



Ordinary Council Meeting

Minutes

17 August 2023

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	Financial Statements for the period ending 31 May 2023
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Attachment 3	Summary of Accounts paid for period ending 31 May 2023
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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 Thursday, 17 August 2023 at 4.15pm

Minutes

1. Declaration of Opening / Announcement of Visitors

The meeting was declared open by Cr Tresslyn Smith at 4.15pm. Cr Tresslyn Smith would like to formally welcome our incoming Chief Executive Officer, Mr Nick Edwards and wish him the very best for his tenure ahead.

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 Nick Edwards
Chief Executive Officer

2. Acknowledgement of the Country

We acknowledge the Traditional Custodians of this land on which we gather today, the Noongar Wardandi people, and pay our respects to Elders past, present and future.

3. Attendances and Apologies

3.1. Attendances

<i>Council Members:</i>	Representing
Cr Tresslyn Smith (Chairperson)	City of Bunbury
Cr Wendy Dickinson (Deputy Chairperson)	Shire of Harvey
Cr Karen Turner	City of Bunbury
Cr John Bromham	Shire of Harvey
Cr Ben Andrew	City of Bunbury
<i>Executive Leadership Team (Non-Voting)</i>	Representing
Mr Nick Edwards	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 Meta Hazeldine	Senior Finance Manager (<i>via Teams</i>)
Mrs Taryn York	Council Meeting Support Officer
Mr Jethro Sleer	Operations Manager
<i>Others(Non-Voting)</i>	Representing
Ms Vicki Gregg	City of Bunbury
Mr Gavin Harris	City of Bunbury

Mr Rick Lotznicker	Shire of Harvey
Haydn Jones	Shire of Harvey

3.2. Apologies

Nil

4. Public Question Time

Nil

5. Summary of Response to previous Questions taken on notice

Nil

6. Applications for Leave of Absence

Nil

7. Confirmation of Minutes

The minutes of the Ordinary meeting of Council held on 1 June 2023, are confirmed as a true accurate record.

MOVED BY: Cr Karen Turner

SECONDED BY: Cr Ben Andrew

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

RESOLUTION: OC170823-1905

The minutes of the Ordinary meeting of Council held on 6 July 2023, are confirmed as a true accurate record.

MOVED BY: Cr Wendy Dickinson

SECONDED BY: Cr Karen Turner

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

RESOLUTION: OC170823-1906

8. Petitions / Memorials / Presentations

Nil

9. Declarations of Interests

Nil

10. Announcements (by the presiding member without discussion)

Nil

11. Reports of Committees

Nil

12. Reports of Officers

12.1. Financial Statements for the period ending 31 May 2023

Applicant / Proponent:	Internal			
Responsible Officer:	Meta Hazeldine, Senior Finance Manager			
Responsible Manager:	Meta Hazeldine, Senior Finance Manager			
Executive:	Nick Edwards, 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 1 – Financial Statements for the period ending 31 May 2023			

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 2023

	ACTUAL	BUDGET	VARIANCE	
• Year-to-date Income	12,416,714	12,477,713	(60,999)	Unfavourable
• Year-to-date Expenditure	(6,488,978)	(7,396,731)	(907,753)	Favourable
• Year-to-date Operating Surplus/(Deficit)	5,927,736	5,080,982	846,754	Favourable

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

Closing Surplus to 30 June 2023 is forecast to be \$9,638.

3. Capital Works

	ACTUAL	BUDGET	VARIANCE
• Year-to-date Capital Expenditure	(13,593)	(25,000)	(11,407)

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

• Current Assets of \$4,432,852 includes:	Year-to-date	Forecast
o Cash and Cash Equivalents	3,646,095	969,969
o Trade and Other Receivables	746,545	306,589
o Prepayments	24,965	31,942
o Inventories	15,247	18,357
• Current Liabilities of \$2,534,679 includes:		
o Trade and Other Payables	2,227,312	487,168
o Provisions	307,367	306,560
• Working Capital (Current Assets less Current Liabilities) is:	1,898,173	533,129
• Equity (Total Assets less Total Liabilities) is	6,190,040	4,744,000
• Reserves	1,330,421	526,087

5. Investments

Total of \$3,550,141.36 includes:			
	Invested Funds \$	% of Total Funds	Max % of Total Funds Allowed
o Commonwealth Bank	3,216,433.17	91%	75
o National Australia Bank	333,708.19	9%	75
TOTAL:		100%	

Current % of total funds invested exceeds the maximum funds allowed due to the council requiring access to these funds to allow for payments for the cell capping project. The distribution of funds will be amended in June once final payments have been made.

