Hand 4x2 Tautliner with 10 pallet capacity and appropriate sign writing	\$ 130,000
OPEX - Consumables, Fuel, Repair and Maintenance, Licensing	\$ 50,000
OPEX - Human Resources (1FTE Driver & 0.5FTE Works Coordinator)	\$ 113,000
OPEX - Advertising	\$ 10,000
TOTAL	\$ 303,000

Alternatively, if the MRC were to sub-contract these services to the likes of the WALGA HHW collection contractor, Cleanaway, then the budget estimate of \$234,000 has been received. This is based on two collection days per week for the 12 month trial presuming 9 hour operational days utilising a licensed collection vehicle (tautliner), a qualified and licenced driver and a qualified chemist. For this to take place additional licensing requirements may be needed for Tamala Park

The estimated cost presented would not have a material impact on the members' gate fee, resulting in a \$1 - \$2 per tonne increase in the members' gate fee in respect of a 12 month Heathridge trial.

4. How the service would be marketed

The service would be marketed through a flyer letter box drop within the trial area, as well as print marketing in the local community newspaper ahead of the trial. The trial particulars would be detailed on the MRC webpage and may have links from the City of Joondalup's webpage and social media platforms with their prior endorsement. An information session would be held at a central location in the community for the Heathridge residents a number of months before the trial commencement and a list of Frequently Asked Questions resulting after that meeting would be posted on the MRC website.

5. How the improvement in intercepting HHW, that would otherwise go to landfill, will be measured

The MRC would develop an online survey via the likes of Survey Monkey, to determine the level of customer satisfaction with the service and capture key metrics such as volume collected, material type, and the alternative waste disposal method which they would have utilised if the collection service was not available. The MRC would also monitor the volumes of HHW collected at Tamala Park and Balcatta and compare against the previous year's data to identify any changes as a result of the program.

6. How the scheme would function

The scheme would function on an on-demand basis whereby the residents would contact the MRC Waste Coordinator and provide details of the material to be collected. The resident would be booked into the next available collection day based on the material type and truck capacity, the resident's availability and an optimised collection route.

A collection date and collection time window would be advised, as the resident would need to be present at the time of collection. At present two collection days per week have been included in the budget estimate. All material types and quantities would be recorded in a manifest by the driver. The manifested quantities would be verified at Tamala Park and the waste consolidated with the HHW stock or the PBL (Paint product stewardship program) stocks at Tamala Park.

The WALGA appointed HHW transporter, Cleanaway, would collect and recover / dispose of these materials at no further cost to the MRC or its member councils as this would be funded by the Waste Authority.

Should this trial be successful and significant additional volumes of HHW are collected then the MRC would need to consult with WALGA and the Waste Authority to assess whether there

would be adequate sustainable funding available to support a full roll out of the trial to all of the MRC's region in the longer term.

PART B: Community Recycling Stations

The MRC engages a local contractor to service Community Recycling Stations (CRS) located in schools and community centres on a fixed schedule basis. The materials collected include dry cell batteries, CFLs, printer cartridges and mobile phones however at present only dry cell battery collection bins are deployed in schools.

There are currently 162 battery collection centres in schools and 73 CRSs in other public locations that are serviced by MRC's contractor. Battery bins are provided to schools on a 'on-demand' basis, and CRSs are placed in public spaces by member councils or by the MRC on an 'on-demand' basis.

These materials are delivered to Tamala Park where they are consolidated and dispatched to third party processors.

Last financial year 32 tonnes of these materials, of which the vast majority was batteries, were collected at a cost to the MRC of \$99,258. Early estimates for FY2019/20 indicate that greater volumes are being collected when compared to the previous year.

CRSs can vary greatly in regards to design, footprint, capacity, material types collected and cost across the member councils. Based on a conservatively priced CRS, designed to receive the four main material types, the annual cost, including capital and fortnightly servicing, is estimated to be circa \$3,500.

If the 162 currently active school battery collection bins were to be replaced with CRSs, the estimated first year cost for the MRC would be \$567,000 – adding approximately \$2 per tonne to the members' gate fee, based on the forecasted annual tonnage received at Tamala Park. This cost would double if this service was extended to all qualifying member council schools. It should be noted that CRSs accepting mobile phones have been frequently targeted by thieves, even in prominent locations such as shopping centres during daylight shopping hours.

On the whole, the design and construction of CRSs currently servicing the community is not consistent as these have been procured separately by individual member councils. Consistency in design is recommended for future CRS deployment as this offers opportunities for bulk procurement cost savings, improves servicing efficiencies and consistent messaging to the general public. Agreement across the member councils would be required for this consistent approach to be possible.

