



AGENDA

ORDINARY COUNCIL MEETING

TIME: 6.30 PM

29 FEBRUARY 2024
CITY OF JOONDALUP

*Constituent Members: Cities of Perth, Joondalup, Stirling, Vincent and Wanneroo
Towns of Cambridge and Victoria Park*



Town of
Cambridge



City of
Joondalup



City of Perth



City of Stirling
City of Choice



TOWN OF
VICTORIA PARK



CITY OF VINCENT



City of
Wanneroo

**MINDARIE REGIONAL COUNCIL
NOTICE OF MEETING**

22 FEBRUARY 2024

Councillors of the Mindarie Regional Council are advised that an Ordinary Meeting of the Council will be held at the City of Joondalup at 6.30 pm on 29 February 2024.

The agenda pertaining to the meeting follows.

Your attendance is respectfully requested.



**SCOTT CAIRNS
CHIEF EXECUTIVE OFFICER**

MINDARIE REGIONAL COUNCIL - MEMBERSHIP

Cr P Miles (Paul) - Chair	City of Wanneroo
Cr S Proud, JP (Stephanie) - Deputy Chair	City of Stirling
Cr A Jacob, JP (Albert)	City of Joondalup
Cr C May (Christopher)	City of Joondalup
Cr L Gobbert, JP (Liam)	City of Perth
Cr A Creado (Andrea)	City of Stirling
Cr J Ferrante (Joe)	City of Stirling
Cr C Hatton (Chris)	City of Stirling
Cr A Castle (Alex)	City of Vincent
Cr J Wright (Jordan)	City of Wanneroo
Cr G Mack (Gary)	Town of Cambridge
Cr K Vernon (Karen)	Town of Victoria Park

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
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2	ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE
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3	DECLARATION OF INTERESTS
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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
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5	ANNOUNCEMENT BY THE PRESIDING PERSON
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6	APPLICATION FOR LEAVE OF ABSENCE
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7	PETITIONS/DEPUTATIONS/PRESENTATIONS
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8	CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS
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8.1 ORDINARY COUNCIL MEETING – 14 December 2023

The Minutes of the Ordinary Council Meeting held on 14 December 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 14 December 2023 be confirmed as a true record of the proceedings.

9 CHIEF EXECUTIVE OFFICER REPORTS

9.1	FINANCIAL STATEMENTS FOR THE PERIODS ENDED 31 DECEMBER 2023 AND 31 JANUARY 2024
Reference:	GF-23-000000019
Appendix(s):	Appendix No. 1
Date:	16 February 2024
Responsible Officer:	Executive Manager Corporate Services

SUMMARY

The purpose of this report is to provide Council with a set of financial reports in line with statutory requirements, which provides information on the financial performance of the Mindarie Regional Council (MRC).

BACKGROUND

Financial Management Regulations 34 of the Local Government (Financial Management) Regulations 1996 defines reporting requirements.

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 Position
- Statement of Cashflows
- Statement of Financial Activity
- Statement of Reserves
- Statement of Investing Activity
- Cash and Cash Equivalents and Schedule of Investments
- Tonnage Report

DETAIL

The attached reports provide an overview of the MRC's financial performance for the periods ending 31 December 2023 and 31 January 2024, and have been prepared in accordance with the Local Government Act 1995, the Local Government (Financial Management) Regulations 1996 and the Australian Accounting Standards. The report fairly represent, in all material respects, the results of the MRC's operations for the months being reported.

The Financial Reports for the periods ended 31 December 2023 and 31 January 2024 are contained in Appendix **No. 1**. The Schedule of Investments and Tonnage Report up to 31 January 2024 are also contained within Appendix No.1.

Summary of results for the year to date period ended 31 January 2024

	YTD Budget	YTD Actual	Variance
	t	t	t
Tonnes – Members	106,234	105,231	(1,003)
Tonnes – Others	16,983	14,325	(2,658)
TOTAL TONNES	123,217	119,556	(3,661)
	\$	\$	\$
Revenue – Fees & Charges	19,431,653	18,865,812	(565,841)
Revenue – Other	3,845,703	4,463,642	617,939
TOTAL REVENUE	23,277,356	23,329,454	52,098
Expenses	(19,622,890)	(19,045,600)	577,290
Net profit	3,654,466	4,283,854	(525,192)
Net profit/(loss) on sales of assets	1,000	287,682	286,682
NET SURPLUS	3,655,466	4,571,536	916,070

Variances Year to Date

Mindarie Regional Council financial result for the period ending 31 January 2024 reflects its performance from 1 July 2023 to 31 January 2024. Council's operations have been conducted in line with the adopted budget. As per the MRC's 2023/2024 budget approved at the OCM 13 July 2023 and in line with materiality adopted by the Council, variances below \$50k do not attract comments.

