



Agenda Briefing Forum

AGENDA

to be held on
Thursday, 10 June 2021
at **6:00pm**, at the
EMRC Administration Office
1st Floor, 226 Great Eastern Highway
ASCOT WA 6104

Meeting Room: Council Chambers

The meeting will be recorded for administrative purposes only.

Per the meeting structure as adopted by the EMRC Council on 22 October 2020, there will be no public questions at Agenda Briefing Forums.

Public question time will continue as usual at Ordinary meetings of Council but questions may only be submitted electronically prior to the meeting, no later than 4.00pm on the day of the meeting to CouncilEnquiry@emrc.org.au

**EASTERN METROPOLITAN REGIONAL COUNCIL
AGENDA BRIEFING FORUM**

NOTICE OF MEETING

Dear Councillors

I wish to advise that an Agenda Briefing Forum will be held at the EMRC Administration Office, 1st Floor, 226 Great Eastern Highway, ASCOT WA 6104 on **Thursday, 10 June 2021**, commencing at **6:00pm**.



MARCUS GEISLER
Chief Executive Officer

4 June 2021

Please Note

If any Councillor/officer has a **query regarding a report item** or requires additional information in relation to a report item, please **contact the responsible Officer** (SOURCE OF REPORT) prior to the meeting.

EMRC Council Members

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 Lorna Clarke	EMRC Member	City of Bayswater
Cr Giorgia Johnson	EMRC Member	City of Bayswater
Cr Janet Powell	EMRC Member	City of Belmont
Cr Phil Marks	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

EMRC Council Deputies

Cr Hilary MacWilliam	EMRC Deputy Member	Town of Bassendean
Cr Filomena Piffaretti	EMRC Deputy Member	City of Bayswater
Cr Robert Rossi	EMRC Deputy Member	City of Belmont
Cr Cameron Blair	EMRC Deputy Member	City of Kalamunda
Cr Amy Collins	EMRC Deputy Member	Shire of Mundaring
Cr Ian Johnson	EMRC Deputy Member	City of Swan

AGENDA BRIEFING FORUM

AGENDA

10 June 2021

(REF: D2021/09293)

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1 DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS

1.1 ACKNOWLEDGEMENT OF COUNTRY

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 AND APOLOGIES

3 DISCLOSURE OF INTERESTS

4 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 6 of this agenda:

- 4.1 HAZELMERE WOOD WASTE TO ENERGY PLANT UPDATE (Ref: D2021/08279)

5 REPORTS OF EMPLOYEES

- 5.1 *REVIEW OF POLICY 5.1 - RED HILL WASTE MANAGEMENT FACILITY AND HAZELMERE RESOURCE RECOVERY PARK ENVIRONMENTAL POLICY (Ref: D2021/07644)*
- 5.2 *REVIEW OF POLICY 3.1 - ANNUAL FINANCIAL REPORTING POLICY (Ref: D2021/09441)*
- 5.3 *ESTABLISHMENT AGREEMENT REVIEW UPDATE (Ref: D2021/09703)*
- 5.4 *ESTABLISHMENT OF A RESERVE FOR THE EAST LINK RELOCATION (Ref: D2021/09704)*



5 REPORTS OF EMPLOYEES

5.1 REVIEW OF POLICY 5.1 - RED HILL WASTE MANAGEMENT FACILITY AND HAZELMERE RESOURCE RECOVERY PARK ENVIRONMENTAL POLICY

REFERENCE: D2021/07644

PURPOSE OF REPORT

The purpose of this report is for Council to adopt the revised Council Policy 5.1 Environmental Policy for the Red Hill Waste Management Facility and Hazelmere Resource Recovery Park.

KEY POINTS AND RECOMMENDATION(S)

- The policy remains generally, with only updates to the list of relevant legislation.

Recommendation(s)

That Council adopts the revised EMRC Policy 5.1 Red Hill Waste Management Facility and Hazelmere Resource Recovery Park Environmental Policy forming attachment 2 to this report.

SOURCE OF REPORT

Chief Project Officer

BACKGROUND

The EMRC has had an environmental policy since 1998 as part of the EMRC's Environmental Management System (EMS) which received accreditation to the International Standards for Environmental Management Systems – ISO 14001:2004 in 2016. The policy provides the guiding principles of environmental management but refers only to the Red Hill Waste Management Facility.

The policy was last reviewed and adopted by Council on 6th December 2018.

REPORT

The list of legislation relevant to the EMRC's Environmental Policy has been updated. Reference to the various Ministerial Statements relating to EMRCs facilities have been removed, as these are not salient to the overall EMRCs over-arching Environmental Policy.

STRATEGIC/POLICY IMPLICATIONS

Key Result Area 1 – Environmental Sustainability

- 1.1 To provide sustainable waste disposal operations
- 1.2 To improve regional waste management
- 1.3 To provide resource recovery and recycling solutions in partnership with member Councils
- 1.4 To investigate leading edge waste management practices
- 1.5 To contribute towards improved regional air, water and land quality, regional biodiversity conservation and address climate change

FINANCIAL IMPLICATIONS

Nil



Item 5.1 continued

SUSTAINABILITY IMPLICATIONS

The proposed amendments to the Environmental Policy refer to the integration of environmental sustainability, social opportunity and economic development into the operations at both Red Hill Waste Management Facility and Hazelmere Resource Recovery Park.

RISK IMPLICATIONS

RISK: Non-compliance with EMRC's responsibility to maintain responsible and accountable governance and management of the organisation.		
Consequence	Likelihood	Rating
Moderate	Unlikely	Moderate
Action/Strategy		
Council to adopt the revised Council policy.		

