



# Ordinary Council Meeting

## Minutes

### 18 August 2021

#### 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

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| <b>Attachment 1</b> | - | <b>Financial Statements for the Period Ending 31 May 2021</b>  |
| <b>Attachment 2</b> | - | <b>Financial Statements for the Period Ending 30 June 2021</b> |
| <b>Attachment 3</b> | - | <b>Summary of Accounts paid for period ending 31 May 2021</b>  |
| <b>Attachment 4</b> | - | <b>Summary of Accounts paid for period ending 30 June 2021</b> |
| <b>Attachment 5</b> | - | <b>Budget for 2021/2022</b>                                    |
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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 Administration Complex, Stanley Road Waste Management Facility, Lot 45 Stanley Road, Wellesley on Wednesday, 18 August 2021 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

| <b><i>Council Members:</i></b>                       | <b>Representing</b>                               |
|------------------------------------------------------|---------------------------------------------------|
| Cr Tresslyn Smith (Chairperson)                      | City of Bunbury                                   |
| Cr Tania Jackson (Deputy Chairperson)                | Shire of Harvey                                   |
| Cr Karen Turner                                      | City of Bunbury                                   |
| Cr Jaysen Miguel                                     | City of Bunbury                                   |
| Cr Wendy Dickinson                                   | Shire of Harvey                                   |
| <b><i>Executive Leadership Team (Non-Voting)</i></b> | <b>Representing</b>                               |
| Mr Tony Battersby                                    | Chief Executive Officer (BHRC)                    |
| Mr Mal Osborne                                       | Chief Executive Officer (City of Bunbury)         |
| Mr Rick Lotznicker                                   | Acting Chief Executive Officer (Shire of Harvey ) |
| <b><i>Officers (Non-Voting)</i></b>                  | <b>Representing</b>                               |
| Ms Karen McDonald                                    | Finance Manager                                   |
| <b><i>Others(Non-Voting)</i></b>                     | <b>Representing</b>                               |
| Cr John Bromham                                      | Shire of Harvey                                   |
| Mr Gavin Harris                                      | City of Bunbury                                   |
| Mr Rick Lotznicker                                   | Acting Chief Executive Officer (Shire of Harvey ) |

#### 2.2. Apologies

Ms Annie Riordan  
Mr Simon Hall  
Mr Haydn Jones

### 3. Public Question Time / Presentations

Andonis Missikos, Chair of the Sustainability Waste Alliance gave a presentation on the BORR project.

### 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 May 2021, are confirmed as a true accurate record.

MOVED BY: Cr Karen Turner

SECONDED BY: Cr Wendy Dickinson

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

RESOLUTION: OC180821-1744

### 7. Petitions / Memorials / Presentations

Nil

### 8. Declarations of Interests

11.7 Tony Battersby

11.8 Tony Battersby

### 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 2021

|                         |                                                                                             |                                     |                      |                                     |
|-------------------------|---------------------------------------------------------------------------------------------|-------------------------------------|----------------------|-------------------------------------|
| Applicant / Proponent:  | Internal                                                                                    |                                     |                      |                                     |
| Responsible Officer:    | Karen McDonald, Finance Manager                                                             |                                     |                      |                                     |
| Responsible Manager:    | Tony Battersby, Chief Executive Officer                                                     |                                     |                      |                                     |
| 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 checked="" type="checkbox"/> |
| Attachment(s):          | Attachment 1 - Financial Statements for the Period Ending 31 May 2021<br>(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 2021

|                                            | ACTUAL      | BUDGET      | VARIANCE  |              |
|--------------------------------------------|-------------|-------------|-----------|--------------|
| • Year-to-date Income                      | 5,198,158   | 4,731,146   | 467,012   | Favourable   |
| • Year-to-date Expenditure                 | (5,617,251) | (5,389,546) | (227,705) | Unfavourable |
| • Year-to-date Operating Surplus/(Deficit) | (419,093)   | (658,400)   | 239,307   | Favourable   |

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

Closing Funding Surplus to 30 June 2021 is forecast at \$910,869.