CONSULTATION

The MRC has consulted with its officers, WALGA, DWER and Cleanaway to determine the regulatory requirements, comparative costings and operational approach.

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

In the 2019/20 budget the operational expenditure allocations for recycling services are detailed below:

	Budget	Spent	Unspent
Battery and CRS Collection Services	\$90,000	\$17,500	\$72,500

PART A: Toxic Taxi Service

At current estimates, if the 12 month limited HHW on-demand collection service trial was to be approved, it would cost the MRC additional capital expenditure to the value of \$130,000 and an increase to the recycling services operational expenditure budget in the order of \$173,000.

Given the estimated 7,000 residents in the proposed trial area of Heathridge, this equates to roughly 2,800 residences (at 2.5 residents per dwelling). Ignoring any capital costs of the trial, and dividing the estimated operating costs of \$173,000 over the 2,800 residence, results in a cost per residence of \$62 per rateable residence. This would result in an increase of somewhere between 10% - 15% on most council's waste charge per residence.

PART B: Community Recycling Stations

In relation to the possible deployment of Community Recycling Stations to eligible member council schools in the MRC's region, the MRC would firstly need to reach agreement with the member councils on the design and quantity of CRSs required to be deployed before full financial costing can be accurately determined.

However, if the existing 162 schools were converted to CRSs the estimated cost would be in the order of \$567,000 in the first year of deployment. This cost would double to approximately \$1,134,000 in the first year of deployment, if all eligible schools elected to participate.

This equates to a possible increase in the MRC members' gate fee of between \$2 - \$4 per tonne.

STRATEGIC/COMMUNITY AND CORPORATE/BUSINESS PLAN IMPLICATIONS

STRATEGIC COMMUNITY PLAN 2018 - 2037	
Strategic Objective 1: Long Term Viability	
Strategy 1.2	Improve collaboration between participating Councils as primary stakeholders on matters associated with waste management
Action 1.2.4	Liaise with member councils regarding direction of waste to processing facilities
Strategic Objective 2: Effective Management	
Strategy 2.2	Continually assess and utilise the best appropriate waste management solutions
Action 2.2.2	Annual review of current operations with a view to continuously improving the MRC's waste management practices.
Strategy 2.3	Make ongoing reviews of waste streams to ensure optimal recovery/diversion is being achieved
Action 2.3.2	Educate member councils and community as to how to best manage their problematic waste streams.
Strategic Objective 3: Sustainable Waste Management	
Strategy 3.1	Identify and adopt improved approaches to waste minimisation, resource recovery and the associated community engagement
Action 3.1.4	Explore options with waste industry and member councils to improve/expand services.

COMMENT

PART A: Toxic Taxi Service

HHW is currently being collected and appropriately disposed of through the HHW Program's network of thirteen permanent HHW facilities throughout WA, as well as the various temporary collection events being held.

The two largest HHW collection facilities in Western Australia are already located in the MRC's region.

In the absence of conducting a live trial, there is no way to accurately quantify how effective the service would be or what additional quantities of HHW it is likely to divert from landfill.

While the proposed trial would have a limited impact on the MRC members' gate fee, were it to proceed, the cost of the program were it rolled out to all residents in the MRC's region, would seem to be cost prohibitive and difficult to justify. This is particularly so, given that based on

the MRC's bin audit of member council bins, HHW going to landfill in the bin system currently accounts for less than 1% of the overall waste stream going to landfill.

The MRC's administration is not persuaded that the proposed service in full deployment can be justified to represent a value-for-money spend for the member councils or their ratepayers in the absence of empirical data showing the efficacy of the service.

Should the Council wish to pursue the proof-of-concept trial, the administration is supportive of the proposed trial subject to the MRC obtaining suitable grant funding from the Waste Authority through the Community and Industry Engagement program.

PART B: Community Recycling Stations

There is an opportunity to standardise the Community Recycling Stations across the member councils which would offer consistent educational messaging and servicing efficiencies however this would require member council endorsement of the uniform design and the significant additional expenditure likely to be incurred in making the service available to all the eligible schools in the MRC's region.

Given the significant possible impact on the MRC members' gate fee associated with rolling out this service, in light of significant public pressure on rates and fees for services, the administration does not believe that the upgrading of all the existing battery bins in schools to full CRSs is economically justifiable or equitable for member councils, given the varied uptake of the receptacles from member council to member council.

Where individual member councils wish to roll out CRSs to schools in their areas and wish to have the CRSs serviced by the MRC, the administration is supportive of this being done on a fee-for-service basis, whereby the CRSs would be supplied by the individual council and servicing costs will be directly recharged to the individual council by the MRC. In line with this, the MRC would look to provide this service on a consistent fee-for-service basis for all CRSs and batteries that councils have already deployed or may wish to deploy in the future.

