



## MINUTES

### CERTIFICATION OF CONFIRMATION OF COUNCIL MEETING MINUTES

18 June 2020

I, Cr Jai Wilson, hereby certify that the minutes from the Ordinary Council Meeting held on 18 June 2020 pages (1) to (86) were confirmed at a meeting of Council held on 23 July 2020.



Signature

Cr Jai Wilson  
Person presiding at Meeting

## ORDINARY MEETING OF COUNCIL

### MINUTES

18 June 2020

(REF: D2020/05568)

An Ordinary Meeting of Council was held at the EMRC Administration Office, 1<sup>st</sup> Floor, 226 Great Eastern Highway, BELMONT WA 6104 on **Thursday, 18 June 2020**. The meeting commenced at **6:00pm**.

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## 1 DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS

The Chairman opened the meeting at 6:00pm, welcomed visitors and acknowledged the traditional custodians of the land.

Kaya Maaman, Kaya Yorga, Kaya Bridia  
 Ngalak kaartitj windji ngalak nynininy  
 Nagalak kaartitj nidja boodja baal Whadjuk Noongar Boodja ngalak nyininy  
 Koorah, Nitja yeyi, Boordahwan

### Translation

Greetings everyone

We all understand where we are meeting.

We know that we meet on the lands of the Whadjuk Noongar people

Always was, always will be.

## 2 ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE (PREVIOUSLY APPROVED)

### **Councillor Attendance**

Cr Jai Wilson (Chairman)	EMRC Member	Town of Bassendean
Cr Doug Jeans (Deputy Chairman)	EMRC Member	Shire of Mundaring
Cr Kathryn Hamilton	EMRC Member	Town of Bassendean
Cr Giorgia Johnson	EMRC Member	City of Bayswater
Cr Filomena Piffaretti (Deputising for Cr Clarke)	EMRC Deputy Member	City of Bayswater
Cr Janet Powell	EMRC Member	City of Belmont
Cr Steve Wolff	EMRC Member	City of Belmont
Cr Lesley Boyd	EMRC Member	City of Kalamunda
Cr Dylan O'Connor	EMRC Member	City of Kalamunda
Cr John Daw	EMRC Member	Shire of Mundaring
Cr Mel Congerton	EMRC Member	City of Swan
Cr Charlie Zannino	EMRC Member	City of Swan

### **Apologies**

Cr Lorna Clarke	EMRC Member	City of Bayswater
Cr Ian Johnson	EMRC Deputy Member	City of Swan

### **EMRC Officers**

Mr Marcus Geisler	Chief Executive Officer
Mr Hua Jer Liew	Chief Financial Officer
Mr Steve Fitzpatrick	Chief Project Officer
Mrs Wendy Harris	Chief Sustainability Officer
Mr Brad Lacey	Chief Operating Officer
Ms Theresa Eckstein	Executive Assistant to the Chief Executive Officer
Mrs Annie Hughes-d'Aeth	Personal Assistant to Chief Financial Officer (Minutes)

### **EMRC Observers**

Mr David Ameduri	Manager Financial Services
Mr David Schmidt	Manager Information Services

### **Observer(s)**

Ms Melanie Reid	Director Infrastructure Services	City of Belmont
Mr Brett Jackson	Director Asset Services	City of Kalamunda



### **3 DISCLOSURE OF INTERESTS**

Nil

### **4 ANNOUNCEMENTS BY THE CHAIRMAN OR PRESIDING MEMBER WITHOUT DISCUSSION**

#### **4.1 DRAFT CONSULTATION PAPERS**

The Chairman announced that two draft consultation papers would be distributed electronically to Councillors for their review and feedback over the next week ending 26 June 2020.

The first consultation paper relates to the *Waste Avoidance and Resource Recovery Act 2007* Review – “Closing the Loop”.

The second consultation paper relates to the review of the Waste Levy.

To assist the timely submission, Councillors are requested to provide their feedback within two weeks of the distribution.

#### **4.2 2019/2020 RELATED PARTY TRANSACTIONS AND DISCLOSURE**

The 2019/2020 Related Party Transactions and Disclosure forms would be distributed electronically to Councillors. These forms are due to be returned to the EMRC by no later than Wednesday 15 July 2020. Councillors are requested to please complete their form as a matter of priority to assist with the finalisation of the audit of the 2019/2020 financial report. Please note, even if Councillors have no disclosures a signed “nil” return is still required to be submitted.

#### **4.3 2019/2020 ANNUAL RETURNS**

The Chairman advised that the 2019/2020 Annual Returns would be distributed by email over the next week ending 26 June 2020 and are to be returned to the EMRC by no later than Thursday, 27 August 2020.

Councillors should complete their returns as a matter of priority as the CCC has to be notified of any return received after the due date.

### **5 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

Nil

### **6 PUBLIC QUESTION TIME**

#### **6.1 QUESTIONS FROM MS BREMMER**

**The following questions were received by Ms Jane Bremmer on 18 June 2020 prior to the meeting and have been taken on notice.**

Question 1: Given it has been 7 years now since the EMRC applied for a Works Approval to construct and operate a biomass incinerator in Hazelmere, there has been little if any community engagement or updates provided on this project. When will the EMRC provide a briefing to the public about this controversial project?

Question 2: Since the approval of this project there have been a number of additional air pollution threats introduced into the region. For example, the BGC Brickworks on airport land, the state and international airport expansions, new industries into the Hazelmere industrial estate area and the associated large-scale loss of green infrastructure in the area. How will the EMRC account for these additional air pollution sources now given they were not included in the original project assessment?

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*Item 6.1 continued*

- Question 3: What specific impact will the increased background air pollution levels have together with the expected air emissions from the project, on the health of the community and the environment within a 5km radius?
- Question 4: Ministerial statement 1028 requires substantial implementation of the project within 5 years with written evidence provided to the CEO before this time. Has this evidence been provided in writing and will the CEO table it? If no, why not?
- Question 5: Has the proponent submitted a Compliance Assessment Plan to the CEO and if so, will the CEO table it? If no, why not?
- Question 6: How exactly will the proponent provide public availability of the Compliance Assessment Reports?
- Question 7: Given the known toxic air pollutants, fires and explosions associated with this technology and industry, how will the EMRC ensure the protection of human health and the environment for the public who will be visiting the site, particularly school children on excursions there and the workers in the associated buildings and operations?
- Question 8: Given the unproven nature of this project's technology, how will the EMRC protect itself and member councils from the associated financial and contractual risks?

**7 APPLICATIONS FOR LEAVE OF ABSENCE**

Nil

**8 PETITIONS, DEPUTATIONS AND PRESENTATIONS**

Nil

**9 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS**

That the minutes of the Ordinary Meeting of Council held on 21 May 2020 which have been distributed, be confirmed.

Cr O'Connor noted an administrative error under Item 9 Confirmation of the Minutes of the Previous Meetings of the 21 May 2020 Ordinary Council Minutes, specifically Item 9.2 Minutes of Special Meeting of Council Held on 16 April 2020.

The 16 April 2020 meeting was a Special Meeting of Council and not an Ordinary Meeting of Council.

The resolution incorrectly stated "That the Minutes of the Ordinary Meeting of Council held on 16 April 2020 which have been distributed be confirmed."

This should have read "That the Minutes of the Special Meeting of Council held on 16 April 2020 which have been distributed be confirmed."

This has now been rectified administratively in the Minutes of the Ordinary Meeting of Council Held on 21 May 2020.

**COUNCIL RESOLUTION**

MOVED CR O'CONNOR

SECONDED CR JOHNSON

THAT THE MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON 21 MAY 2020 WHICH HAVE BEEN DISTRIBUTED, BE CONFIRMED.

**CARRIED UNANIMOUSLY**



**10 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN**

Nil

**11 QUESTIONS BY MEMBERS WITHOUT NOTICE**

Cr Daw noted that the names of Councillors are recorded on either of the “for” or “against” votes in the minutes. Cr Daw requested that all names be recorded, identifying those “for” *and* “against” each motion.

**12 ANNOUNCEMENT OF CONFIDENTIAL MATTERS FOR WHICH MEETINGS MAY BE CLOSED TO THE PUBLIC**

NOTE: Section 5.23(2) of the *Local Government Act 1995*, details a number of matters upon which Council may discuss and make decisions without members of the public being present. These matters include: matters affecting employees; personal affairs of any person; contractual matters; legal advice; commercial-in-confidence matters; security matters; among others.

The following report items are covered in Section 19 of this agenda:

- 12.1 ITEM 15.1 OF THE CHIEF EXECUTIVE OFFICERS ADVISORY COMMITTEE MINUTES – MATTRESS RECYCLING

**13 BUSINESS NOT DEALT WITH FROM A PREVIOUS MEETING**

Nil

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## 14.1 LIST OF ACCOUNTS PAID DURING THE MONTH OF APRIL 2020

REFERENCE: D2020/09572

### PURPOSE OF REPORT

The purpose of this report is to present to Council a list of accounts paid under the Chief Executive Officer's delegated authority during the month of April for noting.

### KEY POINTS AND RECOMMENDATION(S)

- As per the requirements of regulation 13(1) of the *Local Government (Financial Management) Regulations 1996*, the list of accounts paid during the month of April 2020 is provided for noting.

#### Recommendation(s)

That Council notes the CEO's list of accounts for April 2020 paid under delegated power in accordance with regulation 13(1) of the *Local Government (Financial Management) Regulations 1996*, forming the attachment to this report totalling \$11,121,144.15.

### SOURCE OF REPORT

Chief Financial Officer

### BACKGROUND

Council has delegated to the Chief Executive Officer (CEO) the exercise of its power to make payments from the Municipal Fund and Trust Fund. In accordance with regulation 13(1) of the *Local Government (Financial Management) Regulations 1996*, a list of accounts paid by the CEO is to be provided to Council, where such delegation is made.

### REPORT

The table below summarises the payments drawn on the funds during the month of April 2020. A list detailing the payments made is appended as an attachment to this report.

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Item 14.1 continued

<b>Municipal Fund</b>	EFT Payments	EFT44089 – EFT44167	
	Cheque Payments	220494– 220500	
	Payroll EFT	PAY 2020-21 & PAY 2020-22	
	Direct Debits		
	- Superannuation	DD20117.1 – DD20117.25 & DD20118.1 – DD20118.25	
	- Bank Charges	1*APR20	
	- Other	1693 – 1709	\$11,121,144.15
	<b>Less Cancelled EFT's &amp; Cheques</b>		Nil
<b>Trust Fund</b>	Not Applicable		Nil
<b>Total</b>			<b>\$11,121,144.15</b>

<b>Summary of Expenditure for the Month of April 2020</b>	
Payroll	\$521,069.43
Term Deposit Investments	\$6,000,000.00
Capital Expenditure	\$840,143.21
Operating Expenditure	
- Landfill Levy *	\$3,186,439.23
- Other	\$573,492.28
<b>Total</b>	<b>\$11,121,144.15</b>

\* Note: The Landfill Levy is paid quarterly in July, October, January and April.

### STRATEGIC/POLICY IMPLICATIONS

Key Result Area 3 – Good Governance

- 3.3 To provide responsible and accountable governance and management of the EMRC
- 3.4 To continue to improve financial and asset management practices

### FINANCIAL IMPLICATIONS

As contained within the report.



*Item 14.1 continued*

## **SUSTAINABILITY IMPLICATIONS**

Nil

## **MEMBER COUNCIL IMPLICATIONS**

<b>Member Council</b>	<b>Implication Details</b>
Town of Bassendean	} Nil
City of Bayswater	
City of Belmont	
City of Kalamunda	
Shire of Mundaring	
City of Swan	

## ATTACHMENT(S)

CEO's Delegated Payments List for the month of April 2020 (Ref: D2020/10334)

## VOTING REQUIREMENT

Simple Majority

## **RECOMMENDATION(S)**

That Council notes the CEO's list of accounts for April 2020 paid under delegated power in accordance with regulation 13(1) of the *Local Government (Financial Management) Regulations 1996*, forming the attachment to this report totalling \$11,121,144.15.

## **COUNCIL RESOLUTION(S)**

MOVED CR WOLFF

SECONDED CR JEANS

THAT COUNCIL NOTES THE CEO'S LIST OF ACCOUNTS FOR APRIL 2020 PAID UNDER DELEGATED POWER IN ACCORDANCE WITH REGULATION 13(1) OF THE *LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996*, FORMING THE ATTACHMENT TO THIS REPORT TOTALLING \$11,121,144.15.

**CARRIED UNANIMOUSLY**



## Eastern Metropolitan Regional Council

CEO's DELEGATED PAYMENTS LIST  
FOR THE MONTH OF APRIL 2020

Cheque / EFT No	Date	Payee		Amount
EFT44089	01/04/2020	AGPARTS WAREHOUSE	EQUIPMENT PURCHASE	3,355.00
EFT44090	01/04/2020	CHARLIE ZANNINO	QUARTERLY COUNCILLORS PAYMENT	2,640.00
EFT44091	01/04/2020	DEPARTMENT OF AGRICULTURE, WATER AND THE ENVIRONMENT	BIOSECURITY AUDIT FEE	760.00
EFT44092	01/04/2020	DOUG JEANS	QUARTERLY COUNCILLORS PAYMENT	3,893.94
EFT44093	01/04/2020	DYLAN O'CONNOR	QUARTERLY COUNCILLORS PAYMENT	2,640.00
EFT44094	01/04/2020	FILOMENA PIFFARETTI	COUNCILLORS ATTENDANCE FEE	238.00
EFT44095	01/04/2020	GIORGIA JOHNSON	QUARTERLY COUNCILLORS PAYMENT	2,640.00
EFT44096	01/04/2020	IAN JOHNSON	COUNCILLORS ATTENDANCE FEE	238.00
EFT44097	01/04/2020	JAI WILSON	QUARTERLY COUNCILLORS PAYMENT	8,975.50
EFT44098	01/04/2020	JANET POWELL	QUARTERLY COUNCILLORS PAYMENT	2,640.00
EFT44099	01/04/2020	JOHN DAW	QUARTERLY COUNCILLORS PAYMENT	2,640.00
EFT44100	01/04/2020	KATHRYN HAMILTON	QUARTERLY COUNCILLORS PAYMENT	2,640.00
EFT44101	01/04/2020	KLB SYSTEMS	COMPUTER HARDWARE PURCHASES	3,624.50
EFT44102	01/04/2020	LESLEY BOYD	QUARTERLY COUNCILLORS PAYMENT	2,640.00
EFT44103	01/04/2020	LORNA CLARKE	QUARTERLY COUNCILLORS PAYMENT	2,640.00
EFT44104	01/04/2020	MEL CONGERTON	QUARTERLY COUNCILLORS PAYMENT	2,640.00
EFT44105	01/04/2020	NEVILLE REFRIGERATION & AIRCONDITIONING	DEGASSING OF FRIDGES & AIRCONDITIONERS - RED HILL	1,452.00
EFT44106	01/04/2020	ODOUR CONTROL SYSTEMS INTERNATIONAL LTD	ALTERNATIVE DAILY COVER MATERIAL	8,410.83
EFT44107	01/04/2020	OFFICE LINE GROUP	PURCHASE OF OFFICE EQUIPMENTS	7,749.50
EFT44108	01/04/2020	PHIL MARKS	COUNCILLORS ATTENDANCE FEE	476.00
EFT44109	01/04/2020	STEPHEN K WOLFF	QUARTERLY COUNCILLORS PAYMENT	2,640.00
EFT44110	08/04/2020	ADECCO AUSTRALIA PTY LTD	LABOUR HIRE	1,714.11
EFT44111	08/04/2020	CHILD SUPPORT	EMPLOYEE DEDUCTION	352.70
EFT44112	08/04/2020	CIVIL AUTO ELECTRICS PTY LTD	PLANT REPAIR	413.05
EFT44113	08/04/2020	DEPARTMENT OF WATER AND ENVIRONMENTAL REGULATION (DWER)	RED HILL - LICENCE AMENDMENT	26,584.44
EFT44114	08/04/2020	MAJOR SECURITY SERVICES PTY LTD	SECURITY MONITORING	915.99
EFT44115	08/04/2020	MOTORCHARGE PTY LTD	FLEET FUEL PURCHASES	2,165.16
EFT44116	08/04/2020	NEVILLE REFRIGERATION & AIRCONDITIONING	DEGASSING OF FRIDGES & AIRCONDITIONERS - COPPIN ROAD TRANSFER STATION	1,012.00
EFT44117	08/04/2020	PAYG PAYMENTS	PAYG TAXATION PAYMENT	78,566.00
EFT44118	08/04/2020	STUDIO ORANGE PTY LTD	CONSULTING FEE - REGIONAL INTEGRATED TRANSPORT STRATEGY	2,252.80
EFT44119	08/04/2020	SYNERGY	ELECTRICITY CHARGES - HAZELMERE	111.49
EFT44120	08/04/2020	TELSTRA CORPORATION LTD	TELEPHONE CHARGES	420.39
EFT44121	15/04/2020	ACUMENTIS (WA) PTY LTD (FORMERLY LMW)	VALUATION REPORT ON LAND	8,800.00
EFT44122	15/04/2020	ADECCO AUSTRALIA PTY LTD	LABOUR HIRE	2,244.54
EFT44123	15/04/2020	BP AUSTRALIA PTY LTD	FUEL PURCHASES	54,789.02
EFT44124	15/04/2020	BP AUSTRALIA PTY LTD	OIL PURCHASES	3,733.14
EFT44125	15/04/2020	DEPARTMENT OF AGRICULTURE, WATER AND THE ENVIRONMENT	APPLICATION FEE	60.00
EFT44126	15/04/2020	FOSTER PLUMBING AND GAS	PLUMBING WORKS AT HAZELMERE - WWtE	5,813.50
EFT44127	15/04/2020	FUJI XEROX AUSTRALIA PTY LTD	PHOTOCOPIER MAINTENANCE & SUPPLIES	5,318.50
EFT44128	15/04/2020	TELSTRA CORPORATION LTD	TELEPHONE CHARGES	587.41
EFT44129	15/04/2020	TOTAL GREEN RECYCLING	HARDWARE SUPPLIES	300.00
EFT44130	15/04/2020	WEST FORCE PLUMBING AND GAS	PLUMBING REPAIR AT RED HILL	214.50



## Eastern Metropolitan Regional Council

CEO's DELEGATED PAYMENTS LIST  
FOR THE MONTH OF APRIL 2020

Cheque / EFT No	Date	Payee		Amount
EFT44131	15/04/2020	WESTERN METROPOLITAN REGIONAL COUNCIL	LSL ENTITLEMENT	4,050.00
EFT44132	15/04/2020	WORKFORCE ADMINISTRATION (AUST) PTY LTD (PORTNER PRESS)	ANNUAL SUBSCRIPTION RENEWAL	990.00
EFT44133	15/04/2020	BONDOR (METECNO PTY LIMITED T/AS)	WWtE PAYMENT RE EMRC / ANERGY AGREEMENT	6,124.80
EFT44134	15/04/2020	EES SHIPPING PTY LTD	WWtE PAYMENT RE EMRC / ANERGY AGREEMENT	4,462.62
EFT44135	15/04/2020	IBEX AUSTRALIA	WWtE PAYMENT RE EMRC / ANERGY AGREEMENT	10,427.22
EFT44136	15/04/2020	INLEx ENGINEERING PTY LTD	WWtE PAYMENT RE EMRC / ANERGY AGREEMENT	3,080.00
EFT44137	15/04/2020	L & H GROUP	WWtE PAYMENT RE EMRC / ANERGY AGREEMENT	684.88
EFT44138	15/04/2020	MICHAEL COUCH	WWtE PAYMENT RE EMRC / ANERGY AGREEMENT	1,800.00
EFT44139	15/04/2020	MIDALIA STEEL (ONESTEEL)	WWtE PAYMENT RE EMRC / ANERGY AGREEMENT	1,729.18
EFT44140	15/04/2020	TEMPERATURE CONTROLS PTY LTD	WWtE PAYMENT RE EMRC / ANERGY AGREEMENT	7,820.73
EFT44141	15/04/2020	UNITED EQUIPMENT PTY LTD	WWtE PAYMENT RE EMRC / ANERGY AGREEMENT	11,231.77
EFT44142	15/04/2020	ZEDFLO AUSTRALIA - PROCESS CONTROL INSTRUMENTATION PTY LTD T/AS	WWtE PAYMENT RE EMRC / ANERGY AGREEMENT	198.00
EFT44143	21/04/2020	DEPARTMENT OF WATER AND ENVIRONMENTAL REGULATION (DWER)	LICENCE AMENDMENT FEE - RED HILL	4,454.00
EFT44144	21/04/2020	DEPUTY COMMISSIONER OF TAXATION	GST PAYMENT	177,171.00
EFT44145	21/04/2020	ADECCO AUSTRALIA PTY LTD	LABOUR HIRE	1,257.01
EFT44146	21/04/2020	AMER SAABI	STAFF REIMBURSEMENT	105.60
EFT44147	21/04/2020	CHILD SUPPORT	EMPLOYEE DEDUCTION	352.70
EFT44148	21/04/2020	IAN BANCROFT	BUILDING REPAIR & MAINTENANCE	550.00
EFT44149	21/04/2020	MARKETFORCE	MARKETING MATERIALS - VARIOUS NOTICES	1,868.04
EFT44150	21/04/2020	PAYG PAYMENTS	PAYG TAXATION PAYMENT	78,134.00
EFT44151	21/04/2020	SYNERGY	ELECTRICITY CHARGES - HAZELMERE	1,134.99
EFT44152	21/04/2020	WEST FORCE PLUMBING AND GAS	PLUMBING WORKS AT RED HILL	1,391.50
EFT44153	24/04/2020	DEPARTMENT OF WATER AND ENVIRONMENTAL REGULATION (DWER)	QUARTERLY LANDFILL LEVY	3,186,439.23
EFT44154	24/04/2020	DAVID BERESFORD	STAFF REIMBURSEMENT	74.89
EFT44155	24/04/2020	TANK MASTER AUSTRALIA PTY LTD	EQUIPMENT PURCHASE	5,079.00
EFT44156	24/04/2020	WBHO INFRASTRUCTURE AUSTRALIA PTY LTD	PROGRESS PAYMENT - LANDFILL CELL CONSTRUCTION COSTS (RED HILL LANDFILL FACILITY)	610,952.84
EFT44157	30/04/2020	ADECCO AUSTRALIA PTY LTD	LABOUR HIRE	2,171.20
EFT44158	30/04/2020	ARNWOOD PTY LTD ATF THE WATTS FAMILY TRUST	PLANT PARTS	308.00
EFT44159	30/04/2020	AUSCO MODULAR PTY LTD	PLANT HIRE - HAZELMERE	2,594.27
EFT44160	30/04/2020	AUSTRALIA POST - ASCOT PLACE	POSTAL CHARGES	206.36
EFT44161	30/04/2020	B&J CATALANO PTY LTD	BLASTING OF CAPROCK - LANDFILL CELL CONSTRUCTION (RED HILL LANDFILL FACILITY)	155,602.34
EFT44162	30/04/2020	CARPENTRY, HOUSE AND YARD MAINTENANCE	BUILDING REPAIR & MAINTENANCE AT HAZELMERE WEIGHBRIDGE OFFICE	1,540.00
EFT44163	30/04/2020	EES SHIPPING PTY LTD	WWtE PAYMENT RE EMRC / ANERGY AGREEMENT	2,022.06
EFT44164	30/04/2020	FUJI XEROX AUSTRALIA PTY LTD	PHOTOCOPIER MAINTENANCE & SUPPLIES	619.81
EFT44165	30/04/2020	HUMES CONCRETE PIPES	SUPPLY OF WELL LINERS	4,101.24
EFT44166	30/04/2020	SEVENTH DAY ADVENTIST CHURCH	REFUND OF DUPLICATE PAYMENT	66.00
EFT44167	30/04/2020	TELSTRA CORPORATION LTD	TELEPHONE CHARGES	6,337.53
220494	01/04/2020	EMRC PETTY CASH - COPPIN ROAD	PETTY CASH RECOUP	56.10
220495	01/04/2020	EMRC PETTY CASH - HAZELMERE	PETTY CASH RECOUP	155.60
220496	01/04/2020	EMRC PETTY CASH - MATHIESON ROAD	PETTY CASH RECOUP	28.05
220497	01/04/2020	EMRC PETTY CASH - RED HILL	PETTY CASH RECOUP	32.00
220498	08/04/2020	EMRC PETTY CASH - BELMONT	PETTY CASH RECOUP	750.45



