



# Ordinary Council Meeting

## Notice of Meeting & Agenda

27 September 2018

*Meeting to be held at: The Shire of Harvey Council Chambers, 7 Mulgara Street, Australind on Thursday 27 September 2018, commencing at 4:00 PM*

### Open Council Meetings – Procedures

1. All Council meetings are open to the public, except for matters raised by Council under “confidential items”.
2. Members of the public may ask a question at an ordinary Council meeting under “public question time”.
3. Members of the public who are unfamiliar with meeting procedures are invited to seek advice at the meeting. If unsure about proceedings, just raise your hand when the presiding member announces public question time.
4. All other arrangements are in accordance with the Council’s standing orders, policies and decisions of the Council.

**Undersigned**

**Chief Executive Officer**

**Bunbury-Harvey Regional Council**  
Lot 45 Stanley Road, Wellesley  
Western Australia 6233

*Correspondence to:*  
Post Office Box 111  
Australind WA 6233

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### **ATTACHMENTS**

Attachment 1 -	Financial Statements for the Period Ending 31 August 2018
Attachment 2 -	Summary of Accounts Paid for the Period Ending 31 August 2018
Attachment 3 -	Equal Employment Opportunity and Diversity Plan DRAFT
Attachment 4 -	Signed Confidential Evaluation Report – Groundwater Monitoring (RFT 18/19-003)

# Vision

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To be a leader in the development, implementation and maintenance of innovative and sustainable waste reduction, recycling and collection services while managing waste facilities with best practice standards within an engaged community.

# Mission

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To ensure the delivery of an integrated, cost-effective and environmentally sound waste management system and to promote sustainable community programs and policies. Intergenerational equity – ensuring that the health, diversity and productivity of the environment is maintained or enhanced for the benefit of future generations.

# Core Values

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The Bunbury-Harvey Regional Council aspires to act in accordance with the following values in all its decisions and actions:

**Leadership:** with good leadership, employee wellbeing and performance are enhanced and consequently the organisation thrives and prospers. Leadership is a critical determinant of organisational effectiveness empowering people to help create change. This means that the essence of leadership is building and maintaining a team and guiding that team towards desired results.

**Team Work:** a team environment demands that you make responsible decisions; it requires you to take charge. It requires you to develop excellent interpersonal skills to interact at a much different level with your team members.

**Integrity:** acting with a level of trust, respect, honesty, hard work, communication and shared responsibility that is exhibited by its people.

**Accountability:** ensuring the collection and management of solid waste and recovered materials in an environmentally sound manner and in accordance with regulatory requirements and the Department of Water and Environment Regulation Licence Conditions.

**Respect:** 'respect yourself', 'respect others' and 'respect our environment'.

**Innovation:** embracing new and better ways to achieve improved results through creativity, inventiveness, teamwork and the adoption of appropriate new processes and technology.

# Bunbury-Harvey Regional Council

## Notice of Meeting

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The next Ordinary Meeting will be held at the Shire of Harvey Council Chambers, 7 Mulgara Street, Australind on Thursday [Click here to enter text.](#)



Signed:

**Tony Battersby**

**Chief Executive Officer**

(Date of Issue: [Click here to enter a date.](#))

### AGENDA

**Note:** The recommendations contained in this document are not final and are subject to adoption, amendment (or otherwise) at the meeting.

<b>Council Members:</b>	<b>Representing</b>
Cr Murray Cook ( <b>Chairperson</b> )	City of Bunbury
Cr Anita Shortland ( <b>Deputy Chairperson</b> )	Shire of Harvey
Cr Betty McCleary	City of Bunbury
Cr James Hayward	City of Bunbury
Cr Peter Monagle	Shire of Harvey
<b>Executive Leadership Team (Non-Voting)</b>	<b>Representing</b>
Mr Tony Battersby	Chief Executive Officer (BHRC)
Mr Mal Osborne	Chief Executive Officer (City of Bunbury)
<b>Officers (Non-Voting)</b>	<b>Representing</b>
Mr Gavin Harris	Director Works and Services (City of Bunbury)
Chris Welham	Accountant
Mrs Maryna Quinn	Council Meeting Support Officer
<b>Others(Non-Voting)</b>	<b>Representing</b>

**1. Declaration of Opening / Announcement of Visitors**

The Presiding Member Declares Meeting open \_\_\_\_\_

**2. Attendances**

**2.1 Apologies**

**3. Public Question Time**

**4. Summary of Response to previous Questions taken on notice**

**5. Applications for Leave of Absence**

**6. Confirmation of Minutes**

The minutes of the Ordinary meeting of Council held on 30 August 2018, are confirmed as a true accurate record.