MRC recorded net profit of \$4.6m for the period ended 31 January 2024 against a budgeted profit of \$3.6m resulting in a favourable variance of 25% or \$916k.

This overall positive position was driven by multiple favourable factors being offset mainly by negative variances of \$566k within fees and charges.

REVENUE

Fees and Charges

The revenue from Fees and Charges resulted in an unfavourable variance of \$566k for the period ended 31 January 2024.

A \$169k negative variance primarily due to City of Wanneroo delivering 1,839 tonnages lower than budgeted. This is considered timing variance.

In terms of total tonnage delivery of all member councils, total actual tonnage delivery is aligned closely to budget at 1%, 1,003 tonnes behind budget year to date. Actual tonnage of 105,231 tonnes is slightly higher than the tonnage at the same time last year of 104,468 tonnes.

Casual and Trade revenue continue to show a negative variance of \$248k resulting from 2,658 lower tonnes delivered to date. This is a permanent variance and will be addressed at mid-year budget review.

Gas power generation sales

Revenue from gas power generation sales to date is \$162k lower than budgeted. Income from sale of Renewable Energy Certificates is expected to be received in the following month.

Interest Earnings

Interest earning continues to outperform current budget. Interest earning for the period ended 31 January 2024 closed at \$583k higher than budgeted, which is mainly attributed to raising RBA interest rate. The RBA cash rate has moved from 4.10% to 4.35%. Expected weighted average interest rate of the current investment portfolio is 5%. As term deposits mature, MRC has and will continue to secure improved rates on new term deposits, improving interest returns.

Profit on sale of asset

A positive variance of \$287k, which is a direct result of profit arising from disposal of assets for the period up to 31 January 2024.

EXPENDITURE

Materials and Contracts

Materials and Contracts expenditure shows a positive variance of \$442k compared to the budget. This variance is driven by a combination of several factors. However, lower-than-anticipated costs in DWER landfill levy (\$265k lower) being the major reason. DWER landfill levy is payable to the Department of Water and Environment Regulation and has a direct relationship to tonnage collected. Due to the same reasons mentioned under fees and charges, the tonnage is lower and therefore so is the levy paid. These positive variances were partially offset by unexpected increases (\$54k) in building maintenance expenses being repairs to wind-damaged cladding at the RRF.

Utilities

Utilities recorded a positive variance of \$69k due to the fact that Synergy incorrectly recorded lower consumption and invoiced lower fees. This will be rectified in February 2024.

Depreciation

Depreciation is \$78k lower compared to the budget mainly due to an increase in the depreciation of leased land.

Other expenses

Other expenses are \$98k lower than budgeted reflecting Elected Members expenses timing variance of \$71k.

STATEMENT OF FINANCIAL POSITION

End of January 2024 the MRC's cash position is solid due to collection of fees and charges and positive earnings from the investments. Capital expenditure timing and increases to the RBA rate have improved both the rate of investments and the amount reinvested.

Current Liabilities

Current Liabilities as of 31 January 2024 is \$2.3m lower compared to the previous month. Trade payables (Mainly DWER levy payable) contributed towards this decline.

Capital Expenditure

During the period ended 31 January 2024, the following significant events / activities have taken place with respect to MRC's capital expenditure;

\$3.5m installation of Piggy Back liner project: investigative works awarded and is now proceeding to final design and works approval.

\$3.5m capping and revegetation design project: the tender phase completed in January 2024, and submissions have been evaluated. A report on this matter is included in the February OCM agenda.

Three building projects totalling \$310k are to commence in the first half of 2024.

Reserve Accounts

Increase in the reserve accounts for the period ended 31 January 2024 is \$1.76m. This reflects the proportionate transfers to reserves including interest earned on the investments.

