



MINUTES

ORDINARY COUNCIL MEETING

TIME: 6.30 PM

07 JULY 2022

CITY OF STIRLING

*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



Town of
VICTORIA PARK



CITY OF VINCENT



City of
Wanneroo

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Prior to taking their seats for the meeting each member nominated by the Member Councils, made the required Declaration of Elected Member for the position of Councillor of the Mindarie Regional Council (MRC) in accordance with the Local Government Act 1995 (Schedule 9.3, clause 10) using s702 of the Local Government Act 1960 (repealed).

1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The CEO declared the meeting open at 6.34 pm

2 ELECTION OF CHAIRPERSON

The CEO advised Council that he received the following nominations for the position of Chair:

- Cr Keri Shannon Self nomination
- Cr Karen Vernon Self nomination

In accordance with the *Local Government Act 1995 (schedule 9.3, Clause 10(c))* an election was conducted under *s.709 (2) of the transitional provisions of the Local Government Act 1960 (repealed)*.

The CEO advised Council that a vote would be conducted for the position of Chair.

The votes were counted and the CEO announced that Cr Vernon received the majority of the votes and declared Cr Vernon elected as the Chair, by nine votes to three.

Cr Vernon signed and read out the required Declaration of Office for the position of Chair (Form 7). Cr Vernon then assumed the role of Chair.

3 ELECTION OF DEPUTY CHAIRPERSON

The Chair advised Council that three nominations had been received for the position of Deputy Chair:

- Cr Frank Cvitan Self nomination
- Cr Elizabeth Re Self nomination
- Cr Keith Sargent Self nomination

In accordance with the *Local Government Act 1995 (schedule 9.3, Clause 10(c))* an election was conducted under *s.709 (3) of the transitional provisions of the Local Government Act 1960 (repealed)*.

The Chair advised Council that a vote would be conducted for the position of Deputy Chair.

Crs Cvitan, Re and Sargent made a short speech prior to the voting.

The votes were counted and the Chair announced the results of the votes as follows: Two votes to Cr Cvitan, three votes to Cr Re and seven votes to Cr Sargent.

The Chair announced that Cr Sargent received the majority of the votes and declared Cr Sargent elected as the Deputy Chair.

Cr Sargent signed the required Declaration of Office for the position of Deputy Chair (Form 7).

4 ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE

Councillor Attendance

Cr K Vernon (Chair)	Town of Victoria Park
Cr K Sargent (Deputy Chair)	City of Stirling
Cr A Hill	City of Joondalup
Cr C May	City of Joondalup
Cr L Gobbert, JP	City of Perth
Cr C Hatton	City of Stirling
Cr E Re	City of Stirling
Cr K Sargent	City of Stirling
Cr L Thornton	City of Stirling
Cr A Castle	City of Vincent
Cr F Cvitan, JP	City of Wanneroo
Cr P Miles	City of Wanneroo
Cr K Shannon	Town of Cambridge

MRC Officers

Mr S Cairns (Chief Executive Officer)
Ms A Slater (Director Corporate Services)
Mr B Twine (Manager Operations)
Mr A Griffiths (Manager Projects and Procurement)
Ms S Cherico (Human Resources Officer)
Ms D Toward (Executive Support)

Apologies

Nil

Member Council Observers

Mr N Claassen	City of Joondalup
Mr Paul Giamov	City of Stirling
Mr R Bryant	City of Stirling
Mr A Murphy	City of Vincent
Mr A Kowero	City of Wanneroo
Mr H Singh	City of Wanneroo
Mr K Hincks	Town of Cambridge
Mr S Sciberras	City of Perth

5 DECLARATION OF INTERESTS

Nil

6 PUBLIC QUESTION TIME

Public question time opened and closed at 7.03 pm, there were no members of the public present.

7	ANNOUNCEMENT BY THE PRESIDING PERSON
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The Chair thanked Elected Members for their support and thanked Cr Shannon for nominating.

The Chair congratulated Cr Sargent on being elected to the position of Deputy Chair and thanked Crs Cvitan and Re for nominating.

