

INFORMATION BULLETIN

Accompanying the Ordinary Meeting of Council Agenda

24 June 2021

COUNCIL INFORMATION BULLETIN

24 June 2021

(REF: D2021/10297)

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1.1 REGISTER OF COUNCIL RESOLUTIONS 2021

REFERENCE: D2021/10298

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

RISK MANAGEMENT

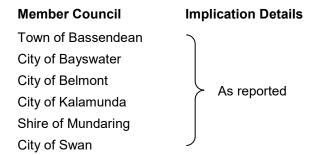
RISK: Non-compliance with EMRC's responsibility to maintain responsible and accountable governance and management of the organisation.

Consequence	Likelihood	Rating
Moderate	Unlikely	Moderate

Action / Strategy

Update to be provided to Council to comply with a past resolution of Council.

MEMBER COUNCIL IMPLICATIONS



ATTACHMENT(S)

Register of Council Resolutions 2021 (Ref: D2021/10359)



COUNCIL RESOLUTION REGISTER 2021

	DATE	RESOLUTION	STATUS
1.	27 MAY 2021	7 APPLICATIONS FOR LEAVE OF ABSENCE 7.1 CR LORNA CLARKE AND CR GIORGIA JOHNSON - LEAVE OF ABSENCE THAT COUNCIL APPROVE THE APPLICATION FOR LEAVE OF ABSENCE FOR CR LORNA CLARKE FROM 12 JUNE TO 20 JUNE 2021 AND CR GIORGIA JOHNSON FROM 28 JUNE TO 12 JULY 2021 INCLUSIVE.	COMPLETED
2.	27 MAY 2021	9 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS 9.1 MINUTES OF ORDINARY MEETING OF COUNCIL HELD ON 25 MARCH 2021 THAT THE MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON 25 MARCH 2021 WHICH HAVE BEEN DISTRIBUTED, BE CONFIRMED.	COMPLETED
3.	27 MAY 2021	14.1 LIST OF ACCOUNTS PAID DURING THE MONTHS OF MARCH AND APRIL 2021 (D2021/07455) THAT COUNCIL NOTES THE CEO'S LIST OF ACCOUNTS FOR MARCH AND APRIL 2021 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 \$18,173,883.65.	COMPLETED
4.	27 MAY 2021	14.2 FINANCIAL REPORT FOR PERIOD ENDED MARCH 2021 (D2021/07459) 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 2021.	COMPLETED
5.	27 MAY 2021	14.3 FINANCIAL REPORT FOR PERIOD ENDED APRIL 2021 (D2021/07473) 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 2021.	COMPLETED



	DATE	RESOLUTION	STATUS
6.	27 MAY 2021	 14.4 REQUEST FOR TENDER RFT 2021 – 001 CLEANING SERVICES TO EMRC SITES (D2021/08054) MOVED CR CONGERTON SECONDED CR DAW THAT: 1. COUNCIL AWARD TENDER RFT 2021-001 CLEANING SERVICES TO EMRC SITES BASED ON SEPARATE FIXED PRICE SCHEDULES (SUBJECT TO ANNUAL CPI ADJUSTMENTS) FOR 3 YEARS WITH TWO (2) OPTIONAL ONE (1) YEAR EXTENSIONS AT THE SOLE DISCRETION OF THE EMRC TO: iii) QUAD SERVICES PTY LTD FOR \$54,508.42 (PER ANNUM) (EX GST) FOR THE PROVISION OF CLEANING SERVICES TO THE ASCOT PLACE ADMINISTRATION BUILDING AND HAZELMERE RESOURCE RECOVERY PARK; AND iv) CSCH PTY LTD T/AS CHARLES SERVICE COMPANY FOR \$28,670.00 (EX GST) FOR THE PROVISION OF CLEANING SERVICES TO THE RED HILL WASTE MANAGEMENT FACILITY. 2. THE CEO BE AUTHORISED ON BEHALF OF THE EMRC TO ENTER INTO A CONTRACT SEPARATELY WITH: ii) QUAD SERVICES PTY LTD IN ACCORDANCE WITH THEIR SUBMITTED TENDER, SUBJECT TO ANY MINOR VARIATIONS THAT MAY BE AGREED BETWEEN THE EMRC AND QUAD SERVICES PTY LTD. II) CSCH PTY LTD T/AS CHARLES SERVICE COMPANY IN ACCORDANCE WITH THEIR SUBMITTED TENDER, SUBJECT TO ANY MINOR VARIATIONS THAT MAY BE AGREED BETWEEN THE EMRC AND CSCH PTY LTD T/AS CHARLES SERVICE COMPANY. 3. COUNCIL AUTHORISE A 10% CONTINGENCY BASED ON THE TENDERED PRICE SCHEDULE FOR ANY CONTRACT VARIATIONS THAT MAY ARISE IN RELATION TO TENDER RFT 2021 001 CLEANING SERVICES TO EMRC SITES. 	COMPLETED
7.	27 MAY 2021	14.5 ITEMS CONTAINED IN THE INFORMATION BULLETIN (D2021/07465) THAT COUNCIL NOTES THE ITEMS CONTAINED IN THE INFORMATION BULLETIN ACCOMPANYING THE 27 MAY 2021 ORDINARY MEETING OF COUNCIL AGENDA.	COMPLETED
8.	27 MAY 2021	15 REPORTS OF COMMITTEES 15.1 MINUTES OF LEGAL COMMITTEE HELD ON 15 APRIL 2021 (D2021/05522) THAT COUNCIL NOTES THE UNCONFIRMED MINUTES OF THE LEGAL COMMITTEE HELD 15 APRIL 2021 (SECTION 15.1).	COMPLETED
9.	27 MAY 2021	15.2 MINUTES OF LEGAL COMMITTEE HELD ON 6 MAY 2021 (D2021/07207) THAT COUNCIL NOTES THE UNCONFIRMED MINUTES OF THE LEGAL COMMITTEE HELD 6 MAY 2021 (SECTION 15.1).	COMPLETED