MEMBER COUNCIL IMPLICATIONS

Member Council	Implication Details
Town of Bassendean	} No direct implications
City of Bayswater	
City of Belmont	
City of Kalamunda	
Shire of Mundaring	
City of Swan	

ATTACHMENT(S)

1. EMRC Policy 5.1 Red Hill Waste Management Facility and Hazelmere Resource Recovery Park Environmental Policy with tracked changes (Ref: D2021/09425)
2. EMRC Policy 5.1 Red Hill Waste Management Facility and Hazelmere Resource Recovery Park Environmental Policy Final (Ref: D2021/09426)

VOTING REQUIREMENT

Simple Majority

RECOMMENDATION(S)

That Council adopts the revised EMRC Policy 5.1 Red Hill Waste Management Facility and Hazelmere Resource Recovery Park Environmental Policy forming attachment 2 to this report.

COUNCIL RESOLUTION(S)

MOVED CR

SECONDED CR



5.1 Red Hill Waste Management Facility and Hazelmere Resource Recovery Park Environmental Policy

STRATEGIC PLAN OBJECTIVE

- 1.1 To provide sustainable waste disposal operations.
- 1.2 To improve regional waste management.

PURPOSE

To provide guiding principles of environmental management for the Red Hill Waste Management Facility and Hazelmere Resource Recovery Park.

LEGISLATION

Environmental Protection Act 1986, Ministerial Statements:

- ~~Statement 274 – that a proposal may be implemented for the Red Hill Waste Management Facility extension.~~
- ~~Statement 462 – that a proposal may be implemented for Class IV Waste Disposal Cells, Red Hill Waste Disposal Facility.~~
- ~~Statement 976 – that a proposal may be implemented to construct and operate a resource recovery facility within the existing Red Hill Waste Management Facility.~~
- ~~Statement 1028 – that a proposal may be implemented to construct and operate a Wood Waste to Energy Plant at the existing Hazelmere Recycling Centre.~~

Environmental Protection Amendment Regulations 2018
Contaminated Sites Act 2003
Environmental Protection Biodiversity Conservation Act 1999.

POLICY STATEMENT

Commitment

The EMRC manages the Red Hill Waste Management Facility and the Hazelmere Resource Recovery Park on behalf of its six member Councils in the eastern region of the Perth metropolitan area. The EMRC is committed to minimising the environmental and social impacts of operations by working towards best practice management.

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D2021 09425 Council - Agenda Briefing Forum - Item 5.1 - Att 1 - Red Hill Environmental Policy 5.1 with tracked changes - 10 06 2021.DOCX
 Policy – 5.1 Red Hill Environmental Policy – 06-12-2018.DOCX

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To fulfil these commitments the EMRC will:

- Comply as a minimum with all applicable environmental legal obligations and internal EMRC standards;
- Openly and transparently report our environmental performance;
- Strive to meet community expectations through addressing concerns and providing avenues for them to liaise with EMRC staff and management;
- Strive for continual improvement by implementing and maintaining an Environmental Management System that is communicated and supported from management to operational staff and contractors (at all levels) to enhance environmental performance and achieve best practice management;
- Continue to be innovative by supporting research into the understanding of the environment which will enable the use of sound data as the basis for all environmental and operational decisions;
- Encourage and support better waste management practices through education and waste diversion strategies;
- Prevent pollution and protect the environment by assessing the environmental implications of planning decisions associated with the design, construction and operation of the Red Hill Waste Management Facility and Hazelmere Resource Recovery Park;
- Raise environmental awareness for staff and contractors to be aware of and accountable for their individual contributions to environmental performance and encourage every employee and contractor to demonstrate respect for the environment;
- Be committed to reducing greenhouse gas emissions through appropriate mitigation and adaptation strategies and evaluate the climate change implications of operational and strategic decisions; and
- Focus on meeting the needs of current and future generations by integrating environmental sustainability, social opportunities and economic development into the Red Hill Waste Management Facility and Hazelmere Resource Recovery Park operations.

Responsibilities

Each employee and contractor has a personal obligation to comply with the Red Hill and Hazelmere Environmental Policy.

Management is responsible for taking this policy into consideration when making any planning or operational decisions. Management is also responsible for ensuring the policy is communicated to and implemented by all staff, contractors, suppliers, local community and visitors.

The environmental program will be audited on a regular basis to confirm and improve performance against the requirements of this policy.

The EMRC publicly reports its environmental performance in its annual monitoring and compliance report.

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[D2021 09425 Council - Agenda Briefing Forum - Item 5.1 - Att 1 - Red Hill Environmental Policy 5.1 with tracked changes - 10 06 2021.DOCX](#)[Policy - 5.1 Red Hill Environmental Policy - 06-12-2018.DOCX](#)



FINANCIAL CONSIDERATIONS

Funding for environmental management activities are included in the annual budgets related to the Red Hill Waste Management Facility and Hazelmere Resource Recovery Park.

Adopted/Reviewed by Council

1. 23 April 1998
2. 22 July 1999
3. 02 May 2002
4. 20 May 2004
5. 23 February 2006
6. 18 September 2008
7. 24 September 2009
8. 23 September 2010
9. 18 September 2014
10. 24 August 2017
11. 06 December 2018

Next Review

June Following the Ordinary Elections in 2021

Responsible Directorate

Projects/Waste Services

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Policy - 5.1 Red Hill Environmental Policy - 06-12-2018.DOCX



Council Policy 5.1

Red Hill Waste Management Facility and Hazelmere Resource Recovery Park Environmental Policy

Strategic Plan Objective

- 1.1 To provide sustainable waste disposal operations.
- 1.2 To improve regional waste management.