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

|                                    | ACTUAL    | BUDGET    | VARIANCE  |              |
|------------------------------------|-----------|-----------|-----------|--------------|
| • Year-to-date Capital Expenditure | 1,136,180 | 6,250,690 | 5,145,510 | Unfavourable |

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

|                                  | Year-to-date | Forecast  |
|----------------------------------|--------------|-----------|
| • Current Assets of \$3,060,346: |              |           |
| ○ Cash and Cash Equivalents      | 2,525,085    | 1,728,032 |
| ○ Trade and Other Receivables    | 515,638      | 299,978   |
| ○ Prepayments                    | 12,897       | 0         |
| ○ Inventories                    | 6,727        | 2,000     |

Current Liabilities of \$560,007 includes:

|                            |         |         |
|----------------------------|---------|---------|
| ○ Trade and Other Payables | 191,267 | 244,004 |
| ○ Provisions               | 368,740 | 381,573 |

|                                                                         |           |            |
|-------------------------------------------------------------------------|-----------|------------|
| • Working Capital <b>(Current Assets less Current Liabilities)</b> is:  | 2,500,339 | 1,404,433  |
| • Equity <b>(Total Assets less Total Liabilities)</b> is:               | 7,976,124 | 12,848,469 |
| • Reserves of \$2,069,780 includes:                                     |           |            |
| ○ Plant and Infrastructure Reserve                                      | 8,339     | 412,529    |
| ○ Site Post Closure Rehabilitation Reserve                              | 425,701   | 1,413      |
| ○ Stanley Road Environmental Protection Lined Cell Construction Reserve | 520,761   | 66,318     |
| ○ Organics Processing Reserve                                           | 1,114,997 | 13,304     |

5. Investments

| Total of \$2,234,949 includes: |                   |                  |                              |
|--------------------------------|-------------------|------------------|------------------------------|
|                                | Invested Funds \$ | % of Total Funds | Max % of Total Funds Allowed |
| ○ Commonwealth Bank            | 1,045,357         | 47               | 75                           |
| ○ National Australia Bank      | 1,189,592         | 53               | 75                           |
| <b>TOTAL:</b>                  | 2,234,948         | 100              |                              |

### *Executive Recommendation*

#### **That Council:**

Receive and accept the Financial Statements for period ending 31 May 2021 as presented to Council.

**MOVED BY:** Cr Tania Jackson

**SECONDED BY:** Cr Jaysen Miguel

**RESULT:** CARRIED / LOST 5/0

**RESOLUTION:** OC180821-1745

### *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 Financial Activity:

|                                        |  |
|----------------------------------------|--|
| <b>Statement of Financial Activity</b> |  |
| <b>Revenues by Nature and Type</b>     |  |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                    |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|
| <b>Contributions</b> Favourable year-to-date variance to budget mainly due to waste education contributions from DWER (\$48K) and unspent BORR project contributions (\$31K) received in June 2020 relating to expenditure made in July brought forward to comply with Australian Accounting Standards. The forecast has been amended to reflect this variance.                                                                                               | \$89,946<br>41%    |
| <b>Other Revenue</b> Favourable year-to-date variance to budget mainly due to increases in fuel tax credits (\$7K), insurance reimbursements (good driver rebate and contributions assistance - \$9K, workers compensation reimbursements - \$20K), increase of CDS revenue (\$142k), decrease in Landfill levy revenue (\$53k - offset by a decrease in the expense) and increase in payroll contributions (\$18k) and Parental Leave reimbursements (\$13k) | \$155,930<br>20%   |
| <b>Other Expenditure</b> Unfavourable year-to-date variance to budget mainly due to an container deposit scheme (\$325K) for container cash refunds to customers on deposit of eligible containers (reimbursed by scheme), and bad debts expense (\$6K) as per Council Resolution OC240920-1690.                                                                                                                                                              | (274,900)<br>(74%) |

### Voting Requirement

Simple Majority

### 11.2. Financial Statements for the period ending 30 June 2021

|                                |                                                                                                  |                                     |                      |                                     |
|--------------------------------|--------------------------------------------------------------------------------------------------|-------------------------------------|----------------------|-------------------------------------|
| <b>Applicant / Proponent:</b>  | Internal                                                                                         |                                     |                      |                                     |
| <b>Responsible Officer:</b>    | Karen McDonald, Finance Manager                                                                  |                                     |                      |                                     |
| <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 checked="" type="checkbox"/> |
| <b>Attachment(s):</b>          | <b>Attachment 2</b> - Financial Statements for the Period Ending 30 June 2021 (Appendices 1 – 8) |                                     |                      |                                     |

### Summary

Note that this a preliminary report to 30 June 2021 and is subject to change as end-of-year figures have not been finalised including employee provisions. Council will receive a final report after the annual audit due to commence 1 November 2021.