**COUNCIL DECISION:**

**MOVED BY:** \_\_\_\_\_ **SECONDED BY:** \_\_\_\_\_

**RESULT: CARRIED / LOST** \_\_\_\_\_

**7. Petitions / Memorials / Presentations**

**8. Declarations of Interests**

## 9. Announcements (by the presiding member without discussion)

## 10. Reports of Committees

## 11. Reports of Officers

### 11.1 Financial Statements for the period ending 31 August 2018

<b>Applicant / Proponent:</b>	Internal			
<b>Responsible Officer:</b>	Chris Welham, Accountant			
<b>Responsible Manager:</b>	David Ransom, Manager Finance			
<b>Executive:</b>	Tony Battersby, Chief Executive Officer			
<b>Authority / Discretion:</b>	Advocacy	<input checked="" type="checkbox"/>	Review	<input type="checkbox"/>
	Executive/Strategic	<input checked="" type="checkbox"/>	Quasi-Judicial	<input type="checkbox"/>
	Legislative	<input checked="" type="checkbox"/>	Information Purposes	<input type="checkbox"/>
<b>Attachment(s):</b>	Appendices 1 - 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 August 2018

	<b>ACTUAL</b>	<b>BUDGET</b>	<b>VARIANCE</b>	
• Year-to-date Income	617,364	646,799	(29,435)	Unfavourable
• Year-to-date Expenditure	(744,431)	(754,267)	9,836	Favourable
• Year-to-date Operating Surplus	(127,067)	(107,468)	(19,599)	Unfavourable

#### 2. Statement of Financial Activity (**attached at Appendix 3**)

Closing Funding Surplus to 30 June 2019 is forecast at \$204,906. There is no change from the Budgeted Closing Surplus.

#### 3. Capital Works (**attached at Appendix 4**)

	<b>ACTUAL</b>	<b>BUDGET</b>	<b>VARIANCE</b>	
• Year-to-date Capital Expenditure	(36,000)	(50,000)	14,000	Favourable

4. Statement of Financial Position (attached at Appendix 5)

• Current Assets of \$5,330,967 includes:	<b>Year-to-date</b>	<b>Forecast</b>
○ Cash and Cash Equivalents	5,009,455	4,209,290
○ Trade and Other Receivables	317,350	300,000
○ Prepayments	1,876	0
○ Inventories	2,286	2,000
• Current Liabilities of \$366,225 includes:		
○ Trade and Other Payables	91,074	209,569
○ Provisions	275,151	179,883
• Working Capital (Current Assets less Current Liabilities) is:	4,964,742	4,121,839
• Equity (Total Assets less Total Liabilities) is	9,591,994	9,551,567
• Reserves of \$3,616,782 includes:		
○ Plant and Infrastructure Reserve	723,898	1,080,086
○ Site Post Closure Rehabilitation Reserve	915,869	1,007,054
○ Waste Minimisation Reserve	910,729	746,927
○ Stanley Road Lined Cell Construction Reserve	1,066,287	1,082,866
○ Organics Processing Reserve		

5. Investments

Total of <b>\$4,783,527</b> includes:			
	<b>Invested Funds \$</b>	<b>% of Total Funds</b>	<b>Max % of Total Funds Allowed</b>
○ Bankwest	1,196,211	25	50
○ Commonwealth Bank	353,157	7	75
○ National Australia Bank	251,103	5	75
○ Westpac	2,983,056	63	75
<b>TOTAL:</b>	<b>4,783,527</b>	<b>100</b>	

*Funds which are not required for payment of creditors are invested in interest bearing Term Deposits for 1 to 3 months. Quotations are obtained to ensure the best interest rate is received. Interest earnings are shown in the financial statements.*

**Executive Recommendation**

**That Council:**

Receive and accept the Financial Statements for period ending 31 August 2018 as presented to Council.

**COUNCIL DECISION:**

**MOVED BY:** \_\_\_\_\_ **SECONDED BY:** \_\_\_\_\_

**RESULT: CARRIED / LOST** \_\_\_\_\_

## 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 Regulations 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.

[Click here to enter text.](#)

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

At the Council Meeting on 26 August 2018, 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 2018/19.