## Eastern Metropolitan Regional Council

CEO's DELEGATED PAYMENTS LIST  
FOR THE MONTH OF APRIL 2020

Cheque / EFT No	Date	Payee		Amount
220499	15/04/2020	WATER CORPORATION	WATER RATES & USAGE - ASCOT PLACE & HAZELMERE	62.95
220500	16/04/2020	WATER CORPORATION	WATER RATES & USAGE - ASCOT PLACE & HAZELMERE	1,027.65
PAY 2020-21	14/04/2020	PAYROLL FE 14/4/2020	PAYROLL	217,916.42
PAY 2020-22	28/04/2020	PAYROLL FE 28/4/2020	PAYROLL	215,544.65
1*APR20	01/04/2020	BANK CHARGES 1872 - 1876	BANK FEES & CHARGES	1,552.38
DD20117.1	27/04/2020	WALGS PLAN	SUPERANNUATION	26,626.03
DD20117.2	27/04/2020	RETAIL EMPLOYEES SUPERANNUATION TRUST	SUPERANNUATION	1,169.99
DD20117.3	27/04/2020	AUSTRALIAN ETHICAL SUPER	SUPERANNUATION	252.84
DD20117.4	27/04/2020	ONEPATH MASTERFUND (ANZ)	SUPERANNUATION	193.07
DD20117.5	27/04/2020	PLUM SUPERANNUATION FUND ( MLC )	SUPERANNUATION	1,229.82
DD20117.6	27/04/2020	MARANI SUPER FUND	SUPERANNUATION	997.11
DD20117.7	27/04/2020	AMP - SIGNATURESUPER	SUPERANNUATION	1,081.52
DD20117.8	27/04/2020	HUB24 SUPER FUND	SUPERANNUATION	197.39
DD20117.9	27/04/2020	MERCER SMART SUPER PLAN	SUPERANNUATION	312.77
DD20117.10	27/04/2020	ING LIVING SUPER	SUPERANNUATION	326.72
DD20117.11	27/04/2020	COMMONWEALTH ESSENTIAL SUPER	SUPERANNUATION	314.87
DD20117.12	27/04/2020	AMP FLEXIBLE LIFETIME SUPER	SUPERANNUATION	621.15
DD20117.13	27/04/2020	NORTH PERSONAL SUPERANNUATION	SUPERANNUATION	541.48
DD20117.14	27/04/2020	BT LIFETIME SUPER - EMPLOYER PLAN	SUPERANNUATION	297.66
DD20117.15	27/04/2020	CBUS INDUSTRY SUPER	SUPERANNUATION	984.90
DD20117.16	27/04/2020	TELSTRA SUPERANNUATION SCHEME	SUPERANNUATION	232.63
DD20117.17	27/04/2020	MY NORTH SUPER A/T WEALTH PERSONAL SUPERANNUATION & PENSION FUN	SUPERANNUATION	454.69
DD20117.18	27/04/2020	MTAA SUPERANNUATION FUND	SUPERANNUATION	225.77
DD20117.19	27/04/2020	A&S HUGHES-D'AETH PTY LTD ATF A&S HUGHES-D'AETH SUPERANNUATION FUND	SUPERANNUATION	589.71
DD20117.20	27/04/2020	HOSTPLUS SUPERANNUATION FUND	SUPERANNUATION	2,710.59
DD20117.21	27/04/2020	AUSTRALIAN SUPER	SUPERANNUATION	2,989.79
DD20117.22	27/04/2020	LEGALSUPER	SUPERANNUATION	401.92
DD20117.23	27/04/2020	SUNSUPER	SUPERANNUATION	677.26
DD20117.24	27/04/2020	MLC SUPER FUND	SUPERANNUATION	565.56
DD20117.25	27/04/2020	ZURICH MASTER SUPERANNUATION FUND	SUPERANNUATION	296.53
DD20118.1	27/04/2020	WALGS PLAN	SUPERANNUATION	26,879.81
DD20118.2	27/04/2020	RETAIL EMPLOYEES SUPERANNUATION TRUST	SUPERANNUATION	1,117.74
DD20118.3	27/04/2020	AUSTRALIAN ETHICAL SUPER	SUPERANNUATION	252.84
DD20118.4	27/04/2020	ONEPATH MASTERFUND (ANZ)	SUPERANNUATION	188.20
DD20118.5	27/04/2020	PLUM SUPERANNUATION FUND ( MLC )	SUPERANNUATION	1,229.82
DD20118.6	27/04/2020	MARANI SUPER FUND	SUPERANNUATION	997.11
DD20118.7	27/04/2020	AMP - SIGNATURESUPER	SUPERANNUATION	1,081.52
DD20118.8	27/04/2020	HUB24 SUPER FUND	SUPERANNUATION	197.39
DD20118.9	27/04/2020	MERCER SMART SUPER PLAN	SUPERANNUATION	312.77
DD20118.10	27/04/2020	ING LIVING SUPER	SUPERANNUATION	272.27
DD20118.11	27/04/2020	NORTH PERSONAL SUPERANNUATION	SUPERANNUATION	623.42
DD20118.12	27/04/2020	AMP FLEXIBLE LIFETIME SUPER	SUPERANNUATION	621.15



## Eastern Metropolitan Regional Council

CEO's DELEGATED PAYMENTS LIST  
FOR THE MONTH OF APRIL 2020

Cheque / EFT No	Date	Payee		Amount
DD20118.13	27/04/2020	BT LIFETIME SUPER - EMPLOYER PLAN	SUPERANNUATION	318.42
DD20118.14	27/04/2020	CBUS INDUSTRY SUPER	SUPERANNUATION	960.03
DD20118.15	27/04/2020	TELSTRA SUPERANNUATION SCHEME	SUPERANNUATION	230.74
DD20118.16	27/04/2020	COMMONWEALTH ESSENTIAL SUPER	SUPERANNUATION	263.49
DD20118.17	27/04/2020	MY NORTH SUPER A/T WEALTH PERSONAL SUPERANNUATION & PENSION FUN	SUPERANNUATION	452.86
DD20118.18	27/04/2020	MTAA SUPERANNUATION FUND	SUPERANNUATION	219.80
DD20118.19	27/04/2020	A&S HUGHES-D'AETH PTY LTD ATF A&S HUGHES-D'AETH SUPERANNUATION FUND	SUPERANNUATION	605.31
DD20118.20	27/04/2020	HOSTPLUS SUPERANNUATION FUND	SUPERANNUATION	2,712.00
DD20118.21	27/04/2020	AUSTRALIAN SUPER	SUPERANNUATION	2,915.14
DD20118.22	27/04/2020	LEGALSUPER	SUPERANNUATION	401.92
DD20118.23	27/04/2020	SUNSUPER	SUPERANNUATION	673.82
DD20118.24	27/04/2020	MLC SUPER FUND	SUPERANNUATION	566.24
DD20118.25	27/04/2020	ZURICH MASTER SUPERANNUATION FUND	SUPERANNUATION	296.53
1693	15/04/2020	BANK OF QUEENSLAND	TERM DEPOSIT INVESTMENT	3,000,000.00
1694	15/04/2020	SUNCORP BANK	TERM DEPOSIT INVESTMENT	3,000,000.00
1695	09/04/2020	ENVIRONMENTAL SYSTEMS RESEARCH INSTITUTION, INC.	ANNUAL RENEWAL FEE - SOFTWARE APPLICATION	9,317.30
1696	09/04/2020	QUANTUM ES LTD	WWE PAYMENT RE EMRC / ANERGY AGREEMENT	16,787.33
1697	21/04/2020	AUSTRACLEAR LIMITED (ASX)	FINANCIAL SERVICES FEE	8.25
1698	15/04/2020	WBC - CORPORATE MASTERCARD - D AMEDURI	CREDIT CARD PURCHASES	1,503.33
1699	15/04/2020	WBC - CORPORATE MASTERCARD - DAVID SCHMIDT	CREDIT CARD PURCHASES	1,915.97
1700	15/04/2020	WBC - CORPORATE MASTERCARD - DOUGLAS DARMAGO	CREDIT CARD PURCHASES	2,785.22
1701	15/04/2020	WBC - CORPORATE MASTERCARD - FRANK HUA HIM KUA	CREDIT CARD PURCHASES	17.00
1702	15/04/2020	WBC - CORPORATE MASTERCARD - H LIEW	CREDIT CARD PURCHASES	76.36
1703	15/04/2020	WBC - CORPORATE MASTERCARD - IZABELLA KRZYSKO	CREDIT CARD PURCHASES	37.00
1704	15/04/2020	WBC - CORPORATE MASTERCARD - MARCUS GEISLER	CREDIT CARD PURCHASES	17.00
1705	15/04/2020	WBC - CORPORATE MASTERCARD - S FITZPATRICK	CREDIT CARD PURCHASES	1,007.47
1706	15/04/2020	WBC - CORPORATE MASTERCARD - T BEINHAEUER	CREDIT CARD PURCHASES	519.27
1707	15/04/2020	WBC - CORPORATE MASTERCARD - T ECKSTEIN	CREDIT CARD PURCHASES	1,278.99
1708	15/04/2020	WBC - CORPORATE MASTERCARD - W HARRIS	CREDIT CARD PURCHASES	289.60
1709	15/04/2020	WBC - CORPORATE MASTERCARD - Z WILLIAMSON	CREDIT CARD PURCHASES	700.88
<b>SUB TOTAL</b>				<b>11,121,144.15</b>
<b>LESS CANCELLED EFTs &amp; CHEQUES</b>				<b>Nil</b>
<b>TOTAL</b>				<b>11,121,144.15</b>

All Employee Superannuation obligations for the period April 2020 has been paid by the EMRC.



## 14.2 FINANCIAL REPORT FOR PERIOD ENDED 30 APRIL 2020

REFERENCE: D2020/09573

### PURPOSE OF REPORT

The purpose of this report is to provide Council with an overview of the EMRC's financial performance for the period ended 30 April 2020.

### KEY POINTS AND RECOMMENDATION(S)

- Significant year to date budget variances greater than 10% or \$20,000, whichever is the greater, within each nature and type category on the Statement of Financial Activity as at 30 April 2020 have been identified and are reported on in the body of the report.

#### Recommendation(s)

That Council receives the Statement of Comprehensive Income, Capital Expenditure Statement, Statement of Financial Position, Statement of Cash and Investments and the Investment Report for the period ended 30 April 2020.

### SOURCE OF REPORT

Chief Financial Officer

### BACKGROUND

It is a requirement of the *Local Government (Financial Management) Regulations 1996* (r.34) that a Local Government is to prepare and present to Council financial reports in such a form as the Local Government considers to be appropriate.

The 2019/2020 Budget was presented in a format that separated operating income and expenditure from other revenue and expenses to provide improved disclosure of Council's underlying operating result.

Submitted to each meeting of Council is a financial report and summaries which provide an overview of year to date budget performance for operating activities and capital works. Variances greater than 10% or \$20,000, whichever is the greater, within each nature and type category on the Statement of Comprehensive Income are reported on in the body of the report. Also included are end of year forecasts by nature and type for operating activities and end of year forecasts for each capital works project. These forecasts are reviewed regularly in order to provide an accurate forecast of the end of year result.

The half year budget review was undertaken during January/February 2020 and is reflected in this report.

### REPORT

Outlined below are financial statements for the period ended 30 April 2020. Where possible the year to date monthly budget allocations will be reviewed in order to match the appropriate timing for the various projects budgeted to be undertaken. This will provide a better comparison between the year to date actual and year to date budget figures.





Item 14.2 continued

### Statement of Comprehensive Income - Nature and Type (refer Attachment 1)

The year to date operating result from normal activities as at 30 April 2020 is a favourable variance of \$1,365,613 (67.80%) against budget. The following information is provided on key aspects of Council's year to date financial performance:

<b><u>Operating Income</u></b>	<i>Actuals for the Year</i>	An unfavourable variance of \$319,429 (1.60%).
	<i>End of Year Forecast</i>	A favourable variance of \$84,720 (0.35%).

#### Operating Income variances previously reported to Council:

1. The full year forecast for Operating Grants is above the annual budget by \$51,929 (18.22%). The variance is due to a carried forward of unspent grant funds from the 2018/2019 financial year relating to the Community Capability Project brought to account as required by changes in AASB 15 (*Revenue from Contracts with Customers*) and AASB 1058 (*Income of Not-for-Profit Entities*).
2. Year to date Reimbursements of \$758,784 is \$100,274 (15.23%) below the budget of \$658,510. This is attributable to a lower level of reimbursements compared to budget relating to the Coppin & Mathieson Transfer Stations.

The full year forecast for Reimbursements is \$311,630 (39.43%) above the budget of \$790,259. This is primarily attributable to a forecast insurance reimbursement of \$300,000 relating to an insurance claim for plant damaged as a result of a fire at the Hazelmere Resource Recovery facility. This is off-set by a corresponding expenditure in Insurance Expenses.

3. The full year for Other Income has been forecast to be below the annual budget by \$721,791 (26.98%). The variance is mainly attributable to lower ferricrete sales (\$400,000 compared to a budget of \$780,000), a lower level of Greenwaste products sales (\$63,000 compared to a budget of \$280,904) and the timing of royalty payments and Large-Scale Generation Certificate (LGC) sales relating to the sale of electricity generated from landfill gas (\$400,000 compared to a budget of \$700,000).

This is offset by additional income from the sale of products from the Hazelmere timber recycling plant (\$677,000 compared to a budget of \$577,436), the sale of products from the Coppin & Mathieson Transfer Stations (\$114,886 compared to a budget of \$83,000) and addition diesel fuel rebate income (\$240,000 compared to a budget of \$201,000).

There were no further significant Operating Income variances as at 30 April 2020.

<b><u>Operating Expenditure</u></b>	<i>Actuals for the Year</i>	A favourable variance of \$1,685,042 (9.40%).
	<i>End of Year Forecast</i>	An unfavourable variance of \$595,725 (2.88%).

#### Operating Expenditure variances previously reported to Council:

1. Year to date Salary Expenses of \$6,978,031 is \$963,870 (12.14%) below the budget of \$7,941,901. The variance is attributable to the timing of filling vacant positions and budgeted positions that are yet to be filled.



*Item 14.2 continued*

2. Year to date Contract Expenses of \$3,158,721 is \$671,437 (17.53%) below the budget of \$3,830,158 due to the timing of various projects from different business units.

Projects where the expenditures are lower than budget for various directorates/business units include: Waste Services projects (\$250,289), Corporate Services (\$246,694), Environmental Services (\$132,444) and the Regional Development (\$39,949).

3. The full year forecast for Material Expenses has been forecast to be above the annual budget by \$197,231 (17.70%). This is primarily due to the purchase of binding material required as part of waste acceptance approval requirements which has resulted in an unfavourable variance of \$155,706 for Waste Services. This is offset by an increase in income for commercial tonnages at the Red Hill Waste Management Facility.
4. The full year forecast for Fuel Expenses is above the annual budget by \$86,500 (11.77%). The variance is attributable to the on-going use of leachate evaporators and generators on the new leachate evaporation ponds not previously provided for.
5. The full year forecast for Insurance Expenses is \$307,130 (118.79%) above the budget of \$258,545. This is primarily attributable to a forecast expenditure of \$300,000 relating to an insurance claim for plant damaged as a result of a fire at the Hazelmere Resource Recovery facility. This is off-set by a corresponding insurance income in Reimbursement Income.
6. Year to date Miscellaneous Expenses (excluding the Landfill Levy expenses) is currently \$83,774 (11.02%) below the budget of \$760,490. Projects where the expenditures are lower than budget for various directorates/business units include: Corporate Services (\$150,827), Environmental Services (\$11,313) and the Regional Development (\$21,778). This is off-set by expenditure greater than budget in the Waste Services business unit (\$83,774).

The full year forecast for Miscellaneous Expenses (excluding the Landfill Levy expenses) is \$98,650 (10.54%) above the budget of \$936,306. This variance is primarily attributable to the Hazelmere site being now classified as a commercial site for rating purposes (\$136,800 compared to a budget of \$3,590).

7. Year to date Cost Allocated Expenses of \$568,460 is \$322,066 (36.17%) below the budget of \$890,526. This variance relates to internal costs allocated between the Hazelmere C&I Plant and the Red Hill Landfill Facility Class III cell as a result of lower activity at the C & I Plant, as well as the low level of capital works undertaken to-date involving internal resources. The full year for Cost Allocated Expenses has been forecast to be below the annual budget by \$832,549 (37.97%).

There were no further significant Operating Expenditure variances as at 30 April 2020.

<b>*Other Revenues and Expenses (Net)</b>	<i>Actuals for the Year</i>	A favourable variance of \$1,075,683 (29.16%).
	<i>End of Year Forecast</i>	An unfavourable variance of \$390,868 (7.87%).

Other Revenues and Expenses variances previously reported to Council:

1. The full year forecast for User Charges (Other Revenues) is below the annual budget by \$770,500 (94.48%). The variance is due to the lower level of tonnages forecast to be received at the Hazelmere C&I facility. This is offset by a forecast reduction in expenditure relating to this project.
2. The full year forecast for Operating Grants (Other Revenues) is below the annual budget by \$240,000 (100.00%). The variance is due to unsuccessful grant applications applicable to the FOGO project.



*Item 14.2 continued*

3. Year to date Interest Restricted Cash Investments of \$1,707,549 is \$208,952 (13.94%) above the budget of \$1,498,597. This is attributable to the higher level of funds available for investment as at 30 April 2020, and a higher average interest rate expected to be received for the 2019/2020 financial year (2.18% as at 30 April 2020 compared to the budgeted rate of 1.78%). The full year for Interest Restricted Cash Investments has been forecast to be above the annual budget by \$255,610 (15.93%).
4. The full year forecast for Reimbursements (Other Revenues) is \$35,000 above the budget of \$50. This is attributable to a forecast reimbursement of \$35,000 relating to an insurance claim for damage to the C&I building as a result of a fire at the Hazelmere Resource Recovery facility. This is off-set by a corresponding expenditure in Insurance Expenses (Other Expenses).
5. Proceeds from Sale of Assets of \$326,136 is \$121,136 (59.09%) above the budget of \$205,000. The variance relates specifically to the timing of various items of plant and vehicles previously budgeted for change over during the 2018/2019 financial that did not attain the specified change over criteria.

The full year forecast for Proceeds from Sale of Assets (Other Revenues) is \$96,795 (47.22%) above the budget of \$205,000 due to the timing of various items of plant and vehicles not previously budgeted for change over during the 2019/2020 financial year that have now been forecast to be changed over as they will have attained the specified change over criteria.

6. The full year forecast for Other Revenues is below the annual budget by \$948,262 (99.16%). This variance relates to the forecast low sale of products (\$8,000 compared to a budget of \$204,434) from the Hazelmere C&I Project due to the lower level of tonnages forecast to be received through the facility and resulting recoverable material available for sale, as well as a \$0 forecast for electricity sales (compared to a budget of \$751,828) due to the delay in the commissioning of the Wood Waste to Energy (WWtE) facility.
7. The full year forecast for Salary Expenses (Other Expenses) is below the annual budget by \$302,195 (29.06%). The variance is primarily attributable to the low level of activity in the Hazelmere C&I facility (\$81,874 compared to a budget of \$486,837) due to the lower level of tonnages forecast to be received through the facility.
8. Year to date Contract Expenses (Other Expenses) of \$267,870 is \$327,074 (54.98%) below the budget of \$594,944. The variance relates primarily to the timing of contract/management expenses for the WWtE Project (\$225,600 compared to a budget of \$556,000) which was not due to be commissioned until approximately June 2020. The full year forecast for Contract Expenses (Other Expenses) is \$231,058 (25.95%) below the budget of \$890,463.
9. Year to date for Material Expenses (Other Expenses) is \$37,113 (80.44%) below the budget of \$46,140. The variance relates principally to the timing of the WWtE Project (\$845 compared to a budget of \$27,910) which was not due to be commissioned until approximately June 2020 together with the lower level of expenditure at the Hazelmere C&I facility (\$1,764 compared to a budget of \$11,010) due to the lower level of tonnages received through the facility. The full year forecast for Material Expenses (Other Expenses) is \$36,823 (48.79%) below the budget of \$75,475.
10. Year to date Depreciation Expenses (Other Expenses) of \$64,039 is \$128,455 (66.73%) below the budget of \$192,494. The variance is due to the timing of the WWtE Project (\$27,300 compared to a budget of \$163,670) which was not due to be commissioned until approximately June 2020 as well as the timing and/or carry forward of capital expenditure associated with the Hazelmere Resource Recovery Park projects. The full year forecast for Depreciation Expenses (Other Expenses) is \$314,138 (62.42%) below the budget of \$503,290.
11. The full year forecast for Miscellaneous Expenses (Other Expenses) is \$45,295 (33.97%) below the budget of \$133,350. The variance relates to miscellaneous expenses for the Hazelmere C&I Project (\$15,000 compared to a budget of \$30,000) and is attributable to the lower level of tonnages forecast to be received through the facility and the timing of the WWtE Project (\$20,000 compared to a budget of \$56,300) which was not due to be commissioned until approximately June 2020.



*Item 14.2 continued*

12. Year to date Carrying Amount of Assets Disposed Of (Other Expenses) of \$170,261 is \$41,587 (32.32%) above the budget of \$128,674. The variance relates specifically to the timing of various items of plant and vehicles not previously budgeted for change over during the 2019/2020 financial year that have now been forecast to be changed over as they will have attained the specified change over criteria. The full year forecast for Carrying Amount of Assets Disposed Of (Other Expenses) is \$37,836 (24.57%) above the budget of \$153,999.

13. Year to date Costs Allocated of \$411,488 is \$181,037 (30.55%) below the budget of \$592,525. This variance relates specifically to internal costs allocated between the Hazelmere C&I Plant and the Red Hill Landfill Facility Class III cell due to lower than budget levels of activity at the C & I Plant.

There were no further significant Other Revenues and Expenses variances as at 30 April 2020.

<b><u>Other Comprehensive Income</u></b>	<i>Actuals for the Year</i>	n/a.
	<i>End of Year Forecast</i>	An unfavourable variance of \$18,789,200.

The full year forecast of \$18,789,200 represents the EMRC's FOGO contribution of \$13,789,200 to Member Councils as well as a Dividend distribution of \$5,000,000 to Member Councils which is anticipated to be paid by 30 June 2020.

**Capital Expenditure Statement (refer Attachment 2)**

<b><u>Capital Expenditure</u></b>	<i>Actuals for the Year</i>	A favourable variance of \$4,948,863.
	<i>End of Year Forecast</i>	A favourable variance of \$7,022,643.

Capital Expenditure variances:

A favourable variance of \$4,948,863 existed as at 30 April 2020 when compared to the budget of \$13,985,213. The year to date budget provisions are used as a guide only as expenditure of a capital nature is undertaken as and when required.

Major capital expenditures to 30 April 2020 include:

- Construct Class III Cell - Stage 14 - Red Hill Landfill Facility - \$3,414,117;
- Purchase / Replace Plant - Red Hill Landfill Facility - \$1,758,975;
- Construct and Commission Resource Recovery Park - WWtE Building - \$1,234,797;
- Purchase Resource Recovery Park - WWtE Plant and Equipment - \$819,823;
- Construct and Commission Resource Recovery Park - Site Infrastructure - \$467,658;
- Purchase Vehicles - Ascot Place and Red Hill Landfill Facility - \$378,733; and
- Purchase / Replace Minor Plant and Equipment Plant - Red Hill Landfill Facility - \$194,423.