STATUTORY IMPLICATIONS

Section 6.4 of the Local Government Act 1995 and regulation 34(1) of the Local Government (Financial Management) Regulations 1996.

VOTING REQUIREMENT

Simple Majority

RESPONSIBLE OFFICER RECOMMENDATION

That Council:

Receive the Financial Statements set out in Appendix No. 1 for the month ended 31 December 2023 and 31 January 2024.

9.2 LIST OF ACCOUNTS PAID – FOR THE PERIODS ENDED 31 DECEMBER 2023 AND 31 JANUARY 2024	
File No:	GF-23-000019
Appendix(s):	Appendix No. 2 and 3
Date:	16 February 2024
Responsible Officer:	Executive Manager Corporate Services

SUMMARY

The purpose of these reports is to provide details of payments made during the period 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.

DETAILS

In accordance with section 13(1) of the Local Government Financial Management Regulations 1996, Council has delegated to the Chief Executive Officer (CEO) the exercise of its power to make payments from its Municipal and Trust Funds. A list of accounts paid by the CEO is to be prepared each month (Fin Reg 13(2)) and be presented to the next Ordinary Council Meeting following such payments (Fin Reg 13(3)). The lists of accounts paid for the months ended 31 December 2023 and 31 January 2024 are contained in **Appendices 2 and 3**

A new regulation 13A has been added to the Local Government Financial Management Regulations 1996 to increase transparency and accountability in local government through greater oversight of incidental spending. Regulation covers purchasing cards such as Bunnings and Fuel cards issued by local government to their employees. Under the new regulation, a transaction listing is included for the MRC's fuel cards and Bunnings Power Pass cards.

Month Ended	Account	Vouchers	Amount
31 December 2023	General Municipal	Cheques	\$1,537.65
		EFT	\$1,090,363.78
		DP	\$5,593,098.94
		Inter account transfers	-
		Total	\$6,685,000.37
31 January 2024	General Municipal	Cheques	\$1,573.44
		EFT	\$4,179,773.43
		DP	\$539,344.81
		Inter account transfers	-
		Total	\$4,720,691.68

STATUTORY IMPLICATIONS

Regulation 13 of the Local Government (Financial Management) Regulations 1996

FINANCIAL IMPLICATIONS

Nil

VOTING REQUIREMENT

Simple Majority

RESPONSIBLE OFFICER RECOMMENDATION

That Council:

Note the list of accounts paid under delegated authority to the Chief Executive Officer for the months ended 31 December 2023 and 31 January 2024, in accordance with regulation 13(1) of the Local Government (Financial Management) Regulation 1996.

9.3	2023/24 MID YEAR BUDGET REVIEW
File No:	GF-23-0000139
Appendix(s):	Appendix No. 4 and 4a
Date:	20 February 2024
Responsible Officer:	Executive Manager Corporate Services

PURPOSE

To consider the Mindarie Regional Council's financial position as at 31 December 2023 and performance for the period 1 July 2023 to 31 December 2023 in relation to the revised budget and projections estimated for the remainder of the financial year.

BACKGROUND

The budget review has been prepared to include information required by the Local Government Act 1995 and Local Government (Financial Management) Regulations 1996

Financial Management Regulations (FMR) r.33A (1) requires that between 1 January and 31 March in each financial year, a Local Government is to carry out a review of its annual budget for the year.

FMR r.33 (2A) requires the review of an annual budget for a financial year to:
Consider the local government's financial performance in the period beginning on 1 July and ending no earlier than 31 December in that financial year; and
Consider the local government's position as at the date of the review; and
Review the outcomes for the end of the financial year to be part of the review

FMR r.33A (2) and (3) require the results of the budget review to be presented to Council within 30 days of the review being completed. Council is then to consider the review submitted to it and resolve (by absolute majority) to adopt the review or not and any recommendations associated with the review.

FRM r.33A (4) requires that after the Council has dealt with the review a copy of the review and determination (Council minutes) is to be provided to the Department within 14 days.

DETAILS

Council operations have been conducted in line with the Adopted Budget for 2023/24.

The budget review statements that form part of this report have been based on the statements of financial activity on the actual expenditure and variations from the revised budget, at 31 December revised budget reflects the same position as original adopted budget as no budget adjustments have been presented during the six months period.

