



Minutes

ORDINARY COUNCIL MEETING

TIME: 6.30 PM

28 JANUARY 2021

CITY OF JOONDALUP

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



City of
Joondalup



City of Perth



City of Stirling



Town of
VICTORIA PARK



CITY OF VINCENT



City of
Wanneroo

CONTENTS

1	DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS	3
2	ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE	3
3	DECLARATION OF INTERESTS	4
4	PUBLIC QUESTION TIME	4
5	ANNOUNCEMENTS BY THE PRESIDING PERSON	4
6	APPLICATIONS FOR LEAVE OF ABSENCE	4
7	PETITIONS / DEPUTATIONS / PRESENTATIONS	4
8	CONFIRMATION OF MINUTES OF PREVIOUS MEETING.....	5
8.1	ORDINARY COUNCIL MEETING – 17 December 2020	5
9.1	CHIEF EXECUTIVE OFFICER REPORTS.....	6
9.1	FINANCIAL STATEMENTS FOR THE MONTH ENDED	6
	30 NOVEMBER 2020.....	6
9.2	LIST OF PAYMENTS MADE FOR THE MONTH ENDED	9
	30 NOVEMBER 2020.....	9
9.3	MRC WASTE PLAN.....	11
9.4	MID YEAR BUDGET REVIEW – 2020/21	14
10	MEMBERS INFORMATION BULLETIN – ISSUE NO. 58.....	19
11	MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	19
12	URGENT BUSINESS.....	19
13	QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN	19
14	MATTERS FOR WHICH THE MEETING MAY BE CLOSED TO THE PUBLIC..	20
14.1	MRC FUTURE WASTE OPTIONS REVIEW.....	21
14.2	LATE ITEM - CEO'S CONTINUED SERVICE ON NOT-FOR-PROFIT BOARDS OF DIRECTORS	22
15	NEXT MEETING	23
16	CLOSURE.....	23

1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Chair declared the meeting open at 6.31 pm.

2 ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE

Councillor Attendance

Cr D Boothman, JP (Chair)	City of Stirling
Cr K Vernon (Deputy Chair)	Town of Victoria Park
Cr R Fishwick, JP	City of Joondalup
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 <i>arrived 6.32 pm</i>	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 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

Mr M Humfrey (City of Joondalup)
Mr M MacPherson (City of Joondalup)
Mr C Hoskisson (City of Joondalup)
Mr R Bryant (City of Stirling)
Mr A Murphy (City of Vincent)
Ms N Jennings (City of Wanneroo)
Mr G Chettleburgh (City of Wanneroo)
Mr S Cairns (City of Wanneroo)
Mr C Kopec (City of Perth)
Mr K Hincks (Town of Cambridge)
Mr J Wong (Town of Victoria Park)

MRC Observers

Mr A Griffiths

Cr K Sargent entered 6.32 pm

3	DECLARATION OF INTERESTS
----------	---------------------------------

Interest Type	Financial Interest
Name and Position of Person	Gunther Hoppe, Chief Executive Officer
Report No and Topic	14.2 CEO'S CONTINUED SERVICE ON NOT-FOR-PROFIT BOARDS OF DIRECTORS
Name of Interest	Affects CEO employment

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
--

8.1 ORDINARY COUNCIL MEETING – 17 December 2020

The Minutes of the Ordinary Council Meeting held on 17 December 2020 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 17 December 2020 be confirmed as a true record of the proceedings.

Moved Cr Newton, seconded Cr Gordon

RESOLVED

That the recommendation be adopted

(CARRIED UNANIMOUSLY 11/0)

9.1 CHIEF EXECUTIVE OFFICER REPORTS
--

9.1	FINANCIAL STATEMENTS FOR THE MONTH ENDED 30 NOVEMBER 2020
File No:	FIN/5-09
Appendix(s):	Appendix No. 1 Appendix No. 2
Date:	22 December 2020
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 month ended 30 November 2020 is attached at **Appendix No. 1** to this Item. The Tonnage Report for the 5 months to 30 November 2020 is attached at **Appendix No. 2**.

The financial statements are pending external auditor approval of the 2019/2020 final accounts.

The complete suite of Financial Statements which includes the Operating Statements, Statement of Financial Position, Statement of Financial Activity and other related information are reported on a monthly basis.

The estimates for Provisions for Amortisation of Cell Development, Capping and Post Closure expenditure are based on the estimated rates per tonne calculated with reference to estimated excavation cost of various stages of the landfill and the life of the landfill. An adjustment is made (if necessary) at the end of the year based on actual tonnages on a survey carried out to assess the “air space” remaining and other relevant information.