Purpose

To provide guiding principles of environmental management for the Red Hill Waste Management Facility and Hazelmere Resource Recovery Park

Legislation

Environmental Protection Act 1986

Contaminated Sites Act 2003

Environmental Protection Biodiversity Conservation Act 1999

Policy Statement

Commitment

The EMRC manages the Red Hill Waste Management Facility and the Hazelmere Resource Recovery Park on behalf of its six member Councils in the eastern region of the Perth metropolitan area. The EMRC is committed to minimising the environmental and social impacts of operations by working towards best practice management.

To fulfil these commitments the EMRC will:

- Comply as a minimum with all applicable environmental legal obligations and internal EMRC standards;
- Openly and transparently report our environmental performance;
- Strive to meet community expectations through addressing concerns and providing avenues for them to liaise with EMRC staff and management;
- Strive for continual improvement by implementing and maintaining an Environmental Management System that is communicated and supported from management to operational staff and contractors (at all levels) to enhance environmental performance and achieve best practice management;
- Continue to be innovative by supporting research into the understanding of the environment which will enable the use of sound data as the basis for all environmental and operational decisions;
- Encourage and support better waste management practices through education and waste diversion strategies;
- Prevent pollution and protect the environment by assessing the environmental implications of planning decisions associated with the design, construction and operation of the Red Hill Waste Management Facility and Hazelmere Resource Recovery Park;

- Raise environmental awareness for staff and contractors to be aware of and accountable for their individual contributions to environmental performance and encourage every employee and contractor to demonstrate respect for the environment;
- Be committed to reducing greenhouse gas emissions through appropriate mitigation and adaptation strategies and evaluate the climate change implications of operational and strategic decisions; and
- Focus on meeting the needs of current and future generations by integrating environmental sustainability, social opportunities and economic development into the Red Hill Waste Management Facility and Hazelmere Resource Recovery Park operations.

Responsibilities

Each employee and contractor has a personal obligation to comply with the Red Hill and Hazelmere Environmental Policy.

Management is responsible for taking this policy into consideration when making any planning or operational decisions. Management is also responsible for ensuring the policy is communicated to and implemented by all staff, contractors, suppliers, local community and visitors.

The environmental program will be audited on a regular basis to confirm and improve performance against the requirements of this policy.

The EMRC publicly reports its environmental performance in its annual monitoring and compliance report.

Financial Considerations

Funding for environmental management activities are included in the annual budgets related to the Red Hill Waste Management Facility and Hazelmere Resource Recovery Park.

Adopted/Reviewed	23 April 1998
	22 July 1999
	02 May 2002
	20 May 2004
	23 February 2006
	18 September 2008
	24 September 2009
	23 September 2010
	18 September 2014
	24 August 2017
	06 December 2018
Next Review	June 2021
Responsible Unit	Projects



5.2 REVIEW OF POLICY 3.1 - ANNUAL FINANCIAL REPORTING POLICY

REFERENCE: D2021/09441

PURPOSE OF REPORT

The purpose of this report is to review Council Policy 3.1 - Annual Financial Reporting Policy.

KEY POINTS AND RECOMMENDATION(S)

- The EMRC has been on a four (4) year cycle for its asset revaluation timetable.
- Following an amendment to Regulation 17A of the *Local Government (Financial Management) Regulations 1996*, the EMRC is now only required to undertake revaluations on its Land, Buildings and Infrastructure classes of assets with the revaluation of assets to be undertaken within a period of no more than 5 years after the day on which the asset was last valued or revalued.
- The EMRC is proposing to undertake a revaluation on its Land, Buildings and Infrastructure classes of assets on a 4 year cycle.

Recommendation(s)

That the revised EMRC Policy 3.1 Annual Financial Reporting Policy forming attachment 2 to this report be adopted by Council.

SOURCE OF REPORT

Chief Financial Officer

BACKGROUND

It is a requirement of a Local Government with effect from the 2012/2013 financial year that it is to comply with AASB13 *Fair Value Measurement* and AASB116 *Property, Plant and Equipment* regarding revaluation of its property, plant and equipment.

Under Regulation 17A of the *Local Government (Financial Management) Regulations 1996*, the fair value implementation was undertaken in the annual accounts for the 2012/2013 financial year with respect to the revaluations undertaken on Plant and Equipment, in 2013/2014 with respect to revaluations undertaken on the Land and Buildings class of assets and the final phase of the 3 year cycle was for the revaluation of the Infrastructure and all other classes of assets in the 2014/2015 financial year.

Consistent with the regulation, revaluations were undertaken on a 3 year cycle at the EMRC.

On 26 June 2018 the following change was gazetted relating to Regulation 17A(4) of the *Local Government (Financial Management) Regulations 1996*:

“A local government must revalue an asset of the local government within a period of at least 3 years but no more than 5 years after the day on which the asset was last valued or revalued”.

As a result of this change to the regulation the EMRC elected to undertake the asset revaluations on its assets on a 4 year rotational cycle commencing 2018/2019 (Year 1) as follows:

- Year 1 - *No revaluations to be undertaken;*
- Year 2 - Plant and Equipment;
- Year 3 - Land and Buildings and Infrastructure; and
- Year 4 - Art Works.



Item 5.2 continued

REPORT

On 7 November 2020 it was gazetted in relation to Regulation 17A of the *Local Government (Financial Management) Regulations 1996*, that revaluations are only required to be undertaken on the Land, Buildings and Infrastructure classes of assets with the revaluation of assets to be undertaken within a period of no more than 5 years after the day on which the asset was last valued or revalued.

There is no longer a requirement for revaluations to be undertaken on the Plant and Equipment, Furniture and Fittings and Art Works classes of assets.

The EMRC undertook a revaluation of its Land, Buildings and Infrastructure classes of assets during the current 2020/2021 financial year. It is proposing to continue to undertake a revaluation on these classes of assets on a 4 year cycle with the next revaluation to be undertaken in the 2024/2025 financial year.