The Capital Expenditure budgets as at year end were reviewed as part of the half year budget review undertaken during January/February 2020 in order to reflect the actual timing of various projects and match expenditure requirements in relation to tonnage forecasts.

Full Year Capital Expenditure has been forecast to be \$7,022,643 (26.07%) below the budget of \$26,940,712.



*Item 14.2 continued*

Significant reductions to capital budgets where savings have been achieved, or where project expenditure has been deferred due to delays and/or carried forward or not required include the following:

- Construct Resource Recovery Park - Site Infrastructure - \$1,550,000 (c/fwd);
- Liquid Waste Project - Red Hill Landfill Facility - \$1,550,000 (c/fwd);
- Construct Resource Recovery Park - Site/Administration Office - \$800,000 (c/fwd);
- Construct Resource Recovery Park - Site Workshop - \$600,000 (c/fwd);
- Construct Resource Recovery Park - Community Recycling Centre - \$529,182 (c/fwd);
- Construct Resource Recovery Park - Community Reuse Store - \$500,000 (c/fwd);
- Purchase Resource Recovery Park - C&I Building, Plant and Equipment - \$500,000;
- Liquid Waste Project Plant - Red Hill Landfill Facility \$450,000 (c/fwd);
- Design and Construct Class IV Cell Stage 2 - Red Hill Landfill Facility - \$420,000 (\$30,000 c/fwd);
- Purchase Resource Recovery Park Transfer Station, Plant & Equipment - \$300,000 (c/fwd);
- Construct Resource Recovery Park - Reuse Store Infrastructure - \$250,000 (c/fwd);
- Construct Drainage Diversion & Infrastructures - Red Hill Landfill Facility - \$250,000 (c/fwd);
- Construct Stormwater Infrastructure/Siltation Ponds - Red Hill Landfill Facility - \$200,000 (c/fwd);
- Capital Improvement - Ascot Place Administration Building - \$155,750 (c/fwd);
- Purchase Vehicles - Ascot Place and - \$110,000;
- Construct Litter Fence - Red Hill Landfill Facility - \$100,000 (\$50,000 c/fwd); and
- Purchase / Replace Plant - Hazelmere - \$100,000 (c/fwd).

This is offset by an increase in the following Capital Expenditure budget provision following a review of the capital expenditure program:

- Resource Recovery Park - WWtE, Building, Plant & Infrastructure - \$1,015,702;  
 This was subject to a confidential report submitted to Council and approved by Council at its meeting held on 19 September 2019.
- Purchase / Replace / Refurbish Plant - Red Hill Landfill Facility - \$531,475; and  
 This relates to committed capital expenditure for the purchase of a loader and a truck at the Red Hill Landfill Facility which were ordered and expected to be received in the 2018/2019 financial year. The plant items were however not received until early 2019/2020 and as the 2019/2020 Annual Budget had been finalised and adopted a carried forward provision for these purchases was not able to be undertaken. This has been previously raised and explained to Council at its meeting on 5 December 2019.
- Purchase Vehicles - Red Hill Landfill Facility - \$86,000.  
 As outlined earlier in this report, this relates specifically to the timing of the replacement of various items of plant and vehicles not previously budgeted for change over during the 2019/2020 financial year that have now been forecast to be changed over as they will have attained the specified change over criteria as per the EMRC Fleet Policy and 10 Year Plant Replacement Schedule.

**Statement of Financial Position (refer Attachment 3)**

The Statement of Financial Position shows the overall impact of actual balances compared with budget provisions and end of year forecasts for operating and capital works activities.

Total Equity as at 30 April 2020 totals \$203,658,009. This is an increase of \$8,144,407 from the 30 June 2019 equity of \$195,513,602 and represents the net change in assets from operations.

It has been forecast that Total Equity as at 30 June 2020 will be below the original budget of \$204,640,131 by \$19,691,073.



*Item 14.2 continued*

#### **Statement of Cash and Investments (refer Attachment 4)**

The level of cash and investments in the Municipal Fund as at 30 April 2020 is \$23,915,209 and Restricted Cash amount to 80,107,946.

The net movement for the month is a reduction of \$1,997,669.

It has been forecast that Total Cash and Investments as at 30 June 2020 will be below the original budget of \$90,373,880 by \$13,127,666. This is primarily as a result of the proposed payments by 30 June 2020 to member councils for the FOGO contribution totalling \$13,789,200 and a dividend distribution of \$5,000,000 to Member Councils. This is off-set by the lower level of forecast capital expenditure compared to budget that has been forecast for 2019/2020.

#### **Investment Report (refer Attachment 5)**

Term deposits valued at \$22,000,000 matured during April 2020 of which \$6,000,000 was reinvested into further term deposits. The remaining funds were redeemed and are currently held to fund the FOGO and Dividend distribution to Member Councils.

#### **STRATEGIC/POLICY IMPLICATIONS**

Key Result Area 3 - Good Governance

3.3 To provide responsible and accountable governance and management of the EMRC

3.4 To continue to improve financial and asset management practices

#### **FINANCIAL IMPLICATIONS**

As outlined within the report and attachments.

#### **SUSTAINABILITY IMPLICATIONS**

Nil

#### **MEMBER COUNCIL IMPLICATIONS**

<b>Member Council</b>	<b>Implication Details</b>
Town of Bassendean	} As outlined in the report.
City of Bayswater	
City of Belmont	
City of Kalamunda	
Shire of Mundaring	
City of Swan	

#### **ATTACHMENT(S)**

1. Statement of Comprehensive Income by Nature and Type (Ref: D2020/10309)
2. Capital Expenditure Statement (Ref: D2020/10310)
3. Statement of Financial Position (Ref: D2020/10311)
4. Statement of Cash and Investments (Ref: D2020/10317)
5. Investment Report (Ref: D2020/10318)



*Item 14.2 continued*

#### VOTING REQUIREMENT

Simple Majority

#### **RECOMMENDATION(S)**

That Council receives the Statement of Comprehensive Income, Capital Expenditure Statement, Statement of Financial Position, Statement of Cash and Investments and the Investment Report for the period ended 30 April 2020.

#### **COUNCIL RESOLUTION(S)**

MOVED CR WOLFF

SECONDED CR JEANS

THAT COUNCIL RECEIVES THE STATEMENT OF COMPREHENSIVE INCOME, CAPITAL EXPENDITURE STATEMENT, STATEMENT OF FINANCIAL POSITION, STATEMENT OF CASH AND INVESTMENTS AND THE INVESTMENT REPORT FOR THE PERIOD ENDED 30 APRIL 2020.

**CARRIED UNANIMOUSLY**

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# STATEMENT OF COMPREHENSIVE INCOME

## Nature and Type

APRIL 2020

Year to Date					Full Year		
Actual	Budget	Variance			Forecast	Budget	Variance
<b>Operating Income</b>							
\$28,006,403	\$28,641,851	(\$635,448)	(U)	User Charges	\$34,659,733	\$34,022,683	\$637,050 (F)
(\$12,082,795)	(\$12,173,100)	\$90,305	(F)	<u>Less</u> Landfill Levy Charges	(\$14,770,011)	(\$14,607,723)	(\$162,288) (U)
\$15,923,608	\$16,468,751	(\$545,143)	(U)	Net User Charges	\$19,889,722	\$19,414,960	\$474,762 (F)
\$380,814	\$376,186	\$4,628	(F)	Special Charges	\$460,285	\$442,603	\$17,682 (F)
\$526,681	\$513,026	\$13,655	(F)	Contributions	\$521,955	\$563,447	(\$41,492) (U)
\$239,154	\$232,500	\$6,654	(F)	Operating Grants	\$336,929	\$285,000	\$51,929 (F)
\$213,328	\$224,990	(\$11,662)	(U)	Interest Municipal Cash Investments	\$262,000	\$270,000	(\$8,000) (U)
\$758,784	\$658,510	\$100,274	(F)	Reimbursements	\$1,101,889	\$790,259	\$311,630 (F)
\$1,582,665	\$1,470,500	\$112,165	(F)	Other	\$1,953,806	\$2,675,597	(\$721,791) (U)
<b>\$19,625,034</b>	<b>\$19,944,463</b>	<b>\$319,429</b>	<b>(U)</b>	<b>Total Operating Income</b>	<b>\$24,526,586</b>	<b>\$24,441,866</b>	<b>\$84,720 (F)</b>
<b>Operating Expenditure</b>							
\$6,978,031	\$7,941,901	\$963,870	(F)	Salary Expenses	\$8,696,446	\$9,645,073	\$948,627 (F)
\$3,158,721	\$3,830,158	\$671,437	(F)	Contract Expenses	\$4,854,576	\$4,666,382	(\$188,194) (U)
\$911,246	\$923,229	\$11,983	(F)	Material Expenses	\$1,311,500	\$1,114,269	(\$197,231) (U)
\$266,401	\$269,850	\$3,449	(F)	Utility Expenses	\$332,144	\$327,525	(\$4,619) (U)
\$612,147	\$612,120	(\$27)	(U)	Fuel Expenses	\$821,188	\$734,688	(\$86,500) (U)
\$227,688	\$215,200	(\$12,488)	(U)	Insurance Expenses	\$565,675	\$258,545	(\$307,130) (U)
\$3,787,585	\$4,070,490	\$282,905	(F)	Depreciation Expenses	\$4,749,975	\$4,923,631	\$173,656 (F)
\$676,716	\$760,490	\$83,774	(F)	Miscellaneous Expenses	\$1,034,956	\$936,306	(\$98,650) (U)
\$195,135	\$197,340	\$2,205	(F)	Provision Expenses	\$239,956	\$236,821	(\$3,135) (U)
(\$568,460)	(\$890,526)	(\$322,066)	(U)	Costs Allocated	(\$1,360,256)	(\$2,192,805)	(\$832,549) (U)
<b>\$16,245,210</b>	<b>\$17,930,252</b>	<b>\$1,685,042</b>	<b>(F)</b>	<b>Total Operating Expenditure</b>	<b>\$21,246,160</b>	<b>\$20,650,435</b>	<b>(\$595,725) (U)</b>
<b>\$3,379,824</b>	<b>\$2,014,211</b>	<b>\$1,365,613</b>	<b>(F)</b>	<b>OPERATING RESULT FROM NORMAL ACTIVITIES</b>	<b>\$3,280,426</b>	<b>\$3,791,431</b>	<b>(\$511,005) (U)</b>
Surplus	Surplus				Surplus	Surplus	

Notes:

1. User Charges - include member Councils and casual users pertaining to waste, risk management and environmental services fees and charges;
2. Special Charges - Waste Education Levy;
3. Contributions - member Councils' contributions to projects and services;
4. Operating Grants - grant income predominantly from government agencies; and
5. Other Operating Income - includes income from the sale of products;

(F) denotes Favourable variance and (U) denotes Unfavourable variance





# STATEMENT OF COMPREHENSIVE INCOME

## Nature and Type

### APRIL 2020

Year to Date			Full Year					
Actual	Budget	Variance		Forecast	Budget	Variance		
<b>Other Revenues</b>								
\$32,747	\$37,510	(\$4,763)	(U)	User Charges	\$45,000	\$815,500	(\$770,500)	(U)
\$4,134,552	\$4,042,586	\$91,966	(F)	Secondary Waste Charge	\$4,997,380	\$4,756,004	\$241,376	(F)
\$0	\$0	\$0	(F)	Operating Grants	\$0	\$240,000	(\$240,000)	(U)
\$1,707,549	\$1,498,597	\$208,952	(F)	Interest Restricted Cash Investments	\$1,860,569	\$1,604,959	\$255,610	(F)
\$0	\$40	(\$40)	(U)	Reimbursements	\$35,050	\$50	\$35,000	(F)
\$326,136	\$205,000	\$121,136	(F)	Proceeds from Sale of Assets	\$301,795	\$205,000	\$96,795	(F)
\$6,976	\$7,500	(\$524)	(U)	Other	\$8,000	\$956,262	(\$948,262)	(U)
<b>\$6,207,960</b>	<b>\$5,791,233</b>	<b>\$416,727</b>	(F)	<b>Total Other Revenues</b>	<b>\$7,247,794</b>	<b>\$8,577,775</b>	<b>(\$1,329,981)</b>	<b>(U)</b>
<b>Other Expenses</b>								
\$434,488	\$455,203	\$20,715	(F)	Salary Expenses	\$737,880	\$1,040,075	\$302,195	(F)
\$267,870	\$594,944	\$327,074	(F)	Contract Expenses	\$659,405	\$890,463	\$231,058	(F)
\$9,027	\$46,140	\$37,113	(F)	Material Expenses	\$38,652	\$75,475	\$36,823	(F)
\$9,497	\$14,820	\$5,323	(F)	Utility Expenses	\$17,670	\$28,700	\$11,030	(F)
\$0	\$300	\$300	(F)	Fuel Expenses	\$500	\$1,000	\$500	(F)
\$43,927	\$26,437	(\$17,490)	(U)	Insurance Expenses	\$56,745	\$55,406	(\$1,339)	(U)
\$64,039	\$192,494	\$128,455	(F)	Depreciation Expenses	\$189,152	\$503,290	\$314,138	(F)
\$32,780	\$50,796	\$18,016	(F)	Miscellaneous Expenses	\$88,055	\$133,350	\$45,295	(F)
\$170,261	\$128,674	(\$41,587)	(U)	Carrying Amount of Assets Disposed Of	\$191,835	\$153,999	(\$37,836)	(U)
\$411,488	\$592,525	\$181,037	(F)	Costs Allocated	\$691,866	\$729,115	\$37,249	(F)
<b>\$1,443,377</b>	<b>\$2,102,333</b>	<b>\$658,956</b>	(F)	<b>Total Other Expenses</b>	<b>\$2,671,760</b>	<b>\$3,610,873</b>	<b>\$939,113</b>	(F)
<b>\$4,764,583</b>	<b>\$3,688,900</b>	<b>\$1,075,683</b>	(F)	<b>OPERATING RESULT FROM OTHER ACTIVITIES</b>	<b>\$4,576,034</b>	<b>\$4,966,902</b>	<b>(\$390,868)</b>	<b>(U)</b>
Surplus	Surplus				Surplus	Surplus		
<b>\$8,144,407</b>	<b>\$5,703,111</b>	<b>\$2,441,296</b>	(F)	<b>NET RESULT</b>	<b>\$7,856,460</b>	<b>\$8,758,333</b>	<b>(\$901,873)</b>	<b>(U)</b>
Surplus	Surplus				Surplus	Surplus		
<b>Realised/Unrealised (Gain)/Loss From Change in Fair Value of Investments</b>								
\$0	\$0	\$0	(F)	Unrealised (Gain)/Loss	\$0	\$0	\$0	(F)
\$0	\$0	\$0	(F)	Realised (Gain)/Loss	\$0	\$0	\$0	(F)
<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	(F)	<b>Total (Gain)/Loss from change in Fair Value of Investments</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>(F)</b>
<b>Other Comprehensive Income</b>								
\$0	\$0	\$0	(F)	Revaluation of Assets/Accumulated Depreciation Reversal	\$0	\$0	\$0	(F)
\$0	\$0	\$0	(F)	Other Comprehensive Income	\$0	\$0	\$0	(F)
\$0	\$0	\$0	(F)	FOGO Contribution to Member Councils	(\$13,789,200)	\$0	\$13,789,200	(U)
\$0	\$0	\$0	(F)	Dividend Distribution to Member Councils	(\$5,000,000)	\$0	\$5,000,000	(U)
<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	(F)	<b>Total Other Comprehensive Income</b>	<b>(\$18,789,200)</b>	<b>\$0</b>	<b>\$18,789,200</b>	<b>(U)</b>
<b>\$8,144,407</b>	<b>\$5,703,111</b>	<b>\$2,441,296</b>	(F)	<b>CHANGE IN NET ASSETS FROM OPERATIONS</b>	<b>\$10,932,740</b>	<b>\$8,758,333</b>	<b>(\$19,691,073)</b>	<b>(U)</b>
Surplus	Surplus				Deficit	Surplus		



## CAPITAL EXPENDITURE STATEMENT

APRIL 2020

Year to Date						Full Year			
Actual	Budget	Variance		On Order	(F) = Favourable variation (U) = Unfavourable variation	Forecast	Budget	Variance	
<b>Governance and Corporate Services</b>									
\$177,346	\$280,830	\$103,484	(F)	\$0	<b>Purchase Vehicles - Ascot Place</b> ( 24440/00 )	\$227,000	\$337,000	\$110,000	(F)
\$20,530	\$12,500	(\$8,030)	(U)	\$0	<b>Purchase Furniture Fittings &amp; Equipment - Corporate Services</b> ( 24510/01 )	\$0	\$25,000	\$25,000	(F)
\$51,663	\$280,000	\$228,337	(F)	\$100,044	<b>Purchase Information Technology &amp; Communication Equipment</b> ( 24550/00 )	\$256,000	\$336,000	\$80,000	(F)
\$0	\$0	\$0	(F)	\$0	<b>Purchase Art Works</b> ( 24620/00 )	\$20,000	\$20,000	\$0	(F)
\$6,299	\$4,500	(\$1,799)	(U)	\$0	<b>Capital Improvement Administration Building - Ascot Place</b> ( 25240/01 )	\$4,250	\$160,000	\$155,750	(F)
\$0	\$0	\$0	(F)	\$0	<b>Upgrade Security Equipment - Ascot Place</b> ( 25530/01 )	\$0	\$4,500	\$4,500	(F)
<b>\$255,837</b>	<b>\$577,830</b>	<b>\$321,993</b>	<b>(F)</b>	<b>\$100,044</b>		<b>\$507,250</b>	<b>\$882,500</b>	<b>\$375,250</b>	<b>(F)</b>



# CAPITAL EXPENDITURE STATEMENT

## APRIL 2020

Year to Date					Full Year		
Actual	Budget	Variance	On Order	(F) = Favourable variation (U) = Unfavourable variation	Forecast	Budget	Variance
<b>Resource Recovery</b>							
\$1,234,797	\$0	(\$1,234,797) (U)	\$0		\$1,495,000	\$0	(\$1,495,000) (U)
				<b>Construct Wood Waste to Energy Building - HRRP ( 24259/05 )</b>			
\$27,818	\$20,000	(\$7,818) (U)	\$111,408		\$20,818	\$550,000	\$529,182 (F)
				<b>Construct Community Recycling Centre (CRC) - HRRP ( 24259/06 )</b>			
\$0	\$0	\$0 (F)	\$0		\$0	\$800,000	\$800,000 (F)
				<b>Construct Site/Administration Office - HRRP ( 24259/07 )</b>			
\$0	\$0	\$0 (F)	\$0		\$0	\$500,000	\$500,000 (F)
				<b>Construct Community Reuse Store - HRRP ( 24259/08 )</b>			
\$0	\$0	\$0 (F)	\$0		\$0	\$10,000	\$10,000 (F)
				<b>Construct MRF Building - HRRP ( 24259/09 )</b>			
\$79,495	\$175,000	\$95,505 (F)	\$0		\$210,000	\$210,000	\$0 (F)
				<b>Construct Commercial Transfer Station - HRRP ( 24259/10 )</b>			
\$65,127	\$66,000	\$873 (F)	\$0		\$78,055	\$78,055	\$0 (F)
				<b>Construct Weighbridge Office - HRRP ( 24259/12 )</b>			
\$0	\$0	\$0 (F)	\$0		\$0	\$600,000	\$600,000 (F)
				<b>Construct Site Workshop - HRRP ( 24259/13 )</b>			
\$52,625	\$95,000	\$42,375 (F)	\$0		\$115,337	\$115,337	\$0 (F)
				<b>Construct Weighbridges (x2) - HRRP ( 24392/02 )</b>			
\$35,327	\$83,330	\$48,003 (F)	\$1,395		\$100,000	\$100,000	\$0 (F)
				<b>Construct FOGO Processing Area - Red Hill Landfill Facility ( 24395/05 )</b>			
\$467,658	\$710,000	\$242,342 (F)	\$373,203		\$1,000,000	\$2,550,000	\$1,550,000 (F)
				<b>Construct Site Infrastructure - HRRP ( 24399/01 )</b>			
\$0	\$0	\$0 (F)	\$0		\$0	\$250,000	\$250,000 (F)
				<b>Construct Reuse Store Infrastructure (Car Park) - HRRP ( 24399/07 )</b>			
\$5,206	\$25,500	\$20,294 (F)	\$10,939		\$50,000	\$123,685	\$73,685 (F)
				<b>Wood Waste to Energy Utilities/Infrastructure - HRRP ( 24399/11 )</b>			
\$819,823	\$1,033,830	\$214,007 (F)	\$188,141		\$835,000	\$1,240,613	\$405,613 (F)
				<b>Purchase Wood Waste to Energy Plant &amp; Equipment - HRRP ( 24410/03 )</b>			



# CAPITAL EXPENDITURE STATEMENT

## APRIL 2020

Year to Date					Full Year		
Actual	Budget	Variance	On Order	(F) = Favourable variation (U) = Unfavourable variation	Forecast	Budget	Variance
<b>Resource Recovery</b>							
\$0	\$0	\$0 (F)	\$0	Purchase C & I Building - Plant & Equipment - HRRP ( 24410/04 )	\$0	\$500,000	\$500,000 (F)
\$0	\$0	\$0 (F)	\$0	Purchase Transfer Station - Plant & Equipment - HRRP ( 24410/05 )	\$0	\$300,000	\$300,000 (F)
\$52,630	\$300,000	\$247,370 (F)	\$433,170	Purchase FOGO Processing Plant - Red Hill Landfill Facility ( 24410/10 )	\$600,000	\$600,000	\$0 (F)
<b>\$2,840,507</b>	<b>\$2,508,660</b>	<b>(\$331,847) (U)</b>	<b>\$1,118,256</b>		<b>\$4,504,210</b>	<b>\$8,527,690</b>	<b>\$4,023,480 (F)</b>

## Waste Management

\$0	\$73,334	\$73,334 (F)	\$0	Construct Waste Management Facility Buildings - Red Hill Landfill Facility ( 24250/01 )	\$110,000	\$110,000	\$0 (F)
\$0	\$33,000	\$33,000 (F)	\$0	Construct Storage Shed - Hazelmere ( 24250/05 )	\$63,000	\$63,000	\$0 (F)
\$6,018	\$50,000	\$43,982 (F)	\$0	Upgrade Power Supply to Transfer Station - Red Hill Landfill Facility ( 24259/14 )	\$80,000	\$80,000	\$0 (F)
\$0	\$40,000	\$40,000 (F)	\$0	Upgrade Power Supply to Workshop No 2 - Red Hill Landfill Facility ( 24259/15 )	\$80,000	\$80,000	\$0 (F)
\$3,414,117	\$4,145,403	\$731,286 (F)	\$109,998	Construct Class III Cell Stage 14 - Red Hill Landfill Facility ( 24310/12 )	\$4,974,352	\$4,974,352	\$0 (F)
\$165,403	\$0	(\$165,403) (U)	\$0	Construct Class III Cell Stage 16 - Red Hill Landfill Facility ( 24310/19 )	\$0	\$0	\$0 (F)
\$10,370	\$69,160	\$58,790 (F)	\$0	Leachate Project - Red Hill Landfill Facility ( 24320/02 )	\$83,000	\$83,000	\$0 (F)
\$0	\$30,000	\$30,000 (F)	\$6,750	Design and Construct Class IV Cell Stage 2 - Red Hill Landfill Facility ( 24330/04 )	\$30,000	\$450,000	\$420,000 (F)