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 30 June 2021

|                                            | ACTUAL      | BUDGET      | VARIANCE  |              |
|--------------------------------------------|-------------|-------------|-----------|--------------|
| • Year-to-date Income                      | 5,692,597   | 5,820,770   | (128,173) | Unfavourable |
| • Year-to-date Expenditure                 | (6,176,928) | (5,628,740) | (548,188) | Unfavourable |
| • Year-to-date Operating Surplus/(Deficit) | (484,331)   | 192,02      | (676,361) | Unfavourable |

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



Closing Funding Surplus to 30 June 2021 is forecast at \$360,823.

3. Capital Works (attached at Appendix 4)

|                                    | ACTUAL    | BUDGET    | VARIANCE    |              |
|------------------------------------|-----------|-----------|-------------|--------------|
| • Year-to-date Capital Expenditure | 1,132,056 | 7,449,263 | (6,317,207) | Unfavourable |

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

| • Current Assets of \$3,166,171: | Year-to-date | Forecast  |
|----------------------------------|--------------|-----------|
| ○ Cash and Cash Equivalents      | 2,578,256    | 2,578,032 |
| ○ Trade and Other Receivables    | 565,446      | 565,446   |
| ○ Prepayments                    | 14,483       | 14,483    |
| ○ Inventories                    | 7,986        | 7,986     |

| Current Liabilities of \$666,286 includes: |         |         |
|--------------------------------------------|---------|---------|
| ○ Trade and Other Payables                 | 305,931 | 305,931 |
| ○ Provisions                               | 360,355 | 360,355 |

|                                                                         |           |           |
|-------------------------------------------------------------------------|-----------|-----------|
| • Working Capital (Current Assets less Current Liabilities) is:         | 2,499,885 | 2,499,885 |
| • Equity (Total Assets less Total Liabilities) is:                      | 7,910,886 | 7,910,886 |
| • Reserves of \$2,139,066 includes:                                     |           |           |
| ○ Plant and Infrastructure Reserve                                      | 187,670   | 187,670   |
| ○ Site Post Closure Rehabilitation Reserve                              | 277,571   | 277,571   |
| ○ Stanley Road Environmental Protection Lined Cell Construction Reserve | 606,599   | 606,599   |
| ○ Organics Processing Reserve                                           | 1,067,223 | 1,067,223 |

5. Investments

| Total of \$2,234,957 includes: |                   |                  |                              |
|--------------------------------|-------------------|------------------|------------------------------|
|                                | Invested Funds \$ | % of Total Funds | Max % of Total Funds Allowed |
| ○ Commonwealth Bank            | 1,045,364         | 47               | 75                           |
| ○ National Australia Bank      | 1,189,592         | 53               | 75                           |
| <b>TOTAL:</b>                  | <b>2,234,956</b>  | <b>100</b>       |                              |

*Executive Recommendation*

**That Council:**

Receive and accept the Financial Statements for period ending 30 June 2021 as presented to Council.

**MOVED BY:** Cr Jaysen Miguel

**SECONDED BY:** Cr Tania Jackson

**RESULT:** CARRIED / LOST 5/0

**RESOLUTION:** OC180821-1746

*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 Financial Activity:

| <b>Statement of Financial Activity</b>                                                                                                                                                                                                                                                                                                                                                                                                                         |                  |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|
| <b>Revenues by Nature and Type</b>                                                                                                                                                                                                                                                                                                                                                                                                                             |                  |
| <b>Contributions</b> Favourable year-to-date variance to budget mainly due to waste education contributions from DWER (\$48K) and unspent BORR project contributions (\$31K) received in June 2020 relating to expenditure made in July brought forward to comply with Australian Accounting Standards. The forecast has been amended to reflect this variance.                                                                                                | \$85,307<br>38%  |
| <b>Other Revenue</b> Favourable year-to-date variance to budget mainly due to increases in fuel tax credits (\$7K), insurance reimbursements (good driver rebate and contributions assistance - \$9K, workers compensation reimbursements - \$20K, ), increase of CDS revenue (\$142k), decrease i Landfill levy revenue (\$53k - offset by a decrease in the expense) and increase in payroll contributions (\$18k) and Parental Leave reimbursements (\$13k) | \$210,172<br>25% |

|                                                                                                                                                                                                                                                                                                  |                        |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|
| <b>Other Expenditure</b> Unfavourable year-to-date variance to budget mainly due to an container deposit scheme (\$325K) for container cash refunds to customers on deposit of eligible containers (reimbursed by scheme), and bad debts expense (\$6K) as per Council Resolution OC240920-1690. | (309,218)<br><br>(77%) |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|

