DATE: THURSDAY, 27 FEBRUARY 2025
TIME: 6:30 PM
LOCATION: CITY OF JOONDALUP, BOAS AVENUE, JOONDALUP

MINDARIE REGIONAL COUNCIL

Ordinary Meeting

Minutes

mrc.wa.gov.au

NOTICE OF MEETING

Councillors of the Mindarie Regional Council are advised that an Ordinary Council Meeting will be held on Thursday, 27 February 2025 commencing at 6:30 PM at City of Joondalup, Boas Avenue, Joondalup.

The agenda pertaining to the meeting follows.
Your attendance is respectfully requested.

Yours faithfully

SCOTT CAIRNS
Chief Executive Officer

MINDARIE REGIONAL COUNCIL – MEMBERSHIP

Cr S Proud, JP (Stephanie) - Chair	City of Stirling
Cr K Vernon (Karen) Deputy Chair	Town of Victoria Park
Cr G Mack (Gary)	Town of Cambridge
Cr C May, JP (Christopher)	City of Joondalup
Cr R Fishwick, JP (Russ)	City of Joondalup
Cr L Gobbert, JP (Liam)	City of Perth
Cr A Creado (Andrea)	City of Stirling
Cr J Ferrante (Joe)	City of Stirling
Cr C Hatton (Chris)	City of Stirling
Cr A Xamon (Alison)	City of Vincent
Cr P Miles (Paul)	City of Wanneroo
Cr J Wright (Jordan)	City of Wanneroo

NB: Although some Councils have nominated alternate members, it is a requirement that a Council carries a specific resolution for each occasion that the alternate member is to act.

Mindarie Regional Council (MRC) constituent members: Town of Cambridge; City of Joondalup; City of Perth; City of Stirling; Town of Victoria Park; City of Vincent; City of Wanneroo

1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

1.1 Declaration of Opening / Announcement of Visitors

The Chair declared the meeting open at 6.38 pm.

2 ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE

2.1 Attendance / Apologies / Leave of Absence

Councillors Gobbert and Mack have been authorised to attend the meeting electronically under s14C Local Government Administration Regulations 1996. Councillors had previously confirmed that they are located in a private room and can maintain confidentiality when the meeting is in closed session.

Member Council	Councillor Present
Town of Cambridge	Cr Gary Mack - *joined meeting on line at 6.43 pm via MS Teams*
City of Joondalup	Cr Christopher May, JP - *entered the meeting at 6.40 pm* Cr Russ Fishwick, JP
City of Perth	Cr Liam Gobbert, JP
City of Stirling	Cr Andrea Creado Cr Chris Hatton Cr Stephanie Proud, JP (Chair)
Town of Victoria Park	Cr Karen Vernon (Deputy Chair)
City of Vincent	Cr Alison Xamon
City of Wanneroo	Cr Paul Miles Cr Jordan Wright

Apologies

Cr Joe Ferrante - City of Stirling

Approved Leave of Absence

Nil

MRC OFFICERS TITLE	NAME
Chief Executive Officer	Scott Cairns
Executive Manager Corporate Services	Adnana Arapovic
Manager Projects & Procurement	Darren Turner
Executive Manager Operations	Matthew Allen
Executive Assistant	Deborah Toward

MRC OFFICERS TITLE	NAME
Human Resources Manager Communication Officer	Sonia Cherico Robert Davies

MRC Observers
Nil

Visitors
Nil

The following Member Council Observers were also present.

Member Council	Observers
Town of Cambridge	Mr Andrew Head
City of Joondalup	Mr Nico Claassen Mr Mathew Pennington
City of Stirling	Mr Andrew Murphy Ms Yvette Plimbley
Town of Victoria Park	Mr John Wong
City of Vincent	Mr Peter Varris Ms Aaron Griffiths
City of Wanneroo	Mr Harminder Singh Mr John Gault

3 DECLARATION OF INTERESTS

3.1 Declaration Of Interests

Declaration of Financial/Conflict of Interest to be recorded prior to dealing with each item.

Disclosure of Financial and Proximity Interests

a. Members must disclose the nature of their interest in matters to be discussed at the meeting. (Section 5.65 of the Local Government Act 1995).
b. Employees must disclose the nature of their interest in reports or advice when giving the report or advice to the meeting. (Sections 5.70 and 5.71 of the Local Government Act 1995).

Disclosure of Interest Affecting Impartiality

a. Members and staff must disclose their interest in matters to be discussed at the meeting in respect of which the member or employee has given or will give advice.

DECLARATION OF INTEREST	
Nil	

4 PUBLIC QUESTION TIME

4.1 Public Question Time

Cr May entered the meeting at 6.40 pm

Question time opened at 6.40 pm

QUESTIONS ASKED VERBALLY AT THE COUNCIL MEETING HELD ON FEBRUARY 27, 2025.

Ms S Raines, Kinross

QUESTION 1: I have logged tens if not hundreds of complaints about the smell. In November 2024 the Ombudsman said that the MRC had not received a formal complaint from myself. In all correspondence the odour reports are referred to as complaints, so my question is: why is the complaint resolution process not being followed in relation to complaints of odours?

MRC RESPONSE: The processes we have in place internally are being followed. We have also received communication from the Ombudsman, we would be willing to sit down with you and go through the communication with you.

Ms M O'Byrne, Kinross

QUESTION 1: Why hasn't the MRC consistently funded community educational outreach at the doors and the letterboxes to ensure odour afflicted communities know that they could report odour and if ineffectively doing so - would then be helped to make their reporting effective?

MRC RESPONSE:

MRC does not have the resources available to conduct door-to-door visits to all homes in all the suburbs and areas which have reported odours over the past 18-or-so months.

MRC has identified the most effective way to reach these communities is through online resources. MRC provides a portal by which residents in these communities can report odours through the MRC website.

This portal is prominent on the MRC website homepage and has been optimised for usability, clarity and prominence when using search engines like Google.

For example, the search terms 'report Tamala Park', 'report smell mindarie', and 'smell tamala park' all return the MRC website's reporting portal as the top Google result. This is true of very many similar search terms.

MRC has – continuously – encouraged the community to continue to report incidents where they are affected by odours from Tamala Park, including at the public meeting in October 2024, through the media, through its website and through communications with the regulator.

All odour reports received by MRC are recorded and the total number of reports received per month are provided to the regulator. In each of the past three months, the number of reports which have been impossible to investigate (due to insufficient information being provided) has been one.

In instances where MRC receives a report missing information which would allow us to investigate it, the reporter is sent an email requesting that information.

QUESTION 2: What are the processes involved in a regional council such as the MRC handing over the operation and associated responsibilities for the landfill to the state government?

MRC RESPONSE: To my knowledge, no such processes - as described - exist.

Cr Mack joined meeting on line at 6.43pm

Mr G Khalaf, Clarkson

QUESTION 1: At the end of day we are suffering from the smell, what are you asking us to do, simply?

MRC RESPONSE: Residents need to continue to report when they experience issues.

QUESTION 2: When will you close the landfill?

MRC RESPONSE: Currently the MRC's forecast, based upon the materials which we receive from our member councils, is that the landfill will close sometime in 2029.

Question time ended at 6.49 pm

5 ANNOUNCEMENT BY THE PRESIDING PERSON

5.1 Announcement by the Presiding Person

I warmly welcome to Councillor Alison Xamon to her first MRC Council meeting.
I also extend a warm greeting to Mr Matthew Allen, newly appointed Executive Manager of Operations at MRC.
As well, I'd like to take this opportunity to thank Scott and the team for managing the vacancy so adeptly since August 2024 to January 2025.

6 APPLICATION FOR LEAVE OF ABSENCE

6.1 Application for Leave of Absence - Cr Jordan Wright

RESPONSIBLE OFFICERS RECOMMENDATION

That Council:

Approves a leave of absence for Cr Jordan Wright for the dates 12 April 2025 to 27 April 2025 (inclusive).

Moved: Cr Vernon |Seconded: Cr Xamon

RESOLVED

That the Recommendation be adopted.

Carried - 11/0

For: *Cr Proud, Cr Vernon, Cr Mack, Cr May, Cr Fishwick, Cr Gobbert, Cr Creado, Cr Hatton, Cr Xamon, Cr Miles, Cr Wright*

Against: *None*

7 PETITIONS/DEPUTATIONS/PRESENTATIONS

7.1 Petition - ICT Allowance increase

RESPONSIBLE OFFICERS RECOMMENDATION

That Council:

Receive the petition and refer to the Chief Executive officer to provide a report to the next ordinary council meeting.

Moved: Cr Xamon |Seconded: Cr Vernon

RESOLVED

That the Recommendation be adopted.

Carried - 10/1

For: *Cr Proud, Cr Vernon, Cr Mack, Cr May, Cr Fishwick, Cr Creado, Cr Hatton, Cr Xamon, Cr Miles, Cr Wright*

Against: *Cr Gobbert*

7.2 Deputation -Ms Mary O'Byrne

Deputation Summary:

In 2010 an ECU student, Marie Lourdes Raphael studied options for Tamala Park's post closure based on a closure date of 2020.
The landfill did not close in 2020 and it remains operational, residents are doubtful it will close in 2028 unless political action is taken.
Residents are reporting odour issues affecting their health and their quality of life.

Many people are unaware they can report odours, the deputation calls for the MRC to develop an easy to use reporting app for phones. In addition, it calls for the MRC to reach out to assist the community with reporting, using volunteers?

A petition challenges the May 2024 Council decision to increase IT allowances for MRC Councillors, requesting that the increase is rescinded and used to help pay for restoration works at Tamala Park.

8 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

8.1 Ordinary Council Meeting - 12 December 2024

RESPONSIBLE OFFICERS RECOMMENDATION

That the minutes of the Ordinary Meeting of Council held on 12 December 2024 be confirmed as a true record of the proceedings.

Moved: Cr Hatton |Seconded: Cr Fishwick
RESOLVED
That the Recommendation be adopted.

Carried - 11/0

For: *Cr Proud, Cr Vernon, Cr Mack, Cr May, Cr Fishwick, Cr Gobbert, Cr Creado, Cr Hatton, Cr Xamon, Cr Miles, Cr Wright*

Against: *None*

9. CHIEF EXECUTIVE OFFICERS REPORTS

9.1 Financial Statements for the months ended 31 December 2024 and 31 January 2025

RESPONSIBLE OFFICERS RECOMMENDATION

That Council: Receive the Financial Statements set out in the Attachments for the months ended 31 December 2024 and 31 January 2025.

Moved: Cr Vernon |Seconded: Cr Fishwick
RESOLVED
That the Recommendation be adopted.

Carried - 11/0

For: *Cr Proud, Cr Vernon, Cr Mack, Cr May, Cr Fishwick, Cr Gobbert, Cr Creado, Cr Hatton, Cr Xamon, Cr Miles, Cr Wright*

Against: *None*

File No.	GF-20-000001331
Voting Requirement:	Simple Majority
Responsible Officer:	Executive Manager Corporate Services
Attachment (s)	1. Financial Report Dec 24 2. Financial Report Jan 25

Report Purpose

The purpose of this report is to provide Council with a set of financial reports in line with statutory requirements, which provides information on the financial performance of the Mindarie Regional Council (MRC).