# CAPITAL EXPENDITURE STATEMENT

## APRIL 2020

Year to Date					Full Year		
Actual	Budget	Variance	On Order	(F) = Favourable variation (U) = Unfavourable variation	Forecast	Budget	Variance
<b>Waste Management</b>							
\$0	\$0	\$0 (F)	\$0		\$0	\$200,000	\$200,000 (F)
\$7,945	\$71,846	\$63,901 (F)	\$0		\$123,690	\$123,690	\$0 (F)
\$3,420	\$310,000	\$306,580 (F)	\$116,243		\$450,000	\$500,000	\$50,000 (F)
\$0	\$0	\$0 (F)	\$0		\$0	\$250,000	\$250,000 (F)
\$0	\$0	\$0 (F)	\$0		\$0	\$100,000	\$100,000 (F)
\$0	\$0	\$0 (F)	\$0		\$0	\$55,000	\$55,000 (F)
\$0	\$20,000	\$20,000 (F)	\$0		\$40,000	\$40,000	\$0 (F)
\$0	\$0	\$0 (F)	\$2,968		\$0	\$75,000	\$75,000 (F)
\$0	\$0	\$0 (F)	\$0		\$0	\$1,550,000	\$1,550,000 (F)
\$77,704	\$1,250,170	\$1,172,466 (F)	\$2,201,410		\$1,500,000	\$1,500,000	\$0 (F)
\$1,758,975	\$2,800,000	\$1,041,025 (F)	\$1,097,985		\$3,996,475	\$3,595,000	(\$401,475) (U)
\$32,263	\$1,040,000	\$1,007,737 (F)	\$323,271		\$1,975,000	\$2,075,000	\$100,000 (F)
\$0	\$0	\$0 (F)	\$0		\$0	\$450,000	\$450,000 (F)



# CAPITAL EXPENDITURE STATEMENT

## APRIL 2020

Year to Date						Full Year			
Actual	Budget	Variance		On (F) = Favourable variation Order (U) = Unfavourable variation		Forecast	Budget	Variance	
<b>Waste Management</b>									
\$194,423	\$733,330	\$538,907 (F)	\$35,760		Purchase / Replace Minor Plant and Equipment-Red Hill Landfill Facility ( 24420/00 )	\$880,000	\$880,000	\$0 (F)	
\$9,080	\$14,000	\$4,920 (F)	\$0		Purchase / Replace Minor Plant and Equipment - Hazelmere ( 24420/02 )	\$27,502	\$14,000	(\$13,502) (U)	
\$201,387	\$86,000	(\$115,387) (U)	\$0		Purchase / Replace Vehicles - Red Hill Landfill Facility ( 24430/00 )	\$172,000	\$86,000	(\$86,000) (U)	
\$0	\$67,000	\$67,000 (F)	\$0		Purchase / Replace Security System - Red Hill Waste Management Facility ( 24530/08 )	\$100,000	\$100,000	\$0 (F)	
\$22,250	\$36,480	\$14,230 (F)	\$0		Purchase / Replace Security System - Hazelmere ( 24530/10 )	\$36,480	\$36,480	\$0 (F)	
\$25,194	\$20,000	(\$5,194) (U)	\$0		Purchase / Replace Other Equipment - Red Hill Landfill Facility ( 24590/00 )	\$20,000	\$20,000	\$0 (F)	
\$11,457	\$0	(\$11,457) (U)	\$0		Purchase / Replace Miscellaneous Equipment - Hazelmere ( 24590/02 )	\$8,572	\$0	(\$8,572) (U)	
\$0	\$9,000	\$9,000 (F)	\$0		Purchase Office Furniture and Fittings-Hazelmere ( 24610/10 )	\$6,538	\$20,000	\$13,462 (F)	
\$0	\$0	\$0 (F)	\$93,267		Refurbish Plant - Red Hill Landfill Facility ( 25410/00 )	\$150,000	\$20,000	(\$130,000) (U)	
<b>\$5,940,006</b>	<b>\$10,898,723</b>	<b>\$4,958,717 (F)</b>	<b>\$3,987,652</b>			<b>\$14,906,609</b>	<b>\$17,530,522</b>	<b>\$2,623,913 (F)</b>	
<b>\$9,036,350</b>	<b>\$13,985,213</b>	<b>\$4,948,863 (F)</b>	<b>\$5,205,952</b>		<b>TOTAL CAPITAL EXPENDITURE</b>	<b>\$19,918,069</b>	<b>\$26,940,712</b>	<b>\$7,022,643 (F)</b>	



# STATEMENT OF FINANCIAL POSITION

## APRIL 2020

Actual June 2019	Actual Year to Date		Full Year		
			Forecast	Budget	Variance
		(F) = Favourable variation (U) = Unfavourable variation			
<b>Current Assets</b>					
\$1,498,764	\$16,605,706	Cash and Cash Equivalents	\$4,719,638	\$4,277,914	\$441,724 (F)
\$103,399,001	\$87,417,449	Investments	\$72,526,576	\$86,095,966	(\$13,569,390) (U)
\$2,716,470	\$4,084,402	Trade and Other Receivables	\$2,426,402	\$2,426,402	\$0 (F)
\$54,739	\$34,382	Inventories	\$29,845	\$29,845	\$0 (F)
\$42,555	\$128,610	Other Assets	\$21,377	\$21,377	\$0 (F)
<b>\$107,711,529</b>	<b>\$108,270,549</b>	<b>Total Current Assets</b>	<b>\$79,723,838</b>	<b>\$92,851,504</b>	<b>(\$13,127,666) (U)</b>
<b>Current Liabilities</b>					
\$5,541,725	\$2,775,669	Trade and Other Payables	\$3,604,991	\$3,604,991	\$0 (F)
\$1,629,324	\$1,629,324	Provisions	\$1,587,746	\$1,600,159	\$12,413 (F)
<b>\$7,171,049</b>	<b>\$4,404,993</b>	<b>Total Current Liabilities</b>	<b>\$5,192,737</b>	<b>\$5,205,150</b>	<b>\$12,413 (F)</b>
<b>\$100,540,480</b>	<b>\$103,865,556</b>	<b>Net Current Assets</b>	<b>\$74,531,101</b>	<b>\$87,646,354</b>	<b>(\$13,115,253) (U)</b>
<b>Non Current Assets</b>					
\$50,570,000	\$50,570,000	Land	\$50,570,000	\$50,570,000	\$0 (F)
\$7,282,047	\$7,307,210	Buildings	\$9,633,644	\$10,683,789	(\$1,050,145) (U)
\$17,270,648	\$15,644,626	Structures	\$23,037,557	\$27,371,536	(\$4,333,979) (U)
\$10,479,107	\$11,061,075	Plant	\$18,245,638	\$19,411,090	(\$1,165,452) (U)
\$310,204	\$409,805	Equipment	\$910,564	\$918,978	(\$8,414) (U)
\$143,201	\$152,344	Furniture and Fittings	\$109,746	\$124,441	(\$14,695) (U)
\$13,411,331	\$19,335,945	Work in Progress	\$11,954,052	\$11,954,052	\$0 (F)
<b>\$99,466,539</b>	<b>\$104,481,005</b>	<b>Total Non Current Assets</b>	<b>\$114,461,201</b>	<b>\$121,033,886</b>	<b>(\$6,572,685) (U)</b>
<b>Non Current Liabilities</b>					
\$4,493,417	\$4,688,552	Provisions	\$4,043,244	\$4,040,109	(\$3,135) (U)
<b>\$4,493,417</b>	<b>\$4,688,552</b>	<b>Total Non Current Liabilities</b>	<b>\$4,043,244</b>	<b>\$4,040,109</b>	<b>(\$3,135) (U)</b>
<b>\$195,513,602</b>	<b>\$203,658,009</b>	<b>Net Assets</b>	<b>\$184,949,058</b>	<b>\$204,640,131</b>	<b>(\$19,691,073) (U)</b>
<b>Equity</b>					
\$54,062,507	\$62,308,230	Accumulated Surplus/Deficit	\$69,541,479	\$69,541,479	\$0 (F)
\$91,958,292	\$91,958,292	Cash Backed Reserves	\$85,093,239	\$85,093,239	\$0 (F)
\$41,247,080	\$41,247,080	Asset Revaluation Reserve	\$41,247,080	\$41,247,080	\$0 (F)
<b>\$8,245,723</b>	<b>\$8,144,407</b>	<b>Net change in assets from operations</b>	<b>(\$10,932,740)</b>	<b>\$8,758,333</b>	<b>(\$19,691,073) (U)</b>
<b>\$195,513,602</b>	<b>\$203,658,009</b>	<b>Total Equity</b>	<b>\$184,949,058</b>	<b>\$204,640,131</b>	<b>(\$19,691,073) (U)</b>

## CASH AND INVESTMENTS APRIL 2020

Actual June 2019	Actual Year to Date		Full Year		
			Forecast	Budget	Variance
<b>Municipal Cash and Investments</b>					
1,495,314	16,602,256	Cash at Bank - Municipal Fund 01001/00	2,031,837	1,590,113	441,724 (F)
3,450	3,450	Cash on Hand 01019/00 - 02	3,450	3,450	0 (F)
11,251,348	7,309,503	Investments - Municipal Fund 02021/00	4,363,732	2,684,351	1,679,381 (F)
<b>12,750,112</b>	<b>23,915,209</b>	<b>Total Municipal Cash</b>	<b>6,399,019</b>	<b>4,277,914</b>	<b>2,121,105 (F)</b>
<b>Restricted Cash and Investments</b>					
1,937,863	1,974,792	Restricted Investments - Plant and Equipment 02022/01	925,660	564,514	361,146 (F)
2,709,862	2,761,503	Restricted Investments - Post Closure Site Rehabilitation Red Hill 02022/02	2,906,123	2,900,531	5,592 (F)
20,180,980	20,565,558	Restricted Investments - Future Development 02022/03	16,884,694	21,861,282	(4,976,588) (F)
1,098,527	1,119,461	Restricted Investments - Environmental Monitoring Red Hill 02022/04	1,205,674	1,203,445	2,229 (F)
37,510	38,224	Restricted Investments - Environmental Insurance Red Hill 02022/05	44,553	62,696	(18,143) (F)
15,192	15,482	Restricted Investments - Risk Management 02022/06	15,494	15,461	33 (F)
602,871	614,359	Restricted Investments - Class IV Cells Red Hill 02022/07	645,477	220,591	424,886 (F)
312,586	318,543	Restricted Investments - Regional Development 02022/08	318,789	476,800	(158,011) (F)
57,994,036	45,246,899	Restricted Investments - Secondary Waste Processing 02022/09	43,737,791	54,682,074	(10,944,283) (F)
6,031,536	6,146,476	Restricted Investments - Class III Cells 02022/10	2,818,288	2,753,548	64,740 (F)
76,706	78,168	Restricted Investments - Building Refurbishment (Ascot Place) 02022/11	78,463	78,297	166 (F)
189,362	249,553	Restricted Investments - Accrued Interest 02022/19	274,000	274,000	0 (F)
0	0	Restricted Investments - Unrealised Loss/Gain on Investments 02022/20	0	0	0 (F)
960,622	978,928	Restricted Investments - Long Service Leave 02022/90	992,189	1,002,727	(10,538) (F)
<b>92,147,653</b>	<b>80,107,946</b>	<b>Total Restricted Cash</b>	<b>70,847,195</b>	<b>86,095,966</b>	<b>(15,248,771) (F)</b>
<b>104,897,765</b>	<b>104,023,155</b>	<b>TOTAL CASH AND INVESTMENTS</b>	<b>77,246,214</b>	<b>90,373,880</b>	<b>(13,127,666) (F)</b>

The Cash at Bank - Municipal Fund represents the balance on the last day of the relevant month. Any portion of the balance available for investment is transferred into the Investment - Municipal Fund account in the following period. Funds held in the Cash at Bank - Municipal Fund continue to accrue interest as per the Westpac commercial rates.



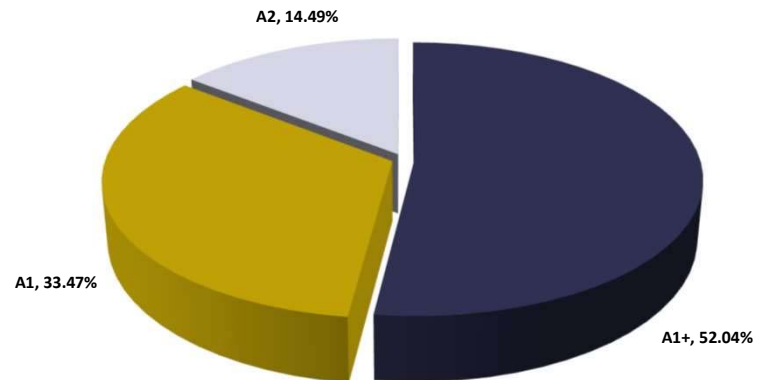
## EMRC Investment Report

April 2020

## I. Overall Portfolio Limits

S&P Long Term Rating	S&P Short Term Rating	% Portfolio	Investment Maximum %
AAA	A1+	52.04%	100.00%
AA	A1	33.47%	100.00%
BBB	A2	14.49%	15.00%
		<u>100.00%</u>	

Investment by S&amp;P Rating



## II. Single Entity Exposure

	S&P Long Term Rating	S&P Short Term Rating	% Portfolio	
AMP	BBB	A2	4.50%	
ANZ Banking Group	AAA	A1+	11.49%	
ME Bank	BBB	A2	4.50%	*
NAB	AAA	A1+	5.49%	
Rural Bank	BBB	A2	2.50%	*
Westpac / St. George Bank	AAA	A1+	35.06%	
ING	AA	A1	0.00%	
Suncorp	AA	A1	3.00%	*
Bank of Queensland	BBB	A2	3.00%	
Macquarie Bank	AA	A1	30.46%	
			<u>100.00%</u>	

\* Non-Fossil Fuel ADI (Authorised Deposit Taking Institution)

## III. Term to Maturity Framework

Maturity Profile	Investment Policy Guidelines		
	% Portfolio	% Min	% Max
Less Than 1 Year	100.00%	40%	100%
Greater than 1 year & less than or equal to 3 years	0.00%	0%	60%
		<u>100.00%</u>	

## IV. Fossil Fuel Divestment

	% Portfolio
Non-Fossil Fuel ADI's	10.00%
Fossil Fuel ADI's	90.00%
<u>100.00%</u>	

NB: This report is consistent with the reporting requirements of the Policy 3.3 - Management of Investments Policy



### 14.3 SUNDRY DEBTOR WRITE-OFF

**REFERENCE: D2020/08288**

#### PURPOSE OF REPORT

The purpose of this report is to seek Council approval to write off an outstanding sundry debtor.

#### KEY POINTS AND RECOMMENDATION(S)

- A provision of \$101.40 was made in the 2018/2019 financial accounts for doubtful debts relating to Gate Civil who went into liquidation in November 2017.
- During December 2019 the EMRC received a final dividend payment for \$15.74.
- Upon making enquiries in April 2020, the liquidators confirmed the liquidation process had been completed.
- Approval is sought from Council for a write-off totalling \$85.66 following the finalisation of the liquidation process for Gate Civil.

#### **Recommendation(s)**

That Council, by an absolute majority in accordance with section 6.12(1)(c) of the *Local Government Act 1995*, authorises the write-off of \$85.66 (Inc. GST) owing from Gate Civil.

#### SOURCE OF REPORT

Chief Financial Officer

#### BACKGROUND

Section 6.12(1)(c) of the *Local Government Act 1995* states that a local government, by absolute majority, may write off any amount of money which is owed to the local government.

Prior to the setting up of an account for credit for potential clients, reference checks are undertaken together with online checks via the Illion website (previously named Dun & Bradstreet) in order to ensure the credit worthiness of the client.

Efforts are constantly being undertaken to reduce the amount of outstanding sundry debtors. This includes mailing of a monthly statement, weekly reminder calls, ongoing correspondence by mail and e-mail, and, as a last resort, the threat of legal action.

The EMRC also implemented a direct debit system in August 2015 to improve credit management processes.

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*Item 14.3 continued*

## REPORT

Gate Civil commenced disposing asbestos at the Red Hill Waste Management Facility in May 2017. They were set up as a Direct Debit client with the EMRC.

Notice was received on 2 November 2017 from the administrators of Gate Civil Pty Ltd, HLB Mann Judd Insolvency WA, advising that Gate Civil had gone into voluntary administration. On 29 November 2017, further correspondence was received confirming that the company has gone into liquidation.

In December 2019 the EMRC received a first and final dividend payment for \$15.74, a return of 15.52 cents in a dollar on the owed amount of \$101.40.

In April 2020 The EMRC received further correspondence from the liquidator confirming that the liquidation process has been finalised and that due to insufficient funds, no further distribution will be received.

Council approval is therefore sought for the write-off of the outstanding amount totalling \$85.66 owing from Gate Civil.

As a provision for impairment was made for the owed amount as at 30 June 2019, the write-off of this outstanding amount will not impact on the Statement of Comprehensive Income.

## STRATEGIC/POLICY IMPLICATIONS

Key Result Area 3 - Good Governance

- 3.3 To provide responsible and accountable governance and management of the EMRC.
- 3.4 To continue to improve financial and asset management practices.

## FINANCIAL IMPLICATIONS

As detailed within the report.

## SUSTAINABILITY IMPLICATIONS

Nil

## MEMBER COUNCIL IMPLICATIONS

<b>Member Council</b>	<b>Implication Details</b>
Town of Bassendean	} Nil
City of Bayswater	
City of Belmont	
City of Kalamunda	
Shire of Mundaring	
City of Swan	



*Item 14.3 continued*

ATTACHMENT(S)

Nil

VOTING REQUIREMENT

Absolute Majority

**RECOMMENDATION(S)**

That Council, by an absolute majority in accordance with section 6.12(1)(c) of the *Local Government Act 1995*, authorises the write-off of \$85.66 (Inc. GST) owing from Gate Civil.

**COUNCIL RESOLUTION(S)**

MOVED CR WOLFF

SECONDED CR JEANS

THAT COUNCIL, BY AN ABSOLUTE MAJORITY IN ACCORDANCE WITH SECTION 6.12(1)(C) OF THE *LOCAL GOVERNMENT ACT 1995*, AUTHORISES THE WRITE-OFF OF \$85.66 (INC. GST) OWING FROM GATE CIVIL.

**CARRIED UNANIMOUSLY**

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## 14.4 MAKING OF THE EASTERN METROPOLITAN REGIONAL COUNCIL (EMRC) WASTE MANAGEMENT FACILITIES LOCAL LAW 2020

REFERENCE: D2020/10028

### PURPOSE OF REPORT

The purpose of this report is to seek Council approval to make *the Eastern Metropolitan Regional Council Waste Management Facilities Local Law 2020* as a result of the review by the Joint Standing Committee on Delegated Legislation (JSCDL) of the existing *Eastern Metropolitan Regional Council Waste Management Facilities Local Law 2019* (EMRC Waste Local Law).

### KEY POINTS AND RECOMMENDATION(S)

- The EMRC Waste Local Law was adopted by Council at the 5 December 2019 meeting. It was subsequently gazetted on 3 January 2020 with a commencement date of 17 January 2020.
- Following gazettal and the issuing of a local public notice, a copy of the gazetted EMRC Waste Local Law was submitted to the JSCDL in accordance with the statutory procedures checklist for making local laws.
- The JSCDL at its committee meeting on 18 March 2020 considered the EMRC Waste Local Law and resolved to write to the EMRC to advise that Clause 1.5 and Schedule 1 of the EMRC Waste Local Law require amendments. The JSCDL requested that the EMRC make the amendments within six (6) months.
- At the last meeting of Council on 21 May 2020 Council resolved to provide an undertaking to the JSCDL that the EMRC Waste Local Law would be amended in accordance with the JSCDL's recommendations.
- To facilitate this, the entire statutory procedures checklist will need to be restarted in accordance with section 3.12 of the *Local Government Act 1995* (the Act) and section 61 of the *Waste Avoidance and Resource Recovery Act 2007*.
- It is therefore proposed to restart the process in accordance with the procedural requirements under Section 3.12 of the Act.

### Recommendation(s)

That:

1. Council, by absolute majority in accordance with section 3.16(4) of the *Local Government Act 1995*, determines to repeal the *Eastern Metropolitan Regional Council Waste Management Facilities Local Law 2019* and recommences the process of making a local law to replace the *Eastern Metropolitan Regional Council Waste Management Facilities Local Law 2019* in accordance with section 3.12 of the *Local Government Act 1995* and section 61 of the *Waste Avoidance and Resource Recovery Act 2007*.
2. Council advertises the proposed *Eastern Metropolitan Regional Council Waste Management Facilities Local Law 2020*, forming attachment 1 to this report.
3. Council requests the Chief Executive Officer forward a copy of the proposed *Eastern Metropolitan Regional Council Waste Management Facilities Local Law 2020* to the Minister for Local Government, Sport and Cultural Industries and Director General of the Department of Water and Environmental Regulation.
4. The Chief Executive Officer prepare a further report at the conclusion of the public advertising period to enable the Council to consider any submissions made.

### SOURCE OF REPORT

Chief Project Officer



*Item 14.4 continued*

## **BACKGROUND**

The EMRC Waste Local Law provides for the orderly regulation of the disposal of waste and the payment of fees for that disposal at Red Hill Waste Management Facility and Hazelmere Resource Recovery Park.

The EMRC Waste Local Law was adopted by Council at the 5 December 2019 meeting. It was subsequently gazetted on 3 January 2020 with a commencement date of 17 January 2020.

Following gazettal and the issuing of a local public notice a copy of the gazetted EMRC Waste Local Law was submitted to the JSCDL on 17 January 2020 in accordance with the statutory procedures checklist for making local laws.

The JSCDL at its committee meeting on 18 March 2020 considered the EMRC Waste Local Law and resolved to write to the EMRC to advise that Clause 1.5 and Schedule 1 of the EMRC Waste Local Law require amendments. The JSCDL requested that the EMRC make the amendments within six (6) months of the request. The requested amendments are highlighted as tracked changes, forming attachment 2 to this report.

At the last meeting of Council on 21 May 2020 Council resolved to provide an undertaking to the JSCDL that the EMRC Waste Local Law would be amended in accordance with the JSCDL's recommendations and the undertakings were approved by Council as follows: (Ref: D2020/06921):

THAT:

1. COUNCIL UNDERTAKES TO THE JOINT STANDING COMMITTEE ON DELEGATED LEGISLATION THAT WITHIN SIX (6) MONTHS, COUNCIL WILL MAKE THE FOLLOWING AMENDMENTS TO THE *EASTERN METROPOLITAN REGIONAL COUNCIL WASTE MANAGEMENT FACILITIES LOCAL LAW 2019*:
  - (a) IN CLAUSE 1.5, DELETE THE DEFINITIONS OF 'COLLECTABLE WASTE RECEPTACLE', 'NON-COLLECTABLE-WASTE' AND 'RECYCLING WASTE'.
  - (b) IN CLAUSE 2.4(3)(B) AND 3.2, REPLACE THE WORDS 'LOCAL GOVERNMENT' WITH 'REGIONAL LOCAL GOVERNMENT.'
  - (c) DELETE SCHEDULE 1.
  - (d) MAKE ALL NECESSARY CONSEQUENTIAL AMENDMENTS.
2. UNTIL THE EASTERN METROPOLITAN REGIONAL COUNCIL WASTE MANAGEMENT FACILITIES LOCAL LAW 2019 IS AMENDED IN ACCORDANCE WITH ITEM 1 ABOVE, COUNCIL UNDERTAKES TO:
  - (a) NOT ENFORCE THE *EASTERN METROPOLITAN REGIONAL COUNCIL WASTE MANAGEMENT FACILITIES LOCAL LAW 2019* IN A MANNER CONTRARY TO THE UNDERTAKING IN ITEM 1 ABOVE.
  - (b) WHERE THE *EASTERN METROPOLITAN REGIONAL COUNCIL WASTE MANAGEMENT FACILITIES LOCAL LAW 2019* IS MADE PUBLICLY AVAILABLE, WHETHER IN HARD COPY OR ELECTRONIC FORM (INCLUDING COUNCIL'S WEBSITE), ENSURE THAT IT IS ACCOMPANIED BY A COPY OF THESE UNDERTAKINGS.

A signed letter by the Chairman was sent to the JSCDL on 22 May 2020 to advise the committee of the Council's resolutions in regards to the undertakings.

