



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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Attachment 3	-	Summary of Accounts paid for period ending 31 May 2021
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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

<i>Council Members:</i>	Representing
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
<i>Executive Leadership Team (Non-Voting)</i>	Representing
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)
<i>Officers (Non-Voting)</i>	Representing
Ms Karen McDonald	Finance Manager
<i>Others(Non-Voting)</i>	Representing
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 (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)**

• Current Assets of \$3,060,346:	Year-to-date	Forecast
○ 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 (Current Assets less Current Liabilities) is:	2,500,339	1,404,433
• Equity (Total Assets less Total Liabilities) 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
TOTAL:	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:

Statement of Financial Activity	
Revenues by Nature and Type	

Contributions 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 41%
Other Revenue 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 20%
Other Expenditure 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) (74%)

Voting Requirement

Simple Majority

11.2. Financial Statements for the period ending 30 June 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 2 - Financial Statements for the Period Ending 30 June 2021 (Appendices 1 – 8)			

Summary

Note that this is 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
TOTAL:	2,234,956	100	

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:

Statement of Financial Activity	
Revenues by Nature and Type	
Contributions 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 38%
Other Revenue 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 25%

Other Expenditure 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) (77%)
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Voting Requirement

Simple Majority

11.3. Summary of Accounts paid for 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 type="checkbox"/>
Attachment(s):	Attachment 3 - 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

Applicant / Proponent:	Internal		
Responsible Officer:	Karen McDoanld, 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 type="checkbox"/>
Attachment(s):	Attachment 4 - 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

Applicant / Proponent:	Internal			
Responsible Officer:	Karen McDonald, Finance 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 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;
- a) Completing the post closure rehabilitation site-capping up to at least Phase Three noted in the post-closure management plan (approximately \$830,000);
 - b) Supporting the capital funding requirements of the construction of the lined-cell project (approximately \$4,070,000); and
 - c) 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;
- a) Will deliver upon the State Waste Strategy requirement of waste diversion from landfill and the introduction of FOGO;
 - b) Will allow other local governments to dispose of their FOGO into a state of the art regional compost facility; and
 - c) 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 24th June 2021.

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

Applicant / Proponent:	Internal			
Responsible Officer:	Tony Battersby, Chief Executive Officer			
Executive:	Tony Battersby, Chief Executive Officer			
Authority / Discretion:	Advocacy	<input checked="" type="checkbox"/>	Review	<input checked="" type="checkbox"/>
	Executive/Strategic	<input checked="" type="checkbox"/>	Quasi-Judicial	<input type="checkbox"/>
	Legislative	<input checked="" type="checkbox"/>	Information Purposes	<input type="checkbox"/>
Attachment(s):	Attachment 6 - 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	<u>Audit</u>	4:15pm	Administration Complex, Lot 45 Stanley Rd, Wellesley
Thursday	25 November 2021 *Adoption of Annual Report*	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	<u>Audit</u>	4:15pm	Administration Complex, Lot 45 Stanley Rd, Wellesley
Thursday	26 May 2022 *Adoption of Fees & Charges*	Ordinary	4:30pm	Administration Complex, Lot 45 Stanley Rd, Wellesley
Thursday	28 July 2022 *Adoption of Annual Budget*	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

Applicant / Proponent:	Internal			
Responsible Officer:	Tony Battersby, Chief Executive Officer			
Executive:	Tony Battersby, Chief Executive Officer			
Authority / Discretion:	Advocacy	<input type="checkbox"/>	Review	<input checked="" type="checkbox"/>
	Executive/Strategic	<input checked="" type="checkbox"/>	Quasi-Judicial	<input type="checkbox"/>
	Legislative	<input checked="" type="checkbox"/>	Information Purposes	<input type="checkbox"/>
Attachment(s):	Attachment 7 –2021/2022 CEO Performance Review (KPI's)			

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

Applicant / Proponent:	Tony Battersby, Chief Executive Officer			
Executive:	Tony Battersby, Chief Executive Officer			
Authority / Discretion:	Advocacy	<input checked="" type="checkbox"/>	Review	<input checked="" type="checkbox"/>
	Executive/Strategic	<input checked="" type="checkbox"/>	Quasi-Judicial	<input type="checkbox"/>
	Legislative	<input checked="" type="checkbox"/>	Information Purposes	<input type="checkbox"/>
Attachment(s):	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 25th October 2021 to 12th 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