VOTING REQUIREMENT

Simple Majority

RESPONSIBLE OFFICER RECOMMENDATION

That the Council:

PART A

1. Authorises the CEO to proceed with the proposed limited 12 month HHW Toxic Taxi trial in Heathridge, SUBJECT to the MRC being able to obtain suitable funding from the Waste Authority through the Community and Industry Engagement program.

PART B

2. Authorises the CEO to provide a standardised fee-for-service CRS and battery bin collection service to those member councils who have already deployed them or are wishing to deploy them to schools and public facilities in their areas.

ALTERNATIVE MOTION

Cr Norman moved, seconded Cr Fishwick

That the Council

- a) **not support a toxic taxi service of a standardised Household Hazardous Waste, Community Recycling Stations and Battery Bin collection based on the high estimated costs of these proposals.**
- b) **the MRC look at options, in conjunction with the Western Australian Container Deposit Scheme, and provide a report to council on ways to improve the collection of HHW.**

RATIONALE FOR ALTERNATIVE MOTION

Cr Norman clarified that the reason the motion differs from the Officers recommendation is as a result of the estimated high costs of the proposals.

(CARRIED UNANIMOUSLY 12/0)

9.5	Proposed RRFA amendments
File No:	WST/147-08
Attachments	Nil
Date:	11 September 2019
Responsible Officer:	Chief Executive Officer

SUMMARY

The report seeks endorsement of the likely increase in insurance costs associated with the Resource Recovery Facility Agreement (RRFA) for the 2019/20 financial year.

BACKGROUND

Each year the Mindarie Regional Council (MRC) prepares its financial budget which includes the contract fees for the RRFA. Most of this fee is calculated using various indices and contractual increases which are estimated for the year ahead at the time of preparing the budget.

One of the components that forms the gate fee, is the insurance premiums paid by BioVision 2020 (Pty) Ltd (BioVision) in respect of the Resource Recovery Facility (RRF) each year.

Under Section 25 of the RRFA, the annual insurance renewal process is conducted through consultation between the MRC, BioVision and the appointed insurance broker. This typically occurs in the months preceding the 30 September renewal date, but after the budget has already been approved.

DETAIL

The table below sets out the annual insurance costs since the inception of the RRFA, which have increased over time from \$265,000 to \$970,000. The insurance premiums are subject to global insurance market fluctuations and in some years, notably 2014 – 2018, the MRC has benefited from favourable market conditions.

In 2019, the market started to turn and there was a significant increase in premiums. This trend is looking likely to continue for the 2019/20 year based on advice from the insurance brokers who have been trying to place the policy in the insurance markets.

	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
ISR Primary Layer	159,995	479,712	224,488	213,390	190,815	198,175	187,175	137,862	124,230	151,005
ISR Excess Layer			467,323	458,220	390,117	370,790	379,720	328,072	308,605	725,278
TOTAL ISR PREMIUM	159,995	479,712	691,811	671,610	580,932	568,965	566,895	465,934	432,835	876,283
Liability General	36,500	36,630	33,300	41,625	33,300	30,145	27,925	21,645	21,645	22,530
Liability Excess	19,323	19,980	16,650	20,813	16,650	15,993	15,993	13,875	13,875	13,875
Crime	19,305	18,120	18,740	23,468	18,866	18,866	18,741	16,535	16,650	10,960
Broker Fee	30,000	34,000	33,957	50,000	40,000	40,000	40,000	45,000	45,000	45,000
TOTAL OTHER COSTS	105,128	108,730	102,647	135,906	108,816	105,004	102,659	97,055	97,170	92,365
TOTAL COST	265,123	588,442	794,458	807,516	689,748	673,969	669,554	562,989	530,005	968,648
ISR Deductible	25,000	1,000,000	250,000	250,000	100,000	25,000	25,000	25,000	25,000	25,000

The RRFA specifies a \$25,000 excess or deductible for the Industrial Special Risk (ISR) insurance, meaning that only the first \$25,000 of any insurance claims is paid by BioVision.

Historically, this has been a very difficult level of cover to obtain, although for the last five years, we have been able to insure the risk, albeit at an increased overall cost. In some years, the cost of insuring down to the \$25,000 deductible has almost exceeded the amount that the parties would have to pay out in the event of a claim, were it not obtained. In those years, the MRC and BioVision have accepted a higher deductible amount than required by the RRFA out of commercial necessity.