Background

Financial Management Regulations 34 of the Local Government (Financial Management) Regulations 1996 defines reporting requirements.

The financial reports presented for each month consist of:

- Statement by Comprehensive Income by Nature
- Operating Income Statement by Program
- Statement of Financial Position
- Statement of Cash Flows
- Statement of Financial Activity
- Statement of Reserves
- Statement of Investing Activity
- Cash and Cash Equivalents and Schedule of Investments
- Tonnage Report

Detail

The attached reports provide an overview of the MRC's financial performance for the periods ending 31 December 2024 and 31 January 2025 and have been prepared in accordance with the Local Government Act 1995, the Local Government (Financial Management) Regulations 1996 and the Australian Accounting Standards. The reports fairly represent, in all material respects, the results of the MRC's operations for each month being reported.

The financial reports for the periods ended 31 December 2024 and 31 January 2025 are enclosed in the attachments to this item. The Schedule of Investments and Tonnage Report up to 31 January 2025 are also contained within the attachments.

Summary of results for the year-to-date period ended 31 January 2025

	YTD Budget	YTD Actual	Variance
	t	t	t
Tonnes – Members	106,261	103,532	(2,729)
Tonnes – Others	17,750	11,082	(6,668)
TOTAL TONNES	**124,011**	**114,615**	**(9,396)**
	$	$	$
Revenue - Fees & Charges	23,899,094	22,205,819	(1,693,275)
Revenue - Other	4,563,831	4,947,970	384,138
TOTAL REVENUE	**28,462,926**	**27,153,789**	**(1,309,137)**
Expenses	(25,917,471)	(21,428,512)	4,488,959
Gross Profit	**2,545,455**	**5,725,277**	**3,179,822**
Profit / Loss on sales of assets	105,854	(46,526)	(152,380)
NET PROFIT	**2,651,309**	**5,678,751**	**3,027,442**

VARIANCES YEAR TO DATE

Mindarie Regional Council's financial result for the period ending 31 January 2025 reflects its performance from 1 July 2024 to 31 January 2025. The Council's operations have been conducted in line with the adopted budget at the OCM, 27 June 2024. In line with materiality adopted by the Council, variances below $50k do not attract comments.

MRC recorded a net result of $5.68m for the period ended 31 January 2025.

REVENUE

Revenue for the period to 31 January 2025 is significantly less than anticipated. Overall, Fees and Charges revenue is $1.7m under budget, the major reasons being trade discount contracts not progressing, a Water Corporation contract ceasing and the City of Stirling tonnage being lower than estimated at budget adoption, which will result in at least a $1m loss of revenue. Interest earning on term deposits was $315k over budget. It should be noted that there have been no gas power generation sales yet, this is a timing issue, resulting in variance of $423k.

EXPENDITURE

Expenses for the period to January are $4.49m under budget. The main areas contributing to the variance are employee costs ($389k), materials and contracts ($3.6m) and depreciation ($172k). Waste-to-Energy has not yet commenced resulting in a year-to-date saving of $4.2m, partially offset by increased DEP levy of $2m. Staff recruitment and operational restructures have contributed to the employee cost savings. The depreciation variance is mainly attributable to prior year revaluation adjustments.

STATEMENT OF FINANCIAL POSITION

As at 31 January 2025, the MRC's cash position is solid due to collection of fees and charges, $315k positive earnings from investments, and budgeted capital expenditure that is yet to be incurred.

CAPITAL EXPENDITURE

There is $2.8m or 17% capital expenditure incurred to 31 January 2025. This cost predominantly comes from landfill infrastructure Phase 2 capping work. The majority of budgeted capital expenditure is expected to be utilised by the year end. Minor reallocations of funds are expected at mid-year budget review.

RESERVE ACCOUNTS

The reserve accounts for the year-to-date have increased by $3.5m due to planned transfers and interest earned, netted off by transfers out for capital expenditure for the period.

Consultation

Nil

Legal and Policy Compliance

Section 6.4 of the Local Government Act 1995 and regulations 34 & 35 of the Local Government (Financial Management) Regulations 1996.

Financial Implications

Nil

Risk Management Implications

Risk Impact Category	Register Reference	Risk Description	Level of Risk	Risk Mitigation
Financial	COR-16 COR-17	Misstatement or significant error in Financial Statements; Fraud	Low	The Financial Statements and reports are required to be prepared in accordance with the requirements of the Local Government Act 1995 and The Local Government (Financial Management) Regulations 1996. Risk is further treated by ensuring daily and monthly reconciliations are completed, internal controls and segregation of duties in place and internal and external audits conducted.
Natural Environment		Nil		

Risk Impact Category	Register Reference	Risk Description	Level of Risk	Risk Mitigation
Health and Safety		Nil		
Compliance	COR-08	Non-compliance with Section 6.4 of the Local Government Act 1995 and Regulations 34 of the Local Government (Financial Management) Regulations 1996	Low	Provision of monthly financial reports to Council fulfils relevant statutory requirements and is consistent with good financial governance.
Reputation	COR-16 COR-17	Fraud	Low	Risk treated by timely presentation of financial performance tabled at each OCM. Annual audit by OAG.
Operational Efficiency	COR-03 COR-04	Organisation is not financially viable or sustainable into the future.	Low	Risk treated by effective financial management and accountability, promoting value for money for the protection of assets used for the delivery of MRC's services.

Strategic Alignment

Strategic Community Plan Objectives	
Objectives	Strategies
3: Deliver best practice governance processes and structures	3.1 Maintain efficient and equitable governance 3.2 Ensure responsible use of organisational resources 3.3 Retain financial sustainability with a commercial focus

Comment
Nil

9.2 List of Payments made for the months ended 31 December 2024 and 31 January 25

RESPONSIBLE OFFICERS RECOMMENDATION

That Council: Note the list of accounts paid under delegated authority to the Chief Executive Officer for the months ended 31 December 2024 and 31 January 2025, in accordance with regulation 13(1) of the Local Government (Financial Management) Regulation 1996.

Moved: Cr Creado |Seconded: Cr Hatton
RESOLVED
That the Recommendation be adopted.

Carried - 11/0

For: *Cr Proud, Cr Vernon, Cr Mack, Cr May, Cr Fishwick, Cr Gobbert, Cr Creado, Cr Hatton, Cr Xamon, Cr Miles, Cr Wright*

Against: *None*

File No.	GF-20-0001331	
Voting Requirement:	Simple Majority	
Responsible Officer:	Executive Manager Corporate Services	
Attachment (s)	1.	APP 2 Payment List December 2024
	2.	APP 2 Payment List January 2025

Report Purpose
The purpose of this report is to provide details of payments made during the period identified above. This is in line with the requirement under the delegated authority to the Chief Executive Officer (CEO), that a list of payments made from the Municipal Fund since the last Ordinary Council meeting be presented to Council.

Background
In accordance with section 13(1) of the *Local Government Financial Management Regulations 1996*, Council has delegated to the Chief Executive Officer (CEO) the exercise of its power to make payments from its Municipal and Trust Funds. A list of accounts paid by the CEO is to be prepared each month (Fin Reg 13(2)) and be presented to the next Ordinary Council Meeting following such payments (Fin Reg 13(3)).

Additionally, regulation 13A of the *Local Government Financial Management Regulations 1996* was added to increase transparency and accountability in local government through greater oversight of incidental spending. The regulation covers purchasing cards such as Bunnings and Fuel cards issued by local government to their employees. Under this regulation, a transaction listing is included for the MRC's fuel cards and Bunnings Power Pass cards.

Detail

Summary of amounts paid for the months ended 31 December 2024 and 31 January 2025

Month Ended	Account	Vouchers	Amount $
31 December 2024	General Municipal	Direct Payments EFT Cheques Inter-account transfers	5,313,077.22 1,062,939.07 3,162.54 -
			6,379,178.83
31 January 2025	General Municipal	Direct Payments EFT Cheques Inter-account transfers	509,360.94 5,037,397.10 - -
			5,546,758.04

The list of accounts paid for the months ended 31 December 2024 and 31 January 2025 is attached.

Consultation

Nil

Legal and Policy Compliance

Regulation 13 of the *Local Government (Financial Management) Regulations 1996*

Financial Implications

Nil

Risk Management Implications

Risk Impact Category	Register Reference	Risk Description	Level of Risk	Risk Mitigation
Financial	COR-08	Non-compliance with Regulation 13 of the Local Government (Financial Management) Regulations 1996	Low	Risk treated by prudent management of MRC's funds and internal systems are in place that establish satisfactory controls, supported by the internal and external audit functions.
Natural Environment		Nil		
Health and Safety		Nil		
Compliance	COR-08	Non-compliance with s6.8 of the LGA 1995 and Regulation 13 of the Local Government (Financial Management) Regulations 1996	Low	Risk treatment by monthly payment listing to Council fulfils relevant statutory requirements, confirming expenditure incurred was in accordance with budget adopted.
Reputation		Nil		
Operational Efficiency		Nil		

Strategic Alignment

Strategic Community Plan Objectives	
Objectives	Strategies
3: Deliver best practice governance processes and structures	3.1 Maintain efficient and equitable governance 3.2 Ensure responsible use of organisational resources 3.3 Retain financial sustainability with a commercial focus

Comment
Nil

9.3 Budget Review 2024/25

MOTION

That Council:

1. Adopt by absolute majority the 2024/25 budget review as detailed in Appendix 3
2. Approve the adjustments to the 2024/25 MRC Budget as detailed in this report and appendices, in accordance with section 6.8(1) of the *Local Government Act 1995*

Moved: Cr Vernon|Seconded: Cr Wright

PROPOSED AMENDMENT

Moved: Cr Fishwick|Seconded: Cr May

AMENDMENT

At point 1, after the words Appendix 3, add the following words "subject to changing the gate fee for member councils from $183 per tonne to $172 per tonne for the 2024-25 financial year noting that any overpayments by member councils to be reimbursed to the respective councils"

Reasons for amendment:

Concerns Regarding the Blended Gate Fee for Waste to Energy

1. Lack of a Confirmed Waste to Energy Agreement

The key issue is that member councils, including the City of Joondalup, are paying a blended gate fee that factors in Waste to Energy costs, despite there being no formal agreement in place. This means member councils are being charged for a service that has not been contractually secured, raising serious concerns about financial prudence and fairness in budget allocation.

2. Accumulation of Surplus Funds Without Transparency

By the end of the financial year, it is estimated that approximately $2 million in surplus funds will have been collected due to the inflated gate fee. The City of Joondalup alone has already overpaid around $200,000 in just the first half of the year. This surplus represents ratepayer funds that could be better utilised within member councils rather than being tied up in MRC's accounts without a clear strategy for its use or redistribution.

3. Discrepancy in Budget Reporting

The Budget Review reveals that expected savings from Waste to Energy have not materialised, leading to higher payments for the DWER waste levy. However, if the blended gate fee is higher than the landfill-only rate, and councils are paying this premium, it is unclear why MRC is not reporting a surplus from these additional contributions. The financial reporting does not align with the actual cost burden being placed on member councils.