Summary of results for the year to date period ended 30 November 2020

	Actual	Budget	Variance
	t	t	t
Tonnes – Members	101,738	101,711	27
Tonnes – Others	6,224	5,491	733
TOTAL TONNES	107,962	107,202	760
	\$	\$	\$
Revenue – Members	22,867,302	20,850,722	16,580
Revenue – Other	1,949,562	1,676,299	273,263
TOTAL REVENUE	22,816,864	22,527,021	289,843
Expenses	24,542,393	23,502,273	(1,040,120)
Profit on sale of assets	-	-	-
Loss on sale of assets	-	-	-
Impairment of assets	-	-	-
NET DEFICIT	(1,725,528)	(972,252)	(750,277)

Commentary

Overall tonnages for the financial period ended 30 November 2020 were 760 tonnes more than budgeted, member councils bringing in more processable waste and less non processable waste than anticipated.

The net deficit result variance against budget of \$750,277 is mainly attributable to RRF expenditures, including catch up payments relating to insurance increases and fixed operating costs, abated by unbudgeted income received and other operational cost savings.

RRF

The Resource Recovery Facility residue tonnes are below phased budget by 453 tonnes delivering 23,846 tonnes in total to Tamala Park year to date.

Trade & Casuals

The Casual and Trade tonnages are 733 tonnes higher than forecast for the financial year to date.

VOTING REQUIREMENT

Simple Majority

RESPONSIBLE OFFICER RECOMMENDATION

That Council:

Receive the Financial Statements set out in Appendix No. 1 for the month ended 30 November 2020.

Moved Cr Proud, seconded Cr Vernon

RESOLVED

That the recommendation be adopted

(CARRIED UNANIMOUSLY 11/0)

9.2	LIST OF PAYMENTS MADE FOR THE MONTH ENDED 30 NOVEMBER 2020
File No:	FIN/5-09
Appendix(s):	Appendix No. 3
Date:	22 December 2020
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 month ended 30 November 2020 is at **Appendix 3** to this Item and is 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
30 November 2020	General Municipal	Cheques	\$1,891.75
		EFT	\$3,649,932.55
		DP	\$163,713.69
		Inter account transfers	\$0.00
		Total	\$3,815,537.99

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 30 November 2020.

Moved Cr Sargent, seconded Cr Ferrante

RESOLVED

That the recommendation be adopted

(CARRIED UNANIMOUSLY 11/0)

9.3	MRC WASTE PLAN
File No:	GF-20-0000729
Appendix 4:	MRC Final Waste Plan
Date:	8 January 2021
Responsible Officer:	Chief Executive Officer

SUMMARY

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

BACKGROUND

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).

DETAIL

Under section 40(4) of the WARR Act, the Chief Executive Officer (CEO) of the department, principally assisting the Minister of Environment in the administration of the WARR Act, may by written notice require a local government to include within its plan for the future a waste plan outlining how, in order to protect human health and the environment, waste services provided by the local government will be managed to achieve consistency with the Western Australian Waste Avoidance and Resource Recovery Strategy 2030 (Waste Strategy).

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.

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, are 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 was provided with a Waste Plan Template and guidance documentation which detailed service and performance provisions as well as an implementation plan.

The MRC was provided an option to submit a draft Waste Plan to the DWER for feedback prior to final submission for adoption and endorsement by the MRC's Council for inclusion in future planning. The draft Waste Plan was submitted on 29 April 2020. Feedback from DWER was received on 28 May 2020 and incorporated into the MRC's draft Waste Plan.

In August 2020, the MRC undertook several structural changes resulting in education services and operation of the recycling / drop off area and reuse shop no longer be provided by the MRC directly. This has had an impact on the Waste Plan resulting in a number of significant changes. Further changes are also anticipated from the outcomes of the MRC's review of its Strategic Community Plan and related plans, currently underway.

The DWER have advised that the final Waste Plan, endorsed and adopted by Council, must be submitted to the CEO of the DWER by 31 March 2021. The review of the Strategic Community Plan and related planes is a significant undertaking and is only expected to be completed by 30 June 2021, which is after the final waste plan submission deadline.

To ensure the DWER reporting deadline requirements are met, the MRC has updated the final Waste Plan to reflect the MRC's current operational status, with commentary noting that the waste plan is subject to change, pending the outcomes of the MRC's review of its Strategic Community Plan and related plans.