For the 2019/20 year, the insurance brokers have indicated that there is no appetite in the insurance markets to underwrite a deductible of \$25,000 – at any premium – and the lowest deductible that is likely to be achievable is \$100,000. In due course, it may make sense for the parties to amend the RRFA to increase the required deductible from \$25,000 to \$100,000.

While the current renewal process is still underway, the brokers have indicated the likely range of insurance premium outcomes, reflected in the table below.

	2019	2020	
	\$	\$ Lower	\$ Upper
ISR Primary Layer	151,005	250,000	275,000
ISR Excess Layer	725,278	1,320,000	2,420,000
TOTAL ISR PREMIUM	876,283	1,570,000	2,695,000
Liability General	22,530	24,143	24,143
Liability Excess	13,875	13,875	13,875
Crime	10,960	10,960	10,960
Broker Fee	45,000	45,810	45,810
TOTAL OTHER COSTS	92,365	94,788	94,788
TOTAL COST	968,648	1,664,788	2,789,788
ISR Deductible	25,000	100,000	100,000

As a result, the insurance component of the RRFA gate fee charged to the MRC is likely to increase between 70% and 188%. The exact quantum will be confirmed through the renewal negotiations which will be concluded by the end of September 2019, however for the sake of prudence in approving the required additional expenditure, an approval for the higher limit of \$2.8 million is being proposed.

The 2019/20 budget approved by Council at the July 2019 Ordinary Council Meeting, had budgeted for an increase in the RRF insurance costs to \$1 million, embedded in the RRF gate fee tonnage rate, leaving an approximate \$1.8 million potential budget shortfall for the 2019/20 financial year.

CONSULTATION

The MRC has consulted with BioVision, the independent insurance brokers and the Project Action Group.

STATUTORY ENVIRONMENT

The proposed increase in fees is in line with the requirements of the RRFA, but requires Council approval as it exceeds the amounts reflected in the approved budget.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

The 2019/20 budget approved by Council at the July 2019 Ordinary Council Meeting, had budgeted for an increase in the RRF insurance costs to \$1 million, embedded in the RRF gate fee tonnage rate.

The independent insurance brokers have indicated that the range of insurance premium outcomes for the 2019/20 financial year is likely to be between \$1.7 million and \$2.8 million, leaving an approximate \$1.8 million potential budget shortfall for the 2019/20 financial year.

Given the timings of the insurance renewals and Council meeting schedule, it is considered prudent to approve an amendment to the budget for the upper range of outcomes, being an increase to \$2.8 million, whilst understanding that every effort will be made to achieve a lower premium.

An increase in the insurance premium from the budgeted \$1 million to the upper range of \$2.8 million would have an approximately \$6.50 impact on the MRC members' gate fee, however a mid-year gate fee increase is not likely to be necessary. However, if the full increase in the insurance fees is realised, it will likely fully deplete the budgeted surplus of \$1.8 million reflected in the 2019/20 budget approved by Council.

It is proposed that the shortfall be funded through the half year budget review process.

STRATEGIC/COMMUNITY AND CORPORATE/BUSINESS PLAN IMPLICATIONS

Nil

VOTING REQUIREMENT

Absolute majority

RESPONSIBLE OFFICER RECOMMENDATION

That the Council:

Authorise the CEO to conclude the RRFA insurance renewals negotiations with BioVision and the external insurers, at a total cost of up to \$2.8 million, at an agreed Industrial Special Risk insurance deductible of up to \$100,000, with the increase in insurance costs to be funded through the half year budget review.

(Absolute majority required)

Moved Cr Cole, seconded Cr Proud

Cr Migdale left the Chambers at 8.12 pm and returned at 8.16 pm

Procedural Motion

Cr Sargent moved, seconded Cr Boothman

To hold over this item to a Special Council Meeting on 26 September 2019 in order for the MRC to seek legal advice.

(CARRIED UNANIMOUSLY 12/0)

9.6	TAMALA PARK CONTAINER DEPOSIT SCHEME AND INFRASTRUCTURE DEVELOPMENT PROPOSAL
File No:	WST/193
Attachments	1 – Conceptual Site Layout – CDS; 2 – Conceptual Primary Sorting Acceptance Shed
Date:	19 September 2019
Responsible Officer:	CEO

SUMMARY

The report seeks consideration of the Mindarie Regional Council's (MRC) participation in the State Government led Container Deposit Scheme. Participation would include the construction of collection and processing infrastructure located at Tamala Park or at an alternate leased commercial premises.

BACKGROUND

The State Government is introducing a container deposit scheme to commence in June 2020.

A container deposit scheme (CDS) allows consumers to take eligible empty beverage containers covered by the scheme to a refund point to receive a refund of 10 cents per container.