Executive Recommendation

That Council:

Receive and accept the Financial Statements for period ending 31 May 2023 as presented to Council.

MOVED BY: Cr John Bromham

SECONDED BY: Cr Karen Turner

RESULT: CARRIED ~~LOST~~ 5 / 0

RESOLUTION: OC170823-1907

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 31 August 2022, 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 2022/23.

Consultation

Nil

Financial Implications

As per the 2022/23 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:

Operating Revenue

Fees and Charges – Unfavourable year-to-date variance for Fees and Charges mainly due to Casual Tipping Fees of \$100K and Compost Revenue of \$49K, these items are partially offset by higher than anticipated Shire of Harvey Tip passes of 54\$K.	(\$107,830) (4%)
Interest Revenue – Favourable year-to-date variance of \$23K due to higher than anticipated interest rates. End of year forecasts have been entered.	\$22,816 41%

Operating Expenditure

Other Expenditure – Favourable year-to-date variance of \$372K due to lower than anticipated disposal costs for Stanley Rd of \$210K, Member councils of \$110K and Banksia Rd of \$118K	\$372,165 10%
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Investing Activities

Property, Plant and Equipment Acquisition – Favourable year-to-date variance of \$15K due to delays in installing new CCTV equipment.	\$15,000 100%
Non-Operating Grants & Contributions – Unfavourable year-to-date variance of \$37,121 due to the grants funds not being required for the project as there has been minimal spending to date.	\$37,121 74%
Proceeds from Disposal of Assets – Unfavourable year-to-date variance due to sale of assets not yet affected. Staff are currently liaising with auctioneers.	\$100,000 100%

Voting Requirement

Simple Majority

12.2. Preliminary Financial Statements for the period ending 30 June 2018

Applicant / Proponent:	Internal			
Responsible Officer:	Meta Hazeldine, Senior Finance Manager			
Responsible Manager:	Meta Hazeldine, Senior Finance Manager			
Executive:	Nick Edwards, Chief Executive Officer			
Authority / Discretion:	Advocacy	<input checked="" type="checkbox"/>	Review	<input type="checkbox"/>
	Executive/Strategic	<input checked="" type="checkbox"/>	Quasi-Judicial	<input type="checkbox"/>
	Legislative	<input checked="" type="checkbox"/>	Information Purposes	<input type="checkbox"/>
Attachment(s):	Attachment 2 – Financial Statements for the period ending 30 June 2023			

Summary

Note that this is a preliminary report to 30 June 2023 and is subject to change as end-of-year figures have not been finalised including transfers to and from reserves, restricted cash, final calculation of depreciation,

asset revaluation and expenditure. Council will receive a final report after the annual audit due to commence 16 October 2023.

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

1. Statement of Comprehensive Income (attached at Appendix 1)
 - a. Actual Financial Performance to 30 June 2023

	ACTUAL	BUDGET	VARIANCE	
• Income	12,834,984	12,957,208	(122,224)	Unfavourable
• Expenditure	(7,388,996)	(8,521,881)	1,132,885	Favourable
• Operating Surplus/(Deficit)	5,445,989	4,435,327	1,010,662	Favourable

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

Closing Surplus to 30 June 2023 is forecast to be \$452,627.

3. Capital Works

	ACTUAL	BUDGET	VARIANCE
• Capital Expenditure	(13,593)	(50,000)	36,407

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

• Current Assets of \$3,981,510 includes:	Actual	Forecast
○ Cash and Cash Equivalents	3,431,355	3,397,026
○ Trade and Other Receivables	506,707	306,589
○ Prepayments	32,149	,31,942
○ Inventories	11,300	18,357
• Current Liabilities of \$2,510,724 includes:		
○ Trade and Other Payables	2,170,138	2,092,890
○ Provisions	340,586	340,586
• Working Capital (Current Assets <i>less</i> Current Liabilities) is:	1,470,786	1,320,438
• Equity (Total Assets <i>less</i> Total Liabilities) is	5,709,006	5,572,251
• Reserves	1,142,136	867,809

5. Investments

Total of \$3,261,980.76 includes:			
	Invested Funds \$	% of Total Funds	Max % of Total Funds Allowed
○ Commonwealth Bank	1,427,216.60	44%	75
○ National Australia Bank	1,834,764.17	56%	75
TOTAL:		100%	

Executive Recommendation

That Council:

Receive and accept the Financial Statements for period ending 30 June 2023 as presented to Council.