The Chair also thanked Cr Cvitan for his service to the MRC as Deputy Chair.

The Chair announced the resignation of Ms Andrea Slater from her position of Director Corporate Services. The Chair acknowledged Ms Slater's contribution to the Leadership Team and thanked her for her work over a long period of time with the MRC. On behalf of Council, the Chair wished Ms Slater well for her future endeavours.

8	APPLICATION FOR LEAVE OF ABSENCE
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Nil

9	PETITIONS/DEPUTATIONS/PRESENTATIONS
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Nil

10 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS
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10.1 ORDINARY COUNCIL MEETING – 26 May 2022

The Minutes of the Ordinary Council Meeting held on 26 May 2022 have been printed and circulated to members of the Council.

RESPONSIBLE OFFICER RECOMMENDATION

That the Minutes of the Ordinary Meeting of Council held on 26 May 2022 be confirmed as a true record of the proceedings.

Moved Cr Hatton, seconded Cr Thornton

RESOLVED

That the recommendation be adopted
(CARRIED UNANIMOUSLY 12/0)

11 CHIEF EXECUTIVE OFFICER REPORTS

11.1	FINANCIAL STATEMENTS FOR THE MONTH ENDED 31 MAY 2022
Reference:	GF-21-0000196
Appendix(s):	Appendix No. 1
Date:	15 JUNE 2022
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 Function
- Statement of Financial Activity
- Statement of Reserves
- Statement of Investing Activities
- Tonnage Report

DETAIL

The Financial Statements for the month ended 31 May 2022 are attached at **Appendix No. 1** to this Item. The Tonnage Report for the 11 months to 31 May 2022 is attached at **Appendix No. 2**.

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 31 May 2022

	Actual	Budget	Variance
	t	t	t
Tonnes – Members	176,643	171,424	5,219
Tonnes – Others	30,117	28,639	1,478
TOTAL TONNES	206,760	200,063	6,697
	\$	\$	\$
Revenue – Members	29,713,367	28,469,965	1,243,402
Revenue – Other	10,063,205	8,828,106	1,235,098
TOTAL REVENUE	39,776,572	37,298,071	2,478,500
Expenses	39,383,470	38,073,992	(1,309,478)
Profit on sale of assets	198,568	12,308	186,260
Loss on sale of assets	65,239	-	(65,239)
Impairment of assets	-	-	-
NET SURPLUS/(DEFICIT)	526,431	(763,613)	1,290,044

Members

Members tonnages for the financial period ended 31 May 2022 were 5,219 tonnes in excess of budget.

RRE

The Resource Recovery Facility residue tonnes delivered 15,938 tonnes in total to Tamala Park year to date as they have now completed the empty, clean and make safe (ECMS) of the facility.

Trade & Casuals

The Casual and Trade tonnages are 1,478 tonnes higher than forecast for the financial year to date. 18,185 tonnes delivered through the discounted rate waste tender.

Overall tonnages for the financial period ended 31 May 2022 were 6,697 tonnes more than budgeted.

The net result variance against budget of \$1,290,044 is mainly attributable to increased tonnages above budgeted forecast.

VOTING REQUIREMENT

Simple Majority

RESPONSIBLE OFFICER RECOMMENDATION

That Council:

Receive the Financial Statements set out in Appendix No. 1 for the month ended 31 May 2022.

Moved Cr Sargent, seconded Cr Miles

RESOLVED

That the recommendation be adopted

(CARRIED UNANIMOUSLY 12/0)

11.2	LIST OF PAYMENTS MADE FOR THE MONTH ENDED 31 MAY 2022
File No:	GF-21-0000196
Appendix(s):	Appendix No. 3
Date:	15 June 2022
Responsible Officer:	Director Corporate Services

SUMMARY

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

COMMENT

The lists of payments for the month ended 31 May 2022 is at **Appendix 3** to this Item and presented to Council for noting. Payments have been made in accordance with the delegated authority to the CEO which allows payments to be made between meetings. At the Ordinary Council Meeting held on 16 September 2021, 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 2022	General Municipal	Cheques	\$1,426.02
		EFT	\$972,818.83
		DP	\$2,327,394.75
		Inter account transfers	\$0.00
		Total	\$3,301,639.60

VOTING REQUIREMENT

Simple Majority

RESPONSIBLE OFFICER RECOMMENDATION

That Council:

Note the list of payments made under delegated authority to the Chief Executive Officer, for the month ended 31 May 2022.