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	DATE	RESOLUTION	STATUS
10.	27 MAY 2021	 19 CONFIDENTIAL MATTERS FOR WHICH THE MEETING MAY BE CLOSED TO THE PUBLIC 19.1 DEED OF AMENDMENT, ENERGY DEVELOPMENTS PTY LTD 2021 (D2021/08046) 1. COUNCIL, BY ABSOLUTE MAJORITY, IN ACCORDANCE WITH SECTION 5.42 OF THE LOCAL GOVERNMENT ACT 1995 AUTHORISE THE CEO TO FINALISE AND SIGN THE DEED OF AMENDMENT BETWEEN LANDFILL GAS AND POWER PTY LTD AND THE EMRC TO GIVE LANDFILL GAS AND POWER PTY LTD THE LEGAL RIGHT TO THE AUSTRALIAN CARBON CREDIT UNITS GENERATED BY THE PROPOSED OFFSETS PROJECT. 2. THE REPORT AND ATTACHMENTS REMAIN CONFIDENTIAL AND BE CERTIFIED BY THE CHAIRMAN AND CEO. 	IN PROGRESS
11.	27 MAY 2021	 19.2 STRATEGIC REVIEW OF EMRC 2021 (D2021/08048) THAT: 1. COUNCIL NOTES THE FINAL GHD STRATEGIC REVIEW OF THE EMRC, FORMING THE CONFIDENTIAL ATTACHMENT TO THIS REPORT, WHICH WILL PROVIDE THE BASIS OF DISCUSSION WITH MEMBER COUNCIL COUNCILLORS AND CEOS. 2. THE REPORT AND ATTACHMENTS REMAIN CONFIDENTIAL AND BE CERTIFIED BY THE CHAIRMAN AND CEO. 	IN PROGRESS
12.	27 MAY 2021	19.3 ITEM 14.1 OF THE LEGAL COMMITTEE MINUTES – 15 APRIL 2021 – SEEKING INSTRUCTIONS REGARDING LEGAL MATTER [CONFIDENTIAL MATTER IN ACCORDANCE WITH LOCAL GOVERNMENT ACT 1995 s.5.23(2)(d)] (D2021/08709) THAT COUNCIL NOTES THE LEGAL COMMITTEE RESOLUTIONS OF ITEM 14.1 OF THE LEGAL COMMITTEE MEETING HELD 15 APRIL 2021 – SEEKING INSTRUCTIONS REGARDING LEGAL MATTER [CONFIDENTIAL MATTER IN ACCORDANCE WITH LOCAL GOVERNMENT ACT 1995 S.523(2)(D)].	COMPLETED
13.	27 MAY 2021	19.4 ITEM 14.1 OF THE LEGAL COMMITTEE MINUTES – 6 MAY 2021 – SEEKING INSTRUCTIONS REGARDING LEGAL MATTER [CONFIDENTIAL MATTER IN ACCORDANCE WITH LOCAL GOVERNMENT ACT 1995 s.5.23(2)(d)] (D2021/08701) THAT COUNCIL NOTES THE LEGAL COMMITTEE RESOLUTIONS OF ITEM 14.1 OF THE LEGAL COMMITTEE MEETING HELD 6 MAY 2021 – SEEKING INSTRUCTIONS REGARDING LEGAL MATTER [CONFIDENTIAL MATTER IN ACCORDANCE WITH LOCAL GOVERNMENT ACT 1995 S.523(2)(D)].	COMPLETED

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	DATE	RESOLUTION	STATUS
14.	25 MARCH 2021	8.1 EMRC STRATEGIC REVIEW UPDATE THAT WITH THE EXCEPTION OF THE CHIEF EXECUTIVE OFFICER, CHIEF FINANCIAL OFFICER, CHIEF PROJECT OFFICER, CHIEF SUSTAINABILITY OFFICER, CHIEF OPERATING OFFICER, MANAGER PROCUREMENT AND GOVERNANCE, MANAGER FINANCIAL SERVICES, MANAGER HUMAN RESOURCES, MANAGER INFORMATION SERVICES, CHIEF EXECUTIVE OFFICER (CITY OF BELMONT), DIRECTOR INFRASTRUCTURE SERVICES (CITY OF BELMONT), CHIEF EXECUTIVE OFFICER (CITY OF KALAMUNDA), DIRECTOR WORKS AND INFRASTRUCTURE (CITY OF BAYSWATER), RECYCLING AND WASTE COORDINATOR (TOWN OF BASSENDEAN), EXECUTIVE ASSISTANT TO THE CHIEF EXECUTIVE OFFICER AND PERSONAL ASSISTANT TO THE 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.	COMPLETED
15.	25 MARCH 2021	9 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS 9.1 MINUTES OF ORDINARY MEETING OF COUNCIL HELD ON 3 DECEMBER 2020 THAT THE MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON 3 DECEMBER 2020 WHICH HAVE BEEN DISTRIBUTED, BE CONFIRMED.	COMPLETED
16.	25 MARCH 2021	9.2 MINUTES OF ORDINARY MEETING OF COUNCIL HELD ON 25 FEBRUARY 2021 THAT THE MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON 25 FEBRUARY 2021 WHICH HAVE BEEN DISTRIBUTED, BE CONFIRMED.	COMPLETED
17.	25 MARCH 2021	14 REPORTS OF EMPLOYEES 14.1 LIST OF ACCOUNTS PAID DURING THE MONTH OF FEBRUARY 2021 (D2021/03608) THAT COUNCIL NOTES THE CEO'S LIST OF ACCOUNTS FEBRUARY 2021 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 \$5,153,014.52.	COMPLETED
18.	25 MARCH 2021	14.2 FINANCIAL REPORT FOR PERIOD ENDED 28 FEBRUARY 2021 (D2021/03728) 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 28 FEBRUARY 2021.	COMPLETED
19.	25 MARCH 2021	14.3 APPOINTMENT OF MEMBERS TO THE AUDIT COMMITTEE (AC) (D2021/02913) THAT COUNCIL BY ABSOLUTE MAJORITY, IN ACCORDANCE WITH SECTION 5.10 OF THE LOCAL GOVERNMENT ACT 1995 THE FOLLOWING COUNCILLOR BE FORMALLY APPOINTED AS DEPUTY MEMBER TO THE AUDIT COMMITTEE: Participant Local Government Deputy Council Member City of Belmont Cr Phil Marks	COMPLETED

