



# Ordinary Council Meeting

## Minutes

24 November 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 **4:08pm**.

These Minutes are confirmed as being true and correct by Council – **RESOLUTION: OC81023-1440**

\_\_\_\_\_  
**Cr Judy Jones**  
Chairman

\_\_\_\_\_  
**Mr Tony Battersby**  
Chief Executive Officer

### Minutes 24 November 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)
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 - Draft Bunbury-Harvey Regional Council Standing Orders Local Law 2016**
- Attachment 2 - New DER Licence for Stanley Road Waste Management Facility**
- Attachment 3 - Organic Certification Certificate**
- Attachment 4 - CEO Key Performance Indicators (KPI's)**
- Attachment 5 - Cr Adams Report on Waste and Recycle Conference 2016**

## 1. Attendances

### *Council Members:*

Member Name	Representing
Cr Judy Jones	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)
Gavin Harris	Director Works and Services (City of Bunbury)

### *Support Staff:*

Name	Title
Martinette Pieterse (minute taker)	Secretary
David Ransom	Manager Finance (City of Bunbury)

### 1.1 Apologies

Andrew Brien – Chief Executive Officer (City of Bunbury)  
Chris Welham – Accountant  
Cr Jaysen Miguel – arranged for Cr McGuinness to attend meeting on his behalf  
Cr Joel McGuinness – notified Cr Cook during course of meeting that he was unable to make meeting.

### 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

Nil

**5. Confirmation of Minutes**

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

The minutes of the Ordinary meeting of Council held on 27 October 2016, are confirmed as a true and accurate record.

CARRIED  
4/0  
**OC81023-1433**

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**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**

Nil

**11. Reports of Officers**

**11.1 Financial Statements for the period ending 30 September 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 October 2016

	<b>ACTUAL</b>	<b>BUDGET</b>	<b>VARIANCE</b>	
• Year-to-date income	1,606,374	1,229,864	376,510	<i>favourable</i>
• Year-to-date expenditure	1,053,645	1,071,391	17,746	<i>favourable</i>
• Year-to-date operating surplus	552,729	158,473	394,256	<i>favourable</i>

2. Statement of Financial Activity (**attached** at Appendix 3)  
 Closing Funding Surplus to 30 June 2017 is forecast at \$667K, which is \$215K more than the Current Budget Closing Surplus of \$452K. This will be included in the February 2017 Budget Review.
  
3. Capital Works (**attached** at Appendix 4)
  - Year-to-date capital expenditure      51,711      51,689      (22)      *unfavourable*
  
4. Statement of Financial Position (**attached** at Appendix 5)
  - Current Assets of \$8,025,624 includes:
 

	<b>Year-to-date</b>	<b>Forecast</b>
○ Cash and Cash Equivalents	7,460,800	5,484,270
○ Trade and Other Receivables	562,864	300,000
○ Inventories	1,960	2,000
  - Current Liabilities of \$307,314 includes:
 

○ Trade and Other Payables	117,408	202,879
○ Provisions	189,906	148,826
  - Working Capital (Current Assets *less* Current Liabilities) is      7,718,310      5,434,565
  - Equity (Total Assets *less* Total Liabilities) is      11,205,707      10,498,250
  - Reserves of \$6,318,567 includes:
 

○ Plant and Infrastructure Reserve	335,874	504,852
○ Site Post Closure Rehabilitation Reserve	3,731,155	2,882,159
○ Waste Minimisation Reserve	707,599	806,284
○ Stanley Road Lined Cell Construction Reserve	530,918	542,417
○ Site Acquisition and Investigation Reserve	1,013,021	27,571
  
5. Investments
  - Total of \$7,319,772 includes:
 

○ BankWest	1,536,223
○ Commonwealth Bank	295,563
○ National Australia Bank	5,487,986

### 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)
- Statement of Financial Position (**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 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.