Moved Cr Cvitan, seconded Cr Sargent

RESOLVED

That the recommendation be adopted

(CARRIED UNANIMOUSLY 12/0)

11.3	MINDARIE REGIONAL COUNCIL WASTE FACILITY SITE LOCAL LAW 2020 - AMENDMENT
File No:	GF-21-0000035
Appendix(s):	Appendix 4. Proposed Mindarie Regional Council Waste Facility Site Amended Local Law 2022 Appendix 5. Proposed Mindarie Regional Council Waste Facility Site Amended Local Law 2022 (Tracked Changes)
Date:	15 June 2022
Responsible Officer:	Chief Executive Officer

SUMMARY

The purpose of this report is to seek Council's approval to amend the Mindarie Regional Council (MRC) Waste Facility Site Amendment Local Law 2020 to comply with undertakings required by the Joint Standing Committee on Delegation ("the Committee").

BACKGROUND

The existing MRC Waste Facility Site Amendment Local Law 2020 ("the Local Law") was adopted by Council on 16 September 2021. Post a full review of the MRC Waste Facility Site Local Law 2013 under Section 3.16 of the Local Government Act 1995 ("the Act"), which requires a periodic review of the Local Law.

On 18 August 2021, the Committee reviewed the Local Law and responded with undertakings to amend Local Law.

On 16 September 2021, the MRC provided an undertaking to the Committee that it would, with respect to the above local law, within six months:

1. remove clauses 27 and 27A;
2. remove either item 18 or 20 in Schedule 1 or combine them into the same item;
3. not enforce the Local Law contrary to undertaking 1;
4. ensure all consequential amendments arising from the undertaking will be made; and
5. where the Local Law is made publicly available by the Council, whether in hard copy or electronic form, ensure that it is accompanied by a copy of the undertaking.

On 26 May 2022, the Committee wrote to the MRC seeking an update on the status of the amendments, as according to the records of the Department of Local Government, Sport and Cultural Industries Local Laws Register, no amendments had been made to this Local Law.

The MRC Administration subsequently sought clarification from the Committee, on the understanding that the requirements of the undertaking had been complied with in full. The Administration has since been advised that the undertakings listed above required the review process to recommence and for a complete second review to take place. This report relates to the Administration undertaking a completed second review of the Local Law.

DETAIL

The second review process requires that the MRC take the following actions:

- A statewide and local public notice is to be given. This is to include:
 - a summary of the proposed amendments and their effect; and
 - an invitation of submissions regarding the changes to the proposed amended Local Law before the date specified in the notice.
- The MRC's Administration is to prepare a report to the Council outlining any submissions / changes / recommendations and their merit.
- The MRC is then to consider the recommendations in the report and may, by an absolute majority, proceed with the Local Law as proposed, or make minor alterations to the extent that the final document is not significantly different to that which was put to public notice.
- The adopted Local Law is to be published in the Government Gazette, with a copy to be sent to the Minister, and a memorandum to be sent to the Parliament's Joint Standing Committee.
- A final local public notice is to be given after publication in Gazette.

The MRC Administration has now completed an internal review of the Local Law in preparation for the formal review in line with Section 3.16 of the Act. See Attachment 1 - Proposed Mindarie Regional Council Waste Facility Site Amended Local Law 2022.

The purpose of the proposed changes is to amend the local law to comply with the undertakings made to the Committee:

1. remove clauses 27 and 27A;
2. remove either item 18 or 20 in Schedule 1 or combine them into the same item;
3. not enforce the local law contrary to undertaking 1;
4. ensure all consequential amendments arising from the undertaking will be made; and
5. where the local law is made publicly available by the Council, whether in hard copy or electronic form, ensure that it is accompanied by a copy of the undertaking.

