



Ordinary Council Meeting

Minutes

27 June 2019

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 May 2019
Attachment 2 -	Summary of Accounts Paid for the Period Ending 31 May 2019
Attachment 3 -	Draft Budget 2019/2020
Attachment 4 -	DRAFT – Disability Access and Inclusion Plan (DAIP) 2019-2024



VISION

To develop, implement and maintain innovative and sustainable waste reduction, recycling and landfilling services while managing waste facilities with best practice standards for the councils of the Wellington Region and beyond.

To provide sustainable waste minimisation, recycling and alternative waste treatment services to an informed community while reducing the environmental impact of waste and maximising the conservation of natural resources through reduced material use and increased resource recovery

MISSION

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

Reduce the environmental impact of waste and maximise conservation of natural resources through reduced overall material use and increased materials and energy recovery.

VALUES

Excellence:

To provide best practice facilities and waste services to our community through the development of quality controls and continuous improvements.

Leadership:

Having a clear vision and direction, that engages with key stakeholders and our community.

Integrity:

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

Accountability:

To ensure 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 Environmental Regulation licence conditions.

Innovation:

Embrace new and better ways to achieve improved results through creativity, inventiveness and teamwork.

Respect

We value diversity and respect and are committed to work towards integrating the principles of Equal Employment Opportunity and ensure that the work environment is free from harassment and discrimination. We value and respect all members of our community.



Bunbury-Harvey Regional Council

Minutes

Minutes of the Ordinary Meeting of the Bunbury-Harvey Regional Council held in the Shire of Harvey Council Chambers, Administration Building, 7 Mulgara Street, Australind on Thursday, 27 June 2019 at 4:00pm.

Minutes

1. Declaration of Opening / Announcement of Visitors

The meeting was declared open by Presiding Member Cr Murray Cook at 4:00pm

These Minutes were confirmed as being true and correct by Council on [Click here to enter a date.](#) by Council Resolution: [Click here to enter text.](#)

Cr Murray Cook
Chairperson

Mr Tony Battersby
Chief Executive Officer

2. Attendances

Council Members:	Representing
Cr Murray Cook (Chairperson)	City of Bunbury
Cr Anita Shortland (Deputy Chairperson)	Shire of Harvey
Cr Betty McCleary	City of Bunbury
Cr Tresslyn Smith	City of Bunbury
Cr Peter Monagle	Shire of Harvey
Executive Leadership Team (Non-Voting)	Representing
Mr Tony Battersby	Chief Executive Officer (BHRC)
Ms Annie Riordan	Chief Executive Officer (Shire of Harvey)
Mr Mal Osborne	Chief Executive Officer (City of Bunbury)
Officers (Non-Voting)	Representing
Mr Chris Welham	Accountant
Miss Martinette Pieterse	Council Meeting Support Officer
Others(Non-Voting)	Representing
Mr David Ransom	Manager of Finance – City of Bunbury

2.1 Apologies

Cr James Hayward – City of Bunbury

3. Public Question Time

Nil

4. Summary of Response to previous Questions taken on notice

Nil

5. Applications for Leave of Absence

Nil

6. Confirmation of Minutes

The minutes of the Ordinary meeting of Council held on 30 May 2019, are confirmed as a true accurate record.

MOVED BY: Cr Betty McCleary

SECONDED BY: Cr Anita Shortland

RESULT: CARRIED / ~~LOST~~ - 5/0

RESOLUTION: OC270619-1611

7. Petitions / Memorials / Presentations

Nil

8. Declarations of Interests

Nil

9. Announcements (by the presiding member without discussion)

Nil

10. Reports of Committees

Nil

11. Reports of Officers

11.1 Financial Statements for the period ending 31 May 2018

Applicant / Proponent:	Internal			
Responsible Officer:	Chris Welham, Accountant			
Responsible Manager:	David Ransom, Manager Finance			
Executive:	Tony Battersby, Chief Executive Officer			
Authority / Discretion:	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"/>
Attachment(s):	Attachment 1 – Financial Statements for Period Ending 31 May 2019 (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 May 2019

