



MINUTES

ORDINARY COUNCIL MEETING

TIME: 8.30 PM

27 MAY 2021

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
1800 634 634



Town of
VICTORIA PARK



CITY OF VINCENT



City of
Wanneroo

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1	DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS
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The Chair declared the meeting open at 8.31 pm.

2	ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE
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Councillor Attendance

Cr D Boothman, JP (Chair)	City of Stirling
Cr K Vernon (Deputy Chair)	Town of Victoria Park
Cr A Jacob, JP	City of Joondalup
Cr R Gordon	City of Perth
Cr J Ferrante	City of Stirling
Cr S Proud, JP	City of Stirling
Cr K Sargent	City of Stirling
Cr F Cvitan, JP	City of Wanneroo
Cr D Newton, JP	City of Wanneroo
Cr K Shannon	Town of Cambridge

Apologies

Cr R Fishwick, JP	City of Joondalup
Cr E Cole	City of Vincent

Leave of Absence

Nil

Absent

Nil

MRC Officers

Mr G Hoppe (Chief Executive Officer)
Ms A Slater (Director Corporate Services)
Ms S Cherico (Manager Human Resources)
Ms D Toward (Executive Support)

Member Council Observers

Cr A Castle (City of Vincent)
Mr N Claassen (City of Joondalup)
Mr A Murphy (City of Vincent)
Mr M Littleton (City of Stirling)
Mr H Singh (City of Wanneroo)
Mr J Wong (Town of Victoria Park)

MRC Observers

Mr B Twine

Visitors

Ms Sylvana Caranna, Lo-go Appointments

3	DECLARATION OF INTERESTS
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Interest Type	Impartiality Interest
Name and Position of Person	Cr David Boothman - MRC Chair
Report No and Topic	14.4 CEO Recruitment
Name of Interest	One candidate known to Cr Boothman

Interest Type	Impartiality Interest
Name and Position of Person	Cr Dot Newton – MRC Councillor
Report No and Topic	14.4 CEO Recruitment
Name of Interest	One candidate known to Cr Newton

Interest Type	Impartiality Interest
Name and Position of Person	Cr Frank Cvitan – MRC Councillor
Report No and Topic	14.4 CEO Recruitment
Name of Interest	One candidate known to Cr Cvitan

Interest Type	Impartiality Interest
Name and Position of Person	Cr Albert Jacob – MRC Councillor
Report No and Topic	14.4 CEO Recruitment
Name of Interest	Two candidates known to Cr Jacob

Interest Type	Impartiality Interest
Name and Position of Person	Cr Joe Ferrante – MRC Councillor
Report No and Topic	14.4 CEO Recruitment
Name of Interest	One candidate known to Cr Ferrante

Interest Type	Impartiality Interest
Name and Position of Person	Cr Stephanie Proud – MRC Councillor
Report No and Topic	14.4 CEO Recruitment
Name of Interest	Three candidates known to Cr Proud

Interest Type	Impartiality Interest
Name and Position of Person	Cr Keith Sargent – MRC Councillor
Report No and Topic	14.4 CEO Recruitment
Name of Interest	One candidate known to Cr Sargent

4 PUBLIC QUESTION TIME

Nil

5 ANNOUNCEMENTS BY THE PRESIDING PERSON

Nil

6 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

7 PETITIONS / DEPUTATIONS / PRESENTATIONS

Nil

8 CONFIRMATION OF MINUTES OF PREVIOUS MEETING
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8.1 ORDINARY COUNCIL MEETING – 25 March 2021

The Minutes of the Ordinary Council Meeting held on 25 March 2021 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 25 March 2021 be confirmed as a true record of the proceedings.

8.2 SPECIAL COUNCIL MEETING – 29 April 2021

The Minutes of the Special Council Meeting held on 29 April 2021 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 29 April 2021 be confirmed as a true record of the proceedings.

Moved Cr Vernon, seconded Cr Gordon

RESOLVED

That the recommendations for items 8.1 and 8.2 be adopted

(CARRIED UNANIMOUSLY 10/0)

9.1 CHIEF EXECUTIVE OFFICER REPORTS
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9.1	FINANCIAL STATEMENTS FOR THE MONTHS ENDED 28 FEBRUARY 2021 AND 31 MARCH 2021
File No:	FIN/5-09
Appendix(s):	Appendix No. 1 Appendix No. 2
Date:	13 May 2021
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 for the months ended 28 February 2021 and 31 March 2021 are attached at **Appendix No. 1 and 2** to this Item. The Tonnage Report for the 9 months to 31 March 2021 is attached at **Appendix No. 3**.