In accordance with 2(b) above, where the EMRC Waste Local Law is publicly available it is to be accompanied by a copy of the undertakings. A copy of the undertakings are currently displayed on the EMRC's website alongside the current EMRC Waste Local Law.



*Item 14.4 continued*

## REPORT

In accordance with Council's resolutions from 21 May 2020 it is therefore proposed to restart the process as per the procedural requirements under Section 3.12 of the Act provided below:

**Council Initiate Process** – section 3.12(2) of the Act & *Regulation (3) Local Government (Functions and General) Regulations 1996* - Council is to resolve to initiate the new Local Law and include in the resolution the purpose and effect of the Local Law. The presiding person is to give notice to the meeting of the purpose and effect of the proposed local law in the prescribed manner:

- a) In the agenda of that meeting; and
- b) In the minutes of that meeting.

Pursuant to the above mentioned Regulation, the purpose and effect of the proposed Waste Local Law are as follows:

### Purpose

The purpose of the local law is to provide for the orderly regulation of the disposal of waste and the payment of fees for that disposal at the Red Hill Waste Management Facility and Hazelmere Resource Recovery Park.

### Effect

The effect of the local law is to result in:

- The control of the nature of waste disposed of at a waste disposal site and where that waste is placed within the site;
- The payment of the appropriate fee by any person disposing of waste at a waste disposal site;
- The orderly movement of vehicles entering and leaving a waste disposal site;
- The capacity for employees operating waste disposal sites to give enforceable instructions to any person using a site; and
- The protection of property at a waste disposal site.

**Statewide Public Notice** – section 3.12(3) and (2a) of the Act - The local government must give statewide and local public notice for at least a six (6) week period, identifying where and during which hours (if appropriate) the proposed local law can be viewed.

**Notification to the Minister** – section 3.12(3b) of the Act - Send notification to the Minister for Local Government as soon as the public notice is given (after advertisement appears in the paper). In addition, Section 61 of the *Waste Avoidance and Resource Recovery Act 2007* indicates that any local law in respect of waste management requires the consent of the Director General of the Department of Water and Environmental Regulation. Accordingly this procedural step is also required prior to amending or repealing the EMRC's current Waste Local Law.

The following procedural steps are required at the conclusion of the public consultation period.

**Considering Submissions** – section 3.12(4) of the Act - After the last day for submissions, Council to consider any submissions made and may make the Local Law as proposed or make amendments that are not significantly different from the original proposal (by absolute majority).

**Gazettal Notice** – section 3.12(5) of the Act - After making the Local Law, the Local Government is to publish it in the WA Government Gazette.



*Item 14.4 continued*

**Giving Public Notice** – section 3.12(6) of the Act - After the Local Law has been published in the Gazette, Council is to give local public notice stating the title of the Local Law; summarising the purpose and effect of the Local Law (specifying the day on which it comes into operation); and advising that copies of the Local Law may be inspected or obtained.

**Explanatory Memoranda** – section 3.12(7) of the Act - After Gazettal to provide an Explanatory Memoranda to the Government JSCDL. This must be signed by both the Chief Executive Officer and Chairman.

The above procedures are mandatory and must be followed in chronological order. Failure to do this will render the local law invalid and will likely result in the JSCDL recommending the law for disallowance.

**STRATEGIC/POLICY IMPLICATIONS**

Key Result Area 3 – Good Governance

3.3 To provide responsible and accountable governance and management of the EMRC

**FINANCIAL IMPLICATIONS**

Nil

**SUSTAINABILITY IMPLICATIONS**

Nil

**MEMBER COUNCIL IMPLICATIONS**

Member Council	Implication Details
Town of Bassendean	} Nil
City of Bayswater	
City of Belmont	
City of Kalamunda	
Shire of Mundaring	
City of Swan	

ATTACHMENT(S)

1. Proposed Eastern Metropolitan Regional Council Waste Management Facilities Local Law 2020 (Ref: D2020/10408)
2. The Eastern Metropolitan Regional Council Waste Management Facilities Local Law 2020 including track changes to show JSCDL's recommended amendments (Ref: D2020/10111)

VOTING REQUIREMENT

Abolute Majority





*Item 14.4 continued*

## **RECOMMENDATION(S)**

That:

1. Council, by absolute majority in accordance with section 3.16(4) of the *Local Government Act 1995*, determines to repeal the *Eastern Metropolitan Regional Council Waste Management Facilities Local Law 2019* and recommences the process of making a local law to replace the *Eastern Metropolitan Regional Council Waste Management Facilities Local Law 2019* in accordance with section 3.12 of the *Local Government Act 1995* and section 61 of the *Waste Avoidance and Resource Recovery Act 2007*.
2. Council advertises the proposed *Eastern Metropolitan Regional Council Waste Management Facilities Local Law 2020*, forming attachment 1 to this report.
3. Council requests the Chief Executive Officer forward a copy of the proposed *Eastern Metropolitan Regional Council Waste Management Facilities Local Law 2020* to the Minister for Local Government, Sport and Cultural Industries and Director General of the Department of Water and Environmental Regulation.
4. The Chief Executive Officer prepare a further report at the conclusion of the public advertising period to enable the Council to consider any submissions made.

## **COUNCIL RESOLUTION(S)**

MOVED CR WOLFF

SECONDED CR JEANS

THAT:

1. COUNCIL, BY ABSOLUTE MAJORITY IN ACCORDANCE WITH SECTION 3.16(4) OF THE LOCAL GOVERNMENT ACT 1995, DETERMINES TO REPEAL THE *EASTERN METROPOLITAN REGIONAL COUNCIL WASTE MANAGEMENT FACILITIES LOCAL LAW 2019* AND RECOMMENCES THE PROCESS OF MAKING A LOCAL LAW TO REPLACE THE *EASTERN METROPOLITAN REGIONAL COUNCIL WASTE MANAGEMENT FACILITIES LOCAL LAW 2019* IN ACCORDANCE WITH SECTION 3.12 OF THE LOCAL GOVERNMENT ACT 1995 AND SECTION 61 OF THE WASTE AVOIDANCE AND RESOURCE RECOVERY ACT 2007.
2. COUNCIL ADVERTISES THE PROPOSED EASTERN METROPOLITAN REGIONAL COUNCIL WASTE MANAGEMENT FACILITIES LOCAL LAW 2020, FORMING ATTACHMENT 1 TO THIS REPORT.
3. COUNCIL REQUESTS THE CHIEF EXECUTIVE OFFICER FORWARD A COPY OF THE PROPOSED EASTERN METROPOLITAN REGIONAL COUNCIL WASTE MANAGEMENT FACILITIES LOCAL LAW 2020 TO THE MINISTER FOR LOCAL GOVERNMENT, SPORT AND CULTURAL INDUSTRIES AND DIRECTOR GENERAL OF THE DEPARTMENT OF WATER AND ENVIRONMENTAL REGULATION.
4. THE CHIEF EXECUTIVE OFFICER PREPARE A FURTHER REPORT AT THE CONCLUSION OF THE PUBLIC ADVERTISING PERIOD TO ENABLE THE COUNCIL TO CONSIDER ANY SUBMISSIONS MADE.

**CARRIED UNANIMOUSLY**

## **EASTERN METROPOLITAN REGIONAL COUNCIL**

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### **WASTE MANAGEMENT FACILITIES LOCAL LAW 2020**

*Waste Avoidance and Resource Recovery Act 2007*  
*Local Government Act 1995*

EASTERN METROPOLITAN REGIONAL COUNCIL

## Waste Management Facilities Local Law 2020

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***Waste Avoidance and Resource Recovery Act 2007***  
***Local Government Act 1995***

**EASTERN METROPOLITAN REGIONAL COUNCIL**

## **Waste Management Facilities Local Law 2020**

Under the powers conferred on it by the *Waste Avoidance and Resource Recovery Act 2007*, the *Local Government Act 1995* and under all other enabling powers, the Council of the Eastern Metropolitan Regional Council resolved on xxxxxx to make the following local law.

### **Part 1 - Preliminary**

#### **1.1 Short title**

This is the *Eastern Metropolitan Regional Council Waste Facilities Local Law 2020*.

#### **1.2 Commencement**

This local law commences 14 days after the day on which it is published in the *Government Gazette*.

#### **1.3 Application**

This local law applies throughout the Red Hill Waste Management Facility and the Hazelmere Resource Recovery Park.

#### **1.4 Repeal**

The *Eastern Metropolitan Regional Council Waste Management Facilities Local Law 2019* published in the *Government Gazette* on 3 January 2020 is repealed.

#### **1.5 Meaning of terms used in this local law**

(1) In this local law—

***authorised person*** means a person appointed by the regional local government under section 9.10 of the LG Act to perform any of the functions of an authorised person under this local law;

**costs** of the regional local government include administrative costs;

**Council** means the council of the regional local government;

**Hazelmere Resource Recovery Park** is the waste facility located on 77 Lakes Road, Hazelmere WA 6055

**LG Act** means the *Local Government Act 1995*;

**LG Regulations** means the *Local Government (Functions and General) Regulations 1996*;

**local government waste** has the same meaning as in the WARR Act;

**Red Hill Waste Management Facility** is the waste facility located at 1094 Toodyay Road, Red Hill WA 6056

**regional local government** means the Eastern Metropolitan Regional Council established under section 3.61 of the *Local Government Act 1995*;

**specified** means specified by the regional local government or an authorised person, as the case may be;

**WARR Act** means the *Waste Avoidance and Resource Recovery Act 2007*;

**WARR Regulations** means the *Waste Avoidance and Resource Recovery Regulations 2008*;

**waste** has the same meaning as in the WARR Act;

**waste facility** means a waste facility, as defined in the WARR Act, that is operated by the regional local government.

## 1.6 Local public notice of determinations

Where, under this local law, the regional local government has a power to determine a matter –

- (a) local public notice, under section 1.7 of the LG Act, must be given of the matter determined;
- (b) the determination becomes effective only after local public notice has been given;
- (c) the determination remains in force for the period of one year after the date that local public notice has been given under paragraph (a);
- (d) after the period referred to in paragraph (c), the determination continues in force only if, and for so long as, it is the subject of local public notice, given annually, under section 1.7 of the LG Act; and
- (e) the determination must be recorded in a publicly accessible register of determinations that must be maintained by the regional local government.

### **1.7 Rates, fees and charges**

The regional local government's powers to impose rates, fees and charges in relation to waste services are set out in sections 66 to 68 of the WARR Act and sections 6.16 and 6.17 of the LG Act.

### **1.8 Power to provide waste services**

The regional local government's power to provide, or enter into a contract for the provision of, waste services is dealt with in section 50 of the WARR Act.

## **Part 2 - Operation of waste facilities**

### **2.1 Operation of this Part**

This Part applies to a person who enters a waste facility.

### **2.2 Hours of operation**

The regional local government may from time to time determine the hours of operation of a waste facility.

### **2.3 Signs and directions**

- (1) The regional local government or an authorised person may regulate the use of a waste facility—
  - (a) by means of a sign; or
  - (b) by giving a direction to a person within a waste facility.
- (2) A person within a waste facility must comply with a sign or direction under subclause (1).
- (3) The regional local government or an authorised person may direct a person who commits, or is reasonably suspected by the regional local government or the authorised person of having committed, an offence under this clause to leave the waste facility immediately.
- (4) A person must comply with a direction under subclause (3).

### **2.4 Fees and charges**

- (1) Unless subclause (3) applies, a person must, on or before entering a waste facility or on demand by the regional local government or an authorised person, pay the fee or charge as assessed by an authorised person.
- (2) An authorised person may assess the fee or charge in respect of a particular load of waste at a rate that applies to any part of that load, even if that rate is higher than the rate that would apply to any other part of the load.
- (3) Subclause (1) does not apply—
  - (a) to a person who disposes of waste in accordance with the terms of—

- (i) a credit arrangement with the regional local government; or
  - (ii) any other arrangement with the regional local government to pay the fee or charge at a different time or in a different manner; and
- (b) to the deposit of waste owned by the regional local government, or in the possession of an employee on behalf of the regional local government.

## **2.5 Depositing waste**

- (1) A person must not deposit waste at a waste facility other than—
- (a) at a location determined by a sign and in accordance with the sign; and
  - (b) in accordance with the direction of an authorised person.
- (2) The regional local government may determine the classification of any waste that may be deposited at a waste facility.

## **2.6 Prohibited activities**

- (1) Unless authorised by the regional local government, a person must not—
- (a) remove any waste or any other thing from a waste facility;
  - (b) deposit at a waste facility that is a landfill site any waste that is toxic, poisonous or hazardous, or the depositing of which is regulated or prohibited by any written law;
  - (c) light a fire in a waste facility;
  - (d) remove, damage or otherwise interfere with any flora in a waste facility;
  - (e) remove, injure or otherwise interfere with any fauna in a waste facility; or
  - (f) damage, deface or destroy any building, equipment, plant or property within a waste facility.
- (2) A person must not act in an abusive or threatening manner towards any person using, or engaged in the management or operation of, a waste facility.

## **Part 3 - Enforcement**

### **3.1 Offences and general penalty**

- (1) A person who fails to do anything required or directed to be done under this local law, or who does anything which under this local law a person is prohibited from doing, commits an offence.
- (2) A person who commits an offence under this local law is liable, on conviction, to a penalty not exceeding \$5,000, and if the offence is of a continuing nature, to a further penalty not exceeding \$500 in respect of each day or part of a day during which the offence has continued.

### **3.2 Other costs and expenses**

- (1) A person who is convicted of an offence under this local law is to be liable, in addition to any penalty imposed under clause 3.1, to pay to the regional local government the costs and expenses incurred by the regional local government in taking remedial action such as—
  - (a) removing and lawfully disposing of toxic, hazardous or poisonous waste; or
  - (b) making good any damage caused to a waste facility.
- (2) The costs and expenses incurred by the regional local government are to be recoverable, as a debt due to the regional local government, in a court of competent civil jurisdiction.

### **3.3 Prescribed offences**

- (1) An offence against a clause specified in Schedule 1 is a prescribed offence for the purposes of section 9.16(1) of the LG Act.
- (2) The amount of the modified penalty for a prescribed offence is that specified adjacent to the clause in Schedule 1.

### **3.4 Form of notices**

- (1) Where a vehicle is involved in the commission of an offence, the form of the notice referred to in section 9.13 of the LG Act is that of Form 1 in Schedule 1 of the LG Regulations.
- (2) The form of the infringement notice given under section 9.16 of the LG Act is that of Form 2 in Schedule 1 of the LG Regulations.
- (3) The form of the infringement withdrawal notice given under section 9.20 of the LG Act is that of Form 3 in Schedule 1 of the LG Regulations.



## Schedule 1 - Prescribed offences

[3.4]

Item No.	Clause No.	Description	Modified Penalty
1	2.3(2)	Failing to comply with a sign or direction	\$500
2	2.3(4)	Failing to comply with a direction to leave	\$500
3	2.4(1)	Disposing waste without payment of fee or charge	\$500
4	2.5(1)	Depositing waste contrary to sign or direction	\$500
5	2.6(1)(a)	Removing waste without authority in a waste facility	\$250
6	2.6(1)(b)	Depositing toxic, poisonous or hazardous waste at a waste facility	\$500
7	2.6(1)(c)	Lighting a fire in a waste facility	\$300
8	2.6(1)(d)	Removing or interfering with any flora in a waste facility	\$300
9	2.6(1)(e)	Removing or interfering with any fauna without approval in a waste facility	\$300
10	2.6(1)(f)	Damaging, defacing or destroying any building, equipment, plant or property within a waste facility	\$500
11	2.6(2)	Acting in an abusive or threatening manner	\$300

Consented to:

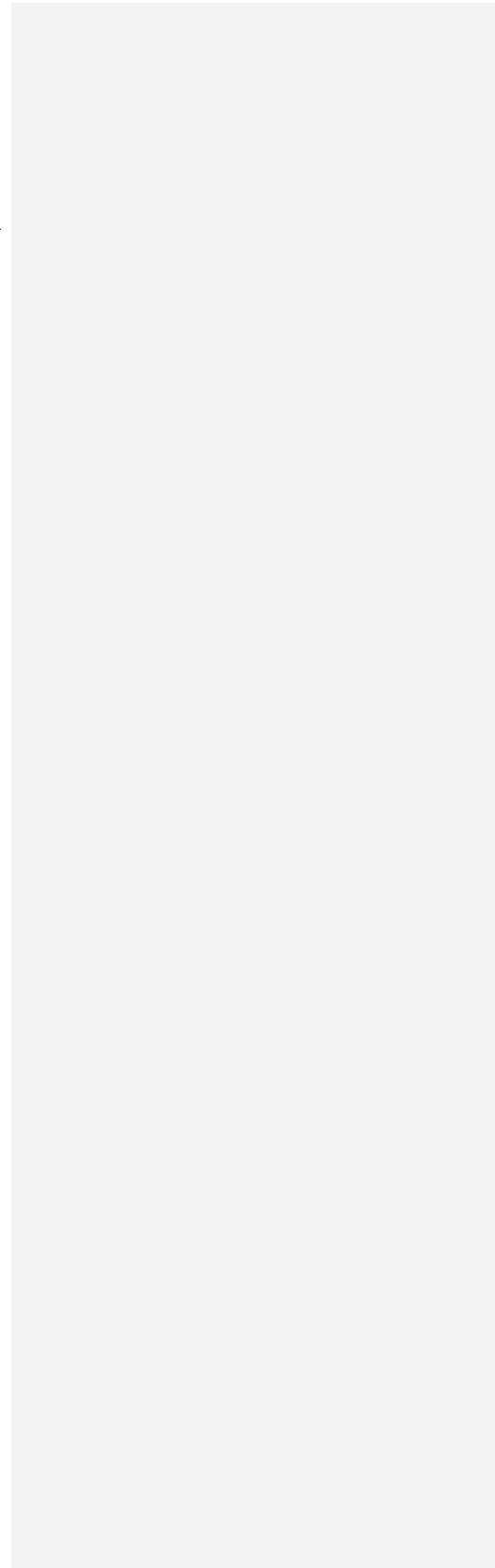
Chief Executive Officer  
Department of Water and Environmental Regulation

Dated this                      of                      2020

**EASTERN METROPOLITAN REGIONAL COUNCIL**

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**WASTE MANAGEMENT FACILITIES LOCAL LAW  
2020**



*Waste Avoidance and Resource Recovery Act 2007  
Local Government Act 1995*

EASTERN METROPOLITAN REGIONAL COUNCIL

**Waste Management Facilities Local Law 2020**

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**Schedule 1 – Prescribed offences**.....

- Deleted: -
- Deleted: Meaning of 'non-collectable waste'
- Deleted: Schedule 2 - Prescribed offences . ¶

***Waste Avoidance and Resource Recovery Act 2007***  
***Local Government Act 1995***

**EASTERN METROPOLITAN REGIONAL COUNCIL**

**Waste Management Facilities Local Law 2020**

Under the powers conferred on it by the *Waste Avoidance and Resource Recovery Act 2007*, the *Local Government Act 1995* and under all other enabling powers, the Council of the Eastern Metropolitan Regional Council resolved on **xxxxxx** to make the following local law.

**Part 1 - Preliminary**

**1.1 Short title**

This is the *Eastern Metropolitan Regional Council Waste Facilities Local Law 2020*.

**1.2 Commencement**

This local law commences 14 days after the day on which it is published in the *Government Gazette*.

**1.3 Application**

This local law applies throughout the Red Hill Waste Management Facility and the Hazelmere Resource Recovery Park.

**1.4 Repeal**

The *Eastern Metropolitan Regional Council Waste Management Facilities Local Law 2019* published in the *Government Gazette* on 3 January 2020 is repealed.

**1.5 Meaning of terms used in this local law**

(1) In this local law—

***authorised person*** means a person appointed by the **regional** local government under section 9.10 of the LG Act to perform any of the functions of an authorised person under this local law;

~~costs~~ of the ~~regional~~ local government include administrative costs;

**Council** means the council of the ~~regional~~ local government;

**Hazelmere Resource Recovery Park** is the waste facility located on 77 Lakes Road, Hazelmere WA 6055

**LG Act** means the *Local Government Act 1995*;

**LG Regulations** means the *Local Government (Functions and General Regulations 1996)*;

**local government waste** has the same meaning as in the WARR Act;

~~**Red Hill Waste Management Facility**~~ is the waste facility located at 1094 Toodyay Road, Red Hill WA 6056

**regional local government** means the Eastern Metropolitan Regional Council established under section 3.61 of the *Local Government Act 1995*;

**specified** means specified by the regional local government or an authorised person, as the case may be;

**WARR Act** means the *Waste Avoidance and Resource Recovery Act 2007*;

**WARR Regulations** means the *Waste Avoidance and Resource Recovery Regulations 2008*;

**waste** has the same meaning as in the WARR Act;

**waste facility** means a waste facility, as defined in the WARR Act, that is operated by the regional local government.

**Deleted: collectable waste receptacle** means a receptacle for the deposit and collection of collectable waste that is—¶  
 (a) a recycling waste receptacle; ¶  
 (b) a general waste receptacle; or ¶  
 (c) an organic waste receptacle;¶

**Deleted: R**

**Deleted: L**

**Deleted: G**

**Deleted: non-collectable waste** has the meaning set out in Schedule 1; ¶  
**recycling waste** means—¶  
 paper and cardboard; ¶  
 plastic containers comprised of polyethylene terephthalate or high density polyethylene;¶  
 glass containers; ¶  
 steel containers; ¶  
 aluminium containers; ¶  
 liquid paper board; and ¶  
 any other waste determined by the regional local government to be recycling waste; ¶

## 1.6 Local public notice of determinations

Where, under this local law, the regional local government has a power to determine a matter –

- (a) local public notice, under section 1.7 of the LG Act, must be given of the matter determined;
- (b) the determination becomes effective only after local public notice has been given;
- (c) the determination remains in force for the period of one year after the date that local public notice has been given under paragraph (a);
- (d) after the period referred to in paragraph (c), the determination continues in force only if, and for so long as, it is the subject of local public notice, given annually, under section 1.7 of the LG Act; and
- (e) the determination must be recorded in a publicly accessible register of determinations that must be maintained by the ~~regional~~ local government.

### 1.7 Rates, fees and charges

The regional local government's powers to impose rates, fees and charges in relation to waste services are set out in sections 66 to 68 of the WARR Act and sections 6.16 and 6.17 of the LG Act.

### 1.8 Power to provide waste services

The regional local government's power to provide, or enter into a contract for the provision of, waste services is dealt with in section 50 of the WARR Act.

## Part 2 - Operation of waste facilities

### 2.1 Operation of this Part

This Part applies to a person who enters a waste facility.

### 2.2 Hours of operation

The regional local government may from time to time determine the hours of operation of a waste facility.

### 2.3 Signs and directions

- (1) The regional local government or an authorised person may regulate the use of a waste facility—
  - (a) by means of a sign; or
  - (b) by giving a direction to a person within a waste facility.
- (2) A person within a waste facility must comply with a sign or direction under subclause (1).
- (3) The regional local government or an authorised person may direct a person who commits, or is reasonably suspected by the [regional](#) local government or the authorised person of having committed, an offence under this clause to leave the waste facility immediately.
- (4) A person must comply with a direction under subclause (3).

### 2.4 Fees and charges

- (1) Unless subclause (3) applies, a person must, on or before entering a waste facility or on demand by the regional local government or an authorised person, pay the fee or charge as assessed by an authorised person.
- (2) An authorised person may assess the fee or charge in respect of a particular load of waste at a rate that applies to any part of that load, even if that rate is higher than the rate that would apply to any other part of the load.
- (3) Subclause (1) does not apply—
  - (a) to a person who disposes of waste in accordance with the terms of—

- (i) a credit arrangement with the regional local government; or
  - (ii) any other arrangement with the regional local government to pay the fee or charge at a different time or in a different manner; and
- (b) to the deposit of waste owned by the regional local government, or in the possession of an employee on behalf of the regional local government.

## 2.5 Depositing waste

- (1) A person must not deposit waste at a waste facility other than—
- (a) at a location determined by a sign and in accordance with the sign; and
  - (b) in accordance with the direction of an authorised person.
- (2) The regional local government may determine the classification of any waste that may be deposited at a waste facility.