4. Need for a Mid-Year Adjustment or Reimbursement

Given the low probability of a Waste to Energy agreement being finalised before June, there is a strong case for implementing a mid-year adjustment to align the gate fee with the reduced landfill rate of $172.00 per tonne. This adjustment would ensure that member councils are not continuing to overpay for a service that is not yet secured. Alternatively, a reimbursement should be considered to return the overpaid funds to councils, allowing them to reinvest in their own waste management initiatives, which could be for my Council its "Waste Reserve".

Conclusion

Continuing to charge the blended gate fee under these circumstances is not financially responsible. Without an agreement in place, member councils should not be subsidising a future Waste to Energy service that may not materialise this financial year. A mid-year adjustment or reimbursement should be considered to ensure that funds are used efficiently and equitably across all councils.

Lost - 5/6

For: *Cr May, Cr Fishwick, Cr Gobbert, Cr Miles, Cr Wright*

Against: *Cr Proud, Cr Vernon, Cr Mack, Cr Creado, Cr Hatton, Cr Xamon*

THE AMENDMENT WAS LOST.

SUBSTANTIVE MOTION
That Council:

1. Adopt by absolute majority the 2024/25 budget review as detailed in Appendix 3
2. Approve the adjustments to the 2024/25 MRC Budget as detailed in this report and appendices, in accordance with section 6.8(1) of the *Local Government Act 1995*

Moved: Cr Vernon Seconded: Cr Wright
Lost - 6/5
For: Cr Proud, Cr Vernon, Cr Mack, Cr Creado, Cr Hatton, Cr Xamon
Against: Cr May, Cr Fishwick, Cr Gobbert, Cr Miles, Cr Wright

LOST FOR WANT OF AN ABSOLUTE MAJORITY
MEETING NOTE
The Chair directed that this item will be tabled at a future Special Council meeting.

File No.	GF-21-0000172	
Voting Requirement:	Absolute Majority	
Responsible Officer:	Executive Manager Corporate Services	
Attachment (s)	1.	OCM Financial Statements MYB2425
	2.	Budget Review 2425 Adjustments

Report Purpose
To consider the financial position of Mindarie Regional Council (MRC) as of 31 December 2024 and to evaluate its performance for the period from 1 July 2024 to 31 December 2024, in relation to the adopted budget and projections estimated for the remainder of the financial year.

Background
The budget review has been prepared to include information required by the Local Government Act 1995 and Local Government (Financial Management) Regulations 1996.

Financial Management Regulations (FMR) r.33A (1) requires that between 1 January and 31 March in each financial year, a Local Government is to carry out a review of its annual budget for the year.

FMR r.33 (2A) requires the review of an annual budget for a financial year to:
Consider the local government's financial performance in the period beginning on 1 July and ending no earlier than 31 December in that financial year; and
Consider the local government's position as at the date of the review; and

review the outcomes for the end of the financial year to be part of the review.

FMR r.33A (2) and (3) require the results of the budget review to be presented to the Council within 30 days of the review being completed. The Council is then to consider the review submitted to it and resolve (by absolute majority) to adopt the review or not and any recommendations associated with the review.

FRM r.33A (4) requires that after the Council has dealt with the review a copy of the review and determination (Council minutes) is to be provided to the Department within 14 days.

Detail

Council operations have been conducted in line with the Adopted Budget for 2024/25.

The budget review statements included in this report are based on the Statements of Financial Activity and the actual expenditure variations from the adopted budget. No budget adjustments have been presented during the six months period thus the revised budget reflects the same position as original adopted budget.

This report provides information based on the six-month period from 1 July to 31 December 2024.

The budget review reflects a view on the full year financial position of the MRC and highlights those items that reflect significant predicted variances to budgeted allocations and the anticipated revised financial projections to 30 June 2025.

The Statement of Financial Activity reflecting the Adopted Budget, Actual Income and Expenditure to 31 December 2024, Projected Income and Expenditure to 30 June 2025, variances to the Adopted budget, as well as the projected capital expenditure are enclosed in the appendices to this report.

The materiality threshold for the budget review in 2024/25 is consistent with the Council's adopted reporting variances. This report addresses only those items with projected variances exceeding $50k. In certain cases, even if a variance falls outside this threshold, comments may still be provided due to the significance of the item. Additionally, this report outlines any budget adjustments identified during the review.

TONNAGE

The tonnage projections changed from the adopted budget, a significant 21,634 tonnes will not be received, details are explained in the revenue section.

	Original Budget 2024/2025	Projections Budget 30-Jun-25	Tonnage Variance
City of Perth	14,758	13,100	(1,658)
City of Stirling	57,165	49,447	(7,718)
City of Wanneroo	55,000	58,632	3,632
Town of Cambridge	4,300	3,900	(400)
City of Vincent	5,500	5,500	0
Town of Victoria Park	10,620	11,045	425
City of Joondalup	33,600	33,600	0
Total Members Charges	**180,943**	**175,224**	**(5,719)**
Total Casual Tonnage	**31,400**	**15,485**	**(15,915)**
Total Tonnage	**212,343**	**190,709**	**(21,634)**
Total Waste Delivered to Tamala Park	**144,309**	**176,853**	**32,545**
Total Waste Delivered to Waste To Energy	**68,034**	**13,855**	**(54,179)**

OPERATING REVENUE

Overall revenue for the year end is estimated to reduce by $2.7m from $48.9m to $46.2m. This has been driven by several key factors as detailed in the report.

FEES AND CHARGES

Fees and Charges Revenue is projected to be $2.8m lower than the adopted budget. The cessation of the Water Corporation contract and cancellation of trade discount contracts will reduce non-member tonnage by 16,915 tonnes. This reduction is partially offset by an additional 1,000 tonnes expected in casual revenue, bringing the net impact on non-member fees to a decrease of 15,915 tonnes and a loss of $2m in fees and charges.

Member council tonnage projections are 5,719 tonnes less than the adopted budget, predominantly driven by the City of Stirling 7718 tonnes variance from the original estimates. The overall impact to the year-end position is approximately $1m loss of revenue.

Revenue will improve for mattress collection by $225k, as an additional member council is joining in, to utilise this service using MRC's contract.

Budget adjustment is proposed to recognise variances expected at year end.

INTEREST EARNINGS

The Bank of Australia (RBA) has maintained its official cash rate at 4.35%, holding steady since November 2023. This stability, combined with additional investments is expected to increase interest earnings by a potential $583k compared to the adopted budget. An adjustment to increase interest earnings is proposed as part of the budget review.

OPERATING EXPENDITURE

Operating expenditure is projected to reduce by $4.3m from $47.2m to $42.9m for the reasons outlined below.

EMPLOYEE COSTS

Employee cost projections due to operational restructuring and staff recruitment delays have resulted in projections being $600k expected savings from the adopted budget. Of these savings, $280k will be allocated to materials and contracts, specifically $200k to critical landfill cover and $80k to information technology. Part of the budget review will also address governance support required for ordinary council meetings. $30k will be utilised from labour costs savings.

MATERIAL AND CONTRACTS

As part of the MRC's waste strategy and in collaboration with its members, plans to start diverting some tonnage from landfill to waste-to-energy were expected from October 2024. Delays in the commencement have resulted in more tonnage being sent to landfill, leading to higher projected waste levy costs. The expected savings from waste to energy and increased cost for DWER waste levy will see a reduction of $4.4m versus the adopted budget.

Additionally, critical expenditures related to landfill cover ($260k), odour management ($70k) and the start of the City of Wanneroo's mattress collection ($215k) are expected to increase costs within materials and contracts.

DEPRECIATION & AMORTISATION

Revaluation adjustments of land, buildings and infrastructure from the 2024 year have led to an increase in opening balances and year-to-date depreciation values of $250k more than originally planned. A budget adjustment is proposed to recognise the expected position at 30 June 2025.

PROFIT AND LOSS ON SALE

Planned asset sales have been deferred, including the sale of a BOMAG compactor

with a budgeted profit on the sale of $349k, resulting in an overall projected profit on sale reduction of $469k. Additionally, the unplanned disposal of two assets is estimated to slightly increase the loss on the sale of assets by $62k.

As a result, a net adjustment to the profit/loss on the sale of assets of $530k is proposed.

CAPITAL EXPENDITURE

A combination of increased acquisition costs driven by market prices and transfers between operating and capital will result in a $668k additional capital expenditure. A necessary replacement of circuit breaker equipment for the RRF facility will be funded by a $150k transfer from operational budgets making no overall impact on MRC net position, while $204k required for a second Skid steer load, inadvertently missed from carry forwards will be funded from Capital reserve. One of MRC's operational vehicles requires early replacement, value expected for consideration and the budget required for replacement will see $10k as additional funding. Information technology upgrades and acquisitions will require additional funding of $12k for CCTV, $62k for weighbridge DC hardware and $75k for council meetings audio equipment. Overall $527k is to be funded from surplus.

TRANSFER TO/FROM RESERVES (RESTRICTED ASSETS)

Capital reserve balance was originally budgeted at $3.6m. That is however an insufficient level to what is required by MRC in the longer term and specifically pre-closure. Deferred asset sales and increased capital expenditure will see the estimated year end capital reserve balance still at $4.2m. To bring this specific reserve more in line with its upcoming capital program obligations it is proposed to transfer $6m from surplus bringing its balance to $10.2m by the end of this financial year. The proposed budget adjustment is to transfer an additional $6m into the Capital reserve, with further funds to be allocated in the 2025/2026 budget. This will ensure there is sufficient funding available to fund the critical capital program in the following year.

FUNDING SURPLUS (DEFICIT)

Mindarie Regional Council's projected net operating surplus will increase by $1.6m. After considering the variances, projections and budget movements in the attached budget review, the net closing position will become $41.3m.

Following the completion of the budget review and to consider the impact of estimated projections at 30 June 2025, some items have been identified as requiring a budget amendment. The budget adjustments have been included in the officer recommendation.

Consultation Member Councils in relation to tonnage forecast for the remainder of the 2024/25 financial year.

Legal and Policy Compliance This review is required to comply with regulation 33A of Local Government (Financial Management) Regulations 1996. The Budget Review is to be lodged with the Department of Local Government, Sport and Cultural Industries within 14 days of adoption.

Section 6.8(1) (b) of the Local Government Act 1995 sets out a local government is not to incur expenditure for an additional purpose (where no estimate has been included in the annual budget) prior to being authorised in advance by an absolute majority of Council. For compliance with LGA S6.8, a separate resolution to the budget review should be passed for amendments to the budget.

Financial Implications The significant financial implications have been detailed in the body of this report. Authorisation of expenditure through budget amendments recommended.

Risk Management Implications

Risk Impact Category	Register Reference	Risk Description	Level of Risk	Risk Mitigation
Financial	STRAT-15	Local Government Act 1995, Council is required to formally adopt the Annual Budget	Low	Adoption of Budget review Prudent financial management
Natural Environment		N/A		
Health and Safety	STRAT-10	Fail to provide for WHS Training and PPE.	Low	Adoption of Budget review
Compliance	COR-08	*Local Government (Financial Management) Regulations 1996*	Low	Adoption of Budget review
Reputation				
Operational Efficiency	COR-03 COR-04	Organisation is not financially viable or sustainable into the future.	Low	Adoption of Budget review

Strategic Alignment
The 2024/25 budget review has been developed having regard for the objectives and actions outlined in the MRC's integrated planning and reporting documents adopted by Council.