	ACTUAL	BUDGET	VARIANCE	
• Year-to-date Income	3,527,234	3,802,427	(275,193)	Unfavourable
• Year-to-date Expenditure	(4,143,099)	(4,164,971)	21,872	Favourable
• Year-to-date Operating Surplus	(615,865)	(362,544)	(253,321)	Unfavourable

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

Closing Funding Surplus to 30 June 2019 is forecast at \$209,790. The Budgeted Closing Surplus amount of \$399,834 has been decreased by \$190,044 due to a decrease in fees and charges income of \$317,384, and an increase in materials and contracts expenditure of \$84,984, which is offset by increased insurance and parental leave reimbursements received and paid, reduced depreciation and carried forward capital expenditure, and a reduction in transfers from reserve.

3. Capital Works (attached at Appendix 4)

	ACTUAL	BUDGET	VARIANCE	
• Year-to-date Capital Expenditure	(613,870)	(613,712)	(158)	Unfavourable

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

• Current Assets of \$ 4,765,061 includes:	Year-to-date	Forecast
○ Cash and Cash Equivalents	4,410,014	4,149,956
○ Trade and Other Receivables	350,791	300,000
○ Prepayments	1,970	-
○ Inventories	2,286	2,000

Current Liabilities of **\$391,110** includes:

○ Trade and Other Payables	141,067	212,518
○ Provisions	250,043	284,900

• Working Capital (Current Assets less Current Liabilities) is:

4,373,951

3,954,538

• Equity (Total Assets less Total Liabilities) is

9,108,304

9,025,157

Reserves of **\$3,041,571** includes:

• Plant and Infrastructure Reserve	544,602	787,075
• Site Post Closure Rehabilitation Reserve	723,778	1,072,632
• Stanley Road Environmental Protection Lined Cell Construction Reserve	685,415	1,091,394
• Organics Processing Reserve	1,087,776	793,644

5. Investments

Total of **\$4,329,587** includes:

	Invested Funds \$	% of Total Funds	Max % of Total Funds Allowed
○ Bankwest	581,849	13	75
○ Commonwealth Bank	1,686,360	39	75
○ National Australia Bank	2,061,378	48	75
TOTAL:	4,329,587	100	

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 May 2019 as presented to Council.

MOVED BY: Cr Anita Shortland

SECONDED BY: Cr Betty McCleary

RESULT: CARRIED / ~~LOST~~ – 5/0

RESOLUTION: OC270619-1612

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.

At the Council Meeting on 26 July 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

Consultation

There is no requirement for community consultation for this report. The Chief Executive Officer and the City of Bunbury finance staff monitor the Bunbury-Harvey Regional Council's monthly revenue and expenditure and (as required) refer to any variances requiring remedial action to Council.

Approved budget amendments are recorded in the financial statements to reflect the Council's current budget and financial position at all times.

Financial Implications

This Financial Management Report on the financial performance of the Council is provided for Councillor's information and does not have any financial or budget implications for the 2018/19 financial year.

