



Ordinary Council Meeting

Minutes

24 September 2020

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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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, 24 September 2020 at 4.15pm

Minutes

1. Declaration of Opening / Announcement of Visitors

The meeting was declared open by Cr Tresslyn Smith at 4.15pm.

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 Tresslyn Smith
Chairperson

Mr Tony Battersby
Chief Executive Officer

2. Attendances and Apologies

2.1. Attendances

<i>Council Members:</i>	Representing
Cr Tresslyn Smith (Chairperson)	City of Bunbury
Cr Karen Turner	City of Bunbury
Cr Jaysen Miguel	City of Bunbury
Cr Bill Adams	Shire of Harvey
Cr Wendy Dickinson	Shire of Harvey
<i>Executive Leadership Team (Non-Voting)</i>	Representing
Mr Tony Battersby	Chief Executive Officer (BHRC)
Mr Mal Osborne	Chief Executive Officer (City of Bunbury)
<i>Officers (Non-Voting)</i>	Representing
Mrs Taryn York	Council Meeting Support Officer
<i>Others(Non-Voting)</i>	Representing
Mr Haydn Jones	Shire of Harvey

2.2. Apologies

Cr Tania Jackson
Annie Riordan
Chris Welham

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 July 2020, are confirmed as a true accurate record.

MOVED BY: Cr Karen Turner

SECONDED BY: Cr Wendy Dickinson

RESULT: CARRIED / ~~LOST~~

RESOLUTION: OC240920-1685

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 July 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 type="checkbox"/>	Review	<input type="checkbox"/>
	Executive/Strategic	<input type="checkbox"/>	Quasi-Judicial	<input type="checkbox"/>
	Legislative	<input checked="" type="checkbox"/>	Information Purposes	<input checked="" type="checkbox"/>
Attachment(s):	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 July 2020

	ACTUAL	BUDGET	VARIANCE	
• Year-to-date Income	546,126	500,399	45,727	Favourable

• Year-to-date Expenditure	(279,052)	(301,664)	22,612	Favourable
• Year-to-date Operating Surplus/(Deficit)	267,074	198,735	68,339	Favourable

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

Closing Funding Surplus to 30 June 2021 is forecast at \$377,394. The Budgeted Closing Surplus amount of \$346,029 has been increased by \$31,365 due to unspent contributions being brought forward from June 2020.

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

	ACTUAL	BUDGET	VARIANCE	
• Year-to-date Capital Expenditure	(142,765)	(142,765)	0	

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

• Current Assets of \$4,097,274 includes:	Year-to-date	Forecast
○ Cash and Cash Equivalents	3,626,069	1,125,235
○ Trade and Other Receivables	464,478	300,000
○ Inventories	6,727	2,000

Current Liabilities of \$470,116 includes:		
○ Trade and Other Payables	118,302	209,573
○ Provisions	351,814	365,882

• Working Capital (Current Assets less Current Liabilities) is:	3,627,158	851,780
• Equity (Total Assets less Total Liabilities) is:	8,690,642	12,117,683
• Reserves of \$3,226,611 includes:		
○ Plant and Infrastructure Reserve	740,184	412,528
○ Site Post Closure Rehabilitation Reserve	859,754	1,412
○ Stanley Road Environmental Protection Lined Cell Construction Reserve	517,377	47,140
○ Organics Processing Reserve	1,109,296	13,306

5. Investments

Total of \$3,520,096 includes:			
	Invested Funds \$	% of Total Funds	Max % of Total Funds Allowed
○ Commonwealth Bank	571,030	16	75
○ National Australia Bank	2,593,062	74	75
○ Westpac	356,004	10	75
TOTAL:	3,520,096	100	

Officer Recommendation

That Council:

Receive and accept the Financial Statements for period ending 31 July 2020as presented to Council.

MOVED BY: Cr Jaysen Miguel

SECONDED BY: Cr Karen Turner

RESULT: CARRIED / LOST 5 / 0

RESOLUTION: OC240920-1686

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 30 July 2020, 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 2020/2021.

Consultation

Nil

Financial Implications

As per the 2020/2021 Financial Budget.