The section titled "Timing of Asset Valuations" in the Annual Financial Reporting Policy (Policy 3.1) has been amended to outline the assets required to be revalued as well as the timing of when the revaluation is to be undertaken.

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

Due to revaluations required to be undertaken only on the Land, Buildings and Infrastructure classes of assets, the changes will result in a reduction in valuers fees.

SUSTAINABILITY IMPLICATIONS

Nil

RISK IMPLICATIONS

RISK: Non-compliance with Financial Regulations.		
Consequence	Likelihood	Rating
Moderate	Unlikely	Moderate
Action/Strategy		
Council to adopt the new and revised Council policy 3.1		



Item 5.2 continued

MEMBER COUNCIL IMPLICATIONS

Member Council	Implication Details
Town of Bassendean	} As reflected in the report
City of Bayswater	
City of Belmont	
City of Kalamunda	
Shire of Mundaring	
City of Swan	

ATTACHMENT(S)

1. Annual Financial Reporting Policy 3.1 with tracked changes (Ref: D2021/09443)
2. Annual Financial Reporting Policy 3.1 (Ref: D2021/09442)

VOTING REQUIREMENT

Simple Majority

RECOMMENDATION

That the revised EMRC Policy 3.1 Annual Financial Reporting Policy forming attachment 2 to this report be adopted by Council.

COUNCIL RESOLUTION(S)

MOVED CR

SECONDED CR



3.1 Annual Financial Reporting Policy

STRATEGIC PLAN OBJECTIVE

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

PURPOSE

To endorse accounting policies as part of the preparation of the Council's annual financial statements.

LEGISLATION

- *Local Government Act 1995*
- *Local Government (Financial Management) Regulations 1996*
- Australian Accounting Standards

POLICY STATEMENT

1. Reporting Entity

The reporting entity is the Eastern Metropolitan Regional Council.

2. Basis of Accounting

The financial statements shall be drawn up in accordance with the accounting standards and disclosure requirements of the Australian accounting bodies, the *Local Government Act 1995*, and the *Local Government (Financial Management) Regulations 1996*.

3. Asset Classification

The following classifications are to be utilised for recording assets:

- Land;
- Buildings;
- Structures;
- Plant;
- Equipment; and
- Furniture and fittings.

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Policy - 3.1 Annual Financial Reporting Policy - 23-5-2019 – D2019/06916



4. Depreciation

Fixed Assets excluding freehold land and art works are to be depreciated over their estimated useful lives on a straight line basis as follows:

- Buildings 0-201.00 - 32.0013.33% (based on components)
- Structures
 - General 0-560.95 - 18.106.67%
 - Class III & IV Waste Cells % of actual usage
- Plant 3-674.17 - 57.6633.33%
- Furniture and fittings 5-974.00 - 33.33%
- Equipment 5-334.00 - 52.5933.33%

Assets are to be depreciated when completed and held ready for use.

5. Capitalisation Thresholds

As per Regulation 17A(5) of the *Local Government (Financial Management) Regulations 1996*, capitalisation threshold for the EMRC's asset is \$5,000.

6. Rates

The Eastern Metropolitan Regional Council does not levy rates. Accordingly rating information as required under the *Local Government (Financial Management) Regulations 1996* (r39) is not required to be presented in the financial statements.

7. Timing of Asset Valuations

As per Regulation 17A(4) of the *Local Government (Financial Management) Regulations 1996*, the EMRC will be undertaking Asset Revaluations on its Land, Buildings and Infrastructure classes of assets during the 2020/2021 financial year and then every 4 years thereafter, assets on a 4-year cycle commencing 2018/2019 (Year 1) on a rotation basis as follows:

- ~~Year 1 – No revaluations to be undertaken;~~
- ~~Year 2 – Plant and Equipment;~~
- ~~Year 3 – Land and Buildings and Infrastructure;~~
- ~~Year 4 – Art Works.~~

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8. Revaluation Thresholds

Revaluation thresholds shall be:

- Land No limit
- Buildings \$5,000
- Road Infrastructure \$5,000
- Other Infrastructures \$5,000
- ~~Minor Plant and Equipment~~ \$5,000
- ~~Major Plant and Equipment~~ \$5,000
- ~~Furniture and fittings~~ \$5,000
- ~~Art Works~~ No limit



9. Landfill Cells

There are three general components of cell construction:

- Cell excavation and development costs;
- Cell liner costs; and
- Cell capping costs.

All cell excavation and development costs and cell liner costs are capitalised and depreciated over the useful life of the cell based on the volumetric usage of the landfill cell air space during the year.

Cell capping costs are expensed as they occur as part of ongoing site rehabilitation.

FINANCIAL CONSIDERATIONS

Nil

Adopted/Reviewed by Council

1. 27 October 1994
2. 22 July 1999
3. 02 May 2002
4. 20 May 2004
5. 23 February 2006
6. 18 September 2008
7. 23 September 2010
8. 19 June 2014
9. 18 September 2014
10. 17 September 2015
11. 06 December 2018
- ~~12.~~ 23 May 2019
- ~~12-13.~~ 24 June 2021

Next Review

~~Following the Ordinary Elections in 2021, June 2023~~

Responsible Directorate

~~Corporate Services~~ Business Support



Council Policy 3.1

Annual Financial Reporting Policy

Strategic Plan Objective

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

Purpose

To endorse accounting policies as part of the preparation of the Council's annual financial statements.

Legislation

- Local Government Act 1995*
- Local Government (Financial Management) Regulations 1996*
- Australian Accounting Standards

Policy Statement

1 Reporting Entity

The reporting entity is the Eastern Metropolitan Regional Council.

2 Basis of Accounting

The financial statements shall be drawn up in accordance with the accounting standards and disclosure requirements of the Australian accounting bodies, the Local Government Act 1995, and the Local Government (Financial Management) Regulations 1996.