It should be noted that the first annual reports on the implementation for the waste plans for the 2021/22 financial year are due on 1 October 2022.

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

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.**

Moved Cr Cvitan, seconded Cr Jacob

RESOLVED

That the recommendation be adopted

(CARRIED UNANIMOUSLY 11/0)

9.4	MID YEAR BUDGET REVIEW – 2020/21
File No:	GF-20-00001311
Appendix(s):	Appendix 5
Date:	13 January 2021
Responsible Officer:	Director Corporate Services

SUMMARY

The purpose of this report is to describe the financial position and performance of the organisation in relation to the Adopted Budget and recommend changes that will reflect the anticipated outcomes for the remainder of the 2020/21 financial year. This will provide stakeholders with a view of the likely results of the Mindarie Regional Council's (MRC) operations at the conclusion of the financial year.

It is anticipated that the MRC will move from a forecast deficit of \$4.18 million to a forecast deficit of \$4.89 million, an increase in deficit \$0.7m (*Refer Appendix 5*). This change is primarily as a result of increasing costs associated with the Resource Recovery Facility (RRF) and environmental site monitoring expenditures at Tamala Park.

It is anticipated that there will be a marginal increase in tonnes received by the MRC of 153 tonnes.

There will be no changes made to Members' and Non-members' gate fees in light of the COVID-19 pandemic, the gate fee will remain the same until July 2021.

BACKGROUND

Council at its ordinary council meeting held on 2 July 2020, resolved that council:

- (i) *adopt the Budget for the Mindarie Regional Council for 2020/21 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 \$2,106,154 as follows:*

<u>New capital expenditures</u>	\$
• Buildings	-
• Office furniture and equipment	10,000
• Computer equipment	86,000
• Plant and equipment and vehicles	1,330,000
• Infrastructure	<u>610,154</u>
	2,036,154
<u>Carry forward capital expenditure</u>	
• Computer equipment	<u>70,000</u>
Total Capital Expenditure	<u>2,106,154</u>

- (v) *approve that \$349,482 will be transferred from the Operating Deficit to the Site Rehabilitation Reserve.*
- (vi) *approve that \$2,106,154 be transferred from the Reserve for Capital Expenditure to Operating Deficit to fund capital expenditures.*
- (vii) *Approve that \$250,000 will be transferred from Operating Deficit to the RRF Maintenance Reserve*
- (viii) *Approve that any funds required for carbon abatement projects be transferred from the Carbon Abatement Reserve to the Operating Deficit.*
- (ix) *Approve that any funds required for RRF Maintenance obligations be transferred from the RRF Maintenance Reserve to the Operating Deficit.*
- (x) *Approve that all interest earned on cash funds associated with cash-backed reserves will not be credited to the respective reserves.*
- (xi) *Approve that the budgeted Operating Deficit will be funded from the Participants' Surplus Reserve and Retained Surpluses as required.*

Council operations have been conducted in line with the Adopted Budget for 2020/21.

Monthly Financial Statements on the actual expenditure and variations from the Adopted Budget have been submitted to each Council meeting. In addition, monthly management accounts have been provided to Councillors and Member Council Officers on a regular basis.

In line with sound financial management practice, and in order to comply with Local Government Regulations, a detailed review of the MRC's operations, financial position and financial performance has been carried out as at 31 October 2020.

This reports highlights:

- those items that reflect significant trend variations to budgeted allocations, and
- the anticipated revised financial projections to 30 June 2021.

The Income Statement reflecting the Adopted Budget, Actual Expenditure to 31 October 2020 and projected expenditure to 30 June 2021, as well as the projected capital expenditure is enclosed as **Appendix 5** of this report.

DETAIL

Marginal Tonnage variation

The reforecast tonnes have marginally changed from the originally budgeted tonnage estimate:

TONNAGES RECEIVED BY THE MRC 2020/2021			
	Budget	Reforecast	Variance
Cambridge	5,455	5,845	390
Joondalup	31,670	33,475	1,805
Perth	13,000	12,505	(495)
Stirling	48,000	47,803	(197)
Victoria Park	12,900	12,300	(600)
Vincent	13,400	12,400	(1,000)
Wanneroo	64,850	64,850	-
	189,275	189,178	(97)
RRF Residue	56,700	56,700	-
Non-members	14,300	14,550	250
	71,000	71,250	250
Total	260,275	260,428	153

Revenue

Overall revenue is expected to decrease by \$414,393 (0.74%) from \$55.8 million to \$55.4 million. This is mostly as a result of the lost revenue from resource recovery activities as Workpower took over this part of operations in September 2020 and is abated by \$275,000 income received that was not anticipated at Adopted Budget.