The scheme has benefits including reducing litter, increasing recycling, protecting the environment and providing opportunities for social enterprise participation. Currently Victoria is the only state to not have adopted or decided to implement a CDS.

The scheme is intended to complement kerbside recycling and existing waste services. The refund is intended to encourage people to collect and recycle beverage containers consumed away from the home.

On 14 May 2019, the Environment Minister, Stephen Dawson, announced that WA Return Recycle Renew Limited (WARRRL) has been selected to operate the scheme. WARRRL is a not-for-profit organisation which will be responsible for running the container deposit scheme and ensuring it meets all objectives set by the State Government.

Now that WARRRL has been appointed, they will run an open procurement process to establish the collection network including Refund Point Operators, Donation Points, Logistics and Processing Providers.

The Tamala Park site is a natural collection point for the scheme, given that it already collects significant numbers of containers, and given the MRC's hours of operation and existing infrastructure. The MRC has registered its interest for wanting to be a Refund Point Operator and Processing Provider under the scheme and intends to submit a bid when the process is initiated.

The timeframes to submit a bid and be nominated as a collection site, along with the time required to develop and procure the site and necessary infrastructure by 2 June 2020 will be challenging, but achievable, and will likely require a level of additional funding in the mid-year budget review process.

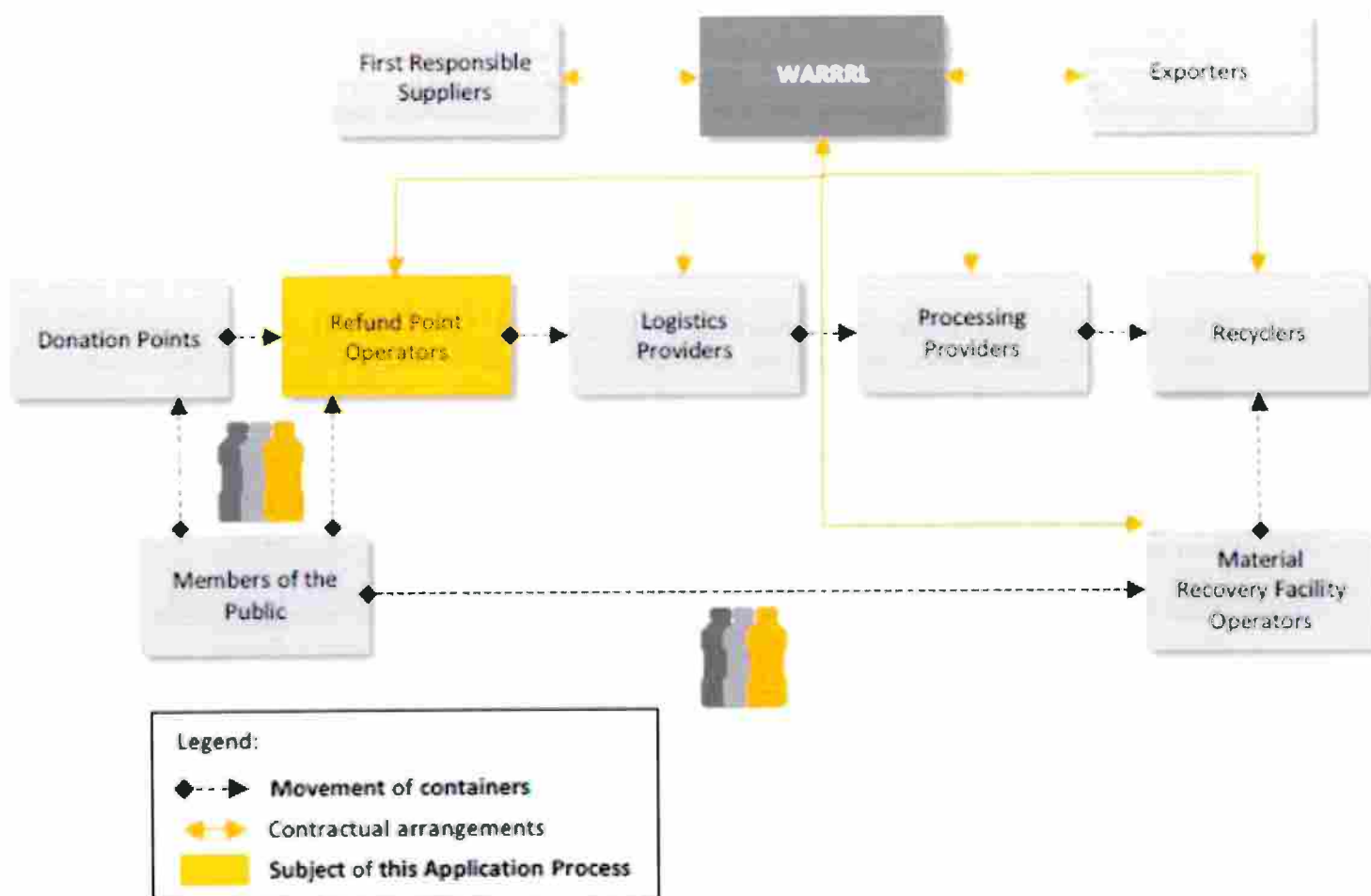
DETAIL

The scheme will accept eligible containers for a refund of 10 cents per container. These containers included most aluminium, glass, plastic, steel and liquid paperboard drink containers between 150ml and 3 litres. Bottle tops will need to be removed prior to acceptance into the scheme.

At present the scheme focuses on beverage containers consumed outside the home therefore containers for cordial, plain milk, wine and pure spirits are not currently accepted. Flavoured milk in containers of 1 litre or greater, pure fruit or vegetable juice, cask wine and cask water are also excluded. These containers are to be recycled through the normal kerbside collection services. This is aligned with acceptance criteria for similar schemes across the country.

The figure below provides an overview of how the scheme will operate, demonstrating the flow of eligible containers through the scheme from members of the public to different scheme participants, before exiting the scheme to Recyclers.

Figure 1: Scheme Structure



The activities and roles undertaken by the scheme participants are summarised as follows:

- **Refund Point Operators** are responsible for the operation of Refund Points, including:
 - ❖ paying refund amounts (10 cents per container) to customers;
 - ❖ counting and sorting the collected containers into 11 material types including clear glass, amber glass, green glass, clear PET, coloured PET, white PET, HDPE, aluminium, steel, liquid paperboard (tetra pak) and other; and
 - ❖ preparation of containers for collection by Logistics Providers.
 - ❖ receive a 6 cents per container handling fee