Comment Nil

9.4 Odour Management Report (Update)

MOTION
That Council notes this report.
Moved: Cr Miles|Seconded: Cr Wright

PROPOSED AMENDMENT
Moved: Cr Fishwick|Seconded: Cr May
Amendment
Add a new point 2 to read

2 REQUESTS the MRC CEO to investigate options to expedite the closure of the MRC landfill in an orderly and timely manner and provide a report back at a future MRC Council meeting.

Reason for Amendment:
The addition of Clause 2 strengthens the MRC's commitment to proactively addressing odour concerns associated with the Tamala Park landfill by investigating options to expedite its timely and orderly closure. This approach aligns with the positions already adopted by the Catalina Regional Council and the City of Joondalup, ensuring a unified regional strategy in addressing the environmental and community impacts of landfill operations.

Lost - 3/8
For: Cr May, Cr Fishwick, Cr Gobbert
Against: Cr Proud, Cr Vernon, Cr Mack, Cr Creado, Cr Hatton, Cr Xamon, Cr Miles, Cr Wright

THE AMENDMENT WAS LOST.

SUBSTANTIVE MOTION
That Council notes this report.

Moved: Cr Miles |Seconded: Cr Wright
RESOLVED
That the Recommendation be adopted.

Carried - 11/0
For: *Cr Proud, Cr Vernon, Cr Mack, Cr May, Cr Fishwick, Cr Gobbert, Cr Creado, Cr Hatton, Cr Xamon, Cr Miles, Cr Wright*
Against: *None*

MEETING NOTE:
Cr Miles requested that responses from the regulator are noted in the report.

File No.	GF-25-0000069
Voting Requirement:	Simple Majority
Responsible Officer:	Chief Executive Officer
Attachment (s)	None

Report Purpose

At the December 2024 MRC Ordinary Council Meeting (OCM), the CEO presented a report on odour management at Tamala Park which was endorsed by council.

Council requested that '*the CEO bring a further report to the next OCM (February 2025) providing an update on odour management at Tamala Park, including details of MRC's compliant with the Environmental Protection Notice dated 28 November 2024.'*

This report has been prepared in response to that request.

Background

As detailed in the report provided to Council at the December 2024 OCM, Tamala Park (which is one of Western Australia's largest waste management facilities) has – in the past 18 or-so months – experienced increased numbers of complaints about odour from residents who live near the boundary of Tamala Park which are unusual in the context of the site's operational history. Prior to June 2022, it was expected

that MRC would receive zero, one or two odour complaints from nearby residents per month.

This increase in complaints has resulted in higher interest in MRC as an organisation from the community, stakeholders, regulators, government agencies and the media.

Further to the report provided to Council at the December 2024 OCM, this report seeks to update councillors on odour management matters at Tamala Park and – in particular – MRC's progress against the items listed in the Environmental Protection Notice issued to MRC by the WA Department of Water and Environmental Regulation (DWER) on 28 November 2024.

Detail

DWER Environmental Protection Notice

On Thursday 28 November, MRC received an Environmental Protection Notice (EPN/the notice) from the WA Department of Water and Environmental Regulation (DWER). This notice was issued - in DWER's words – *'to ensure MRC addresses the odour emissions from the Tamala Park premises and the impact they are having on the community and investigates any increased risks to groundwater caused by elevated leachate levels in the landfill site.'*

The EPN was issued in relation to increased community concern over odours from the Tamala Park waste management facility and was as a result of several weeks of collaboration and information sharing between DWER and MRC, including a number of meetings and site visits.

MRC has publicly welcomed the EPN and is confident that the steps outlined by DWER are practicable and realistic. Many of the items listed in the EPN were and are already being actioned by MRC.

The 11 points listed in the EPN are detailed below, alongside the progress which MRC has made towards completing them.

#	Item	Status	DWER Response
1	*The Person to whom this Notice is given must, within 28 days of this Notice being given, provide to the CEO for approval, a plan to manage leachate volumes on the Premises. The plan must identify: a) The volume of leachate currently held at the premises and the methodologies used to arrive*	Completed 10 January 2025	DWER acknowledged receipt of the information provided by MRC on 10 January 2025. An informal response was provided by DWER on 7 February 2025 indicating the regulator required additional information on odour

#	Item	Status	DWER Response
	at the volume. *b) The chemical characteristics of the leachate.* *c) A detailed methodology including times, dates and meteorological conditions under which any process involving leachate may be undertaken.* *d) The measures that will be taken to ensure that implementation of the plan does not cause odour emissions outside the premise boundary.* *e) Details of the monitoring that will be undertaken to assess the effectiveness of controls in preventing odour emissions outside the premises boundary.* *f) Records relating to the monitoring must be provided to the CEO every 14 days post implementation of the approved plan*		monitoring and requested a meeting. That meeting was held on 11 February 2025, followed by a site visit by DWER on 21 February 2025. MRC provided a formal response to DWER on 25 February 2025. DWER has acknowledged receipt of the information provided but has provided no further formal response.
2	*The Person to whom this Notice is given must within 7 days of this Notice being given, provide and thereafter maintain additional cover on any areas of the landfill where leachate seepage is visible, to minimise odour emissions from areas where leachate seepage has occurred.*	Completed 9 December 2024	DWER acknowledged receipt of the information provided by MRC on 9 December 2024 but has provided no further formal response.
3	*The Person to whom this Notice is given must within 30 days of this Notice being given:* *a) Inspect the integrity of any areas of the landfill with final capping for visible defects such as cracks which may allow for uncontrolled emissions landfill gas.* *b) Identify remedial action which can be taken to mitigate uncontrolled emissions of landfill gas resulting from any defects.*	Completed 14 January 2025	DWER acknowledged receipt of the information provided by MRC on 14 January 2025 but has provided no further formal response.

#	Item	Status	DWER Response
	c) Provide a report for the CEO's approval on the findings of the inspections, details of any remedial measures recommended and a timescale for the implementation of any recommendations. *d) Implemented the recommendations once they are approved by the CEO.*		
4	*The Person to whom this Notice is given must, within 21 days of this Notice being given, provide to the CEO a review of the landfill gas (LFG) collection and management system, in the form of a report, to ensure it is appropriately optimised and working effectively to maximise gas collection. The report must contain:* *a) A map identifying the operational and non-operational wells.* *b) Details on the physical condition of each element of the collection and management system including collections wells, condensate traps, gas flare and gas engines.* *c) A maintenance schedule outlining any maintenance required for any element of the landfill gas collection and management system to ensure the on-going effectiveness of the system*	Completed 16 December 2024	DWER acknowledged receipt of the information provided by MRC on 16 December 2024 but has provided no further formal response.
5	*The Person to whom this Notice is given must, within 60 days of this Notice being given, submit a report to the CEO that contains a review of the existing landfill gas collection and management system to assess whether* *it is sufficient to control*	Completed 26 February 2025	DWER acknowledged receipt of the information provided by MRC on 26 February 2025 but has provided no further formal response.

#	Item	Status	DWER Response
	emissions of landfill gas to prevent them causing odour impacts on receptors outside of the Premises. The review must: *a) Be undertaken by a suitably qualified landfill gas consultant;* *b) Detail the operational landfill gas infrastructure in each landfill stage;* *c) Identify the current landfill gas volumes being generated from each stage of the landfill, the collection and management capacity of the current system of each landfill stage and the estimated future gas generating potential of each landfill stage.* *d) Provide information to support the identification and estimation of landfill gas volumes required in c);* *e) Identify any necessary improvements including landfill gas collection and management infrastructure to prevent odour impacts outside the Premises as a result of landfill gas emissions with a timescale for completion of the recommended improvements.*		
6	*The Person to whom this Notice is given must implement the recommended improvements identified under requirement 5e) in accordance with a direction to do so by the CEO.*	Ongoing Awaiting reply of item 5	
7	*The Person to whom this Notice is given must install a pilot scale leachate treatment unit (leachate treatment unit) by the end of February 2025 and trial its effectiveness at treating leachate generated on the site for disposal to sewer, (Mindarie Regional Council, May 2024). At least 14*	Completed 23 January 2025	DWER acknowledged receipt of the information provided by MRC on 23 January 2025 but has provided no further formal response.

#	Item	Status	DWER Response
	days prior to installation of the leachate treatment unit, the following information must be submitted to the CEO: *for a period of up to 12 weeks as detailed in the Critical Infrastructure Plan entitled, "Critical Infrastructure Plan CIP, Mindarie Regional Council"* *a) The detailed specification of the leachate treatment unit;* *b) The proposed location of the leachate treatment unit;* *c) Details of how odour emissions from the construction and operation of the leachate treatment will be mitigated during the trial;* *d) Criteria by which the effectiveness of the trial will be measured.*		
8	*The Person to whom this Notice is given must, within 28 days of the completion of the trial in requirement 7, submit to the CEO a report that documents and provides evidence of the effectiveness of the trial against the trial criteria.*	Ongoing Awaiting completion of item 7 (a 3-month trial)	
9	*The Person to whom this Notice is given must, if directed to do so by the CEO to further mitigate the impact of odour emissions from the Premises on the local community and only if the CEO has afforded Mindarie Regional Council an opportunity in writing of not less than 7 days to show cause why a direction should not be made, take further action to manage odour emissions on the site in accordance with the CEO's direction.*	No action currently required	

#	Item	Status	DWER Response
10	*The Person to whom this Notice is given must, within 60 days of this Notice being given, provide a groundwater risk assessment that assesses the risk to groundwater from elevated leachate heads within the site. The groundwater risk assessment must:* *a) Be undertaken by a contaminated sites auditor;* *b) Include an update to the Mandatory Auditors Report (MAR) that includes specific discussion around the risk to groundwater from elevated leachate head, including a review of the historic MAR data, with a specific focus on potential trends in leachate head and plume characteristics.* *c) Assess the likely risks to groundwater quality from any increased risk of seepage through the landfill liner.* *d) Include recommended actions to mitigate any assessed increased risk to groundwater and a proposed timeline for implementing the recommendations.*	Ongoing. Item 10 points a, c and d have been completed. A request for an extension for point b has been granted by DWER. Document now due to DWER on 10 April 2025.	
11	*The CEO may vary the requirements of this Notice, including the specified requirements and timeframes where they consider sufficient justification has been provided, and it can be demonstrated that such variation will not result in an unacceptable risk to human health, the environment or any environmental value.*	Seeking extension to EPN item 10 to allow time for the Mandatory Auditors Report to be updated	Formal response provided by DWER on 12 February 2025 granting extension to EPN item 10 (now 10 April 2025)

The progress made by MRC against the items in the EPN has been published on the MRC website, by way of informing the community.

Leachate evaporation

As noted in the previous odour management report provided to Council at the December 2024 OCM, while MRC is confident that the items required in the EPN are practicable (as evidenced by the progress against them so far), it does not allow for the recommencing of leachate evaporation.

As Council is aware, leachate evaporation has been the only method by which MRC has been able to manage levels of leachate on site to date and this has been done for many years as part of MRC's licence.

While the provision to evaporate leachate within MRC's licence still remains, DWER has made clear that it will not permit MRC to operate existing evaporation infrastructure or build new evaporation infrastructure without a formal approval.