MOVED BY: Cr Ben Andrew

SECONDED BY: Cr Karen Turner

RESULT: CARRIED ~~LOST~~ 5 / 0

RESOLUTION: OC170823-1908

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**)
- Statement of Financial Position (attached at **Appendix 4**)
- Statement of Net Current Assets (attached at **Appendix 5**)

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 31 August 2022, 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 2022/23.

Consultation

Nil

Financial Implications

As per the 2022/23 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:

Operating Revenue

Fees and Charges – Unfavourable year-to-date variance for Fees and Charges mainly due to Casual Tipping Fees of \$114K, Banksia Rd Organics Tipping Fees of \$32K and Compost Revenue of \$50K, these items are partially offset by higher than anticipated Shire of Harvey Tip passes of \$66K.	(\$128,406) (5%)
Interest Revenue – Favourable year-to-date variance of \$28K due to higher than anticipated interest rates. End of year forecasts have been entered.	\$28,214 50%

Operating Expenditure

Other Expenditure – Favourable year-to-date variance of \$516K due to lower than anticipated disposal costs for Stanley Rd of \$221K, Member councils of \$184K and Banksia Rd of \$165K.	\$516,802 15%
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Investing Activities

Property, Plant and Equipment Acquisition – Favourable year-to-date variance of \$30K due to delays in installing new CCTV equipment.	\$30,000 100%
Proceeds from Disposal of Assets – Unfavourable year-to-date variance due to sale of assets not yet affected.	\$100,000 100%

Voting Requirement

Simple Majority

12.3. Summary of Accounts paid for period ending 31 May 2023

Applicant / Proponent:	Internal			
Responsible Officer:	Meta Hazeldine, Senior Finance Manager			
Responsible Manager:	Nick Edwards, Chief Executive Officer			
Executive:	Nick Edwards, 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 2023			

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 2023.

Officer Recommendation

That Council:

Receive and accept the Summary of Accounts paid for period ending 31 May 2023 as presented to Council.

MOVED BY: Cr Wendy Dickinson

SECONDED BY: Cr John Bromham

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

RESOLUTION: OC170823-1909

Background

As noted in Summary.

Voting Requirement

Simple Majority

Officer Comment

The attachment details all payments made for 31 May 2023

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 2022/2023 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

12.4. Summary of Accounts paid for period ending 30 June 2023

Applicant / Proponent:	Internal			
Responsible Officer:	Meta Hazeldine, Senior Finance Manager			
Responsible Manager:	Nick Edwards, Chief Executive Officer			
Executive:	Nick Edwards, 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 2023			

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 2023.

Officer Recommendation

That Council:

Receive and accept the Summary of Accounts paid for period ending 30 June 2023 as presented to Council.

MOVED BY: Cr Wendy Dickinson

SECONDED BY: Cr Ben Andrew

RESULT: CARRIED ~~LOST~~ 5 / 0

RESOLUTION: OC170823-1910

Background

As noted in Summary.

Voting Requirement

Simple Majority

Officer Comment

The attachment details all payments made for 30 June 2023

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 2022/2023 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

12.5. Write Off of Account Receivable Balances

Applicant / Proponent:	Internal			
Responsible Officer:	Ms Meta Hazeldine, Senior Finance Manager			
Responsible Manager:	Nick Edwards, Chief Executive Officer			
Executive:	Nick Edwards, 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):	-			

Summary

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

In all instances:

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

The recommended Account Receivable write off relates to Advance Waste Disposal Pty Ltd.

All endeavours to facilitate collection of the outstanding amount have been exhausted. The list of debtor's invoices (as **attached** at Appendix 8) totalling \$22,966.63 (excl. GST) is recommended for write off.

Officer Recommendation

That Council:

Council approves the write off of two accounts receivable invoices to Advance Waste Disposal Pty Ltd totalling \$22,966.63.

MOVED BY: Cr John Bromham

SECONDED BY: Cr Ben Andrew

RESULT: CARRIED ~~LOST~~ 5 / 0

RESOLUTION: OC170823-1911

Officer Comments

The debt for Advance Waste Disposal is from October and November 2020. During December 2021 to May 2022, BHRC recovered \$14,879.83 from the business, but since this time, the business hasn't made further payments.

Advance Waste Disposal Pty Ltd is currently in liquidation and SV Partners has been appointed as the Liquidator. As per Liquidator's report provided on the 9th of June 2023 BHRC is classified as an unsecured creditor. The liquidator is unable to advise (or provide an estimate) if sufficient funds can be distributed after secured creditors and administration costs are paid.