## 2.6 Prohibited activities

- (1) Unless authorised by the regional local government, a person must not—
- (a) remove any waste or any other thing from a waste facility;
  - (b) deposit at a waste facility that is a landfill site any waste that is toxic, poisonous or hazardous, or the depositing of which is regulated or prohibited by any written law;
  - (c) light a fire in a waste facility;
  - (d) remove, damage or otherwise interfere with any flora in a waste facility;
  - (e) remove, injure or otherwise interfere with any fauna in a waste facility; or
  - (f) damage, deface or destroy any building, equipment, plant or property within a waste facility.
- (2) A person must not act in an abusive or threatening manner towards any person using, or engaged in the management or operation of, a waste facility.

## Part 3 - Enforcement

### 3.1 Offences and general penalty

- (1) A person who fails to do anything required or directed to be done under this local law, or who does anything which under this local law a person is prohibited from doing, commits an offence.
- (2) A person who commits an offence under this local law is liable, on conviction, to a penalty not exceeding \$5,000, and if the offence is of a continuing nature, to a further penalty not exceeding \$500 in respect of each day or part of a day during which the offence has continued.

### 3.2 Other costs and expenses

- (1) A person who is convicted of an offence under this local law is to be liable, in addition to any penalty imposed under clause 3.1, to pay to the regional local government the costs and expenses incurred by the regional local government in taking remedial action such as—
- (a) removing and lawfully disposing of toxic, hazardous or poisonous waste; or
  - (b) making good any damage caused to a waste facility.
- (2) The costs and expenses incurred by the regional local government are to be recoverable, as a debt due to the regional local government, in a court of competent civil jurisdiction.

### 3.3 Prescribed offences

- (1) An offence against a clause specified in Schedule 1, is a prescribed offence for the purposes of section 9.16(1) of the LG Act. Deleted: 2
- (2) The amount of the modified penalty for a prescribed offence is that specified adjacent to the clause in Schedule 1. Deleted: 2

### 3.4 Form of notices

- (1) Where a vehicle is involved in the commission of an offence, the form of the notice referred to in section 9.13 of the LG Act is that of Form 1 in Schedule 1 of the LG Regulations.
- (2) The form of the infringement notice given under section 9.16 of the LG Act is that of Form 2 in Schedule 1 of the LG Regulations.
- (3) The form of the infringement withdrawal notice given under section 9.20 of the LG Act is that of Form 3 in Schedule 1, of the LG Regulations. Deleted: <#>Meaning of 'non-collectable waste'¶  
<#>[Clause 1.5(1)]¶  
<#>¶  
<#>non-collectable waste means – ¶  
<#>hot or burning material;¶  
<#>household hazardous waste, including paint, acids, alkalis, fire extinguishers, solvents, pesticides, oils, gas cylinders, batteries, chemicals and heavy metals; ¶  
<#>any other hazardous material, such as radioactive waste; ¶  
<#>any explosive material, such as flares or ammunition; ¶  
<#>electrical and electronic equipment; ¶  
<#>hospital, medical, veterinary, laboratory or pathological substances;¶  
<#>construction or demolition waste;¶  
<#>sewage;¶  
<#>'controlled waste' for the purposes of the *Environmental Protection (Controlled Waste) Regulations 2004*; ¶  
<#>any object that is greater in length, width, or breadth than the corresponding dimension of the receptacle or that will not allow the lid of the receptacle to be tightly closed; ¶  
<#>waste that is or is likely to become offensive or a nuisance, or give off an offensive or noxious odour, or to attract flies or cause fly breeding unless it is first wrapped in non-absorbent or impervious material or placed in a sealed impervious and leak-proof container; and¶  
<#>any other waste determined by the regional local government to be non-collectable waste. ¶



**Schedule 1 - Prescribed offences**

[3.4]

<b>Item No.</b>	<b>Clause No.</b>	<b>Description</b>	<b>Modified Penalty</b>
1	2.3(2)	Failing to comply with a sign or direction	\$500
2	2.3(4)	Failing to comply with a direction to leave	\$500
3	2.4(1)	Disposing waste without payment of fee or charge	\$500
4	2.5(1)	Depositing waste contrary to sign or direction	\$500
5	2.6(1)(a)	Removing waste without authority in a waste facility	\$250
6	2.6(1)(b)	Depositing toxic, poisonous or hazardous waste at a waste facility	\$500
7	2.6(1)(c)	Lighting a fire in a waste facility	\$300
8	2.6(1)(d)	Removing or interfering with any flora in a waste facility	\$300
9	2.6(1)(e)	Removing or interfering with any fauna without approval in a waste facility	\$300
10	2.6(1)(f)	Damaging, defacing or destroying any building, equipment, plant or property within a waste facility	\$500
11	2.6(2)	Acting in an abusive or threatening manner	\$300

Consented to:

Chief Executive Officer  
Department of Water and Environmental Regulation

Dated this                      of                      2020



## 14.5 INTERIM ARRANGEMENT TO OPERATE BAYWASTE TRANSFER STATION

REFERENCE: D2020/10284

### PURPOSE OF REPORT

The purpose of this report is to seek an extension to a previous Council approval for the CEO to negotiate an interim arrangement with the City of Bayswater to operate the City of Bayswater's Baywaste Transfer Station.

### KEY POINTS AND RECOMMENDATION(S)

- The City of Bayswater's transfer station at 271 Collier Road, Morley known as Baywaste is currently operated by Cleanaway on a month by month lease.
- Cleanaway have given notice of their intention to cease the interim arrangement on 30 June 2020.
- The EMRC and the City of Bayswater have been negotiating details for the EMRC to operate Baywaste on a trial basis.
- At their May 2020 Council meeting, the City of Bayswater resolved to enter into an arrangement with the EMRC to operate the transfer station on behalf of the City for a period of six months on a trial basis.
- Until a more permanent arrangement is agreed to, authority is sought to finalise an arrangement for the EMRC to operate the City of Bayswater's Baywaste Transfer Station on a temporary basis.
- The proposed agreement with the City of Bayswater will be on a cost-plus basis.

#### Recommendation(s)

That Council:

1. By absolute majority in accordance with s.5.42(1) of the *Local Government Act 1995* authorise the CEO to enter into an agreement with the City of Bayswater to operate the City of Bayswater's Baywaste Transfer Station at 271 Collier Road, Morley WA 6062 on a cost-plus basis, for a period up to 31 December 2020 or an earlier period as deemed appropriate by the CEO.
2. By absolute majority in accordance with *Section 6.16 of the Local Government Act 1995* adopts the 2020/2021 fees and charges for the Baywaste Transfer Station as outlined in Table 1 in the report.
3. In accordance with s.6.19 of the *Local Government Act 1995*, gives public notice that the fees and charges for the Baywaste Transfer Station as outlined in Table 1 in the report are effective from 1 July 2020.

### SOURCE OF REPORT

Chief Project Officer

### BACKGROUND

At its meeting on 5 December 2019 (Ref: D2019/17750), it was resolved:

**"THAT COUNCIL BY ABSOLUTE MAJORITY, IN ACCORDANCE WITH S.5.42(1) OF THE LOCAL GOVERNMENT ACT 1995 AUTHORISE THE CEO TO ENTER INTO AN AGREEMENT WITH THE CITY OF BAYSWATER TO OPERATE THE CITY OF BAYSWATER'S BAYWASTE TRANSFER STATION AT 271 COLLIER ROAD, MORLEY WA 6062 ON A COST PLUS BASIS, FOR A PERIOD UP TO 30 JUNE 2020 OR AN EARLIER PERIOD AS DEEMED APPROPRIATE BY THE CEO."**



*Item 14.5 continued*

## **REPORT**

The current lessee of the Baywaste site, Cleanaway Pty Ltd, are on a month by month lease and have given notice of their intention to exit the site by 30 June 2020.

To assist the City of Bayswater, the EMRC proposes to enter into an agreement with the City of Bayswater to operate the transfer station at Baywaste as an interim solution until the longer-term use of the site is resolved, including the matters referred to in a confidential report item to Council in December 2019.

At the City of Bayswater Ordinary Council Meeting of 26 May 2020, it was resolved:

*"That Council:*

- 1. Authorises the Chief Executive Officer to enter into an agreement with the Eastern Metropolitan Regional Council (EMRC) to operate the transfer station at 271 Collier Road, Bayswater, on behalf of the City of Bayswater for a trial period of six months.*
- 2. Notes that the City will work with the EMRC to identify complementary beneficial uses of the site during the trial period.*
- 3. Review the future of the site on or before the December 2020 Ordinary Council Meeting."*

The purpose of this short-term arrangement is to maintain operational continuity as a waste transfer station until City of Bayswater determines the long-term use of the site.

The proposed agreement with the City of Bayswater will be on a cost-plus basis, similar to the methodology used with the EMRC's operation of the Shire of Mundaring Transfer Stations.

Authority is sought for the CEO to enter into an agreement to operate the City's Baywaste Transfer Station at 271 Collier Road, Morley WA 6062 on a cost-plus basis, for a period up to 31 December 2020 or an earlier period.

The EMRC has budgeted for three new FTE's to operate Baywaste, as per the current operation, including a supervisor, a plant operator and a weighbridge operator. Surplus plant from the Hazelmere site and/or plant hire will be utilised for the operation.

The EMRC will provide skip bins for segregation and recycling of metals, cardboard, waste oil, lead acid batteries and e-waste as occurs now at Baywaste.

Non-recyclable waste will be transported to Red Hill Waste Management Facility for disposal.

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*Item 14.5 continued*

The following fees and charges are proposed at Baywaste for Council's approval:

**TABLE 1**

Item	2020/2021 Charges with no GST		Value of GST	2020/2021 Charges Inc. GST	
Cars and station wagons	\$ 64.95		\$ 6.50	\$ 71.45	
Panel vans, standard vans and utes	\$108.00		\$10.80	\$118.80	
6 x 4 Trailers	\$108.00		\$10.80	\$118.80	
High sided 6x4 Trailer	\$137.18		\$13.72	\$150.90	
8x4 Standard Trailer	\$137.18		\$13.72	\$150.90	
High sided Tandem Trailer	\$221.77		\$22.18	\$243.95	
Mattresses/Bases	\$ 27.50	each	\$ 2.75	\$ 30.25	each
Small quantities of: Bricks, concrete, building materials, sand, lawn, rubble *	\$210.27	per tonne	\$21.03	\$231.30	per tonne
*Minimum charge	\$128.00	per tonne	\$12.80	\$140.80	per tonne
Weigh Only	\$ 21.68	per weigh	\$ 2.17	\$ 23.85	per weigh
City of Bayswater Passes – Household Waste Only (for up to 300 kg waste per pass)	No Charge			No Charge	
Lead acid batteries	No charge to residents				
Waste oil	No charge to residents (up to 20 litres)				
E-waste	No charge to residents				

**STRATEGIC/POLICY IMPLICATIONS**

Key Result Area 1 – Environmental Sustainability

- 1.1 To provide sustainable waste disposal operations.
- 1.3 To provide resource recovery and recycling solutions in partnership with member Councils.

**FINANCIAL IMPLICATIONS**

As the proposed agreement with the City of Bayswater will be on a cost plus basis, there are no adverse financial impacts on the budget.

**SUSTAINABILITY IMPLICATIONS**

Operation of the Baywaste Transfer station by the EMRC will enable the provision of a continued service for City of Bayswater residents and local small businesses, as well as neighbouring member Councils, benefitting the Region as a whole.



*Item 14.5 continued*

## **MEMBER COUNCIL IMPLICATIONS**

<b>Member Council</b>	<b>Implication Details</b>
Town of Bassendean	Access to a local transfer station for waste disposal and some recycling.
City of Bayswater	Ongoing use of the Baywaste transfer station.
City of Belmont	Access to a local transfer station for waste disposal and some recycling.
City of Kalamunda	Nil
Shire of Mundaring	Nil
City of Swan	Access to a local transfer station for waste disposal and some recycling.

## **ATTACHMENT(S)**

Nil

## **VOTING REQUIREMENT**

Absolute Majority

## **RECOMMENDATION(S)**

That Council:

1. By Absolute Majority in accordance with s.5.42(1) of the *Local Government Act 1995* authorise the CEO to enter into an agreement with the City of Bayswater to operate the City of Bayswater's Baywaste Transfer Station at 271 Collier Road, Morley WA 6062 on a cost-plus basis, for a period up to 31 December 2020 or an earlier period as deemed appropriate by the CEO.
2. By absolute majority in accordance with *Section 6.16 of the Local Government Act 1995* adopts the 2020/2021 fees and charges for the Baywaste Transfer Station as outlined in Table 1 in the report.
3. In accordance with s.6.19 of the *Local Government Act 1995*, gives public notice that the fees and charges for the Baywaste Transfer Station as outlined in Table 1 in the report are effective from 1 July 2020.

## **COUNCIL RESOLUTION(S)**

MOVED CR WOLFF

SECONDED CR JEANS

THAT COUNCIL:

1. BY ABSOLUTE MAJORITY IN ACCORDANCE WITH S.5.42(1) OF THE *LOCAL GOVERNMENT ACT 1995* AUTHORISE THE CEO TO ENTER INTO AN AGREEMENT WITH THE CITY OF BAYSWATER TO OPERATE THE CITY OF BAYSWATER'S BAYWASTE TRANSFER STATION AT 271 COLLIER ROAD, MORLEY WA 6062 ON A COST-PLUS BASIS, FOR A PERIOD UP TO 31 DECEMBER 2020 OR AN EARLIER PERIOD AS DEEMED APPROPRIATE BY THE CEO.
2. BY ABSOLUTE MAJORITY IN ACCORDANCE WITH *SECTION 6.16 OF THE LOCAL GOVERNMENT ACT 1995* ADOPTS THE 2020/2021 FEES AND CHARGES FOR THE BAYWASTE TRANSFER STATION AS OUTLINED IN TABLE 1 IN THE REPORT.
3. IN ACCORDANCE WITH S.6.19 OF THE *LOCAL GOVERNMENT ACT 1995*, GIVES PUBLIC NOTICE THAT THE FEES AND CHARGES FOR THE BAYWASTE TRANSFER STATION AS OUTLINED IN TABLE 1 IN THE REPORT ARE EFFECTIVE FROM 1 JULY 2020.

**CARRIED UNANIMOUSLY**





## **INFORMATION BULLETIN**

Accompanying the  
Ordinary Meeting of Council Agenda

18 June 2020

**COUNCIL INFORMATION BULLETIN****18 JUNE 2020****(REF: D2020/10146)****TABLE OF CONTENTS**

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## **1.1 REGISTER OF COUNCIL RESOLUTIONS 2020**

**REFERENCE: D2020/09591**

### **PURPOSE OF REPORT**

The purpose of this report is to present to Council a list of Council resolutions for the calendar year and update Council on their progress.

### **KEY POINT(S)**

- Historical review of Council's decisions throughout a calendar year.
- Enable current and new Councillors to review previous decisions made.

### **SOURCE OF REPORT**

Chief Financial Officer

### **BACKGROUND**

One of the characteristics often associated with transparency in local government is to keep Council and members of the public informed. This can be achieved by providing knowledge regarding Council resolutions in a useful manner and readily accessible manner. As a local government, the EMRC will actively seek methods to do its business in a transparent and accountable manner where everyone can see what is happening.

With this in mind, the EMRC seeks to build the faith of its stakeholders and build trust with those we serve in the community.

### **REPORT**

The attachment provides a list of Council resolutions made during the calendar year to improve transparency and accountability. It is intended that the register is reported back to Council at each ordinary meeting of Council going forward.

### **STRATEGIC/POLICY IMPLICATIONS**

Key Result Area 3 - Good Governance

- 3.3 To provide responsible and accountable governance and management of the EMRC

### **FINANCIAL IMPLICATIONS**

As reported.

### **SUSTAINABILITY IMPLICATIONS**

The implementation of Council's resolutions were exercised in accordance with Council's direction for the benefit and sustainability of the EMRC and Perth's Eastern Region.



*Item 1.1 continued*

## **MEMBER COUNCIL IMPLICATIONS**

<b>Member Council</b>	<b>Implication Details</b>
Town of Bassendean	} As reported
City of Bayswater	
City of Belmont	
City of Kalamunda	
Shire of Mundaring	
City of Swan	

## **ATTACHMENT(S)**

Register of Council Resolutions 2020 (D2020/10352)



## COUNCIL RESOLUTIONS REGISTER 2020

DATE		RESOLUTIONS	STATUS
1.	21 MAY 2020	<p><b>9 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS</b></p> <p><b>9.1 MINUTES OF ORDINARY MEETING OF COUNCIL HELD ON 19 MARCH 2020</b></p> <p>THAT THE MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON 19 MARCH 2020 WHICH HAVE BEEN DISTRIBUTED, BE CONFIRMED.</p>	NOTED
2.	21 MAY 2020	<p><b>9.2 MINUTES OF SPECIAL MEETING OF COUNCIL HELD ON 16 APRIL 2020</b></p> <p>THAT THE MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON 16 APRIL 2020 WHICH HAVE BEEN DISTRIBUTED, BE CONFIRMED</p>	NOTED
3.	21 MAY 2020	<p><b>14.1 LIST OF ACCOUNTS PAID DURING THE MONTHS OF FEBRUARY AND MARCH 2020</b></p> <p><b>REFERENCE: D2020/06905</b></p> <p>THAT COUNCIL NOTES THE CEO'S LIST OF ACCOUNTS FOR FEBRUARY AND MARCH 2020 PAID UNDER DELEGATED POWER IN ACCORDANCE WITH REGULATION 13(1) OF THE <i>LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996</i>, FORMING THE ATTACHMENT TO THIS REPORT TOTALLING \$23,304,284.77.</p>	NOTED
4.	21 MAY 2020	<p><b>14.2 FINANCIAL REPORT FOR PERIOD ENDED 29 FEBRUARY 2020</b></p> <p><b>REFERENCE: D2020/06920</b></p> <p>THAT COUNCIL RECEIVES THE STATEMENT OF COMPREHENSIVE INCOME, CAPITAL EXPENDITURE STATEMENT, STATEMENT OF FINANCIAL POSITION, STATEMENT OF CASH AND INVESTMENTS AND THE INVESTMENT REPORT FOR THE PERIOD ENDED 29 FEBRUARY 2020.</p>	NOTED
5.	21 MAY 2020	<p><b>14.3 FINANCIAL REPORT FOR PERIOD ENDED 31 MARCH 2020</b></p> <p><b>REFERENCE: D2020/06970</b></p> <p>THAT COUNCIL RECEIVES THE STATEMENT OF COMPREHENSIVE INCOME, CAPITAL EXPENDITURE STATEMENT, STATEMENT OF FINANCIAL POSITION, STATEMENT OF CASH AND INVESTMENTS AND THE INVESTMENT REPORT FOR THE PERIOD ENDED 31 MARCH 2020.</p>	NOTED

DATE	RESOLUTIONS	STATUS
6. 21 MAY 2020	<p><b>14.4 MAKING OF THE EASTERN METROPOLITAN REGIONAL COUNCIL WASTE LOCAL LAW 2019</b></p> <p><b>REFERENCE: D2020/06921</b></p> <p>THAT:</p> <ol style="list-style-type: none"> <li>1. COUNCIL UNDERTAKES TO THE JOINT STANDING COMMITTEE ON DELEGATED LEGISLATION THAT WITHIN SIX (6) MONTHS, COUNCIL WILL MAKE THE FOLLOWING AMENDMENTS TO THE <i>EASTERN METROPOLITAN REGIONAL COUNCIL WASTE MANAGEMENT FACILITIES LOCAL LAW 2019</i>:               <ol style="list-style-type: none"> <li>(a) IN CLAUSE 1.5, DELETE THE DEFINITIONS OF 'COLLECTABLE WASTE RECEPTACLE', 'NON-COLLECTABLE-WASTE' AND 'RECYCLING WASTE'.</li> <li>(b) IN CLAUSE 2.4(3)(B) AND 3.2, REPLACE THE WORDS 'LOCAL GOVERNMENT' WITH 'REGIONAL LOCAL GOVERNMENT.'</li> <li>(c) DELETE SCHEDULE 1.</li> <li>(d) MAKE ALL NECESSARY CONSEQUENTIAL AMENDMENTS.</li> </ol> </li> <li>2. UNTIL THE EASTERN METROPOLITAN REGIONAL COUNCIL WASTE MANAGEMENT FACILITIES LOCAL LAW 2019 IS AMENDED IN ACCORDANCE WITH ITEM 1 ABOVE, COUNCIL UNDERTAKES TO:               <ol style="list-style-type: none"> <li>(a) NOT ENFORCE THE <i>EASTERN METROPOLITAN REGIONAL COUNCIL WASTE MANAGEMENT FACILITIES LOCAL LAW 2019</i> IN A MANNER CONTRARY TO THE UNDERTAKING IN ITEM 1 ABOVE.</li> </ol> </li> <li>3. WHERE THE <i>EASTERN METROPOLITAN REGIONAL COUNCIL WASTE MANAGEMENT FACILITIES LOCAL LAW 2019</i> IS MADE PUBLICLY AVAILABLE, WHETHER IN HARD COPY OR ELECTRONIC FORM (INCLUDING COUNCIL'S WEBSITE), ENSURE THAT IT IS ACCOMPANIED BY A COPY OF THESE UNDERTAKINGS.</li> </ol>	ACTIONED
7. 21 MAY 2020	<p><b>14.5 RFT2019-005 EMRC STRATEGIC REVIEW</b></p> <p><b>REFERENCE: D2020/08306</b></p> <p>THAT COUNCIL NOTES THE BIMONTHLY UPDATE IN RELATION TO RFT2019-005 – EMRC STRATEGIC REVIEW, FORMING THE SUBSTANCE OF THIS REPORT.</p>	NOTED
8. 21 MAY 2020	<p><b>15 REPORTS OF COMMITTEES</b></p> <p><b>15.1 WASTE ADVISORY COMMITTEE MEETING HELD 7 MAY 2020</b></p> <p><b>11.1 UPDATE ON DEVELOPMENTS AT RED HILL WASTE MANAGEMENT FACILITY AND HAZELMERE RESOURCE RECOVERY PARK (D2020/07489 (WAC) – D2020/08951)</b></p> <p>THAT:</p> <ol style="list-style-type: none"> <li>1. THE REPORT BE RECEIVED.</li> <li>2. FURTHER REPORTS ARE PROVIDED FOR CONSIDERATION BY THE WASTE ADVISORY COMMITTEE ON THE PROPOSED OPERATING MODELS, REVENUES AND CAPITAL AND; OPERATING EXPENSES FOR THE COMMUNITY RECYCLING CENTRE AND THE WASTE TRANSFER STATION BEFORE ANY CONSTRUCTION IS COMMENCED.</li> </ol>	IN PROGRESS

