



Ordinary Council Meeting

Minutes

28 April 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

Ordinary Council Meeting Declaration of Opening

The Chairman declared the meeting open at **4:00pm**.

These Minutes are confirmed as being true and correct by Council – **RESOLUTION: OC81023-1396**

Cr Judy Jones
Chairman

Mr Tony Battersby
Chief Executive Officer

Minutes 28 April 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):

Member Name	Representing
Mr Tony Battersby	Chief Executive Officer (BHRC)
Mr Michael Parker	Chief Executive Officer (Shire Of Harvey)

Support Staff:

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

Table of Contents

<u>Item No</u>	<u>Subject</u>	<u>Page No</u>
1.	Attendances	4
1.1	Apologies.....	4
1.2	Approved Leave of Absence.....	4
2.	Public Question Time	4
3.	Summary of response to previous questions taken on notice	4
4.	Applications for Leave of absence	4
5.	Confirmation of Minutes.....	5
6.	Petitions and Memorials	5
7.	Declarations of Interests	5
8.	Announcements (by the presiding member without discussion).....	5
9.	Reports of Committees	5
10.	Business of Previous Meeting	5
11.	Reports of Officers	5
11.1	Financial Statements for the period ending 31 March 2016	5-7
11.2	Summary of Accounts Paid for March 2016	8
11.3	Draft Draft Strategic Community Plan 2016	9-10
11.4	Draft Freedom of Information Statement	10-11
11.5	Draft 2016 Customer Service Charter	12-13
12.	General Business.....	13
12.1	Operational Update – April 2016	13-14
13.	Confidential Reports	14
14.	Notice of Motion.....	14
15.	Next Meeting	14
16.	Close of Meeting	14

ATTACHMENTS:

Attachment 1 - Draft Strategic Community Plan 2016

Attachment 2 - Draft Freedom of Information Statement

Attachment 3 - Draft 2016 Customer Service Charter

Attachment 4 - Emergency Management Plan (BROPF) - Work Procedure/Instruction

1. Attendances

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):

Member Name	Representing
Mr Tony Battersby	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
Martinette Pieterse (minute taker)	Secretary
David Ransom	Manager Finance (City of Bunbury)

1.1 Apologies

Mr Chris Welham - Accountant

1.2 Approved Leave of Absence

Nil

2. Public Question Time

Nil

3. Summary of Response to previous Questions taken on notice

Nil

4. Applications for Leave of absence

Council Decision: Moved: Cr Murray Cook

Seconded: Cr Peter Monagle

Cr Jaysen Miguel requested leave of absence for both the May and June 2016 meetings, as he will be travelling in the US. Council approved his leave of absence for the scheduled meetings in May and June 2016.

CARRIED

4/1

RESOLUTION: OC81023-1388

5. Confirmation of Minutes

Council Decision: **Moved:** Cr Bill Adams **Seconded:** Cr Murray Cook

The minutes of the Ordinary meeting of Council held on 31 March 2016, are confirmed as a true and accurate record.

CARRIED
5/0

RESOLUTION: OC81023-1389

6. Petitions and Memorials

Nil

7. Declarations of Interests

Cr Bill Adams declared his interest with relationship (father/son) with Russell Adams, who's employed by the BHRC.

8. Announcements (by the presiding member without discussion)

Nil

9. Reports of Committees

Nil

10. Business of Previous Meeting

Tony provided council members with Gift Declaration as requested at previous ordinary meeting on 31 March 2016.

11. Reports of Officers

11.1 Financial Statements for the period ending 31 March 2016

Reporting Officer: Chris Welham, Accountant
File Number:
Attachments: Appendices 1 to 8

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 March 2016

	ACTUAL	BUDGET	VARIANCE	
• Year-to-date income	2,487,885	2,654,765	(166,880)	<i>Unfavourable</i>

- Year-to-date expenditure 2,244,753 2,292,969 48,216 *favourable*
- Year-to-date operating surplus 243,132 361,796 (118,664) *unfavourable*

2. Capital Works (**attached** at Appendix 4)

- Year-to-date capital expenditure 316,627 316,627 0

3. Balance Sheet (**attached** at Appendix 5)

- Current Assets of \$7,372,749 includes: **Actual**
 - Cash and Cash Equivalents 7,011,532
 - Trade and Other Receivables 359,416
 - Inventories 1,801
- Current Liabilities of \$217,863 includes;
 - Trade and Other Payables 79,047
 - Provisions 138,816
- Working Capital (Current Assets *less* Current Liabilities) is 7,154,887
- Equity (Total Assets *less* Total Liabilities) is 9,963,483
- Reserves of \$6,147,229 includes:
 - Plant and Infrastructure Reserve 330,952
 - Site Post Closure Rehabilitation Reserve 3,670,581
 - Waste Minimisation Reserve 620,161
 - Stanley Road Lined Cell Construction Reserve 527,452
 - Site Acquisition and Investigation Reserve 998,083

4. Investments

- Total of \$7,013,660 includes:
 - ANZ Banking Group 3,373,223
 - Commonwealth Bank 677,443
 - National Australia Bank 2,962,994

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 (**attached** at Appendix 3)
- Capital Works Expenditure Summary (**attached** at Appendix 4)
- Balance Sheet Summary (**attached** at Appendix 5)
- Statement of Net Current Assets (**attached** at Appendix 6)
- 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 16 July 2015, 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 2015/16.

