



# AGENDA

**SPECIAL COUNCIL MEETING**

**TIME: 6.30 PM**

**22 JUNE 2023**

**CITY OF JOONDALUP**

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



CITY OF VINCENT

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**MINDARIE REGIONAL COUNCIL  
NOTICE OF MEETING**

20 June 2023

Councillors of the Mindarie Regional Council are advised that a Special Meeting of the Council will be held at the City of Joondalup at 6.30 pm on 22 June 2023.

The agenda pertaining to the meeting follows.

Your attendance is respectfully requested.



**SCOTT CAIRNS  
CHIEF EXECUTIVE OFFICER**

**MINDARIE REGIONAL COUNCIL - MEMBERSHIP**

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

NB: Although some Councils have nominated alternate members, it is a requirement that a Council carries a specific resolution for each occasion that the alternate member is to act.

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**1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS**

**2 ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE**

**3 DECLARATION OF INTERESTS**

Declaration of Financial/Conflict of Interest to be recorded prior to dealing with each item.

*Disclosure of Financial and Proximity Interests*

- (a) *Members must disclose the nature of their interest in matters to be discussed at the meeting. (Section 5.65 of the Local Government Act 1995).*
- (b) *Employees must disclose the nature of their interest in reports or advice when giving the report or advice to the meeting. (Sections 5.70 and 5.71 of the Local Government Act 1995).*

*Disclosure of Interest Affecting Impartiality*

- (a) *Members and staff must disclose their interest in matters to be discussed at the meeting in respect of which the member or employee has given or will give advice.*

**4 PUBLIC QUESTION TIME**

**5 ANNOUNCEMENT BY THE PRESIDING PERSON**

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<b>6</b>	<b>CHIEF EXECUTIVE OFFICER REPORTS</b>
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<b>6.1</b>	<b>REVIEW OF THE MRC'S CORPORATE BUSINESS PLAN</b>
<b>File No:</b>	<b>GF-23-0000202</b>
<b>Appendix(s):</b>	<b>Appendix 4 – Draft Corporate Business Plan Appendix 5 – Draft Long Term Financial Plan Appendix 6 – Draft Asset Management Plan Appendix 7 – Draft Workforce Plan</b>
<b>Date:</b>	<b>20 JUNE 2023</b>
<b>Responsible Officer:</b>	<b>Chief Executive Officer</b>

*At the Ordinary Council Meeting held on 01 June 2023, the officer recommendation for this item was Moved and Seconded, however before debate commenced a procedural motion was passed deferring (adjourning) debate for the purpose of the CEO taking the item to the Strategic Working Group. The item was reviewed by the Strategic Working Group at its meeting on 07 June 2023 and the item is now re-presented to enable Council to resume debate. Additional information has been inserted into the original report as presented to the 01 June 2023 Ordinary Council Meeting and is shown in a box in the 'Officer Comments' section of the report:*

*This report presented to Council at the Ordinary Council meeting on 01 June 2023 reads as follows:*

**SUMMARY**

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

**BACKGROUND**

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

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

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

**DETAIL**

The Integrated Planning and Reporting Framework is the overarching framework which encompasses the Strategic Community Plan, Corporate Business Plan, Long Term Financial

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Plan and the Workforce Plan. These are a set of strategic and operational documents that all Local Governments in Western Australia are required to follow.

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

### **INFORMING PLANS:**

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

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

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

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

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

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

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

### **STRATEGIC IMPLICATIONS**

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

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

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

### **FINANCIAL IMPLICATIONS**

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

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## COMMENT

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

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

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

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

## LEGAL COMPLIANCE

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

Extract of *LG (Admin) Regulations 1996* extracts from legislation as it relates to this report.  
*19DA. Corporate business plans, requirements for (Act s. 5.56)*

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

### **VOTING REQUIREMENT**

Simple Majority / Absolute Majority

### **RESPONSIBLE OFFICER RECOMMENDATION**

**That the Council:**

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

**(By Absolute Majority)**

- 2. Endorse the following supporting plans:  
Long Term Financial Plan 2023-2032;  
Asset Management Plan 2023-2032; and  
Workforce Plan 2023-2027  
as contained in Appendices 5, 6 and 7.**
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**OFFICER COMMENTS:**