- **Donation Points** are organisations that accept gifts of containers from the community. There is no contract between WARRRL and Donation Points, and Donation Points will need to return the collected containers to Refund Points in exchange for the Refund Amount.
- **Logistics Providers** are responsible for picking up containers from Refund Points and transporting them to Processing Providers. Containers cannot be compacted or crushed prior to transport.
- **Processing Providers** are responsible for verifying the number of containers received from Refund Points, preparing the containers for recycling and listing the processed materials for sale to Recyclers via the WARRRL auction platform (Online Recycling Material Sales Platform). Processing Providers receive a 20% share of the sale of the processed material.
- **Recyclers** facilitate the processing of the materials into new products. This may mean directly manufacturing back into the same product (e.g. bottle to bottle), processing to a specification for use in other applications (e.g. road construction, drainage material) or sourcing markets that can undertake the repurposing of the material.
- **Material Recovery Facilities Operators (MRFs)** collect containers through kerbside recycling bins. This material is then available for sale to Recyclers via the Online Recycling Material Sales Platform.
- **First Responsible Suppliers and Exporters** are responsible for funding the costs of the scheme in accordance with their product stewardship obligations under the Act.

To enable the community to have a positive experience accessing the scheme, sufficient state wide coverage of, and access to Refund Points is required. The WA Government has at this stage determined its coverage and access requirement to be 229 Refund Points (114 Full-Time Refund Points and 115 Flexible Refund Points) across Western Australia, within 12 months of the scheme commencement date which is the 2 June 2020.

The Perth Peel Region, in which Tamala Park resides, will have 95 Full-time Refund Points and 36 Flexible Refund Points. Full-time Refund Points must be opened to the public for a minimum 35 hours per week, including at least four weekend hours. Flexible Refund Points may include stationary points operating within a fixed location for at least 16 hours per fortnight, including at least eight weekend hours or mobile points at a fixed location comprising of mobile infrastructure for example cages or trailers. Tamala Park is an ideal site as a Full-time Refund Point as its operating hours are 8am to 4:45pm, 7 days a week, 362 days of the year.

The MRC is exploring two options for participation in the scheme. These include;

- *Option One – Refund Point and Processing Operations at Tamala Park*
- *Option Two – Refund Point and Aggregation Operations at an offsite leased commercial premises*

Option A – Refund Point and Processing Operations at Tamala Park

The MRC intends to co-locate a Refund Point and Processing operations at Tamala Park which eliminates the need to transport empty uncompacted containers on the road reducing unnecessary costs and environmental impacts. This also affords the MRC the opportunity to attract the 6 cent per container handling fee and a 20% share of the profits from the sale of the material.