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

## Voting Requirement

Absolute Majority

<b>Statement of Comprehensive Income</b>	<b>YTD Actual to YTD Budget Variance</b>
<b>Operating Deficit</b> - Unfavourable compared to budget which is mainly due to the seasonal effect of winter weather on casual tipping fees. The CEO has arranged meetings with the City of Busselton following a trial during July and August (\$31K tipping fees billed) and with the Southern Metropolitan Regional Council over the next few weeks in order to achieve budget targets.	(\$19,599) (18)%
<b>Statement of Financial Activity</b>	
<b>Net Operating Result</b> - Unfavourable variance. See explanation above included in the Statement of Comprehensive Income variances.	(\$19,599) (18)%
<b>Capital Expenditure</b> - Favourable variance. Savings achieved for the purchase of the Beach Rake.	\$14,000 28%



## 11.2 Summary of Accounts paid for period ending 31 August 2018

<b>Applicant / Proponent:</b>	Internal			
<b>Responsible Officer:</b>	Chris Welham, Accountant			
<b>Responsible Manager:</b>	David Ransom, Manager Finance			
<b>Executive:</b>	Tony Battersby, Chief Executive Officer			
<b>Authority / Discretion:</b>	Advocacy	<input checked="" type="checkbox"/>	Review	<input type="checkbox"/>
	Executive/Strategic	<input checked="" type="checkbox"/>	Quasi-Judicial	<input type="checkbox"/>
	Legislative	<input checked="" type="checkbox"/>	Information Purposes	<input type="checkbox"/>
<b>Attachment(s):</b>	Summary of Accounts paid for period ending 31 August 2018			

### **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 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 31 August 2018

### **Officer Recommendation**

#### **That Council:**

Receive and accept the Summary of Accounts paid for period ending 31 August 2018 as presented to Council.

#### **COUNCIL DECISION:**

**MOVED BY:** \_\_\_\_\_ **SECONDED BY:** \_\_\_\_\_

**RESULT: CARRIED / LOST** \_\_\_\_\_

### **Background**

As noted in Summary.

### **Officer Comment**

The attachment details all payments made for [Click here to enter a date.](#)

### **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, computation and costing(s). Sufficient allocations are contained within the [Click here to enter text.](#) 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

## 11.3 Equal Employment Opportunity and Diversity Management Plan

<b>Applicant / Proponent:</b>	Internal			
<b>Responsible Officer:</b>	Michelle Lloyd, Workplace Safety Advisor/Compliance Officer			
<b>Responsible Manager:</b>	Tony Battersby, Chief Executive Officer			
<b>Executive:</b>	Tony Battersby, Chief Executive Officer			
<b>Authority / Discretion:</b>	Advocacy	<input checked="" type="checkbox"/>	Review	<input type="checkbox"/>
	Executive/Strategic	<input checked="" type="checkbox"/>	Quasi-Judicial	<input type="checkbox"/>
	Legislative	<input checked="" type="checkbox"/>	Information Purposes	<input type="checkbox"/>
<b>Attachment(s):</b>	<b>Attachment 3 – Equal Employment Opportunity and Diversity Plan</b>			

### Précis

We are required by the Government of Western Australia, Public Sector Commission to implement an Equal Employment Opportunity and Diversity Management Plan.

The plan attached has been approved by the Senior Consultant, Strategy, Policy and Reform of the Public Sector Commission but requires to be approved by Council.

The Bunbury-Harvey Regional Council (BHRC) is committed to having a diverse and inclusive workforce with a collection of skills, experiences and perspectives that is reflective of the community we live in.

### Background

The BHRC has not previously adopted an Equal Employment Opportunity and Diversity Management Plan.

### Consultation

The Bunbury-Harvey Regional Council staff and staff from Strategy, Policy and Reform of the Public Sector Commission

### Financial Implications

Nil

### Statutory Environment

- *Equal Opportunity Act 1994*
- *Racial Discrimination Act 1975*
- *Sex Discrimination Act 1984*
- *Disability Discrimination Act 2009*
- *Human Rights & Equal Opportunity Commission Act 1986*
- *Equal Opportunity in Public Employment (EOPE) Act 1992*
- *Equal Opportunity Act 1984*
- *Local Government Act 1995*
- *Local Government (Administration) Regulations 1996*
- *Anti-Discrimination Act 1991*
- *Occupational Safety and Health Act 1984*
- *Industrial Relations Act 1999*
- *Crime and Misconduct Act 2001*

### **Strategic Implications**

Discussed in the body of the Report.

### **Policy Implication**

Discussed in the body of the Report.

### **Voting Requirement**

Simple Majority

### **Officer Recommendation**

That Council adopt the Equal Employment Opportunity and Diversity Management Plan as detailed in attachment.

