



# MINUTES

## SPECIAL COUNCIL MEETING

TIME: 6.30 PM

02 April 2020

CITY OF STIRLING

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



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**1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS**

*Prior to the commencement of this meeting Council Members and other attendees attending electronically by Zoom had their Zoom connections tested and confirmed.*

*Prior to the meeting the Chair approved the type of room and place where the attendees were connecting into the meeting.*

The Chair welcomed Council Members, staff and officers to the meeting which was conducted both in person and by electronic means in accordance with the Local Government (Administration) Regulations 1996.

The Chair declared the meeting open at 6.35 pm.

**2 ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE**

**Councillor Attendance in Person**

Cr D Boothman, JP (Chair)	City of Stirling
Cr S Proud, JP	City of Stirling
Cr K Sargent	City of Stirling
Cr F Cvitan, JP	City of Wanneroo

The Chair asked Council Members to confirm that they are connected and in attendance, the following attendees confirmed:

**Councillor Attendance by electronic means - Zoom**

Cr A Jacob, JP	City of Joondalup
Cr R Fishwick, JP	City of Joondalup
Cr L Kosova	City of Perth
Cr J Ferrante	City of Stirling
Cr E Cole	City of Vincent
Cr D Newton, JP	City of Wanneroo
Cr K Shannon	Town of Cambridge
Cr K Vernon	Town of Victoria Park

**Apologies**

Nil

**Leave of Absence**

Nil

**Absent**

Nil

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**MRC Officers in Person**

Mr G Hoppe (Chief Executive Officer)  
Ms A Slater (Director Corporate Services)  
Ms D Toward (Executive Support)  
Mr R Vellios (IT Systems Engineer)

The CEO through the Chair noted Mindarie Regional Council Observers and Member Council Observers were connected and in attendance, the following attendees were present:

**Member Council Observers by electronic means Zoom**

Mr N Claassen (City of Joondalup)  
Mr C Kopec (City of Perth)  
Mr A Murphy (City of Vincent)  
Mr J Wong (Town of Victoria Park)  
Mr S Cairns (City of Wanneroo)  
Mr M Littleton (City of Stirling)  
Mr R Bryant (City of Stirling)  
Mr K Hincks (Town of Cambridge)

**MRC Observers by electronic means Zoom**

Mr A Griffiths  
Mr B Twine

**3 DECLARATION OF INTERESTS**

The Chair asked if Council Members or Officers had any conflicts of Interests to declare.

There were no declarations by Council Members or Officers.

**4 PUBLIC QUESTION TIME**

The Chair advised that Mindarie Regional Council as part of the Notice of Meeting had invited members of the public to submit their questions by email.

No public questions were received.

**5 ANNOUNCEMENTS BY THE PRESIDING PERSON**

The Chair announced that this was the MRC's first meeting by video conferencing using Zoom.

The Chair thanked those Councillors for attending in person and for the Councillors who had dialled in.

The Chair also thanked MRC Officers and Member Council Officers for dialling into the meeting as observers.

The Chair reminded Councillors and Officers attending the meeting by Zoom that there were a number of confidential items on the Agenda and as such they were to ensure that confidentiality was maintained at the place from which they were attending the meeting.

The Chair reminded attendees that any form of recording of the meeting is prohibited under the MRC Standing Orders.

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<b>6</b>	<b>CHIEF EXECUTIVE OFFICERS REPORT</b>
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<b>6.1 APPROVAL OF E-MEETING PROTOCOLS</b>	
<b>File No:</b>	<b>GF – 20 - 668</b>
<b>Attachments(s):</b>	<b>Nil</b>
<b>Date:</b>	<b>30 March 2020</b>
<b>Responsible Officer:</b>	<b>Chief Executive Officer</b>

#### **SUMMARY**

On 26 March 2020 the Local Government (Administration) Regulations 1996 were amended to allow for Local Government Council meetings to be conducted by electronic means in a natural disaster, public health emergency or state of emergency.

#### **BACKGROUND**

In response to the amended legislation the Mindarie Regional Council (MRC) has put in place meeting protocols for Ordinary and Special Council meetings to allow for participation by electronic means for Council Members, member council officers and MRC staff.

Public question time will still occur during electronic meetings. The public will be able to submit their questions via email prior to the meeting. Where practicable, responses to public questions will be available at the council meeting and also included in the Minutes.

#### **STATUTORY ENVIRONMENT**

Local Government Act 1995 and Local Government (Administration) Regulations 1996.

#### **VOTING REQUIREMENT**

Simple Majority

#### **RESPONSIBLE OFFICER RECOMMENDATION**

That Council:

- 1. Endorse participation in meetings of the council by electronic means for Council Members, member council officers and MRC staff, and**
- 2. Endorse that public question time to be modified to allow the public to submit their questions via email prior to the meeting.**

**Moved Cr Proud, seconded Cr Jacob**

**RESOLVED**

**That the recommendation be adopted**

**(CARRIED UNANIMOUSLY 12/0)**

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The Chair requested that in accordance with clause 7.1(e) of the Mindarie Regional Council Standing Orders Local Law 2012 and s5.23 of the Local Government Act 1995, Council proceed to meet “behind closed doors” to allow the Council to consider items 7.1 & 7.2 as the items are of a confidential nature. The Chair invited MRC Officers and members of the MRC Strategic Working Group (SWG) to remain on line for the meeting.

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

**Moved Cr Boothman, seconded Cr Cvitan**

**RESOLVED**

**To close the meeting to the public**

(CARRIED UNANIMOUSLY 12/0)

Doors closed at 6.37pm. The public gallery was closed and therefore no members of the public were present. MRC officers and members of the SWG remained on line observing the meeting for items 7.1 and 7.2

Note: The Chief Executive Officer has not released the reports for items 7.1, 7.2 and 7.3 for public information.