The effect of the amendment is to assist the MRC administration to enforce the Local Law. No formal penalty, financial or otherwise, is applicable in relation to the requirement to conduct a second review of this process.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

The process for advertising the Local law is covered in s1.7 and s1.8 of the *Local Government Act 1995*, which reads as follows:

"1.7. Local public notice

(1) Where under this Act local public notice of a matter is required to be given, a notice of the matter is to be —

- (a) published in a newspaper circulating generally throughout the district; and*
- (b) exhibited to the public on a notice board at the local government's offices; and*
- (c) exhibited to the public on a notice board at every local government library in the district.*

(2) Unless expressly stated otherwise it is sufficient if the notice is —

- (a) published under subsection (1)(a) on at least one occasion; and*

(b) exhibited under subsection (1)(b) and (c) for a reasonable time, being not less than

-
- (i) the time prescribed for the purposes of this paragraph; or
- (ii) if no time is prescribed, 7 days.

1.8. Statewide public notice

Where under this Act Statewide public notice of a matter is required to be given, section 1.7 applies except that the newspaper referred to in section 1.7(1)(a) is required to circulate generally throughout the State.”

The process for amending the text of a Local Law is covered in s3.12 of the *Local Government Act 1995*, which reads as follows:

“3.12 Procedure for making local laws

- (1) In making a local law a local government is to follow the procedure described in this section, in the sequence in which it is described.
- (2A) Despite subsection (1), a failure to follow the procedure described in this section does not invalidate a local law if there has been substantial compliance with the procedure.
- (2) At a council meeting the person presiding is to give notice to the meeting of the purpose and effect of the proposed local law in the prescribed manner.
- (3) The local government is to —
 - (a) give local public notice stating that —
 - (i) the local government proposes to make a local law the purpose and effect of which is summarized in the notice; and
 - (ii) a copy of the proposed local law may be inspected or obtained at any place specified in the notice; and
 - (iii) submissions about the proposed local law may be made to the local government before a day to be specified in the notice, being a day that is not less than 6 weeks after the notice is given;
 - and
 - (b) as soon as the notice is given, give a copy of the proposed local law and a copy of the notice to the Minister and, if another Minister administers the Act under which the local law is proposed to be made, to that other Minister; and
 - (c) provide a copy of the proposed local law, in accordance with the notice, to any person requesting it.
- (4) After the last day for submissions, the local government is to consider any submissions made and may make the local law* as proposed or make a local law* that is not significantly different from what was proposed.

* Absolute majority required.

- (5) After making the local law, the local government is to publish it in the Gazette and give a copy of it to the Minister and, if another Minister administers the Act under which the local law is proposed to be made, to that other Minister.

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- (6) *After the local law has been published in the Gazette the local government is to give local public notice —*
- (a) stating the title of the local law; and*
 - (b) summarizing the purpose and effect of the local law (specifying the day on which it comes into operation); and*
 - (c) advising that the local law is published on the local government's official website and that copies of the local law may be inspected at or obtained from the local government's office.*

- (7) *The Minister may give directions to local governments requiring them to provide to the Parliament copies of local laws they have made and any explanatory or other material relating to them.*

- (8) *In this section —*
- making in relation to a local law, includes making a local law to amend the text of, or repeal, a local law.*

3.13. *Procedure where significant change in proposal*

If during the procedure for making a proposed local law the local government decides to make a local law that would be significantly different from what it first proposed, the local government is to recommence the procedure.

3.14. *Commencement of local laws*

- (1) Unless it is made under section 3.17, a local law comes into operation on the 14th day after the day on which it is published in the Gazette or on such later day as may be specified in the local law.*
- (2) A local law made under section 3.17 comes into operation on the day on which it is published in the Gazette or on such later day as may be specified in the local law.*

[Section 3.14 amended: No. 1 of 1998 s. 9.]

3.15. *Local laws to be publicised*

A local government is to take reasonable steps to ensure that the inhabitants of the district are informed of the purpose and effect of all of its local laws.