3 Asset Classification

The following classifications are to be utilised for recording assets:

- Land
- Buildings
- Structures
- Plant
- Equipment
- Furniture and Fittings

4 Depreciation

Fixed Assets excluding freehold land and art works are to be depreciated over their estimated useful lives on a straight line basis as follows:

- Buildings 1.00 - 13.33% (based on components)
- Structures
 - ⇒ General 0.95 - 6.67%
 - ⇒ Class III & IV Waste Cells % of actual usage
- Plant 4.17 - 33.33%
- Furniture and fittings 4.00 - 33.33%
- Equipment 4.00 - 33.33%

Assets are to be depreciated when completed and held ready for use.

5 Capitalisation Thresholds

As per Regulation 17A(5) of the Local Government (Financial Management) Regulations 1996, capitalisation threshold for the EMRC's asset is \$5,000.

6 Rates

The Eastern Metropolitan Regional Council does not levy rates. Accordingly rating information as required under the Local Government (Financial Management) Regulations 1996 (r39) is not required to be presented in the financial statements.

7 Timing of Asset Valuations

As per Regulation 17A(4) of the Local Government (Financial Management) Regulations 1996, the EMRC will be undertaking revaluations on its Land, Buildings and Infrastructure classes of assets during the 2020/2021 financial year and then every 4 years thereafter.

8 Revaluation Thresholds

Revaluation thresholds shall be:

- Land No limit
- Buildings \$5,000
- Road Infrastructure \$5,000
- Other Infrastructures \$5,000

9 Landfill Cells

There are three general components of cell construction:

- Cell excavation and development costs;
- Cell liner costs; and
- Cell capping costs.

All cell excavation and development costs and cell liner costs are capitalised and depreciated over the useful life of the cell based on the volumetric usage of the landfill cell air space during the year.

Cell capping costs are expensed as they occur as part of ongoing site rehabilitation.

Financial Considerations

Nil

Adopted/Reviewed

27 October 1994

22 July 1999

2 May 2022

20 May 2004

23 February 2006

18 September 2008

23 September 2010

19 June 2014

18 September 2014

17 September 2015

6 December 2018

23 May 2019

23 June 2021

Next Review

June 2025

Responsible Unit

Business Support Team



5.3 ESTABLISHMENT AGREEMENT REVIEW UPDATE

REFERENCE: D2021/09703

PURPOSE OF REPORT

The purpose of this report is to provide Council with an update on the Establishment Agreement Review, to seek Council's instruction for a follow-up workshop and to request an extension for the final review to be presented to Council.

KEY POINTS AND RECOMMENDATION(S)

- At the 25 March 2021 Ordinary Meeting of Council, Council resolved to review the Establishment Agreement with the final report to be presented at the Ordinary Council Meeting in June 2021 for Council's consideration.
- Significant progress has been made with reviews undertaken by member Council CEOs, and a preliminary draft of the Establishment Agreement was prepared and issue for feedback.
- A workshop was held on 20 May 2021 to assist with the discussion and to collate a collective view from the meeting.
- An updated replacement Establishment Agreement has been prepared following the workshop and has been forwarded to member Council CEOs for their review.
- A follow-up workshop was identified at the last workshop and instructions are now sought from Council as to an appropriate time for this workshop to be organised.
- Notwithstanding the progress made to date, along with the need for a follow-up workshop there is still additional matters need to be undertaken and resolved to ensure a robust replacement Establishment Agreement is developed to take the EMRC to the future.

Recommendation(s)

That Council:

1. Notes the update on Establishment Agreement Review.
2. Agrees to a follow-up workshop to be held on _____ 2021.
3. Agrees to defer the presentation of the final report of the review until a later date for its consideration.

SOURCE OF REPORT

Chief Financial Officer



Item 5.3 continued

BACKGROUND

At the 25 March 2021 Ordinary Meeting of Council, a notice of motion was received from Cr Mel Congerton in accordance with Clause 4.18 of the *EMRC Standing Orders Local Law 2013*. Council resolved the amended motion that:

COUNCIL RESOLVE TO:

1. *CEO TO FACILITATE A REVIEW OF THE ESTABLISHMENT AGREEMENT WITH THE FINAL REPORT TO BE PRESENTED AT THE ORDINARY COUNCIL MEETING OF JUNE 2021 FOR COUNCIL'S CONSIDERATION.*
2. *REQUEST THE CEO TO INCLUDE AT LEAST ONE WORKSHOP WITH THE EMRC COUNCILLORS AND MEMBER COUNCIL CEOS TO DETERMINE THE CHANGES AND INCLUSIONS THAT SHOULD FORM THE DRAFT ESTABLISHMENT AGREEMENT FOR CONSIDERATION AND DISCUSSION.*
3. *REQUEST THAT THE REVIEW MAY INCLUDE BUT NOT BE LIMITED TO:*
 - a. *REVIEW AND AMEND ALL OF THE DATES TO REFLECT THE CURRENT LOCAL GOVERNMENT ELECTION CYCLES.*
 - b. *REVIEW AND AMEND THE CURRENT COUNCIL STRUCTURE TO A PROPORTIONATE REPRESENTATION MODEL BASED ON EACH MEMBER COUNCIL'S SHARE OF EQUITY AS A PERCENTAGE OF THE EMRC.*
 - c. *PROVIDE A MECHANISM (IF REQUIRED) TO DIFFERENTIATE A MEMBER COUNCIL'S EQUITY BASED UPON AN ORIGINAL MEMBER COUNCIL TO AN ADDITIONAL MEMBER COUNCIL.*
 - d. *REVIEW AND AMEND THE PROVISIONS WITHIN THE AGREEMENT FOR ONE OR MORE MEMBER COUNCILS THAT CHOOSE TO EXIT THE EMRC.*
 - e. *INCLUDE A PROVISION FOR DIVIDENDS TO BE PAID TO MEMBER COUNCILS FROM THE WASTE RESERVE ANNUALLY BASED ON EQUITY AND/OR WASTE CHARGE LEVIES PAID.*
 - f. *REVIEW AND AMEND OR REPLACE THE DEFINITIONS USED TO DETERMINE PROJECTS AND SERVICES THAT ARE CONSIDERED NEW AND THOSE CONSIDERED CONTINUING.*
 - g. *THE REVIEW IS INFORMED AND GUIDED BY THE COLLECTIVE VIEWS OF THE EMRC COUNCILLORS AND MEMBER COUNCIL MAYORS/PRESIDENTS AND CEOS.*