### *Voting Requirement*

Simple Majority

### 11.3. Summary of Accounts paid for period ending 31 May 2021

|                                |                                                                              |                                     |                      |                          |
|--------------------------------|------------------------------------------------------------------------------|-------------------------------------|----------------------|--------------------------|
| <b>Applicant / Proponent:</b>  | Internal                                                                     |                                     |                      |                          |
| <b>Responsible Officer:</b>    | Karen McDonald, Finance Manager                                              |                                     |                      |                          |
| <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</b> - Summary of Accounts paid for period ending 31 May 2021 |                                     |                      |                          |

### *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 2021

### *Officer Recommendation*

**That Council:**

Receive and accept the Summary of Accounts paid for period ending 31 May 2021 as presented to Council.

**MOVED BY:** Cr Tania Jackson

**SECONDED BY:** Cr Jaysen Miguel

**RESULT:** CARRIED / LOST 5/0

**RESOLUTION:** OC180821-1747

### *Background*

As noted in Summary.

### *Voting Requirement*

Simple Majority

### *Officer Comment*

The attachment details all payments made for 31 May 2021

### *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

**Voting Requirement**

Simple Majority

**11.4. Summary of Accounts paid for period ending 30 June 2021**

|                                |                                                                               |                                     |                                               |
|--------------------------------|-------------------------------------------------------------------------------|-------------------------------------|-----------------------------------------------|
| <b>Applicant / Proponent:</b>  | Internal                                                                      |                                     |                                               |
| <b>Responsible Officer:</b>    | Karen McDoanld, Finance Manager                                               |                                     |                                               |
| <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 4</b> - Summary of Accounts paid for period ending 30 June 2021 |                                     |                                               |

**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 2021

**Officer Recommendation**

**That Council:**

Receive and accept the Summary of Accounts paid for period ending 30 June 2021 as presented to Council.

**MOVED BY:** Cr Tania Jackson

**SECONDED BY:** Cr Wendy Dickinson

**RESULT:** CARRIED / LOST 5/0

**RESOLUTION:** OC180821-1748

**Background**

As noted in Summary.

**Voting Requirement**

Simple Majority

**Officer Comment**

The attachment details all payments made for 30 June 2021

### 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

### Voting Requirement

Simple Majority

## 11.5. Budget for the Year Ending 30 June 2022

|                                |                                         |                                     |                      |                          |
|--------------------------------|-----------------------------------------|-------------------------------------|----------------------|--------------------------|
| <b>Applicant / Proponent:</b>  | Internal                                |                                     |                      |                          |
| <b>Responsible Officer:</b>    | Karen McDonald, Finance Manager         |                                     |                      |                          |
| <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>          | Attachment 5 – Budget for 2021/2022     |                                     |                      |                          |

### Summary

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 Recommendations

That Council;

1. Request that approval be sought from the Minister for Housing and Local Government to defer the adoption of the BHRC 2021/2022 annual budget until no later than 31 October 2021

**MOVED BY:** Cr Jaysen Miguel

**SECONDED BY:** Cr Wendy Dickinson

**RESULT:** CARRIED / LOST 5/0

**RESOLUTION:** OC180821-1749

2. Defer adopting the 2021/2022 annual BHRC Budget until;
  - a) DWER advises in writing that BHRC may accept the volumes and types of waste streams that secure revenue for BHRC as indicated in the draft budget papers; and

**MOVED BY:** Cr Tania Jackson

**SECONDED BY:** Cr Jaysen Miguel

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

**RESOLUTION:** OC180821-1750

- b) The Chief Executive Officer of the BHRC has concluded a detailed assessment of all expenditure and revenue items, in conjunction with the Chief Executive Officers of both the Shire of Harvey and the City of Bunbury.

