



Ordinary Council Meeting

Minutes

25 July 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

Attachement 1 -	Financial Statements for Period Ending 30 June 2019
Attachment 2 -	Summary of Accounts Paid for Period Ending 30 June 2019
Attachment 3 -	CEO Performance Targets 2018/2019
Attachment 3 (A)	- CEO Performance Targets 2018-19 (Financial Management)
Attachment 3 (B)	- CEO Conduct and Organisation Culture (Workplace Safety)
Attachment 3 (C)	- Training Matrix 2018/2019
Attachment 4 -	Cr Cook Briefing on Minister Dawson’s Visit to SRWMF 03/07/2019



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, 25 July 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 Wendy Dickinson	Shire of Harvey
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 Scott Dandridge	Principal Environmental 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

2.1 Apologies

Cr James Hayward – City of Bunbury (Cr Smith Proxy)
Cr Betty McCleary – City of Bunbury (No Proxy Attended on her behalf)
Cr Anita Shortland – Shire of Harvey (Cr Wendy Dickinson Proxy)
Annie Riordan – CEO Shire of Harvey (Scott Dandridge attended on her behalf)

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 27 June 2019, are confirmed as a true accurate record.

MOVED BY: Cr Peter Monagle

SECONDED BY: Cr Tresslyn Smith

RESULT: CARRIED / ~~LOST~~ – 4/0

RESOLUTION: OC250719-1619

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 30 June 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 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 the Period Ending 30 June 2019 (Appendices 1 – 8)			

Summary

Note that this is a preliminary report to 30 June 2019 and is subject to change as end-of-year figures have not been finalised including transfers to and from reserves, employee provisions, restricted cash, final calculation of depreciation and asset revaluation. Council will receive a final report after the annual audit due to commence 16 September 2019.

The following comments are provided on the key elements of Council's Financial Performance:

1. Statement of Comprehensive Income (**attached at Appendix 1**)

	ACTUAL	BUDGET	VARIANCE	
• Year-to-date Income	3,791,152	4,176,664	(385,512)	unfavourable
• Year-to-date Expenditure	(4,337,999)	(4,514,574)	176,575	favourable
• Year-to-date Operating Surplus	(546,847)	(337,910)	(208,937)	unfavourable

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

Closing Funding Surplus to 30 June 2019 is forecast at \$584,831. The Budgeted Closing Surplus amount of \$399,834 has been increased by \$184,997 due to an increase in Other Revenue of \$19,246 (includes insurance reimbursements of \$24,273) a decrease in materials and contracts expenditure of \$117,261, a decrease in Other Expenditure of \$80,031, a reduction in capital expenditure of \$221,963 (includes carried forward \$275k for admin building), and a reduction in transfers to and from reserves of \$181,606, which is offset by a decrease in fees and charges income of \$404,642, and increased employee costs of \$30,167.

3. Capital Works (attached at Appendix 4)

	ACTUAL	BUDGET	VARIANCE	
• Year-to-date Capital Expenditure	(1,108,913)	(1,330,876)	221,963	favourable

The favourable variance is made up as follows:

New Admin building carried forward	\$ 275K
Hook Bin Truck cost above budget (offset by favourable trade-in \$6K)	(\$ 56K)
Other	\$ 3K
Total Variance	\$222K

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

	Year-to-date	Forecast
• Current Assets of 4,313,917 includes:		
○ Cash and Cash Equivalents	3,949,520	3,949,520
○ Trade and Other Receivables	350,371	350,371
○ Prepayments	5,910	5,910
○ Inventories	8,116	8,116

Current Liabilities of 318,611 includes:		
○ Trade and Other Payables	47,213	47,213
○ Provisions	271,398	271,398

• Working Capital (Current Assets less Current Liabilities) is:	3,995,306	3,995,306
• Equity (Total Assets less Total Liabilities) is:	9,177,051	9,177,051
• Reserves of 3,041,571 includes:		
○ Plant and Infrastructure Reserve	724,603	724,603
○ Site Post Closure Rehabilitation Reserve	837,422	837,422
○ Stanley Road Environmental Protection Lined Cell Construction Reserve	760,674	760,674
○ Organics Processing Reserve	1,087,775	1,087,775

5. Investments

Total of 3,830,142 includes:			
	Invested Funds \$	% of Total Funds	Max % of Total Funds Allowed
o Commonwealth Bank	82,404	2	75
o National Australia Bank	1,686,360	44	75
o Westpac	2,061,378	54	75
TOTAL:	3,830,142	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 30 June 2019as presented to Council.