REPORT

The existing EMRC Establishment Agreement has been in place since 1998. Recent events including the Strategic Review have precipitated the need for a review of the Establishment Agreement.

Following the EMRC Council's resolution at its 25 March 2021 meeting to review the Establishment Agreement (EA), a preliminary review was undertaken by member Council CEOs to establish the key items for the legal brief to Mr Neil Douglas of McLeods Barristers & Solicitors to prepare the draft replacement EA.

A draft replacement EA was prepared. Feedback was sought from member Council CEOs on the preliminary draft and comments have been tracked in the document issued to EMRC Councillors and Deputy Councillors, member Council Mayors and President and member Council CEOs.

A workshop was held on 20 May 2021 with Mr Neil Douglas in attendance at the workshop to assist with the discussion.



Item 5.3 continued

Following the workshop, Mr Douglas has proceeded with the re-drafting of the EA based on the feedback and collective views from the meeting. An updated replacement EA along with the legal advice pertaining to issues that arose from the workshop have been issued to the member Council CEOs.

To enable further progress on the review, a follow-up workshop is recommended to be organised. We are seeking Council's instructions regarding an appropriate time that is suitable to hold this follow-up workshop.

Additionally, with this follow-up workshop in mind, it is recommended for Council to consider the deferral of the previously resolved timeframe being the June 2021 deadline to enable the review to be finalised.

STRATEGIC/POLICY IMPLICATIONS

Key Result Area 3 – Good Governance

- 3.2 To manage partnerships and relationships with stakeholder
- 3.3 To provide responsible and accountable governance and management of the EMRC

FINANCIAL IMPLICATIONS

The legal costs of the review has been allowed for in the approved 2020/2021 Annual Budget and draft 2021/2022 Annual Budget.

SUSTAINABILITY IMPLICATIONS

Nil

RISK IMPLICATIONS

RISK: The existing Establishment Agreement is not robust to meet the requirements of the EMRC and its member Councils to deliver on the strategic direction of the EMRC		
Consequence	Likelihood	Rating
Moderate	Unlikely	Medium
Action/Strategy		
Council reviews a replacement Establishment Agreement for implementation		



Item 5.3 continued

MEMBER COUNCIL IMPLICATIONS

Member Council	Implication Details
Town of Bassendean	} The outcome of the EMRC Strategic Review may impact on the future services that the EMRC provides to its member Councils.
City of Bayswater	
City of Belmont	
City of Kalamunda	
Shire of Mundaring	
City of Swan	

ATTACHMENT(S)

Nil

VOTING REQUIREMENT

Simple Majority

RECOMMENDATION(S)

That Council:

1. Notes the update on Establishment Agreement Review.
2. Agrees to a follow-up workshop to be held on _____ 2021.
3. Agrees to defer the presentation of the final report of the review until a later date for its consideration.

COUNCIL RESOLUTION(S)

MOVED CR

SECONDED CR



5.4 ESTABLISHMENT OF A RESERVE FOR THE EASTLINK RELOCATION

REFERENCE: D2021/09704

PURPOSE OF REPORT

The purpose of this report is to establish a Reserve Fund to set aside money for the purpose of relocation of infrastructure at the Red Hill Waste Management Facility as a result of the Main Roads WA EastLink project.

KEY POINTS AND RECOMMENDATION(S)

- Main Roads WA in February 2021 appointed the EastLink WA Integrated Project Team (IPT) comprising BGE and GHD as a joint venture, together with a number of specialist sub-consultants, to commence detailed design work on EastLink.
- The proposed alignment has a major impact on existing infrastructure at the EMRCs Red Hill Facility both in terms of direct impacts, infrastructure that needs to be relocated to avoid being in the path of the proposed road, and indirect, works required to accommodate the proposed new site access arrangements, for example.
- It is essential that the EMRC plan in advance for relocation of this infrastructure and programme at for this work in advance of the commencement of works on EastLink to make certain there is a seamless transition in operational administration. Works are not due to commence on Eastlink until late 2024 / early 2025 at the earliest.
- It is proposed to set aside money for the purpose of providing funds for the relocation cost of infrastructure at the Red Hill Waste Management Facility, in a reserve fund, established specifically for this purpose.
- It is proposed that initial funding of \$5.325m to this new reserve be funded from the Future Development Reserve.

Recommendation(s)

That:

1. Council in accordance with s.6.11 of the *Local Government Act 1995* establishes an EastLink Relocation reserve for the purpose of providing funds for the relocation cost of infrastructure at the Red Hill Waste Management Facility
2. Council by absolute majority in accordance with s.6.11(2)(b) of the *Local Government Act 1995* authorises the transfer of funds of an initial amount of \$5.325m from the Future Development Reserve into the EastLink Relocation Reserve.
3. Local public notice of the proposed change and use of money in the Future Development Reserve.