3.16. *Periodic review of local laws*

- (1) Within a period of 8 years from the day when a local law commenced or a report of a review of the local law was accepted under this section, as the case requires, a local government is to carry out a review of the local law to determine whether or not it considers that it should be repealed or amended.*
 - (2) The local government is to give local public notice stating that —*
 - (a) the local government proposes to review the local law; and*
 - (b) a copy of the local law may be inspected or obtained at any place specified in the notice; and*
 - (c) submissions about the local law may be made to the local government before a day to be specified in the notice, being a day that is not less than 6 weeks after the notice is given.*
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-
- (3) *After the last day for submissions, the local government is to consider any submissions made and cause a report of the review to be prepared and submitted to its council.*
 - (4) *When its council has considered the report, the local government may determine* whether or not it considers that the local law should be repealed or amended.*

** Absolute majority required."*

STRATEGIC/COMMUNITY AND CORPORATE/BUSINESS PLAN IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Advertising cost of \$2000 for the statewide and local public notices.

COMMENT

Nil

VOTING REQUIREMENT

Simply majority

RESPONSIBLE OFFICER RECOMMENDATION

That Council:

1. Approves the proposed amendment to the Mindarie Regional Council Waste Facility Site Amended Local Law 2022 as detailed in Appendix 4 for the purposes of public advertising, under section 3.16 of the Local Government Act 1995; and
2. Notes that the MRC is to invite submissions to the amended Mindarie Regional Council Waste Facility Site Amended Local Law 2022 by way of a statewide public notice; and
3. Notes that a copy of the proposed amendment to the Mindarie Regional Council Waste Facility Site Amended Local Law 2022 will be sent to the Minister for Local Government under section 3.12 of the Act and the Minister for Environment administering the Waste Avoidance and Resource Recovery Act 2007; and
4. Notes that the matter will be referred back to the Council after the last day for submissions in relation to the proposed amendment to the Mindarie Regional Council Waste Facility Site Amended Local Law 2022.

Moved Cr Miles, seconded Cr Shannon

RESOLVED

That the recommendation be adopted

(CARRIED UNANIMOUSLY 12/0)

11.4	BUDGET APPROVAL - FINANCIAL YEAR 2022/23
File No:	GF-21-0000169
Appendix(s):	Appendix No. 6
Date:	24 June 2022
Responsible Officer:	Director Corporate Services

SUMMARY

The purpose of this item is to present the Budget for 2022/23 to the Council for approval and adoption.

BACKGROUND

The 2022/23 budget process commenced in May 2022 and included one workshop held with Councillors and Officers on 26 May 2022 after the Ordinary Council meeting held at the City of Stirling on the same day, a further briefing note was distributed on 9 June 2022 to Member Councillors, Member Council CEOs and Strategic Working Group members.

The underlying operating budget has been developed from a 'zero base' in discussion with the managers across the business and has been reviewed in detail to ensure that the Mindarie Regional Council (MRC) continues to deliver its current service offering in an efficient, cost effective manner and in line with the Waste Strategy 2030 and the MRC's Waste Plan.

Some of the key points with regard to the 2022/23 budget include:

- Governance and Administration costs to be apportioned using equity share, and invoiced outside of the gate fee formula.
 - Member councils' gate fee to be set at \$145 per tonne excl. GST.
 - Non-members' gate fee to be set at \$215.00 per tonne excl. GST.
 - A decrease in expected tonnes from 215,318 to 206,355 tonnes (8,783 tonnes) based on information provided by the member councils.
 - No increase to the waste levy remaining at \$70 per tonne landfilled.
 - Operating expenditure decrease of \$7.5m to \$37.0m from mid-year budget 21/22.
-

DETAIL
Budget 2022/23

The Budget for 2022/23 has been set to achieve a deficit of \$840,246.
Significant changes in year-on-year operating costs are outlined in more detail below:

Employee costs

Employee costs have increased by \$400k from adopted budget 21/22 mainly because of the pay increase awarded in November 2021 being higher than the budgeted Enterprise Agreement as CPI was higher. The MRC has commenced enterprise negotiations for the next period (normally three year agreements). Also included is two short term contracts for administration support staff 1 x project officer and 1 x technical officer.

