



Special Council Meeting

Minutes

8 September 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

Attachment 1 – Confidential Report CRUSC3



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 Thursday, [Click here to enter a date.](#) at [Click here to enter text.](#)

Minutes

1. Declaration of Opening / Announcement of Visitors

The meeting was declared open by Cr Tresslyn Smith at 3.09pm.

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 Wendy Dickinson	Shire of Harvey
<i>Executive Leadership Team (Non-Voting)</i>	Representing
Mr Tony Battersby	Chief Executive Officer (BHRC)
Ms Annie Riordan	Chief Executive Officer (Shire of Harvey)
Mr Mal Osborne	Chief Executive Officer (City of Bunbury)
<i>Officers (Non-Voting)</i>	Representing
Ms Karen McDonald	Finance Manager
Mrs Taryn York	Council Meeting Support Officer
Mr Gavin Harris	Director of Infrastructure (City of Bunbury)
Mr Simon Hall	Director Sustainable Development (Shire of Harvey)
Mr Rick Lotznicker	Director Infrastructure Services (Shire of Harvey)

2.2. Apologies

Cr Wendy Giles
Cr John Bromham
Cr Paul Gillett

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

Nil

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. 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.

A confidential report and recommendation have been circulated to members under a separate cover (Confidential Report CRUSC3).

Applicant / Proponent:	Internal			
Responsible Officer:	Tony Battersby, Chief Executive Officer			
Responsible Manager:	-			
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 type="checkbox"/>	Information Purposes	<input type="checkbox"/>
Attachment(s):	Attachment 1 – “Confidential Report CRUSC3”			

Officer Recommendation

That Council:

Presiding Member Cr Smith declared the meeting was closed to the public at 3.10pm to discuss “**Confidential Report CRUSC3**”.

MOVED BY: Cr Wendy Dickinson

SECONDED BY: Cr Karen Turner

RESULT: CARRIED / ~~LOST~~ 4/0

RESOLUTION: SC020921-1757

Presiding Member Cr Smith declared the meeting was opened to the public at 3.20pm.

MOVED BY: Cr Jaysen Miguel

SECONDED BY: Cr Wendy Dickinson

RESULT: CARRIED / LOST 4/0

RESOLUTION: SC020921-1760

12. Reports of Officers

12.1. Capping Works Stanley Road Waste Management Facility

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):			

Précis

This item is presented to Council for Council to consider the approval of funds for construction of civil works for the construction of Phase 3,4 and 5 Capping Works at Stanley Road Waste Management Facility, Wellesley. The works to be carried out under Tender Specification include, but are not limited to the following:

- Preparation of 'Principal placed' 300mm sand layer subgrade to receive capping system;
- Installation of landfill gas wells and connection to flare;
- Installation of capping system comprising:
 - 1.5mm LLDPE double textured geomembrane liner (LLDPE); and
 - Surface water drainage geocomposite (geonet); and
- Placement of 900mm of earth fill and 300mm of growing medium:

Officer Recommendation

That Council:

- 1) Council authorise that Reserve funds from the Stanley Road Environmental Protection and Cell Construction Reserve \$606,599, the Organics Processing Reserve \$1,067,225 and the Site (Post Closure) Rehabilitation Reserve \$277,571, Total amount \$1,951,395 be utilised for the purpose of urgent capping works required at the Stanley Road Waste Management Facility to be compliant with licence conditions. Changes in Reserves will be disclosed in the 2021/2022 annual budget.

MOVED BY: Cr Karen Turner

SECONDED BY: Cr Wendy Dickinson

RESULT: CARRIED / LOST 4/0

RESOLUTION: SC020921-1761

- 2) (a) Council note that Phase 2 of the capping is already under construction with a completion date of 28th February 2022.
(b) Council authorise the Chief Executive Officer to prepare tender documents and proceed to advertise tender for capping works required on Phase 3,4 and 5 at the Stanley Road Waste Management Facility. Tender is to be awarded before 31st December 2021.

MOVED BY: Cr Jaysen Miguel

SECONDED BY: Cr Karen Turner

RESULT: CARRIED / ~~LOST~~ 4/0

RESOLUTION: SC020921-1762

- 3) Council requires the Chief Executive Officer to ensure Stanley Road Waste Management Facility is fully compliant with the Environment Protection Licence issued under *Part V of the Environmental Protection Act 1986* and is managed in accordance with the operating licences issued by the *Department of Water and Environmental Regulation (DWER)* and current Environmental Protection Notice and any non-compliance issues raised by DWER in recent site audits conducted, are addressed as a matter of urgency.