The following is an explanation of significant variances identified in the Statement of Comprehensive Income and the Statement of Financial Activity:

Statement of Comprehensive Income	YTD Actual to YTD Budget Variance
<b>Operating Income</b>	
<b>Fees and Charges</b>	
<b>Casual Tipping Fees</b> Casual tipping revenue favourable compared to budget. The primary reason for this is that Council has received \$432K from the Yarloop Fire clean up.	\$346,109 76%
<b>Banksia Road Sale of Compost</b> Banksia Road Sale of Compost is below budget because the compost on site has been too wet to screen and present for sale. Demand has started to increase more in line with budget from mid-October.	\$(19,644) (44)%
<b>Other Revenue</b>	
<b>Landfill Levy Income</b> is above budget. Tonnage from the Perth area has been received from Cross Resource Management, Clean Site Bins and West Bins.	\$35,805 215%
<b>Operating Expenditure</b>	
<b>Materials and Contracts</b>	
<b>Organics Expenditure</b> Savings in organics expenditure relate to reduced maintenance costs on the mulcher and screener, which have had no major breakdowns this year, and equipment hire has not been necessary this year.	\$19,388 29%
<b>Earthworks Operations</b> expenditure is above budget because an earth bund has been removed to extend the life of the landfill.	\$(29,160) (42)%
<b>Other Expenditure</b>	
<b>Landfill Levy Expenditure</b> is above budget because tonnage from the Perth area has been received from 3 customers: Cross Resource Management, Clean Site Bins and West Bins. This expenditure is fully recouped from customers.	\$(20,669) (135)%
Statement of Financial Activity	YTD Actual to YTD Budget Variance
<b>Revenues by Nature and Type</b>	
<b>Fees and Charges</b> Please refer above to the comments on Fees and Charges for the Statement of Comprehensive Income.	\$332,456 31%
<b>Other Revenue</b> Please refer above to the comments on Other Revenue for the Statement of Comprehensive Income.	\$41,289 96%
<b>Expenses by Nature and Type</b>	
<b>Materials and Contracts</b> Please refer above to the comments on Materials and Contracts Expenditure for the Statement of Comprehensive Income.	\$32,234 10%
<b>Other Expenditure</b> Please refer above to the comments on Other Expenditure for the Statement of Comprehensive Income.	\$(20,948) (20)%



**Officer Recommendation**

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

The Financial Statements for the period ending 31 October 2016 be received.

CARRIED  
4/0

**RESOLUTION: OC81023-1434**

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**11.2 Summary of Accounts Paid for October 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 October 2016.

**Background**

As noted above

**Officer Comment**

The attachment details all payments made for October 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 Recommendation**

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

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

CARRIED  
4/0

**RESOLUTION: OC81023-1435**

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**11.3 DRAFT – Bunbury Harvey Regional Council Standing Orders Local Law 2016**

Reporting Officer:            Tony Battersby, Chief Executive Officer  
File Number:                    -  
Attachments:                    **Attachment 1:** Draft – Stranding Orders Local Law 2016

**Précis**

The Bunbury Harvey Regional Council Standing Orders Local Law 2016 are presented to Council to seek permission from Council to authorise the Chief Executive Officer to follow the procedure in making local laws as per the Local Government Act in Division 2, Part 3.

The purpose of this local law is to provide a set of procedures to assist in the good conduct of meetings of the Council.

This local law is intended to result in:

- (a) better decision-making by the Council;
- (b) orderly and efficient conduct of meetings dealing with Council business;
- (c) greater community participation and understanding of the business of the Council;  
and
- (d) more open and accountable local government.

**Background**

The BHRC has not previously adopted a Local Law for Standing Orders and has previously followed the Local Government Act 1995 as a guide.

**Consultation**

The Draft Bunbury Harvey Regional Council Standing Orders Local Law 2016 was presented to Council for discussion at the Ordinary Meeting of Council on the 27 October 2016.

**Financial Implications**

Nil

**Statutory Environment**

- Section 3.12 of the Local Government Act 1995 outlines the process for the creation of a new local law and is applicable.

**Strategic Implications**

Discussed in the body of the Report.

**Policy Implication**

Discussed in the body of the Report.

**Voting Requirement**

Absolute Majority

**Officer Recommendation**

That Council authorise the Chief Executive Officer to follow the procedure in making local laws as per the Local Government Act in Division 2, Part 3 for the Bunbury Harvey Regional Council Standing Orders Local Law 2016.