MOVED BY: Cr Tresslyn Smith

SECONDED BY: Cr Peter Monagle

RESULT: CARRIED / ~~LOST~~ – 4/0

RESOLUTION: OC250719-1620

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.	(\$273,266) (18%)
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.	(\$49,528) (36%)
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	
Gatehouse Unfavourable year-to-date variance to budget mainly due to annual leave not taken.	(\$16,920) (11%)
Waste Transfer Station Favourable year-to-date variance to budget due to staff being on annual leave and close monitoring of staff rosters.	\$39,553 11%
Earthworks Operations Unfavourable year-to-date variance to budget mainly due to annual leave not taken.	(\$53,864) (31%)
Site Rehabilitation Favourable year-to-date variance to budget mainly due to staff being on annual leave and close monitoring of staff rosters.	\$37,747 22%
Recycling Operations Unfavourable year-to-date variance to budget mainly due to annual leave not taken.	(\$15,449) (41%)
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.	(\$39,658) (40%)
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), repairs to older plant items including the screener and the Woodhog Mulcher, and the works approval (\$12,883) for the relocation of the Organics Processing Facility to Stanley Road.	(\$56,298) (36%)
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.	\$35,357 43%
Monitoring Bores Unfavourable variance compared to year-to-date budget mainly due to extra bores required by the DWER.	(\$36,947) (46%)

Site rehabilitation Favourable variance compared to year-to-date budget due to transfer of Gabion Wall expenditure to capital expenditure.	\$224,188 25%
Other Expenditure	
Bad Debts Expense Favourable variance compared to year-to-date budget due to recoup of GST on Doubtful debts provision in prior years (2017).	\$68,660 100%
Statement of Financial Activity	
Revenues by Nature and Type	
Fees and Charges Unfavourable variance. See explanation above included in the Statement of Comprehensive Income variances.	(\$404,642) (11%)
Other Expenditure Favourable variance. See explanation above included in the Statement of Comprehensive Income variances.	\$80,031 25%

Voting Requirement

Simple Majority

11.2 Summary of Accounts paid for period ending 30 June 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 30 June 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 30 June 2019

Officer Recommendation

That Council:

Receive and accept the Summary of Accounts paid for period ending 30 June 2019 as presented to Council.

MOVED BY: Cr Wendy Dickinson

SECONDED BY: Cr Peter Monagle

RESULT: CARRIED / ~~LOST~~ – 4/0

RESOLUTION: OC250719-1621

Background

As noted in Summary.

Officer Comment

The attachment details all payments made for 30 June 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 Meeting Schedule 2019/2020

Applicant / Proponent:	Internal			
Responsible Officer:	Tony Battersby, Chief Executive Officer			
Executive:	Tony Battersby, Chief Executive Officer			
Authority / Discretion:	Advocacy	<input checked="" type="checkbox"/>	Review	<input checked="" 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):	Draft Meeting Schedule 2019/2020			

Précis

Regulation twelve (12) of the Local Government (Administration) Regulation 1996 requires that once a year a local government is to give local public notice of Ordinary meetings proposed for the next twelve (12) months. This item is presented to Council to consider a schedule of meeting for the next twelve (12) months to enable the Chief Executive Officer (CEO) to give local public notice of the intended meetings.

Officer Recommendation

That Council:

That Council request the Chief Executive Officer to give Local Public Notice of the following meeting schedule:

MOVED BY: Cr Peter Monagle

SECONDED BY: Cr Wendy Dickinson

RESULT: CARRIED / ~~LOST~~ – 4/0

RESOLUTION: OC250719-1622

Day	Date	Meeting	Time	Venue
Thursday	26 September 2019	Ordinary	4:00pm	Shire of Harvey office, Australind
Thursday	28 November 2019	<u>Audit</u>	4:00pm	Shire of Harvey office, Australind
Thursday	28 November 2019 *Adoption of Annual Report*	Ordinary	4:15pm	Shire of Harvey office, Australind
Thursday	30 January 2020	Ordinary	4:00pm	Shire of Harvey office, Australind
Thursday	26 March 2020	Ordinary	4:00pm	Shire of Harvey office, Australind
Thursday	28 May 2020	<u>Audit</u>	4:00pm	Shire of Harvey office, Australind
Thursday	28 May 2020 *Adoption of Fees & Charges*	Ordinary	4:15pm	Shire of Harvey office, Australind
Thursday	30 July 2020 *Adoption of Annual Budget*	Ordinary	4:00pm	Shire of Harvey office, Australind

Background

Regulation 12 of the Local Government (Administration) Regulation 1996 requires that once a year a local government is to give local public notice of Ordinary Council meeting (and Committee meeting that are required to be open to the public) proposed for the next twelve (12) months.