Statutory Environment

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

Strategic Implications

Nil

Policy Implications

Nil

Officer Comment

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
Fees and Charges	
Casual Tipping Fees Unfavourable year-to-date variance to budget due to less than expected tonnages being received from the City of Busselton, the Shire of Capel and Westbins. The year- end forecast has been reduced by \$256K.	(\$223,071) (16%)
Sale of Compost Unfavourable year-to-date variance to budget. This is due to the seasonal effect of low rainfall. Demand for compost increases when there is rain to enhance assimilation of compost into existing soils. The year- end forecast has been reduced by \$45K.	(\$43,204) (34%)
Other Revenue	
Insurance Reimbursements Favourable year-to-date variance to budget due to receipt of good driver rebate and ongoing workers compensation wages recoups.	\$24,273 126%
Employee Costs	
Waste Transfer Station Favourable year-to-date variance to budget due to staff being on annual leave and close monitoring of staff rosters.	\$41,845 12%
Earthworks Operations Unfavourable year-to-date variance to budget mainly due to annual leave not taken.	(\$47,811) (30%)
Site Rehabilitation Favourable year-to-date variance to budget mainly due to staff being on annual leave and close monitoring of staff rosters.	\$32,726 21%
Materials and Contracts	
Technical Services Unfavourable year-to-date variance to budget mainly due to The DWER requesting further technical information in relation to the new lined Cell proposal for the Stanley Road Landfill. The year-end forecast has been increased to \$46K.	(\$28,100) (28%)
Organics Expenditure Unfavourable variance compared to year-to-date budget mainly due to an increase in organics licence fees, and plant maintenance costs e.g. replacement of aeration pipes (\$7,870) and the works approval (\$12,883) for the relocation of the Organics Processing Facility to Stanley Road. The year-end forecast has been increased by \$17K.	(\$37,788) (26%)
Skip Bin recycling Operations Favourable variance compared to year-to-date budget because the tender for the new waste handler was awarded later than expected. The forecast has been reduced by \$35K.	\$37,391 49%
Statement of Financial Activity	
Revenues by Nature and Type	
Other Revenue Favourable variance. See explanation above included in the Statement of Comprehensive Income variances.	\$25,124 13%

Voting Requirement

Simple Majority

11.2 Summary of Accounts paid for period ending 31 May 2019

Applicant / Proponent:	Internal			
Responsible Officer:	Chris Welham, Accountant			
Responsible Manager:	David Ransom, Manager Finance			
Executive:	Tony Battersby, Chief Executive Officer			
Authority / Discretion:	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"/>
Attachment(s):	Attachment 2 - Summary of Accounts paid for period ending 31 May 2019			

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 May 2019

Officer Recommendation

That Council:

Receive and accept the Summary of Accounts paid for period ending 31 May 2019 as presented to Council.

MOVED BY: Cr Betty McCleary

SECONDED BY: Cr Peter Monagle

RESULT: CARRIED / ~~LOST~~ – 5/0

RESOLUTION: OC270619-1613

Background

As noted in Summary.

Officer Comment

The attachment details all payments made for 31 May 2019

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 2018/2019 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 Draft Budget 2019/2020

Applicant / Proponent:	Internal			
Responsible Officer:	Chris Welham, Accountant			
Responsible Manager:	David Ransom, Manager Finance			
Executive:	Tony Battersby, Chief Executive Officer			
Authority / Discretion:	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"/>
Attachment(s):	Attachment 3 – Draft Budget 2019/2020			

Précis

Section 6.1 of the Local Government Act 1995 requires a local government to prepare and adopt (in the period June 1 to August 31) an annual budget of its Municipal fund for that same year.

Officer Recommendation

Recommendation 1 – Elected Members Meeting Attendance Fees

That Council:

Adopt the Elected Member sitting fees as prescribed by the Local Government (Administration) Regulations 1996 being:

- a) Council Meeting fees:
Chairman \$182.00 per meeting (This is double the minimum prescribed fee)
Councillors \$91.00 per meeting
- b) Committee Meeting fees:
Chairman and Councillors \$46.00 per meeting

MOVED BY: Cr Anita Shortland

SECONDED BY: Cr Tresslyn Smith

RESULT: CARRIED / ~~LOST~~ – 5/0

RESOLUTION: OC270619-1614

NOTE: Absolute Majority Vote Required

Recommendation 2 – Adoption of the 2019/2020 Budget

That Council:

Budgets for the following funds for the year ended 30 June 2020, be adopted:

- Municipal Fund
- Plant and Infrastructure Reserve
- Site (Post Closure) Rehabilitation Reserve
- Stanley Road Environmental Protection Cell Construction Reserve.
- Organics Processing Reserve

MOVED BY: Cr Betty McCleary

SECONDED BY: Cr Peter Monagle

RESULT: CARRIED / ~~LOST~~ – 5/0

RESOLUTION: OC270619-1615

Note: Absolute Majority Vote Required

Recommendation 3 – Reporting of Material Variances in the Monthly Statement of Financial Activity for 2019/2020

That Council:

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 2019/20.