The concept design utilises optical sorting technology to ensure accuracy and an automated baler to prepare the individual material types for sale to the recyclers. The facility will have a minimum processing capacity of 77,000 eligible containers per day and be housed in 4,500m² of secure, undercover storage with opportunities for an additional 1,500m² shed planned for possible future development. Conceptual plans of the proposed layout have been provided in Attachments 1 and 2.

These operations would be located to the north of the existing complementary resource recovery operations and ReUse Shop. A land clearing permit will be required as the proposed development is located in a bush forever area. The MRC have commenced discussions with the Department of Water and Environmental Regulation (DWER) and Department of Environment and Energy (DEE) on obtaining the required permits.

Please note: *Final approval of the use of this area would be subject to approval by the relevant regulatory authorities noted above, as well as the relevant planning approvals, and approval by each of the MRC's member councils as joint owners of the land, in line with the MRC's lease agreement for Tamala Park.*

The MRC has engaged a quantity surveyor to provide budget costings to prepare and construct the facility considered in the conceptual design. The budget costing is estimated to be in the order of \$5.4 Million. Based on the facility's minimum processing capacity, the operations could be cost neutral in less than five years and returning a profit thereafter.

The MRC have submitted a non-binding expression of interest (EOI) to WARRRL to become a Processing Provider only, in response to their incredibly deadlines. Should this prove successful, the MRC would have the option to submit a formal proposal to provide these services.

The Refund Point Operator application process is separate to that of the Processing Provider and cannot be contingent on the Processing Provider EOI approval. The Processing Provider applications close on 21 October 2019.

Option B – Refund Point and Aggregation Operations at an offsite leased commercial premises

The MRC are also busy investigating a commercial lease option for a suitably sized building to function as Refund Point and Aggregation Operations. This facility would utilise similar optical sorting technology and provide a similar customer experience at a significantly lower cost than the proposal at Tamala Park, as it eliminates the need for clearing permits, site preparations and container processing infrastructure.

The MRC is still exploring possible lease options and as a result, does not have any estimates of comparative costings for this option, but it is certain to be significantly less than the Tamala Park option.

CONSULTATION

The MRC has worked with officers from the MRC and an external quantity surveyor to prepare conceptual layouts of the required facilities.

The MRC has also consulted with the DWER; WALGA; WARRRL; City of Wanneroo; Department of Planning, Lands and Heritage (DPLH); DEE; Department of Fire and Emergency Services (DFES); the MRC Strategic Working Group; international sorting technology providers and; scheme coordinators and operators in QLD and NSW.

STATUTORY ENVIRONMENT

The MRC have submitted documentation to DWER and DEE for approvals for land clearing a proportion of a bush forever area, subject to final approval by the MRC's member councils in line with the MRC's lease agreement for Tamala Park.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Expenditure for the proposed development options has not been considered in the 2019/20 budget. A future report would be developed for council endorsement prior to the mid-year budget process.

Based on a desktop exercise, the MRC would anticipate the following highly indicative economics of operating the centre at Tamala Park.

Initial capital cost for infrastructure development	\$5,404,000
Handling fee for 77,000 containers per day	\$1,672,440
20% participation in commodity sales	\$104,400
Ongoing annual staffing costs	(\$231,500)
Other operating costs	(\$669,000)
Estimated annual net operating surplus	\$876,340

STRATEGIC/COMMUNITY AND CORPORATE/BUSINESS PLAN IMPLICATIONS

STRATEGIC COMMUNITY PLAN 2018 - 2037	
Strategic Objective 1: Long Term Viability	
Strategy 1.3	Manage and acquire suitable assets to achieve an optimal mix of waste management solutions
Action 1.3.4	Procure new sorting facility
Action 1.3.11	Procure materials recovery facility processing capacity
Strategy 1.5	Ensure the Council is commercially relevant to its industry
Action 1.5.6	Pursue opportunities which may present savings for the organisation (i.e. CFI credits, alternative revenue streams)
Strategic Objective 2: Effective Management	
Strategy 2.3	Make ongoing reviews of waste streams to ensure optimal recovery/diversion is being achieved
Action 2.3.2	Educate member councils and community as to how to best manage their problematic waste streams.
Strategic Objective 3: Sustainable Waste Management	
Strategy 3.1	Identify and adopt improved approaches to waste minimisation, resource recovery and the associated community engagement
Action 3.1.4	Explore options with waste industry and member councils to improve/expand services.

COMMENT

The implementation of the CDS in WA gives the MRC another opportunity to be a leader in the waste industry.

The MRC already operates one of the two most successful e-waste, Paint Back and Household Hazardous Waste collection points in WA. It is highly likely that, if it chooses to proceed and is successful in its tender bid, Tamala Park will be the largest CDS collection point in the northern corridor of Perth.