In the past, MRC has carried out evaporation (and created the necessary temporary infrastructure on the uncapped landfill portion) without a formal approval process (such as a Works Approval or Licence Amendment).

The constraints placed upon MRC by the regulator by preventing the evaporation of leachate remain challenging in the administration's desire to further reduce odour levels and keep them at levels which, historically, have largely been considered acceptable for the type and size of the Tamala Park landfill, and – in the main – have not attracted large numbers of complaints.

Evaporation of leachate delivers many benefits; including reducing the risk of damage to landfill gas extraction infrastructure; preventing flooding and waterlogging of the landfill surface during winter and controlling the amount of leachate in the landfill mass.

MRC has made a formal request to the regulator (DWER) to recommence evaporation at Tamala Park as part of its response to item number 1 of the EPN. The administration is currently awaiting a response to this request.

Site preparation for winter

As detailed in the previous report to council at the December 2024 OCM, although the odours identified within the community surrounding Tamala Park have – in the main – been found to come from landfill gas (produced by the breakdown of waste within the landfill mass), during the winter of 2024, odours were significantly exacerbated by wet weather conditions.

Between June and August the Perth metro area experienced 62 rain-affected days – the most since the winter of 1996 (Australian Bureau of Meteorology/ABC News). This resulted in unusually wet conditions on the landfill, including large areas of standing water and a saturated top of the landfill waste layers. In turn, this created a connected system of waste layers, rehydrated waste within the top part of the landfill which would otherwise have remained dry, increased the total surface area of the waste within the system and created a highly odorous 'mud', smells from which rose to the surface during compaction and under the weight of heavy machinery.

While the conditions experienced in winter 2024 were exceptional, it is not unforeseeable that Tamala Park might face similar conditions in the future.

To avoid a similar situation arising, MRC has put a particular focus on preparing for the coming wet weather seasons in Autumn and Winter 2025 which will form the basis of future planning in years to come.

The actions which form part of planning for wet weather over winter are outlined below. These actions form the basis of the response by MRC to the relevant sections in the EPN – much of which was shared with (and discussed with) the regulator prior to the EPN being issued.

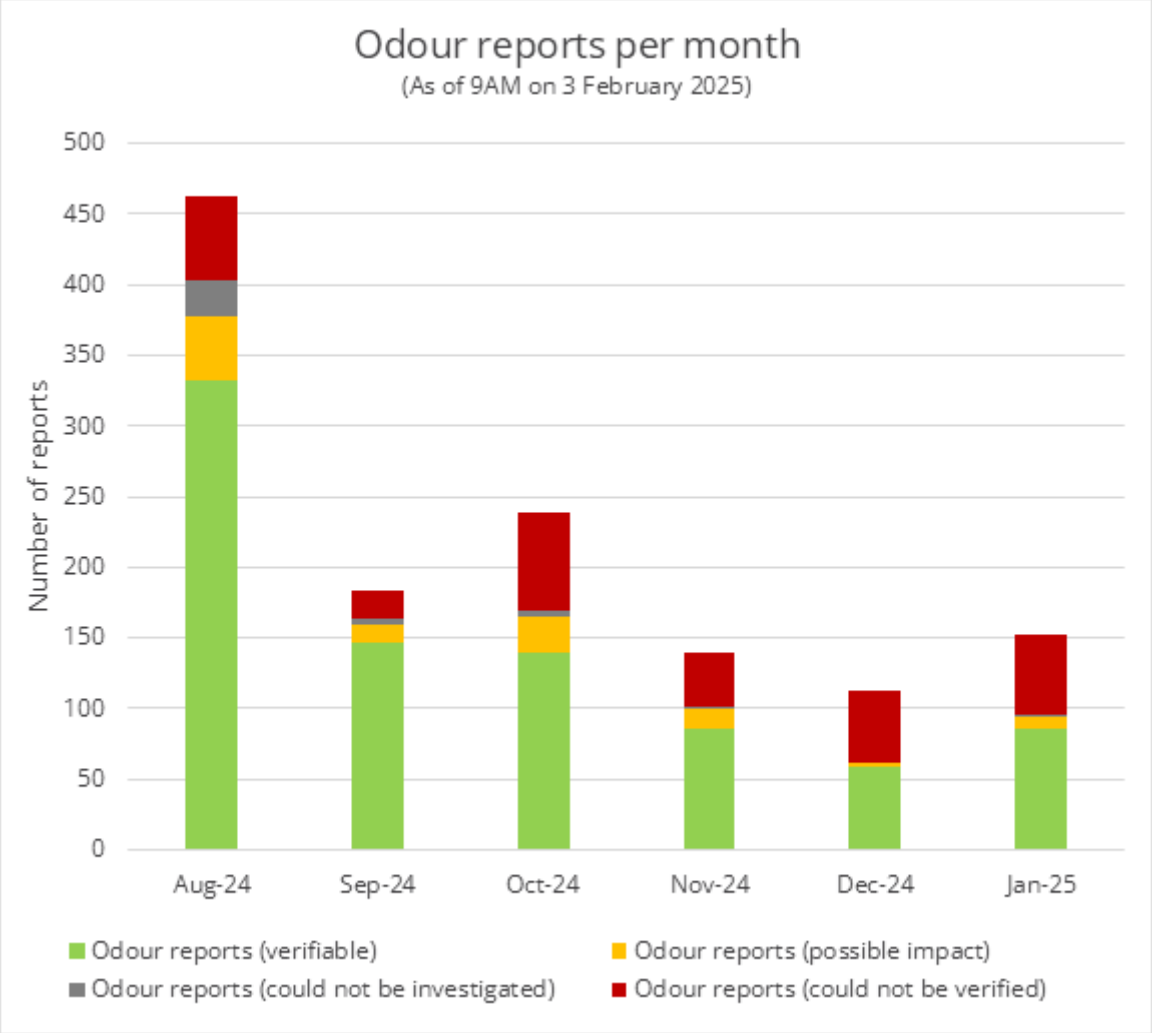
1. Shaping and profiling of temporary capped portions to drain rainwater away from the landfill surface and prevent water pooling and becoming leachate
2. Removal of leachate from the landfill surface, including draining of existing leachate ponds in line with EPN
3. Acceleration of existing plans for rainwater, leachate and landfill gas management infrastructure
4. Continue to improve operations for efficient use of odour suppressants, absorbents and additional cover associated with minimising odours from fresh waste (uncovered) during landfill operational hours

Odour reports from the community

MRC has continued to encourage the community to submit odour reports through the website in all instances where they are affected by smells from the Tamala Park site.

Since its peak in August 2024, the issue of odours affecting the local community has improved dramatically, as is illustrated by the number of reports which MRC has received since.

Odour report numbers for the previous six complete calendar months are shown below:



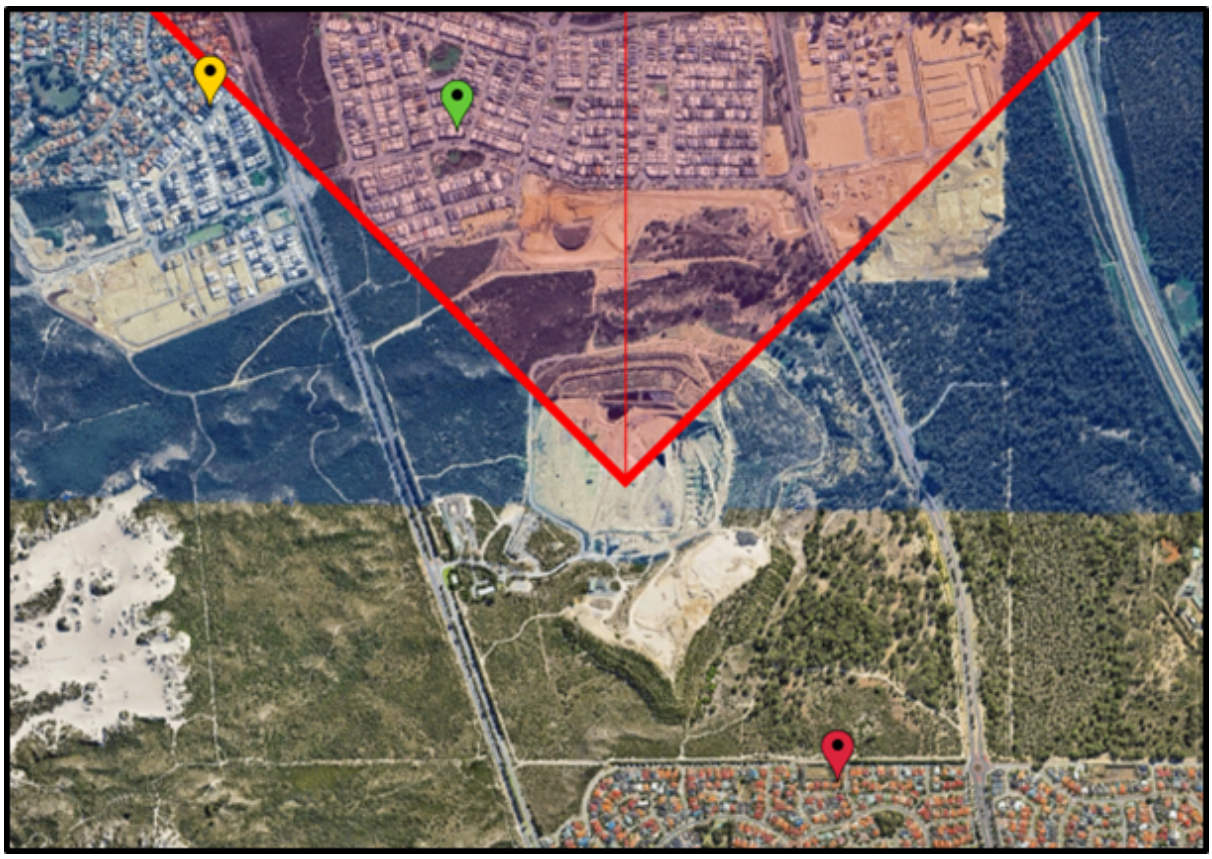
The methodology for classifying each odour report (as illustrated in the table above) is described below:

Odour reports (verifiable): The location and time of the report, specified by the resident, is checked against the wind direction at that time (data taken from the Tamala Park weather station). If the location of the complaint is found to have been downwind of Tamala park (within a 'cone' of 90 degrees in angle) then an odour impact on the resident is confirmed (verified).