Operating Expenditure

Operating expenditures have increased overall by \$315,562 (0.53%) primarily as a result of the increase in RRF contractor fees and RRF Insurance costs, and Tamala Park environmental site monitoring costs.

The high level change in operating costs are explained by the following:

Materials and Contract	Adopted Budget	Mid Year Budget	Variance	Explanation
Restructure savings	\$3,829,688	\$2,550,066	(\$1,279,622)	Savings resulting from the MRC's restructured operating model from September 2020 to June 2021.
RRF Operational expenses	\$30,695,864	\$31,711,870	\$1,016,006	Increase in Insurance of \$560,000 – <i>Approved at 17 December 2020 OCM.</i> \$ 240,165 - Fixed Operating cost true up from 19/20. Contractors fees - \$216,000
Monitoring Costs	\$ 430,000	\$ 704,090	\$ 274,090	\$204k additional ground monitoring costs – <i>Approved at 22 October 2020 OCM.</i> \$70k odour management trial
Right of Use Asset/Leases	\$815,486	\$968,162	\$152,676	Impact of AASB 16 – Leases (interest and depreciation charges). Rent Review
General – high level	\$46,000	\$91,801	\$45,801	Audit Fees - \$10,000 Building Maintenance – Admin \$17,301 Computer licences/security - \$18,500

Capital Expenditure

Forecast capital expenditure for the year has not changed from Adopted Budget.

CONSULTATION

Consultation occurred with Member Councils in relation to their forecast tonnes for the remainder of the 2020/21 financial year.

STATUTORY ENVIRONMENT

The half yearly budget review was carried out in accordance with the provision of the Local Government Act and Regulations.

STRATEGIC/COMMUNITY AND CORPORATE/BUSINESS PLAN IMPLICATIONS

The revised half yearly budget review presented for approval is consistent with the objectives and actions outlined in the MRC's Community Strategic Plan, Financial Plan and Asset Management Plan.

FINANCIAL IMPLICATIONS

As outlined above, there will be no changes made to the members' or non-members' gate fees and there will be an increase in the original budgeted deficit (\$4.18 million) of \$712,976, leaving an estimated deficit of \$4.89 million.

COMMENT

The budget revision reflects the efforts being made on the part of the MRC's member councils to improve the efficiency and diversion results of their individual waste collection system.

As member councils and the MRC itself increase their efforts to improve diversion of waste from landfill, the residual cost per tonne to operate the Tamala Park landfill site and the RRF contract will continue to increase.

The Site Rehabilitation reserve will have an estimated balance of \$15.1 million at the end of Financial Year 2020/2021. The estimated rehabilitation liability balance will be funded in future years. During the year the rehabilitation estimates were reviewed by an external consultant, this resulted in an increase of \$5 million being required for end of life rehabilitation for the landfill cells. These estimates are reviewed by external consultants periodically.

VOTING REQUIREMENT

Absolute Majority

RESPONSIBLE OFFICER RECOMMENDATION

That Council:

1. Approve by Absolute Majority the forecast deficit position estimated to be \$4,895,054 at 30 June 2021, which includes the following:
 - A net estimated decrease in total revenue of \$414,393;
 - A net estimated increase in expenditures of \$315,562;
 - A net estimated increase in the profit on sale of assets of \$16,979.

Moved Cr Newton, seconded Cr Cvitan
RESOLVED

That the recommendation be adopted
(CARRIED ABSOLUTE MAJORITY 11/0)

10 MEMBERS INFORMATION BULLETIN – ISSUE NO. 58

RESPONSIBLE OFFICER RECOMMENDATION

That the Members Information Bulletin Issue No. 58 be received.

Moved Cr Fishwick, seconded Cr Proud

RESOLVED

That the recommendation be adopted

(CARRIED UNANIMOUSLY 11/0)

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 7.1(e) of the Mindarie Regional Council Standing Orders Local Law 2012 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 and 14.2 as the items are of a confidential nature.

The Chair invited MRC Officers and Member Council Officers seated in the public gallery to remain in the gallery for item 14.1 – MRC Future Waste Options Review.

The Chair requested members of the public to vacate the public gallery. There were no members of the public were present in the gallery.

The Chair announced that there were no limitations on the number of speeches made in accordance with clause 7.9(4) of the Mindarie Regional Council Standing Orders Local Law 2012.