Statutory Environment

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

Strategic Implications

Nil

Policy Implications

Nil

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	
Operating Income	\$
Contributions	
South West Alliance BORR Project Favourable year-to-date variance to budget. Unspent Contributions received in June 2020 relating to expenditure made in July has been brought forward to comply with Australian Accounting Standards. The forecast has been amended to reflect this variance.	\$31,365 31%

Statement of Financial Activity	
Revenues by Nature and Type	
Contributions Favourable year-to-date variance to budget. Please refer to the comments related to the Statement of Comprehensive Income as above.	\$31,365 31%

11.2. Financial Statements for the period ending 31 August 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 type="checkbox"/>	Review	<input type="checkbox"/>
	Executive/Strategic	<input type="checkbox"/>	Quasi-Judicial	<input type="checkbox"/>
	Legislative	<input checked="" type="checkbox"/>	Information Purposes	<input checked="" type="checkbox"/>
Attachment(s):	Attachment 2 - 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 2020

	ACTUAL	BUDGET	VARIANCE	
• Year-to-date Income	1,007,407	968,314	39,093	Favourable
• Year-to-date Expenditure	(720,777)	(715,447)	(5,329)	Unfavourable
• Year-to-date Operating Surplus/(Deficit)	286,630	252,867	33,763	Favourable

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

Closing Funding Surplus to 30 June 2021 is forecast at \$377,371. The Budgeted Closing Surplus amount of \$346,029 has been increased by \$31,342 due to unspent contributions being brought forward from June 2020.

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

	ACTUAL	BUDGET	VARIANCE	
• Year-to-date Capital Expenditure	(147,133)	(147,133)	0	

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

	Year-to-date	Forecast
• Current Assets of \$4,217,641 includes:		
o Cash and Cash Equivalents	3,653,987	1,125,212
o Trade and Other Receivables	556,927	300,000
o Inventories	6,727	2,000

Current Liabilities of \$530,028 includes:		
o Trade and Other Payables	190,787	209,573
o Provisions	339,241	365,882

• Working Capital (Current Assets less Current Liabilities) is:	3,687,613	851,757
• Equity (Total Assets less Total Liabilities) is:	8,710,197	12,117,660
• Reserves of \$3,230,489 includes:		
o Plant and Infrastructure Reserve	740,635	412,528
o Site Post Closure Rehabilitation Reserve	860,001	1,412
o Stanley Road Environmental Protection Lined Cell Construction Reserve	518,492	47,140
o Organics Processing Reserve	1,111,361	13,306

5. Investments

Total of \$3,524,516 includes:			
	Invested Funds \$	% of Total Funds	Max % of Total Funds Allowed
o Commonwealth Bank	271,155	7	75
o National Australia Bank	1,041,676	30	75
o Westpac	2,211,685	63	75
TOTAL:	3,524,516	100	

Officer Recommendation

That Council:

Receive and accept the Financial Statements for period ending 31 August 2020 as presented to Council.

MOVED BY: Cr Jaysen Miguel

SECONDED BY: Cr Wendy Dickinson

RESULT: CARRIED / LOST 5 / 0

RESOLUTION: OC240920-1687

Voting Requirement

Simple Majority

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 30 July 2020, 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 2020/2021.

Consultation

Nil

Financial Implications

As per the 2020/2021 Financial Budget.

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	
Operating Income	\$
Contributions	
South West Alliance BORR Project Favourable year-to-date variance to budget. Unspent Contributions received in June 2020 relating to expenditure made in July have been brought forward to comply with Australian Accounting Standards. The forecast has been amended to reflect this variance.	\$31,342 31%
Fees and Charges	
Banksia Road Sale of Compost Unfavourable year-to -date variance. Increased sales are expected once farmers paddocks are dry enough to broadcast compost., and when sales begin to be made for the Bunbury Outer Ring Road (BORR) project.	(\$19,350) (63%)
Employee Costs	
Administration Unfavourable year-to -date variance due to BORR project and Waste Innovation Hub expenditure.	(\$19,801) (42%)
Organics Expenditure Favourable year-to-date variance to budget due to termination of employees engaged in decontamination works. This will be addressed in the Budget review.	\$27,949 35%
Statement of Financial Activity	
Revenues by Nature and Type	
Contributions Favourable year-to-date variance to budget. Please refer to the comments related to the Statement of Comprehensive Income as above.	\$31,342 16%

11.3. Summary of Accounts paid for period ending 31 July 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: Summary of Accounts paid for period ending 31 July 2020			

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 July 2020

Officer Recommendation

That Council:

Receive and accept the Summary of Accounts paid for period ending 31 July 2020 as presented to Council.