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	DATE	RESOLUTION	STATUS
20.	25 MARCH 2021	 14.4 ATTENDANCE AT EVENTS POLICY (D2021/03899) THAT COUNCIL: BY ABSOLUTE MAJORITY IN ACCORDANCE WITH S.5.90A OF THE LOCAL GOVERNMENT ACT 1995 CANCELS COUNCIL POLICY 6.1 - MEMBER CONFERENCE, SEMINAR AND STUDY TOUR ATTENDANCE POLICY, FORMING ATTACHMENT 1 OF THIS REPORT. BY ABSOLUTE MAJORITY IN ACCORDANCE WITH S.5.90A OF THE LOCAL GOVERNMENT ACT 1995 ADOPTS A NEW COUNCIL POLICY 6.3 - ATTENDANCE AT EVENTS POLICY, FORMING ATTACHMENT 2 OF THIS REPORT. 	COMPLETED
21.	25 MARCH 2021	14.5 LEGAL COMMITTEE TERMS OF REFERENCE (D2021/03902) THAT COUNCIL ADOPTS THE LEGAL COMMITTEE PROPOSED TERMS OF REFERENCE, FORMING ATTACHMENT 1 TO THIS REPORT, WITH IMMEDIATE EFFECT.	COMPLETED
22.	25 MARCH 2021	14.6 REVIEW OF COUNCIL POLICY 2.1 – COMMITTEES OF COUNCIL (D2021/03904) THAT COUNCIL ADOPTS THE REVISED EMRC POLICY 2.1 – COMMITTEES OF COUNCIL FORMING ATTACHMENT 2 OF THIS REPORT.	COMPLETED
23.	25 MARCH 2021	14.7 CHIEF EXECUTIVE OFFICER ATTENDANCE AT WASTE 2021 CONFERENCE (D2021/03947) THAT COUNCIL APPROVES THE CHIEF EXECUTIVE OFFICER TO ATTEND THE WASTE 2021 CONFERENCE BEING HELD IN COFFS HARBOUR FROM 4 TO 6 MAY 2021.	COMPLETED
24.	25 MARCH 2021	 14.8 CHIEF EXECUTIVE OFFICER ATTENDANCE AT KEEP AUSTRALIA BEAUTIFUL ANNUAL GENERAL MEETING (D2021/04320) THAT COUNCIL: 1. APPROVES THE CHIEF EXECUTIVE OFFICER TO ATTEND THE KEEP AUSTRALIA BEAUTIFUL (KAB) ANNUAL GENERAL MEETING (AGM) AND SUSTAINABLE CITIES - TIDY TOWNS AWARDS 2021, SCHEDULED TO BE HELD IN BEECHWORTH, VICTORIA ON FRIDAY 4 JUNE 2021. 2. ACKNOWLEDGES THAT THE PAYMENT FOR THE TRAVEL, ACCOMMODATION AND ATTENDANCE AT THE KAB AGM WILL BE SOLELY BORNE BY KAB. 	COMPLETED
25.	25 MARCH 2021	14.9 ADOPTION OF NEW CODE OF CONDUCT FOR COUNCIL MEMBERS, COMMITTEE MEMBERS AND CANDIDATES (D2021/04190) THAT COUNCIL BY ABSOLUTE MAJORITY IN ACCORDANCE WITH SECTION 5.103 OF THE LOCAL GOVERNMENT ACT 1995, ADOPTS A NEW CODE OF CONDUCT FOR COUNCIL MEMBERS, COMMITTEE MEMBERS AND CANDIDATES, FORMING THE ATTACHMENT OF THIS REPORT.	COMPLETED

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	DATE	RESOLUTION	STATUS
26.	25 MARCH 2021	 14.10 AMENDMENT OF LOCAL GOVERNMENT (ADMINISTRATION) REGULATIONS 2021 – CHIEF EXECUTIVE MODEL (D2021/04339) THAT COUNCIL: BY ABSOLUTE MAJORITY IN ACCORDANCE WITH \$5.39B OF THE LOCAL GOVERNMENT ACT 1995 RESCINDS COUNCIL POLICY 4.1 – CEO RECRUITMENT AND PERFORMANCE REVIEW POLICY, FORMING ATTACHMENT 1 OF THIS REPORT. BY ABSOLUTE MAJORITY IN ACCORDANCE WITH \$5.39B OF THE LOCAL GOVERNMENT ACT 1995 ADOPTS A NEW COUNCIL POLICY 4.1 – CEO RECRUITMENT, PERFORMANCE REVIEW AND TERMINATION POLICY, FORMING ATTACHMENT 2 OF THIS REPORT. BY ABSOLUTE MAJORITY IN ACCORDANCE WITH 5.39C OF THE LOCAL GOVERNMENT ACT 1995 ADOPTS A POLICY FOR THE APPOINTMENT OF APPOINTMENT OF ACTING CHIEF EXECUTIVE OFFICER, FORMING ATTACHMENT 3 OF THIS REPORT. BY ABSOLUTE MAJORITY WITHDRAWS DELEGATION C2/2006. 	COMPLETED
27.	25 MARCH 2021	14.11 ITEMS CONTAINED IN THE INFORMATION BULLETIN (D2021/03526) THAT COUNCIL NOTES THE ITEMS CONTAINED IN THE INFORMATION BULLETIN ACCOMPANYING THE 25 MARCH 2021 ORDINARY MEETING OF COUNCIL AGENDA.	COMPLETED
28.	25 MARCH 2021	15 REPORTS OF COMMITTEES 15.1 AUDIT COMMITTEE MEETING HELD 4 MARCH 2021 (D2021/02329 (AC) D2021/03891) THAT COUNCIL ADOPTS THE RECOMMENDATIONS IN THE AUDIT COMMITTEE REPORT (SECTION 15.1).	COMPLETED
29.	25 MARCH 2021	17 MEMBERS' MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN 17.1 NOTICE OF MOTION RECEIVED FROM CR MEL CONGERTON THAT COUNCIL DEFER CONSIDERATION OF MOTION NO. 1, 2 AND 3 UNTIL THE NEXT ORDINARY MEETING OF COUNCIL.	COMPLETED

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	DATE	RESOLUTION	STATUS
30.	25 MARCH 2021	MOTION NO. 1 THAT COUNCIL RESOLVE TO:	IN PROGRESS
		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.	
		MOTION NO. 2	IN PROGRESS
		THAT COUNCIL RESOLVE TO:	
		1. RETURN TO MEMBER COUNCILS AS A DIVIDEND THE AMOUNT PAID BY EACH MEMBER COUNCILS INTO THE SECONDARY WASTE RESERVE FOR THE FINANCIAL YEAR JULY – JUNE 2021.	
		2. DISTRIBUTE THE FUNDS IN JULY 2021.	