This report provides information based on the six-month period from 1 July to 31 December 2023.

The budget review reflects a view on the full year financial position of the Mindarie Regional Council and highlights those items that reflect significant predicted variances to budgeted allocations, and the anticipated revised financial projections to 30 June 2024.

The tonnes have marginally changed from the adopted budget tonnage, the projections are summarised in the table below, based on estimates received from member councils. A 6000 tonne reduction to Trade Discount is due to delay in commencement of trade discount contract with an external party.

The Members' gate fee will remain at \$151.00 per tonne for the remainder of the financial year, with also no change to the non-members gate fee.

	Original Budget 2023/2024	Projections Budget 30-Jun-24	Tonnage Variance
City of Perth	12,482	13,540	1,058
City of Stirling	52,808	55,500	2,692
City of Wanneroo	58,000	58,000	-
Town of Cambridge	5,216	5,870	654
City of Vincent	5,500	5,500	-
Town of Victoria Park	8,400	10,620	2,220
City of Joondalup	33,600	33,600	-
Total Members Charges	176,006	182,630	6,624
Casuals	13,000	13,000	-
Trade	3,400	3,400	-
Trade Discount	15,000	9,000	(6,000)
Total Casuals	31,400	25,400	(6,000)
Total Tonnage	207,406	208,030	624

The Statement of Financial Activity reflecting the Adopted Budget, Revised Budget (currently the same as original) Actual Expenditure to 31 December 2023, Projected expenditure to 30 June 2024, variances to the revised budget as well as the projected capital expenditure are enclosed in the appendices to this report.

The materiality threshold for 2023/24 mid-year budget variances is in line with the Council's adopted variances. This report provides comments only on those items that have a projected variance of greater than \$50k. In some instances, although the variance is outside of these parameters due to the significance of the item, comments may still be provided. This report to Council will also address the budget adjustments identified in this review.

OPERATING REVENUE

FEES AND CHARGES

The overall fees and charges revenue is projected to increase slightly by \$269k from \$32.8m to \$33.1m. Projected \$978k increase in member user charges has offset \$709k decrease in casual fees. The decrease in casual fees is within trade discount because of delay in commencement of a trade discount customer contract. Budget adjustment is proposed to recognise variances expected at year end.

INTEREST EARNINGS

Since May 2022, the Reserve Bank has raised the cash rate on nine consecutive occasions, taking it from a record low 0.1 per cent to 4.35 per cent currently. Projection to end of June 2024 now reflects the expected revenue at \$2.69m, up from budgeted \$1.65m. This is a permanent variance and proposed in the budget adjustment list.

OTHER REVENUE

There is a projected \$186k revenue increase from the adopted budget, \$170k attributed for waste audit, 50% expected to occur by 30 June 2024 and 50% in the next financial year budget. MRC will recover these audit costs from member councils. Additionally, there is a projected \$16k in additional revenue from the LGIS insurance rebate.

OPERATING EXPENDITURE

EMPLOYEE COSTS

Projected increase of \$74k is proposed mainly to fund a communications/marketing function required for the MRC in its day to day operations and in support of Corporate Business Plan actions 1.4.2 and 2.2.3.

MATERIAL AND CONTRACTS

This area overall is projected to be \$197k higher than budget, the net increase in the project space is expected at \$130k, largely attributed to 50% waste audits costs to occur by 30 June 2024 (50% in the next year budget). Additionally, projected \$50k in additional expenditure for an IT system review, due to be completed by 30 June 2024.

UTILITIES

Projected increase of \$82k, mainly driven by increase to RRF electricity network charge.

DEPRECIATION & AMORTISATION

Projected increase of \$443k. The revaluation of land, building and infrastructure performed as part of the 2023 year end audit changed the opening balance of MRC's assets, directly affecting depreciation expense against budget adopted for 2023/24. Budget adjustment is proposed to recognise expected variances and position at 30 June 2024. Amortisation \$2.8m projected reduction against revised budget. As part of the 2022/23 audit landfill cell / landfill capping was revalued and consequently amortisation updated.

PROFIT AND LOSS ON SALE

Projected improvement of \$602k. Changing market conditions leading to low stock resulted in higher sale proceeds for a CAT Compactor. The compactor was sold for \$287k profit versus budgeted loss of \$323k.