Officer Comment

Banksia Road operations have a deficit of \$58,358 compared to a deficit year-to-date budget of \$20,075. The forecast to 30 June 2016 is an operating surplus of \$15,348. The CEO advises that compost sales are expected to increase during the autumn and winter months towards the end of the financial year.

Statement of Comprehensive Income	YTD Actual to YTD Budget Variance
Operating Income	
Fees and Charges	
Casual Tipping Fees Casual tipping revenue is less than budget. The primary reason for this is that the expected increase in tipping revenue following the recent fires in the Shire of Harvey has not yet been realised. New waste streams are being sought to increase Casual tipping revenue.	\$(145,531) (16)%
Operating Expenditure	
Materials and Contracts	
Site Rehabilitation Site rehabilitation expenditure has been deferred until DER approval of the Stanley Road cell capping plan has been received.	\$41,250 58%

Statement of Financial Activity	YTD Actual to YTD Budget Variance
Revenues by Nature and Type	
Fees and Charges Please refer above to the comments on Fees and Charges for the Statement of Comprehensive Income.	\$(171,068) (7)%
Expenditure by Nature and Type	
Materials and Contracts This favourable variance is made up of savings in Site rehabilitation expenditure (please refer to the above comments for the Statement of Comprehensive Income) and savings in earthworks and waste transfer station plant maintenance costs.	\$81,010 11%

Officer Recommendation

Council Decision: Moved: Cr Jaysen Miguel Seconded: Cr Murray Cook

That the Financial Statements for the period ending 31 March 2016 be received.

CARRIED
5/0

RESOLUTION: OC81023-1390

11.2 Summary of Accounts paid for March 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 March 2016.

Background

As noted above

Officer Comment

The attachment details all payments made for March 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 2015/2016 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 Recommendation

Council Decision: Moved: **Cr Murray Cook** Seconded: **Cr Peter Monagle**

That the attached summary of accounts paid for March 2016 be received.

CARRIED
5/0

RESOLUTION: OC81023-1391

11.3 **DRAFT Strategic Community Plan 2016**

Reporting Officer: Tony Battersby, Chief Executive Officer
File Number:
Attachments: **Attachment 1:** Draft Strategic Community Plan 2016

Précis

Integrated planning and reporting gives local governments a framework for establishing local priorities and to link this information to operational functions. Three major parties are involved in the development of an integrated plan: the local government administration, the Council and the community. Each party has a unique role and responsibilities for effective and sustainable integrated planning and reporting, with the *Local Government (Administration) Regulations 1996* requiring each local government to adopt a Strategic Community Plan and a Corporate Business Plan.

A successful integrated planning and reporting process will deliver the following outcomes:

- a Strategic Community Plan that clearly links the community's aspirations with the Council's vision and long term strategy
- a Corporate Business Plan that integrates resourcing plans and specific council plans with the Strategic Community Plan, and
- a clearly stated vision for the future viability of the local government area.

The Integrated planning and reporting have been developed as part of the State Government's Local Government Reform Program. They reflect a nationally consistent approach to integrated planning as expressed by the Council of Australian Governments' Local Government Planning Ministers' Council.

Background

The BHRC has not previously adopted a Code of Conduct Policy and has previously unofficially utilised the City of Bunbury Code of Conduct Policy for the BHRC.

Consultation

Council Workshop 25 January 2016.

BHRC staff.

Draft Strategic Community Plan 2016 distributed to member Councils City of Bunbury and Shire of Harvey for comment.

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

Discussed in the body of the Report.

Policy Implication

Discussed in the body of the Report.

Voting Requirement

Simple Majority

Council Decision: **Moved:** Cr Peter Monagle **Seconded:** Cr Jaysen Miguel

That Council adopt the Strategic Community Plan 2016 as detailed in attachment.

CARRIED

5/0

RESOLUTION: OC81023-1392

11.4 DRAFT – Freedom of Information Statement

Reporting Officer: Tony Battersby, Chief Executive Officer
File Number: -
Attachments: **Attachment 2:** Draft – Freedom of Information Statement

Précis

This Freedom of Information Statement fulfils the Bunbury Harvey Regional Councils (BHRC) obligations in accordance with the *Freedom of Information Act 1992* (FOI Act).

Section 3 of the FOI Act, makes it clear that the objects of the Act are to enable the public to participate more effectively in governing the State and to make the persons and bodies that are responsible for State and local government more accountable to the public.

The operations of local government within Western Australia are governed by the *Local Government Act 1995* and associated Regulations. In carrying out its functions a local government is to use its best endeavours to meet the needs of current and future generations through integration of environmental protection, social advancement and economic prosperity.