Subsequent to the Strategic Working Group's review, the CEO has made the following amendments:

**Appendix 4, the Corporate Business Plan, as follows:**

2.1.1 first draft:

- Research and identify alternative waste processing opportunities within the district

2.1.1 changed to:

- Research and identify alternative waste processing opportunities within the district including FOGO services at the Neerabup facility

3.1.1 first draft:

- Review of MRC Services and desired outcomes
- Review of previous Draft Establishment Agreement
- Develop New Establishment Agreement for Council endorsement

3.1.1 changed to:

- Review of MRC's future and services (addition of planned action includes 23/24)
- Assessment of stakeholder arrangements

3.3.1 Addition of Planned Action to include 23/24 in respect of Develop New Establishment Agreement for Council Endorsement

**Appendix 6, the Asset Management Plan, as follows:**

Page 8, last paragraph, first draft:

New Acquisitions

It is anticipated that the current Tamala Park landfill site will reach capacity in 2028. There is no intention to develop a new landfill site, except the addition of the new piggyback liner system Stage 1 of the landfill sequence.

Changed to:

"It is anticipated that the current Tamala Park landfill site will reach capacity in 2028. There is no intention to develop a new landfill site."

Page 9, after the last sentence under Asset Maintenance, additional sentence added:

"All of the above is outlined in and governed by the MRC Waste Management Master Plan, Post Closure Management Plan and the critical Infrastructure Site Plan."

Summary:

Through the actions proposed in the draft CBP, the MRC seeks to deliver upon the three Objectives set by Council through the newly adopted SCP, over the four year term of the Plan.

In the first year, many of the proposed actions are focussed to ensure that the MRC operates its current services more efficiently, by identifying opportunities for improvement in systems and processes on site at Tamala Park.

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Another focus is to ensure that the future closure of the landfill is undertaken in a manner which is both compliant with environmental requirements and in alignment with the wishes of the landowners; the identification of which is a key action in the Plan.

Many of the other actions proposed seek to identify the best possible waste management infrastructure opportunities for member councils for them to comply with their responsibilities through the WARR Strategy. The MRC proposes that once these are identified, that member councils will then be able to choose whether they wish for this to be progressed, in whichever manner they prefer, or otherwise. This will be a future decision for all member councils.

The combined tonnage, and therefore buying power, of all seven member councils provides an opportunity that may entice potential future industry partners to offer the most appropriate waste management, resource recovery and recycling options for member councils within this region. As has been discussed previously, the WA waste management industry has historically provided options that suit its existing business model, which has meant a concentration of infrastructure in the southern part of the metropolitan area. There is no indication that any new northern infrastructure will be developed anytime soon by the current industry to combat this, which means that member councils will be required to continue to transport the waste materials of approximately 750,000 residents (and growing) to distant facilities.

As a team of waste management experts, the MRC is ideally placed to (i) work for member councils by finding out things that they ordinarily wouldn't know, as they simply don't have the same contacts or network in essentially what is a commercial industry, and (ii) identify opportunities through that network of resource recovery contacts. As is proposed in the SCP, whilst the MRC continues to deliver its services at Tamala Park, then it seems logical for member councils to leverage upon the MRC's skills, experience and knowledge for their benefit. The actions proposed seek to reflect these facts and in no way set a future for the MRC or member councils without their future agreement. It is important to note that, through the terms of the MRC's constitution, the MRC has no call on member councils' materials that are "*retained by member councils for the purposes of recycling*". In the end, member councils will choose what they want.

#### **DEFERRED (ADJOURNED) MOTION:**

At the Ordinary Council meeting held on 01 June 2023 this motion was Moved and Seconded, however before debate on this motion commenced, a procedural motion was passed deferring (adjourning) debate on the motion subject to the CEO taking the item to the Strategic Working Group. The Report and Plans were discussed at a meeting with the Strategic Working Group on 07 June 2023, the changes highlighted (in green) in the Officers comments above were provided to the MRC during the meeting. The City of Wanneroo provided additional feedback on 19 June 2023, no further changes to the Corporate Business Plan were considered necessary as a result of the feedback, and in consultation with the City of Wanneroo, the summary section provides further clarification of the MRCs position.