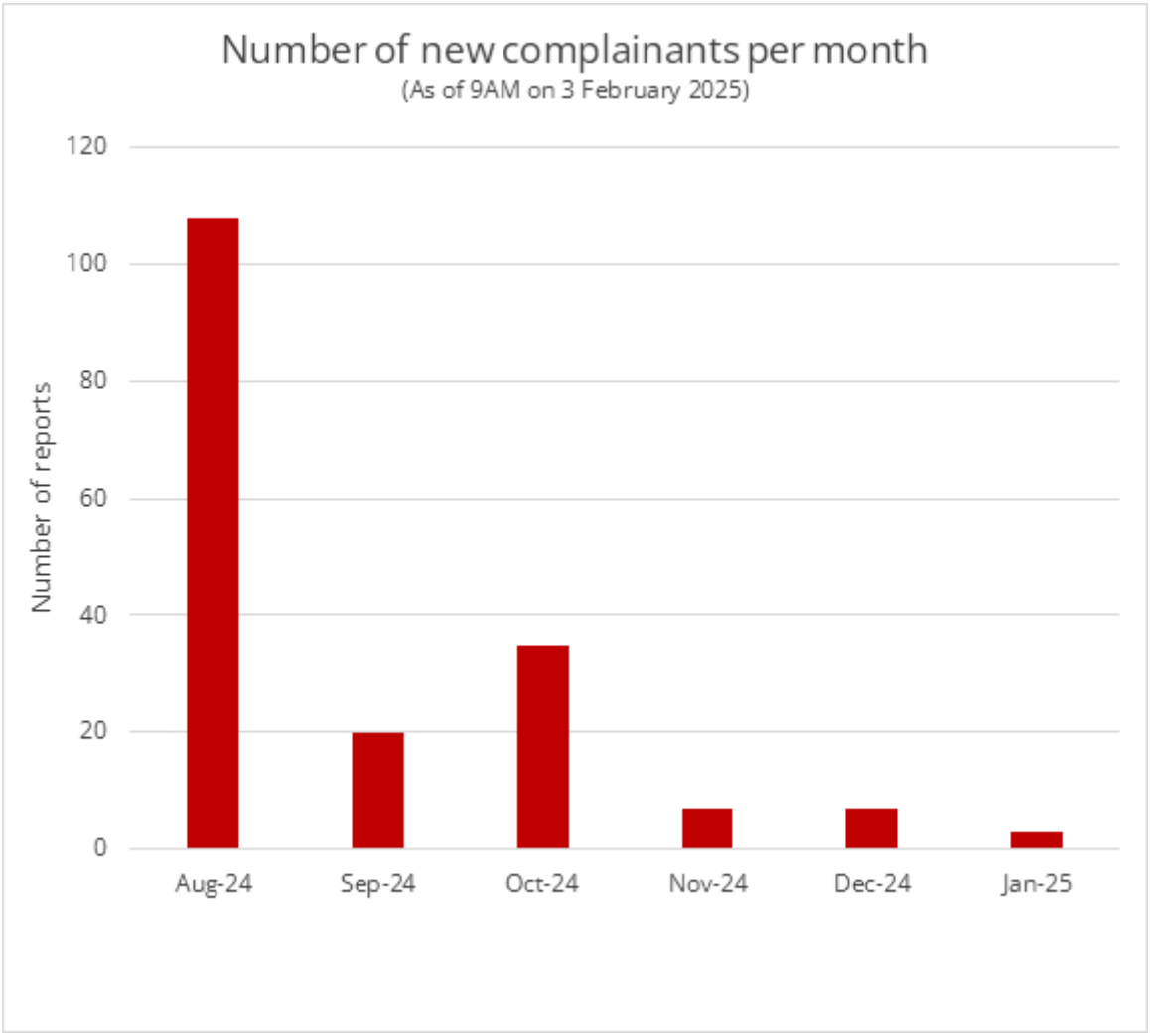
Odour reports (possible impact): If the resident has made multiple reports, or specified that the impact took place over a prolonged period and the location of their report is close to the 90 degree cone of wind direction, then a possible impact is registered.

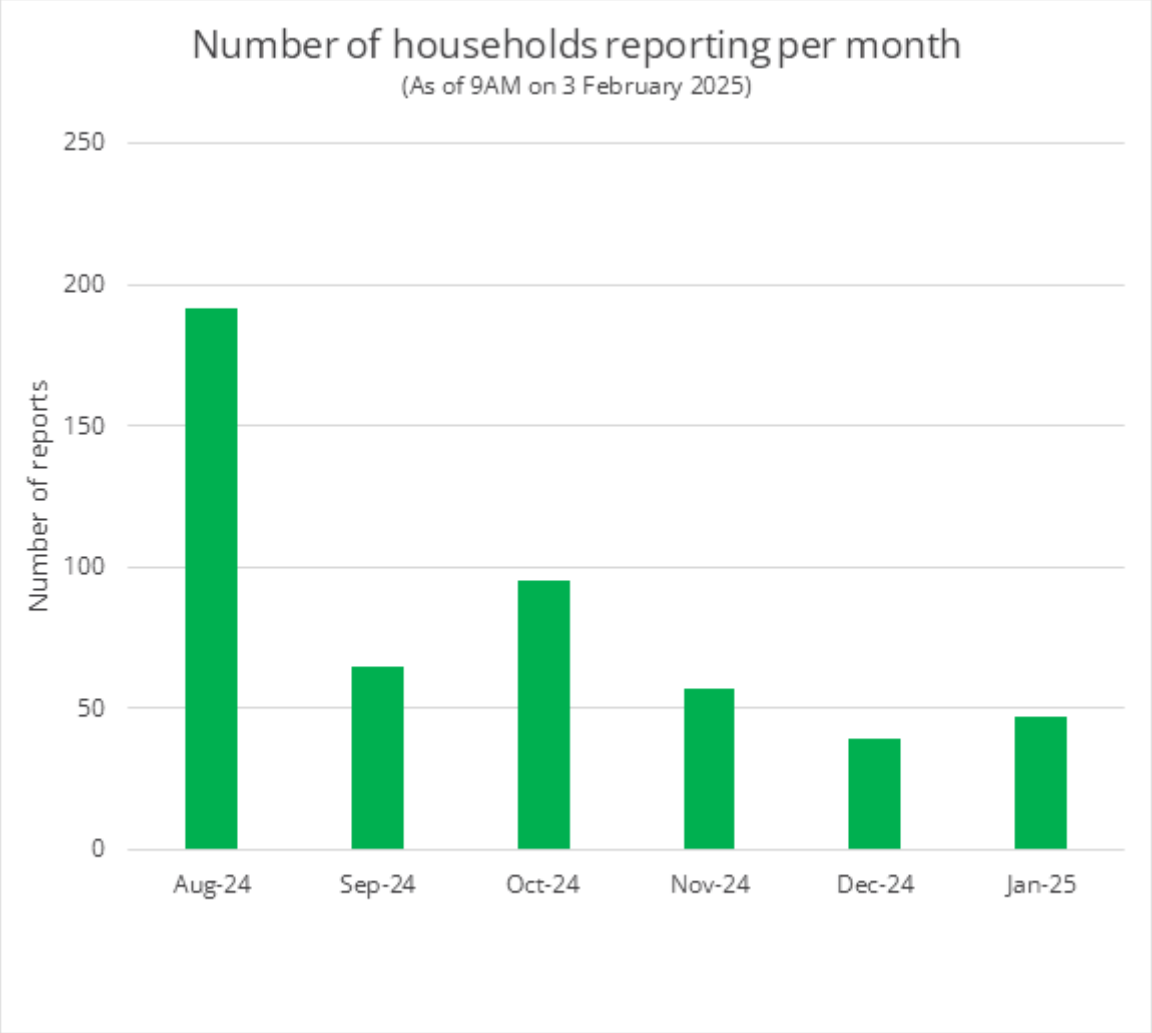
Odour reports (could not be investigated): If the resident does not include a location or time in their report, and does not respond to a request from MRC for this information, or refuses to provide that information, the report is noted, but cannot be investigated or verified.

Odour reports (could not be verified): If the report was made from a location which was not within the 90 degree wind direction cone at the time specified by the resident, then the report is registered as could not be verified.



Above: *Illustration showing a southerly wind and the 90 degree cone (red) used to verify odour impact on nearby residents. The green pin illustrates a verified impact; the amber pin a possible impact; and the red pin an impact which cannot be verified. (All pins placed at random – do not correspond to specific reports received by MRC)*


Number of new complainants per month
(As of 9AM on 3 February 2025)
Number of reports
120
100
80
60
40
20
0
Aug-24
Sep-24
Oct-24
Nov-24
Dec-24
Jan-25



Consultation

MRC has continued to work closely with the regulator (DWER) on the issue of odour impacts in the community and – in particular – the Environmental Protection Notice (EPN) issued on 28 November 2024. This has included regular correspondence with DWER and updates on progress against the EPN. This follows the collaborative approach MRC has sought to take on these matters.

MRC has also sought the best available information and guidance from third parties including other landfill operators, companies and prospective suppliers specialising in odour suppression technologies.

In particular, MRC has held high level communications with its external consultants as actions and responses to the EPN have been developed, implemented and reported to the regulator.

The MRC CEO has held discussions with member council councillors, member council administrations, member council CEOs and community members. This also included a presentation given to residents in October 2024 at an open meeting hosted by councillors from the City of Joondalup and the City of Wanneroo. The MRC CEO took and responded to questions thereafter.

Legal and Policy Compliance

MRC holds licence L9395/2023/1 under Part V of the Environmental Protection Act 1986.

MRC's Environmental Policy (EP 01) highlights MRC's commitment to pollution prevention strategies and compliance with legal and non-legal requirements.

Financial Implications

MRC has incurred additional cost, however, it has been able to manage those costs within the available budgets, the full impact will be assessed during MRC's mid-year budget review process.

Risk Management Implications

Risk Impact Category	Register Reference	Risk Description	Level of Risk	Risk Mitigation
Financial	STRAT-02	Loss of business	High	Site Management Plan Communications Plan
Natural Environment	STRAT-02	Site licensing impact	High	Site Management Plan
Health and Safety		N/A		
Compliance	STRAT-09	Fail to comply with DWER license conditions	High	Site Management Plan Internal audits
Reputation	STRAT-02	Failing to meet community expectations, negative media interest.	High	Communications Plan Odour Management Key Stakeholder Working Group

Risk Impact Category	Register Reference	Risk Description	Level of Risk	Risk Mitigation
Operational Efficiency	STRAT-02	Increase in complaints	High	Site Management Plan

Strategic Alignment

Strategic Community Plan Objectives	
Objectives	Strategies
1: Deliver best practice services	1.1 Operate waste management activities effectively

Comment

As identified in the previous report given to council at the December 2024 OCM, the administration is confident that – given the clear trend illustrated by the numbers of odour complaints received in the preceding months – the issue of odour impact on the community has greatly reduced from its worst during winter last year.

Furthermore, MRC is now better equipped than it has been previously to further minimise odours from the site which might be experienced by the community. As before, all work (and potential work) at Tamala Park is conducted with potential odour impacts as the key consideration.

The administration remains of the view that, based upon comprehensive investigations, both by MRC and by independent consultants, landfill gas egress from the operational area of the landfill is the primary cause of odour impact in the community. This is why much of MRC's focus has been – and will remain – on restoration, improvement and supplementation of landfill gas capture infrastructure throughout the landfill mass.

However, the administration will continue to explore ways to eliminate aggravating factors which might increase odour impact – such as the negative effects of extreme wet weather which is being addressed through plans for wet weather currently in progress.

The progress which has been made against the Environmental Protection Notice (DWER), and that MRC is on target to meet each item by the deadlines agreed with the regulator, confirms the belief set out in the previous odour management report that the requirements of the EPN are 'realistic, practicable and achievable.'

MRC continues to impress upon the regulator the importance of being allowed to recommence evaporation of leachate for the reasons outlined in this report and is

still awaiting a response from DWER on this matter. It is of significant concern that, with winter only a few short months away, MRC is still no closer to receiving an answer to this point than it was four months ago, when the matter was first raised with DWER.