### **COUNCIL DECISION:**

**MOVED BY:** \_\_\_\_\_ **SECONDED BY:** \_\_\_\_\_

**RESULT: CARRIED / LOST** \_\_\_\_\_

## **11.4 Evaluation Report – Groundwater Monitoring (RFT18/19-003) Supplier Contract**

<b>Applicant / Proponent:</b>	Internal			
<b>Responsible Officer:</b>	Tony Battersby, Chief Executive Officer			
<b>Responsible Manager:</b>	-			
<b>Executive:</b>	Tony Battersby, Chief Executive Officer			
<b>Authority / Discretion:</b>	Advocacy	<input checked="" type="checkbox"/>	Review	<input type="checkbox"/>
	Executive/Strategic	<input checked="" type="checkbox"/>	Quasi-Judicial	<input type="checkbox"/>
	Legislative	<input checked="" type="checkbox"/>	Information Purposes	<input type="checkbox"/>
<b>Attachment(s):</b>	<b>Attachment 4</b> – Evaluation Report – Groundwater Monitoring (RFT1819-0003)			

### **Précis**

The Bunbury-Harvey Regional Council issued a request for tender process to appoint a suitable Contractor/s for the Groundwater Monitoring.

The Bunbury-Harvey Regional Council (BHRC) is seeking suitable qualified Environmental Scientist / Hydro Geologists to quote on Groundwater Monitoring at the Stanley Road Waste Management Facility (SRWMF), as required by the DWER as part of our Licence Requirements

This contract will be completed by 2 years with an extension of 1 year + 1 year at the discretion of the BHRC CEO.

This item is presented to Council for Council to consider the approval of funds for Groundwater Monitoring.

### **Officer Recommendation**

#### **That Council:**

Accepts the tender RFT1819-0003 submission from Cardno (WA) Pty Ltd be accepted as having presented the most advantageous Offer and best value for money to the Bunbury-Harvey Regional Council.

It is further recommended that the CEO be given delegated authority to award the Contract to Cardno as per the recommendation in the Confidential Evaluation Report. Note – Financials will be included in Council minutes.

**COUNCIL DECISION:**

**MOVED BY:** \_\_\_\_\_ **SECONDED BY:** \_\_\_\_\_

**RESULT: CARRIED / LOST** \_\_\_\_\_

**Background**

The services of groundwater monitoring is included in 2018/2019 Budget which was adopted by Council at the Ordinary Meeting held 26 July 2018.

**Officer Comment**

Funding for the supplier contract is included in the 2018/2019 Annual Budget. Quotations were sourced from an open tender process through Tenders Online and advertised on BHRC web site.

Contract No. RFT1819-0003 for the supply of a Groundwater Monitoring closed at 10:00am (AWST) on Wednesday 14 September 2018 and was opened by the BHRC Chief Executive Officer – Tony Battersby. Officers conducted an intense review on all tenders submitted and are confident with their evaluations and recommendations.

**Tender Submissions**

The following quotations were received: **Supply of Groundwater Monitoring.**

**Tender Submissions – Company Details:**

Cardno (WA) Pty Ltd
GHD
Water Technology
Talis
Enpoint
Future Plus Environmental
Run Energy
Land Insights
ASK Waste Management Consultants
Senversa
Hydro Solutions

### **Consultation**

Consultation with all relevant organisations and parties has been conducted through Evaluation Report, including the Bunbury-Harvey Regional Council Staff and Evaluation Report Team.

### **Financial Implications**

A budget allocation for Stanley Road Groundwater monitoring, has been included in the 2018/2019 annual budget allocation for Monitoring Bores GL 29203.0021.0015 \$80,000.00 + GST = \$88,000.00.

### **Strategic Implications**

Acceptance of the Officers Recommendation is consistent with the Stanley Road Waste Management Facility DWER site licence and Council's Strategic Waste Management Plan and will "facilitate the provision of a reliable essential service to the Bunbury-Harvey Regional Council customers.

### **Policy Implications**

Nil

### **Voting Requirement**

Absolute Majority

## **12. Elected Member motions of which previous notice has been given**

## **13. Urgent business approved by the person presiding or by decision of the Council**

## **14. Confidential Business (Meeting Closed to the Public)**

### **14.1 CEO Contract**

## **15. Next Meeting**

The next meeting is scheduled for Thursday, 25 October 2018 at Shire of Harvey Council Chambers, 7 Mulgara Street, Australind, commencing at 4:00PM

## **16. Close of Meeting**

The Presiding Member declares meeting closed at \_\_\_\_\_