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	DATE	RESOLUTION	STATUS
31.	25 MARCH 2021	18 NEW BUSINESS OF AN URGENT NATURE APPROVED BY THE CHAIRMAN OR PRESIDING MEMBER OR BY DECISION OF MEETING THAT WITH THE EXCEPTION OF THE CHIEF EXECUTIVE OFFICER, CHIEF FINANCIAL OFFICER, CHIEF PROJECT OFFICER, CHIEF SUSTAINABILITY OFFICER, CHIEF OPERATING OFFICER, MANAGER PROCUREMENT AND GOVERNANCE, MANAGER FINANCIAL SERVICES, MANAGER HUMAN RESOURCES, MANAGER INFORMATION SERVICES, DIRECTOR WORKS AND INFRASTRUCTURE (CITY OF BAYSWATER), EXECUTIVE ASSISTANT TO THE CHIEF EXECUTIVE OFFICER AND PERSONAL ASSISTANT TO THE 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.	COMPLETED
32.	25 MARCH 2021	 18.1 SEEKING INSTRUCTIONS REGARDING LEGAL MATTER [CONFIDENTIAL MATTER IN ACCORDANCE WITH LOCAL GOVERNMENT ACT 1995 s.5.23(2)(d)] THAT 1. COUNCIL BY ABSOLUTE MAJORITY IN ACCORDANCE WITH S.5.16 OF THE LOCAL GOVERNMENT ACT 1995 DELEGATES TO THE LEGAL COMMITTEE THE POWER TO UNDERTAKE ALL NECESSARY ACTIONS IN RESPONSE TO THE LEGAL MATTER PREVIOUSLY REPORTED AND ANY RELATED MATTERS WITH REGARDS TO THE ESTABLISHMENT AGREEMENT. 2. NOTES THE RATIONALE FOR THE MOTION IS TO ENABLE THE EMRC COUNCIL TO UNDERTAKE ACTIONS IN RESPONSE TO THE LEGAL MATTER AS OUTLINED WITHIN THE CONFIDENTIAL REPORT THROUGH THE ESTABLISHED LEGAL COMMITTEE. 	COMPLETED
33.	25 MARCH 2021	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.	COMPLETED

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	DATE	RESOLUTION	STATUS
34.	25 FEBRUARY 2021	9 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS 9.1 MINUTES OF ORDINARY MEETING OF COUNCIL HELD ON 3 DECEMBER 2020 (D2020/25340) PROCEDURE MOTION THAT COUNCIL DEFER CONSIDERATION OF ITEM 9.1 - DRAFT MEMORANDUM OF UNDERSTANDING - RENEWABLE ENERGY POWER PURCHASE AGREEMENT OF THE MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON 3 DECEMBER 2020, UNTIL THE NEXT ORDINARY MEETING OF COUNCIL.	COMPLETED
35.	25 FEBRUARY 2021	9.2 MINUTES OF SPECIAL MEETING OF COUNCIL HELD ON 21 JANUARY 2021 (D2021/01326) THAT THE MINUTES OF THE SPECIAL MEETING OF COUNCIL HELD ON 21 JANUARY 2021 WHICH HAVE BEEN DISTRIBUTED, BE CONFIRMED.	COMPLETED
36.	25 FEBRUARY 2021	9.3 MINUTES OF SPECIAL MEETING OF COUNCIL HELD ON 8 FEBRUARY 2021 (D2021/01965) THAT THE MINUTES OF THE SPECIAL MEETING OF COUNCIL HELD ON 8 FEBRUARY 2021 WHICH HAVE BEEN DISTRIBUTED, BE CONFIRMED.	COMPLETED
37.	25 FEBRUARY 2021	14.1 LIST OF ACCOUNTS PAID DURING THE MONTHS OF NOVEMBER AND DECEMBER 2020 AND JANUARY 2021 (D2020/27446) THAT COUNCIL NOTES THE CEO'S LIST OF ACCOUNTS NOVEMBER 2020, DECEMBER 2020 AND JANUARY 2021 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 \$21,678,436.65.	COMPLETED
38.	25 FEBRUARY 2021	14.2 FINANCIAL REPORT FOR THE PERIOD ENDED 30 NOVEMBER 2020 (D2021/00965) 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 2020.	COMPLETED
39.	25 FEBRUARY 2021	14.3 FINANCIAL REPORT FOR THE PERIOD ENDED 31 DECEMBER 2020 (D2021/02118) 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 2020.	COMPLETED
40.	25 FEBRUARY 2021	14.4 FINANCIAL REPORT FOR THE PERIOD ENDED 31 JANUARY 2021 (D2021/02199) 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 2021.	COMPLETED
41.	25 FEBRUARY 2021	14.5 FOGO TRIAL AT RED HILL – INTERIM FACILITY UPDATE (MASS BALANCE) (D2021/02032) THAT THE REPORT BE NOTED.	COMPLETED

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	DATE	RESOLUTION	STATUS
42.	25 FEBRUARY 2021	14.6 APPOINTMENT OF AUTHORISED COMPLAINTS OFFICERS (D2021/02217) THAT COUNCIL:	COMPLETED
		1. AUTHORISES THE CHIEF EXECUTIVE OFFICER TO BE THE COMPLAINTS OFFICER.	
		2. BY ABSOLUTE MAJORITY IN ACCORDANCE WITH S.5.42 OF THE <i>LOCAL GOVERNMENT ACT 1995</i> , DELEGATES POWER TO THE CHIEF EXECUTIVE OFFICER TO APPOINT AUTHORISED COMPLAINTS OFFICERS.	
		3. ENDORSE THE COMPLAINT ABOUT ALLEGED BREACH FORM, FORMING ATTACHMENT 1 TO THIS REPORT.	
43.	25 FEBRUARY 2021	14.7 REVIEW OF DELEGATED POWERS AND DUTIES (D2021/02041)	COMPLETED
		THAT COUNCIL RE-AFFIRMS THE DELEGATED POWERS AND DUTIES AS LISTED IN THE REPORT WITH THE EXCEPTION OF DELEGATION NUMBER C15/2018.	
44.	25 FEBRUARY 2021	14.8 ITEMS CONTAINED IN THE INFORMATION BULLETIN (D2020/27450)	COMPLETED
		THAT COUNCIL NOTES THE ITEMS CONTAINED IN THE INFORMATION BULLETIN ACCOMPANYING THE 25 FEBRUARY 2021 ORDINARY MEETING OF COUNCIL AGENDA.	
45.	25 FEBRUARY 2021	15 REPORTS OF COMMITTEES	COMPLETED
		15.1 LEGAL COMMITTEE MEETING HELD 10 FEBRUARY 2021 (D2021/01849 (LC) - D2021/01849)	
		THAT COUNCIL NOTES THE UNCONFIRMED MINUTES OF THE LEGAL COMMITTEE HELD 10 FEBRUARY 2021 (SECTION 15.1).	
46.	25 FEBRUARY 2021	19 CONFIDENTIAL MATTERS FOR WHICH THE MEETING MAY BE CLOSED TO THE PUBLIC THAT WITH THE EXCEPTION OF THE CHIEF EXECUTIVE OFFICER, CHIEF FINANCIAL OFFICER, CHIEF PROJECT OFFICER, CHIEF SUSTAINABILITY OFFICER, CHIEF OPERATING OFFICER, MANAGER PROCUREMENT AND GOVERNANCE, MANAGER FINANCIAL SERVICES, MANAGER HUMAN RESOURCES, WASTE AND RESOURCE RECOVERY SPECIALIST, INFORMATION SERVICES OFFICER, CHIEF EXECUTIVE OFFICER (CITY OF BELMONT), DIRECTOR INFRASTRUCTURE SERVICES (CITY OF BELMONT), EXECUTIVE ASSISTANT TO THE CHIEF EXECUTIVE OFFICER AND PERSONAL ASSISTANT TO THE 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.	COMPLETED
47.	25 FEBRUARY 2021	19.1 HAZELMERE WOOD WASTE TO ENERGY (WWtE) UPDATE (D2021/02027)	COMPLETED
		THAT:	
		1. COUNCIL NOTES THE REPORT.	
		2. THE REPORT AND ATTACHMENT REMAIN CONFIDENTIAL AND BE CERTIFIED BY THE CHAIRMAN AND CHIEF EXECUTIVE OFFICER.	