Background

The BHRC has not previously adopted a Freedom of Information Statement and has previously unofficially utilised the City of Bunbury Freedom of Information Statement for the BHRC.

Consultation

Nil

Financial Implications

Nil

Statutory Environment

- Bushfires Act 1954
- Disability Services Act 1993
- Environmental Protection Act 1986
- Environmental Protection Regulations 1987
- Environmental Protection (Clearing of Native Vegetation) Regulations 2004

- Environmental Protection (Noise) Regulations 1997
- Environmental Protection (Rural Landfill) Regulations 2002
- Environmental Protection (Unauthorised Discharges) Regulations 2004
- Environmental Protection (South West Agricultural Zone Wetlands) Policy 1998
- Fire Brigades Regulations 1943
- Freedom of Information Act 1992
- Freedom of Information Regulations 1993
- Health Act 1911
- Health (Asbestos) Regulations 1992
- Health (Pesticides) Regulations 2011
- Health (Underground Water Supply) Regulations 1959
- Interpretations Act 1984
- Litter Regulations 1981
- Local Government Act 1995
- Local Government (Administration) Regulations 1996
- Local Government (Elections) Regulations 1997
- Local Government (Financial Management) Regulations 1996
- Local Government (Functions and General) Regulations 1996
- Local Government (Long Service Leave) Regulations 1977
- Local Government (Parking for People with Disabilities) Regulations 2014
- Local Government (Rules of Conduct) Regulations 2007
- Local Government (Miscellaneous Provisions) Act 1960
- Planning and Development Act 2005
- Rights in Water and Irrigation Regulations and Rules 2000
- Road Traffic (Vehicle Standards) Regulations and Rules 2002
- Soil and Land Conservation Regulations 1992
- Wildlife Conservation Regulations 1970

Strategic Implications

Nil

Policy Implication

Discussed in the body of the Report.

Voting Requirement

Simple Majority

Officer Recommendation

Council Decision: **Moved:** Cr Murray Cook

Seconded: Cr Peter Monagle

That Council adopt the Freedom of Information Statement as detailed in attachment.

CARRIED

5/0

RESOLUTION: OC81023-1393

11.5 **DRAFT – 2016 Customer Service Charter**

Reporting Officer: Tony Battersby, Chief Executive Officer
File Number: -
Attachments: **Attachment 3:** Draft – 2016 Customer Service Charter

Précis

This Customer Service Charter is to be read in conjunction with the Bunbury Harvey Regional Councils Code of Conduct 2016. In accordance with section 5.103 of the *Local Government Act 1995*, every local government is to prepare a Customer Service Charter to be observed by Elected Members, Committee Members and Employees.

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

The Customer Service Charter applies to every Elected Member, Committee Member and employee of the BHRC, whom must comply with the applicable provisions of this Customer Service Charter.

Background

The BHRC has not previously adopted a Customer Service Charter and has previously unofficially utilised the City of Bunbury Customer Service Charter the BHRC.

Consultation

Nil

Financial Implications

Nil

Statutory Environment

- Freedom of Information Regulations 1993
- Privacy Act 1998
- 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

Officer Recommendation

Council Decision: **Moved:** Cr Murray Cook **Seconded:** Cr Peter Monagle

That Council adopt the Customer Service Charter as detailed in attachment.

CARRIED

5/0

RESOLUTION: OC81023-1394

12. General Business

12.1 Operational Update – April 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.

- **Compost Site Relocation**

Currently completing Business Plan for Organics Facility which will include possible options for new site.

- **DER Draft – Environmental Standards for Composting**

DER has released consultation papers on Environmental Standards for Composting and Separation Distances between Industrial and Sensitive Land Uses.

DER has released revised compost standards and separation distances, out for public consultation until June 2016.

- **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. septic, car park, retainer walls, paving, power supply etc. and will have allowances for new or second hand building.

- **Workforce Plan 2016-2026**

Draft Workforce Plan has been completed and awaiting on final cost of contract accounting services to be submitted. Completed Workforce Plan will be presented to Council 26 May 2016 Ordinary Council Meeting.

- **Yarloop Fire Waste Disposal**
Meeting with 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!
(Council request that we put more info regarding this matter in the body).
- **Tender for Hook Bin Truck**
Hook Bin Truck has been delivered and staffs have been inducted on operations of truck.
- **Emergency Management Plan – Work Procedure/Instruction**
The attached Emergency Management Plan (Banksia Road Organics Facility) – Works Procedure/ Instruction is for Council information – **Attachment 4**
- **Staff Matters**
All staff performance reviews are currently being conducted; training matrix will be developed on completion. Outside staff completed.

Draft enterprise bargaining agreement has been completed and staff representatives appointed with first meetings to commence next week.

13. Confidential Reports

Nil

14. Notice of Motion

Nil

15. Next Meeting

To be held on Thursday 26 May 2016 at the Shire of Harvey Council Chambers, Mulgara Street, Australind, at 4:00pm. Invite Proxies to Stanley Road Facility.

16. Close of Meeting

The Presiding Member closed the meeting at **4:52pm**.