**Matter was adjourned until 23 February 2017 meeting, due to references to the Act to be more specific.**

**Council Decision:** Moved: **Cr Peter Monagle**

**Seconded:** **Cr Murray Cook**

CARRIED/LOST

4/0

**RESOLUTION: OC81023-1436**

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**12. General Business**

**12.1 Operational Update – November 2016**

• **Request for BHRC Workshop**

Request to conduct a workshop including all BHRC Councillors and Executive Officers from member Councils to discuss medium and long term future of the Regional Council and in particular Stanley Road.

A workshop was held on Wednesday 16 November 2016, and was facilitated by Ian Watkins from IW Projects.

A letter to be sent to the City of Bunbury and the Shire of Harvey requesting their commitment to waste disposal at Stanley Road Waste Management Facility on a long term basis, their preferred model of future Governance for the Regional Council and ownership options for Lot 45 Stanley Road Wellesley. Letter to be finalised and sent early next week.

**Council approves a letter regarding Waste Disposal Tenure to be sent to City of Bunbury and Shire of Harvey.**

**Council Decision:** Moved: **Cr Bill Adams**

**Seconded:** **Cr Murray Cook**

CARRIED/LOST

4/0

**RESOLUTION: OC81023-1437**

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• **Stanley Road Expansion**

New Stanley Road Licence – **Attachment 2**

- **Compost Site Relocation**

Option 1 – Long term lease agreement with JP Group and or Transpacific (currently in discussions)  
Note – lease term would need to be twenty years plus.

Option 2 – Compost site relocation to Stanley Road. Note this option would be pending the long term commitment from both Member Councils to long term waste disposal at Stanley Road.

- **Organic Certification**

Organic certification for the Banksia Road Compost Facility is nearing completion with the authorities from Australian Certified Organic conducting audit for certification on the site. All indications appear to be positive with only a couple of minor changes required to recording of temperatures through all five stages. Trialling goats for use of weed control on site in line with environmental friendly and chemical free as per organic certification.

Organic Certification Certificate – **Attachment 3**

- **Stanley Road Administration Complex**

Quotes are being obtained from suitably qualified transportable building manufacturers for the supply and set up of the administration complex. In addition a consultant has been doing the bush fire rating (BAL) for the site as part of the building specification requirements and the Shire DA.

- **Yarloop Fire Waste Disposal**

A final tally of waste deposited from the Yarloop fires at Stanley Road is 6,146.94 tonnes equating to \$395,778.51 plus GST.

An additional 192 tonne has been delivered to the Stanley Road site from Yarloop equating to an additional \$13,132 plus GST.

- **Paintback Scheme**

Staff and I met with representatives from Paintback out at Stanley Road to discuss final arrangements and site layout for the program to commence on the 27 December 2016.

- **Regional Waste Education Coordinator**

Margaret Macindoe has unfortunately tendered her resignation and will be relocating with her family to Sydney; the Regional Waste Education Coordinators position has been advertised with applications closing 4 November 2016.

Nineteen (19) applications were received by 4 November 2016 the closing date and have selected four (4) suitably qualified candidates to interview on Wednesday 23 November and Friday 25 November 2016.

- **Waste Shredder Trial**

A trial on shredding wood waste, green waste, mattress and tyres will be conducted mid-January 2017.

- **Chief Executive Officers – KPI's**  
CEO KPI's – **Attachment 4**

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

Seconded: **Cr Peter Monagle**

CARRIED/LOST  
4/0

RESOLUTION: **OC81023-1438**

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- **Waste and Recycle Conference 2016**  
Cr Bill Adams report – **Attachment 5**

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

Seconded: **Cr Peter Monagle**

CARRIED/LOST  
4/0

RESOLUTION: **OC81023-1439**

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- **BHRC Christmas Party**

The 2016 BHRC combined Christmas Party will be held at the Bunbury Trotting Track on Saturday 10 December 2016.

**13. Confidential Reports**

Nil

**14. Notice of Motion**

Nil

**15. Next Meeting**

To be held on Thursday 15 December 2016 at the **Shire of Harvey Council Chambers, Mulgara Street, Australind, commencing at 3:00pm.**

**16. Close of Meeting**

The Presiding Member closed the meeting at **5:21pm.**