**MOVED BY:** Cr Wendy Dickinson

**SECONDED BY:** Cr Tania Jackson

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

**RESOLUTION:** OC180821-1751

3. Require the Chief Executive Officer of the BHRC to formally write to the BHRC Member Councils seeking capital contributions from them of up to a total of \$6,000,000, under arrangements of loan facilities which require the BHRC to repay the principal and interest accrued for any loans approved within agreed timeframes and other conditions required by the member Councils, with the loan funds to be used for the purposes of;
- Completing the post closure rehabilitation site-capping up to at least Phase Three noted in the post-closure management plan (approximately \$830,000);
  - Supporting the capital funding requirements of the construction of the lined-cell project (approximately \$4,070,000); and
  - Supporting the construction of Stage One of the BHRC Composting Facility (\$1,100,000); and

**MOVED BY:** Cr Tania Jackson

**SECONDED BY:** Cr Jaysen Miguel

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

**RESOLUTION:** OC180821-1752

4. Makes a formal request to the State Government of Western Australia for specific grant funding of \$4,100,000 to enable the completion of all stages of the BHRC regional compost facility which;
- Will deliver upon the State Waste Strategy requirement of waste diversion from landfill and the introduction of FOGO;
  - Will allow other local governments to dispose of their FOGO into a state of the art regional compost facility; and
  - Will enable the BHRC to deliver upon the requirements of the State Waste Strategy with the funding provided.

**MOVED BY:** Cr Wendy Dickinson

**SECONDED BY:** Cr Karen Turner

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

**RESOLUTION:** OC180821-1753

### **Background**

Discussions regarding the draft budget for the 2021/22 Financial Year were held at budget workshops on the 24<sup>th</sup> June 2021.

The new schedule of Fees and Charges to apply from 1st July 2021 was adopted at the 27<sup>th</sup> May 2021 Ordinary Meeting of Council and has been used as the basis for the 2021/22 income budget. It was resolved at the 27<sup>th</sup> May 2021 meeting to adopt the budget at the Meeting of Council on 18<sup>th</sup> August 2021.

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 2021/22 Budget

A copy of the Draft Budget 2021/22 has been circulated under separate cover.

The budget as presented includes provision to charge a \$61.00/tonne (GST incl.) gate fee for Co-mingled Waste, \$30.00/tonne (GST incl.) for Green Waste, and \$42.00 per tonne for Organic 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 2021/22

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

An interest charge of 7% per annum, calculated on a simple interest basis for the number of days outstanding, may apply on unpaid debts outstanding 35 days from the date of invoices raised after 1 July 2021 subject to:

(a) This interest rate cannot be applied to a person who is considered by the Bunbury-Harvey Regional Council to be suffering financial hardship as a consequence of the COVID-19 pandemic.

(Refer to Recommendation 4)

### Consultation

Budget Workshops was held with Councillors on 27<sup>th</sup> May 2021.

### 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

### Consultation

Nil

### Financial Implications

The financial implications are as included in the 2021/22 Budget attached at Appendix 5.

### Statutory Environment

Sections 6.1 of the Local Government Act 1995 applies.

### Strategic Implications

Nil

## 11.6. Draft Meeting Schedule 2021/2022

|                                |                                                        |                                     |                      |                                     |
|--------------------------------|--------------------------------------------------------|-------------------------------------|----------------------|-------------------------------------|
| <b>Applicant / Proponent:</b>  | Internal                                               |                                     |                      |                                     |
| <b>Responsible Officer:</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 checked="" 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 6</b> - Draft Meeting Schedule 2021/2022 |                                     |                      |                                     |