MOVED BY: Cr Jaysen Miguel

SECONDED BY: Cr Karen Turner

RESULT: CARRIED / ~~LOST~~ 4/0

RESOLUTION: SC020921-1763

- 4) Council requires the Chief Executive Officer to report to the member councils weekly on all licence and non-compliance issues.

MOVED BY: Cr Jaysen Miguel

SECONDED BY: Cr Karen Turner

RESULT: CARRIED / ~~LOST~~ 4/0

RESOLUTION: SC020921-1764

- 5) Council requires the Chief Executive Officer to write to Department of Water and Environmental Regulation (DWER) and notify them of councils' decision.

MOVED BY: Cr Wendy Dickinson

SECONDED BY: Cr Karen Turner

RESULT: CARRIED / ~~LOST~~ 4/0

RESOLUTION: SC020921-1765

Voting Requirement

Absolute Majority

Background

A recent Environmental Protection Notice issued to the BHRC on the 5th July 2021 on the following grounds;

Class II putrescible waste material disposed of in unlined cells (Cell A, B and 1 shown on the map in Appendix 1: Map) on the premises is causing emissions to the groundwater;

- The concentrations of chloride, ammonia, aluminium and iron present in the groundwater at concentrations exceeding criteria for non-potable ground water use are caused, or likely to be caused by the emissions;
- The emissions are likely to cause degradation of the environment through the degradation of freshwater ecosystems (conservation category wetlands and waterways such as the Wellesley and Brunswick Rivers) and the degradation of the quality of groundwater resources to cause impact to beneficial uses of groundwater.

Within 60 days of the date this Notice is given, or by an alternative date agreed on in writing by the CEO, the persons to which this Notice is given must provide the department with a revised version of the document - *Landfill Closure Management Plan Stanley Road Waste Management Facility* prepared by Ask Waste Management Consultancy Services, dated 10 January 2019 (LCMP).

A recent site audit conducted by DWER Officers on the 3rd September 2021 raised major concern of leachate escaping from the uncapped landfill area in the location of Phase 5 of the rehabilitation program.

Strategic and/or Regional Outcomes

Refer to the Bunbury-Harvey Regional Council Strategic Community Plan 2016.

Accountability

For ensuring the collection and management of solid waste and recovered materials in an environmentally sound manner and in accordance with regulatory requirements and the Department of Environment Licence conditions.

Analysis of Financial and Budget Implications

As per recommendations.

Council Officer Consultation

Officers from the City of Bunbury, Shire of Harvey and BHRC have met and discussed best approach to making the site compliant with capping requirements.

Council Policy Compliance

The Stanley Road Waste Management Facility is currently non-compliant with DWER Landfill Licence.

Legislative Compliance

Section 6.1 (6.11 Reserve Accounts) of the Local Government Act 1995 applies:

Delegation of Authority

Nil

Relevant Precedents

Nil

12.2. Amended Schedule of Fees and Charges 2021/2022 for Stanley Road Waste Management Facility

Applicant / Proponent:	Internal			
Responsible Officer:	Tony Battersby, Chief Executive Officer Karen McDonald, Finance Manager			
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):	-			

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.

The Schedule of proposed Fees and Charges for the 2021/2022 Financial Year forms part of the 2021/2022 Budget.

Policy Implications

Nil

Voting Requirement

Absolute Majority

Stanley Road Waste Management Facility

	Increase / Decrease %	2021/22 Amended Fees (Incl. GST)	2021/22 Adopted Fees (Incl. GST)	
LIGHT VEHICLES (Volume of General Waste)				
Per Car or Station Wagon	0%	\$15.00	\$15.00	
Per Utility or trailer (up to 1.8m x 1.2m)	0%	\$22.00	\$22.00	
Per Trailer or large utility (up to 2.1m x 1.2 m or Trailer with sides exceeding 600mm)	0%	\$33.00	\$33.00	
LIGHT VEHICLES (Volume of Green Waste)				
Per Car or Station Wagon	0%	\$9.00	\$9.00	
Per Utility or trailer (up to 1.8m x 1.2m)	0%	\$15.00	\$15.00	
Per Trailer or large utility (up to 2.1m x 1.2m or Trailer with sides exceeding 600mm)	0%	\$25.00	\$25.00	
LIGHT VEHICLES (Volume of Clean Fill/Rubble Waste)				
Per Utility or trailer (up to 1.8m x 1.2m)	0%	\$6.00	\$6.00	
Per Trailer or large utility (up to 2.1m x 1.2m or Trailer with sides exceeding 600mm)	0%	\$6.00	\$6.00	
HEAVY VEHICLES WEIGHBRIDGE				
Co-mingled Waste per tonne (No Mattresses, Tyres or Hazardous Waste)	0%	\$61.00	\$61.00	
Minimum Charge	0%	\$44.00	\$44.00	
Mattresses per tonne	110.5%	\$220.00	\$104.50	
Minimum Charge	110.5%	\$220.00	\$104.50	
Co-mingled Skip Waste per tonne		Delete	\$45.00	
Minimum Charge		Delete	\$45.00	
Clean Green Waste per tonne (Maximum Size diameter 500mm)	3.5%	\$30.00	\$29.00	
Minimum Charge	3.5%	\$30.00	\$29.00	
Clean Cardboard Waste per tonne	0%	\$29.00	\$29.00	
Minimum Charge	0%	\$29.00	\$29.00	
Clean Wood Waste per tonne		Delete	\$30.00	
Minimum Charge		Delete	\$30.00	
Clean Fill – Suitable for Daily Cover and Road Building per tonne	9.1%	\$1.20	\$1.10	
Minimum Charge	9.1%	\$1.20	\$1.10	
Building and Demolition Waste per tonne (No Gyprock or Timber and Maximum Size 500mm)	0%	\$8.00	\$8.00	
Minimum Charge	0%	\$8.00	\$8.00	
Building and Demolition Waste per tonne (No Gyprock or Timber and Over 500mm)		\$33.00	\$33.00	
Minimum Charge		\$33.00	\$33.00	