MOVED BY: Cr Anita Shortland

SECONDED BY: Cr Betty McCleary

RESULT: CARRIED / ~~LOST~~ – 5/0

RESOLUTION: OC270619-1616

Note: Absolute Majority Vote Required

Recommendation 4 – Late Payment Interest Charge

That Council:

An interest charge on outstanding fees and charges (including amounts allowed on ad hoc payment plans) of 11% will be calculated daily at 0.0301% on a simple interest basis for the number of days from the account due date until the day prior to the day on which the payment is received.

MOVED BY: Cr Betty McCleary

SECONDED BY: Cr Tresslyn Smith

RESULT: CARRIED / ~~LOST~~ – 5/0

RESOLUTION: OC270619-1617

Note: Absolute Majority Vote Required

Background

Discussions regarding the draft budget for 2019/2020 Financial Year were held at a budget workshop on Thursday, 2 May 2019. The new schedule of Fees and Charges to apply from Monday, 1 July 2019 was adopted at the Ordinary Council Meeting held on Thursday, 30 May 2019 and has been used as the basis for the 2019/2020 income budget. It was resolved at the Budget Workshop held on Thursday, 2 May 2019 to adopt the budget at the Ordinary Council Meeting scheduled for Thursday, 27 June 2019.

1. Elected Members Meeting Attendance Fees

In accordance with the Local Government Act 1995, fees will be paid to Councillors for attendance at meetings of Council and Council (Standing) Committees. This is in addition to any other expenses which may be reimbursed.

The prescribed minimum and maximum payments under the Local Government (Administration) Regulations 1996, 30(3A) are:

(a) Councillor Meeting Attendance Fees:

Chairperson: Minimum: \$91.00 per meeting Maximum: \$490 per meeting

Councillors: Minimum: \$91.00 per meeting Maximum: \$238 per meeting

b) Committee Meeting fees:

Chairman and Councillors: Minimum \$46.00 per meeting Maximum \$119.00 per meeting.

(Refer to Recommendation 1)

2. Adoption of the 2019/20 Budget

A copy of the Draft Budget 2019/20 has been circulated under separate cover. Councillors developed the Draft Budget at the Council Workshop on 2nd May 2019.

The budget as presented includes provision to charge a \$61.00/tonne (GST incl.) gate fee for Co-mingled Waste, and \$28.50/tonne (GST incl.) for Green Waste, and to provide an \$12.50/tonne (GST incl.) rebate to Member Councils on Municipal waste disposed to landfill.

(Refer to Recommendation 2)

3. Reporting of Material Variances in the Monthly Statement of Financial Activity for 2019/20

It is a requirement under the Local Government (Financial Management) Regulations, for the Council to adopt (each year) a percentage or value, to be used for reporting material variances in the Statement of Financial Activity.

Any variance meeting these criteria will be required to have a supporting explanation in the monthly report to Council. Information is considered "material" if its omission, miss-statement or nondisclosure has the potential to adversely affect decisions by users of the financial report or affect the discharge of accountability by management or Council.

(Refer to Recommendation 3)

4. Late Payment Interest Charge

A charge on outstanding fees and charges as allowed under the Local Government Act 1995 General Debtor Collection charges during the 2019/20 financial year (including amounts allowed on ad hoc payment plans) of 11% will be calculated daily at 0.0301% on a simple interest basis for the number of days from the account due date until the day prior to the day on which the payment is received.

(Refer to Recommendation 4)

Consultation

A Budget Workshop was held with Councillors on 2 May 2019.

Financial Implications

Notes are included in the draft budget papers in regard to new items of income and expenditure in addition to Officer Comments in this report.

Statutory Environment

Section 6.1 of the Local Government Act 1995 applies.