The Mover and Seconder as recorded at the Ordinary Council Meeting on 01 June 2023, are provided below and debate on the adjourned motion will recommence with the Chair offering the Mover their right to speak to the motion:

**Moved Cr Vernon, seconded Cr Shannon**  
**That the Council:**

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

**(By Absolute Majority)**

- 2. Endorse the following supporting plans:  
Long Term Financial Plan 2023-2032;  
Asset Management Plan 2023-2032; and  
Workforce Plan 2023-2027  
as contained in Appendices 5, 6 and 7.**
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<b>6.2</b>	<b>MRC WASTE PLAN</b>
<b>File No:</b>	<b>GF-22-0000400</b>
<b>Appendix(s):</b>	<b>Appendix 8: MRC Waste Plan 2023</b>
<b>Date:</b>	<b>20 June 2023</b>
<b>Responsible Officer:</b>	<b>Manager Projects and Procurement</b>

*At the Ordinary Council Meeting held on 01 June 2023, the officer recommendation for this item was Moved and Seconded, however before debate commenced a procedural motion was passed deferring (adjourning) debate for the purpose of the CEO discussing the item with the Strategic Working Group. The item was reviewed by the Strategic Working Group at its meeting on 07 June 2023 and the item is now re-presented to enable Council to resume debate. Additional information has been inserted into the original report as presented to the 01 June 2023 Ordinary Council Meeting and is shown in a box in the 'Officer Comments' section of the report:*

*This report presented to Council at the Ordinary Council meeting on 01 June 2023 reads as follows:*

#### **SUMMARY**

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

#### **BACKGROUND**

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

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

#### **DETAIL**

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

#### *Waste Strategy and waste plans*

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

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

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The purpose of the waste plans is to:

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

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

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

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

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

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

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

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

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

### **CONSULTATION**

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

### **STATUTORY ENVIRONMENT**

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

### **POLICY IMPLICATIONS**

Nil

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### **FINANCIAL IMPLICATIONS**

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

### **VOTING REQUIREMENT**

Simple majority

### **RESPONSIBLE OFFICER RECOMMENDATION**

**That the Council:**

- 1. Endorses and adopts the MRC's Waste Plan and authorises the CEO to submit the Waste Plan to the DWER for assessment.**

### **OFFICER COMMENTS:**

Subsequent to the Strategic Working Group's review, the CEO has amended Appendix 8, the Waste Plan, as follows:

TAB P1 – 6.2 - Additional Comments: "The MRC strategic documents..." changed to "MRC Strategic Community Plan has recently been endorsed".

TAB P1 – 6.4 & 6.5 – Table 15. Cell F43:

"Objective 2.1.1 outlines the MRC's plan to conduct a waste audit in 2024/25 to assess residual, FOGO, and commingled waste."

changed to

"MRC plans to review available 3 bin waste material composition data from member councils and other waste producers which will be consolidated with future waste audits in 2024/25 to assess residual, FOGO, and commingled waste."

### **DEFERRED (ADJOURNED) MOTION:**

At the Ordinary Council meeting held on 01 June 2023 this motion was Moved and Seconded, however before debate on this motion commenced, a procedural motion was passed deferring (adjourning) debate on the motion subject to the CEO taking the item to the Strategic Working Group. The Report and Waste Plan was discussed at a meeting with the Strategic Working Group on 07 June 2023, the changes highlighted in the Officers comments above were provided to the MRC during the meeting. No other feedback has been received.

The Mover and Seconder as recorded at the Ordinary Council Meeting on 01 June 2023, are provided below and debate on the adjourned motion will recommence with the Chair offering the Mover their right to speak to the motion:

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**Moved Cr Vernon, seconded Cr Shannon**

**MOTION**

**That the Council:**

**Endorses and adopts the MRC's Waste Plan and authorises the CEO to submit the Waste Plan to the DWER for assessment.**

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

Nil

**15 NEXT MEETING**

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

**16 CLOSURE**

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