Plant and equipment operating/hire

Plant and equipment operating hire expenses has increased by \$335k mainly due to the anticipated increase in fuel costs.

RRF costs

The RRF costs have decreased by \$30.6m due to the exit of the Resource Recovery Facility Agreement.

Depreciation

Depreciation has increased by \$3.1m due to the Resource Recovery Facility (RRF) now being an asset owned by Mindarie Regional Council abated by valuations of other assets abated by a reduction of both the service concession and right of use charges.

DWER Waste Levy

The Department of Water and Environmental Regulation (DWER) waste levy expense has increased by \$4.4m which primarily reflects the increase in tonnes being landfilled for the year as tonnages no longer go to the RRF.

Amortisation for cell development

Amortisation for cell development has increased by \$1m due to more tonnages being received into the landfill for the year.

Tonnages

Approximately 174,955 tonnes (Adopted Budget 2020/21: 165,845 tonnes) of waste are expected to be delivered to the MRC by Member Councils during the course of the year.

Non-members are expected to deliver 31,500 tonnes (Adopted Budget 2020/21: 14,500 tonnes) to Tamala Park.

Capital Expenditure

The following capital expenditures have been included in the Budget for 2022/23:

New capital expenditures

	\$	\$
<u>Land and Building</u>		
Weighbridge modifications (height)	150,000	150,000
<u>Computer Equipment</u>		
Server replacements (TP)	45,000	45,000
<u>Operations Infrastructure</u>		
Telemetry Stage 2	21,262	
Environmental drilling	36,000	
Leachate pumps	20,000	
		77,262
<u>Landfill Infrastructure</u>		
Installation piggy back liner	3,492,000	
Capping and revegetation of western batter	3,495,000	
		6,987,000
Total New Capital Expenditure 2022/2023		7,259,262
<u>Bought Forward Capital expenditure</u>		
Compressor Upgrade	80,800	
		80,800
Total Capital Expenditure 2022/2023		7,340,062

Reserves

The revised Cash Backed Reserves with the projected balances at 30 June 2023 are expected to be as follows:

Site rehabilitation Reserve

Estimated balance at 30 June 2023: \$9,851,240

Purpose: *To be used to fund post closure site rehabilitation costs associated with the Tamala Park landfill site.*

A transfer of \$596,079 to this reserve is anticipated during the course of the 2022/23 financial year with an anticipated drawdown on the reserve of \$6,987,000 to cater for the piggy back liner and capping works.

This will result in a funded reserve of approximately \$9.8m to cover an estimated post closure liability of approximately \$15m. Any unfunded portion of the post closure liabilities will need to be funded over the remaining life of the landfill. The shortfall in funding may also be addressed as discretionary capital expenditure for the landfill is reconsidered.

Reserve for Capital Expenditure

Estimated balance at 30 June 2023: \$700,612

Purpose: *To be used to fund the ongoing capital expenditure requirements.*

A transfer of \$353,062 to this reserve is anticipated during the course of the year with any drawdowns to fund capital expenditures.

Carbon Abatement Reserve

Estimated balance at 30 June 2022: \$491,076

Purpose: *To be used to fund carbon abatement projects.*

MRC plan to investigate future projects within year.

Funding Plan

- Operational expenditures will be funded from the proceeds of the Members' and Non-members' gate fees.
- Capital Expenditure will be funded from the Capital Expenditure Reserve.

SUMMARY OF APPENDICES

Attachment to this Item is as follows:

- Appendix No. 6 – Statutory Budget and Supplementary Information
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CONSULTATION

One workshop for Councillors and Officers was conducted on 28 May 2022 to discuss the 2022/23 Budget with a follow up briefing document distributed on 9 June 2022. Feedback from the original workshop has been taken into account in compiling this final draft of the budget.

STATUTORY ENVIRONMENT

Budget approval is required by end of August 2022 in accordance with section 6.2 of the Local Government Act 1995 (as amended).

Modifications of existing reserves and creation of new reserves is done in compliance with section 6.11 of the Local Government Act 1995 (as amended).