Moved Cr Boothman, seconded Cr Proud

RESOLVED

To close the meeting to the public

(CARRIED 11/0)

Doors closed at 6.37pm.

MRC officers and member council officers remained in the public gallery.
There were no members of the public present.

Note: The Chief Executive Officer has not released the report for items 14.1 and 14.2 for public information.

This item 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 is entered into	
14.1	MRC Future Waste Options Review
File No:	GF-20-0001335
Attachment(s):	1. BRIEFING PACK – PART A – JUNE 2020 2. BRIEFING PACK – PART B – NOVEMBER 2020 3. PROGRESS CALCULATIONS – 15 DEC 2020
Date:	7 January 2020
Responsible Officer:	Chief Executive Officer

RESPONSIBLE OFFICER RECOMMENDATION

That Council notes the CEO's progress report contained in the confidential report and endorses the proposed course of action with respect to the due diligence process.

Moved Cr Jacob, seconded Cr Fishwick

AMENDMENT

Moved Cr Vernon, seconded Cr Shannon

That Council notes the CEO's progress report contained in the confidential report and endorses the proposed course of action with respect to the due diligence process, subject to the Cities of Wanneroo, Joondalup and Stirling indemnifying Mindarie Regional Council (MRC) for all costs associated with the due diligence process referred to the confidential report, if for any reason the transaction does not proceed after the due diligence process is completed.

LOST 2/9

For: Cr's Vernon, Shannon

Against: Cr's Jacob, Fishwick, Newton, Cvitan, Boothman, Proud, Ferrante, Sargent, Gordon

SUBSTANTIVE MOTION

That Council notes the CEO's progress report contained in the confidential report and endorses the proposed course of action with respect to the due diligence process.

RESOLVED

That the recommendation be adopted

(CARRIED 9/2)

For: Cr's Jacob, Fishwick, Newton, Cvitan, Boothman, Proud, Ferrante, Sargent, Shannon

Against: Cr's Gordon, Vernon

Due to the confidential nature of item 14.2, the Chair directed all MRC officers and Member Council officers to vacate the public gallery.

There were no members of the public present.

At 7.26 pm officers vacated the public gallery. The MRC CEO, Director of Corporate Services, HR Manager and Governance Officer remained in the meeting.

The Chair announced that there were no limitations on the number of speeches made in accordance with clause 7.9(4) of the Mindarie Regional Council Standing Orders Local Law 2012.

This item 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 is entered into	
14.2	CEO'S CONTINUED SERVICE ON NOT-FOR-PROFIT BOARDS OF DIRECTORS
File No:	P188
Attachment(s):	1. Original memo to Councillors – 11 November 2020 CEO 2. Letter to the Chair – 22 January 2021
Date:	22 January 2020
Responsible Officer:	Chief Executive Officer

At 7.28pm, prior to voting on this item, the MRC CEO and the Director of Corporate Services left the meeting.

RESPONSIBLE OFFICER RECOMMENDATION:

That Council:

- 1. Gives written consent for the CEO to undertake the proposed executive role with North Coast Church (NCC), pursuant to clause 3.2(h) of his contract of employment, from 1 February 2021 until the expiry of his contract with the MRC or such shorter period until the proposed NCC role ceases; and**
- 2. Acknowledges that the CEO will take leave from the MRC when working for NCC during normal business hours.**

Moved Cr Shannon, seconded Cr Gordon

AMENDMENT

Moved Cr Jacob, seconded Cr Shannon

1. Subject to the role being performed in an unpaid capacity only, gives written consent for the CEO to undertake the proposed executive role with North Coast Church (NCC), pursuant to clause 3.2(h) of his contract of employment, from 1 February 2021 until the expiry of his contract with the MRC or such shorter period until the proposed NCC role ceases; and
2. Acknowledges that the CEO will take leave from the MRC when working for NCC during normal business hours.

(CARRIED UNANIMOUSLY 11/0)

Moved Cr Fishwick, seconded Cr Proud

RESOLVED

That the meeting be reopened

(CARRIED UNANIMOUSLY 11/0)

Doors were reopened at 7.32 pm and the Chair declared the meeting reopened.

The MRC CEO and Director of Corporate Services returned to their seats in the Council Chamber.

MRC Officers and Member Council Officers returned to their seats in the 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 25 March 2021 at the City of Wanneroo commencing at 6.30 pm.

16	CLOSURE
-----------	----------------

The Chair closed the meeting at 7.33 pm and thanked the City of Joondalup for their hospitality and use of their meeting facilities.

Signed  Chair

Dated 25th day of MARCH 2021