This is likely to prove to be a venture that is highly aligned with our vision of Winning Back Waste and further is likely to prove to a lucrative revenue stream for the MRC going forward into the future.

Initial contracts with WARRRL will be for a 5-year period, however it is considered probable that the MRC would be able to continue to operate indefinitely under the scheme.

From the administration's point of view, there is significant upside for the MRC to pursue this opportunity with very little downside risk, depending on how the project is implemented. This

development would provide positive net operating surplus, community engagement opportunities and environmental benefits.

The proposal to construct a facility at Tamala Park itself has a number of complexities to it, not the least of which are the various planning and development approvals required, and the relatively significant amount of infrastructure that is required in less than 8 months. Although challenging, it is considered achievable with the support of member councils and advised planning and environmental approval timeframes.

As a possible way to de-risk the process – and possibly improve the profitability of the project – the MRC is in the early stages of investigating commercial leasing opportunities which would significantly increase the likelihood of successful execution of the project.

In either case, this project is an important strategic opportunity for the MRC and by extension, its member councils.

It should be noted that different to the Processing Provider EOI, the Refund Point Operator application commits the MRC for the contract term. It is therefore our intention to call a Special Council Meeting for approval prior to the submission date.

VOTING REQUIREMENT

Simple Majority

RESPONSIBLE OFFICER RECOMMENDATION

That the Council:

- 1. Endorse the MRC's continued engagement with the WA Container Deposit Scheme toward becoming a Refund Point Operator, or a Refund Point Operator and Processing Provider**
- 2. Authorise the CEO's pursuit of the required permissions and approvals from regulatory agencies and the Tamala Park landowners to facilitate the potential construction of a CDS facility at Tamala Park**
- 3. Request that the CEO bring a report to Council outlining the key elements of any proposed tender submissions to the scheme coordinator for consideration prior to their submission.**

Moved Cr Proud, seconded Cr Norman

RESOLVED

That the recommendation be adopted.

(CARRIED UNANIMOUSLY 12/0)

10 MEMBERS INFORMATION BULLETIN – ISSUE NO. 49

RESPONSIBLE OFFICER RECOMMENDATION

That the Members Information Bulletin Issue No. 49 be received.

Moved Cr Shannon moved, Cr Cole seconded

Prior to voting on the item, Cr Shannon noted that the Audit Committee Minutes were contained in the Members Information Bulletin and sought clarification of the Audit Terms of Reference

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

The Chair requested that in accordance with clause 7.1(e) 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 14.1 as the item is of a confidential nature.

Moved Cr Boothman, seconded Cr Proud

RESOLVED

To close the meeting to the public

(CARRIED UNANIMOUSLY 12/0)

Doors closed at 8.36 pm and members of the gallery vacated the Chambers.

Note: The Chief Executive Officer has not released the report for item 14.1 for public information. Report 14.1 deals with a matter relating to a tender and may result in a contract being entered into.

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

This report is Confidential in accordance with Section 5.23 (2) (C) of the <i>Local Government Act 1995</i> as it is a matter that may result in a contract being entered into.	
14.1	ONSITE CRUSHING AND SCREENING OF TAMALA PARK QUARRY LIMESTONE
File No:	WST/59-02
Attachments(s):	
Date:	6 September 2019
Responsible Officer:	Chief Executive Officer

RESPONSIBLE OFFICER RECOMMENDATION

That the Council:

1. Award the tender for the crushing and screening of Tamala Park quarry limestone (Tender Number: 13/141) to URBAN RESOURCES at the fixed price detailed within the report.
2. Authorise the CEO to advise the unsuccessful tenderers of the decision to award the tender to URBAN RESOURCES.

Moved Cr KOSOVA, seconded Cr Norman seconded
RESOLVED

That the recommendation be adopted.

(CARRIED UNANIMOUSLY 12/0)

Moved Cr Boothman, seconded Cr Migdale
RESOLVED

To reopen the doors to the public.

(CARRIED UNANIMOUSLY 12/0)

Doors were reopened to the public at 8.40 pm and people from the gallery returned to their seats.

The Chair declared the meeting re-opened at 8.41pm

The Chair confirmed that the Council had resolved item 14.1 and read out the resolution.

15 NEXT MEETING

Next meeting will be a Special Council Meeting to be held on Thursday 26 September 2019.

16 CLOSURE

The Chairman closed the meeting at 8.42 pm and thanked the City of Vincent for their hospitality and use of their meeting rooms.

These minutes were confirmed by the Council as a true and accurate record of the Ordinary Meeting of Council held on 19 September 2019.

Signed  Chairman

Dated this 12TH day of DECEMBER 2019