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	DATE	RESOLUTION	STATUS
48.	-	19.2 PROVISION OF SERVICES TO A LOCAL GOVERNMENT (D2021/02043) THAT: 1. COUNCIL AUTHORISE THE CEO TO SIGN THE MEMORANDUM OF UNDERSTANDING, FORMING THE ATTACHMENT TO THIS REPORT WITH THE LOCAL GOVERNMENT IDENTIFIED IN THE REPORT TO PROVIDE WASTE MANAGEMENT CONSULTANCY SERVICES.	COMPLETED
49.	-	2. THE REPORT AND ATTACHMENT REMAIN CONFIDENTIAL AND BE CERTIFIED BY THE CHAIRMAN AND CHIEF EXECUTIVE OFFICER. 19.3 DRAFT HAZELMERE RESOURCE RECOVERY PARK DEVELOPMENT PLAN 2021 (D2021/02046) THAT: 1. COUNCIL ENDORSES THE DRAFT HAZELMERE RESOURCE RECOVERY PARK DEVELOPMENT PLAN 2021, FORMING THE ATTACHMENT TO THIS REPORT. 2. THE REPORT AND ATTACHMENT REMAIN CONFIDENTIAL AND BE CERTIFIED BY THE CHAIRMAN AND CHIEF EXECUTIVE OFFICER.	COMPLETED
50.	-	19.4 ITEM 13.1 OF THE LEGAL COMMITTEE MINUTES - SEEKING INSTRUCTIONS REGARDING LEGAL MATTER [CONFIDENTIAL MATTER IN ACCORDANCE WITH LOCAL GOVERNMENT ACT 1995 s.5.23(2)(d)] (D2021/02126) THAT: 1. THE LEGAL COMMITTEE RESOLVES TO AUTHORISE THE CEO TO ISSUE THE LETTER, AS AMENDED IN RESPONSE TO THE LEGAL MATTER AS OUTLINED WITHIN THE CONFIDENTIAL REPORT. 2. THE REPORT AND ATTACHMENTS REMAIN CONFIDENTIAL AND BE CERTIFIED BY THE CHAIRMAN AND THE CHIEF EXECUTIVE OFFICER.	COMPLETED
51.	-	19.5 SELECTION OF FACILITATOR FOR THE CHIEF EXECUTIVE OFFICER'S PERFORMANCE REVIEW PROCESS (D2021/00938) THAT: 1. COUNCIL AWARD THE CONSULTANCY FOR FACILITATING THE CHIEF EXECUTIVE OFFICER'S PERFORMANCE REVIEW TO DR JUDE BALM OF INFINITY TRAINING AUSTRALIA. 2. THE REPORT AND ATTACHMENTS REMAIN CONFIDENTIAL AND BE CERTIFIED BY THE CHAIRMAN AND CHIEF EXECUTIVE OFFICER.	COMPLETED
52.	-	19.6 CHIEF EXECUTIVE OFFICER'S PERFORMANCE REVIEW PROCESS FOR 2020/2021 (D2021/00939) THAT: 1. COUNCIL ENDORSES THE TIMETABLE FOR UNDERTAKING THE CHIEF EXECUTIVE OFFICER'S PERFORMANCE REVIEW PROCESS FOR 2021 AS OUTLINED WITHIN THIS REPORT. 2. THE REPORT REMAINS CONFIDENTIAL AND BE CERTIFIED BY THE CHAIRMAN AND CEO.	COMPLETED

