

Ordinary Council Meeting

Notice of Meeting & Agenda **25 August 2016**

Bunbury-Harvey Regional Council

Old Railway Station Complex Carmody Place Bunbury WA 6230 Western Australia

> Correspondence to: Post Office Box 21 Bunbury WA 6231

Telephone: (08) 9792 7311 o www.bhrc.wa.gov.au



Ordinary Council Meeting Notice of Meeting

Dear Chairman and Councillors

The next Ordinary Meeting will be held at the *Shire of Harvey Council Chambers, Australind,* on Thursday 25 August 2016 at 4:00pm.

Signed:

Tony Battersby
Chief Executive Officer

Agenda 25 August 2016

Council Members:

Member Name	Representing	
Cr Judy Jones	City of Bunbury	
Cr Jaysen Miguel	City of Bunbury	
Cr Murray Cook	City of Bunbury	
Cr Peter Monagle	Shire of Harvey	
Cr Bill Adams	Shire of Harvey	

Ex-officio Members (non-voting):

		Representing	
		Chief Executive Officer (BHRC)	
	Mr Michael Parker	Chief Executive Officer (Shire Of Harvey)	
	Mr Andrew Brien	Chief Executive Officer (City of Bunbury)	

Support Staff:

Name	Title
Ms Martinette Pieterse (minute taker)	Secretary
Chris Welham	Accountant

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ATTACHMENTS:

Attachment 1 - Amended Code of Conduct Policy

Attachment 2 - Organics Audit

Attachment 3 - Handling and Disposal of Asbestos Procedure

Attachment 4 - Hazardous Manual Tasks Procedure

Attachment 5 - Near Miss Reporting Procedure

Attachment 6 - Website Terms of Use - Disclaimer and Privacy

Attachment 7 - Training Manual

1.	<u>Attendances</u>	
1.1	Apologies	
1.2	Approved Leave of Absence	
2.	Public Question Time	
3.	Summary of Response to previous Questions taken on notice	
4.	Applications for Leave of absence Council Decision: Moved Seconded CARRIED/LOS	
		-
5.	Confirmation of Minutes	
	Council Decision: Moved Seconded	-
	The minutes of the Ordinary meeting of Council held on 28 July 2016, are confirmed as a true and accurate record.	
	CARRIED/LOS	١c
6.	Petitions and Memorials	-
7.	<u>Declarations of Interests</u>	

8. Announcements (by the presiding member without discussion)

9. Reports of Committees

10. Business of Previous Meeting

11. Reports of Officers

11.1 Preliminary Financial Statements for the period ending 31 July 2016

Reporting Officer: Chris Welham, Accountant

File Number:

Attachments: Appendices 1 to 8

Inventories

Summary

The following comments are provided on the key elements of Council's financial performance.

- 1. Statement of Comprehensive Income (attached at Appendix 1)
 - a. Year-to-date Financial Performance to 31 July 2016

		,			
	VARIANCE	BUDGET	ACTUAL		
unfavourable	(23,256)	245,956	222,700	to-date income	• Year-te
favourable	28,704	154,632	125,928	to-date expenditure	• Year-to
favourable	5,448	91,324	96,772	to-date operating surplus	• Year-te
	2. Capital Works (attached at Appendix 4)				
	0	0	0	to-date capital expenditure	• Year-to
	3. Balance Sheet (attached at Appendix 5)				
	Actual		des:	 Current Assets of \$7,441,054 includes Cash and Cash Equivalents 	
	7,112,392				
	326,702				0
	0			Prepayments	0

1,960

•	Curren o o	t Liabilities of \$241,897 includes: Trade and Other Payables Provisions	98,968 142,929	
•	Worki	ng Capital (Current Assets less Current Liabilities) is	7,199,157	
•	Equity	(Total Assets <i>less</i> Total Liabilities) is	10,234,893	
•	Reserv	res of \$6,273,886 includes; Plant and Infrastructure Reserve Site Post Closure Rehabilitation Reserve Waste Minimisation Reserve Stanley Road Lined Cell Construction Reserve Site Acquisition and Investigation Reserve	333,520 3,704,033 703,399 527,229 1,005,705	
4.	4. Investments			
•	Total o	of \$6,959,919 includes; BankWest Commonwealth Bank National Australia Bank	1,020,552 452,908 5,486,459	

Background

A financial management report is provided to Councillors on a monthly basis which includes the following summaries:

- Statement of Comprehensive Income (attached at Appendix 1)
- Banksia Road Operations (attached at Appendix 2)
- Statement of Financial Activity (<u>attached</u> at Appendix <u>3</u>)
- Capital Works Expenditure Summary (<u>attached</u> at Appendix <u>4</u>)
- Balance Sheet Summary (attached at Appendix 5)
- Statement of Net Current Assets (<u>attached</u> at Appendix <u>6</u>)
- Fees and Charges Summary (attached at Appendix 7)
- Debtors Report (attached at Appendix 8)

Legislative Compliance

In accordance with the provisions of Section 6.4 of the Local Government Act 1995 and Regulation 34(1) of the Local Government (Financial Management) Regulations 1996, a Local Government is to prepare each month a Statement of Financial Activity (Attached at Appendix 3) reporting on the revenue and expenditure as set out in the annual budget under Regulations 22 (1) (d) for this month.

At the Council Meeting on 28 July 2016, Council adopted that a variance between actual and budget-to-date of greater than or equal to 10% and \$15,000 is considered to be a material variance for reporting purposes in the Statement of Financial Activity for 2016/17.

There are no significant variances identified between actual and the year to date budget, for the period ending 31 July 2016, in the Statement of Comprehensive Income or the Statement of Financial Activity.

Executive Recomme	ndation		
Council Decision:	Moved	Seconded	
The Financial Statem	ents for the period ending 30 June 20	016 be received.	CARRIED/LOST

11.2 Summary of Accounts paid for July 2016

Reporting Officer: Chris Welham, Accountant File Number: Attachments:

Summary

Section 13 (2) of Government (Financial Management) Regulations 1996 require that where Local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing detail for each account paid since such list was prepared. This item is presented to Council to advice of payments made for July 2016.

Background

As noted above

Officer Comment

The attachment details all payments made for July 2016.

Consultation

Nil

Financial Implications

As per the declaration within the schedule summary, the accounts have been checked and are fully supported by vouchers and invoices and which have been duly certified as to the receipt of goods and the rendition of service and as to prices, computations and costings. Sufficient allocations are contained within the 2016/2017 budget to cover payment of the accounts.

Statutory Environment

Sections 12 and 13 of the Local Government (Financial Management) Regulations 1996 Apply.

Strategic Implications

Nil

Policy Implications

Nil

Voting Requirement

Simple Majority

Officer Recommendate	tion		
Council Decision:	Moved	Seconded	
That the attached sum	nmary of accounts paid for July 2016 be	received.	
			CARRIED/LOST

11.3 AMENDED - Code of Conduct Policy

Reporting Officer: Tony Battersby, Chief Executive Officer

File Number:

Attachment 1: Amended Code of Conduct Policy

Précis

The intent of this policy is in accordance with section 5.103 of the *Local Government Act 1995*, every local government is to prepare or adopt a code of conduct to be observed by Elected Members, Committee Members and Employees.

The Bunbury Harvey Regional Council (BHRC) Code of Conduct (the Code) has been prepared for this purpose and ensures the roles and responsibilities of Elected Members, Committee Members and Employees are understood and respected.

The Code of Conduct applies to every Elected Member, Committee Member and employee of the BHRC, whom must comply with the applicable provisions of this Code of Conduct. This Code does not override or affect those provisions or requirements.

The Code must be read in conjunction with the *Local Government Act 1995*, the *Local Government (Rules of Conduct) Regulations 2007*, *Local Government (Administration) Regulations 1996* and other legislation that affect Elected Members, Committee Members and Employees in performing their roles and duties.

If any part of this Code of Conduct in any way conflicts with any provisions of the *Local Government Act 1995* as amended, or any regulations made there under or with any specific policy or decision of Council then, the latter shall prevail if such part cannot be read above so as to confirm with the Act, regulation or policy.

Background

The BHRC adopted the 2016 Code of Conduct at its Ordinary Meeting of Council on the 31 March 2016 Resolution # OC 81023-1384. The amended Code of Conduct is presented to Council for adoption due to a Local Government amendment as follows:

19/07/2016 Gifts and Benefits Page 17 as per new amendment City of Perth Bill 2015.

Alter 'Definitions'

Alter 'Prohibited Gifts'

Alter 'Notification of Acceptance of Gifts'

Alter 'Contributions to Travel'

Remove 'Elected Members, Committee Member and Employees and replace with 'Relevant Person'

Consultation

Nil

Financial Implications

Nil

Statutory Environment

- Local Government Act 1995
- Local Government (Rules of Conduct) Regulations 2007
- Local Government (Administration) Regulations 1996
- Public Interest Disclosure Act 2003
- Corruption and Crime Commission Act 2003
- Equal Opportunity Act 1984
- Statutory Corporations (Liability of Directors) Act 1996

Strategic Implications

Nil

Policy Implication

Discussed in the body of the Report.