POLICY IMPLICATIONS

The 2022/23 budget process is consistent with existing MRC policy and associated legislation.

FINANCIAL IMPLICATIONS

The Members' gate fee will be set at \$145 per tonne (excluding GST) for the 2022/23 financial year.

The Non-members' gate fee will be set at \$215 per tonne (excluding GST) for the 2022/23 financial year.

An estimated deficit of \$840k is budgeted for the 2022/23 financial year.

Capital expenditure of \$7,340,062 is budgeted for the 2022/23 financial year.

STRATEGIC IMPLICATIONS

The Budget for 2022/23 has been derived from the MRC's Strategic Community Plan, the Corporate Business Plan, the Asset Management Plan, the Workforce Plan and the 20-year Financial Plan and is consistent with these documents, in compliance with section 6.2(2) of the Local Government Act 1995 (as amended). The budget also takes into account the MRC's Waste Plan.

In developing the 2022/23 budget, the funding required for the activities outlined in the Corporate Business Plan have been taken into account.

VOTING REQUIREMENT

Absolute Majority

RESPONSIBLE OFFICER RECOMMENDATION

That Council:

- (i) adopt the Budget for the Mindarie Regional Council for 2022/23 financial year.
- (ii) endorse the on-going strategy of deferred payment of operational surpluses, as approved by Council at its August 2005 meeting, for the 2005/06 financial year and future years to meet its on-going capital requirements.

- (iii) Approve the Capital Budget Program of \$7,340,062 for 2022/23 as follows:

New capital expenditures

	\$
• Buildings	150,000
• Office furniture and equipment	-
• Computer equipment	45,000
• Plant and equipment and vehicles	-
• Infrastructure	<u>7,145,062</u>

Total Capital expenditure 7,340,062

- (v) approve that \$596,079 will be transferred from the Operating Surplus to the Site Rehabilitation Reserve.
- (vi) Approve that \$6,987,000 will be transferred from the Site Rehabilitation Reserve for Landfill Infrastructure Capital works.
- (vii) approve that \$353,062 be transferred from the Reserve for Capital Expenditure to Operating Surplus to fund capital expenditures.
- (viii) approve that any funds required for carbon abatement projects be transferred from the Carbon Abatement Reserve to the Operating Surplus.
- (ix) approve that all interest earned on cash funds associated with cash-backed reserves will not be credited to the respective reserves.

(Absolute Majority Required)

Moved Cr Vernon, seconded Cr May

RESOLVED

That the recommendation be adopted

(CARRIED UNANIMOUSLY 12/0)

12 MEMBERS INFORMATION BULLETIN – ISSUE NO. 69

RESPONSIBLE OFFICER RECOMMENDATION

That the Members Information Bulletin Issue No. 69 be received.

Moved Cr May, seconded Cr Hatton

RESOLVED

That the Members Information Bulletin No 69 be received.

(CARRIED UNANIMOUSLY 12/0)

13 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

None

14 URGENT BUSINESS

None

15 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

None

Moved Cr Vernon, seconded Cr Cvitan

Procedural motion

That Council:

1. Closes the meeting to the members of the public at 7.39 pm to consider items 16.1, 16.2, and 16.3 in accordance with Section 5.23(2)(c) of the *Local Government Act 1995*.
 2. Permits the MRC Chief Executive Officer, MRC staff, Member Council Officers to remain in the chamber during discussion for items 16.1, 16.2 and 16.3.
- (CARRIED UNANIMOUSLY 12/0)

Doors closed at 7.39pm

There were no members of the public present in the gallery.
MRC Officers and Member Council remained observing the meeting.

The CEO has not released the reports for items 16.1, 16.2 and 16.3 for public viewing.

16 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 a matter where a contract may be entered into.	
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16.1	TENDER TO AUCTION LANDFILL CAPACITY FINANCIAL YEAR 2022-2023
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File No:	GF-22-0000239
Appendix(s):	Nil
Date:	15 June 2022
Responsible Officer:	Operations Manager

That Council:

1. Award the tender for the auction of landfill capacity financial year 2022/23 (Tender Number: 13/154) to Cleanaway Pty Ltd, Kelair Holdings Pty Ltd and West Tip, and
2. Authorises the CEO to inform the unsuccessful tenderers of the decision.