### Summary

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 Wendy Dickinson

SECONDED BY: Cr Tania Jackson

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

RESOLUTION: OC180821-1754



| Day      | Date                                                   | Meeting             | Time   | Venue                                                |
|----------|--------------------------------------------------------|---------------------|--------|------------------------------------------------------|
| Thursday | 30 September 2021                                      | Ordinary            | 4:15pm | Administration Complex, Lot 45 Stanley Rd, Wellesley |
| Thursday | 25 November 2021                                       | <i><u>Audit</u></i> | 4:15pm | Administration Complex, Lot 45 Stanley Rd, Wellesley |
| Thursday | 25 November 2021<br><i>*Adoption of Annual Report*</i> | Ordinary            | 4:30pm | Administration Complex, Lot 45 Stanley Rd, Wellesley |
| Thursday | 27 January 2022                                        | Ordinary            | 4:15pm | Administration Complex, Lot 45 Stanley Rd, Wellesley |
| Thursday | 31 March 2022                                          | Ordinary            | 4:15pm | Administration Complex, Lot 45 Stanley Rd, Wellesley |
| Thursday | 26 May 2022                                            | <i><u>Audit</u></i> | 4:15pm | Administration Complex, Lot 45 Stanley Rd, Wellesley |
| Thursday | 26 May 2022<br><i>*Adoption of Fees &amp; Charges*</i> | Ordinary            | 4:30pm | Administration Complex, Lot 45 Stanley Rd, Wellesley |
| Thursday | 28 July 2022<br><i>*Adoption of Annual Budget*</i>     | Ordinary            | 4:15pm | Administration Complex, Lot 45 Stanley Rd, Wellesley |

### *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 2021/2022 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

**11.7. Membership of the CEO Performance Review Committee 2020/2021**

|                                |                                                               |                                     |                      |                                     |
|--------------------------------|---------------------------------------------------------------|-------------------------------------|----------------------|-------------------------------------|
| <b>Applicant / Proponent:</b>  | Internal                                                      |                                     |                      |                                     |
| <b>Responsible Officer:</b>    | Tony Battersby, Chief Executive Officer                       |                                     |                      |                                     |
| <b>Executive:</b>              | Tony Battersby, Chief Executive Officer                       |                                     |                      |                                     |
| <b>Authority / Discretion:</b> | 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"/>            |
| <b>Attachment(s):</b>          | <b>Attachment 7 –2021/2022 CEO Performance Review (KPI's)</b> |                                     |                      |                                     |

*Summary*

The purpose of this report is for Council to consider appointments to the CEO Performance Review Committee 2019/2020.

*Executive Recommendation*

**That Council:**

Appoint three (3) Councillors as members of the CEO Performance Review Committee 2020/2021.

(1) Cr Jackson

(2) Cr Turner

(3) Cr Smith

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:**

MOVED BY: Cr Jaysen Miguel

SECONDED BY: Cr Wendy Dickinson

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

RESOLUTION: OC180821-1755

### 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. 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:

- a. 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 2020/2021 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

## 11.8. CEO Annual Leave Approval

|                                |                                         |                                     |                      |                                     |
|--------------------------------|-----------------------------------------|-------------------------------------|----------------------|-------------------------------------|
| <b>Applicant / Proponent:</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 checked="" 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>          | Nil                                     |                                     |                      |                                     |

### Summary

The Chief Executive Officer Employment Contract requires the CEO to seek approval from Council for annual leave per clause;

9.1 Approval For Leave

*“Leave by you is to be taken at a time, or during periods that are approved by the Council or, (If the Council so resolves), by the Chairperson.”*

***Officer Recommendation***

**That Council:**

Approves the CEO’s application for annual leave from the 25<sup>th</sup> October 2021 to 12<sup>th</sup> November 2021, a total of fifteen (15) days annual leave.

**MOVED BY:** Cr Jaysen Miguel

**SECONDED BY:** Cr Wendy Dickinson

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

**RESOLUTION:** OC180821-1756

***Executive Recommendation***

Not Applicable

***Background***

Provision of five weeks annual leave per annum are allowed for in the Chief Executive Officer Employment Contract, the CEO currently has as of 03/08/2021 439.4 hours (11.5 weeks) accumulated annual leave available.

***Strategic Relevance***

Nil

***Council Policy Compliance***

Nil

***Legislative Compliance***

In accordance with the provisions of Section 5.36 of the Local Government Act 1995

***Analysis of Financial and Budget Implications***

Funding allowance as been included in the 2021/2022 budget for the payment of up to five weeks annual leave for the CEO.

***Community Consultation***

Nil

***Voting Requirement***

Simple 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)**

## 15. Next Meeting

The next meeting is scheduled for Thursday, 30 September 2021 at the Administration Complex, Lot 45 Stanley Road, Wellesley, commencing at 4.15pm

## 16. Close of Meeting

The Presiding Member declares meeting closed at 5.58pm.

UNCONFIRMED