Officer Comment

The scheduled has allowed for bi-monthly Ordinary Council meetings on the last Thursday of the allocated month and also includes two Audit meetings per year.

Consultation

Local Public Notice of meeting is required.

Financial Implications

Advertising costs are provided for in the 2019/2020 budget.

Statutory Environment

Regulation 12 of the Local Government (Administration) Regulations 1996 requires that:

1. At least once each year a local government is to give local public notice of the dates on which, the time and place at which:
 - The Ordinary Council meetings; and
 - The Committee Meetings that are required under the Act to be open to members of the public are to be held in the next twelve (12) months.
2. A local government is to give local public notice of any change to the date, time or place of a meeting referred to in sub regulation 1
3. Subject to sub regulation 4, if a special meeting of a council is to be open to members of the public then the local government is to give local public notice of the date, time, place and purpose of the special meeting.
4. Subject to sub regulation 4, if a special meeting of a council is to be open to members of the public but, in the Chief Executive Officer's opinion, it is not practicable to give local public notice of the matters referred to in sub regulation 3, then the local government is to give public notice of the date, time, place and purpose of the special meeting in the manner and to the extent that, in the Chief Executive Officer's opinion, is practicable.

Strategic Implications

Nil

Policy Implications

Nil

Voting Requirement

Simple Majority

11.4 Membership of the CEO Performance Review Committee 2018/2019

Applicant / Proponent:	Internal			
Responsible Officer:	Tony Battersby, Chief Executive Officer			
Executive:	Tony Battersby, Chief Executive Officer			
Authority / Discretion:	Advocacy	<input type="checkbox"/>	Review	<input checked="" 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 – 2018/2019 CEO Performance Review (KPI's)			

Summary

The purpose of this report is for Council to consider appointments to the CEO Performance Review Committee 2018/2019.

Executive Recommendation

That Council:

Appoint three (3) Councillors as members of the CEO Performance Review Committee 2018/2019.

- (1) Cr Peter Monagle
- (2) Cr Murray Cook
- (3) Cr Anita Shortland

The Terms of Reference for this committee are as follows:

- *Facilitate the setting of annual Key Performance Indicators (KPI's) for the Council's Chief Executive Officer;*
- *Facilitate the CEO performance reviews, including all activities that are part of that review;*
- *Provide the CEO with feedback through a written report and facilitating feedback sessions.*

COUNCIL DECISION:

Council appoints Cr Monagle, Cr Cook and Cr Shortland as Committee Members for CEO Performance Review, with Cr Smith making herself as Proxy in case Cr Shortland can't commit to scheduled meeting and meeting with CEO to discuss Review.

MOVED BY: Cr Wendy Dickinson

SECONDED BY: Cr Tresslyn Smith

RESULT: CARRIED / ~~LOST~~ – 4/0

RESOLUTION: OC250719-1623

Background

Responsibilities of CEO Performance Review Committee are to make recommendations to Council on the Chief Executive Officer's performance targets and remuneration.

The Terms of Reference for this committee are as follows:

- Facilitate the setting of annual Key Performance Indicators (KPI's) for the Council's Chief Executive Officer;
- Facilitate the CEO performance reviews, including all activities that are part of that review;
- Provide the CEO with feedback through a written report and facilitating feedback sessions.

Council Policy Compliance

Not Applicable

Legislative Compliance

Section 5.8 of the Local government Act 1995 relates to Establishment of Committees and states:

- A local government may establish* committees of 3 or more persons to assist the council and to exercise the powers and discharge the duties of the local government that can be delegated to committees.

Section 5.38 of the Local government Act 1995 relates to Annual Review of Certain Employee's Performances and states:

- The performance of each employee who is employed for a term of more than one year, including the CEO and each senior employee, is to be reviewed at least once in relation to every year of the employment.

Officer Comments

The CEO performance review is required to be finalised by 31 October of each calendar year. The 2018/2019 CEO Performance Review KPI's are provided as an attachment to this agenda item.

Analysis of Financial and Budget Implications

Annual Budget

Community Consultation

Not required.

Councillor/Officer Consultation

This matter is presented to Council for consideration.

Voting Requirement

Absolute 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, 26 September 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.