DATE	RESOLUTIONS	STATUS
9. 21 MAY 2020	<p><b>11.2 UPDATE ON FOGO PROCESSING IMPLEMENTATION (D2020/05747 (WAC) – D2020/08952)</b></p> <p>THAT COUNCIL:</p> <ol style="list-style-type: none"> <li>1. RECEIVES THE REPORT.</li> <li>2. REFER THE DRAFT TIMELINE FOR TENDER IMPLEMENTATION TO A WORKING GROUP, CONSISTING OF EMRC OFFICERS AND MEMBER COUNCIL'S TECHNICAL OFFICERS.</li> <li>3. REPORT BACK TO A FUTURE WASTE ADVISORY COMMITTEE MEETING WITH A REVISED TIMELINE.</li> <li>4. THAT THE SCOPE OF WORKS FOR THE FEASIBILITY STUDY STEMMING FROM THE EMRC COUNCIL MEETING DECISION OF 20 FEBRUARY 2020 IS ENDORSED BY THE WASTE ADVISORY COMMITTEE PRIOR TO COMMENCEMENT.</li> </ol>	IN PROGRESS
10. 21 MAY 2020	<p><b>11.3 RESOURCE RECOVERY FACILITY UPDATE</b></p> <p><b>REFERENCE: D2020/05409 (WAC) – D2020/08955</b></p> <p>THAT THE REPORT BE RECEIVED.</p>	NOTED
11. 21 MAY 2020	<p><b>11.4 DRAFT FOGO DISTRIBUTION DEED</b></p> <p><b>REFERENCE: D2020/07537 (WAC) – D2020/08956</b></p> <p>THAT:</p> <ol style="list-style-type: none"> <li>1. COUNCIL ADOPTS THE DRAFT FOGO DISTRIBUTION DEED WITH THE FOLLOWING CHANGE TO THE DOCUMENT: <ol style="list-style-type: none"> <li>a) THAT THE WORD "SUITABLE" BE INSERTED ON PAGE 4, PARAGRAPH 1, SO THAT IT READS "SUBJECT TO A SUITABLE FOGO FACILITY BEING AVAILABLE..."</li> <li>b) PAGE 3 PARA 2, INSERT AFTER "... THE 2021 CENSUS", "AND/OR IMMEDIATELY PRIOR TO THE IMPLEMENTATION OF EACH RECIPIENT'S FOGO MANAGEMENT SERVICE".</li> <li>c) PAGE 4, PARA 1, INSERT AFTER "... NO LATER THAN" THE DATE SPECIFIED IN THE WASTE AVOIDANCE AND RESOURCE RECOVERY STRATEGY 2030".</li> <li>d) WITH CORRESPONDING CHANGES TO BE MADE TO THE CLEAN VERSION OF THE DRAFT FOGO DISTRIBUTION DEED.</li> </ol> </li> <li>2. THE CEO ARRANGES FOR MEMBER COUNCILS TO EXECUTE THE FOGO DISTRIBUTION DEED IN ORDER TO RECEIVE THE DISTRIBUTION.</li> </ol>	IN PROGRESS
12. 21 MAY 2020	<p><b>19 CONFIDENTIAL MATTERS FOR WHICH THE MEETING MAY BE CLOSED TO THE PUBLIC</b></p> <p><b>19.1 ITEM 14.1 OF THE WASTE ADVISORY COMMITTEE MINUTES - DRAFT PARTICIPANTS AGREEMENT FOR FOGO SUPPLY (D2020/07543 (WAC) – D2020/08314)</b></p> <ol style="list-style-type: none"> <li>1. THAT COUNCIL NOTES THE DRAFT PARTICIPANTS AGREEMENT FOR FOGO SUPPLY.</li> <li>2. THAT THE REPORT AND ATTACHMENT(S) REMAIN CONFIDENTIAL AND BE CERTIFIED BY THE CHAIRMAN AND CEO.</li> </ol>	NOTED

DATE	RESOLUTIONS	STATUS
13. 21 MAY 2020	<p><b>19.2 ITEM 14.2 OF THE WASTE ADVISORY COMMITTEE MINUTES - PURCHASE OF LOTS 3, 4, 5, 6 and 7 TOODYAY ROAD, RED HILL (D2020/07524 (WAC) – D2020/08315)</b></p> <p>THAT:</p> <ol style="list-style-type: none"> <li>1. COUNCIL BY ABSOLUTE MAJORITY IN ACCORDANCE WITH SECTION 5.42 OF THE <i>LOCAL GOVERNMENT ACT 1995</i>, AUTHORISE THE CEO IN CONSULTATION WITH THE CHAIRMAN TO NEGOTIATE A FINAL SETTLEMENT WITH LINC PROPERTY UP TO THE VALUE IDENTIFIED IN THIS REPORT FOR THE PURCHASE OF LOTS 3, 4, 5, 6 AND 7 TOODYAY ROAD, RED HILL.</li> <li>2. THE REPORT AND ATTACHMENTS REMAIN CONFIDENTIAL AND BE CERTIFIED BY THE CHAIRMAN AND CEO.</li> </ol>	IN PROGRESS
14. 21 MAY 2020	<p><b>19.3 ITEM 14.3 OF THE WASTE ADVISORY COMMITTEE MINUTES - UPDATE ON HAZELMERE WOOD WASTE TO ENERGY PROJECT (D2019/10941 (WAC) – D2020/08317)</b></p> <p>THAT:</p> <ol style="list-style-type: none"> <li>1. COUNCIL AUTHORISES THE CHIEF EXECUTIVE OFFICER TO ENTER INTO AN AMENDMENT TO THE DEED OF VARIATION WITH ANERGY AUSTRALIA PTY LTD SIGNED IN NOVEMBER 2019 AND NEGOTIATE AND AGREE AMENDMENTS OTHER THAN TO THE MAXIMUM TOTAL AMOUNT OF PAYMENTS SPECIFIED IN SCHEDULE A TO THE DEED OF VARIATION.</li> <li>2. COUNCIL AUTHORISES A CONTINGENCY ALLOWANCE ON THE COST TO COMPLETION UP TO THE VALUE SPECIFIED IN THE REPORT.</li> <li>3. THE REPORT AND REMAINS CONFIDENTIAL AND BE CERTIFIED BY THE CHAIRMAN AND CEO.</li> </ol>	IN PROGRESS
15. 21 MAY 2020	<p><b>19.4 ITEM 14.4 OF THE WASTE ADVISORY COMMITTEE MINUTES - REGIONAL WASTE COLLECTION SERVICE UPDATE (D2020/04491 (WAC) - D2020/08318)</b></p> <p>THAT:</p> <ol style="list-style-type: none"> <li>1. THE EMRC PROCEEDS WITH AN APPLICATION FOR AN EXEMPTION WITH THE AUSTRALIAN COMPETITION AND CONSUMER COMMISSION (ACCC) AND FROM THE WA STATE GOVERNMENT UNDER ITS COMPARABLE LEGISLATION FOR A RULING ON THE PROPOSED REGIONAL WASTE COLLECTION SERVICE.</li> <li>2. THE EMRC PROCEEDS WITH THE PRE-PLANNING TASKS IDENTIFIED IN CONSULTATION WITH THE MEMBER COUNCILS THROUGH THE REGIONAL WASTE COLLECTION STEERING GROUP.</li> <li>3. A REPORT AND RECOMMENDATIONS BE TABLED AT A FUTURE MEETING OF COUNCIL.</li> <li>4. THE ATTACHMENTS REMAIN CONFIDENTIAL AND BE CERTIFIED BY THE CHIEF EXECUTIVE OFFICER AND THE EMRC CHAIRMAN.</li> </ol>	

DATE	RESOLUTIONS	STATUS
16. 16 APRIL 2020	<p><b>14 MEMBERS' MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN</b></p> <p><b>14.1 NOTICE OF MOTION FROM CR DAW</b></p> <p><b>NOTICE OF ALTERNATE MOTION RECEIVED FROM CR CONGERTON</b></p> <p>THAT COUNCIL:</p> <ol style="list-style-type: none"> <li>1. NOT ADJUST THE SECONDARY WASTE RESERVE CHARGE APPLIED TO LANDFILL TONNAGES FROM MEMBER COUNCILS FOR THE 2020/2021 FINANCIAL YEAR.</li> <li>2. BY ABSOLUTE MAJORITY, THE EMRC DECLARE A DIVIDEND OF \$5M TO BE FUNDED BY \$2.5M FROM MUNICIPAL FUND BASED ON ESTIMATED 2019/2020 OPERATING SURPLUSES, AND IN ACCORDANCE WITH S.6.11(2)(B) OF THE <i>LOCAL GOVERNMENT ACT 1995</i>, A DISTRIBUTION OF \$2.5M FROM THE FUTURE DEVELOPMENT RESERVE.</li> <li>3. THE DIVIDEND IS PAYABLE TO EACH MEMBER COUNCIL ON OR BEFORE JUNE 30 2020 BASED ON THE COUNCILS SHAREHOLDING AS PER THE LAST AUDITED ACCOUNTS BEING 30 JUNE 2019.</li> <li>4. CONFIRMS, IN ACCORDANCE WITH R.18(C) OF THE <i>LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996</i>, THAT THE EMRC IS NOT REQUIRED TO GIVE LOCAL PUBLIC NOTICE OF A PROPOSED CHANGE OF USE OF MONEY IN A RESERVE ACCOUNT DUE THE SATISFACTION OF THE FOLLOWING CONDITIONS: <ol style="list-style-type: none"> <li>a. A DECISION TO CHANGE THE USE OF THE MONEY IS MADE WHILE THERE IS IN FORCE A STATE OF EMERGENCY DECLARATION APPLYING TO THE DISTRICT, OR PART OF THE DISTRICT, OF THE LOCAL GOVERNMENT;</li> <li>b. THE EMRC CONSIDERS THAT THE CHANGE OF USE IS REQUIRED TO ADDRESS A NEED ARISING FROM THE HAZARD, OR FROM THE IMPACT OR CONSEQUENCES OF THE HAZARD, TO WHICH THE STATE OF EMERGENCY DECLARATION RELATES;</li> <li>c. THE DECISION AND THE REASONS FOR IT ARE TO BE RECORDED IN THE MINUTES OF THE MEETING AT WHICH THE DECISION IS MADE.</li> </ol> </li> <li>5. NOTE THE REASON FOR CHANGING THE ORIGINAL RECOMMENDATION IS TO RESPOND TO THE CURRENT GLOBAL COVID-19 PANDEMIC BY PROVIDING FINANCIAL AND ECONOMIC BENEFIT TO MEMBER COUNCILS, THEIR RATEPAYERS AND COMMUNITIES.</li> </ol>	IN PROGRESS
17. 19 MARCH 2020	<p><b>7 APPLICATIONS FOR LEAVE OF ABSENCE</b></p> <p><b>7.1 CR MEL CONGERTON - LEAVE OF ABSENCE</b></p> <p>THAT COUNCIL APPROVE APPLICATIONS FOR LEAVE OF ABSENCE FOR CR CONGERTON FROM 23 MARCH 2020 TO 27 MARCH 2020 INCLUSIVE.</p>	NOTED
18. 19 MARCH 2020	<p><b>9 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS</b></p> <p><b>9.1 MINUTES OF ORDINARY MEETING OF COUNCIL HELD ON 20 FEBRUARY 2020</b></p> <p>THAT THE MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON 20 FEBRUARY 2020 WHICH HAVE BEEN DISTRIBUTED, BE CONFIRMED.</p>	NOTED
19. 19 MARCH 2020	<p><b>14.1 LIST OF ACCOUNTS PAID DURING THE MONTH OF JANUARY 2020 (D2020/04645)</b></p> <p>THAT COUNCIL NOTES THE CEO'S LIST OF ACCOUNTS FOR JANUARY 2020 PAID UNDER DELEGATED POWER IN ACCORDANCE WITH REGULATION 13(1) OF THE <i>LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996</i>, FORMING THE ATTACHMENT TO THIS REPORT TOTTALLING \$11,320,209.95.</p>	NOTED
20. 19 MARCH 2020	<p><b>14.2 FINANCIAL REPORT FOR PERIOD ENDED 31 JANUARY 2020 (D2020/04668)</b></p> <p>THAT COUNCIL RECEIVES THE STATEMENT OF COMPREHENSIVE INCOME, CAPITAL EXPENDITURE STATEMENT, STATEMENT OF FINANCIAL POSITION, STATEMENT OF CASH AND INVESTMENTS AND THE INVESTMENT REPORT FOR THE PERIOD ENDED 31 JANUARY 2020.</p>	NOTED

	DATE	RESOLUTIONS	STATUS
21.	19 MARCH 2020	<p><b>14.3 MANAGEMENT OF AGENDAS AND MINUTES (D2020/05037)</b>            THAT COUNCIL:</p> <ol style="list-style-type: none"> <li>1. RECEIVES THE OUTCOME OF THE INVESTIGATION DETAILED IN THIS REPORT.</li> <li>2. BY ABSOLUTE MAJORITY IN ACCORDANCE WITH SECTION 6.8(1)(B) OF THE <i>LOCAL GOVERNMENT ACT 1995</i> AUTHORISES AN EXPENDITURE UP TO THE AMOUNT SPECIFIED IN THIS REPORT FOR THE PROCUREMENT OF AN ELECTRONIC AGENDA, MINUTES AND ATTACHMENTS DISTRIBUTION PLATFORM FROM QUOTE 1.</li> <li>3. THE IDENTITY OF THE SUCCESSFUL QUOTE AND THE QUOTED AMOUNT BE REDACTED FOR COMMERCIAL REASONS AND REMAIN CONFIDENTIAL UNTIL SUCH TIME THAT THE PROCUREMENT OF THE PRODUCT AND SERVICE HAS BEEN COMPLETED.</li> </ol>	IN PROGRESS
22.	19 MARCH 2020	<p><b>14.4 AUDIO RECORDING OF COUNCIL AND COMMITTEES (D2020/05029)</b>            THAT COUNCIL:</p> <ol style="list-style-type: none"> <li>1. RECEIVES THE OUTCOME OF THE INVESTIGATION UNDERTAKEN AS DETAILED IN THIS REPORT.</li> <li>2. IN ACCORDANCE WITH CLAUSE 5.14(2) OF THE <i>EMRC STANDING ORDERS 2013</i> RESOLVES TO AUDIO RECORD ALL COUNCIL MEETINGS THAT ARE OPEN TO THE PUBLIC.</li> <li>3. RESOLVED THAT RECORDING DOES NOT OCCUR BEHIND CLOSED DOORS.</li> <li>4. AUTHORISES PUBLIC ACCESS TO AUDIO RECORDINGS OF EACH OF THE COUNCIL MEETINGS THAT ARE OPEN TO THE PUBLIC AND BE PLACED ON THE COUNCIL'S WEBSITE.</li> <li>5. ADOPTS THE COUNCIL POLICY 2.2 AUDIO RECORDING OF COUNCIL MEETINGS POLICY AS AMENDED AS AT 19 MARCH 2020, FORMING THE ATTACHMENT TO THIS REPORT.</li> </ol>	COMPLETE
23.	19 MARCH 2020	<p><b>14.5 ITEMS CONTAINED IN THE INFORMATION BULLETIN (D2020/05050)</b>            THAT COUNCIL NOTES THE ITEMS CONTAINED IN THE INFORMATION BULLETIN ACCOMPANYING THE 20 FEBRUARY 2020 ORDINARY MEETING OF COUNCIL AGENDA.</p>	NOTED
24.	19 MARCH 2020	<p><b>15.2 WASTE ADVISORY COMMITTEE MEETING HELD 5 MARCH 2020</b>  <b>11.1 REQUEST FOR TENDER 2020-001 EARTHWORKS FOR DEVELOPMENT OF LOTS 8, 9 &amp; 10 (D2020/03984 (WAC) – D202/05263)</b>            THAT:</p> <ol style="list-style-type: none"> <li>1. COUNCIL AWARD TENDER RFT 2020-001 – EARTHWORKS FOR DEVELOPMENT OF LOTS 8, 9 &amp; 10 TO TENDERER B FOR \$2,537,960.85 (EX GST) BASED ON A SCHEDULE OF RATES.</li> <li>2. THE CEO BE AUTHORISED ON BEHALF OF THE EMRC TO ENTER INTO A CONTRACT WITH TENDERER B IN ACCORDANCE WITH THEIR SUBMITTED TENDER, SUBJECT TO ANY MINOR VARIATIONS THAT MAY BE AGREED ON BETWEEN THE CEO AND TENDERER B.</li> <li>3. COUNCIL AUTHORISE A 20% CONTINGENCY BASED ON THE TENDERED PRICE SCHEDULE FOR ANY CONTRACT VARIATIONS THAT MAY ARISE FOR TENDER RFT 2020-001.</li> <li>4. THE IDENTITY OF THE SUCCESSFUL TENDERER AND THE AWARDED AMOUNT BE REDACTED FOR LEGAL REASONS AND REMAIN CONFIDENTIAL UNTIL SUCH TIME THAT THE RESULTANT CONTRACT HAS BEEN FORMED.</li> </ol>	IN PROGRESS



DATE	RESOLUTIONS	STATUS
25. 19 MARCH 2020	<p><b>11.2 MEMBER COUNCIL REQUIREMENTS FOR BINS AND CADDIES FOR THE IMPLEMENTATION OF FOOD ORGANICS AND GARDEN ORGANICS (FOGO) (D2020/04228 (WAC) – D2020/05271)</b></p> <p>THAT COUNCIL:</p> <ol style="list-style-type: none"> <li>1. DECLARES ON THIS DAY 19 MARCH 2020, A DISTRIBUTION TOTTALLING \$13,789,200 FROM THE SECONDARY WASTE RESERVE TO BE DISTRIBUTED TO ALL MEMBERS COUNCIL ON OR BEFORE 30 JUNE 2020.</li> <li>2. AUTHORISES THE DISTRIBUTION TO THE RESPECTIVE PARTICIPANTS OF THE EMRC: <ol style="list-style-type: none"> <li>a. BE BASED ON \$100 PER HOUSEHOLD; AND</li> <li>b. FOLLOWING THE NEXT CENSUS IN 2021 AN ADJUSTMENT DISTRIBUTION BE MADE BASED ON REVISED NUMBER OF HOUSEHOLDS PER MEMBER COUNCIL.</li> </ol> </li> <li>3. AGREES THE DISTRIBUTION OF FUNDS TO THE RESPECTIVE MEMBER COUNCILS IS TO ASSIST AND SUPPORT THE IMPLEMENTATION OF FOGO RECOVERY PROGRAM INCLUDING THE COST OF BINS, KITCHEN CADDIES AND FIRST YEAR CADDY LINERS IN LINE WITH THE SECONDARY WASTE TREATMENT OF HOUSEHOLD MUNICIPAL WASTE. SHOULD A MEMBER COUNCIL DECIDE NOT TO PROCEED WITH THE FOGO PROGRAM, DISTRIBUTED FUNDS ARE TO BE REFUNDED TO THE SECONDARY WASTE RESERVE.</li> <li>4. REQUEST AN UPDATED TIMELINE FOR TENDER IMPLEMENTATION OF A PERMANENT FOGO PROCESSING SOLUTION THAT INCLUDES THE TASKS OF PREPARING A FEASIBILITY STUDY AND OBTAINING COUNCIL APPROVAL PRIOR TO TENDERS BEING CALLED.</li> </ol>	IN PROGRESS
26. 19 MARCH 2020	<p><b>11.3 ITEMS CONTAINED IN THE INFORMATION BULLETIN (D2020/03982)</b></p> <p>THAT THE WASTE ADVISORY COMMITTEE NOTES THE ITEMS CONTAINED IN THE INFORMATION BULLETIN ACCOMPANYING THE 5 MARCH 2020 WASTE ADVISORY COMMITTEE AGENDA.</p>	NOTED
27. 19 MARCH 2020	<p><b>15.3 AUDIT COMMITTEE MEETING HELD 5 MARCH 2020</b></p> <p><b>11.1 HALF YEAR BUDGET REVIEW 2019/2020 (D2020/00413 (AC) – D2020/00413)</b></p> <p>THAT COUNCIL, BY AN ABSOLUTE MAJORITY IN ACCORDANCE WITH THE PROVISIONS OF THE LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996 R.33A, ADOPTS THE REVIEW OF THE 2019/2020 BUDGET AND APPROVES ITS SUBMISSION TO THE DEPARTMENT OF LOCAL GOVERNMENT, SPORT AND CULTURAL INDUSTRIES WITHIN 30 DAYS.</p>	ACTIONED
28. 19 MARCH 2020	<p><b>11.2 COMPLIANCE AUDIT RETURN 2019 (D2020/00414 (AC) – D2020/00414)</b></p> <p>THAT COUNCIL ADOPTS THE DRAFT COMPLIANCE AUDIT RETURN 2019, FORMING AN ATTACHMENT TO THIS REPORT, THAT IT BE CERTIFIED BY THE CHAIRMAN AND CHIEF EXECUTIVE OFFICER AND SUBMITTED TO THE DEPARTMENT OF LOCAL GOVERNMENT, SPORT AND CULTURAL INDUSTRIES BY 31 MARCH 2020.</p>	ACTIONED

DATE	RESOLUTIONS	STATUS
29. 19 MARCH 2020	<p><b>17 MEMBERS' MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN</b></p> <p><b>17.1 NOTICE OF MOTION RECEIVED FROM CR JOHN DAW</b></p> <p>THAT COUNCIL:</p> <ol style="list-style-type: none"> <li>1. IN ACCORDANCE WITH S.5.21(4)(B) OF THE <i>LOCAL GOVERNMENT ACT 1995</i>, RESOLVES TO RECORD THE VOTE OF ALL MEMBERS PRESENT ON ALL MATTERS VOTED AT A MEETING OF COUNCIL OR COMMITTEES OF COUNCIL, UNLESS THE VOTE IS CARRIED UNANIMOUSLY OR BY SECRET BALLOT OR OTHERWISE PROHIBITED BY THE <i>LOCAL GOVERNMENT ACT 1995</i> AND ASSOCIATED REGULATIONS.</li> <li>2. INSTRUCTS THE PRESIDING MEMBER TO CAUSE THE VOTE OR VOTES TO BE RECORDED IN THE MINUTES.</li> </ol>	ACTIONED
30. 19 MARCH 2020	<p><b>19 CONFIDENTIAL MATTERS FOR WHICH THE MEETING MAY BE CLOSED TO THE PUBLIC</b></p> <p>THAT WITH THE EXCEPTION OF THE PERSONAL ASSISTANT TO THE CHIEF EXECUTIVE OFFICER THE MEETING BE CLOSED TO MEMBERS OF THE PUBLIC IN ACCORDANCE WITH SECTION 5.23 (2) OF THE <i>LOCAL GOVERNMENT ACT 1995</i> FOR THE PURPOSE OF DEALING WITH MATTERS OF A CONFIDENTIAL NATURE</p>	NOTED
31. 19 MARCH 2020	<p><b>19.1 ITEM 15.1 OF THE CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW COMMITTEE MINUTES – SELECTION OF FACILITATOR FOR THE CHIEF EXECUTIVE OFFICER'S PERFORMANCE REVIEW PROCESS (D2020/00467 (CEOPRC) – D2020/04781)</b></p> <p>THAT:</p> <ol style="list-style-type: none"> <li>1. COUNCIL AWARD THE CONSULTANCY FOR FACILITATING THE CHIEF EXECUTIVE OFFICER'S PERFORMANCE REVIEW TO DOCTOR JUDE BALM OF INFINITY TRAINING AUSTRALIA.</li> <li>2. THE REPORT REMAINS CONFIDENTIAL AND BE CERTIFIED BY THE CHAIRMAN AND CHIEF EXECUTIVE OFFICER.</li> </ol>	ACTIONED
32. 19 MARCH 2020	<p><b>19.2 ITEM 15.2 OF THE CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW COMMITTEE MINUTES – CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW PROCESS FOR 2020 (D2020/01385 (CEOPRC) – D2020/04784)</b></p> <p>THAT:</p> <ol style="list-style-type: none"> <li>1. COUNCIL ENDORSE THE TIMETABLE FOR UNDERTAKING THE CHIEF EXECUTIVE OFFICER'S PERFORMANCE REVIEW PROCESS FOR 2020 AS OUTLINED WITHIN THIS REPORT.</li> <li>2. THE REPORT AND ATTACHMENT REMAIN CONFIDENTIAL AND BE CERTIFIED BY THE CHAIRMAN AND CEO.</li> </ol>	ACTIONED
33. 20 FEBRUARY 2020	<p><b>9 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS</b></p> <p><b>9.1 MINUTES OF ORDINARY MEETING OF COUNCIL HELD ON 5 DECEMBER 2019</b></p> <p>THAT THE MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON 5 DECEMBER 2019 WHICH HAVE BEEN DISTRIBUTED, BE CONFIRMED.</p>	NOTED
34. 20 FEBRUARY 2020	<p><b>9.2 MINUTES OF SPECIAL MEETING OF COUNCIL HELD ON 23 JANUARY 2020</b></p> <p>THAT THE MINUTES OF THE SPECIAL MEETING OF COUNCIL HELD ON 23 JANUARY 2020 WHICH HAVE BEEN DISTRIBUTED, BE CONFIRMED.</p>	NOTED
35. 20 FEBRUARY 2020	<p><b>9.3 MINUTES OF SPECIAL MEETING OF COUNCIL HELD ON 6 FEBRUARY 2020</b></p> <p>THAT THE MINUTES OF THE SPECIAL COUNCIL MEETING HELD ON 6 FEBRUARY 2020 WHICH HAVE BEEN DISTRIBUTED BE CONFIRMED, SUBJECT TO AMENDMENT OF:</p> <p><i>ITEM 19.1 THE FOLLOWING RESOLUTION IS TO BE ADDED FIRST:</i></p> <p><i>MOVED CR O'CONNOR           SECONDED CR BOYD</i></p> <p><i>THAT THE DIRECTOR ASSET SERVICES OF THE CITY OF KALAMUNDA BE ALLOWED TO ADDRESS THE MEETING.</i></p>	NOTED