MOVED BY: Cr Wendy Dickinson

SECONDED BY: Cr Jaysen Miguel

RESULT: CARRIED / LOST 5 / 0

RESOLUTION: OC240920-1688

Background

As noted in Summary.

Voting Requirement

Simple Majority

Officer Comment

The attachment details all payments made for 31 July 2020

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 2020/2021 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

11.4. Summary of Accounts paid for period ending 31 August 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 4 - Summary of Accounts paid for period ending 31 August 2020			

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 2020

Officer Recommendation

That Council:

Receive and accept the Summary of Accounts paid for period ending 31 August 2020 as presented to Council.

MOVED BY: Cr Wendy Dickinson

SECONDED BY: Cr Karen Turner

RESULT: CARRIED / LOST 5 / 0

RESOLUTION: OC240920-1689

Voting Requirement

Simple Majority

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 2020/2021 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

11.5. Write Off of Account Receivable Balances

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 5 – Write off of Accounts Receivable - Appendix 9			

Summary

A review of outstanding invoices is regularly conducted to determine that unpaid amounts can be recovered. Debtor's follow-up of unpaid invoices usually ensures that invoices raised are collected within 90 days of issue. However, there are instances where amounts are deemed to be not collectable or the cost of recovery is not economically feasible for the amount outstanding.

In all instances:

- All the necessary measures have been taken to recover the debt,
- The debt remains unpaid for a minimum period of 90 days after its date for payment, and
- A list of debts written off is presented to Council.

The recommended Account Receivable write off relates to Fiore Contractors.

All endeavours to facilitate collection of the outstanding amount have been exhausted. The list of debtor's invoices (as **attached** at Appendix 9) totalling \$6,261.32 is recommended for write off.

Officer Recommendation

That Council:

Approves the write off of accounts receivable invoices to Fiore Contractors totalling \$6,261.32.

MOVED BY: Cr Jaysen Miguel

SECONDED BY: Cr Karen Turner

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

RESOLUTION: OC240920-1690

Voting Requirement

Absolute Majority

11.6. Purchase of Capital Equipment

Applicant / Proponent:	Internal		
Responsible Officer:	Tony Battersby, Chief Executive 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 6 – Evaluation Report		

Summary

This item is presented to Council for Council to consider the approval of funds for purchasing Capital Equipment. The equipment will be utilised in the Banksia Road Organic Processing Facility and will replace the existing JCB436HT Front End Wheel Loader and the John Deere 326E Skid Steer. The CEO is seeking Councils approval to purchase the following equipment: One (1) – New Wheel Loader.

Executive Recommendation

That Council:

Part A - That Council accepts the tender RFT2021-0001 submission from Hitachi Construction Machinery – Option 2 for supply of one new ZW220-5 Hitachi Wheel Loader with Hydraulic Quick Hitch for tender price of – (As per Confidential Report Attachment 6).

Part B - That Council accepts the tender RFT2021-002 submission from WA Machinery Brokers to purchase of existing JCB 436 HT Wheeled Loader and John Deere Skid Steer for tender price of – (As per Confidential Report Attachment 6).

MOVED BY: Cr Karen Turner

SECONDED BY: Cr Wendy Dickinson

RESULT: CARRIED / LOST 5 / 0

RESOLUTION: OC240920-1691

Background

The purchase of one (1) New Wheel Loader is included in 2020/2021 Budget which was adopted by Council at the Ordinary Meeting held 30 July 2020. The Wheel Loader will replace the existing JCB436HT Front End Wheel Loader and the John Deere 326E Skid Steer which are utilised in the day to day operations at the Wellington Regional Compost Facility.

Officer Comment

Funding for the Capital Equipment Purchase is included in the 2020/2021 Annual Budget. Quotations were sourced from an open tender process, advertised in Western Australian Wednesday 12 August 2020 and the Southwest Times Thursday 13 August 2020.