CAPITAL EXPENDITURE

Projected increase to capital expenditure is \$297k of which \$107k is replacement of end of life IT equipment and increased CCTV installation costs in operational areas. The replacement of two vehicles is proposed a few months earlier than scheduled due to allow an opportunity benefit from current high resale prices, year-end sale discounts and reduced delivery periods. The net cash outflow overall is expected to be approximately \$75,000.

TRANSFER TO/FROM RESERVES (RESTRICTED ASSETS)

Capital Reserve balance at year end was originally set to be \$2.4m. That is, however, insufficient level for what is required by MRC operations in the longer term. Proposal is to add \$3m from budget surplus into the capital reserve, bringing the balance to \$4.8m, to meet future requirements. This forms a part of the budget adjustments with balance to be funded in future years.

FUNDING SURPLUS (DEFICIT)

In considering the variances and projections within the attached budget review, the closing position is estimated to improve projections from \$39.3m to \$41.6m. It is projected that the MRC will move from an adopted budget balance profit of \$1.45m to a projected profit of \$5.46m. \$3m of this is proposed to become restricted, as funds will be utilised to improve capital reserve.

Following completion of the budget review and to consider the impact of estimated projections at 30 June 2024, some items have been identified as requiring a budget amendment. The budget amendments have been included in the officer recommendation.

CONSULTATION

Member Councils in relation to tonnage forecast for the remainder of the 2023/24 financial year.

STATUTORY ENVIRONMENT

This review is required to comply with regulation 33A of Local Government (Financial Management) Regulations 1996. The Budget Review is to be lodged with the Department of Local Government, Sport and Cultural Industries within 14 days of adoption.

Section 6.8(1) (b) of the Local Government Act 1995 sets out a local government is not to incur expenditure for an additional purpose (where no estimate has been included in the annual budget) prior to being authorised in advance by an absolute majority of Council. For compliance with LGA S6.8, a separate resolution to the budget review should be passed for amendments to the budget.

STRATEGIC IMPLICATIONS

The 2023/24 mid-year budget review has been developed having regard for the objectives and actions outlined in the MRC's integrated planning and reporting documents adopted by Council.

FINANCIAL IMPLICATIONS

The significant financial implications have been detailed in the body of this report. Authorisation of expenditure through budget amendments recommended.

VOTING REQUIREMENT

Absolute Majority

RESPONSIBLE OFFICER RECOMMENDATION

That Council:

1. Adopt the 2023/24 mid-year budget review as detailed in Appendix 4.
2. Approve the adjustments to the 2023/2024 MRC Budget as detailed in this report and Appendix 4a, in accordance with section 6.8(1) of the *Local Government Act 1995*.

10	MEMBERS INFORMATION BULLETIN – ISSUE NO. 81
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RESPONSIBLE OFFICER RECOMMENDATION

That the Members Information Bulletin Issue No. 81 be received.

11	MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN
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12	URGENT BUSINESS
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13	QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN
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Nil

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 <i>Local Government Act 1995</i> as the report deals with matters where a contract may be entered into.

14.1	APPROVAL FOR MEMBER COUNCIL WASTE AUDIT
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File No:	GF-23-0000344
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Attachment(s):	Nil
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Date:	20 February 2024
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Responsible Officer:	Chief Executive Officer
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THIS REPORT IS CONFIDENTIAL AND NOT FOR PUBLIC VIEWING

TO BE SENT UNDER SEPARATE COVER TO MRC COUNCILLORS AND MEMBER COUNCILS

This Report is Confidential and dealt with in a Confidential Session, under section 5.23 (2) (c) of the <i>Local Government Act 1995</i> as the report deals with a matter where a contract may be entered into.

14.2	TENDER FOR LANDFILL CAPPING WORKS – TAMALA PARK STAGE 2 WEST
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File No:	GF-23-000416
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Attachment(s):	Attachment 1 – Evaluation Report
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Date:	22 February 2024
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Responsible Officer:	Executive Manager Operations
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TO BE SENT UNDER SEPARATE COVER TO MRC COUNCILLORS AND MEMBER COUNCILS

15	NEXT MEETING
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The next Ordinary Council meeting is to be held on Thursday 28 March 2024 at the City of Wanneroo commencing at 6.30 pm.

16	CLOSURE
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