Moved Cr Vernon, seconded Cr May

PROPOSED AMENDMENT

Moved Cr Miles, seconded Cr Cvitan

At point 1, remove the words Kelair Holdings Pty Ltd and West Tip, and
so that point 1 now reads:

1. Award the tender for the auction of landfill capacity financial year 2022/23 (Tender Number: 13/154) to Cleanaway Pty Ltd.

Reason for Amendment:

The MRC has to make some significant strategic decisions this year, therefore I do not wish to limit MRC's options. I support the award of the tender to Cleanaway, however, I wish to have the option to revisit this tender process later in the year.

The amendment was put.

LOST 4/8

For: Crs Cvitan, Hill, May, Miles

Against: Crs Castle, Gobbert, Hatton, Re, Sargent, Shannon, Thornton, Vernon

Substantive Motion

That Council:

1. Award the tender for the auction of landfill capacity financial year 2022/23 (Tender Number: 13/154) to Cleanaway Pty Ltd, Kelair Holdings Pty Ltd and West Tip, and

2. Authorises the CEO to inform the unsuccessful tenderers of the decision.

RESOLVED

That the recommendation be adopted

For: Crs Castle, Gobbert, Hatton, Re, Sargent, Shannon, Thornton, Vernon

Against: Crs Cvitan, Hill, May, Miles

(CARRIED 8/4)

Note: Also see minutes of Ordinary Council
Meeting dated 29 September 2022.



Scott Cairns
Chief Executive Officer

This report is Confidential and dealt with in a confidential session, under Section 5.23 (2) (c) of the *Local Government Act 1995* as the report deals with a matter where a contract may be entered into.

**16.2 TENDER FOR ONSITE CRUSHING AND SCREENING OF
TAMALA PARK QUARRY LIMESTONE**

File No:	GF-22-000294
Appendix(s):	Nil
Date:	22 June 2022
Responsible Officer:	Operations Manager

That Council:

1. Award the tender for the crushing and screening of Tamala Park quarry limestone (Tender Number: 13/157) to WA Limestone Contracting Pty Ltd.

Moved Cr Shannon, seconded Cr May
RESOLVED

That the recommendation be adopted
(CARRIED UNANIMOUSLY 12/0)

This report is Confidential and dealt with in a confidential session, under Section 5.23 (2) (c) of the *Local Government Act 1995* as the report deals with a matter where a contract may be entered into.

16.3 GREEN DEAL ALLIANCE PROGRESS UPDATE	
File No:	GF-22-0000407
Attachment (s)	Companion Document and Product Specifications - Food and Garden Organics (FOGO) Derived Soil Conditioner, Mulch and Topsoil
Date:	16 June 2022
Responsible Officer:	Chief Executive Officer

That Council:

1. Note the Green Deal Alliance progress report.

Moved Cr Vernon, seconded Cr Re

RESOLVED

That the recommendation be adopted

(CARRIED UNANIMOUSLY 12/0)

Moved Cr Vernon, seconded Cr Cvitan

Procedural Motion:

That Council:

- Reopens the meeting to member of the public at 8.27 pm

To re-open the meeting to the public

(CARRIED UNANIMOUSLY 12/0)

Doors re-opened at 8.27 pm, the Chair declared the meeting re-opened.

As there were no members of the public present, the Chair noted the resolutions passed behind closed doors.

17 NEXT MEETING

The next Ordinary Council meeting will be held on Thursday 25 August 2022 at the Town of Cambridge commencing at 6.30 pm.

Prior to closing the meeting, the Chair congratulated Mr Andrew Murphy on his new role as Director Infrastructure at the City of Stirling.

18 CLOSURE

The Chair closed the meeting at 8.28 pm and thanked the City of Stirling for their hospitality and use of their meeting facilities.

Signed.....Chair

Dated25TH.....day ofAUGUST.....2022