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	DATE		RESOLUTION			STATUS	
53.	8 FEBRUARY 2021	16.1	s.5.23(2)(d)] (D2021/01716)	LEGAL MATTER [CONFIDENTI	AL MATTER IN ACCORDAN	NCE WITH LOCAL GOVERNMENT ACT 1995	COMPLETED
		1.	COUNCIL BY ABSOLUTE MAJORITY IN	TO ADDRESS ANY SUCH LEG	GAL MATTERS ARISING OU	MENT ACT 1995 ESTABLISHES A LEGAL JT OF THE ESTABLISHMENT AGREEMENT	
		2.	COUNCIL BY ABSOLUTE MAJORITY IN COUNCILLORS TO THE LEGAL COMMIT		THE LOCAL GOVERNME	NT ACT 1995 APPOINTS THE FOLLOWING	
			PARTICIPANT LOCAL GOVERNMENT	COUNCILLOR MEMBER	DEPUTY MEMBER	SECOND DEPUTY MEMBER	
			TOWN OF BASSENDEAN	CR WILSON	CR HAMILTON	CR MACWILLIAM	
			CITY OF BAYSWATER	CR CLARK	CR JOHNSON	CR PIFFARETTI	
			CITY OF KALAMUNDA	CR O'CONNOR	CR BOYD	CR BLAIR	
			SHIRE OF MUNDARING	CR JEANS	CR DAW	CR COLLINS	
			CITY OF SWAN	CR CONGERTON	CR ZANNINO	CRIJOHNSON	
		3.	COUNCIL BY ABSOLUTE MAJORITY IN ACCORDANCE WITH S5.16 OF THE LOCAL GOVERNMENT ACT 1995 DELEGATES TO THE LEGAL COMMITTEE THE POWER TO UNDERTAKE ACTIONS IN RESPONSE TO THE LEGAL MATTER AS OUTLINED WITHIN THE CONFIDENTIAL REPORT.				
		4.	NOTES THE RATIONALE FOR THE MOT MATTER AS OUTLINED WITHIN THE CO			TE ACTIONS IN RESPONSE TO THE LEGAL HED LEGAL COMMITTEE.	
		5.	THE REPORT AND ATTACHMENTS REM	AIN CONFIDENTIAL AND BE C	ERTIFIED BY THE CHAIRM	AN AND THE CEO.	
54.	21 JANUARY 2021	16.1	SEEKING INSTRUCTIONS REGARDING s.5.23(2)(d)] (D2021/00774)	LEGAL MATTER [CONFIDENTI	AL MATTER IN ACCORDAN	NCE WITH LOCAL GOVERNMENT ACT 1995	COMPLETED
		THA	COUNCIL:				
		1.	IN ACCORDANCE WITH CLAUSE 10.6 OF TO THE NEXT ORDINARY MEETING OF			TEM 16.1 OF THE AGENDA BE ADJOURNED IARY 2021.	
		2.	COUNCIL NOTES THE REASON FOR T ADDRESS THE POTENTIAL BREACH OF			EGAL PROFESSIONAL PRIVILEGE AND TO	

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1.2 CEO EXERCISE OF DELEGATED POWERS AND DUTIES

REFERENCE: D2021/10299

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."

REPORT

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



Item 1.2 continued

Delegation Number	Date of Original Delegation	Description of Delegation	Details of Delegated Powers and Discharge of Duties
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.	HAAS Grinder for the month of June 2021.

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.

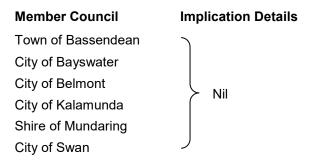
SUSTAINABILITY IMPLICATIONS

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

RISK MANAGEMENT

Consequence	Likelihood	Rating
Moderate	Unlikely	Moderate

MEMBER COUNCIL IMPLICATIONS



ATTACHMENT(S)

Nil



1.3 2020/2021 COUNCIL TONNAGE COMPARISONS AS AT 31 May 2021

REFERENCE: D2021/10300

PURPOSE OF REPORT

The purpose of this report is to provide Council with tonnages and quantities at the Red Hill Waste Management Facility (Red Hill) and the Hazelmere Resource Recovery Park (Hazelmere) for the reporting period of 1 July 2020 to 31 May 2021.

SOURCE OF REPORT

Chief Financial Officer

REPORT

A total of 130,700 tonnes were received from Member Council at the Red Hill Waste Disposal Site (Red Hill) during the reporting period, compared to 128,980 tonnes received during the same period in 2019/2020.

"Other" waste tonnages totaling 71,706 were received at Red Hill during the reporting period compared to 88,288 tonnes received during the same period in 2019/2020.

During the reporting period a combined total of 202,407 tonnes compared to 217,269 tonnes during the same period in 2019/2020 were received at Red Hill.

Tonnages and quantities of waste timber, C&I material and mattresses, plus sales of woodchip/fines at Hazelmere for the above reporting period were as follows:

- Incoming Waste Timber totalled 13,131 tonnes compared to 15,371 tonnes for the same period in 2019/2020.
- The sale of fines and woodchip totalled 12,963 tonnes, compared to 13,174 tonnes for the same period in 2019/2020.
- Incoming Commercial and Industrial (C&I) Waste totalled 233 tonnes, compared to 255 tonnes for the same period in 2019/2020.
- Mattresses incoming totalled 17,064 compared to 14,952 for the same period in 2019/2020.
 - Note: Effective from 11 December 2019, mattresses received have been processed off-site by Soft Landing Mattress Recycling.

The attachment to this report provides the various tonnages information in a graphical format and highlights the movements and trends for the financial year.

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 1.3 continued

SUSTAINABILITY IMPLICATIONS

Nil

RISK MANAGEMENT

RISK: Lower than budgeted tonnes received including product sales.					
Consequence	Likelihood	Rating			
Possible	Moderate	Moderate			
Action / Strategy					
Monthly tonnage reports are reviewed by Council and Management Team.					

ATTACHMENT(S)

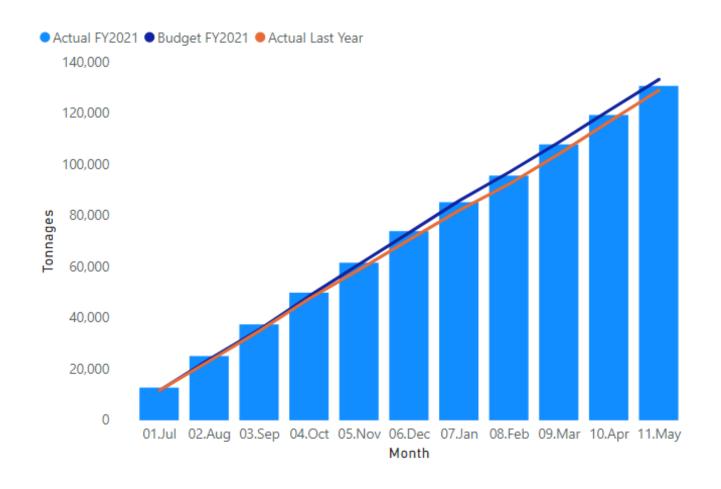
Council Tonnages Report (Ref: D2021/10583)