Voting Requirement

Absolute Majority

12.6. Budget for the Year Ending 30 June 2024

Applicant / Proponent:	Internal			
Responsible Officer:	Meta Hazeldine, Senior Finance Officer			
Responsible Manager:	Meta Hazeldine, Senior Finance Officer			
Executive:	Nick Edwards, Chief Executive Officer			
Authority / Discretion:	Advocacy	<input type="checkbox"/>	Review	<input type="checkbox"/>
	Executive/Strategic	<input checked="" type="checkbox"/>	Quasi-Judicial	<input type="checkbox"/>
	Legislative	<input checked="" type="checkbox"/>	Information Purposes	<input type="checkbox"/>
Attachment(s):	Attachment 5 – Draft Budget for 2023/24			

Summary

Section 6.2(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.

Background

In July 2020, BHRC received an Environmental Protection Notice (EPN), due to significant non-compliances against Licence conditions at the Stanley Rd site. The EPN directed BHRC to cease all acceptance of Commercial Putrescible waste.

Landfill operations also ceased in March 2022, which caused all municipal waste streams to be diverted from BHRC Stanley Rd to an alternative landfill.

Both these events have had a significant impact on the income stream for BHRC, and as such BHRC have required to receive an operating financial contribution in financial years 2021/22, 2022/23 from both member councils, and this will continued in 2023/24.

Officer Comments

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:

Chairperson - \$95 - \$510

Councillors - \$95 - \$250

Committees - \$50

(Refer Recommendation 1)

2. Reporting of Material Variances in the Monthly Statement of Financial Activity for 2023/24

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)

3. Late Payment Interest Charge

An interest charge of 11% 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 2023.

(Refer to Recommendation 4)

4. Fees and Charges

A review of the fees and charges was undertaken in June 2023, culminating in a new schedule of Fees and Charges being applied from 1st July 2023. This new schedule of fees and charges was adopted at the 1 June 2023 Ordinary Meeting of Council. These new fees and charges have been utilised as the basis for the 2023/24 financial year income component of the budget.

5. Member Contributions

With the diversion of both commercial and municipal waste, BHRC is unable to generate the necessary income to support the full cost of current service provision. As such BHRC requires member operating contributions for the 2023/24 financial of \$1.9M, to ensure the financial sustainability of BHRC.

(Refer to Recommendation 5)

6. Employee Expenses

The Stanley Rd employee costs reflect a change to the operating model of the Stanley Rd site, taking a conservative approach, with limited "back-of-house" operations, waste transfer station, container for change operations only, and the transport of residential waste from Stanley Rd to an alternative site.

7. Materials and Contracts Expenses

The Materials and Contracts expenses included in the budget have considered:

- (a) Additional expense associated to the repair and maintenance of the hardstand at Banksia Road.
- (b) Additional expense associated with the ongoing and expanded scope of the Contaminated Sites Investigation, as per recommendations of the Contaminated Sites Mandatory Auditor.
- (c) Expected increase in expense for the ongoing monitoring of ground and surface water, in line with renewal of contract for ground water monitoring and additional testing and expected recommendations associated with the ongoing Detailed Site Investigated being conducted under Contaminated Sites.
- (d) The effective and efficient operation of the Compost Facility with the production and sale of Compost from the site, and consequently, the landfill expense associated the screening and landfilling of contamination volumes from the process.
- (e) The potential costs associated with the disposal of the remaining mattresses and timber piles at the Stanley Road Site – noting that these expenses are subject to the confirmation of support from the member councils.

8. Non-compliance Rectification Costs

Non-compliance rectification costs have been included in the 2023/24 budget, with the estimated costs associated with the works required of \$3.8M. Council has undertaken an Expression of Interest process, which will potentially inform Council as to the potential solutions, based upon Expression of Interest submissions. These non-compliance items include the Mattress & Wood Waste at the Stanley Road Site.

These non-compliance costs will be subject to funding required from Member Councils via funding contributions.

(Refer to Recommendation 5)

Consultation

BHRC Councillors
City of Bunbury CEO
Shire of Harvey CEO
City of Bunbury Director Infrastructure
Shire of Harvey Director Infrastructure Services

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.

BHRC require a financial contribution from Member Councils for 2023/24 financial year, to remain financially viable. The member contribution will provide the additional income necessary to offset the “business-as-usual” operating expenses of the Council.

Statutory Environment

Section 6.2(1) of the Local Government Act 1995 applies.

Strategic Implications

Potential Impact to Member Council’s delivery program over the coming years.

Policy Implications

Nil

Officer Recommendations

Recommendation 1 – Elected Members Meeting Attendance Fees

That Council adopt the Elected Member sitting fees as prescribed by the Local Government (Administration) Regulations 1996 being:

- (a) Council Meeting fees:
Chairperson \$190.00 per meeting
Councillors \$95.00 per meeting

- (b) Committee Meeting fees:
Chairman and Councillors \$50.00 per meeting.