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 March 2021

	Actual	Budget	Variance
	t	t	t
Tonnes – Members	182,103	184,505	(2,402)
Tonnes – Others	16,983	10,453	6,530
TOTAL TONNES	199,086	194,958	4,128
	\$	\$	\$
Revenue – Members	37,398,178	37,823,642	(425,464)
Revenue – Other	3,784,135	3,001,263	782,872
TOTAL REVENUE	41,182,313	40,824,905	357,408
Expenses	43,800,805	43,511,576	(289,229)
Profit on sale of assets	56,441	9,232	47,209
Loss on sale of assets	-	-	-
Impairment of assets	-	-	-
NET DEFICIT	(2,562,051)	(2,677,439)	115,388

Commentary

Overall tonnages for the financial period ended 31 March 2021 were 4,128 tonnes more than budgeted, member councils bringing in less non processable waste than anticipated.

The net result variance against budget of \$115,388 is mainly attributable to RRF expenditures abated by unbudgeted tonnages received in the commercial waste tenders.

RRF

The Resource Recovery Facility residue tonnes have delivered 42,996 tonnes in total to Tamala Park year to date.

Trade & Casuals

The Casual and Trade tonnages are 6,529 tonnes higher than forecast for the financial year to date, 5,504 tonnes attributable to the discounted rate waste tender.

VOTING REQUIREMENT

Simple Majority

RESPONSIBLE OFFICER RECOMMENDATION

That Council:

Receive the Financial Statements set out in Appendix No. 1 and Appendix No. 2 for the months ended 28 February 2021 and 31 March 2021.

Moved Cr Cvitan, seconded Cr Gordon

RESOLVED

That the recommendation be adopted

(CARRIED UNANIMOUSLY 10/0)

9.2	LIST OF PAYMENTS MADE FOR THE MONTHS ENDED FEBRUARY AND MARCH 2021
File No:	FIN/5-09
Appendix(s):	Appendix No. 4 and 5
Date:	13 May 2021
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 28 February 2021 and 31 March 2021 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 24 September 2020, 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
28 February 2021	General Municipal	Cheques	\$2,642.93
		EFT	\$3,345,916.69
		DP	\$202,207.76
		Inter account transfers	\$0.00
		Total	\$3,550,767.38
31 March 2021	General Municipal	Cheques	\$440.00
		EFT	\$3,551,265.11
		DP	\$164,452.61
		Inter account transfers	\$2,000,000.00
		Total	\$5,716,157.72

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 months ended 28 February 2021 and 31 March 2021.

Moved Cr Vernon, seconded Cr Newton

RESOLVED

That the recommendation be adopted

(CARRIED UNANIMOUSLY 10/0)

10 MEMBERS INFORMATION BULLETIN – ISSUE NO. 60

RESPONSIBLE OFFICER RECOMMENDATION

That the Members Information Bulletin Issue No. 60 be received.

Moved Cr Sargent, seconded Cr Gordon
That the recommendation be adopted
(CARRIED UNANIMOUSLY 10/0)

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

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

The Chair requested that in accordance with clause 10.1(h) of the Mindarie Regional Council Meeting Procedures Local Law 2020 and s5.23 of the Local Government Act 1995, Council proceed to meet “behind closed doors” to allow the Council to consider items 14.1, 14.2, 14.3 and 14.4 as the items are of a confidential nature.

The Chair invited MRC Officers and Member Council Councillors and Officers seated in the public gallery to remain in the gallery.

The Chair asked Ms Sylvana Caranna, of Lo-go Appointments, to vacate the Council Chambers for items 14.1, 14.2 and 14.3.

Ms Caranna left at 8.37pm.

Moved Cr Ferrante, seconded Cr Cvitan

RESOLVED

To close the meeting to the public

(CARRIED UNANIMOUSLY 10/0)

Doors closed at 8.38 pm

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.	
14.1	TENDER FOR RECYCLING OF SCRAP METAL
File No:	GF-21-0000134
Attachment(s):	
Date:	12 May 2021
Responsible Officer:	Chief Executive Officer

RESPONSIBLE OFFICER RECOMMENDATION

That Council:

1. Authorise the CEO to award the tender to recycle scrap metal recovered at Tamala Park (Tender Number: 13/148) to AAA Metal Recycling Australia Pty Ltd at the prices detailed within the report.
2. Authorise the CEO to advise the tenderers of the outcome of the tender process.