OTHER WASTE				
Tyres				
• Passenger/Motorcycle (per tyre)	15%	\$4.00	\$3.50	
• 4WD/Light Truck (per tyre)	9%	\$6.00	\$5.50	
• Truck (per tyre)	10%	\$22.00	\$20.00	
• Tyres per tonne	18.5%	\$390.00	\$330.00	
• Minimum Charge	17%	\$115.00	\$99.00	
Electronic Waste per tonne		\$850.00	\$850.00	
Minimum Charge		\$170.00	\$170.00	
Car Bodies	0%	\$0.00	\$0.00	
Special Burial (i.e. Asbestos) per tonne	0%	\$84.00	\$84.00	
Minimum Charge	0%	\$84.00	\$84.00	
Quarantine Waste per tonne	0%	\$130.00	\$130.00	
Minimum Charge	0%	\$130.00	\$130.00	
TIP PASSES (Volume of General Waste)				
Charges to Shire of Harvey for tip pass usage – as per light vehicles as detailed below:				
Car or Station Wagon	0%	\$15.00	\$15.00	
Utility or Trailer	0%	\$22.00	\$22.00	
Large Utility / Trailer	0%	\$33.00	\$33.00	
LIGHT VEHICLES (Volume of Green Waste)				
Car or Station Wagon	0%	\$9.00	\$9.00	
Utility or Trailer	0%	\$15.00	\$15.00	
Large Utility / Trailer	0%	\$25.00	\$25.00	
LIGHT VEHICLES (Volume of Clean Fill/Rubble Waste)				
Utility or Trailer	0%	\$6.00	\$6.00	
Large Utility / Trailer	0%	\$6.00	\$6.00	
MEMBER COUNCIL REBATE				
To City of Bunbury – Per Tonne of General Waste	0%	\$12.50	\$12.50	
To Shire of Harvey – Per Tonne of General Waste	0%	\$12.50	\$12.50	
SALE OF COMPOST/ MULCH				
Per Skid Steer Loader Bucket	0%	\$22.00	\$22.00	
Per Tonne	0%	\$44.00	\$44.00	
CONTAINER DEPOSIT SCHEME				
Per Eligible Container	0%	\$0.06	\$0.06	
Per Container Deposit Scheme (CDS) Bale	0%	\$10.00	\$10.00	
Per Container Deposit Scheme (CDS) Bag	0%	\$2.50	\$2.50	
WEIGHBRIDGE USE (Weight only)				
Weight Only	0%	\$23.00	\$23.00	

Operating Income

	Revised Budget 2020/2021	Proposed Budget 2021/2022
Casual Tipping Fees	\$2,047,768.00	\$1,050,000.00
Sale of Scrap Metal	\$240,000.00	\$250,000.00
Disposal – City of Bunbury	\$482,268.00	\$491,913.00
Disposal – Shire of Harvey	\$305,525.00	\$314,690.00

Shire of Harvey Tip Passes	\$294,218.00	\$275,040.00
Waste Minimisation Income	\$85,838.00	\$47,500.00
Landfill Levy Income	\$148,707.00	\$17,158.00
Recycling Shop	\$61,435.00	\$62,663.00
Sale of Mulch	\$8,000.00	\$8,000.00
Sale of Cardboard	\$0.00	\$8,000.00
Refund for CDS	\$311,138.00	\$535,400.00
Sale of CDS Bales	\$2,591.00	\$2,000.00

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

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

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 4.05pm.