**7 MATTERS FOR WHICH THE MEETING MAY BE CLOSED TO THE PUBLIC**

This report is Confidential and dealt with in a confidential session, under Section 5.23 (2) (c) of the *Local Government Act 1995* as the report deals with a contract which may be entered into.

**7.1 MRC FUTURE WASTE OPTIONS REVIEW**

**File No:** GF – 20 - 668

**Attachments(s):** Attachment 1 – Independent Advice  
Attachment 2 – KPMG Advice  
Attachment 3 – Member Council Third Bin Status March 2020

**Date:** 23 March 2020

**Responsible Officer:** Chief Executive Officer

**RESPONSIBLE OFFICER RECOMMENDATION**

That Council endorses the officer’s recommendation contained in the confidential report.

*(Absolute majority required)*

**Moved Cr Kosova, seconded Cr Fishwick**

**RESOLVED**

That Council endorses the officer’s recommendation contained in the confidential report.

LOST 0/12

*Against: Crs Boothman, Fishwick, Jacob, Kosova, Ferrante, Sargent, Proud, Cole, Cvitan, Newton, Shannon, Vernon.*  
*For: Nil*

**ALTERNATE RECOMMENDATION**  
**Moved Cr Kosova, seconded Cr Vernon**  
**RESOLVED:**

**That Council:**

**resolves that this resolution, the report and attachments to it remain confidential.**

(CARRIED UNANIMOUSLY 12/0)

*For: Crs Boothman, Fishwick, Jacob, Kosova, Ferrante, Sargent, Proud, Cole, Cvitan, Newton, Shannon, Vernon.*  
*Against: Nil*

Reason for not adopting the Officer's Recommendation:

To allow the CEO to proceed in an expedited fashion.

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**This report is Confidential and dealt with in a confidential session, under Section 5.23 (2) (c) of the *Local Government Act 1995* as the report deals with a contract which may be entered into.**

**7.2 Proposed RRFA KPI suspension**

<b>File No:</b>	<b>GF – 20 – 48</b>
<b>Attachments(s):</b>	<b>Attachment 1 – Letter from BioVision date 9 March 2020</b>
<b>Date:</b>	<b>30 March 2020</b>
<b>Responsible Officer:</b>	<b>Chief Executive Officer</b>

**RESPONSIBLE OFFICER RECOMMENDATION**

**That the Council:**

**Endorse the suspension of the QC KPIs in respect of Soluble Phosphorus and Electrical Conductivity under the RRFA for the period November 2019 to September 2020, including a refund of penalties to BioVision of \$16,247.**

**Cr Jacob moved, seconded Cr Fishwick**

**RESOLVED**

**That the recommendation be adopted**

**(CARRIED UNANIMOUSLY 12/0)**

*For: Crs Boothman, Fishwick, Jacob, Kosova, Ferrante, Sargent, Proud, Cole, Cvitan, Newton, Shannon, Vernon.  
Against: Nil*

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The Chair declared that item 7.3 was closed to Member Council Officers dialled into the meeting. At 8.22 pm those officers were put into a separate electronic meeting room and were unable to observe item 7.3

<b>This report is Confidential and dealt with in a confidential session, under Section 5.23 (2) (c) of the <i>Local Government Act 1995</i> as the report deals with a contract which may be entered into.</b>	
<b>7.3 Tender to Upgrade the MRC Ledger System to Navision Dynamics 2018</b>	
<b>File No:</b>	<b>GF – 20 - 745</b>
<b>Attachments(s):</b>	<b>Nil</b>
<b>Date:</b>	<b>30 March 2020</b>
<b>Responsible Officer:</b>	<b>Chief Executive Officer</b>

#### **RESPONSIBLE OFFICER RECOMMENDATION**

**That the Council:**

- 1. Not award the tender for the provision of services to upgrade the MRC ledger system to Navision Dynamics 2018 (Tender Number: 13/142).**
- 2. Authorise the CEO to write to the unsuccessful tenderer and advise them of the decision not to award the tender.**

**Cr Sargent moved, seconded Cr Cvitan  
RESOLVED**

**That the recommendation be adopted  
(CARRIED UNANIMOUSLY 12/0)**

*For: Crs Boothman, Fishwick, Jacob, Kosova, Ferrante, Sargent, Proud, Cole, Cvitan, Newton, Shannon, Vernon.  
Against: Nil*

**Motion to reopen the meeting**

**Cr Boothman moved, Cr Proud seconded  
RESOLVED That the meeting be reopened  
(CARRIED UNANIMOUSLY 12/0)**

*For: Crs Boothman, Fishwick, Jacob, Kosova, Ferrante, Sargent, Proud, Cole, Cvitan, Newton, Shannon, Vernon.  
Against: Nil*

Doors were reopened at 8.30 pm and the Chair declared the meeting reopened.

Member Council Officers reconnected with the meeting and the Chair read out the resolution for 7.3 passed behind closed doors.

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**8 NEXT MEETING**

The next meeting will be an Ordinary Council Meeting to be held on Thursday 23 April 2020 at 6.30 pm.  
The scheduled venue is City of Wanneroo, the Chair advised that the meeting will be held by electronic means.

**9 CLOSURE**

The Chair closed the meeting at 8.32 pm and thanked the City of Stirling for the use of their meeting rooms.  
The Chair thanked the MRC Administration for facilitating the first MRC meeting held electronically, and noted that the electronic meeting had been a success. The Chair thanked Councillors for their participation particularly the Councillors who dialled into the meeting.

Signed .....Chair

Dated this .....day of ..... 2020

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