Strategic Implications

Nil

Policy Implications

Nil

Voting Requirement

Absolute Majority

11.4 DRAFT – Disability Access and Inclusion Plan (DAIP) 2019-2024

Applicant / Proponent:	Internal			
Responsible Officer:	Michelle Lloyd, Workplace Safety and Compliance Officer			
Responsible Manager:	-			
Executive:	Tony Battersby, Chief Executive Officer			
Authority / Discretion:	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"/>
Attachment(s):	Attachment 4 – DRAFT – Disability Access and Inclusion Plan (DAIP) 2019-2024			

Précis

The Disability Services Act 1993 requires all local government and selected State Government agencies to develop a plan to assist in the promotion of access and inclusion of people with disability.

This is the Bunbury-Harvey Regional Council's (BHRC) first Disability Access and Inclusion Plan (DAIP) and it provides the framework for the implementation of strategies and initiatives to ensure people with disability are supported and have the same opportunities as others to access our services, facilities and information.

We will apply these DAIP strategies to our day-to-day operations, including the way in which we deliver our services. These initiatives range from improving the service awareness of staff to the needs of people with disability, to identifying and implementing methods to improve employment outcomes and initiatives that strive to provide opportunities for all members of our community to fully participate. These strategies will be strengthened by further educating our employees, embedding what works well in our daily practice and continuously monitoring and evaluating our progress.

Officer Recommendation

That Council:

Adopt the Disability Access and Inclusion Plan (DAIP) 2019-2024 as detailed in attachment.

MOVED BY: Cr Peter Monagle

SECONDED BY: Cr Tresslyn Smith

RESULT: CARRIED / ~~LOST~~ – 5/0

RESOLUTION: OC270619-1618

Background

The BHRC has not previously adopted a Disability Access and Inclusion Plan.

Consultation

In February 2019 a DAIP Committee was established and a short questionnaire was designed and contact was made with the local Disability Service Providers with a request for feedback. The community was informed through the BHRC Facebook and website that we were developing a DAIP to address the barriers that people with disability and their families experience in accessing information, services and facilities.

Following on from this, an advert was placed in the local newspaper along with details on how the community could provide input into the development of the plan by completing the questionnaire. The questionnaire was also available at the Administration building with contact details provided if assistance was required and alternative formats were made available upon request.

Residents were asked to identify any problems they had using services, accessing information, contributing to decision-making processes, making complaints and physically accessing the council facility. Direct contact was made with five (5) local Disability Service Providers and 3 completed surveys were returned. Although only two (2) of those had visited the facility in a personal capacity, all three (3) had suggestions for general improvement opportunities with access.

448 people reacted to the post on Facebook with 1 share, 4 likes and 13 engagements although no completed surveys were returned. No results were recorded against the website post.

The review of the consultation feedback along with an audit of the site highlighted areas of concern for access to our site and inclusion in the functions of the BHRC.

Access barriers include:

- Processes of the BHRC which may not be as accessible as possible;
- Facility tours may not always be held in a manner that best facilitates the participation of people with disability;
- Improvements to suitable parking for people with disability in the Transfer Station;
- Improvements to access to the tip shop;
- Some staff may be uninformed or lacking in confidence to adequately provide the same level of service to people with disability;
- Inclusion at council meetings; and
- Elements of the BHRC website that may require improvement to best meet the needs of people with disability.

The identification of these barriers informed the development of strategies in the DAIP. The barriers have been prioritised in order of importance, which assists setting timeframes for the completion of strategies to overcome those access barriers.

Financial Implications

As per annual budget, and facility upgrades to be considered in future annual budgets.

Statutory Environment

- The Disability Services Act 1993
- Local Government Act 1995
- Financial Management Act 2006
- Australian Standards on Access – AS1428 suite

Strategic Implications

As described in the body of the Report.

Policy Implication

As described in the body of the Report.

Voting Requirement

Simple Majority

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

Nil

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

Nil

14. Confidential Business (Meeting Closed to the Public)

Nil

15. Next Meeting

The next meeting is scheduled for Thursday, 25 July 2019 at the Shire of Harvey Council Chambers, 7 Mulgara Street, Australind, commencing at 4:00pm.

16. Close of Meeting

The Presiding Member declares meeting closed at 4:20pm.