EMRC Tonnage Analysis

as at 31 May 2021

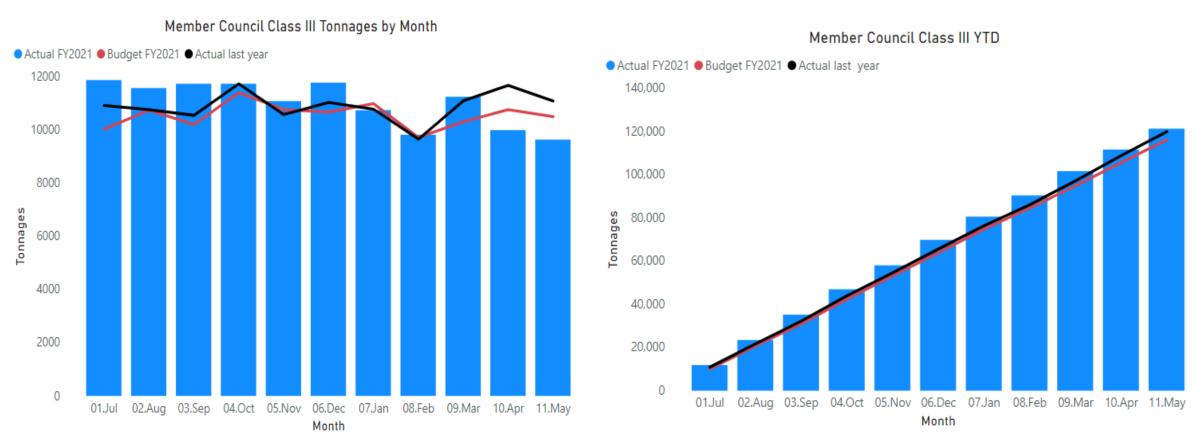


2020/2021 Member Council YTD Overall Tonnages



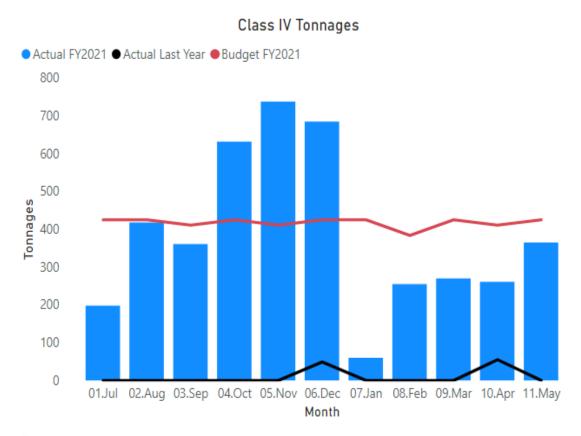


2020/2021 Tonnages

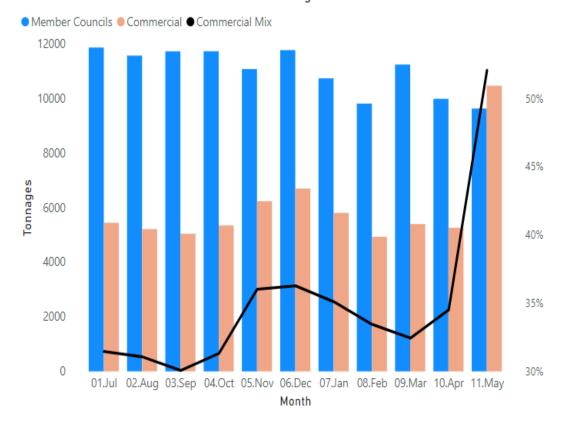




2020/2021 Tonnages

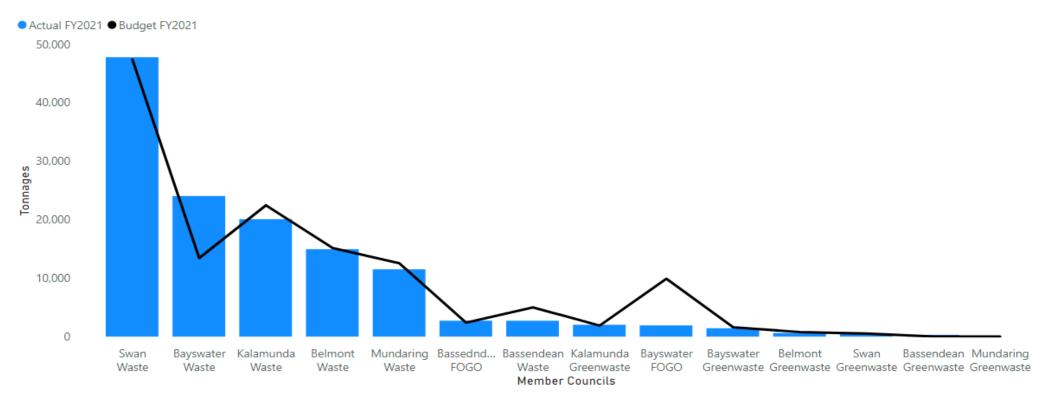






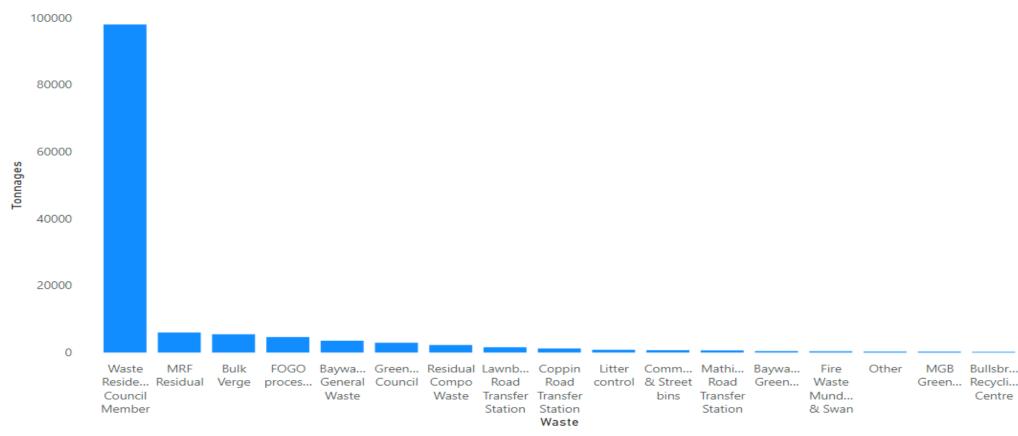


2020/2021 EMRC Combined Waste Report YTD - May 2021





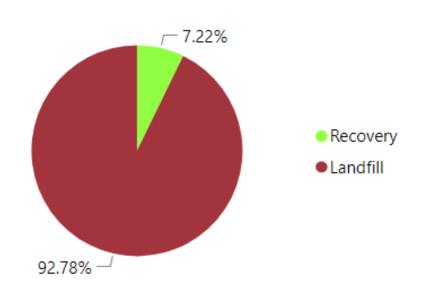
2020/2021 EMRC Waste Receipt Report - YTD May 2021