DATE	RESOLUTIONS	STATUS
36. 20 FEBRUARY 2020	<p><b>14 REPORTS OF EMPLOYEES</b></p> <p><b>14.1 LIST OF ACCOUNTS PAID DURING THE MONTHS OF NOVEMBER AND DECEMBER 2019 (D2019/18490)</b></p> <p>THAT COUNCIL NOTES THE CEO'S LIST OF ACCOUNTS FOR NOVEMBER AND DECEMBER 2019 PAID UNDER DELEGATED POWER IN ACCORDANCE WITH REGULATION 13(1) OF THE <i>LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996</i>, FORMING THE ATTACHMENT TO THIS REPORT TOTALLING \$22,623,589.15.</p>	NOTED
37. 20 FEBRUARY 2020	<p><b>14.2 FINANCIAL REPORT FOR PERIOD ENDED 30 NOVEMBER 2019 (D2019/18491)</b></p> <p>THAT COUNCIL RECEIVES THE STATEMENT OF COMPREHENSIVE INCOME, CAPITAL EXPENDITURE STATEMENT, STATEMENT OF FINANCIAL POSITION, STATEMENT OF CASH AND INVESTMENTS AND THE INVESTMENT REPORT FOR THE PERIOD ENDED 30 NOVEMBER 2019.</p>	NOTED
38. 20 FEBRUARY 2020	<p><b>14.3 FINANCIAL REPORT FOR PERIOD ENDED 31 DECEMBER 2019 (D2019/18491)</b></p> <p>THAT COUNCIL RECEIVES THE STATEMENT OF COMPREHENSIVE INCOME, CAPITAL EXPENDITURE STATEMENT, STATEMENT OF FINANCIAL POSITION, STATEMENT OF CASH AND INVESTMENTS AND THE INVESTMENT REPORT FOR THE PERIOD ENDED 31 DECEMBER 2019.</p>	NOTED
39. 20 FEBRUARY 2020	<p><b>14.4 REVIEW OF DELEGATED POWERS AND DUTIES (D2019/00720)</b></p> <p>THAT COUNCIL RE-AFFIRMS THE DELEGATED POWERS AND DUTIES AS LISTED IN THE REPORT.</p>	NOTED
40. 20 FEBRUARY 2020	<p><b>14.5 LAND ALLOCATION FOR PROPOSED PEPPERCORN LEASE(S) OF A PORTION OF RED HILL WASTE MANAGEMENT FACILITY AND HAZELMERE RESOURCE RECOVERY PARK (D2020/02321)</b></p> <p>THAT COUNCIL:</p> <ol style="list-style-type: none"> <li>1. APPROVES IN-PRINCIPLE SUPPORT FOR A PEPPERCORN LEASE OF APPROXIMATELY 0.4 HECTARES OF UNIMPROVED LAND WITHIN LOT 2 TOODYAY ROAD, RED HILL AND LOT 301, LAKES ROAD HAZELMERE FOR THE ESTABLISHMENT OF CDS REFUND POINT AND AGGREGATION POINTS.</li> <li>2. AUTHORISES THE CEO TO ENTER INTO NEGOTIATIONS WITH A NOT-FOR-PROFIT ORGANISATION(S) THAT HAS BEEN RECOMMENDED BY WARRRL, FOR THE PURPOSE OF OPERATING A CDS REFUND AND AGGREGATION POINT AT EACH OF ABOVE LOCATIONS.</li> </ol>	IN PROGRESS
41. 20 FEBRUARY 2020	<p><b>14.6 ITEMS CONTAINED IN THE INFORMATION BULLETIN (D2019/02338)</b></p> <p>THAT COUNCIL NOTES THE ITEMS CONTAINED IN THE INFORMATION BULLETIN ACCOMPANYING THE 20 FEBRUARY 2020 ORDINARY MEETING OF COUNCIL AGENDA.</p>	NOTED

DATE	RESOLUTIONS	STATUS
42. 20 FEBRUARY 2020	<p><b>15 REPORTS OF COMMITTEES</b></p> <p><b>15.1 WASTE ADVISORY COMMITTEE MEETING HELD 13 FEBRUARY 2020 (REFER TO MINUTES OF COMMITTEE) (D2020/00688 (WAC) – D2020/01091)</b></p> <p>THAT COUNCIL ADOPTS THE RECOMMENDATIONS IN THE WASTE ADVISORY COMMITTEE REPORTS (SECTION 15.1).</p>	NOTED
	<p><b>11 REPORTS OF EMPLOYEES</b></p> <p><b>11.1 2019 WASTE AUDIT RESULTS (D2020/00720 (WAC) – D2020/02378)</b></p> <p>THAT:</p> <ol style="list-style-type: none"> <li>1. THE REPORT BE RECEIVED.</li> <li>2. THE RESULTS FROM THE 2019 WASTE AUDIT BE USED IN THE TENDER PROCESS FOR A FOGO PROCESSING FACILITY AND IN THE FOGO MODELLING STUDY.</li> </ol>	NOTED
	<p><b>11.2 EXPRESSION OF INTEREST – EOI2019-007 EMRC FOOD ORGANICS, GARDEN ORGANICS (FOGO) PROCESSING REFERENCE: D2020/00713 (WAC) – D2020/02381</b></p> <p>THAT:</p> <ol style="list-style-type: none"> <li>1. THE FOLLOWING RESPONDENTS TO THE EXPRESSION OF INTEREST ARE LISTED AS ACCEPTABLE TENDERERS: <ol style="list-style-type: none"> <li>a. BARPA PTY LTD;</li> <li>b. HITACHI ZOSEN INOVA AUSTRALIA PTY LTD;</li> <li>c. PINDAN CONTRACTING PTY LTD;</li> <li>d. SACYR ENVIRONMENT AUSTRALIA PTY LTD; AND</li> <li>e. VEOLIA ENVIRONMENTAL SERVICES (AUSTRALIA) PTY LTD.</li> </ol> </li> <li>2. THE FOLLOWING RESPONDENTS TO THE EXPRESSION OF INTEREST ARE NOT LISTED AS ACCEPTABLE TENDERERS: <ol style="list-style-type: none"> <li>a. AURIGEN GROUP</li> <li>b. BIOGASS RENEWABLES PTY LTD;</li> <li>c. CLEANAWAY PTY LTD;</li> <li>d. FOCUS ENVIRO (EMER PTY LTD)</li> <li>e. RE.GROUP PTY LTD; AND</li> <li>f. SKALA AUSTRALASIA PTY LTD.</li> </ol> </li> <li>3. THE RESPONDENTS TO EXPRESSION OF INTEREST 2019 -007 BE ADVISED OF THE OUTCOME OF THE ASSESSMENT.</li> <li>4. THAT A FEASIBILITY STUDY IS PREPARED AND ADOPTED BY COUNCIL PRIOR TO TENDERS BEING CALLED.</li> <li>5. THE ATTACHMENT(S) REMAIN CONFIDENTIAL AND BE CERTIFIED BY THE CHAIRMAN AND CEO.</li> </ol>	IN PROGRESS
43. 20 FEBRUARY 2020	<p><b>17 MEMBERS' MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN</b></p> <p><b>17.1 NOTICE OF MOTION RECEIVED FROM CR FILOMENA PIFFARETTI</b></p> <p>THAT COUNCIL REQUEST THE CHIEF EXECUTIVE OFFICER INVESTIGATE THE NECESSARY ARRANGEMENTS AND COSTS TO ENABLE AUDIO RECORDINGS OF COUNCIL AND COMMITTEE MEETINGS OPEN TO THE PUBLIC AND THAT THE AUDIO RECORDINGS OF EACH OF THE MEETINGS OPEN TO THE PUBLIC BE PLACED ON THE COUNCIL'S WEBSITE TO ENABLE PUBLIC ACCESS FOR A REPORT TO BE BROUGHT BACK TO COUNCIL AT THE NEXT MEETING OF COUNCIL.</p>	ACTIONED

DATE	RESOLUTIONS	STATUS
44. 6 FEBRUARY 2020	<p><b>CONFIDENTIAL REPORT</b></p> <p><b>15.1 CONTAINER DEPOSIT SCHEME (CDS) REFUND AND AGGREGATION POINTS (D2020/01257)</b></p> <p>THAT COUNCIL:</p> <ol style="list-style-type: none"> <li>1. APPROVES THE ATTACHED CONTAINER DEPOSIT SCHEME (CDS) REFUND AND AGGREGATION POINTS BUSINESS PLAN 2020 FORMING A CONFIDENTIAL ATTACHMENT TO THIS REPORT.</li> <li>2. BY ABSOLUTE MAJORITY, APPROVES UNBUDGETED EXPENDITURE FROM THE SECONDARY WASTE RESERVE, TO THE MAXIMUM VALUE OF \$3,570,000 EX GST FOR RELEVANT CDS PLANT, EQUIPMENT AND INFRASTRUCTURE.</li> <li>3. AUTHORISES THE CEO TO ENTER INTO THE REFUND POINT AGREEMENT WITH WARRRL FOR THE NOMINATED REFUND/AGGREGATION POINTS AS OUTLINED IN THE BUSINESS PLAN.</li> <li>4. AUTHORISES THE CEO TO ENTER INTO ANY LAND USE AGREEMENT(S) AS REQUIRED AS PART OF THE BUSINESS PLAN.</li> <li>5. THE REPORT AND ATTACHMENT REMAIN CONFIDENTIAL AND BE CERTIFIED BY THE CHAIRMAN AND CEO.</li> </ol>	NOTED
45. 23 JANUARY 2020	<p><b>13 REPORTS OF EMPLOYEES</b></p> <p><b>13.1 CONTAINER DEPOSIT SCHEME (CDS) REFUND AND AGGREGATION POINTS (D2020/00064)</b></p> <p>THAT COUNCIL:</p> <ol style="list-style-type: none"> <li>1. APPROVES THE ATTACHED CONTAINER DEPOSIT SCHEME (CDS) REFUND AND AGGREGATION POINTS BUSINESS PLAN 2020 FORMING A CONFIDENTIAL ATTACHMENT TO THIS REPORT.</li> <li>2. BY ABSOLUTE MAJORITY, APPROVES UNBUDGETED EXPENDITURE FROM THE SECONDARY WASTE RESERVE, TO THE MAXIMUM VALUE OF \$3,570,000 EX GST FOR RELEVANT CDS PLANT, EQUIPMENT AND INFRASTRUCTURE.</li> <li>3. AUTHORISES THE CEO TO ENTER INTO THE REFUND POINT AGREEMENT WITH WARRRL FOR THE NOMINATED REFUND/AGGREGATION POINTS AS OUTLINED IN THE BUSINESS PLAN.</li> <li>4. AUTHORISES THE CEO TO ENTER INTO ANY LAND USE AGREEMENT(S) AS REQUIRED AS PART OF THE BUSINESS PLAN.</li> <li>5. REQUESTS THAT THE CEO CONTINUES TO EXPLORE OPPORTUNITIES TO DEVELOP FURTHER REFUND AND AGGREGATION POINTS THROUGHOUT THE EMRC REGION, ESPECIALLY IN MEMBER COUNCIL AREAS THAT DO NOT HAVE EMRC CDS REFUND OR AGGREGATION POINTS IN THIS FIRST STAGE OF THE ROLLOUT.</li> </ol> <p style="text-align: right;"><b>MOTION LOST 6/6</b></p>	NOTED



## 1.2 CEO EXERCISE OF DELEGATED POWERS AND DUTIES

REFERENCE: D2020/10147

### PURPOSE OF REPORT

The purpose of this report is to present to Council a list of delegations exercised by the Chief Executive Officer (CEO) in accordance with Council's resolution of 24 March 2016.

### KEY POINT(S)

- Council reaffirmed delegations to the CEO and Committees at its meeting of 24 March 2016 and requested a periodic report listing the items approved since the last Ordinary Council meeting.
- The delegations exercised since last reported to Council are detailed within this report.

### SOURCE OF REPORT

Chief Executive Officer

### BACKGROUND

At the Council meeting held on 24 March 2016 Council conducted its annual review of powers and/or discharge of its duties as delegated to the CEO and Committees, in accordance within s.5.46 of the *Local Government Act 1995*. (Ref: D2016/03708)

As part of that review Council resolved inter alia:

*"THAT COUNCIL RECEIVES A REPORT DETAILING THE LIST OF ITEMS APPROVED UNDER DELEGATED AUTHORITY AS THEY ARISE AT THE NEXT ORDINARY MEETING OF COUNCIL."*



*Item 1.2 continued*

## REPORT

The following delegated powers or discharge of duties were exercised by the CEO.

Delegation Number	Date of Original Delegation	Description of Delegation	Details of Delegated Powers and Discharge of Duties
C6/2016	23/06/2016	That Council by absolute majority in accordance with section 5.42 of the <i>Local Government Act 1995</i> delegate authority to the Chief Executive Officer to negotiate and enter into contracts for waste disposal related to operations at the Red Hill Waste Management Facility and Hazelmere Resource Recovery Park.	Negotiated an agreement for waste acceptance with a customer on 2 & 4 June 2020 in relation to disposal of Class IV waste at the Red Hill Waste Management Facility ((Ref: D2020/10112).
C6/2016	23/06/2016	That Council by absolute majority in accordance with section 5.42 of the <i>Local Government Act 1995</i> delegate authority to the Chief Executive Officer to negotiate and enter into contracts for waste disposal related to operations at the Red Hill Waste Management Facility and Hazelmere Resource Recovery Park.	Negotiated an agreement with a government department body for the disposal of contaminated waste to the Red Hill Waste Management Facility (Ref: D2020/09939).
C3/2017	18/05/2017	Grant the CEO delegated authority to accept quotations from HAAS or its authorised suppliers for the supply of spare parts and periodic equipment repairs of the HAAS timber grinder.	Purchase of spare parts for the HAAS timber grinder on 22/05/2020. (purchase order no's. 50945 & 52097).

## STRATEGIC/POLICY IMPLICATIONS

Key Result Area 3 - Good Governance

3.3 To provide responsible and accountable governance and management of the EMRC

## FINANCIAL IMPLICATIONS

As reflected in monthly financial reports.

*Item 1.2 continued*

## SUSTAINABILITY IMPLICATIONS

The delegations exercised were in accordance with Council's resolution for the benefit and sustainability of the EMRC and Perth's Eastern Region.



*Item 1.2 continued*

### **MEMBER COUNCIL IMPLICATIONS**

<b>Member Council</b>	<b>Implication Details</b>
Town of Bassendean	} Nil
City of Bayswater	
City of Belmont	
City of Kalamunda	
Shire of Mundaring	
City of Swan	

### **ATTACHMENT(S)**

Nil





## **15 REPORTS OF COMMITTEES**

### **15.1 CHIEF EXECUTIVE OFFICERS ADVISORY COMMITTEE MEETING HELD 2 JUNE 2020 REFERENCE: D2020/08370 (CEOAC) – D2020/09588**

The minutes of the Chief Executive Officers Advisory Committee meeting held on **2 June 2020** accompany and form part of this agenda – (refer to section of 'Minutes of Committees' for Council accompanying this Agenda).

#### **QUESTIONS**

The Chairman invites general questions from members on the minutes of the Chief Executive Officers Advisory Committee. Any questions relating to the confidential report will be dealt with under section 19 of the agenda "Confidential Items."

#### **RECOMMENDATION(S)**

That with the exception of items ....., which are to be withdrawn and dealt with separately, Council adopts the recommendations in the Chief Executive Officers Advisory Committee reports (Section 15.1).

#### **COUNCIL RESOLUTION(S)**

MOVED CR CONGERTON

SECONDED CR JOHNSON

THAT COUNCIL ADOPTS THE RECOMMENDATIONS IN THE CHIEF EXECUTIVE OFFICERS ADVISORY COMMITTEE REPORTS (SECTION 15.1).

**CARRIED UNANIMOUSLY**

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**15.2 AUDIT COMMITTEE MEETING HELD 4 JUNE 2020**  
**REFERENCE: D2020//07718 (AC) – D2020/10148**

The minutes of the Audit Committee meeting held on **4 June 2020** accompany and form part of this agenda – (refer to section of 'Minutes of Committees' for Council accompanying this Agenda).

**QUESTIONS**

The Chairman highlighted that Item 11.3 Eastern Metropolitan Regional Council (EMRC) 2020/2021 Draft Annual Budget was deferred to the next Audit Committee meeting and would be dealt with under the next item being 15.3 Audit Committee Meeting held 11 June 2020. Therefore, Item 11.3 was for noting only.

The Chairman invited general questions from members on the minutes of the Audit Committee.

**RECOMMENDATION(S)**

That with the exception of items ....., which are to be withdrawn and dealt with separately, Council adopts the recommendations in the Audit Committee report (Section 15.2).

**COUNCIL RESOLUTION(S)**

MOVED CR CONGERTON                      SECONDED CR BOYD

THAT COUNCIL ADOPTS THE RECOMMENDATIONS IN THE AUDIT COMMITTEE REPORTS (SECTION 15.2).

**CARRIED UNANIMOUSLY**

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**15.3 AUDIT COMMITTEE MEETING HELD 11 JUNE 2020**  
**REFERENCE: D2020//10101 (AC) – D2020/10304**

The minutes of the Audit Committee meeting held on **11 June 2020** accompany and form part of this agenda – (refer to section of 'Minutes of Committees' for Council accompanying this Agenda).

**RECOMMENDATION(S)**

That with the exception of items ....., which are to be withdrawn and dealt with separately, Council adopts the recommendations in the Audit Committee report (Section 15.3).

As there was only one item for this meeting of the Audit Committee, the Chairman proposed to deal with the item directly.

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## **16 REPORTS OF DELEGATES**

### **16.1 MWAC update presented by Cr Giorgia Johnson.**

Cr Johnson provided an update on MWAC and discussion ensued.

The Chairman thanked Cr Johnson for her attendance at the MWAC meetings as the EMRC delegate.

## **17 MEMBERS' MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

Nil

## **18 NEW BUSINESS OF AN URGENT NATURE APPROVED BY THE CHAIRMAN OR PRESIDING MEMBER OR BY DECISION OF MEETING**

Nil

## **19 CONFIDENTIAL MATTERS FOR WHICH THE MEETING MAY BE CLOSED TO THE PUBLIC**

### **RECOMMENDATION (Closing meeting to the public)**

That with the exception of ....., the meeting be closed to members of the public in accordance with Section 5.23 (2) of the *Local Government Act 1995* for the purpose of dealing with matters of a confidential nature.

### **COUNCIL RESOLUTION**

MOVED CR JEANS

SECONDED CR WOLFF

THAT WITH THE EXCEPTION OF THE CEO, CHIEF FINANCIAL OFFICER, CHIEF PROJECT OFFICER, CHIEF SUSTAINABILITY OFFICER, CHIEF OPERATING OFFICER, DIRECTOR INFRASTRUCTURE SERVICES, (CITY OF BELMONT), DIRECTOR ASSET SERVICES, (CITY OF KALAMUNDA), MANAGER FINANCIAL SERVICES, MANAGER INFORMATION SERVICES, EA TO THE CEO AND PERSONAL ASSISTANT TO CHIEF FINANCIAL OFFICER THE MEETING BE CLOSED TO MEMBERS OF THE PUBLIC IN ACCORDANCE WITH SECTION 5.23(2) OF THE *LOCAL GOVERNMENT ACT 1995* FOR THE PURPOSE OF DEALING WITH MATTERS OF A CONFIDENTIAL NATURE.

**CARRIED UNANIMOUSLY**

The doors of the meeting were closed at 7:30pm and members of the public departed the Council Chambers.

The Chief Executive Officer, Chief Financial Officer, Chief Project Officer, Chief Sustainability Officer, Chief Operating Officer, Director Infrastructure Services, (City Of Belmont), Director Asset Services, (City Of Kalamunda), Manager Financial Services, Manager Information Services, EA to the CEO and Personal Assistant to Chief Financial Officer remained in Council Chambers.



*Item 19 continued*

**19.1 ITEM 15.1 OF THE CHIEF EXECUTIVE OFFICERS ADVISORY COMMITTEE MINUTES – MATTRESS RECYCLING**

**REFERENCE: D2020/09589**

This item is recommended to be confidential because it contains matters of a commercial-in-confidence nature.

The Council considered the Confidential Item circulated with the Agenda under Separate Cover.

**RECOMMENDATION [Meeting re-opened to the public]**

That the meeting be re-opened, the members of the public be invited to return to the meeting and the recommendations passed behind closed doors be recorded.

**COUNCIL RESOLUTION**

MOVED CR POWELL

SECONDED CR PIFFARETTI

THAT THE MEETING BE RE-OPENED, THE MEMBERS OF THE PUBLIC BE INVITED TO RETURN TO THE MEETING AND THE RECOMMENDATIONS PASSED BEHIND CLOSED DOORS BE RECORDED.

**CARRIED UNANIMOUSLY**

The doors of the meeting were re-opened at 7:35pm and members of the public returned to the Council Chambers.

**19.1 ITEM 15.1 OF THE CHIEF EXECUTIVE OFFICERS ADVISORY COMMITTEE MINUTES – MATTRESS RECYCLING**

**REFERENCE: D2020/09589**

**COUNCIL RESOLUTION(S)**

MOVED CR O'CONNOR

SECONDED CR HAMILTON

THAT:

1. COUNCIL ADOPTS OPTION 1 AS THE EMRC'S PREFERRED OPTION FOR PROCESSING MATTRESSES GOING FORWARD.
2. COUNCIL BY ABSOLUTE MAJORITY IN ACCORDANCE WITH SECTION 6.16 OF THE *LOCAL GOVERNMENT ACT 1995* ADOPTS THE 2020/2021 FEES AND CHARGES FOR THE MATTRESS DISPOSAL AS OUTLINED IN TABLE 3 IN THE REPORT.
3. COUNCIL IN ACCORDANCE WITH S.6.19 OF THE *LOCAL GOVERNMENT ACT 1995*, GIVES PUBLIC NOTICE THAT THE FEES AND CHARGES FOR THE MATTRESS DISPOSAL AS OUTLINED IN TABLE 3 IN THE REPORT ARE EFFECTIVE FROM 1 JULY 2020
4. THE REPORT REMAINS CONFIDENTIAL AND BE CERTIFIED BY THE CHAIRMAN AND CEO.

**CARRIED UNANIMOUSLY**



## 20 FUTURE MEETINGS OF COUNCIL

The next meeting of Council will be held on **Thursday 23 July 2020 (if required)** at the EMRC Administration Office, 1<sup>st</sup> Floor, 226 Great Eastern Highway, Belmont WA 6104 commencing at 6:00pm.

### Future Meetings 2020

Thursday	23 July (if required)	at	EMRC Administration Office
Thursday	20 August (if required)	at	EMRC Administration Office
Thursday	17 September	at	EMRC Administration Office
Thursday	22 October (if required)	at	EMRC Administration Office
Thursday	3 December	at	EMRC Administration Office
January 2021 (recess)			

## 21 DECLARATION OF CLOSURE OF MEETING

There being no further business, the meeting was closed at 7:35pm.

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