Moved Cr Jacob, seconded Cr Vernon
RESOLVED
That the recommendation be adopted
(CARRIED UNANIMOUSLY 10/0)

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 PROVISION OF MATTRESS RECYCLING	
File No:	GF-21-0000133
Attachment(s):	
Date:	12 May 2021
Responsible Officer:	Chief Executive Officer

RESPONSIBLE OFFICER RECOMMENDATION

That Council:

- 1. Authorise the CEO to award the tender for the provision of mattress recycling (Tender Number: 13/147) to Soft Landing at the prices detailed within the report.**
- 2. Authorise the CEO to advise the successful tenderer of the outcome of the tender process.**

**Moved Cr Sargent, seconded Cr Proud
RESOLVED
That the recommendation be adopted
(CARRIED UNANIMOUSLY 10/0)**

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.	
14.3	TENDER TO AUCTION LANDFILL CAPACITY FINANCIAL YEAR 2021-22
File No:	GF-21-0000129
Attachment(s):	
Date:	12 May 2021
Responsible Officer:	Chief Executive Officer

RESPONSIBLE OFFICER RECOMMENDATION

That Council:

- 1. Does not award the tender for the auction of landfill capacity financial year 2021/22 (Tender Number: 13/149), and**
- 2. Authorises the CEO to inform the unsuccessful tenderers of the decision not to award the tender.**

**Moved Cr Newton, seconded Cr Cvitan
RESOLVED
That the recommendation be adopted
(CARRIED UNANIMOUSLY 10/0)**

Prior to item 14.4 the Chair directed the public gallery to be vacated.

At 8.40 pm Councillors and Officers seated in the public gallery left.
MRC Director Corporate Services, Andrea Slater, also left the Council Chambers.

At 8.41 pm Ms Sylvana Caranna, of Lo-go Appointments, re-entered the Council Chambers.

Moved Cr Boothman, seconded Cr Proud

RESOLVED

To suspend the operation of clause 7.9(1) of the Mindarie Regional Council Standing Orders Local Law 2020 to allow members to speak twice.

(CARRIED UNANIMOUSLY 10/0)

Prior to the debate on the item, the declarations of interests from Crs Ferrante, Jacob, Proud and Sargent were read out.

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.	
14.4	CEO RECRUITMENT
File No:	GF-21-0001615
Attachment(s):	
Date:	14 May 2021
Responsible Officer:	Chief Executive Officer

COMMITTEE RECOMMENDATION

That Council:

- 1. Subject to completion of reference checks and contract negotiations, Scott Cairns be appointed as the Chief Executive Officer (CEO) of the Mindarie Regional Council, and**
- 2. * Approves the form of the draft CEO employment contract at appendix 3 in accordance with section 5.36(2)(b) of the *Local Government Act 1995* and authorises the Chairman and the Deputy Chairman to finalise a rewards package in accordance with the Salaries and Allowances Tribunal Band 3 for Regional Council CEOs, between \$157,920 - \$259,278 and execute the contract, and**
- 3. * Certifies that the appointed candidate was employed in accordance with the local government's adopted standards under section 5.39B (7) of the Act in relation to the recruitment of CEOs.**

** Resolutions 2. and 3. did not form part of the original recommendations by the Committee, but have been included by the administration to ensure legislative compliance requirements are met.*

Cr Jacob moved, seconded Cr Vernon
RESOLVED
That the recommendation be adopted.
(CARRIED UNANIMOUSLY 10/0)

Cr Boothman moved, seconded Cr Proud
RESOLVED
To re-open the meeting
(CARRIED UNANIMOUSLY 10/0)


Doors were reopened at 8.58 pm, the Chair declared the meeting reopened.
Cr Castle and Mr Singh entered the public gallery. No members of the public were present.
The Chair noted the resolutions passed behind closed doors.

15 NEXT MEETING

The next Ordinary Council meeting to be held on Thursday 24 June 2021 at the City of Stirling commencing at 6.30 pm.

16 CLOSURE

The Chair closed the meeting at 8.58 pm and thanked the City of Stirling for their hospitality and use of their meeting facilities.

Signed  Chair

Dated..... *12TH* day of *AUGUST*2021