2020/2021 Total Member Council % Recovery @ EMRC

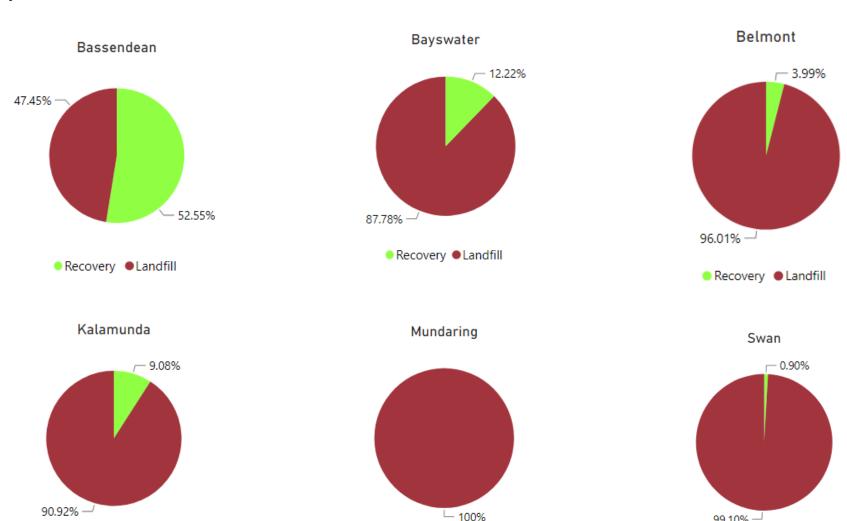
LANDFILL / RECOVERY



Council	Recovery	Waste
Bassendean	52.55%	47.45%
Bayswater	12.22%	87.78%
Belmont	3.99%	96.01%
Kalamunda	9.08%	90.92%
Mundaring	0.00%	100.00%
Swan	0.90%	99.10%
Total	7.22%	92.78%



2020/2021 Member Council Recovery @ EMRC



Recovery Landfill

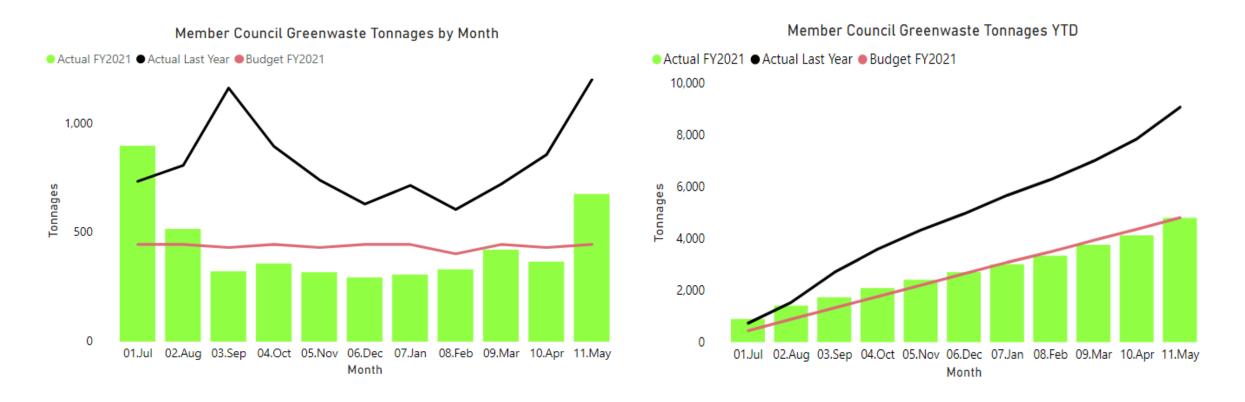
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RecoveryLandfill

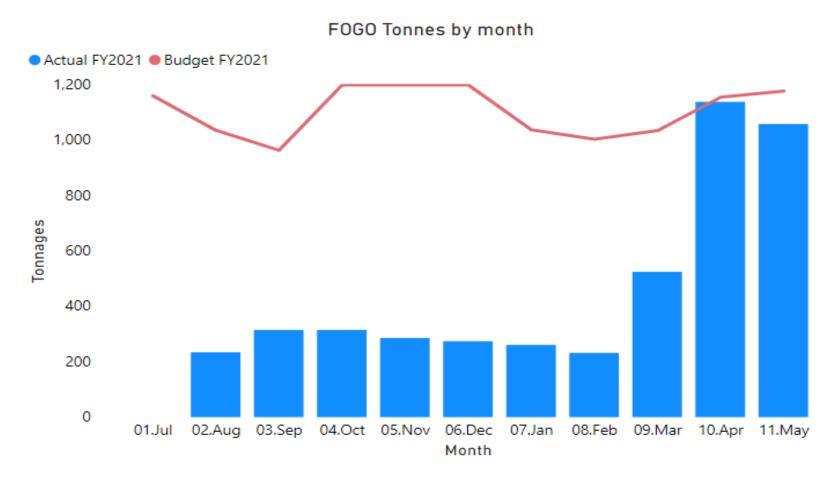
99.10% -

2020/2021 Greenwaste Tonnages





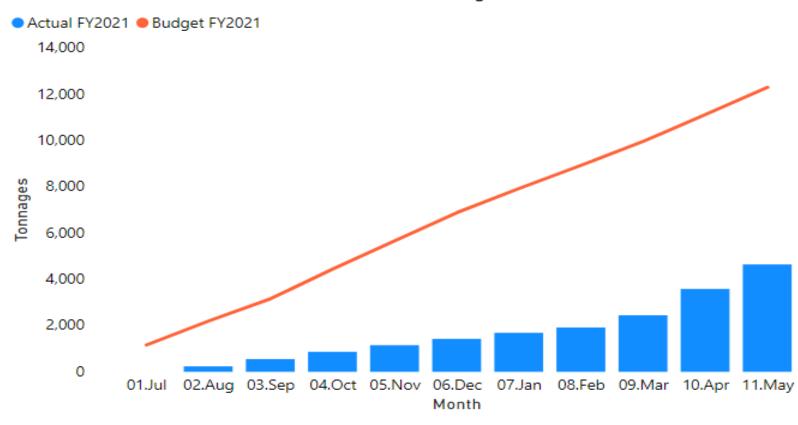
2020/2021 FOGO Tonnages





2020/2021 FOGO Tonnages

FOGO YTD Tonnages





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