SOURCE OF REPORT

Chief Project Officer

BACKGROUND

Main Roads WA in February 2021 appointed the EastLink WA Integrated Project Team (IPT) comprising BGE and GHD as a joint venture, together with a number of specialist sub-consultants, to commence detailed design work on EastLink. EastLink, (also known previously as the 'Orange Route') is derived from more than 40 years of road planning activities for the north-eastern corridor of the Perth metropolitan area and, once built will form the start of the Perth Adelaide National Highway (PANH).



Item 5.4 continued

The 80+ km project comprises different elements, the implementation of the proposed route between Roe Highway / Toodyay Road intersection and Great Eastern Highway at the town of Northam will directly impact on the EMRC's facility at Red Hill. Refer to Attachment No.1 – Concept Design.

Currently the project is jointly funded with the Australian and State Governments each committing \$10 million to progress planning and development work. There is currently no funding for construction. Main Roads WA current estimates indicate that construction work will not begin until late 2024 / early 2025.

Typically, Main Roads WA require a 150m wide road corridor but this could be wider at intersections and narrower on straight sections.

REPORT

The EMRC has a large amount of plant and infrastructure within the proposed EastLink road corridor. This is summarised in Attachment 2.

It is essential that the EMRC plan in advance for relocation of this infrastructure and programme at least some of this work in advance of the commencement of works on EastLink to make certain there is a seamless transition in operational administration, as construction works for EastLink will have a major impact on the operation of the Red Hill Facility.

There will be both direct and indirect costs associated with the impact of EastLink, those areas of infrastructure which will be directly impacted, for example the Administration Building which sits in the proposed path of EastLink; and indirect impacts, such as the need to change internal access arrangements due to the proposed new access point to the west of the Facility.

Preliminary cost estimates indicate that direct costs could amount to \$5.325 million and indirect costs to \$12 million. It is recommended that a Reserve be established in accordance with S6.11(1) of the Local Government Act 1995, to establish an EastLink Relocation reserve, to the amount of \$5.325M.

To fund this new reserve, it is proposed that an initial funds of \$5.325m be transferred from the existing Future Development Reserve. This reserve was established to finance future developments being undertaken by the EMRC and funded by operating surpluses. The reserve is also utilised to provide funds for projects that the EMRC is investigating and undertaking for the purpose of the long-term future direction in the area of waste management for the benefit of the Region.

There are two items which have been considered as indirect costs – EDL Power Station (\$5M) and Civil Works (\$2M) associated with the new entrance to the site.

The EDL Power Station will be annexed from the EMRC site, following the construction of EastLink. Operationally it would be less than ideal to have the Power Station on the north side of EastLink, with the landfill facility to its south. In the longer term it would be better to have the power generating plant within the Red Hill Facility. The final solution requires further more detailed discussion with Main Roads. In the meantime, EMRC Officers will also explore other options as the power generation contract expires in February 2023.

Civil infrastructure around the site will need to be significantly changed as a consequence of the new entrance to the site and because of the need to clear new space to accommodate existing facilities for example the Admin Building and Education Centre. Access around the site will also need to be changed.



Item 5.4 continued

STRATEGIC/POLICY IMPLICATIONS

Key Result Area 1 – Environmental Sustainability

- 1.1 To provide sustainable waste disposal operations

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 practice
- 3.5 To improve organisational culture, health, welfare and safety

FINANCIAL IMPLICATIONS

Main Roads WA is seeking legal advice on whether it is required to contribute to the cost of relocating EMRCs infrastructure which is impacted by EastLink. Informal discussion indicates, as the land was identified as road reserve on the Metropolitan Regional Scheme (MRS), prior to the construction of the EMRC infrastructure, it's unlikely the EMRC will receive any contribution to the cost. It is therefore recommended that the full cost be accounted for, should there be any contribution by Main Roads, it will be a 'windfall' to the EMRC.

SUSTAINABILITY IMPLICATIONS

The area through which the proposed alignment runs, contains laterite, that could be cleared and processed by the EMRC.

RISK MANAGEMENT

RISK: Adequate funding to be available to mitigate against the potential impact of the construction of EastLink on the Red Hill Waste Management Facility.		
Consequence	Likelihood	Rating
Catastrophic	Almost Certain	Extreme
Action/Strategy		
Create a reserve fund specifically for the purpose of providing funding for the relocation of infrastructure directly impacted by the proposed construction of EastLink (Main Roads WA).		



Item 5.4 continued

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. EastLink with Existing Red Hill Assets Drawing 012-02 (Ref: D2021/09999)
2. Table of Infrastructure and Provisional Cost Estimates (Ref: D2021/10002)

VOTING REQUIREMENT

Absolute Majority

RECOMMENDATION(S)

That:

1. Council in accordance with s6.11 of the *Local Government Act 1995* establishes an EastLink Relocation reserve for the purpose of providing funds for the relocation cost of infrastructure at the Red Hill Waste Management Facility
2. Council by absolute majority in accordance with s.6.11(2)(b) of the *Local Government Act 1995* authorises the transfer of funds of an initial amount of \$5.325m from the Future Development Reserve into the EastLink Relocation Reserve.
3. Local public notice of the proposed change and use of money in the Future Development Reserve.