Aside from implications for odour management, if the question over returning to leachate evaporation on site remains unanswered it may be that the administration's planned schedule of works to finish the landfill in line with its license could be significantly delayed, to the detriment of member councils.

While MRC is satisfied with the progress being made to return the level of odour experienced by the community to levels which have historically been considered acceptable, given the level of encroachment Tamala Park has experienced from residential development and the close proximity of homes to the active tip face, the administration considers it highly unlikely that odour impacts can be eliminated entirely during Tamala Park's operational life.

9.5 Offsite Leachate Disposal Feasibility

RESPONSIBLE OFFICERS RECOMMENDATION
That Council:
Note the details provided in the report and Confidential Attachments

Moved: Cr Vernon |Seconded: Cr Hatton
RESOLVED
That the Recommendation be adopted.

Carried - 11/0
For: *Cr Proud, Cr Vernon, Cr Mack, Cr May, Cr Fishwick, Cr Gobbert, Cr Creado, Cr Hatton, Cr Xamon, Cr Miles, Cr Wright*
Against: *None*

File No.	GF-23-0000142
Voting Requirement:	Simple Majority
Responsible Officer:	
Attachment (s)	1. Attachment 1 2. Attachment 2 3. Attachment 3

Report Purpose
This report seeks to inform Council on the options available for leachate

management and specifically offsite disposal of landfill leachate outside of the Perth metropolitan area.

Background

Leachate is the term used to describe the liquids produced inside landfills. The generation of leachate is caused principally by precipitation percolating through waste deposited in a landfill. Once in contact with decomposing solid waste, the percolating water becomes contaminated.

Tamala Park has, since first opening, utilised evaporation as its single source of leachate disposal. Evaporation is the prime source of leachate management at all landfills in Western Australia (WA). In response to overall odour, MRC temporarily paused evaporation. However, this had an unintended negative impact on odour management due to the exceptionally wet weather conditions during the winter of 2024, which exacerbated the issue. Since then, MRC has been actively exploring leachate disposal options.

At the Ordinary Council meeting held on 26 September 2024, Council resolved the following:

That the Council REQUESTS the Chief Executive Officer to prepare a report, to be brought back to the next MRC Ordinary Council meeting, on:
1. The nearest offsite disposal points for the landfill leachate that is produced.
2. A cost estimate for the necessary landfill infrastructure to facilitate a truck and haul solution for the landfill leachate.
3. A cost estimate for a truck and haul solution to remove the landfill leachate being produced.'

Following the Council resolution of 26 September 2024, MRC conducted an investigation into leachate disposal options inside the Perth Metropolitan area, a report was brought to Council on 28 November 2024 to consider the MRC's findings; at this meeting Council resolved the following:

That Council:
1. Note the details provided in the report and Confidential Attachment to item 9.6.
2. The CEO be requested to submit a report to the first meeting of the Council in 2025 dealing with investigating options for the disposal of leachate outside the metropolitan area that may result in a more cost-effective overall solution for managing its disposal.

In line with the Council resolution of 28 November 2024, an investigation into disposal options for leachate outside the Perth metropolitan area commenced, this report informs Council of the outcome of the latest investigation for leachate disposal options.

Detail
MRC engaged an independent consultant to carry out an investigation into disposal options outside the Perth metropolitan area. The report and associated documents can be found in the confidential attachments.

The independent consultant's report, detailed in the confidential attachment, concludes that after taking into account, cost, sustainability and operational feasibility, an onsite leachate solution remains the most viable option. Page 3 of the consultant's confidential report provides the detail on potential costs and timescales of the options investigated.

Consultation
Talis consultants were engaged to investigate offsite leachate disposal providers outside the Perth metropolitan area.

Legal and Policy Compliance
MRC holds licence L9395/2023/1 under Part V of the Environmental Protection Act 1986 (EP Act).

Financial Implications
There is no impact on the 2024/2025 budget for offsite leachate disposal, if required it will be considered as part of future budgeting process.

Risk Management Implications

Risk Impact Category	Register Reference	Risk Description	Level of Risk	Risk Mitigation
Financial		Nil		
Natural Environment	OPS-02	Increased pressure on liner from increased leachate volumes at base of landfill.	High	Treat the risk by exploring leachate disposal solutions and obtain approval from the Regulator to implement the solutions
Health and Safety		Nil		
Compliance	OPS-02 STRAT-09	Potential for a pollution event to occur (leachate escape to the environment) which would breach	High	Treat the risk by exploring leachate disposal solutions and obtain approval from the Regulator to implement the solutions

Risk Impact Category	Register Reference	Risk Description	Level of Risk	Risk Mitigation
		the Environmental Protection Act 1986.		
Reputation	OPS-02	Listed as contaminated	High	Treat the risk by obtaining approval from the regulator to to dispose of leachate on site
Operational Efficiency		Nil		

Strategic Alignment

Strategic Community Plan Objectives	
Objectives	**Strategies**
1: Deliver best practice services	1.1 Operate waste management activities effectively
3: Deliver best practice governance processes and structures	3.3 Retain financial sustainability with a commercial focus

Comment

Given both the costs involved and the timescales highlighted in the investigation conducted, the independent consultants confirm that there are no viable sites that can accept leachate from the Tamala Park Waste Facility. Therefore, MRC does not support offsite leachate disposal.

MRC continues to advocate for an onsite leachate treatment solution as detailed in its report to Council on 28 November 2024.

MRC is currently awaiting the outcome of a formal request to the regulator (Department of Water and Environmental Regulation) to recommence evaporation at Tamala Park to manage the volumes currently contained within the site.

9.6 Communications Plan

RESPONSIBLE OFFICERS RECOMMENDATION
That Council: Endorse this report and its attachment.

Moved: Cr Vernon |Seconded: Cr Miles
RESOLVED
That the Recommendation be adopted.

Carried - 11/0
For: *Cr Proud, Cr Vernon, Cr Mack, Cr May, Cr Fishwick, Cr Gobbert, Cr Creado, Cr Hatton, Cr Xamon, Cr Miles, Cr Wright*
Against: *None*

File No.	GF-24-0000334
Voting Requirement:	Simple Majority
Responsible Officer:	Chief Executive Officer
Attachment (s)	1. Draft Communications Plan - 2025

Report Purpose

As part of the strategy listed in the *Corporate Business Plan*, to '*Promote the organisation's profile with external stakeholders' (Objective 1 – Deliver best practice services)*, Mindarie Regional Council (MRC) has set out to formalise its neighbourhood stakeholder engagement.

Simultaneously, the C*EO Key Performance Indicators (KPIs)* requires the development of a *Communications Plan (KPI 5)* which will '*formalise stakeholder engagement strategies into a communications plan',* and set out methodologies for '*provid(ing) regular key issue updates to councillors at least once per calendar month'.*

The attachment to this report *(draft MRC Communications Plan)* addresses these requirements, among other strategies by which MRC can promote its profile with external stakeholders.

Background

The M*RC Corporate Business Plan 2023/27* was adopted by Council at its Ordinary Council Meeting (OCM) held on 22 June 2023. The strategies from which the attached draft Communication Plan derives were also agreed by Council at that meeting.

The CEO KPIs were set down by Council at its December 2024 OCM.

MRC employed a Communications Specialist in August 2024 to support the organisation's agreed strategy and to ensure its activities are effectively communicated to a variety of stakeholders. The Communications Specialist role has been implemented to assist the MRC to improve, protect and promote its profile with external stakeholders.

Detail

Please see the attached draft MRC Communications Plan.

Consultation

Nil.

Legal and Policy Compliance

MRC is subject to the Local Government Act 1995, which – under section 2.8 (1) (b), states: 'the mayor or president' (in the case of MRC, the Chair) 'acts as the principal spokesperson for the local government'. Further to this, under section 5.41(4) (b) of the Local Government Act 1995, it is specified that: 'the CEO speaks on behalf of the local government if the mayor or president agrees.' In the case of MRC, agreement would be given by the Chair.

MRC Policy CP 22 (MRC Councillors' Communications Policy) sets out that only the Chair of MRC or the CEO (with authorisation from the Chair) may speak on the council's behalf and that when speaking to the media as a spokesperson, the Chair may only represent the official view of MRC, having regard to the Local Government (Model Code of Conduct) Regulations 2021.

Financial Implications

Nil.

Risk Management Implications

Risk Impact Category	Register Reference	Risk Description	Level of Risk	Risk Mitigation
Financial	STRAT-14	Unmanaged communication crisis resulting in loss of reputation could incur financial costs	Low	Endorse the communications plan
Natural Environment		Nil		
Health and Safety		Nil		
Compliance		Nil		
Reputation	STRAT-01	Failing to meet community expectations	Medium	Endorse the communications plan
Operational Efficiency	STRAT-14	Inability to maintain relationships with contractor	Low	Endorse the communications plan

Strategic Alignment

Strategic Community Plan Objectives	
Objectives	**Strategies**
1: Deliver best practice services	1.4 Promote the organisation's profile with external stakeholders

Comment

Over the past 18 months, MRC's public profile has grown exponentially as external stakeholders, key opinion formers and the general public have taken a greater interest in the issue of odour impacts on the community from the Tamala Park site.

Although the review and improvement of MRC's public-facing communications was a matter which the administration had already planned for prior to the emergence of the odour issue, this fact has made the need to improve and formalise MRC's communications strategies all the more pertinent.

This Plan has been developed in alignment with the improvements which have already been made and will direct how MRC continues to communicate to its stakeholders into the future.

9.7 Compliance Audit Return 2024

RESPONSIBLE OFFICERS RECOMMENDATION
That Council:

1. adopt the Local Government Compliance Audit Return in the form approved by the Minister for the period 1 January to 31 December 2024, as contained within the Attachment, in accordance with the provisions of *Regulation 14(3) of the Local Government (Audit) Regulations 1996* and in line with the recommendation from the Audit and Risk Committee;
2. authorise the Chairperson and the Chief Executive Officer to complete the Joint Certification contained in the adopted Return detailed in (1) above; and
3. authorise the Chief Executive Officer to submit the adopted Return detailed in (1) to the Director General, Department of Local Government.

Moved: Cr Wright |Seconded: Cr Miles
RESOLVED
That the Recommendation be adopted.

Carried - 11/0
For: *Cr Proud, Cr Vernon, Cr Mack, Cr May, Cr Fishwick, Cr Gobbert, Cr Creado, Cr Hatton, Cr Xamon, Cr Miles, Cr Wright*
Against: *None*

File No.	GF-24-0000191
Voting Requirement:	Simple Majority
Responsible Officer:	Chief Executive Officer
Attachment (s)	None

Report Purpose
The purpose of this report is to provide Council with information on the completed Compliance Audit Return (1 January 2024 to 31 December 2024).

Background
The Compliance Audit Return was placed on the agenda for the Audit and Risk Committee meeting held on 17 February 2025.
The Audit and Risk Committee considered the Return and resolved the following:

RESPONSIBLE OFFICER RECOMMENDATION:
That the Audit and Risk Committee recommends that Council endorse the Compliance Audit return for the 2024 calendar year, as presented.
Moved Cr Ferrante, Seconded Cr Ferrante
RESOLVED
That the recommendation be adopted.- **CARRIED** - 3/0 - For: *Cr Ferrante, Cr Hatton, Cr Miles*
Against: None

The 2024 Local Government Compliance Audit Return (CAR) covers the calendar year from 1 January to 31 December 2024.