Voting Requirement

Simple Majority

0	fficar	Recom	nman	dation

Council Decision:

That Council adopt the Code of Conduct Policy as detailed in attachment.

Moved _____

CARRIED/LOST

Seconded _____

12. **General Business**

12.1 Operational Update – August 2016

• Stanley Road Expansion

Closure and Post-Closure Management Plan was submitted to the DER prior to the closing date of 1 February 2016 - **Awaiting DER response.**

Phase 2 — Hydrogeological works and Geotechnical Investigation commenced with additional groundwater monitoring bores completed. Quotation on final landfill cells designs works to be sourced — on hold awaiting DER response.

Met with the DER on the 7 June to discuss licence amendments, closure and post-closure including future lined cell construction. Meeting went well with verbal approval given to southern foot print extension and capping for first three stages. DER has asked for gabion wall design drawings and the hydrogeological report, once these have been reviewed by DER then they will give written approval.

Further licence amendment and approvals for lined cells will be considered at a later date, the first stage of approvals will give an additional three years of landfilling.

Hydrogeological Phase 2 report and modelling has been completed and presented to the DER as part of the licence amendment approvals. In addition a report on the Preliminary Design of Gabion Wall was completed and presented to the DER. Both reports are available Council viewing if requested, Hydrogeological report is over 300 pages.

Awaiting on DER for official response to amendments, verbally DER have commented that they are currently drafting amended licence.

• Compost Site Relocation

Awaiting on the DER new Environmental Standards for Composting to be released which will include the required buffer distances for new compost facilities – Still waiting.

Organics Audit

As per attachment (Very Good Results) - Attachment 2

Stanley Road Groundwater Monitoring

First round of groundwater monitoring completed by Hydro Solutions, new monitoring bores south of site have been vandalised making it impossible for Hydro Solutions to test. Attempts are currently being made to clear all debris from each of the bores. Locks have been secured to caps of bores to try and prevent further vandalism.

• Stanley Road Administration Complex

Chris Coates consultant engineer doing site drawings and specifications including bushfire prone planning requirements and Veen's Design Drafting Services doing architects drawings and plans for administration complex tender. Tender to include all services i.e. septics, car park, retainer walls, paving, power supply etc. and will have allowances for new or second hand building.

Waiting on licence amendment from DER to be able to confidently proceed with project.

Yarloop Fire Waste Disposal

Met with an Officer from Entech Risk Consultant (company contracted to coordinate Yarloop fire clean up) on Tuesday 26 April 2016 to discuss options of waste from Yarloop going to Stanley Road. Toxfree have advised of being successful tenderer for part of waste. Toxfree will commence waste disposal at the Stanley Road Waste Facility starting Monday 25 July 2016, quantities unknown.

As of 1pm Friday 19 August 2016 1,895 tonnes of asbestos contaminated soil had been delivered to Stanley Road Waste Facility.

• Landfill Compactor Replacement Tender

Call for tenders for purchase of new Landfill Compactor and sale of old Landfill Compactor are currently being advertised and will be presented to Council at its September 2016 Ordinary Council meeting.

• Handling and Disposal of Asbestos Procedure

The attached Handling and Disposal of Asbestos procedure is for Council information – Attachment 3

• Hazardous Manual Tasks Procedure

The attached Hazardous Manual Tasks procedure is for Council information – Attachment 4

Near Miss Reporting Procedure

The attached Near Miss Reporting procedure is for Council information – Attachment 5

• Web Site – Terms of Use – Disclaimer and Privacy

The attached Web Site terms of use, disclaimer and privacy is for Council information – Attachment 6

Staff Matters

Staff has been offered seasonal flu shots through the LGIS scheme - Completed

Staff has been offered seasonal skin cancer screening through the LGIS scheme - Completed

Enterprise Bargaining Agreement completed, voting results 14 (Yes) - 0 (No) out of a possible 16. Agreement sent to Fair Work Commission for ratification. All BHRC staff contracts and position descriptions will updated to reflect the new EBA.

Staff Training – Household Hazardous Waste training – Completed

Training Manual – How to Identify Hazards is for Council information – Attachment 7

Annual Leave – Jack Stidworthy 19/08/2016 to 5/09/2016.

13. Confidential Reports

CEO Probation

14. Notice of Motion

15. Next Meeting

To be held on Thursday 22 September 2016 at the Shire of Harvey Council Chambers, Admin Building, Mulgara Street, Australind, commencing at 4:00pm.

16. Close of Meeting

The	Presiding	Member	closed th	e meeting at	
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