COUNCIL RESOLUTION(S)

MOVED CR

SECONDED CR



LEGEND

- LANDFILL CELL
- CLASS III LEACHATE POND
- CLASS IV LEACHATE POND
- SILTATION/WATER POND
- 1** MEETING ROOM
- 2** EDUCATION CENTRE
- 3** NEW ADMIN BUILDING
- 4** OLD ADMIN BUILDING
- 5** WEIGHBRIDGE
- 6** PUMP COMPRESSOR SHED
- 7** WATER TANK
- 8** PETROL BOWSER
- 9** WORKSHOP NO. 1
- 10** MAINS SUPPLY ELECTRICITY ISOLATION
- 11** HHW COMPOUND
- 12** PLASTIC DRUM MUSTER
- 13** DIESEL BOWSER
- 14** TRANSFER STATION
- 15** WORKSHOP NO. 2
- 16** LANDFILL GAS & POWER (NOT UNDER EMRC JURISDICTION)
- 17** FUTURE LANDFILL GAS FLARES
- 18** FUTURE WORKSHOP NO. 3
- 19** INTERIM FOGO STAGE 01



Eastern Metropolitan Regional Council
 1st Floor Ascot Place, 226 Great Eastern Hwy
 Belmont, Western Australia 6104
 PO Box 234 Belmont Western Australia 6984

NO.	INT.	DATE	REVISION
A	DB	17/05/2021	CONCEPT DESIGN OF EAST LINK VS EXISTING ASSETS

DESIGNED	SC 05/2021
DRAWN	AS 05/2021
CHECKED	SC 05/2021
APPROVED	SC MANAGER, ENGINEERING

SITE	RED HILL WASTE MANAGEMENT FACILITY
ADDRESS	1094 TOODYAY ROAD RED HILL

PROJECT NAME	RED HILL DEVELOPMENT PLAN
TITLE	EAST LINK WITH EXISTING RED HILL ASSETS

DRAWING NO.	RH012-02
SHEET NO.	1 OF 1
SCALE	AS SHOWN

ID	Item	Current Arrangement	Requirements	Comments	Main Roads Cost Estimate	EMRC Cost Estimate	Direct / Indirect	Total Cost Estimate
1	Mains Power	Mains Power is run into Workshop No. 1 which is in the alignment.	This will need to be relocated to where ever the new site entrance and infrastructure will be.	Will require Western Power to design and Install,	\$1,000,000.00		Direct	\$1,000,000.00
2	Compressor Station	This runs all our landfill pumping infrastructure. Currently in Workshop # 1	Needs to be close to landfill but have mains power available.	How far the air line can be run from compressor will determine where this can be housed. May need to consider upgrade to compressors.		\$300,000.00	Direct	\$300,000.00
3	Weighbridges	In and out weighbridge with office in between.	New Weighbridges and weighbridge office will be required.			\$700,000.00	Direct	\$700,000.00
4	Staff Amenities	Operations staff using old admin building.	Lunchroom and toilet facilities for operations staff.	May want to incorporate into new administration office set up, one big building				
4	Administration	Currently a transportable building housing 7 staff in 5 offices and 2 admin staff in common area. IT room, Board Room, toilets and lunch room	Offices for administration staff.	Building can potentially be relocated.				
4	Meeting Rooms	Currently the old house is used as a meeting room for larger meetings	Need a large meeting room for external meetings as well as smaller board room for internal meetings	Can be incorporated into a new admin building		\$2,500,000.00	Direct	\$2,500,000.00
4	Education Centre	Currently a transportable building.	Similar sized building, relocated to new site entrance/admin area	Existing building can be relocated.				
4	Public Toilets	Adjacent to Education Centre	Consolidate into 1 area with admin offices etc.					
4	Car Parking	All over the place	Consolidate into 1 area					
5	Wheel wash	Mobile set up adjacent to HHW	Needs to be relocated to where ever is suitable to meet licence requirements. Needs Power	Existing structure can be relocated.		\$300,000.00	Direct	\$300,000.00
6	Fuel Storage	25,000L Storage tank	In road alignment, needs to be relocated to best location.			\$250,000.00	Direct	\$250,000.00
7	HHW	Large Shed 50m x 20m with approved storage containers inside	Same set up required in best agreed location. Needs Power			\$250,000.00	Direct	\$250,000.00
8	EDL Power Station	Power Station with 4 large motors	A new station to handle gas requirements close to landfill	EDL advise possible to have a container station, more mobile etc. Needs EDL input. Could include provision in tender to relocate Station		\$5,000,000.00	Indirect	\$5,000,000.00
9	Site Entrance - Civil Works	Off Toodyay Road includes site clearance, cut and fill, paving, drainage etc...	Wherever Main Roads design the intersection from which site access is agreed plus all new roads to join into existing road network.	As soon as we know MRWA design we can plan new road network.		\$2,000,000.00	Indirect	\$2,000,000.00
10	Drum Muster	Gated Area for storage of drums	Same set up in best location			\$25,000.00	Direct	\$25,000.00
11	Community Recycling Centre (Transfer Station)	The present location of the Transfer Station is not suitable if the new entrance is to be between Lots 6 & 7.	Relocate to north Section of Lot 7	May not need to be done straight away, can be staged after East link is complete and new access established.		\$3,500,000.00	Indirect	\$3,500,000.00
12	Greenwaste Composting	Presently locate on future landfill cells and will requires relocation in the future.	Relocate to south Section of Lot 7	May not need to be done straight away, can be staged after East link is complete and new access established.		\$1,500,000.00	Indirect	\$1,500,000.00
					\$1,000,000.00	\$16,325,000.00		\$17,325,000.00

Direct \$5,325,000
 Indirect \$12,000,000



6 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(S)

MOVED CR

SECONDED CR

6.1 HAZELMERE WOOD WASTE TO ENERGY PLANT UPDATE

REFERENCE: D2021/08279

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

See 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(S)

MOVED CR

SECONDED CR

7 FUTURE AGENDA BRIEFING FORUMS

The next Agenda Briefing Forum will be held on **Thursday 8 July 2021** at the EMRC Administration Office, 1st Floor, 226 Great Eastern Highway, Ascot WA 6104 commencing at 6:00pm.

Future Meetings 2021

Thursday	08	July	(if required)	at	EMRC Administration Office
Thursday	12	August	(if required)	at	EMRC Administration Office
Thursday	09	September	(if required)	at	EMRC Administration Office
Thursday	11	November	(if required)	at	EMRC Administration Office

8 DECLARATION OF CLOSURE OF MEETING