The Return should be lodged with the Department of Local Government before 31 March 2025.

The 2024 Compliance Audit Return is mandatory pursuant to the *Local Government (Audit) Regulations 1996* which requires all local governments to complete a Compliance Audit Return annually.

Local governments not only have to explain or qualify cases of non-compliance, but also provide details of any remedial action taken or proposed to be taken in regard to instances of non-compliance. The Administration has completed the Return.

The Local Government is to submit the Compliance Audit Return to its Audit and Risk Committee for consideration so that it has the opportunity to examine the Return and report to council the results of that review.

Detail
The Compliance Audit covers a range of matters that require specific actions to be completed by Local Government authorities in performing their functions.

The Compliance Audit Return requires the responsible officer to indicate against each item whether the required action is relevant to Mindarie Regional Council (MRC) and if it has been completed by either answering;
(a) Yes; or
(b) No; or
(c) N/A – Not applicable
Local Governments are required to provide feedback or comments on areas of non-compliance. This assists the Department of Local Government to have a better understanding of any problems or issues relating to a Local Government's inability to achieve full compliance in a particular area.

There were two areas of non-compliance noted in the 2024 Compliance Audit Return as follows:

1. Page 7 of the Compliance Audit Return

Question 5. Was an annual return in the prescribed form lodged by all relevant persons by 31.8.2024?
MRC Response: One Annual Return for a past employee was not returned.
MRC Comment: The Department was notified, the Department acknowledged the non-compliance and advised that and no further action is required.

2. Page 20 of the Compliance Audit Return
Question 1. Did the local government comply with its current purchasing policy, adopted under the Local Government (Functions and General) Reguations1996, regulations 11A(1) and (3) in relation to the supply of goods or services where the consideration under the contract was, or was expected to be, $250,000 or less, or worth $250,000 or less?
MRC Response: No
MRC Comment: Training has been put in place to rectify the knowledge gap.

The Compliance Audit Return for calendar year 2024 is shown in the attachment to this report.

A joint certification is required to be completed by the Chairperson and Chief Executive Officer to the effect that the information contained in the Return is true and correct to the best of their knowledge. Several other requirements must be met in the Return process and these include: -

- The particulars of all matters of concern raised by Council should be recorded in the minutes of the meeting and a copy of the relevant page(s) attached to the Compliance Audit Return as an appendix; and
- The completed Compliance Audit Return and appendices should be forwarded to the Director General of the Department of Local Government by 31 March 2025.

The Section dealing with the Joint Certification by the Chairperson and Chief Executive Officer requires inter alia that:

- each Councillor has had the opportunity to review the return and to make comment to the Council;
- particulars of any matters of concern relating to the return have been recorded in the minutes of the meeting; and
- a true and correct copy of the relevant sections of the minutes covering Council's consideration of the return must be attached to it.

Consultation
Nil
Legal and Policy Compliance
Local Government (Audit) Regulations 1996, regulation 14 and 15.
Financial Implications
Nil
Risk Management Implications

Risk Impact Category	Register Reference	Risk Description	Level of Risk	Risk Mitigation
Financial		Nil		
Natural Environment		Nil		
Health and Safety		Nil		
Compliance	COR-08	Not completing the Compliance Audit Return will result in non-compliance with MRC's statutory reporting obligations	Low	Treat the risk by submitting the attached CAR to the Department by 31 March 2025.
Reputation		Nil		
Operational Efficiency		Nil		

Strategic Alignment

Strategic Community Plan Objectives	
Objectives	Strategies
3: Deliver best practice governance processes and structures	3.1.2 Ensure compliance with all legislative probity, and regulatory requirements • Achieve 100% response rate for Compliance Audit Return

Comment
Nil

9.8 Corporate Business Plan Reporting

RESPONSIBLE OFFICERS RECOMMENDATION

That Council endorse the Corporate Business Plan progress report, as presented.

Moved: Cr Hatton |Seconded: Cr Vernon
RESOLVED
That the Recommendation be adopted.

Carried - 11/0
For: Cr Proud, Cr Vernon, Cr Mack, Cr May, Cr Fishwick, Cr Gobbert, Cr Creado, Cr Hatton, Cr Xamon, Cr Miles, Cr Wright
Against: None

File No.	**GF-24-0000087**
Voting Requirement:	Simple Majority
Responsible Officer:	Chief Executive Officer
Attachment (s)	1. CBP Progress Reporting 31.12.2024

Report Purpose
The purpose of this report is to provide Council a periodical reporting overview of the Corporate Business Plan performance, for endorsement. The Corporate Business Plan progress report was placed on the Agenda for the Audit and Risk Committee meeting held on 17 February 2025. The Committee considered the report and resolved the following:

That the Audit and Risk Committee recommends that Council:

Endorse the Corporate Business Plan progress report, as presented.
Moved Cr Hatton, seconded Cr Miles
RESOLVED
That the recommendation be adopted
(CARRIED UNANIMOUSLY 3/0)
For: Cr Hatton, Ferrante and Cr Miles
Against: Nil

The report provides information on achievements and performance against the milestones outlined in the MRC's 4-year Corporate Business Plan 2023-2027 (CBP). The CBP is the MRC's medium-term planning document which contains the services,

projects and activities which have been developed in response to the Vision, Mission and Objectives of the organisation's 10-year Strategic Community Plan 2023-2032.

Background

The MRC's CBP 2023-2027 (CBP) was adopted by Council at its meeting on 22 June 2023. The CBP is required to be reviewed every four years under the requirements of the *Local Government (Administration) Regulations 1996.*

On 27 April 2023 Council adopted the Strategic Community Plan 2023-2032 (SCP) providing the MRC with its long term strategy which informed the CBP together with the informing plans: Long Term Financial Plan, Asset Management Plan and Workforce Plan.

The CBP Strategic Objective 3.1.2, Ensure compliance with all legislative probity and regulatory requirements, requires the introduction of CBP periodical reporting to the Audit and Risk Committee.

Detail

The MRC Leadership Team completed a periodical review of the CBP at a meeting held on 30 January 2024. This review tracks the status of individual key actions to ensure activities are in progress to meet the planned timeframes.

Performance is ranked using the following-coloured traffic lights status:

Completed	Action completed, with no further action required.
In progress – on track	Action commenced and on track to be completed within timeframe.
In progress – belated	Action commenced and belated, risk of not meeting timeframe.
Not Commenced	Action due not commenced, risk of not meeting timeframe.
Not yet scheduled	Action not due for completion in the reporting period.

Please see attachment 1, which provides the full details of the CBP review at 31 December 2024.for completion

Consultation

Consultation with department managers regarding the status of projects and programs.

Legal and Policy Compliance

The SCP is a requirement of the Local Government Act 1995 and the Local

Government (Administration) Regulations 1996

Financial Implications

The CBP 2023-2027 details the services, projects and capital programs to be delivered, and is informed by the Long-Term Financial Plan and annual budgets covering the period of the plan.

Risk Management Implications

Risk Impact Category	Register Reference	Risk Description	Level of Risk	Risk Mitigation
Financial	STRAT-03	Not reviewing CBP will impact financial position	Moderate	Treat risk by monitoring and endorsing CBP
Natural Environment	STRAT-03	Not reviewing CBP may impact the environment	Low	Treat risk by monitoring and endorsing CBP
Health and Safety	STRAT-03	Not reviewing the CBP may impact Health and safety	Low	Treat risk by monitoring and endorsing CBP
Compliance	STRAT-03	Non compliance with LG Act	Low	Treat risk by monitoring and endorsing CBP
Reputation	STRAT-03	Negative public perception towards MRC	Low	Treat risk by monitoring and endorsing CBP
Operational Efficiency	STRAT-03	Delivery of best practice operations	Moderate	Treat risk by monitoring and endorsing CBP

Strategic Alignment

Strategic Community Plan Objectives	
Objectives	Strategies
3: Deliver best practice governance processes and structures	3.1 Maintain efficient and equitable governance *3.1.2 Ensure compliance with all legislative, probity, and regulatory requirements* *Introduce Corporate Business Plan periodical reporting to the Audit and Risk Committee*

Strategic Community Plan Objectives	
	• *Introduction Corporate Business Plan periodical reporting to the Audit and Risk Committee.*

Comment
Nil

10 MEMBERS INFORMATION BULLETIN

10.1 Members Information Bulletin No. 89

RESPONSIBLE OFFICERS RECOMMENDATION
That Council:
Receive the Members Information Bulletin No 89.

Moved: Cr May |Seconded: Cr Vernon
RESOLVED
That the Recommendation be adopted.

Carried - 11/0

For: *Cr Proud, Cr Vernon, Cr Mack, Cr May, Cr Fishwick, Cr Gobbert, Cr Creado, Cr Hatton, Cr Xamon, Cr Miles, Cr Wright*

Against: *None*

11 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

11.1 Motions of which Previous Notice has been given

Nil

12 URGENT BUSINESS

12.1 Urgent Business

Nil

13. QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

13.1 Questions by Members of which due notice has been given

Nil.

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

Note: Cr Paul Miles left the Council Chamber at 08.50 pm

Moved: Cr May|Seconded: Cr Vernon
Procedural Motion
In accordance with clause 10.1(h) of the Mindarie Regional Council Meeting Procedures Local Law 2020 and s5.23 of the *Local Government Act 1995*, I request that Council meet "**behind closed doors**" to allow the Council to consider items 14.1 as the items are of a confidential nature.

1. Permits the MRC Chief Executive Officer, MRC staff and Member Council Officers to remain in the meeting.

The meeting was moved into **Closed** session at 8.50 pm
CARRIED - 10/0
For: *Cr Proud, Cr Vernon, Cr Mack, Cr May, Cr Fishwick, Cr Gobbert, Cr Creado, Cr Hatton, Cr Xamon, Cr Wright*
Against: *None*

Note: Cr Christopher May left the Council Chamber at 08.51 pm

14.1 High Risk Register Review

RESPONSIBLE OFFICERS RECOMMENDATION
That Council notes the high risk register as presented.

Moved: Cr Wright |Seconded: Cr Gobbert
RESOLVED
That the Recommendation be adopted.

Carried - 9/0
For: *Cr Proud, Cr Vernon, Cr Mack, Cr Fishwick, Cr Gobbert, Cr Creado, Cr Hatton, Cr Xamon, Cr Wright*
Against: None

Moved: Cr Xamon|Seconded: Cr Creado
Cr Miles re-entered the Council Chamber at 8.54 pm

Procedural Motion
The meeting reopened from Closed session at 8.55 pm
CARRIED - 10/0
For: Cr Proud, Cr Vernon, Cr Mack, Cr Fishwick, Cr Gobbert, Cr Creado, Cr Hatton, Cr Xamon, Cr Miles, Cr Wright
Against: None

15 NEXT MEETING

15.1 Announcement of Next Council Meeting

Next meeting of Council is 24 April 2025 at the City of Wanneroo.

16 CLOSURE

16.1 Meeting Closure Time

The Chair closed the meeting at 8.55 pm and thanked the City of Joondalup for their hospitality and use of their meeting facilities.