Contract No. RFT2020-0001 for the supply of a one (1) New Wheel Loader and Contract No. RFT2020-0002 Sale of JCB436HT Front End Wheel Loader and the John Deere 326E Skid Ste closed at 4.00pm on Thursday 3 September 2020 and was opened by the BHRC Chief Executive Officer – Tony Battersby and the BHRC Executive Assistant – Taryn York. 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 New Wheel Loader including trade-in of the existing JCB436HT Front End Wheel Loader and the John Deere 326E Skid Steer.**

Tender No. Company Address

1. McIntosh & Son – 547 Great Eastern Highway, Redcliffe WA 6104
2. Westrac Pty Ltd – 128-136 Great Eastern Highway, Guildford WA 6055
3. Onetrak Pty Ltd – 8 Wallis Road, Davenport WA 6230
4. Komatsu Australia Pty Ltd – 33 McCombe Road, Bunbury WA 6230
5. Hitachi Construction Machinery – 3/1 Foundation Place, Pemulwuy NSW 2145
6. Porter Equipment Australia - 174 Kewdale Road, Kewdale WA 6105
7. Ronco Group – 33 Valencia Way, Maddington WA 6109

Outright purchase of the existing New Wheel Loader

Tender No. Company Address

1. WA Machinery Brokers – No Address Supplied (Purchase Only)

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 the purchase of one (1) New Wheel Loader, has been included in the 2020/2021 annual budget allocation for Capital Equipment Purchase GL # 49002.215.15:

- 1 x Wheel Loader \$280,000.00.
- Budget allocation for Capital Income GL # 59000.615.96:
- \$50,000.00 income for trade of existing JCB436HT Front End Wheel Loader and the John Deere 326E Skid Steer.

The recommended tender is \$28,500 over the budget allocation, this deficit will be balanced by surplus in CDS Forklift purchase, Waste Education 4 x 2 Utility purchase, Supervisors 4 x 2 Utility purchase and LGIS motor vehicle premium credit adjustment.

Strategic Implications

Acceptance of the Officers Recommendation is consistent with 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)

This report is confidential in accordance with section 5.23(2)(d) of the Local Government Act 1995, which permits the meeting to be closed to the public for business relating to the following:

- a) legal advice obtained by the local government and which relates to a matter to be discussed at the meeting.

A confidential report and recommendation have been circulated to members under a separate cover (Confidential Report CRUSC1).

Executive Recommendation

In accordance with section 5.23(2)(d) of the Local Government Act 1995, Council resolves to close the meeting to members of the public to consider the item titled “14.1 Legal Action: Auriga Group Debt”.

MOVED BY: Cr Jaysen Miguel

SECONDED BY: Cr Karen Turner

RESULT: CARRIED / LOST 5 / 0

RESOLUTION: OC240920-1692

The meeting was closed to the public at 4.30 pm.

14.1. Legal Action: Aurigen Group Debt

Applicant / Proponent:	Internal		
Responsible Officer:	Tony Battersby, Chief Executive 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 7: Confidential Report CRUSC1		

This report is confidential in accordance with section 5.23(2)(d) of the Local Government Act 1995, which permits the meeting to be closed to the public for business relating to the following:

- a) legal advice obtained by the local government and which relates to a matter to be discussed at the meeting.

A confidential report and recommendation have been circulated to members under a separate cover (Confidential Report CRUSC1).

The executive recommendation (as printed) was moved Cr Bill Adams seconded Cr Karen Turner.

The Presiding Member put the motion to vote and it was adopted to become the Council’s decision on the matter.

Executive Recommendation

That Council:

Authorise the BHRC CEO, in consultation with BHRC Solicitors, to negotiate full and final settlement of the matter relating to the Aurigen Group in accordance with “Option B” as contained within the Confidential attachment (CRUSC1).

MOVED BY: Cr Bill Adams

SECONDED BY: Cr Karen Turner

RESULT: CARRIED / LOST 5 / 0

RESOLUTION: OC240920-1693

14.2. Public Reading of Resolutions that may be made Public

Cr Wendy Dickinson moved, Cr Karen Turner seconded, that the meeting be reopened. The Presiding member put the motion to vote and it was adopted.

MOVED BY: Cr Wendy Dickinson

SECONDED BY: Cr Karen Turner

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

RESOLUTION: OC240920-1694

The meeting was re-opened at 5.05pm. The Presiding Member read aloud Council Decision OC240920-1693 for item 14.1 as follows:

That Council:

Authorise the BHRC CEO, in consultation with BHRC Solicitors, to negotiate full and final settlement of the matter relating to the Aurigen Group in accordance with "Option B" as contained within the Confidential attachment (CRUSC1).

15. Next Meeting

The next meeting is scheduled for Thursday, 26 November 2020 at Shire of Harvey Council Chambers, Administration Building, 7 Mulgara Street, Australind, commencing at 4.15pm.

16. Close of Meeting

The Presiding Member declares meeting closed at 5.10pm.