Note: Absolute Majority Vote Required

MOVED BY: Cr Karen Turner SECONDED BY: Cr John Bromham

RESULT: CARRIED ~~LOST~~ 5 / 0

RESOLUTION: OC170823-1912

Recommendation 2 – Adoption of the 2023/24 Budget

Budgets for the following funds for the year ended 30 June 2024, be adopted:

- Municipal Fund
- Plant and Infrastructure Reserve
- Site (Post Closure) Rehabilitation Reserve
- Stanley Road Environmental Protection and Cell Construction Reserve
- Organic Processing Reserve
- Employee Entitlement Reserve

Note: Absolute Majority Vote Required

MOVED BY: Cr Karen Turner SECONDED BY: Cr Wendy Dickinson

RESULT: CARRIED ~~LOST~~ 5 / 0

RESOLUTION: OC170823-1913

Recommendation 3 – Reporting of Material Variances in the Monthly Statement of Financial Activity for 2023/24

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 2023/24.

Note: Absolute Majority Vote Required

MOVED BY: Cr John Bromham SECONDED BY: Cr Ben Andrew

RESULT: CARRIED ~~LOST~~ 5 / 0

RESOLUTION: OC170823-1914

Recommendation 4 – Late Payment Interest Charge

An interest charge of 11% 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 1st July 2023 subject to:

Note: Absolute Majority Vote Required

MOVED BY: Cr Wendy Dickinson **SECONDED BY:** Cr Ben Andrew
RESULT: CARRIED ~~LOST~~ 5 / 0
RESOLUTION: OC170823-1915

Recommendation 5 - Financial Contributions for BHRC

Council requires the Chief Executive Officer of the BHRC to formally write to the BHRC Member Councils seeking contributions for the 2023/24 financial year of up to \$6.2M in pursuant of Clause 7. 3 & 7.4(1) of the Regional Council Constitution Agreement for the following:

- (a) Operating deficit contributions of up to \$1.9M.
- (b) Timber and mattress disposal costs of up to \$3.8M.
- (c) Potential Lined cell design costs of \$500K.

Note: Absolute Majority Vote Required

MOVED BY: Cr John Bromham **SECONDED BY:** Cr Karen Turner
RESULT: CARRIED ~~LOST~~ 4 / 1
RESOLUTION: OC170823-1916

Councillor Andrew voted against this recommendation.

12.7. Draft Meeting Schedule 2023/2024

Applicant / Proponent:	Internal			
Responsible Officer:	Nick Edwards, Chief Executive Officer			
Executive:	Nick Edwards, Chief Executive Officer			
Authority / Discretion:	Advocacy	<input checked="checked" type="checkbox"/>	Review	<input checked="checked" type="checkbox"/>
	Executive/Strategic	<input checked="checked" type="checkbox"/>	Quasi-Judicial	<input type="checkbox"/>
	Legislative	<input checked="checked" type="checkbox"/>	Information Purposes	<input type="checkbox"/>
Attachment(s):	Attachment 6 - Draft Meeting Schedule 2023/2024			

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 Ben Andrew

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

RESOLUTION: OC170823-1917

Day	Date	Meeting	Time	Venue
Thursday	28 September 2023	Ordinary	4:15pm	Administration Complex, Lot 45 Stanley Road, Wellesley
Thursday	30 November 2023	Audit	4:15pm	Administration Complex, Lot 45 Stanley Road, Wellesley
Thursday	30 November 2023 <i>*Adoption of Annual Report*</i>	Ordinary	4:30pm	Administration Complex, Lot 45 Stanley Road, Wellesley
Thursday	18 January 2024	Ordinary	4:15pm	Administration Complex, Lot 45 Stanley Road, Wellesley
Thursday	28 March 2024	Ordinary	4:15pm	Administration Complex, Lot 45 Stanley Road, Wellesley
Thursday	30 May 2024	Audit	4:15pm	Administration Complex, Lot 45 Stanley Road, Wellesley
Thursday	30 May 2024 <i>*Adoption of Fees & Charges*</i>	Ordinary	4:30pm	Administration Complex, Lot 45 Stanley Road, Wellesley
Thursday	25 July 2024 <i>*Adoption of Annual Budget*</i>	Ordinary	4:15pm	Administration Complex, Lot 45 Stanley Road, 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 2023/2024 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.

17. Close of Meeting

The Presiding Member declares meeting closed at 4:44pm.

UNCONFIRMED